PROPORTIONAL REPRESENTATION

A STUDY IN METHODS OF ELECTION

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WITH AN INTRODUCTION BY

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TO THE MEMORY OF

CATHERINE HELEN SPENCE

OF ADELAIDE

INTRODUCTION

BY LORD COURTNEY OF PENWITH

   I believe this book will generally be welcomed as opportune. Proportional Representation has made very rapid, almost startling advances in recent years. In one shape or another it has been adopted in many countries in Northern Europe, and there is a prospect of a most important extension of this adoption in the reform of the parliamentary institutions of France. Among ourselves, every political writer and speaker have got some inkling of the central principle of proportional representation, and not a few feel, sometimes with reluctance, that it has come to stay, that it will indeed be worked into our own system when the inevitable moment arrives for taking up again the reform of the House of Commons. They know and confess so much among themselves, but they want to be familiarized with the best machinery for working proportional representation, and they would not be sorry to have the arguments for and against its principles once more clearly examined so that they may be properly equipped for the reception of the coming change. This little book of Mr. Humphreys is just what they desire. The author has no doubt about his conclusions, but he goes fairly and with quite sufficient fulness through the main branches of the controversy over proportional representation, and he explains the working of an election under the system we must now regard as the one most likely to be adopted among us. His qualifications for his work are indeed rare, and his authority in a corresponding measure high. A convinced adherent of proportional representation, he stimulated the revival of the Society established to promote it. He was the chief organizer of the enlarged illustrative elections we have had at home. He has attended elections in Belgium and again in Sweden, and when the time came for electing Senators in the colonies of South Africa, and Municipal Councils in Johannesburg and Pretoria, the local governments solicited his assistance in conducting them, and put on record their obligations for his help. The reader can have no better guide in argument, no more experienced hand in the explanation of machinery, and if I add that Mr. Humphreys has done his work with complete mastery of his subject and with conspicuous clearness of exposition, I need say no more in recommendation of his book.

   It may be objected that the Royal Commission which issued its Report last spring, did not recommend the incorporation of proportional representation into our electoral system. This is most true. One member indeed (Lord Lochee) did not shrink from this conclusion, but his colleagues were unable to report that a case had been made out for the adoption "here and now" of proportional representation. Their hesitancy and the reasons they advanced as justifying it must lead many to a conclusion opposite to their own. They themselves are indeed emphatic in pressing the limitation "here and now" as qualifying their verdict. They wish it to be most distinctly understood that they have no irresistible objection to proportional representation. They indeed openly confess that conditions may arise among ourselves at some future time which would appear to be not necessarily distant, when the balance of expediency may turn in favour of its adoption. They suggest "that some need may become felt which can only be satisfied by proportional representation in some form or another," and I do not think I misrepresent their attitude in believing that a very small change of circumstances might suffice to precipitate a reversal of their present conclusion. All who are familiar with the conduct of political controversies must recognize the situation thus revealed. Again and again have proposals of reform been made which the wise could not recommend for acceptance "here and now." They are seen to be good for other folk; they fit into the circumstances of other societies; they may have worked well in climates different from our own; nay, among ourselves they might be tried in some auxiliary fashion separated from the great use for which they have been recommended, but we will wait for the proper moment of their undisguised general acceptance. It is in this way that political ideas have been propagated, and it would be a mistake if we were hastily to condemn what are sure and trusty lines of progress. When the Royal Commissioners, after all their hesitations about the intrusion of proportional representation even in the thinnest of wedges into the House of Commons, go on to say that "there would be much to be said in its favour as a method for the constitution of an elected Second Chamber," and again, though admitting that this was beyond their reference, express a pretty transparent wish that it might be tried in municipal elections, the friends of the principle may well be content with the line which the tide of opinion has reached. The concluding words of this branch of the Report are scarcely necessary for their satisfaction: "We need only add, that should it be decided at any time to introduce proportional representation here for political elections the change would be facilitated if experience had been gained in municipal elections alike by electors and officials."

   A few words may be permitted in reference to the line of defence advanced by the Commissioners against the inroad of proportional representation. Mr. Humphreys has dealt with this with sufficient fullness in Chapters X and XI which deal with objections to proportional representation; and I refer the reader to what he has written on the general subject. My own comment on the position of the Commissioners must be short. Briefly stated, their position is that proportional representation "cannot

be recommended in a political election where the question which party is to govern the country plays a predominant part," and, as elsewhere they put it, "a general election is in fact considered by a large portion of the electorate of this country as practically a referendum on the question which of two governments shall be returned to power." The first remark to be made upon this wonderful barrier is that a general election avowedly cannot be trusted as a true referendum. It produces a balance of members in favour of one party, though even this may fail to be realized at no distant future, but the balance of members may be and has been under our present system in contradiction to the balance of the electors; or in other words, a referendum would answer the vital question which party is to govern, in the opposite sense to the answer given by a general election. This is so frankly admitted in the Report that it is difficult to understand how the Commissioners can recommend adherence to a process which they have proved to be a delusion. Even on the bare question of ascertaining what government the nation desires to see installed at Westminster, the present method is found wanting, whilst the reformed plan, by giving us a reproduction in miniature of the divisions of national opinion, would in the balance of judgment of the microcosm give us the balance of judgment in the nation. If a referendum is really wanted, a general election with single-member constituencies does not give us a secure result, and an election under proportional representation would ensure it. A different question obviously disturbs many minds, to wit, the stability of a government resting on the support of a truly representative assembly. Here again it may be asked whether our present machinery really satisfies conditions of stable equilibrium. We know they are wanting, and with the development of groups among us, they will be found still more wanting. The groups which emerge under existing processes are uncertain in shape, in size, and in their combinations, and governments resting upon them are infirm even when they appear to be strong. It is only when the groups in the legislature represent in faithful proportion bodies of convinced adherents returning them as their representatives that such groups become strong enough to restore parliamentary efficiency and to combine in the maintenance of a stable administration. It may require a little exercise of political imagination to realize how the transformed House of Commons would work, and to many the demonstration will only come through a new experience to which they will be driven through the failure of the existing apparatus. Meanwhile it may be suggested to doubters whether their anxiety respecting the possible working of a reformed House of Commons is not at bottom a distrust of freedom. They are afraid of a House of chartered liberties, whereas they would find the best security for stable and ordered progress in the self-adjustment of an assembly which would be a nation in miniature.

COURTNEY OF PENWITH

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"The object of our deliberation is to promote the good purposes for which elections have been instituted, and to prevent their inconveniences."

CHAPTER I

THE HOUSE OF COMMONS AS AN EXPRESSION OF THE NATIONAL WILL

"The virtue, the spirit, the essence of the House of Commons, consists in its being the express image of the nation."—BURKE.

"It is necessary," said Burke, "to resort to the theory of government whenever you propose any alteration in the frame of it, whether that alteration means the revival of some former antiquated and forsaken constitution or state, or the introduction of some new improvement in the commonwealth." The following chapters are a plea for an improvement in our electoral methods, and although the suggested improvement and the arguments with which it is supported are not new, yet it is desirable, in the spirit of Burke's declaration, to preface the plea with some reference to the main feature of our constitution.

The spread of representative government.

The outstanding characteristic of the British Constitution, its fundamental principle, is now, if not fully so in Burke's time, the government of the nation by its chosen representatives. Indeed, so much is this the case that, in spite of the continued presence of elements which are far from representative in character, originating in that distant past when commoners had little, if any, political influence, the British Constitution and Representative Government are almost synonymous terms, and the "mother of parliaments" has given birth to so long a succession of constitutions of which the cardinal principle is representative government—the association of the governed with the government—that we cannot now think of our House of Commons save as the most complete expression of this principle. Nor, despite the criticisms, many of them fully deserved, which have been directed against the working of parliamentary institutions, has the House of Commons ceased to be taken in other lands as a model to be reproduced in general outline. New parliaments continue to arise and in the most unexpected quarters. China is insistently demanding the immediate realisation of full representative government. Japan has not only assimilated western learning, but has adopted western representative institutions, and in copying our electoral machinery has added improvements of her own. Russia has established a parliament which, although not at present elected upon a democratic basis, must inevitably act as a powerful check upon autocracy, and in the process will assuredly seek that increased authority which comes from a more complete identification with the people. The Reichstag has demanded the cessation of the personal rule of the German Emperor, and will not be content until, in the nation's name, it exercises a more complete control over the nation's affairs. Parliamentary government was recently established at Constantinople amid the plaudits of the whole civilized world, and although the new régime has not fulfilled all the hopes formed of it, yet upon its continuance depends the maintenance of the improvements already effected in Turkey. Lord Morley signalized his tenure of office as Secretary of State for India by reforms that make a great advance in the establishment of representative institutions. Some of these experiments may be regarded as premature, but in the case of civilized nations there would appear to be no going back; for them there is no alternative to democracy, and if representative institutions have not yielded so far all the results that were expected of them, progress must be sought in an improvement of these institutions rather than in a return to earlier conditions. The only criticism, therefore, of the House of Commons that is of practical value must deal with those defects which experience has disclosed, and with those improvements in its organization and composition which are essential if in the future it is to discharge efficiently and adequately its primary function of giving effect to the national will.

The House of Commons and sovereign power.

"The essential property of representative government," says Professor Dicey, "is to produce coincidence between the wishes of the Sovereign and the wishes of the subject.... This, which is true in its measure of all real representative government applies with special truth to the English House of Commons." [1] This conception of the House of Commons as the central and predominant factor in the constitution, exercising sovereign power because it represents the nation which it governs, has been notably strengthened during the last fifty years. A change having far-reaching consequences took place in 1861, when the repeal of the paper duties was effected by a clause in the annual Bill providing for the necessary reimposition of annual duties, a proceeding which deprived the Lords of the opportunity

of defeating the new proposal other than by rejecting the whole of the measure of which it formed a part. This example has since been followed by both the great parties of the State. Sir William Harcourt embodied extensive changes in the Death Duties in the Finance Bill of 1894; Sir Michael Hicks-Beach, in 1899, included proposals for altering the permanent provisions made for the reduction of the National Debt; Mr. Lloyd George, following these precedents, included in the Finance Bill of 1909 important new taxes which, prior to 1861, would have been submitted to both Houses in the form of separate Bills. The House of Commons, however, has not yet attained the position of full unqualified sovereignty, for, whilst the relations between the King and the Commons have been harmonised by making the King's Ministry dependent upon that House, the decisions of the House of Lords are not yet subject to the same control. The Lords successfully rejected the Education, Licensing, and Plural Voting Bills, all of which were passed by the Commons by large majorities during the Parliament of 1906-1909. Further, it refused its consent to the Finance Bill of 1909 until the measure had been submitted to the judgment of the country, and by this action compelled a dissolution of Parliament.[2]

The demand for complete sovereignty.

These assertions of authority on the part of the House of Lords called forth from the Commons a fresh demand for complete sovereignty—a demand based on the ground that the House of Commons expresses the will of the people, and that the rejection by the hereditary House of measures desired by the nation's representatives is directly opposed to the true principles of representative government. In consequence of the rejection of the Education and Plural Voting Bills of 1906, Sir Henry Campbell-Bannerman, in June 1907, moved in the House of Commons the following resolution: "That, in order to give effect to the will of the people as expressed by their elected representatives, it is necessary that the power of the other House to alter or reject Bills passed by this House, should be so restricted by law as to secure that within the limit of a single Parliament the final decision of the Commons shall prevail." The first clause of this resolution advances the claim already referred to—that the House of Commons is the representative and authoritative expression of the national will—and in support of this claim Sir Henry Campbell-Bannerman quoted the declaration of Burke, that "the virtue, the spirit, the essence of the House of Commons consists in its being the express image of the nation." In the Parliament elected in January 1910, further resolutions were carried by the Commons defining more precisely the proposed limitation of the legislative power of the Lords. It was resolved[3] that the House of Lords should be disabled by law from rejecting or amending a money Bill, and that any Bill other than a money Bill which had passed the House of Commons in three successive sessions should become law without the consent of the House of Lords.

These resolutions were embodied in the Parliament Bill, but the measure was not proceeded with owing to the death of King Edward, and a conference between the leaders of the two chief parties met for the purpose of finding a settlement of the controversy by consent. The conference failed, and the Government at once took steps to appeal to the country for a decision in support of its proposals. Meanwhile the House of Lords, which had already placed on record its opinion that the possession of a peerage should no longer confer the right to legislate, carried resolutions outlining a scheme for a new Second Chamber, and proposing that disputes between the two Houses should be decided by joint sessions, or, in matters of great gravity, by means of a Referendum. The result of the appeal to the country (Dec. 1910) was in favour of the Government. The Parliament Bill was re-introduced, and this measure, if passed, will mark an important step in the realisation of the demand of the Commons for complete sovereignty.

Complete sovereignty demands complete representation.

