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Proportional

Representation

INCLUDING ITS RELATIONS TO THE

INITIATIVE AND REFERENDUM.

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BY ALFRED CRIDGE.

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# PROPORTIONAL REPRESENTATION, THE INITIATIVE AND THE REFERENDUM.

BY ALFRED CRIDGE.

## Definitions.

"Direct Legislation" comprises the Referendum and the Initiative. Under the former, laws, etc., after being passed by the legislature, are referred to a direct vote of "the people" to be ratified or rejected. When "obligatory," all laws must be so referred; when "optional," they are referred only on request of a certain number or percentage of the voters. The Initiative requires the submission to such direct vote of any proposed law formally approved by a certain percentage of the voters.

Proportional representation substitutes for assumed representation of majorities, penned within district lines, a *pro rata* representation of the *whole* people of a State or municipality, so arranged, in one form, as to represent parties in proportion to the number of their adherents, and in the other, the whole people, whether in or out of parties. This is known as the Hare Preferential system, because if a vote is not wanted to elect the candidate who is the voter's first choice, it is used for some other candidate in the order of his *preference*. In California one-eightieth of its voters, wherever resident, in one or twenty counties, could secure an Assemblyman; legislatures would be complete reflexes of the people, and the wasted votes so very small that in South Australia the system is known as Effective Voting.

## PREFATORY.

When the French Academicians were getting up their dictionary they submitted to Cuvier the following definition of a crab:

"A red fish that walks backward."

He remarked that the definition was correct, excepting that the crab was not red, was not a fish and did not walk backward.

King Charles II asked the members of the Royal Society how it was that when a fish was put into a bucket of water the weight of the bucket and its contents was not increased. Several presented ingenious explanations, after which one of them rose up and denied the fact, when the King remarked, "Odd fish! but you're right."

Those who write so fluently about "the people's rule," "voters make their own laws," "this is a people's government," etc., are as wide of the mark as the savants above mentioned, in that they have not ascertained the facts themselves, but have simply believed what they have been told.

It is said "Democracy" does, this, that, or the other thing, when, outside of Switzerland, Democracy has no existence, and there only partially.

W. D. Stead in the Review of Reviews says, "Demos will regard his millionaires as the cottager regards his bees." But his as others' "Demos" is as much a myth as Bacchus or Saturn. DeTocqueville has written a book of over 500 pages on "Democracy in America," when the thing did not then, and does not now exist in America.

It is of the first importance to the consideration of any of the fundamental political questions now taken up by thinking persons to ascertain what is and is not representation; how far, if at all, voters really make the laws, and how far they might do in practice what they are said to do in theory. This lies at the foundation of all intelligent effort to improve industrial and moral conditions by political processes. It is the keystone, the keynote and the key to all such reforms.

I therefore propose to consider the subject in the light of facts and reason, negatively, positively and relatively; with the preliminary remark that limitations as to space preclude setting forth within the limits of a small pamphlet, a complete exposition of a subject that in the hands of other writers spreads into large volumes. Yet, as truth is always simple, the subject can be made clear in a limited space, provided the reader can divest himself sufficiently of pre-conceived notions to give it a candid consideration.

There are two methods adopted by scientists and logicians to reach facts. First, the *a priori* process, by which the truths of mathematics can be established in advance of experience, as that twice two is four and that the sum of all the angles in a triangle must always be equal to two right angles. Secondly, the *a posteriori* method of deducing general laws from experiment and observation, such as that water freezes and vaporises at certain temperatures and that the earth is nearly spherical.

I shall demonstrate that the current assumptions are false by both these processes.

## CHAPTER I.

### A PRIORI DEMONSTRATION.

It can be demonstrated, aside from any actual experience, that under representation by districts, minorities, from one-third down (the proportion growing less with the increased number of parties), can return a majority of the members in elective bodies.

Suppose three constituencies, of 3,000 voters each, elect each a member to a "representative body." Let each representative be designated by capitals and each thousand voters by "lower case" letters.

## CONSTITUENCIES.

## REPRESENTATIVES.

b a a

A

b a a

A

b b b

b

Two constituencies with 2,000 "a" voters each, and but 1,000 "b" voters each, return an A member each. The third constituency consisting entirely of "b" voters, returns one B member. But the whole of the "b" votes number 5,000, and only get one member, while the "a" voters, with 4,000, get two.

Now let us try with 7 constituencies, each having 7,000 voters:

a a a a b b b

A

a a a a b b b

A

a a a a b b b

A

a a a a b b b

A

b b b b b b b

B

b b b b b b b

B

b b b b b b b

B

There we have 16,000 "a" voters electing 4 members and 33,000 "b" voters electing but 3 members. Less than a third of the voters elect a majority of the so-called "representatives."

But to attempt to represent all grades of opinion by means of two parties is as absurd as it would be to undertake to fit every one by two sizes and makes of coats, hats and shoes. In proportion as people think for themselves, the need is felt for a third, a fourth, and even a fifth party; and then the current varieties of opinions on political questions would be inadequately voiced. But let us try a third party ("c"), thus:

## CONSTITUENCIES.

## REPRESENTATIVES

b b c c a a a

A

b b c c a a a

A

b b c c a a a

A

b b c c a a a

A

c c c b b b b

B

c c c b b b b

B

c c c b b b b

B

Here we have 49,000 voters in seven constituencies. The "a"s, with but 12,000—less than a fourth of the whole—get a majority of the "representatives."

tive" body, while the "c's," with nearly 50 per cent more voters, do not get one member in it; and the "b's," with a plurality vote, get a minority representation. Were there four, five or six parties, the minority of voters that might thus secure a majority of the elected body would necessarily become less and less. That is, the more intelligent voters become, the less representation do they get, if they vote in accordance with their convictions. It may be claimed that the cases represented are extreme. But there are other factors, of which we have taken so far no cognizance, that will still further increase disparities. It is practically impossible for voters in a mass to control party management; and a very small minority in the party not only can, but do, not only do, but must, control the nominations, so that the option (not choice) of the voter, in most cases, is to vote for one man that does not represent him in preference to voting for another that would misrepresent him. If his party wins, he is therefore misrepresented; if it loses, he is unrepresented.