The Parliament Bill does not, however, contemplate the establishment of single-chamber Government, and it would appear that complete sovereignty is only claimed whilst the House of Lords is based upon the hereditary principle. For the preamble of the Bill declares that "it is intended to substitute for the House of Lords as it at present exists a Second Chamber constituted on a popular instead of hereditary basis," and that "provision will require hereafter to be made by Parliament in a measure effecting such substitution for limiting and defining the powers of the new Second Chamber." But whatever constitutional changes may take place, the national will must remain the final authority in legislation, and the ultimate position of the House of Commons in the constitution and in public esteem will depend upon the confidence with which it can be regarded as giving expression to that will. It cannot claim to be the sole authority for legislation without provoking searching inquiries into the methods of election by which it is brought into being. At a General Election the citizens are asked to choose representatives who shall have full power to speak in their name on all questions which may arise during the lifetime of a Parliament. But, although invariably there are several important questions before the country awaiting decision, the elector is usually restricted in his choice to two candidates, and it is obvious that this limited choice affords him a most inadequate opportunity of giving expression to his views upon the questions placed before him. There can be no guarantee that the decisions of representatives so chosen are always in agreement with the wishes of those who elected them. Even in

the General Election of December 1910, when every effort was made to concentrate public attention upon one problem—the relations between the two Houses of Parliament—the elector in giving his vote had to consider the probable effect of his choice upon many other questions of first-class importance—the constitution of a new Second Chamber, Home Rule for Ireland, the maintenance of Free Trade, the establishment of an Imperial Preference, Electoral Reform, the reversal or modification of the Osborne Judgment, Payment of Members, Invalidity Insurance; in respect of all of which legislative proposals might possibly be submitted to the new Parliament. Obviously before the House of Commons can be regarded with complete confidence as the expression of the national will, the elector must be given a wider and more effective choice in the selection of a representative.

It is, however, contended by many politicians that the main object of a General Election is not the creation of a legislature which shall give expression to the views of electors on public questions. "A General Election," says the Report of the Royal Commission on Electoral Systems,[4] "is in fact considered by a large portion of the electorate as practically a referendum on the question which of two Governments shall be returned to power." But were this interpretation of a General Election accepted it would destroy the grounds on which it is claimed that the decisions of the Commons in respect of legislation shall prevail "within the limit of a single Parliament." Some means should be available for controlling the Government in respect of its legislative proposals, and the history of the Unionist administrations of 1895-1906, during which the House of Lords failed to exercise any such control, demonstrated the need of a check upon the action of a House of Commons elected under present conditions. Mr. John M. Robertson, whose democratic leanings are not open to the least suspicion, has commented in this sense upon the lack of confidence in the representative character of the House of Commons. "Let me remind you," said he, "that the state of things in which the Progressive party can get in on a tidal movement of political feeling with a majority of 200, causes deep misgivings in the minds of many electors.... Those who desire an effective limitation of the power of the House of Lords and its ultimate abolition, are bound to offer to the great mass of prudent electors some measure of electoral reform which will give greater stability to the results of the polls, and will make the results at a General Election more in keeping with the actual balance of opinion in the country." [5] The preamble of the Parliament Bill itself implies that the decisions of the House of Commons may not always be in accordance with the national wishes. It foreshadows the creation of a new Second Chamber, and the only purpose which this chamber can serve is to make good the deficiencies of the First.

The fact that our electoral methods are so faulty that their results produce in the minds of many electors deep misgivings as to the representative character of the House of Commons must materially undermine the authority of that House. All who desire the final and complete triumph of representative institutions—a triumph that depends upon their success in meeting the demands made upon them—all who are anxious that the House of Commons shall not only maintain, but increase, the prestige that has hitherto been associated with it, must, in the face of possible constitutional developments, endeavour to strengthen its position by making it in fact, as it is in theory, fully representative of the nation. For Sir Henry Campbell-Bannerman's quotation from Burke is double-edged, and may be expressed thus: "the virtue, the spirit, the essence of the House of Commons departs as soon as it ceases to be the express image of the nation." Such a House cannot furnish an adequate basis of support for a Government. For the Government which issues from it will not command public confidence. The debates in the House in 1905, before the resignation of Mr. Balfour, bore testimony to the fact that the strength and power of a Government which, according to the theory of our constitution, depends upon the number of its supporters in the House of Commons, in reality rests upon its reputation with the country. There was quoted more than once with excellent effect this dictum of Sir William Anson: "Ministers are not only the servants of the Crown, they represent the public opinion of the United Kingdom. When they cease to impersonate public opinion they become a mere group of personages who must stand or fall by the prudence and success of their actions. They have to deal with disorders at home or hostile manifestations abroad; they would have to meet these with the knowledge that they had not the confidence or support of the country; and their opponents at home and abroad would know this too." [6] The strength and stability of a democratic Government thus depend upon its capacity to interpret the will of the country, and the support which the House of Commons can give is of value only to the extent to which that House reflects national opinion. The Commons, if it is to maintain unimpaired its predominant position in the constitution, must make good its claim to be the representative expression of the national will. The measures for which it makes itself responsible must have behind them that irresistible authority, the approval of the electorate. If then our electoral methods fail to yield a fully representative House, and if, in consequence, the House cannot satisfactorily fulfil its double function of affording an adequate basis of support to the Government which springs from it, and of legislating in accordance with the nation's wishes, the resultant dissatisfaction and instability must give rise to a demand for their improvement. The House of Commons must re-establish itself upon surer foundations.

Strengthening the foundations of the House of Commons.

Each change in the constitution of the House of Commons—and its foundations have been strengthened on more than one occasion—has been preceded by a recognition of its failure to meet in full the requirements of a representative chamber. Large changes have again and again been made in consequence of such recognition since the day when Burke alleged that its virtue lay in its being "the express image of the nation." At the close of the eighteenth century, when these words were spoken, it could be alleged with apparent truth that 306 members were virtually returned by the influence of 160 persons.[7] The consciousness that such a House could not be the express image of the nation produced the Reform Bill of 1832, and a further recognition that a still larger number of the governed must be associated with the Government, produced the further changes of 1867 and of 1884, embodied in measures significantly called Acts for the Representation of the People. These changes, by conferring the franchise upon an ever-widening circle of citizens, have, from one point of view, rendered the House of Commons more fully representative of the nation at large. But even whilst the process of extending the franchise was still in operation, it was recognized that such extensions were not in themselves sufficient to create a House of Commons that could claim to be a true expression of the national will. The test of a true system of representation, laid down by Mill in *Representative Government*, has never been successfully challenged. It still remains the last word upon the subject, and, until the House of Commons satisfies that test with reasonable approximation, it will always be open to the charge that it is not fully representative, and that in consequence its decisions lack the necessary authority. "In a really equal democracy," runs the oft-quoted phrase, "any and every section would be represented, not disproportionately, but proportionately. A majority of the electors would always have a majority of the representatives; but a minority of electors would always have a minority of the representatives. Man for man, they would be as fully represented as the majority." [8]

Mill's philosophy finds but little favour in many quarters of political activity to-day, and the rejection of his philosophy has induced many to regard his views on representative government as of little value. Even so staunch an admirer as Lord Morley of Blackburn has underestimated the importance of Mill's declaration, for, in a recent appreciation of the philosopher[9] he declared that Mill "was less successful in dealing with parliamentary machinery than in the infinitely more important task of moulding and elevating popular character, motives, ideals, and steady respect for truth, equity and common sense—things that matter a vast deal more than machinery." Yet Lord Morley, in his attempt to make a beginning with representative institutions in India, found that questions of electoral machinery were of the first importance; that they, indeed, constituted his chief difficulty; and he was compelled in adjusting the respective claims of Hindus and Muhammadans to have recourse to Mill's famous principle—the due representation of minorities. Mill, as subsequent chapters will show, understood what Lord Morley seems to have insufficiently recognized, that the development or repression of growth in popular character, motives and ideals, nay, the successful working of representative institutions themselves, depends in a very considerable degree upon electoral machinery. Its importance increases with every fresh assertion of democratic principles, and the constitutional issues raised during the Parliaments of 1906, 1910, and 1911 must involve a revision of our electoral methods before a complete solution is attained. The demand on the part of the House of Commons for complete sovereignty must evoke a counter demand that that House shall make itself fully representative.

The rise of a new party.

But the relations which should subsist between the two Houses of Parliament, whether the upper House is reformed or not, is not the only question which is giving rise to a closer examination of the foundations of the House of Commons. To this external difficulty there must be added the internal, and in the future a more pressing, problem created by the rise of a new organized party within the House of Commons itself. The successive extensions of the franchise have given birth to new political forces which are not content to give expression to their views along the old channels of the two historic parties, and the growth of the Labour Party must accelerate the demand for a more satisfactory electoral method. For a system which fails in many respects to meet the requirements of two political parties cannot possibly do justice to the claims of three parties to fair representation in the House of Commons. It is true that some statesmen regard the rise of a new party with fear and trembling; they imagine that it forebodes the bankruptcy of democratic institutions, the success of which, in their judgment, is necessarily bound up with the maintenance of the two-party system. The two-party system must indeed be a plant of tender growth if it depends for existence upon the maintenance of antiquated electoral methods. But those politicians who deprecate any change on the ground that single-member constituencies afford the only means by which the two-party system can be preserved, have failed to explain why this electoral system has not prevented the growth of Labour parties in Australia and in England, or why numerous parties and single-member constituencies go hand in hand both in France and Germany. Single-member constituencies may distort and falsify the representation of parties, but they cannot prevent the coming of a new party if that party is the outcome, the expression, of a new political force.

The new political conditions and electoral reform.

Why should the rise of a new party cause so much uneasiness? Can democracy make no use of that increased diffusion of political intelligence from which springs these new political movements? Mr. Asquith takes no such pessimistic view. He, least, realises that our present system is not necessarily the final stage in the development of representative government. He does not imagine that, whilst we welcome progress in all things else, we must at all costs adhere to the electoral methods which have done duty in the past. Speaking at St. Andrews, 19 February 1906, he declared that: "It was infinitely to the advantage of the House of Commons, if it was to be a real reflection and mirror of the national mind, that there should be no strain of opinion honestly entertained by any substantial body of the King's subjects which should not find there representation and speech. No student of political development could have supposed that we should always go along in the same old groove, one party on one side and another party on the other side, without the intermediate ground being occupied, as it was in every other civilized country, by groups and factions having special ideas and interests of their own. If real and genuine and intelligent opinion was more split up than it used to be, and if we could not now classify everybody by the same simple process, we must accept the new conditions and adapt our machinery to them, our party organization, our representative system, and the whole scheme and form of our government." This is not a chance saying, standing by itself, for a fortnight later, speaking at Morley, Mr. Asquith added: "Let them have a House of Commons which fully reflected every strain of opinion; that was what made democratic government in the long run not only safer and more free, but more stable." Mr. Asquith's statements take cognizance of the fact that a great divergence between the theoretical and actual composition of the House of Commons must make for instability, and his pronouncement is an emphatic reinforcement of the arguments contained in the earlier portion of this chapter.

On a more important occasion, when replying to an influential deputation of members of Parliament and others,[10] Mr. Asquith, with all the responsibility which attaches to the words of a Prime Minister, made this further statement: "I have said in public before now, and am therefore only repeating an opinion which I have never ceased to hold, namely, that there can be no question in the mind of any one familiar with the actual operation of our constitutional system that it permits, and I might say that it facilitates—but it certainly permits—a minority of voters, whether in the country at large or in particular constituencies, to determine the representation—the relative representation in the one case of the whole nation, and the actual representation in the other case of the particular constituency— sometimes in defiance of the opinions and wishes of the majority of the electors. The moment you have stated that as a fact which cannot be disputed, and it cannot be contradicted by any one, you have pointed out a flaw of a most serious character, and some might say of an almost fatal character, when your constitutional and Parliamentary system appears at the bar of judgment upon the issue whether or not it does from the democratic point of view really carry out the first principles of representative government. I therefore agree that it is impossible to defend the rough and ready method which has been hitherto adopted as a proper or satisfactory explanation of the representative principle. It is not merely, as more than one speaker has pointed out, that under our existing system a minority in the country may return a majority of the House of Commons, but what more frequently happens, and what I am disposed to agree is equally injurious in its results, is that you have almost always a great disproportion in the relative size of the majority and minority in the House of Commons as compared with their relative size in the constituencies. That is the normal condition of our House of Commons. I have had experience of some of the inconveniences which result." In speaking at Burnley in support of the Parliament Bill during the electoral campaign of December 1910, Mr. Asquith again laid stress upon the need of making the House of Commons fully representative. "It is," he said, "an essential and integral feature of our policy ... that we shall go forward with the task of making the House of Commons not only the mouthpiece but the mirror of the national mind."

There can be no doubt that the question of electoral methods must now occupy a prominent place in all discussions which centre around the purpose, efficiency and authority of the House of Commons. John Bright, in addressing the people of Birmingham, on the eve of an election, exhorted them to "bear in mind that you are going to make a machine more important than any that is made in the manufactories of Birmingham ... a stupendous machine whose power no man can measure." [11] Can we afford in the manufacture of such a machine to be content with rough and ready methods of election? Accuracy and precision are being demanded with ever-increasing force in all other departments of human activity; on what grounds then can we in the most delicate of all—that of government—refuse to recognize their value? The necessity of ensuring the predominance of the House of Commons in our constitutional system, the problem created by the rise of the Labour Party, the increased recognition of the need of reform, cannot but contribute to one result. The House of Commons will make itself more fully representative by the adoption of more trustworthy electoral methods, and in so doing will not only increase its stability and efficiency, but will render its constitutional position impregnable.