## CHAPTER II.

### A POSTERIORI DEMONSTRATION.

Now let us see how the process actually works. I might fill volumes with conclusive statistical proof that either a minority of voters, or a very small majority, elect all the legislators, etc., leaving, for the time, the fact that even that minority, to a large extent, only had a choice of evils.

I will only select, at present, a few recent examples. In Oakland, 7 of the Councilmen and 7 of the members of the Board of Education are elected from as many wards, and 4 more of each "at large;" that is, all voters in that municipality vote for 4 candidates. At the election of March, 1893, 28,488 votes were cast for the 4 Councilmen at large, but only 10,195 or nearly 36 per cent., were cast for the candidates elected. For the members of the Board of Education so chosen, 26,588 votes were cast, of which but 10,739, or a little over 40 per cent., were cast for the candidates elected. The votes cast in the 7 wards, under which as many members of the Board of Education were elected from these wards separately, aggregated 7,127, of which 3,265 were effective for the elected members or nearly 46 per cent. All the candidates for Councilmen similarly voted for received 8,141 votes in all, but those 7 elected received 3,079, or 37.8 per cent. of the total.



The successful candidate for the School Board from the 6th ward received 297 out of the 803 votes, or nearly 36 per cent. The candidates elected from the 7th ward received 724 out of the 1,114 votes cast—nearly two-thirds of the whole, and almost two and one-half times as many as the 6th ward member, but he has only the same voting power in the Board. The elected candidate of the 6th only received 4 votes more than one of those defeated, so that a change of 3 votes out of 803 would have elected one of his opponents. In three wards (1st, 2nd and 4th) as many defeated candidates received more votes (329, 372, 292) than the candidates elected from the 6th. Of the Councilmen elected by wards, two received less than a third of the votes cast in each Ward (30.9 and 33.15 per cent.); two more received but a little over a third (34.4 and 36), and none of them received half the votes cast in their respective wards.

At the election for six Assemblymen from the same number of Districts in Alameda County on November 8th, 1892, 17,307 votes were cast, of which only 8,078—46 per cent.—were effective in electing candidates. A change of from 1 to less than 3 per cent. of the votes in three of the Districts, of less than a third of one per cent. in another, and of five and one-third and seven and one-half per cent. in the other two would have elected an entirely different Assembly delegation.

At the San Francisco municipal election, Nov. 8th, 1892, the average vote for 12 Supervisors, who are elected at large, was 51,131, and the average vote for successful candidates was 19,085, or slightly over 37 per cent. The Democratic party, on a vote of 39 per cent., secured eighty-three and one-third per cent.—10 out of 12—of the Board. A vote of seven-twelfths of that Board would not, then, necessarily represent but twenty-one and one-half per cent. of the voters. The members of the Board of Education, also elected at large, received about the same percentage of the total vote cast as the Supervisors. By comparison of this percentage with that of Oakland, it will be seen that election either at large or by districts is equally unrepresentative.

In 1890 the Congressmen elected from this State received 128,451 votes out of 252,012 cast, or 50.1 per cent. In 1892 they received 119,171 out of 240,210, or 49.6 per cent. The political elements at work differed very widely in 1892 from those of 1890, by reason of the increase of the votes for a third party. Yet the percentage of the voters represented (after a fashion) varied but little; and until we have complete proportional representation, mere changes in party names are fruitless.

It is the same in voluntary organizations. On March 29th, 1893, the Typographical Union of this city elected 3 delegates to the International convention of that body, each member voting for 3 of the 11 candidates. The votes numbered 1758, which, divided by 3, gives 653 voters. The successful candidates received 280, 234, and 228, votes respectively, being an average of 257. This gives an average of 38 per cent. of the votes represented. A change of *one vote* would have elected another candidate in place of the one who received 228.

In the whole State, on Nov. 8th, 1892, 249,363 votes were cast for Assemblymen from 80 single districts, of which 116,908 votes were cast for members elected and 132,455 against them, so that only a fraction over 47 per cent. of the voters elected every member of the Assembly, and nearly 53 per cent. were entirely unrepresented, even in form, while most of the 47 per cent. were not probably represented in fact. The vote of 41 out of the 80 members could not, therefore, be considered as representing, on an average, more than 24 per cent. of the voters; yet that proportion had the power to enact laws, so far as that House is concerned; and the Senate is elected on the same plan, excepting that half are hold-overs and only represented those who voted for them two years before.

Fortunately the House, in its ensuing session, by the votes on certain measures, positively proved the preceding position. On Feb. 23rd, 1893, an amendment to the Constitution requiring that on request of ten per cent. of the voters of the State, any bill passed by the Legislature must be submitted to the voters at the polls for ratification or rejection,, and that any bill proposed by that percentage should be similarly presented for direct vote, was rejected by 32 negative votes out of the 80 Assemblymen, it requiring a two-thirds vote for such amendment. These 32 members received a total of 44,281 votes in their several constituencies, being less than 18 per cent of the 249,263 votes of the State received for Assemblymen. Thus LESS THAN A FIFTH of the voters of the State are empowered, under this sham of representation, to determine that the other four-fifths shall have nothing to do with the laws except to vote for the class of men usually nominated by party machines.

An amendment to give the Legislature power to amend the tax laws so as to permit the voters of each municipality, county, etc., to determine by direct vote what classes of property should and what should not be taxed, received 42 negative votes. These 42 received 60,803 votes, which is less than twenty-four and one-half per cent. of the total votes cast for Assemblymen in the State. This concurs with the position above held,

that 41 Assemblymen out of the 80 would represent an average of about 24 per cent. of the voters.

In the Assembly elected in November, 1890 by 133,265 votes out of 248,423 cast (53 per cent.), the Vagrant bill was passed by 44 ayes and 26 noes. The ayes had received 70,277 votes at the polls,—a little over 28 per cent. of the total vote for Assemblymen. The 26 noes had received 47,284 votes; and 130,702 voters, being over half the votes in the State, had no voice whatever in the enactment of that law.

The bill for an appropriation of \$300,000 for the World's Fair received 44 ayes, these 44 having received 80,886 votes—less than a third of the whole. 24 who wanted a less amount, received 36,651 votes.