The indispensable preliminaries to any such change are, in the first place, an analysis of the results, both direct and indirect, of existing methods and, in the second place, a careful comparison of the improvements possible. The subsequent chapters will be devoted to both these aspects of the problem, for in the elucidation of the system most suited to British conditions, the experience of those countries which, faced with the necessity for change, have already introduced new methods into their electoral systems, will be found to be of the highest value.

[Footnote 1: *The Law of the Constitution*, p. 81.]

[Footnote 2: Our constitution is an ever-changing one, and had the country endorsed the action of the Lords in withholding its assent to the Finance Bill of 1909, a great blow would have been dealt to the authority of the House of Commons. The Fabian Society, in its Manifesto to members, issued on the eve of the election of January 1910, put this aspect of the case very forcibly: "It may justly be claimed by the Socialists that they have steadily refused to be misled by idle talk about what is and what is not constitutional, and have recognized that the only real constitution is the sum of the powers that are effectively exercised in the country. If the House of Lords boldly refuses supply and compels a dissolution, and the country, at the election, supports the Lords, that support will make the action of the Lords constitutional in spite of all paper denunciations by the defeated party" (*Fabian News*, January 1910).

The verdict of the country, as interpreted by the present mode of election, condemned the action of the Lords by a substantial majority. Yet the figures in Chap. II. p. 19, show by how small a turnover of votes that judgment might have been reversed.]

[Footnote 3: 14 April 1910.]

[Footnote 4: Cd. 5163, par. 126.]

[Footnote 5: Manchester Reform Club, 2 February 1909.]

[Footnote 6: *The Law and Custom of the Constitution,* p. 372.]

[Footnote 7: Ibid., p. 124.]

[Footnote 8: *Representative Government*, Chap. VII.]

[Footnote 9: *The Times*, Literary Supplement, 18 May 1906.]

[Footnote 10: 10 November 1908.]

[Footnote 11: Thomas Hare, *The Election of Representatives*, p. 18]

CHAPTER II

THE DIRECT RESULTS OF MAJORITY SYSTEMS

"I therefore agree that it is impossible to defend the rough and ready method which has been hitherto adopted as a proper or satisfactory explanation of the representative principle. It is not merely, as more than one speaker has pointed out, that under our existing system a minority in the country may return a majority of the House of Commons, but what more frequently happens, and what I am disposed to agree is equally injurious in its results, is that you have almost always a great disproportion in the relative size of the majority and minority in the House of Commons as compared with their relative size in the constituencies."

—THE RIGHT HON. H.H. ASQUITH[1]

"English writers," says Mr. Archibald E. Dobbs, in the *Irish Year Book*, 1909, "often write as if election by a bare majority was the only natural or possible mode of election, as if it was like day and night, seedtime and harvest; something fixed and in the nature of things, and not to be questioned or examined or improved." The unquestioning habit of our minds goes even farther than Mr. Dobbs suggests. For, although prior to the Redistribution Act of 1885, every great town in the United Kingdom, with the exception of London, was a parliamentary unit, yet the system of single-member

constituencies made general by that Act is now regarded by many as another essential and permanent feature of the English parliamentary system. But if, as this chapter proposes to show, existing electoral methods may result, and have resulted, in a complete travesty of representation, if these methods fail in every respect to fulfil the requirements of a satisfactory electoral system, then neither single-member constituencies nor the majority method of election can be permitted to stand permanently in the way of effective improvement.

The exaggeration of majorities.

Since the Redistribution Act of 1885, when the system of single-member constituencies was made general, there have been eight General Elections, and these are amply sufficient to illustrate the working of this system. A complete analysis of these elections, prepared by Mr. J. Rooke Corbett, M.A., of the Manchester Statistical Society, appears in Appendix V.[2] It will be sufficient for present purposes if attention is directed to some of the more obvious of their lessons. The General Elections of 1895, 1900, and 1906, resulted in the return to the House of Commons of a number of representatives of the victorious party far in excess of that to which their polling strength entitled them, and this result, repeated three times in succession, has given rise to a widespread belief that this system necessarily and always yields to the victors an exaggerated majority. There is, however, no clear conception of the extent to which these exaggerated majorities diverge from the truth, and an examination of the figures is therefore desirable. Here are the totals for the General Elections of 1900 and 1906:[3]—

GENERAL ELECTION, 1900

Parties.	Votes Obtained.	Seats Obtained.	Seats in proportion to Votes.
Unionists	2,548,736	402	343
Home Rulers	2,391,319	268	327
Majorities	157,417	134	16

GENERAL ELECTION, 1906

Parties.	Votes Obtained.	Seats Obtained.	Seats in proportion to Votes.
Ministerialists	3,395,811	513	387
Unionists	2,494,794	157	283
Majorities	901,017	356	104

It will be seen that in the General Election of 1900 the Unionists obtained a majority of 134, but that if parties had been represented in proportion to their polling strength this majority would have been 16, whilst the majority of 356 obtained at the General Election of 1906 by the Ministerialists (in which term, for the purposes of comparison, all members of the Liberal, Labour and Nationalist parties are included) would, under similar conditions, have been a majority of 104 only. The very important change in public opinion disclosed by the polls at the second of these elections was not nearly sufficient to justify the enormous displacement that took place in the relative party strengths within the House of Commons. The extent of the possible displacement in representation may be more fully realised from a consideration of the figures for Great Britain, for the representation of Ireland, where parliamentary conditions have become stereotyped, is but little affected at any election. An increase in the Liberal vote from 2,073,116 to 3,093,978—an increase of 50 per cent.—resulted in a change in the number of representatives from 186 to 428, an increase of 130 per cent., whilst a decrease in the Conservative vote from 2,402,740 to 2,350,086—a decline of little more than 2 per cent.—resulted in a reduction in representation from 381 to 139 members, a decline of 63 per cent. The displacement was even more pronounced in London, where the number of Liberal members rose from 8 to 40, and the number of Conservative members fell from 52 to 20. The violence of these changes was attributed to a similar change on the part of the electors, but it was much more largely due to an electoral method that exaggerates any changes in public opinion beyond all reason.

If, however, the results—not of two but of the eight General Elections, 1885-1910—are considered it will be seen that the current belief, that the single-member system invariably yields a large majority, rests on a very precarious foundation. The General Election of 1892, for example, gave to the Liberals (inclusive of the Nationalists) a majority of 44 only. In England (which, excluding Wales and Monmouth, returns 461 members) the Conservatives in 1895 and 1900 had majorities of 233 and 213; in 1906 the

Liberals had a majority of 207; but in the elections of January and December 1910, the Conservatives had on each occasion a majority of 17 only. If Wales and Monmouth are included, it will be found that in the 1910 elections the Liberal majorities were 13 and 11 respectively. Single-member constituencies do not therefore guarantee large majorities. It can with greater truth be said that they guarantee wrong majorities, for, as the following table shows, there is no constant relation between the size of the majority in votes and the size of the majority in seats:—

General Election. Majority in Seats. Majority in Votes.

1885 Liberal 158 Liberal 564,391 1886 Conservative 104 Liberal 54,817 1892 Liberal 44 Liberal 190,974 1895 Conservative 150 Conservative 117,473 1900 Conservative 134 Conservative 157,417 1906 Liberal 356 Liberal 901,017 1910 (Jan.) Liberal 124 Liberal 495,683 1910 (Dec.) Liberal 126 Liberal 355,945

The majority of 44 seats which the Liberals obtained in 1892 represented a majority of 190,974 votes, whereas a much smaller Conservative majority at the polls, viz., 117,473, yielded in 1895 a majority in seats of 150. The overwhelming victory of 1895 represented the very slender majority of 117,473 votes in a total of 4,841,769, whilst at the next election, 1900, when the Conservatives increased their majority at the polls, their majority in the House of Commons was reduced. The Liberal majority in votes in the election of December 1910 was smaller than in that of the preceding January, but not the majority in seats. In 1886, the Conservatives obtained the large majority of 104 without having any majority in votes, and, if England is taken alone, it will be found that in January 1910 the Liberals had a majority of 29,877 in votes, and that in December the Conservatives had a majority of 31,744, whereas on each occasion the Conservatives obtained a majority of 17 seats.

The disfranchisement of minorities.

Politicians, to whom the one great saving merit of the single-member system is that it yields an exaggerated majority to the victors, would, if pressed, find it very difficult to defend the results referred to in the preceding paragraphs, and would be even more at a loss if asked to state to what extent they considered that national opinion should be falsified. The most ardent defenders of the system would hardly deny the right of the minority to some representation, and it is worthy of note that one of the reasons advanced by Mr. Gladstone in support of his decision to adopt it was that such a system tended to secure representation for minorities.[4] Yet, as prophesied in the debates of 1885, the minorities in the South and West of Ireland have since that date been permanently disfranchised; in the eight Parliaments, 1885-1911, they have been entirely without representation. This continued injustice is in itself sufficient to show how baseless was Mr. Gladstone's assumption that the system of single member constituencies would secure representation for minorities. This example, however, does not stand alone. In the General Election of 1906 the Unionists of Wales contested 17 constituencies, and although at the polls they numbered 52,637, they failed to secure a member; their 91,620 Liberal opponents secured the whole of the representation allotted to those constituencies. In addition the Liberals obtained the thirteen seats which the Unionists did not challenge. The minority throughout Wales, numbering 36 per cent, of the electors, had no spokesman in the House of Commons. This result shows how completely a system of single-member constituencies fails to protect minorities, and an analysis of the votes cast in Scotland in 1910, both in January and December, reveals the fact that the Unionist minority only escaped by the narrowest of margins the fate which befel the Welsh Unionists in 1906. The figures speak for themselves:—

SCOTLAND (Boroughs and Counties, January 1910)

Parties.	Votes.	Seats Obtained.	Seats in proportion to Votes.
Liberal	352,334	59	38
Labour and Socialist	35,997	2	4
Unionist	255,589	9	28
Totals	643,920	70	70

Every Scottish Unionist member of Parliament represented on an average 28,400 voters, whilst a Liberal member represented less than 6000 voters. The figures repay still further examination. One of the Unionist seats—the Camlachie division of Glasgow—was only captured as the result of a split in the Ministerialist ranks. The other eight seats were won by majorities ranging from 41 to 874, amounting in the aggregate to 3156. If therefore in these constituencies some 1600 Unionist voters had changed sides, the Unionist party, though numbering more than a quarter of a million, or 40 per cent. of the electorate, might have failed to secure any representation at all. With the single-member system more than a quarter of a million of Scottish Unionists only obtained representation as it were by accident. In

the same election the Liberals in the counties of Surrey, Sussex, and Kent, numbering 134,677, found themselves without a representative.[5]

The underrepresentation of majorities.

The failure of existing electoral methods to provide representation for minorities not only unduly emphasizes racial and other differences between different parts of the same country, as in Ireland, but often leads to a complete falsification of public opinion. The results in Birmingham and Manchester in the election of 1906 may serve as a text. As a result of that election these two towns were represented in Parliament as being absolutely opposed to one another—a heightened contrast which was a pure caricature of the difference disclosed by the polls. Manchester (including Salford) returned nine Ministerialists; they were elected by the votes of 51,721 citizens, whilst the votes of their 33,907 political opponents counted for nothing. Manchester was solid for Liberalism. Birmingham (with Aston Manor) was represented by eight Unionist members elected by 51,658 citizens, but here again the polls disclosed a dissentient minority of 22,938. The total number of votes in Manchester was 85,628, and in Birmingham 74,596. Manchester (with Salford) has one more member than Birmingham (with Aston Manor), because of the larger population and electorate of the former area. The Ministerialists of Manchester and Salford were equal in number to the Unionists in Birmingham, and it is interesting to observe that the former obtained additional representation because their opponents were more numerous than were the opponents of the Unionists in Birmingham.

The combined results of these two districts disclose the crowning weakness of a system of single-member constituencies. Taken together the Unionists numbered 85,565, the Ministerialists 74,659, and if the net Unionist majority of 10,906 had been spread over the whole of the two areas it would have yielded in each constituency the very respectable majority of 640. If their voting power had been evenly diffused the Unionists might have won the whole of the seventeen seats, whereas they were, as a result of the election, in a minority of one. This possible inversion of the true opinion of the electorate may perhaps be more clearly understood from another example taken from the same election,—the results of the polls in the county divisions of Warwickshire.

WARWICKSHIRE (ELECTION, 1906)

Electoral Division	Conservative Votes.	Liberal Votes.	Conservative Majority.	Liberal Majority.
Tamworth	7,561	4,842	2,719	—
Nuneaton	5,849	7,677	—	1,828
Rugby	4,907	5,181	—	274
Stratford-on-Avon	4,173	4,321	—	148
	————————————————————-			
	22,490	22,021	469	

The Conservatives, who were in a majority of 469, obtained one-fourth of the representation allotted to the county. Similar examples can be given from nearly every election. Thus the figures for the five divisions of Sheffield in the election of December 1910 were as follows:—

SHEFFIELD (ELECTION, DECEMBER 1910)

Electoral Division	Ministerial Votes.	Unionist Votes.	Ministerial Majority.	Unionist Majority.
Attercliffe	6,532	5,354	1,178	—
Brightside	5,766	3,902	1,864	—
Central	3,271	3,455	—	184
Eccleshall	5,849	6,039	—	190
Hallam	5,593	5,788	—	195
	————————————————————-			
	27,011	24,538	2,473	

It will be seen that the Ministerial majority in each of the Attercliffe and Brightside divisions was larger than the aggregate of the Unionist majorities in the other three divisions; yet the Unionists obtained three seats out of five.

In the same election the result of the contested seats in London (including Croydon and West Ham) was as follows:—

Parties.	Votes Obtained.	Seats Obtained.
Unionist	268,127	29
Ministerialist	243,722	31

The Unionists were in a majority of 24,405, but only obtained a minority of the seats. Had their majority been uniformly distributed throughout London there would have been an average majority for the Unionists of 400 in every constituency, and in that case the press would have said that London was solidly Unionist.

It may be contended that the foregoing are isolated cases, but innumerable examples can be culled from electoral statistics showing how a system of single-member constituencies may fail to secure for majorities the influence and power which are rightly theirs. In the General Election of 1895 the contested elections yielded the following results:—

GENERAL ELECTION, 1895 (Contested Constituencies)

Parties.	Votes.	Seats.
Unionists	1,785,372	282
Home Rulers	1,823,809	202

These figures show that in a contest extending over no less than 484 constituencies the Unionists, who were in a minority of 38,437, obtained a majority of 80 seats. In this election, if an allowance is made for uncontested constituencies, it will be found that the Unionists were in a majority, but in the General Election of 1886 the figures for the whole of the United Kingdom (including an allowance for uncontested seats made on the same basis[6]) were as follows:—

GENERAL ELECTION, 1886 (All Constituencies)

Parties.	Votes Obtained.	Seats Obtained.
Home Rulers	2,103,954	283
Unionists	2,049,137	387

This election was regarded as a crushing defeat for Mr. Gladstone. He found himself in the House of Commons in a minority of 104, but his supporters in the country were in a majority. The results of the General Election of 1874—although the system of single-member constituencies had not then been made general—are equally instructive. The figures are as follows:—

GENERAL ELECTION, 1874

Parties.	Votes Obtained.	Seats Obtained.	Seats in proportion to Votes.
Conservative	1,222,000	356	300
Liberal and Home Rulers .	1,436,000	296	352

From this it appears that in 1874, while the Liberals in the United Kingdom, in the aggregate, had a majority of 214,000 votes, the Conservatives had a majority of 60 in the members elected, whereas with a rational system of representation the Liberals should have had a majority of 52.[7]

Such anomalous results are not confined to this country; they are but examples of that inversion of national opinion which marks at all stages the history of elections based on the majority system. Speaking of the United States, Professor Commons says that "as a result of the district system the national House of Representatives is scarcely a representative body. In the fifty-first Congress, which enacted the McKinley Tariff Law, the majority of the representatives were elected by a minority of the voters." In the fifty-third Congress, elected in 1892, the Democrats, with 47.2 per cent, of the vote, obtained 59.8 per cent, of the representatives.

The stupendous Republican victory of 1894 was equally unjustified; the Republican majority of 134 should have been a minority of 7, as against all other parties.[8] Similarly in New South Wales the supporters of Mr. Reid's government, who secured a majority of the seats at the election of 1898, were in a minority of 15,000. The figures of the New York Aldermanic election of 1906 show an equally striking contrast between the actual results of the election and the probable results under a proportional system:—

A "game of dice."

Parties.	Seats Obtained.	Seats in proportion to Votes.
Republican	41	18
Democrat	26	27
Municipal Ownership		

It is unnecessary to proceed with the recital of the anomalous results of existing electoral methods. It has been abundantly shown that a General Election often issues in a gross exaggeration of prevailing opinion; that such exaggeration may at one time involve a complete suppression of the minority, whilst at another time a majority may fail to obtain its fair share of representation. M. Poincaré may well liken an election to a game of dice (he speaks of *les coups de dé du système majoritaire*,) for no one who has followed the course of elections could have failed to have observed how largely the final results have depended upon chance. This, indeed, was the most striking characteristic of the General Elections of 1910. In the January election there were 144 constituencies in which the successful member was returned by a majority of less than 500. Of these constituencies 69 seats were held by the Ministerialists and 75 by the Unionists. The majorities were in some cases as low as 8, 10, and 14. The aggregate of the majorities in the Ministerialist constituencies amounted to 16,931, and had some 8500 Liberals in these constituencies changed sides, the Ministerialist majority of 124 might have been annihilated. On the other hand, the Unionists held 75 seats by an aggregate majority of 17,389, and had fortune favoured the Ministeralists in these constituencies their majority would have been no less than 274. Such is the stability of the foundation on which the House of Commons rests; such the method to which we trust when it is necessary to consult the nation on grave national issues.

The importance of boundaries.

All these anomalies can be traced to the same cause—that with a single-member system the whole of the representation of a constituency must necessarily be to the majority of the electors, whether that majority be large or small. It directly follows that the results of elections often depend not so much upon the actual strength of political parties, as upon the manner in which that strength is distributed over the country. If that strength is evenly distributed, then the minority may be crushed in every constituency; if unevenly distributed any result is possible. In the latter case the result may be considerably influenced by the manner in which the constituencies are arranged. A slight change in the line of the boundaries of a constituency might easily make a difference of 50 votes, whilst "to carry the dividing line from North to South, instead of from East to West, would, in many localities, completely alter the character of the representation." [9] An example will make this statement clear. Take a town with 13,000 Liberal and 12,000 Conservative electors and divide it into five districts of 5000 electors each. If there is a section of the town in which the Liberals largely preponderate—and it often happens that the strength of one or other of the parties is concentrated in a particular area—the net result of the election in five districts will depend upon the way in which the boundary lines are drawn. The possible results of two different distributions may be shown in an extreme form thus:—

Constituency Libs. Cons. 1st. 4,000 1,000 Lib. victory. 2nd. 2,400 2,600 Cons. " 3rd. 2,300 2,700 " " 4th. 2,200 2,800 " " 5th. 2,100 2,900 " " ——— ——— 13,000 12,000

Constituency Libs. Cons. 1st. 2,600 2,400 Lib. victory. 2st. 2,600 2,400 Lib. " 3st. 2,600 2,400 Lib. " 4th. 2,600 2,400 Lib. " 5th. 2,600 2,400 Lib. " ——— ——— 13,000 12,000

The gerrymander.

With one set of boundaries the area in which the Liberals largely preponderate might be enclosed in one constituency. The Liberals might obtain a majority of 3000 in this constituency but lose the other four seats. If, however, the boundary lines were so arranged that each constituency included a portion of this excessively Liberal area, the Liberals might obtain the whole of the five seats. In both cases the result of the election would fail to give a true presentation of the real opinions of the town. The influence of boundaries in determining the results of an election has been clearly realized in the United States for more than a century. Professor Commons states that whenever the periodical rearrangement of constituencies takes place the boundaries are "gerrymandered." "Every apportionment Act," says he, "that has been passed in this or any other country has involved inequality; and it would be absurd to ask a political party to pass such an Act, and give the advantage of the inequality to the opposite party. Consequently, every apportionment Act involves more or less of the gerrymander. The gerrymander is simply such a thoughtful construction of districts as will economize the votes of the party in power by giving it small majorities in a large number of districts, and coop up the opposing party with overwhelming majorities in a small number of districts.... Many of the worst gerrymanders have been so well designed that they come close within all constitutional requirements." [10] Although the National Congress has stated that the district for congressional elections must be a compact and contiguous territory, the law is everywhere disregarded.

The word "gerrymander" has found its way into English journalism. It was used by Liberals in their criticism of Mr. Balfour's abortive redistribution scheme of 1905, and has been equally used by Unionists in 1909 in their criticism of Mr. Harcourt's London Elections Bill. On neither occasion was

the word used in its original meaning, and, although its history is to be found in most works on electoral methods, the story may, perhaps, be repeated with advantage:—

"The term Gerrymander dates from the year 1811, when Elbridge Gerry was Governor of Massachusetts, and the Democratic, or, as it was then termed, the Republican party, obtained a temporary ascendency in the State. In order to secure themselves in the possession of the Government, the party in power passed the famous law of 11 February 1812, providing for a new division of the State into senatorial districts, so contrived that in as many districts as possible the Federalists should be outnumbered by their opponents. To effect this all natural and customary lines were disregarded, and some parts of the State, particularly the counties of Worcester and Essex, presented similar examples of political geography. It is said that Gilbert Stuart, seeing in the office of the *Columbian Centinel* an outline of the Essex outer district, nearly encircling the rest of the country, added with his pencil a beak to Salisbury, and claws to Salem and Marblehead, exclaiming, 'There, that will do for a salamander!' 'Salamander!' said Mr. Russell, the editor: 'I call it a Gerrymander!' The mot obtained vogue, and a rude cut of the figure published in the *Centinel* and in the *Salem Gazette*, with the natural history of the monster duly set forth, served to fix the word in the political vocabulary of the country. So efficient was the law that at the elections of 1812, 50,164 Democratic voters elected twenty-nine senators against eleven elected by 51,766 Federalists; and Essex county, which, when voting as a single district had sent five Federalists to the Senate, was now represented in that body by three Democrats and two Federalists." [11]

Mr. Balfour's scheme did not involve a political rearrangement of boundaries, and the word "gerrymandering" was thus incorrectly employed in relation to it, but so long as we retain a system of single-member constituencies a Redistribution Bill will always invite suspicion because of the possibilities of influencing the arrangement of constituencies which such a measure affords. Instructions are usually given to boundary commissioners to attach due consideration "to community or diversity of interests, means of communication, physical features, existing electoral boundaries, sparsity or density of population;" [12] but although such instructions are at once reasonable and just, they would not prevent, and indeed might be used to facilitate, a gerrymander in the American sense of the term were such a proceeding determined upon. It is quite conceivable that a mining district in which one party had a very large majority might be surrounded by an area in which the political conditions were more balanced, but in which the opposite party had a small majority. If that mining area was, in accordance with the wording of these instructions, treated as one constituency because of its community of interests and the surrounding area divided into three or more districts, the minority would in all probability obtain a majority of seats.

The modern gerrymander

The new constituencies required by the South Africa Act of 1909 have been arranged with the utmost care,[13] but had the delegates to the South African National Convention adhered to their original proposal to abandon single-member constituencies, they would have secured for South Africa, among other invaluable benefits, complete security from the gerrymander, any possibility of which begets suspicion and reacts in a disastrous way upon political warfare. The gerrymander is nothing more or less than a fraudulent practice. But the United States is not the only country in which such practices take place. Their counter-part in Canada was described by Sir John Macdonald as "hiving the grits," and even in England, without any change of boundaries, practices have arisen within the last few years which have had their birth in the same motives that produced the American gerrymander. In boroughs which are divided into more than one constituency there is a considerable number of voters who have qualifications in more than one division. A man may vote in any division in which he has a qualification, but in not more than one. He may make his choice. In Edinburgh for many years, on both sides of politics, there has been a constant transfer of voters from one register to another in the hopes of strengthening the party's position in one or other division. It was even alleged that the precise moment of a vacancy in West Edinburgh (May 1909) was determined by the desire to ascertain the strength of the Unionist party in that division, to discover how many Unionist votes should be transferred for the purpose of improving Unionist prospects or of defeating the designs of their opponents. This allegation may be wholly unfounded, but the single-member system encourages such a proceeding, and the statement at least indicates how the voting power of a division may be manipulated. The mere possibility of such an action arouses the suspicion that it has taken place. Similar practices have, it is stated, been pursued in Bristol. Votes have been transferred from one division, where one of the parties was in a hopeless minority, for the purpose of strengthening its position in other divisions. An examination of the figures of the election in Birmingham in 1906 shows that in one division, Birmingham East, the Unionists narrowly escaped defeat. They won by a majority of 585 only. In the other divisions the Unionists won by very large majorities. Must not the possibility of transferring surplus votes in strong constituencies to strengthen the position in weak constituencies prove an irresistible temptation to the agents responsible for the success of the party? They are entitled to make

use of all the advantages at their disposal. In this way a new and more subtle form of the "gerrymander" has arisen in England, and if we are to redeem English political warfare from proceedings which approximate very closely to sharp practices, we must so amend our electoral system as to give due weight to the votes not only of the majority but of the minority as well.

The Block Vote

The analysis of the results of majority systems would not be complete without some reference to the use of the "block" vote in the London County Council, the London Borough Council, and other elections. In the London County Council elections each constituency returns two members, and each elector can give one vote to each of two candidates. The Metropolitan boroughs are divided into wards returning from three to nine members, each elector giving one vote apiece to candidates up to the number to be returned. [14] Both in the London County and London Borough elections the majority, as in a single-member constituency, can obtain the whole of the representation. All the defects which arise from parliamentary elections again appear, and often in a more accentuated form. The figures of the two London County elections, 1904, 1907, disclose a catastrophic change in representation similar to that which characterized the General Election of 1906:—

LONDON COUNTY COUNCIL ELECTION, 1904

Parties.	Votes.	Seats Obtained.	Seats in proportion to Votes.
Progressive and Labour	357,557	83	64
Moderate	287,079	34	52
Independent	12,940	1	2
Progressive majority over Moderates	70,478	49	12

LONDON COUNTY COUNCIL ELECTION, 1907

Parties.	Votes.	Seats Obtained.	Seats in proportion to Votes.
Moderate	526,700	79	67
Progressive and Labour	395,749	38	50
Independent	6,189	1	1
Moderate majority over Progressive and Labour	130,951	41	17

The London County Council elections.