When Senator Stanford was re-elected he received 59 votes, these representing 97,939 votes at the polls, or less than two-fifths of the whole; though his majority was one short of three-fourths of the representative body.

The whole course of legislation might thus be followed up in any session of almost any Legislature or Congress with similar results.

And if these figures do not prove my position, no figures can prove anything and all reasoning is impossible. It is fully as reasonable to affirm that the earth is flat with the heavenly bodies revolving around it as that our electoral system is representative or democratic. But the demonstration to the contrary is much more easily understood in the latter than in the former case. And were it not that the false view is so persistently iterated and reiterated on every possible occasion, even by so-called "reform" journals, the proposition that any country outside of three Cantons in Switzerland, has a "representative" government, or that "the people rule," would be laughed to scorn as the gibberings of an idiot or the verbal antics of a parrot.

### CHAPTER III.

#### AS TO DIRECT LEGISLATION.

This can be accomplished by two processes known as the Referendum and the Initiative, as defined on the first page.

At first sight, these, with the power of recalling a member by a majority of his local constituency, might seem to include all necessary measures to suppress the evils of our present system; especially as the actual

working of direct legislation in Switzerland, and sometimes in the United States, has proved beneficial.

But as compared with the process of proportional representation, direct legislation is as *pack mules to a railroad*. By simplifying our system of enacting and executing laws, removing from legislation that which does not belong to it, their number and complexity might be very largely reduced; the removal of certain privileges would reduce poverty, vice and crime to a minimum. But aside from all this, the collective business of any municipality, State, province or nation, to be provided for by general enactments and laws, would be too considerable to be handled by the whole mass of voters to advantage; nor could even a large fraction of those voters act intelligently on the hundreds and even *thousands*, of propositions which come before our State and National Legislatures.

It is not a question of the intelligence or morality of the voters compared with those acting as their agents. The point is that in any but a very small or sparse community, the business of society must be transacted through agencies, by division of labor; and the tendencies of social and industrial advancement lies actually and necessarily in this direction.

No longer does the farmer shear his sheep and his family turn the wool into cloth; but he sends his wool to market and buys his clothing at the store. Whether the change is a benefit or not, it had to come. All thinkers know that DIFFERENTIATION is an element in progress. In the very lowest animals the stomach is about all there is of them; it is only as evolution takes place that the several organs become distinct. So as the body politic grows, the transaction by the whole of the collective business becomes more difficult, and delegations of functions become necessary. "Direct Legislation" is "reform" clam-ward.

Even in small voluntary organizations committees are elected to conduct their business, as a matter of convenience, and even necessity. In many such, only a minority of members can be induced to attend the regular meetings where a majority of those present have full power to act

For instance: on March 29th, 1893, the Typographical Union of this city (as before stated) elected three delegates to the International Convention on 38 to 42 per cent. of the vote. It is clear that all the members of all the Typographical Unions in this and other places in the United States (over 700 in this city alone) could not have gone to Chicago; and if they had gone, a mass of several thousand people could not transact any business. It had to be done by authorized agents of some kind.

But under the current system, if these agents represented but 42 per cent of the voters, the acts of a bare majority would represent but a little over 21 per cent. That these must subsequently be ratified by a majority of the members proves nothing against the importance of full representation. If direct "legislation" is sufficient for affairs of State, it would be at least equally sufficient for the affairs of the Typographical Union, and there need have been no International convention at all. Its purpose, however, as well as that of any convention or legislature—industrial, political, scientific or philanthropic—is to consult, deliberate, exchange views and perhaps act. Hence members of such bodies should represent, as fully and as freely as possible, the *general* views of their constituents and concentrate their efforts in devising measures that would best carry views into effect. It is obvious that no "direct legislation" can meet those requirements.

I mention these points as to the Typographical Union because it has adduced as an evidence of the sufficiency of direct legislation to solve the political problem. And it may be appropriate to remark here that a few months ago I was called upon, as a member of that body, to vote on some thirty propositions at about 24 hours' notice, and had no means of forming an opinion on nearly half of them. I could have voted more intelligently, and more in the spirit of true democracy, were the management entrusted to trustees elected, as are those of the Mechanics' Institute, by the Hare plan of proportional representation, as hereinafter described.

In this Institute seven Trustees are elected every year, serving for two years. It is difficult to get an attendance of over a hundred at its "direct legislation" quarterly meetings of the members, or to get any action taken at these meetings. But there were 905 votes cast at its last election for Trustees. The fact is clear beyond reasonable question that it is much easier, where the opportunity is fully given (as it would be under proportional representation), to select a few competent and reliable persons than to decide upon the merits of many measures. This is fully established among other data, by the record of the California electoral vote of Nov. 8th, 1892. On this occasion not only were legislators, congressmen, etc., elected, but 5 propositions and 4 constitutional amendments submitted for direct vote. There were 249,363 votes cast for Assemblymen and over 268,000 for Presidential electors.

But taking the vote for Assemblymen as the standard, let us compare the percentage on this of the vote cast for these several Amendments

and Propositions, and see what "direct legislation" amounts to, even as against the grossly unjust and clumsy process of electing legislators.

The vote on election of U.S. Senators by the people (pro and con., as in all these cases, being added together) was 201,300—a little over 80 per cent. of the vote for Assemblymen. For and against Ferry Depot—181,726, or nearly 73 per cent. Refund debt—168,504—67½ per cent. Constitutional Amendment No. 10—290,273—76.3 per cent. Constitutional Amendment No. 7 168,490—67 per cent. Constitutional Amendment No. 11—132,199—a little over 53 per cent. Constitutional Amendment 5—156,994—63 per cent. Constitutional Amendment 14,—156,994—less than 63 per cent.

It is said that the working of Direct Legislation in Switzerland has been so satisfactory as to prove that no representative body is needed, otherwise than to formulate measures for approval of, or rejection by of the votes and hence that it is of minor consequence how they are elected, as with the obligatory referendum (in which all legislative measures *must* be referred to the body of voters) and the initiative, would be only "a body of powerless committeemen." But, in the first place, committeemen are very far from "powerless", whether in voluntary organizations or in legislatures. Every person having any knowledge of the workings of either knows the contrary. A bill reported adversely by a legislative committee has a very poor chance of passing; and the recommendations of a committee in a voluntary organization—whether a representative body or one of the entire membership—are very likely to be concurred in.