A swing of the pendulum which, measured in votes, would have transferred a majority of twelve into a minority of seventeen, had the effect of changing a majority of 49 into a minority of 41. This alternate exaggeration of the prevailing tendencies in municipal politics gives rise to a false impression of the real opinions of the elector. The citizens of London are not so unstable as the composition of their Council, but it is the more violent displacement which forms the basis of comment in the press and of municipal action. These elections, too, like the Parliamentary elections, showed with what ease the minority throughout large areas may be deprived of representation. Six adjoining suburban boroughs— Brixton, Norwood, Dulwich, Lewisham, Greenwich, Woolwich—were, before the election of 1907, represented by twelve Progressives. At that election they returned twelve Moderates; indeed on that occasion the outer western and southern boroughs, in one continuous line from Hampstead to Fulham, from Wandsworth to Woolwich, returned Moderates and Moderates only.

The election of aldermen of the L.C.C.

The London County Council elections of 1910 gave the Municipal Reform party a majority of two councillors over the Progressive and Labour parties. The transfer of a single vote in Central Finsbury would have been sufficient to have produced an exact balance. It was the duty of the new Council to elect the aldermen, the block vote being used. The majority of two was sufficient to enable the Municipal Reformers to carry the election of every one of the ten candidates nominated by them, thus depriving the minority of any voice in the election of aldermen. The object for which aldermen were instituted was entirely set at naught, and this the method of election alone made possible. The privilege of selecting aldermen was used by the party in power, not for the purpose of strengthening the Council

by the addition of representative men, but for the purpose of strengthening the party position.[15] The privilege has been abused in a similar way by the English provincial boroughs. In these boroughs, prior to the Election of Aldermen Act, 1910, aldermen as well as councillors took part in the election of aldermen. In some cases a party having once obtained a predominant position has, by making full use of its power to elect aldermen in sympathy with itself, succeeded in perpetuating its predominance, although defeated at the polls. The minority of the councillors, with the assistance of the non-retiring aldermen, has not only elected further aldermen from members of the same party, but has controlled the policy of the Council. The Act referred to merely prevents aldermen in municipal councils from voting in the election of other aldermen, but does not go to the root of the evil. An alteration in the method of election is required.

[Sidenote 1: *The election of Representative Peers of Scotland.*]

A further example of the use of the block vote may be taken from the election of Scottish Representative Peers. At the commencement of each Parliament the Scottish Peers meet in Holyrood Palace for the purpose of electing sixteen of their number to represent the peerage of Scotland in the Parliament of the United Kingdom. The Unionist Peers are in a majority, and the block vote enables them to choose sixteen Unionist Peers. At the election of January 1910 Lord Torphichen, a Unionist Peer, who had voted against his party on the Finance Bill of the previous year, failed to secure re-election. Lord Torphichen was elected in the following December, but the incident shows how complete is the power conferred upon the majority by this method of election; not only political opponents but dissenting members of the same party can be excluded from representation.

The Australian Senate.

The block vote is used also in the election of members of the Australian Senate. Each State elects six senators, half of whom retire every three years. Each State is polled as a separate constituency, and each elector has three votes. At the election of 1910 the Labour Party polled the highest number of votes in each of the States, and thus succeeded in returning eighteen senators, all other parties obtaining none. The figures here given for the elections in Victoria and New South Wales show that in Victoria the successful candidates were not even supported by a majority of electors, and that in both States the excess of the successful over their leading opponents was so small that a slight turn over would have completely altered the result of the elections:—

ELECTION of AUSTRALIAN SENATORS, 1910

Victoria.

Successful. Unsuccessful.

Findley (Lab.)....217,673 Best (Fusionist) 213,976
Barker (Lab.).....216,199 Trenwith (Fusionist).... 211,058
Blakey (Lab.).....215,117 M'Cay (Fusionist) 195,477
　　　　　　　　Goldstein (Independent) 53,583
　　　　　　　　Ronald (Independent) ... 18,380

648,889 692,474

New South Wales.

Successful. Unsuccessful.

A.M'Dougall(Lab.) ..., 249,212 J.P. Gray (Fusionist)... 220,569
A. Gardiner (Lab.) ... 247,047 E. Pulsford (Fusionist). 214,889
A. Rae (Lab.).........239,307 J. C. Neild (Fusionist). 212,150
　　　　　　　　J. Norton (Independ.)... 50,893
　　　　　　　　R. Mackenzie (Independ.) 13,608
　　　　　　　　J.O. Maroney (Independ.) 9,660
　　　　　　　　T. Hoare (Independ.).... 8,432

735,566 730,201

London Borough Councils

The London Borough Council elections yield results equally unsatisfactory. The Report of the Select Committee of the House of Lords which, in 1907, examined the Municipal Representation Bill introduced by Lord Courtney of Penwith, sums up these results in the following paragraphs:—

"If the different wards are similar in character, the majority, even if little more than one-half, may

secure all the seats. For instance, in one borough the Progressives, with 19,430 votes, obtained all the 30 seats, and the Municipal Reformers, though they polled 11,416 votes, did not obtain even one; while, on the contrary, in four other boroughs the Progressives did not secure any representation. "On the other hand, the system does not in all cases secure power to the majority. If the wards are dissimilar and the majority too much condensed in certain districts, the minority may secure a majority of seats, as in the case of one borough where 46,000 votes secured 30 seats, while 54,000 votes only obtained 24.

"The system leads to violent fluctuations. If the two great parties are nearly evenly divided, it is obvious that a comparatively small change may create a revolution in the representation. In Lewisham, at the 1903 election, the Progressives had 34 seats and the Moderates only 6; in 1905, on the other hand, the Municipal Reformers obtained all the 42 seats, and the Progressives failed to secure even one."[16]

One example will suffice to illustrate the findings of this Committee.
Here are the results of two wards in the Borough of Battersea:—

BATTERSEA BOROUGH COUNCIL ELECTION, 1906

Ward Votes Obtained.
           Municipal Reform Progressive
             Candidates. Candidates.

  Shaftesbury 786 905 }
(six seats) 777 902 }
             769 899 }all
             753 895 }successful.
             753 891 }
             741 852 }
             ——- ——-
        Totals 4,579 5,344

  St. John's 747 } 217
(three seats) 691 }all 197
             686 }successful. 191
             ——- ——-
        Totals 2,124 605

  Totals for both wards 6,703 5,949

These tables disclose some curious anomalies. Each elector in the Shaftesbury ward has six votes—the ward being entitled to six Councillors—whereas each elector in the St. John's ward, which is only entitled to three Councillors, has but three votes. The additional representation is allotted to the Shaftesbury ward because of its larger electorate, but the only electors to reap any advantage from this fact are the Progressives. The presence in the ward of a large number of citizens who are Municipal Reformers has merely had the effect of increasing the amount of representation obtained by their opponents. Further, the number of Municipal Reformers in the Shaftesbury ward exceeded the number of Municipal Reformers in the St. John's ward; in the former they obtained no representation, in the latter they obtained three seats. The two wards taken together showed a net majority in votes of 754 for the Municipal Reformers who, however, only secured three seats out of nine. Taking the Borough as a whole the Municipal Reformers obtained 24 representatives with 53,910 votes, whereas the Progressives obtained 30 representatives with 46,274 votes.

Provincial Municipal Councils.

Nor are the results of the Provincial Borough elections more satisfactory. These boroughs are usually divided into wards returning three or six members each. One-third of the councillors retire each year, and each ward is called upon to elect one or two councillors, as the case may be. The figures for the Municipal elections held in November 1908, at Manchester, Bradford, and Leeds disclose a similar discrepancy between the votes polled and the seats obtained. [*See table below.*]

BOROUGH COUNCIL ELECTIONS, 1908

  Parties Votes Seats Seats in
           Polled. Obtained. proportion
                        to Votes.

Manchester.
Conservative 25,724 14 10
Independent 11,107 3 4
Liberal 14,474 7 6
Labour and Socialist 15,963 2 6

Bradford.
Conservative 12,809 10 6
Liberal 12,106 6 5
Socialist-Labour 11,388 0 5
Independent 1,709 1 1

Leeds.
Conservative 18,145 8 5
Liberal 19,507 3 5
Socialist-Labour 9,615 1 2
Independent 3,046 1 1

Summary.

The examples given in this chapter may be briefly summarised. The same defects are disclosed in Parliamentary, County Council and Municipal (both metropolitan and provincial) elections. These defects may be classified under three heads: (1) often a gross exaggeration of the strength of the victorious party; (2) sometimes a complete disfranchisement of the minority; and (3) at other times a failure of a majority of citizens to obtain their due share of representation. In addition, running through all the results, there is an element of instability due to the fact that a slight change in public opinion may produce an altogether disproportionate effect, the violence of the swing of the pendulum arising more from the electoral method than from the fickleness of the electorate. These defects all spring from the same root cause—that the representation of any constituency is awarded to the majority of the electors in that constituency irrespective of the size of the majority; that the votes of the minority count for nothing. The result of a General Election is thus often dependent not upon the relative strengths of political forces, but upon the chance way in which those forces are distributed, and in a considerable measure may be influenced by the way in which the boundaries of constituencies are drawn. Such a system invites and encourages gerrymandering, both in its original and modern forms, but this detestable practice can be made of no avail and the results of elections rendered trustworthy if we so reform present methods as to give due weight to the strength of each political party irrespective of the way in which that strength may be distributed.

[Footnote 1: Reply to Deputation, House of Commons, 10 November 1908.]

[Footnote 2: Mr. Corbett's analyses were accepted by the Royal Commission on Electoral Systems as "representing the truth as nearly as circumstances will permit."—Report, p. 31.]

[Footnote 3: There is a marked difference between the electoral conditions of Great Britain and Ireland, but as the Government of the day depends for support upon a majority of the representatives of all parts of the kingdom, the figures here given are those for the United Kingdom.]

[Footnote 4: Mr. Gladstone, in introducing the Redistribution of Seats Bill, 1 December 1884, said: "The recommendations of this system (one-member districts) I think are these—that it is very economical, it is very simple, and it goes a very long way towards that which many gentlemen have much at heart, viz., what is roughly termed representation of minorities."—Hansard, 3rd series, vol. 294, p. 379.]

[Footnote 5: Other examples are given in Appendix V. The representation of minorities varies very considerably in amount, and, as shown in the Appendix, depends not upon their size but upon the way in which they are distributed over the electoral area.]

[Footnote 6: The basis of calculation, as explained by Mr. Rooke Corbett, is as follows: "It seems to me reasonable to suppose that those changes of public opinion which affected the contested constituencies affected the uncontested constituencies also, and therefore, in estimating the number of voters in an uncontested constituency, I have assumed that the strength of each party varied from one election to another in the same ratio as in the contested constituencies in the same county."—P. R. Pamphlet, No. 14. *Recent Electoral Statistics*, p. 5.]

[Footnote 7: These figures are taken from an article by Robert B. Hayward in *The Nineteenth Century*, February 1884, p. 295.]

[Footnote 8: *Proportional Representation*, by Professor Commons, p. 52 *et seq*. For further examples in the United States the reader should consult Chapter III. of Professor Commons' book.]

[Footnote 9: *Preferential Voting*, by the Right Hon. J. Parker Smith. p. 8.]

[Footnote 10: *Proportional Representation*, p. 50.]

[Footnote 11: *The Machinery of Politics*, W. R. Warn, 1872.]

[Footnote 12: Such instructions are contained in Clause 40 of the South African Act, signed by the South African National Convention at Bloemfontein, 11 May 1909.]

[Footnote 13: See Report of Delimitation Commission.]

[Footnote 14: This electoral method is known by various names. In Australia it is called the block vote, in the United States the general ticket, on the Continent the *scrutin de liste*.]

[Footnote 15: The action was defended on the ground that the Municipal Reform party had obtained a majority of 39,653 votes at the polls.]

[Footnote 16: *Report on Municipal Representation Bill (H.L.)*, 1907 (132), p. vi.]

CHAPTER III

THE INDIRECT RESULTS OF MAJORITY SYSTEMS

"Nous attachons un intêrét vital, presque aussi grand, à la forme dans laquello on consulte la nation qu'au principe lui-mème du suffrage universel."—GAMBETTA

False impressions of public opinion.

The first and immediate consequence arising from present electoral methods is the growth of false impressions of the true tendencies of public opinion, impressions that are still further distorted by the exaggerations of the press. The winning of a seat is always a "brilliant victory," and a "crushing defeat" for the other side. The German General Election of 1907 affords an excellent illustration of these false impressions. The Social Democrats lost nearly 50 per cent. of their previous representation, and an outburst of delight arose in certain journals over their "crushing defeat." But the Socialists' poll showed an increase of a quarter of a million, and although their total poll had not increased in quite the same proportion as that of other parties, the figures showed that the Social Democrats were still by far the largest party in Germany. The number of seats won were no true index to the movements in political forces. Not only the press, however, but some of the most careful writers on modern tendencies in politics are also misled by these false impressions. The General Election of 1895, in which there was a majority of 117,473 for the Unionists in a total of 4,841,769 votes, is a case in point. This election has often been chosen as marking the commencement of a period of strong reaction in political thought. Writers have been misled by the overwhelming majority in seats obtained by the Unionists at that election. They have entirely ignored the figures of the polls, and these, the only safe guide to the opinions of the electors, show that the reaction was far less strong than is usually supposed.