Hence it is necessary to effective work not only that such business should be transacted by agents but that the agents should be chosen in a manner that will secure the most capable persons, fairly representing the whole body of persons for whom they act. No merchant or manufacturer would be satisfied with an agent or clerk, when not allowed the use of his best judgment in the selection, merely because he could instruct such clerk or agent, or over-rule his action.

Another serious objection to the Initiative, when considered as a substitute for proportional representation, is that to so formulate any measure *some* persons must be selected or empowered to draft it by some irregular process, subject to no efficient checks. But those persons would be no more "representative" of the whole or any portion of the community than the average legislator; they might be less. They are very likely to be composed of the scum so apt to rise to the top in exciting times.

What security could there be that such persons would not be the crafty, secret agents of the worst enemies of the proposed measures?

Any one with California experience should require no reasoning to convince him that were such a measure, for instance, as government railroads or telegraphs, or municipal water works to be embodied in an Initiative bill, the secret agents of the Western Union, the Southern Pacific, or the Spring Valley Water Works, would have a good many fingers in the pie, and would be sure to see that the bill contained some "unconstitutional" provision, or some other "little joker" fatal to its efficiency.

And once presented to the voters at the polls, *there can be no amendments*, modifications or substitutes; it can only be voted on as it stands—aye or no. Then these same interested parties could either expose its defects and compass its defeat, or let it pass and defeat it in the Courts, or otherwise have it made useless, or worse. But in a truly *representative* legislature any such bill would be carefully framed and thoroughly discussed, after being well scrutinized in committee. Thus, if passed, it would be adequate to the purpose.

And would it not be much easier and far more efficacious to elect *one* body of men proportionally\* (see next chapter) than to be fussing with conventions, committees and organizations without end—one for almost every measure supposed to be extensively demanded? It would take a *hundred* times the work to accomplish anything in this way (if it could be accomplished at all) than to elect a legislature by proportional representation that would do it all without a ripple.

It has been maintained that all the benefits of legislative debate could be reached through newspaper discussion. But no one cognizant of the influences controlling the press would so believe; nor would newspaper discussion, however full and fair, meet the needs of the case without debate face to face. Of the preceding nine propositions, some received no consideration in the daily press. One of them was falsely described on the ballots as *LIMITING* the power of municipalities to contract debts, when it really *EXTENDS* it. Debarred as voters were from obtaining trustworthy information, it is probable that of the small vote a large percentage was not intelligently cast.

It is claimed that the sufficiency of Direct Legislation has been proved in Switzerland. It would naturally work better where the population is small and almost stationery, where every person's record is known from infancy and public opinion a great power, than in a country like this,

where all these conditions are reversed. But even there three out of its 22 Cantons, in which three the Initiative and Referendum have been working for many years, have within two years, adopted by popular vote, a form of representation measurably proportional AS TO PARTIES. In three other Cantons it has been rejected, viz: Bale City by 4217 to 2755 in 1890; St. Gall, 1892, by 21,892 to 19,826; and Soleure, 1893, by 6,620 to 4,950.

Three more Cantons are likely to adopt it within a year or two; and it is not unlikely that within the next five years it will be in force in half the Cantons in Switzerland. It thus appears decisively that the Initiative and Referendum do not fill the bill in Switzerland, and are much less likely to do so in the United States. It is therefore to be regretted that Mr. W. J. Sullivan, in his otherwise valuable work on Direct Legislation, has seen fit to be reticent on facts (with which he is otherwise known to be fully conversant) pertaining so closely to the subject of his advocacy.

The Referendum, however has been highly useful in Switzerland in proving the essentially UNREPRESENTATIVE character of what is commonly designated "representative government," and it was by the knowledge that the Initiative would be worked, if necessary, that one or more of the Cantonal legislatures were induced to prepare propositions for proportional representation before the people for direct vote. The processes are simply very circuitous routes for reaching eventually proportional representation as the only effective means of instituting true democracy.

The Imperative Mandate may be regarded as an intended approach towards direct legislation, consisting in the power of a majority of the constituents in a legislative district to recall a legislator, etc., with whose course they are dissatisfied. Whatever benefit could thereby be accomplished in a most clumsy, costly and demoralizing manner, has been reached in Switzerland by the less objectionable processes of the Initiative and Referendum, so it has long ceased to be talked about there, and I believe has never been carried into effect there or elsewhere. It is absolutely incompitible with proportional representation *and* a secret ballot; and, for reasons "too numerous to mention," it would be useless if enacted.

Little can be accomplished here by trying to wear Switzerland's cast-off clothes, or those worn nearly threadbare. We can do something much better even than its new apparel. While its proportional representation is only for parties, ours can be not only simpler and more effective, but independent of party organizations and giving full play to the individual choice of the elector.



## CHAPTER IV.

### THE CUMULATIVE VOTE.

This process, as applied to the election of Directors in corporations and Trustees for Reclamation Districts, is thus described in Art. XII, Sec. 12, of the Constitution of California:

“In all elections for directors or managers of corporations every shareholder shall have the right to vote, in person or by proxy, the number of shares of stock owned by him, for as many persons as there are directors and managers to be elected, or to cumulate said shares and to give one candidate as many votes as the number of directors multiplied by the number of his shares of stock shall equal, or to distribute them, on the same principle among as many candidates as he shall see fit.”

It is a movement *towards* the proportional representation of *parties*, not of *people*, which can only be worked to advantage in a small organization where all can be present, or in districts returning three to five members, and then quite imperfectly, whereas full preferential proportional representation works the better as the constituencies are enlarged. Sir Rowland Hill, the father of cheap postage, in 1840 drafted a form of organization for the municipality of Adelaide, South Australia, which colony was then new, and included in it a provision for cumulating the vote in the election of its twenty councilmen, who were so elected for three successive years, when the municipal government was dropped because of scanty population and expense. It was suggested in England in 1857 by James Garth Marshall. About 1868 it was advocated in the United States by U. S. Senator Buckalew, of Pennsylvania. In 1870 it was used to elect members of the school boards in Great Britain, and has been so used ever since. While its results are in general better than the present system, it sometimes leads to a great loss of voting power. In the Marylebone election November, 1879, for seven members of the School Board, Miss Garrett received 47,858 votes out of 165,165 when 8,000 would have elected her, resulting in a waste of nearly 40,000 votes—almost one fourth of the whole. Besides which 53,516 votes—nearly one-third of the whole—were cast for the unsuccessful candidates, making a total waste of over half the votes. But usually the waste is much less.

The Illinois Assembly is returned by districts electing cumulatively 3 members each, and works well as regards *two* parties only, but perpetuates the evils of party rule, in that votes not cast for one of the two parties are nearly all ineffective, and therefore voters who would prefer to be otherwise represented are restricted to a mere option as the alternative of waste.

## CHAPTER V.

### THE LIST OR QUOTA SYSTEM.

Under it the number of votes cast is divided by the number of candidates to be elected, and the quotient is the quota. Each body or party of electors can return as many candidates as it has cast quotas, and the balance of candidates to be elected are to be returned upon the largest fractions of quotas. A voter expresses his preference on the list for which he votes for the candidates therein named, and those candidates on the list who receive the largest number of individual votes are elected to the extent that the votes cast for the list permits. Thus, supposing 10 Congressmen to be elected by a State on 300,000 votes. The quota is 30,000. Prohibitionists cast 30,000 votes, and so get one member. Populists cast 80,000, and get 2 members and 20,000 over. Republicans, 115,000, get 3 members and 25,000 over. Democrats 75,000 votes which elect 2 members and 15,000 over. This leaves 8 members elected on full quotas. The other two are elected on the two largest fractions. The Republicans get one on a fraction of a quota of 25,000 ; the Populists the other on a fraction of 20,000. In this supposed case the Democrats would "throw away" 15,000 votes, the benefit of which go to the Populists and Republicans. This is a much less waste of votes than under the present system, but much more than under the preferential. This system, under various actual and proposed modifications, involving voluminous detail, is, as previously stated, in successful operation in three Swiss Cantons.

In November 15th, 1882, the first election in Geneva under this system took place, when 13,349 persons voted in three districts for 100 deputies to the "Grand Council," or Cantonal legislature. The percentage of wasted votes amounted to 3.9, 3.4 and 1.7 per cent. in the several three districts, *five* parties being in the main, fairly represented. One week earlier 53 per cent. of the votes for Assemblymen in California were wasted. Hon. Tom L. Johnson proposed in the last Congress a bill to enable members of the House of Representatives to be elected by the States somewhat on this plan, but simpler and at least as effective. Its principal defects are that it does not dispense with party machinery and gives rise to endless discussions and complications as to the best manner of ascertaining quotas and apportioning fractions of quotas, whereas COMPLETE proportional representation can be reached by a process much simpler and nearer accuracy, independent of party organizations or party leaders, by the Hare preferential vote. The latter would be in accordance with the decision of the Supreme Court of California in October, 1892, that the clause in the Australian ballot law providing that a voter could

vote for the whole party ticket by one mark, was unconstitutional, because it was "an attempt to discriminate against classes of voters," and its effect would be to subject such classes to partial disfranchisement, or the casting of such votes upon more burdensome conditions than others not better entitled, under the fundamental law, to the free and untrammelled exercise of the right of suffrage. This is done by our present system and would be done under any system which gives to voters acting with party organizations any advantage in representation over others who do not. The quota system admits of some waste of votes, and does not leave sufficient play to individuality of voters.

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## CHAPTER VI.

### THE PREFERENTIAL PLAN.

This has been designated by Rev. Ernest Naville, of Geneva, Switzerland, as the ideal of proportional representation, and in a very limited and imperfect way, was introduced in Denmark in 1855, and is still used indirectly, in the election of its upper House, known as the Landsting.

A better plan was advocated by the late Thomas Hare, barrister-at-law, of London, in 1857, and was ably set forth by John Stuart Mill. It has since been much simplified by Sir John Lubbock and others, and can be claimed as at once the simplest and most effective of any system yet proposed, except that the Gove plan is more simple, though less complete.

The quota is ascertained, as in the quota or "freelist" system now in operation in three Swiss Cantons; that is, by dividing the number of votes cast by the number of candidates to be elected; but its distinguishing and most excellent feature is that the wasted votes are reduced to a minimum.

Each voter numbers the candidates on the ballot *in the order of his choice*, placing the figure "1" opposite the name of the candidate whom he most desires to see elected, "2" opposite his "next best" candidate, "3" to his third choice, and so on. The votes are then arranged on a file, or other convenient mode, according to such first choice, and counted. If any candidates have a larger number of these first-choice votes than the quota, such surplus votes are taken off (the votes of the candidates having the largest surplus being disposed of first), and transferred to

his second choice, as marked on each ballot, provided such choice is not already elected, and, in that case, to the third choice, and so on until the vote is made available for some candidate who needs it, it being the intention to utilize the vote, or ballot, for the candidate to whom the voter of that ballot would have given it, as indicated by his numbering thereof, could he have known that his first choice (or second, third or fourth, should it so turn out) had been elected without his assistance.

Whenever a candidate has reached a quota, either by first-choice votes only, or by the addition of second, third or subsequent choice, that quota is set aside immediately as belonging to him, and not thereafter used, he being then declared elected. So far as his name may appear on ballots subsequently counted, it is canceled, or unnoticed, and the ballot counted for second or subsequent choice.

After all the surplus votes are thus disposed of, should there be still more candidates remaining on the board than are yet to be elected, the ballots of the candidate having the least number of first-choice votes are transferred to the second, third, fourth choice, etc., the same as the surplus votes; and as fast as any candidate thus obtains a quota, the ballots constituting it are withdrawn and the candidate declared elected, until there are no more candidates remaining on the board than are required to complete the number to be elected. Then those remaining are declared elected, though short of a quota.