False impressions become the basis of legislative action.

False impressions of public opinion, however, lead to an indirect effect of much greater importance. The false impression becomes the basis of action, and an apparent triumph for reaction makes a "reactionary" policy much more easy of achievement. Similarly an apparent triumph for a "progressive" policy facilitates its adoption. For the House of Commons is still the most powerful factor in determining our political destinies, and hence these false results have a very material effect in the shaping of history. If the opinion of the people had been truly represented in the Parliaments elected in 1895 and 1900, is it not almost a certainty that the legislation of those two Parliaments would have been considerably modified? Or, to go further back to the election of 1886, the result of which was universally interpreted as a crushing defeat of Mr. Gladstone's proposals in favour of Home Rule, would not a true result on that occasion have influenced subsequent developments? Over-representation, which results in the temporary triumph of a party and of partisan measures, involves the nation in a serious loss, for the time and energy of a Parliament may be largely consumed in revising and

correcting, if not in reversing the partisan legislation of its predecessor. Thus, a considerable portion of the time of the Parliament of 1906-1909 was spent in attempting to reverse the policies embodied in the Education and Licensing Acts of the preceding Parliament.

Loss of prestige by the House of Commons.

Apart, however, from speculation as to the effect of false electoral methods on the development of public affairs, the serious divergences between representation and polling strength, to which attention has been directed in the previous chapter, must tend to the weakening of the authority and prestige of the House of Commons. Should a Government, misled by the composition of the "representative" House, make use of its majority in that House for the passage of measures not really desired by the country, and should the House of Lords, reformed or not, guess rightly that the decisions of the Commons were contrary to the popular will, then inevitably the position of the House of Lords would be strengthened as compared with that of the Commons. "A House of Commons which does not represent," said a leading Liberal journal, "may stand for less in the country than the House of Lords, or the Crown, and its influence will infallibly decline in proportion. One has only to take up an old volume of Bagehot to confirm one's suspicions that the imperfections of electoral machinery, combined with the changes in the character of the electorate, are already threatening to undermine the real sources of the nation's power."[1] Sir Frederick Pollock has declared that our defective electoral system may "yield a House of Commons so unrepresentative in character as to cease to command the respect and obedience of citizens."[2]

Unstable representation.

False impressions of public opinion, unstable legislation based upon such false impressions, the weakening of the foundations on which the authority of the House of Commons rests, these are results which in themselves constitute a sufficiently serious condemnation of present methods. But those upheavals in representation, those violent swings of the pendulum which have often been so pronounced a feature of elections, give an instability to the composition of our supreme legislative chamber that must still further undermine its authority. Many, indeed, imagining that this dangerous instability is the reflection of an equally unstable electorate, begin to question whether a popular franchise is in any circumstances a satisfactory basis for government. The violence of the change in representation is attributed to the character of the electors instead of to the evil effects of a defective electoral method. On the other hand, the large majorities which accompany such changes are regarded by other politicians as blessings in disguise—as being essential to the formation of a strong Government. But a Government based on a false majority will, in the long-run, find that this exaggeration of its support in the country is a source of weakness rather than of strength. Like the image in Nebuchadnezzar's dream, the feet of such a Government are part of clay. For the extreme swing of the pendulum which brought the Government into power is usually followed by an equally violent swing in the opposite direction. When the high-water mark of success is attained at a General Election it becomes practically impossible for the party in power to gain additional seats at bye-elections, whilst an unbroken series of losses makes it difficult to prevent a feeling arising that the ministry has lost the confidence of the electors, although the actual change in public opinion may have been of the slightest. The prestige of the Government is gone, and prestige is as necessary to a Government as a majority. In brief, a large majority strengthens a Government only in so far as that majority corresponds to public opinion.

Weakened personnel.

Moreover, the extreme changes which take place at a General Election often result in a considerable weakening of the personnel of the House of Commons. In such a débâcle as that which took place in 1906, there was no process of selection by which the Unionists might have retained the services in Parliament of their ablest members. Although there were 33,907 Unionists in Manchester and Salford, Mr. Balfour, the leader of the party, experienced the mortification of being rejected by one of the divisions. This failure was paralleled by the defeat of Sir William Harcourt at Derby in 1895, whilst Mr. Gladstone, in contesting Greenwich in 1874, only succeeded in obtaining the second place, the first seat being won by a Conservative. A way is usually found by which party leaders return without delay to the House of Commons, but there are members of the highest distinction and capacity who, especially if these qualities are associated with a spirit of independence, find, it increasingly difficult to re-enter political life. Victory at the polls depends not so much upon the services which a statesman, however eminent, may have rendered to his country, as upon the ability of the party to maintain its majority in the particular constituency for which he stands. Indeed, in this matter a leader of opinion is placed at a disadvantage as compared with an ordinary member of the party; his very pre-eminence, his very activities bring him into conflict with certain sections of the electorate which, insignificant in themselves, may yet be sufficiently numerous to influence the result of an election. Statesmen, moreover, have often lost their seats merely because they have endeavoured to give electors of their

very best. When Mr. John Morley (now Lord Morley of Blackburn), during the election of 1906, received a deputation of Socialists, he, with characteristic courage, explained very frankly the ground on which he could not support their principles.[3] A similar candour on his part in 1895 cost him his seat at Newcastle. Can we wonder then that there arise complaints that our statesmen are deficient both in courage and in ideas? Single-member constituencies are, as Gambetta pointed out more than twenty years ago, inimical to political thinking, and recent General Elections have afforded numerous examples in support of this statement. The courageous and forcible presentment of ideas has time after time been rewarded by exclusion from the House of Commons.

Degradation of party strife.

There is a further and equally serious charge that can be laid against the existing electoral system—it is in no small measure responsible for that increasing degradation in the methods of warfare which has characterised recent political and municipal contests. This debasement of elections cannot fail to contribute to that undermining of the authority of the House of Commons, upon which stress has already been laid. Indeed, there is abundant evidence to show that in conjunction with the imaginary instability of the electorate, the debasement of elections is weakening the faith of many in representative institutions. An efficient bureaucracy is now being advocated by a writer so distinguished as Mr. Graham Wallas, as the best safeguard against the excesses of an unstable and ignorant democracy. There is no need to undervalue the importance of competent officials, but all experience has shown the equal necessity of an adequate check upon the bureaucracy, however efficient, and such check must be found in the strengthening of representative bodies. Mr. Graham Wallas declares that "the empirical art of politics consists largely in the creation of opinion by the deliberate exploitation of subconscious non-rational inferences,"[4] and cites in support of this statement the atrocious posters and mendacious appeals of an emotional kind addressed to the electors in recent contests. It does not appear from electoral statistics that so large a proportion of voters are influenced by such appeals as Mr. Wallas thinks; his conclusions, like those of others, are based upon the false impressions arising from false results. It is, however, sufficient for the purpose of the political organizer to know that a number of the electors will succumb to such influences. The votes of this small section of the electorate can turn the scale at an election, and so long as we adhere to a system under which the whole of the representation allotted to any given constituency is awarded to the party which can secure a bare majority of votes, we must expect to see a progressive degradation of electoral contests. The successful organizer of victory has already learnt that he must not be too squeamish in the methods by which the victory is obtained, and if "the exploitation of subconscious non-rational inferences" is necessary to this end he will undoubtedly exploit them to the best of his powers.

The final rally.

Mr. Wallas gives from his personal experience an admirable illustration of the way in which elections are often lost and won. His vivid description of the close of a poll in a County Council election in a very poor district is in itself an emphatic condemnation of our electoral system. "The voters," says he, "who came in were the results of the 'final rally' of the canvassers on both sides. They entered the room in rapid but irregular succession, as if they were jerked forward by a hurried and inefficient machine. About half of them were women with broken straw hats, pallid faces, and untidy hair. All were dazed and bewildered, having been snatched away in carriages or motors from the making of match-boxes, or button-holes, or cheap furniture, or from the public-house, or, since it was Saturday evening, from bed. Most of them seemed to be trying in the unfamiliar surroundings to be sure of the name for which, as they had been reminded at the door, they were to vote. A few were drunk, and one man, who was apparently a supporter of my own, clung to my neck while he tried to tell me of some vaguely tremendous fact which just eluded his power of speech. I was very anxious to win, and inclined to think that I had won, but my chief feeling was an intense conviction that this could not be accepted as even a decently satisfactory method of creating a Government for a city of five million inhabitants, and that nothing short of a conscious and resolute facing of the whole problem of the formation of political opinion would enable us to improve it." The political "boss" has no such qualms; victory may turn upon the votes recorded at this final rally, and every effort must be made to ensure that the party's poll exceeds that of the enemy. Mr. Wallas does not propose any remedy; he merely suggests that something must be done to abolish the more sordid details of English electioneering. Why not go to the root of the evil and amend the electoral system which places so great a premium upon the success of such practices? It is indeed evident that this cannot be accepted as "a decently satisfactory method of creating a Government." But we are not compelled to continue the use of such a method. What possible justification is there for making the representation of all the other electors of a constituency depend upon the result of a final rally?

Bribery and "nursing"

Evidence was tendered before the Worcester Election Commission[5] to the effect that there were

500 voters in the city who were amenable to the influence of a small bribe, and that the party which secured the votes of these electors won the election. Again, is there no alternative to an electoral system which makes the representation of a town depend upon the action of the least worthy of its citizens? Direct bribery has been rendered more difficult by the Corrupt Practices Act, but bribery in a much more subtle form—"nursing" the constituency—would appear to be on the increase. Mr. Ellis T. Powell, who has had a considerable electioneering experience, gives an admirable statement[6] of the expenses attending a successful candidature. "If the candidate's means," says he, "permit of a favourable response to these invitations (appeals for money), he is said to be engaged in 'nursing' the constituency in which the gifts are distributed. A great proportion of these appeals relate to funds which are for public, or quasi-public purposes, such as those of hospitals; and there is no suggestion that any direct political influence is exercised in consequence of donations or contributions made to these institutions. But what is certain is that a section of the electorate-diminishing, but still potent, section—is favourably influenced by the fact that Mr. A. has given £100 to the funds of the hospital, whereas Mr. B. has given £5, 5_s_., or nothing at all. Candidates and their agents are perfectly well aware of this, and are even known to delay the announcement of their contributions in order to ascertain their respective amounts, and so to guard themselves against giving less than others have done. Mr. A. is inclined to give £20, but waits to see if Mr. B. gives £25, in which case he will raise his intended £20 to £30. These tactics are adopted, not because either of the candidates desires to be lavish or ostentatious in his gifts, and still less from any vulgar desire for notoriety in itself. They are simply an element, almost vital under existing conditions, of a successful appeal to the electorate. They may be said to be of the psychological rather than the political order, introducing into the electoral arena forces which have no business to be there, and whose activity is wholly vicious; but forces which nevertheless no politician can ignore, unless he wishes to postpone his realisation of their exact potency until the declaration of the poll places it before his, own eyes in large and unmistakable characters.... The writer was once consulted by a gentleman who, from motives which were truly laudable, desired to represent a London constituency. The path was clear to his selection as a candidate; the only question was that of expense. The writer, after noting the number of electors, informed him of the maximum sum which he might expend at a contest, but at the same time warned him that unless he were prepared to spend from £1500 to £2000 a year from that time until the General Election (of which there was no immediate prospect) he might regard his ambition as a hopeless one. The constituency was one where money *must* be spent. The other candidate would spend it, and his opponent must do at least as much, while his chance at the poll would be increased if he did a little more. When his opponent gave 10s. to a local cricket club, he could give no less. If he gave a guinea it might make a difference in his poll. The advice was not given in regard to electoral conditions as they ought to be, but as they are. The writer gave it with regret, and felt that he was playing almost a cynical part when he uttered the words. Yet it was in complete accord with the necessities of the existing system." Some of the practices associated with constituency-nursing can perhaps be reached by further legislation, but, if so, bribery in all probability will only take a form still more subtle. Again, why not strike at the root cause which makes these practices so highly profitable? Why continue to make the representation of all electors depend upon the votes of those who are influenced by the attentions of a rich patron?

The organization of victory.

The cumulative effect of these demoralising elements in party warfare is shown in the separation of the work of the party organizer from that of the party leader—separation which is becoming more and more complete. The work of covering hoardings with posters of a repulsive type, the task of preparing election "literature," must be carried out by men of a different character from those who are responsible for the public direction of the party; and as party agents often obtain their appointments because of their previous success in winning elections, the mere force of competition is compelling agents, sometimes against their own wishes, to resort to these questionable practices. The success of the Municipal Reform campaign in the London County Council election of 1907 was followed by a demand from many Progressives that the tactics of their opponents should be copied, that gramophone should be answered by gramophone, poster by poster. It is, however, certain that the more victory depends upon the work of the party organizer the more must his power increase, and this fact explains the unique position of the political "boss" in the United States, where ordinary electoral methods have been carried to their logical conclusion.[7] The political "boss" has become all-powerful because he has made himself the indispensable factor in successful political organization. At the London County Council elections in 1907, the leaders of the Municipal Reform Party dissociated themselves from the more extreme accusations made against the administration of the Progressives, but the conduct of the elections was apparently outside their powers of control. It may never become possible in England for a political organization such as "Tammany Hall" to succeed in planting on the register of voters a large number of fraudulent names, nor is it necessary yet for the press to issue a notice such as that which appeared in the New York *Evening Post:* "There are a thousand 'colonizers' waiting to vote for the Tammany ticket. Vote early, so that no one can vote ahead of you in your name."[8] In New York the

Citizens' Unions have at each election to spend several weeks in succession in thwarting attempts at this offence on a large scale, and though our more perfect organization of elections renders such frauds impossible, still if we are to arrest the Americanization of our electoral contests we must cease to allow the results of a "final rally," the votes of the least worthy citizens, assiduous "nursing," or suggestive posters to decide the representation of a constituency.