In September, 1892, this process was adopted at the quarterly meeting of the Mechanics' Institute of this city for electing annually seven of its fourteen Trustees, the essential portions of Section 2, Article IX of its Constitution, as so adopted, being as follows;

"SEC. 2. Every member who shall have complied with Article VIII, Sections 1 and 2, at least six months previous to such election, and who is not delinquent, shall be entitled to vote in the election of Trustees.

"The voting shall be by the process known as the preferential method of proportional representation, as follows:

"1. Each voter shall have one vote, but may vote in the alternative for as many candidates as he pleases, by writing the figures 1, 2, 3, etc., opposite the names of those candidates in the order of his preference.

"2. The ballot papers having been all mixed, shall be drawn out in succession and stamped with numbers, so that no two shall bear the same number.

"3. The number obtained by dividing the whole number of good ballot papers tendered at the election by the number of Trustees to be elected shall be called the Quota. If such number has a fraction, such fractional part shall be deducted.

"4. Every candidate who has a number of first votes equal to or greater than the Quota shall be declared to be elected, and so many of the ballot papers containing those votes as shall be equal in number to the Quota shall be set aside as the Quota of that candidate, in a sealed envelop, and sealed and signed by the Judges of Election. On all other ballot papers the name of such elected candidate shall be cancelled, with the effect of raising by so much in the order of preference all votes given to other candidates after him. This process shall be repeated until no candidate has more than a Quota of first votes, or votes deemed first.

"5. Then the candidate or candidates having the fewest first votes, or votes deemed first, shall be declared not to be elected, with the effect of raising so much in the order of preference all votes given to candidates after him or them, and Rule 4 shall be again applied, if possible.

"6. When by successive applications of Rules 4 and 5, the number of candidates is reduced to the number of Trustees remaining to be elected, the remaining candidates shall be declared elected."

On February 28th, 1893, the seven Trustees were elected accordingly. As 905 votes were cast, the Quota was 129. Two candidates received 187 and 178 votes respectively as first choice, the distribution of their surpluses did not elect any others. By "elimination" three more received full quotas; one was elected on 123 votes, and another on 122. There were but 16 ineffective votes, and the whole counting was completed within four hours. Next time it may be done in less than two hours. Out of five judges and tally clerks, only one had any previous experience of the process; yet none of them experienced the slightest difficulty in the discharge of their functions. (See Appendix I.)

#### THE GOVE PLAN.

Mr. Wm. H. Gove, of Salem, Mass., has devised a simplification of the Hare plan, by which the voter marks one name only. Each candidate, before the election, officially announces that the ballots which he may not need, as being surplus or insufficient, shall be transferred to certain other candidates named by him, and they are so transferred, first to such candidate among these not having a Quota as has the highest first-choice vote, until that candidate reaches a Quota, and then, should more ballots remain, to the next highest, and so on, those thus reaching a Quota to be set aside, as under the Hare plan.

Its drawbacks are that the voter is deprived of his INDIVIDUAL choice in the disposal of a contingent vote; that the candidates would usually name alternates from their own parties, while the individual voter under the Hare plan could exercise his second, third or fourth choice regardless

of party lines, according to his views of individual fitness; that popular candidates would be exposed to excessive importunities on behalf of unfit persons to induce them to place such persons on their lists of alternates. Both these objections would diminish in force under the continuous operation of the system itself.

Its advantages over the Hare plan are more rapid casting and counting the vote, and that as soon as the votes would be counted at the precincts, any one with the record of that count and a list of the alternates or contingents of each candidate, could by addition determine what candidates had been elected, and there would be no necessity to remove the ballots from the precinct except to verify the count; and then, should the ballots be lost or stolen on the way, the precinct record would still be sufficient to determine the result. Under the Hare plan the ballots themselves, or their duplicates, would have to be conveyed, except in municipal elections, to some central point, such as the State capital, to be counted. But it is claimed that the ballots could easily be duplicated automatically, and the objections have no weight as to municipal, societary, corporation and convention elections, in all of which the Hare plan would work without a flaw.

The Gove plan has been embodied in a bill placed before the Massachusetts Legislature for the election of the State Senate, which bill is a model of perspicuity and thoroughness. I think the waste votes under that process would be greater than under the Hare but less than under the "Free List" process. It is advocated by John M. Berry, of Worcester, an able and energetic pioneer of electoral reform who is addicted to the compilation of unanswerable statistics against the myth of majority rule.

## CHAPTER VII,

THE PARAMOUNT ISSUE : SHALL CIVILIZATION GROW INTO HARMONIZATION, OR PERISH IN THE CANCEROUS CORRUPTION BRED BY OUR POLITICS ?

It is sufficient in this connection to merely mention our industrial conditions in their moral aspect and the obvious and urgent need of securing the best ability, the largest experience and the most unflinching courage and integrity in our "representative" bodies. We certainly, by present methods, do AND MUST secure the opposites of these qualities in an increasing degree, to the extent that even honest legislators are compelled to give more time to study the workings of political machinery and the individual interests of influential constituents than to the consideration of the most vital public questions. Whether our civilization shall, by the solution of the most tremendous and far-reaching problems ever presented (a solution conclusively KNOWN, but incapable of being fully presented or intelligently acted upon BECAUSE of our politics) grow into harmonization, or relapse, through internecine war, already initiated, into a thinly veneered barbarism, combining and intensifying civilized and savage vices and crimes, while obliterating the virtues of both, is to be determined by intelligent action or insane inaction touching the subjects of this pamphlet. This political cancer must be extirpated and the body politic reconstructed on hygienic plans, or it will increasingly permeate every form of our life, to the eventual extinction of all love of the good, the beautiful and the true. It is useless to prove on paper the possible existence of an earthly paradise unless we can find THE KEY. Purify politics by making representation democratically accessible TO ALL, through justice to each, and the tendency will be upward ; inspiration and aspiration will impart to good that superiority to evil, to truth that power to uproot falsehood which they always have possessed in a fair field. Then "ever the right" WILL "come uppermost," "and "ever" WILL "justice [be] done."

The delusions that wherever suffrage is "universal" "the people rule," and that "all needed to make the government better is to make the people better," are the most efficient paralyzers of every form of progress that could possibly be devised. I have proved that under party machinery "the people" are nearly powerless. And so far as this is made known the dry bones of public opinion, now deadened by that reiterated and most diabolical "people's rule" myth, will be re-clothed with flesh and become "an exceeding great army," whereby legislators, councilmen, etc., being no longer regarded as REPRESENTATIVES, but merely as defectively

selected AGENTS of the community ("locum tenens"), would be spurred to beneficent action. Public opinion would then reach such power that its insistence on the substitution of real representation for its idiotic mockery would have to be heeded.

Governments are said to "derive their just powers from the consent of the governed." But under present methods, that consent is not obtainable; that which is assumed to be consent is merely endurance. A few in earnest, especially women, can arouse the many to insist on complete representation. Herein lies the path of safety and freedom for all. The evolution of science by investigation, of industry by invention and of the social order by co-operation—all these require as a preliminary or concomitant, without which they may become (and have been, in part) curses, that POLITICAL EVOLUTION which accords with science, with industry, with social progress and—above all—with absolute, eternal JUSTICE.

The old Roman said: "Fiat justitia, ruat cœlum"—let justice be done, though the heavens fall. This political justice means not fallen heavens, but a risen and redeemed EARTH—a constituent of that seen by John the Revelator:—

"NEW HEAVENS AND A NEW EARTH WHEREIN DWELLETH RIGHTEOUSNESS."

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#### HOW THE YEAST WOULD WORK.

BY ALFRED DENTON CRIDGE, OF LEMOORE, CAL.

How would it work? It would lighten up and elevate the whole mass of the political and social structure. Instead of disseminating poison throughout the body politic, adding burdens to society, encouraging the violation of every moral law and rewarding the criminal with eminence, honor and power, the yeast of proportional representation would act in the reverse to the present mis-representative methods that threaten the very existence of civilization.

Instead of generations of effort having to be put forth to DRIVE politicians and statesmen a step in advance, the true leaders of thought would themselves be the politicians (in the higher sense of the term) and statesmen, and step after step would be taken in social and political progress, as the application of steam to mechanics, ignored as a power from barbarism to the opening of the present century, enabled, directly or indirectly, greater mechanical and productive advances to be made in a single decade than in a cycle of generations before; for, compelled to



place their ablest, most honest and courageous members to the fore or lose recognition from the masses, the dishonest schemer no longer in demand, the depraved and unprincipled NOT MORE than proportionally represented, the different political, social or moral schools of thought would and could, with an infinitesimal fraction of their present efforts, compel that attention to be paid to their propositions which is all the advocates of any honest reform can desire. Sifted, examined, criticised pro and con, before the ablest and most honest of the State or nation—for proportional representation compels the selection of men having BOTH qualifications—every measure of reform would speedily and naturally have a hearing. Finally submitted to popular ratification or rejection, through the operation of direct legislation, all necessary to be done by the workers for any reform would to educate the masses. Now they must strive and work; rebuffed, deceived, betrayed, discouraged misrepresented, or having no advocates whatever in legislative bodies, long after ninety per cent. of the people are in favor of the proposed changes. Witness the proposition to elect U. S. Senators by popular vote, government telegraphs, free silver coinage, etc., any one of which, under genuine democracy would have been settled ten years ago.

With the yeast of proportional representation at work in the United States, what advances would be made in social and political matters in a century would be as difficult to clearly foretell as for Fulton to have drawn the plans of the magnificent floating queens of the ocean that set out from the wharves of New York or Liverpool to-day—as impossible as for the signers of the Declaration of Independence to have told the names of the future States and Territories to be added to the Union so gloriously founded, so ignobly being wrecked.

With such questions as free trade, the single tax, government transportation, government banking, etc., finally settled and laid aside; with a score of reform propositions too lengthy to mention laid on the shelf of oblivion or engrafted into the crown of universal political and social liberty, the attention of the people, the functions of government, would be occupied with new questions and new duties. The problem of just distribution of the products of labor, which the Sphinx of Time has given to every nation and civilization to answer, and which none have done correctly, one by one having sunk down in ignominious death or hopeless paralysis, would be settled peacefully by the American civilization, and the march to the higher plane of human harmonization go on, no longer

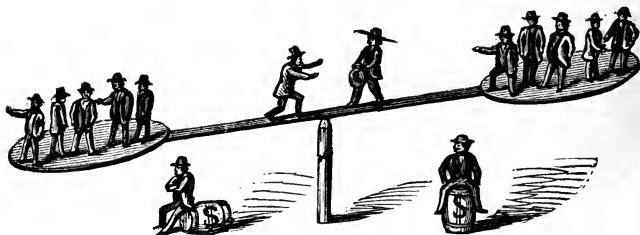
dropping the blood of heroes, martyrs, innocents and slaves at every step.

Fellow workers for the uplifting of humanity, no matter under what banner, be you members of whatever regiment of the reform army now being defeated or blocked piecemeal, Woman Suffragists, Prohibitionists, Socialists, members of Peace societies, Populists, Christian Socialists, Single Taxers, what not—be you in my opinion right or wrong, you have nothing to lose, you have a world to gain, by supporting this fundamental corner-stone—proportional representation.

It is the keystone of the arch of genuine democracy ; it is the key to the lock in the gate of MIGHT that bars the progress of man to universal peace and plenty ; it is the open-sesame to the treasure house which the Creator has filled for us, long held by “ forty thieves ;” it is the chisel to strike off our chains. Pronounce it, proclaim it, demand it. Forward ! Close up the columns ; stop bickering ; dress right and left ! March !

### THE SCALES OF IN-JUSTICE.

MOORING THE “FLOATING VOTE” AND ADJUSTING THE “BALANCE OF POWER.”



The present electoral system cannot last long. It consecrates too much injustice, and permits a small group of electors to *turn the scale*.—Brussels *La Representation Proportionelle*,

The assassination of Mayor Carter Harrison, of Chicago, by a disappointed office seeker, on October 28th, 1893, as that of President Garfield by Guiteau, is a natural result of our present electoral system, which breeds assassins as inevitably as a southern swamp breeds venomous reptiles. We have nearly arrived at “the parting of the ways,” where the alternative is the adoption of proportional representation or rapid retrogression to worse than barbarism.