Party exclusiveness.

The preceding criticism of recent developments in electoral warfare must not be read as a condemnation of party organization as such. Party organization there must be, and unquestionably the success of a party is intimately bound up with the efficiency of its organization. But our defective electoral system confers upon party organization a weapon which is not an adjunct to efficiency in the true sense of the word, but a weapon which has been and can be made a serious menace to the political independence and sincerity both of electors and of Members of Parliament. During the memorable three-cornered fight in Greenwich in 1906, Lord Hugh Cecil made this statement: "The opposition to me is not to put a Tariff Reformer in, but to keep me out. ... We are face to face with an innovation in English politics, and it is a question of how far it is desirable to introduce methods which may be handled with a view to creating a party mechanism so rigid, so powerful, and so capable of being directed by a particular mind towards a single object, that it may become a formidable engine for carrying out a dangerous proposal. We do not want a system of political assassination under which any one who is in the way may be put out of the way." To realize the dangerous weapon which our present system places in the hands of party organizations, it is not necessary to give complete assent to the statement of Lord Hugh Cecil as to the character of the opposition brought against him. The power undoubtedly exists. Prior to the election of January 1910, the secret organization known as "confederates" was reported to have marked down all Unionist candidates who would not accept a course of policy approved of by this body. The action was defended on the ground that it was essential to secure Tariff Reform immediately and at all costs, but it nevertheless constituted a serious attack upon the representative character of the House of Commons. By such methods that historic House will be deprived of its rightful place in the constitution of this country. Political power will no longer be centred in the House of Commons; it will be vested in organizations outside Parliament, which will only meet to carry out their bidding. At the General Election of 1906 the mere threat of a three-cornered fight was sufficient to induce many Free Trade Unionists to retire from the contest; the purging was completed at the election of January 1910, and it would seem that in the future only those politicians who can with alacrity adopt the newest fashions or change their party allegiance can hope to take a permanent part in the political life of their country. Many of those who were so eager for Tariff Reform at all costs—the "confederates" themselves—would probably have protested most vigorously had the same policy of excluding competent men from Parliament been adopted for the attainment of political objects of which they did not approve, and the comment of *The Times* on this exclusive policy reflects the opinion of those who value the representative character of the House of Commons more highly than an immediate party triumph:—

"Parliament ought to represent the opinion of the country as a whole, and each of the great parties ought to represent the diversities of opinion which incline to one side or the other of a dividing line which, however practically convenient, does not itself represent any hard and immutable frontier. Now the variety and elasticity of representation, which are the secret of the permanence of our institutions, are directly injured by any attempt to narrow the basis of a party. If such attempts were to succeed upon any considerable scale we should have a couple of machine-made parties confronting one another in Parliament, with no golden bridges between their irreconcilable programmes. There is some danger at the present day of an approximation to a state of things in every way to be deprecated, and it is surely not for the Unionist party to promote any movement tending in that direction."[9]

This process of excluding valuable elements from our representative chamber is equally at work within the Liberal party. At the General Election of 1906 Sir William Butler, a Liberal of very high attainments, was compelled to withdraw his candidature for East Leeds on the ground that he could not fully support the Education policy of the Government. Mr. Harold Cox, during the Parliament of 1906, criticised the work of the Liberal Government from the point of view of a Liberal of the Manchester school, and the Preston Liberal Council withdrew its support. Nor does the Labour Party escape the same charge. Originally each member was required to accept in writing the constitution of the party, and this condition was rigorously enforced. In January 1911 it was decided at the Party Conference held at Leicester to dispense with the written pledge, but it would appear that a cast-iron conformity to party decisions is still insisted upon. On 10 February 1911 the party moved an amendment to the Address in favour of the Right to Work Bill, a measure as to the practicability of which there is a difference of opinion within the party. Mr. Johnson, the member for Nuneaton, voted against the amendment, and commenting on the incident the *Labour Leader* said: "Is Mr. Johnson to be allowed to defy the Party's mandate? We invite the Labour stalwarts of Nuneaton to give their earnest

consideration to this question. And there can be no doubt as to what the verdict will be."

Mechanical debates.

These repeated attempts to make members of a party conform in all respects to a specified pattern, this constant insistence that members must give up the right of criticism and support on all occasions the party to which they belong, must and does react on the composition of the House of Commons. The duty of a Member of Parliament will tend more and more to be restricted to registering his approval or disapproval of the decisions of the Government, and, as the central organization of each party is in close touch with the party whips, the free and independent electors will be more and more confined, in the election of their representatives, to a choice between the nominees of machine-made parties. Moreover, in a House of Commons so composed discussion necessarily loses its vitalizing character. The debates on Free Trade in the House of Commons in 1905 towards the close of Mr. Balfour's administration were very real and full of life, because argument could and did affect the votes of members, but if the process continues of excluding all elements save those of the machine-controlled, debates will become more and more formal. They will lose their value. As Lord Hugh Cecil has said[10]: "The present system unquestionably weakens the House of Commons by denuding it of moderate politicians not entirely in sympathy with either political party, and consequently rendering obsolete all the arts of persuasion and deliberation, and reducing parliamentary discussion to a struggle between obstruction on the one side and closure on the other. The disproportion, moreover, between the majority in the House and that in the country, which it is supposed to represent, deprives the decisions of the House of much of their moral authority. The rigid partisanship, and the essentially unrepresentative character of the House of Commons as now constituted, leave it only the credit which belongs to the instrument of a party, and deprive it of that higher authority which should be the portion of the representatives of the whole people. "Similarly Mr. Birrell, in speaking[11] of the debate on the Women's Franchise Bill (12 July 1910), stated that he rejoiced in the immunity on that occasion from the tyranny of Government programmes and the obligation to all to think alike. "To think in programmes," said he, "is Egyptian bondage, and works the sterilization of the political intellect." And the nation suffers.

The disfranchisement of minorities in bi-racial countries

The extreme partizan who believes that political action is possible only through a well-controlled organization may be affected but little by the preceding arguments, and is, moreover, nearly always inclined to postpone the consideration of any reform which might possibly deprive his party of the advantages which he imagines it may obtain at the next General Election. Yet cases have occurred when parties have sacrificed their own advantage to the higher interests of the nation as a whole, and national interests demand a change in electoral methods. For the disfranchisement of minorities often gives rise to serious difficulties. The elections which took place in the Transvaal and Orange River Colony,[12] after the grant of self-government in 1906, show how racial divisions are unduly emphasized by such disfranchisement. Only one—Barberton—of the twenty-six country constituencies of the Transvaal returned a member who did not owe allegiance to Het Volk, although the figures of the polls showed that the minority numbered more than 25 per cent, of the electors. In Pretoria the Progressives gained but one seat, and that as the chance result of a three-cornered contest. The disfranchisement of minorities heightened the natural difference which existed between Johannesburg and the rest of the Transvaal—a difference which would have been still more pronounced had not Het Volk succeeded in obtaining six and the Nationalists five out of the total of thirty-four seats allotted to Johannesburg and the Rand. The first elections in the Orange River Colony resulted in a similar exaggerated contrast between Bloemfontein and the rest of the country. Five seats were allotted to Bloemfontein, four of which were won by members of the Constitutional party, whilst the fifth was only lost to them by the extremely narrow majority of two. Before the election *The Friend*, the organ of the Orangia Unie, stated that "if Bloemfontein ventures to vote for the Constitutionalists it will be setting itself in opposition to the whole country, and will be manifesting a spirit of distrust of the country population for which it will have to suffer afterwards." On the morrow of the election the same paper declared that "the election results of Bloemfontein will be read with deep disappointment throughout the colony, where the feeling will be that the capital has now shown itself politically an alien city." But would Bloemfontein have "shown itself politically an alien city" if the electoral method had been such that the minorities, both in Bloemfontein and in the country districts, had been able to secure representation in proportion to their strength?

Had the Constitution of South Africa provided for the representation of minorities in the House of Assembly, as proposed in the original draft signed at Cape Town, the process of race unification, both in the Transvaal and the Orange River Colony, would have been facilitated, and the conflicting interests of the constituent States and of town and country would not by their exaggerated expression in the United Parliament have impeded the consolidation and unification of South Africa. The problem presented by racial differences is not confined to South Africa. The United Kingdom itself presents a

conspicuous example of a nation in which the process of unification is still far from complete, and the process has been retarded, and is at the present time being retarded, by the electoral method in force. Not only does Ireland still continue to chafe against the Union, but the racial divisions within Ireland itself are encouraged and fostered by the failure of our representative system to do justice to minorities. The South and West of Ireland is represented in the House of Commons by Nationalists, and Nationalists alone, and, ranged in opposition to them, the North-East is represented by a smaller but equally determined body of Unionists, while those forces in Ireland which would endeavour, and in the past have endeavoured, to bridge over the differences between the North and South are entirely unrepresented. Had the minorities in the North and South of Ireland been represented within the House, there would probably have still remained a notable contrast between the two areas, but that contrast would not have appeared in its present heightened form, and, in addition, with a true electoral system there would have come from Ireland representatives whose sole aim and purpose was to achieve its unification. The picture which Ireland would have presented within the House would have been of a different character to that presented to-day, and the perennial Irish problem would have been infinitely less difficult, because the forces which made for union would have had full play. Even the unification of England and Wales may, in some respects, be described as incomplete; but such differences as exist largely arise from the electoral system which sometimes deprives the minority in Wales of all representation in the House of Commons. When in 1906 the fortunes of the Welsh Conservatives reached their lowest ebb, the latter numbered 36 per cent. of the voters, whilst in former elections the minority sometimes exceeded 40 per cent. Had Welsh Conservatives, during the last two decades, been adequately represented in the House of Commons, would not our conception of Wales from the political point of view have been considerably modified, would not the process of political unification have been made more complete?

The non-representation of minorities in Belgium accentuated the racial religious and language differences between Flanders and Wallony. Flanders was represented by Catholics only; the French-speaking districts by Liberals and Socialists. With proportional representation members of all three parties are returned in both areas, and this result has brought in its train a great national advantage, the political consolidation of Belgium. Another example of the disintegrating effects of the disfranchisement of minorities is to be seen in the American Civil War. A committee of the United States Senate unanimously reported in 1869 that this war might have been averted had the minorities in the North and South been duly represented in Congress. In the words of the report the absence of minority representation "in the States of the South when rebellion was plotted, and when open steps were taken to break the Union was unfortunate, for it would have held the Union men of those States together and have given them voice in the electoral colleges…. Dispersed, unorganized, unrepresented, without due voice and power, they could interpose no effectual resistance to secession and to civil war."

Defective representation in municipal bodies.]

False impressions of public opinion, unstable legislation, the weakening of the House of Commons, both in authority and in personnel, the degradation of party warfare, the undue exaltation of party machinery, the heightening of racial differences and of sectional interests, these are the fruits of that rough and ready system of Parliamentary elections with which hitherto we have been content. The electoral methods in force both in County Council and in Municipal elections are based on the same false principle, and in these spheres of corporate activity results almost equally disastrous are produced. The London County Council elections of 1907 presented most of the features which characterized the Parliamentary elections of 1906. Such catastrophic changes in the personnel of the County Council as took place in 1907 involves serious consequences to London ratepayers. In this election two ex-chairmen of the Council, the vice-chairman and several chairmen of committees, lost their seats. These were men who had been chosen by their colleagues because of their special fitness for their positions, and this wholesale dismissal as a result of a temporary wave of public feeling may make it more difficult to secure as candidates those who are prepared to devote the necessary time to the study of London's problems, for it is generally admitted that the position of a London County Councillor is no sinecure. The effective discharge of his duties demands unremitting attention to details. The new Council was remarkable for the number of members who had yet to win their spurs in public work, and London was the poorer for the loss of those able administrators whom thousands of voters desired as their representatives. A true electoral system would not only secure the adequate representation of all parties, but the presence in the Council of the most competent exponents of different policies.

Wasteful municipal finance.

Not only does the electoral system involve undue changes in the personnel of the Council, but it leads to an extremely wasteful expenditure of public money. Whether the London County Council was or was not justified in establishing a steamboat service, nothing can be more wasteful than that one Council

should establish such a service at great cost, and that its successor should immediately reverse that policy. The steady development of a works department by one Council and its abandonment by a succeeding Council similarly involves useless expenditure. A fully representative Council would not display such violent alterations of policy, and it is of the utmost importance that the objects on which it is decided to spend public moneys should be the deliberate and considered choice of a Council on which all interests are fairly represented.

No continuity in administration.]