# APPENDIX.

## 1.

### DETAILED DIRECTIONS FOR WORKING THE SIMPLIFIED HARE PREFERENTIAL PROCESS.

For the information of those who have not seen the process exemplified, and who desire to apply it, in trial ballots or in actual elections, the following directions are added :

1. Make sure, as far as possible, that every *individual* participant understands how to mark his ballot in accordance with his wishes, particularly cautioning all not to mark two candidates with the same number, and to mark more than one or two candidates, to ensure effectiveness. Where seven are to be elected, at least four should be marked.

2. Count the ballots ; divide the number by the number of candidates to be elected ; the quotient, *dropping the fraction*, is the QUOTA. Thus : 905 votes divided by 7 candidates gives a quota of 129, the 2 over being dropped. As additional precaution against inaccuracy, the ballots may be stamped as cast, by means of an automatic numbering stamp, and again so stamped when taken out to be assorted according to first choice.

3. Lay out the ballots in alphabetical order, according to the names of the FIRST CHOICE candidates on each ballot, on the table, in piles, or preferably, place them on upright files similarly arranged. Where the number of votes is large, especially in actual elections, it is well to conspicuously label each file or pile with the candidate's name, so that the judges of election on the inside and the audience on the outside can alike see that each ballot, as drawn and called out by one judge is placed on the right file by another judge to whom he passes it. The tally clerk will note this first-choice vote in the customary manner. Ballots that, from any cause, fail to show the intention of the voter should be placed by themselves as "non-votes."

4. When all the ballots have thus been distributed according to first choice, count them as they are on the files for each candidate, and if their total does not correspond with the previous counts, including tallies, adjust the discrepancy.

5. Should any candidate or candidates have a surplus (more votes than a Quota), take a number of ballots equal to the Quota from the file of the candidate having the largest surplus ; place them in an envelop, or other convenient package, set them aside as that candidate's Quota, to be used no more, and declare that candidate elected. Distribute the surplus according to the second choice on each ballot, unless such second choice also has a surplus ; then that ballot goes to the third choice, and so on. But whenever, by the distribution of such surplus, any candidate's ballots are raised to the Quota (votes so transferred to a candidate counting the same as if they had originally been cast for him as first choice), that candidate is declared elected, and the ballots by which he has been elected will be set aside as before. No more ballots will thereafter be counted for him, but they will be counted for the next candidate in order of choice not elected. After the surplus votes of the candidate having the largest surplus have thus been distributed, those of the candidate having the next largest surplus will be treated in the same manner, until all the surplus votes have been so disposed of.

(In actual elections we believe it will be found that but a small proportion of candidates will have any surplus, and that surplus will often be insufficient to elect any other candidate—contrary to what is assumed by opponents, but accordant with experience.)

6. The next process is known as "elimination," and consists in taking the ballots of the candidate having the *least* number of votes as first choice and distributing them in the same manner as the surplus votes, similarly removing from the board, or table, the ballots of candidates who may thus reach a Quota. Then do the same with the ballots of the candidate having next to the least number of first choice votes; and so on, until the number of candidates remaining on the board is reduced to the number remaining to be elected. Those so remaining will then be declared elected, though short of a Quota.

These directions may look somewhat complicated, while the actual working is very simple, for the same reason that the processes of assorting the mails or type-setting might require columns to make clear to persons who have never seen done those operations which are continually being performed in seconds by persons of average ability. This comparison, however, does the simplified preferential plan an injustice, it being a hundred times as simple as the other processes specified, so that any intelligent person could understand and be able to conduct it by witnessing two or three trial ballots.

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## II.

### PRESENT SITUATION OF THE MOVEMENT—THE NATIONAL ORGANIZATION— WILL OREGON LEAD?

On August 10th—12th, 1893, an International Conference of advocates of Proportional Representation was held in Chicago, which has resulted in the formation of a national organization. Hon. Wm. Foulke, of Richmond, Ind., is President and Mr. Stoughton Cooley, 22 Fifth avenue, Chicago, is Secretary-Treasurer. Its dues are one dollar annually, which includes its publications, the first of which—the *Proportional Representation Review*—contains an abstract of the speeches at that Conference, etc.

In Oregon there is a movement to combine "direct legislation" with proportional representation in such a manner that each will help the other. Some serious drawbacks to the efficiency of the Initiative specified in Chapter III, arising from corrupt politicians, may not apply to Oregon, where such men would be easily "spotted." An endeavor will there be made to elect a Legislature next June pledged to call a Constitutional Convention (which it can do by a simple majority), to be elected by proportional representation, which Convention is to embody the Referendum and Initiative in the Constitution, and to also provide that laws passed under them shall be part of the organic law, so that no State authority could question their constitutionality. I suggest concentration of means by advocates of political justice the world over to carry out this programme in Oregon, as being, apparently, "on the line of least resistance."

Details of these movements as they transpire will appear in *Hope and Home* and the *Star* (both of San Francisco), *Pittsburg Kansan*, *Boerne* (Texas), *Post*, etc.

Hon. Wm. Foulke, of Richmond, Ind., ex-State Senator, was elected President of the League; and the following are the members of the National Committee:

Wm. H. Gove, Salem, Mass.; Hon. L. F. C. Garvin, Lonsdale, R. I.; Dr. Montague R. Levenson, Charlottesville, Va.; Professor John R. Commons, Bloomington, Ind.; John Z. White, Chicago; Alfred Cridge, San Francisco; General James B. Weaver, Des Moines; Fred. G. Bernoudy, Newcastle, Col.; Professor John M. Vincent, Baltimore; Mrs. Fay Peirce, New York; Clark Irvine, Oregon, Mo.; W. S. U'ran, Milwaukee, Oregon; Miss Auvergne Llano Astor, Boerne, Texas.

The Conference, proper, however, was but the beginning of the work done in Chicago. There were active and continuous personal consultations, both in that Conference and in those subsequently held, every opportunity to disseminate the principles of political justice being used. Miss Spence and myself each spoke twice, for instance, at the Peace Conference. Miss Spence also spoke at the Single Tax Conference, the Chicago Single Tax Club, at the Woman's Building on the World's Fair grounds, etc. Private meetings were held to consider prospective measures, many prominent persons interviewed, and (at

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