The Metropolitan Borough Council elections tell a similar tale. The Lewisham Borough Council consisted in 1900 of 35 Moderates and 7 Progressives; in 1903 of 34 Progressives and 8 Moderates and Independents; in 1906 of 42 Moderates, no representatives of the Progressive or Labour parties being elected. In three successive elections there was a complete change in the composition of the Council. Lewisham's experience is typical of that of several other London boroughs. Many councillors of the widest experience in municipal affairs lose their seats at the same time, and there is in consequence no security of continuity in the administration of the business of the Metropolitan boroughs. Dr. Gilbert Slater, in giving evidence before a select committee of the House of Lords, said: "I found, of course, when I came on to the Council without any previous municipal experience except by observation, that I and other members equally inexperienced had to take great responsibilities upon ourselves. For instance, I was vice-chairman of the Finance Committee, and my Chairman also had had no previous municipal experience; the Finance Committee was felt to be one of the most important of the Committees of the Council, and the fact that its Chairman and Vice-chairman were two new members itself was a weakness."[13] Dr. Slater added that it took three years' hard work before a councillor could really master the affairs of a London borough, and that being so, is it surprising that it is becoming increasingly difficult to secure the services of competent men for the work of our local bodies? There undoubtedly are, on both aides, men of marked ability and of whole-hearted devotion to public affairs, but if our electoral system is such that, in the presence of an undiscriminating swing of the pendulum, their ability and devotion count for nothing, such men tend, albeit unwillingly, to withdraw from public life. The influence of the permanent official increases; the authority of the representative assembly declines.

The root of the evil.

In parliamentary, in county, and in borough council elections alike we trace the evils of defective electoral methods. These evils constitute a complete answer to Lord Morley's criticism of Mill, that the latter laid undue stress upon the efficiency of electoral machinery. Erected on a false basis, those democratic institutions, on which so many hopes have been built and on which our future still depends, are found full of shortcomings due not only to the imperfections of human nature but to the ill-working of a defective electoral system. The evils arising from the latter cause can at least be remedied, and in remedying them we may make it possible for the electors to put more intelligence and conscience into their votes. Since Mill was, as Lord Morley says, concerned with the important task of moulding and elevating popular character, he was rightly anxious that the electoral machinery should be such as to give due weight to those who desired to take an intelligent interest in the affairs of their country.

[Footnote 1: *The Manchester Guardian*, 12 February 1909.]

[Footnote 2: Annual Meeting, Proportional Representation Society, 9 May 1906.]

[Footnote 3: *The Times*, 8 January 1906.]

[Footnote 4: *Human Nature in Politics*, pp. 241 *et seq.*]

[Footnote 5: *The Times*, 22 August 1906.]

[Footnote 6: *The Essentials of Self-Government,* pp. 102 *et seq.*]

[Footnote 7: It is a matter for congratulation that in so many States there is now (1911) a movement of revolt against the domination of the "boss."]

[Footnote 8: *The Manchester Guardian*, 21 April 1908.]

[Footnote 9: *The Times*, 22 January 1909.]

[Footnote 10: Letter read at the annual meeting of the Proportional Representation Society, 24 April 1907.]

[Footnote 11: Eighty Club, 25 July 1910.]

[Footnote 12: Before the Union.]

[Footnote 13: *Report on Municipal Representation Bill (H. L.)*, 1907 (132).]

CHAPTER IV

THE REPRESENTATION OF MINORITIES

The one pervading evil of democracy is the tyranny of the majority that succeeds by force or fraud in carrying elections. To break off that point is to avert the danger. The common system of representation perpetuates the danger. Unequal electorates afford no security to majorities. Equal electorates give none to minorities. Thirty-five years ago it was pointed out that the remedy is proportional representation. It is profoundly democratic, for it increases the influence of thousands who would otherwise have no voice in the Government; and it brings men more near an equality by so contriving that no vote shall be wasted, and that every voter shall contribute to bring into Parliament a member of his own opinion."—LORD ACTON

The disfranchisement of minorities, noted in the two previous chapters as the outcome of our electoral methods, attracted considerable attention during the latter half of the nineteenth century, and several legislative proposals were carried with the specific object of remedying the evil. Indeed every electoral reform bill, beginning with that of 1832, has been accompanied with a demand or a suggestion for an improvement in methods of election in order to secure for the House of Commons a fully representative character. For it was clearly realized that without some such improvement neither an extension of the franchise nor a redistribution of seats would necessarily make the House a mirror of the nation. These attempts to secure representation for minorities have, however, often been confounded with the movement in favour of proportional representation—the just representation of all parties—and this confusion of thought may be partly due to the eloquent plea for the representation of minorities advanced by Mill in the chapter in *Representative Government* devoted to the advocacy of Hare's scheme of proportional representation. This confusion showed itself in the speech which the Marquis of Ripon contributed to the debate[1] on the second reading of the Municipal Representation Bill, introduced by Lord Courtney of Penwith in 1907, for the purpose of enabling municipalities to adopt a system of proportional representation. "It was a remarkable thing," Lord Ripon said, "that so far as the experiments had gone they had not succeeded, and that, he thought, should make them cautious when looking into proposals of this kind." The experiments to which Lord Ripon referred were legislative proposals for the representation of minorities, and it cannot be admitted that these experiments were failures. They did secure the representation of minorities. The machinery provided did not enable them to do more, and an analysis of the results of these experiments will show to what extent they succeeded in their object, and at the same time disclose in what respects these experiments fell short of a true electoral method.

The Limited Vote.]

The first of these experiments was known as the Limited Vote—a method of voting which involves the creation of constituencies returning several members but limits the elector in the number of his votes; the elector is only permitted to vote for a number of candidates which is less than the number of members to be elected, whilst he may not give more than one vote to any one candidate. The Limited Vote was first proposed by Mr. Mackworth Praed in Committee on the Reform Bill of 1831, and the proposal was renewed by him in the following year in the Bill which became the great Reform Act of 1832. Up to that time the constituencies of England returned two members apiece, with the exception of the City of London, which returned four, and of five boroughs each returning one member. The Reform Bill provided that a third member should be added to the representation of each of seven counties, and that certain other counties should be divided into two or more constituencies, each returning two members. Mr. Praed proposed to drop this subdivision of counties, although permitting the additional members to be given, and proposed that in constituencies returning three or four members an elector should not be allowed to vote for more than two candidates. The arguments advanced by Mr. Praed are worth quoting. "He was of opinion," said he, "that it was an error in the original construction of the Representative Assembly of this country to allow any person to have more than one vote, for, by the present system, it was frequently the case that the same persons, constituting perhaps a bare majority of the electors, returned both members.... In the present case, if large counties were not divided each freeholder would have four votes. He wished to restrict them to two, and he

thought that this object might be attained even without the division of counties by allowing each freeholder to vote only for two members although four was to be the number returned. Some measure should be taken to make the vote and views of a large minority known in the legislature."

This form of voting was proposed by Lord Aberdeen's Government in the Parliamentary Representation Bill of 1854. In this Bill it was proposed to give a third member to 38 counties and divisions of counties (in addition to the seven counties which already possessed that privilege), and also to eight boroughs. Lord John Russell, in introducing the measure, made a powerful plea on behalf of the representation of minorities in each of these constituencies, but the Crimean War rendered further consideration of the Bill impossible. The system was, however, applied to thirteen constituencies by the Representation of the People Act of 1867. It was not provided for in the Bill as submitted by the Government, nor was it supported by the leader of the Opposition. Its introduction was due to the action of Lord Cairns, who, on 30 July 1867, carried in the House of Lords, with the support of Lord Russell and Lord Spencer, the following amendment:—

"At a contested election for any county or borough represented by three members, no person shall vote for more than two candidates." A further amendment applicable to the City of London, which returned four members, was also carried. The system remained in force until the Redistribution Act of 1885, when three-member constituencies were abolished. "There is nothing," said Lord Cairns, in the course of a memorable speech, "so irksome to those who form the minority of one of these large constituencies as to find that from the mere force of numbers they are virtually excluded from the exercise of any political power, that it is in vain for them to attempt to take any part in public affairs, that the election must always go in one direction, and that they have no political power whatever."

The following table will show that Lord Cairns' proposal secured the object which he had in view—the representation of minorities:—

Constituency	1868. Actual results with Limited Vote.		1868. Probable results without Limited Vote.		1874. Actual results with Limited Vote.		1874. Probable results without Limited Vote.		1880. Actual results with Limited Vote.		1880. Probable results without Limited Vote.	
	L.	C.	L.	C.	L.	C.	L.	C.	L.	C.	L.	C.
Berkshire	1	2	0	3	1	2	0	3	1	2	0	3
Birmingham	3	0	3	0	3	0	3	0	3	0	3	0
Buckinghamshire	1	2	0	3	1	2	0	3	1	2	0	3
Cambridgeshire	1	2	0	3	1	2	0	3	1	2	0	3
Dorsetshire	1	2	0	3	1	2	0	3	1	2	0	3
Glasgow	3	0	3	0	2	1	3	0	3	0	3	0
Herefordshire	1	2	0	3	1	2	0	3	2	1	3	0
Hertfordshire	2	1	3	0	1	2	0	3	1	2	0	3
Leeds	2	1	3	0	1	2	3	0	2	1	3	0
Liverpool	1	2	0	3	1	2	0	3	1	2	0	3
London (City)	3	1	4	0	1	3	0	4	1	3	0	4
Manchester	2	1	3	0	1	2	0	3	2	1	3	0
Oxfordshire	1	2	0	3	1	2	3	0	1	2	0	3
Totals	22	18	19	21	16	24	9	31	20	20	15	25

The actual results show the relative strength of the two great political parties in each constituency; the probable results are based on the hypothesis that if each voter could have given one vote to each of three candidates, each of the parties would have nominated three candidates, and that as the electors would for the most part have voted on party lines, the larger body would have secured all three seats. In Berkshire, Buckinghamshire, Cambridgeshire, Dorsetshire, Hertfordshire, Oxfordshire, Liverpool and London, the Liberal minorities each obtained a representative, whilst the Conservative minorities in Herefordshire, Leeds, and Manchester also obtained representatives. There were only two constituencies—Birmingham and Glasgow—where the minority failed to obtain representation, and this was due to the fact that the minorities in these particular constituencies were comparatively small.

A consideration in detail of the election in Birmingham in 1880 will show why the minority sometimes failed to obtain representation, and will, at the same time, direct attention to the defects of the system. The figures of this election were as follows:—

H. Muntz (Liberal) 22,969
John Bright (Liberal) 20,079
Joseph Chamberlain (Liberal) 19,544

62,592

Major F. Burnaby (Con.) 15,735
Hon. A. C. G. Calthorpe (Con.) 14,208

29,943

It will be seen that the Liberals obtained 62,592 votes and the Conservatives 29,943 votes, and that the latter therefore numbered slightly less than a third of the constituency. If the Liberal votes had not been distributed as evenly as they were over their three candidates, it might have resulted that the lowest candidate on the poll, Joseph Chamberlain, would have received less votes than Major Burnaby, who was the highest of the two Conservative candidates. In order to obtain the full advantage of their numerical superiority it was necessary for the Liberal organization to make an extensive canvass of their supporters, to ascertain as accurately as possible their strength, and to issue precise instructions to the voters in each district as to the manner in which they should record their votes. The memorable cry associated with these elections—"Vote as you are told and we'll carry you through "—was fit accompaniment of these efforts of the Birmingham caucus.[2] But had there been a mistake in the calculations of the Liberal organization, had the polls disclosed a larger number of Conservatives, disaster would have followed the nomination of three Liberal candidates. If for example the votes had been as follows:—

Muintz Liberal)...... 21,000
Bright (Liberal)..... 20,000
Chamberlain (Liberal) 20,000

61,000

Burnaby (Conservative). 22,000
Calthorpe (Conservative). 21,000

43,000

the Conservatives would have returned two members, and the Liberals, although in a majority, would have returned only one. In brief, the party organizers had to be quite sure that their supporters numbered more than 60 per cent. of the electorate, and that these supporters would vote faithfully as ordered before they could recommend the nomination of three candidates. The attempt to obtain all three seats at Leeds, in the General Election of 1874, failed, with the result that the minority got the larger share of the representation. The poll on this occasion was as follows:—

M. Carter (Liberal)..... 15,390
E. Baines (Liberal) 11,850
Dr. F. R. Lees (Liberal). 5,945

33,185

W.St.J.Wheelhouse (Con.) 14,864
R. Tenant (Con.) 13,192

28,056

In this election the total Liberal vote amounted to 33,185, and the total Conservative vote amounted to 28,056, but the Conservatives obtained two seats out of three.

The practical working of the Limited Vote has therefore shown that the representation of a minority in a three-member constituency was always secured whenever that minority numbered not less than two-fifths of the electors, and as, in the majority of constituencies, the minority exceeded this proportion the minority was able to return one of the members. The system, however, possesses no elasticity. No party can put forward a complete list of candidates without incurring considerable risk, and even if the party has an ascertained strength of more than three-fifths complete victory is only possible if the members of the party are willing to carry out implicitly the instructions of the party organization. It should be noted, in connexion with this system of voting, that the more limited the vote the greater is the opportunity afforded to the minority to obtain representation. When in a four-member constituency each elector has three votes the minority must number three-sevenths before it can obtain a representative; if, however, each elector is limited to two votes a smaller minority, namely, a minority which exceeds one-third of the electors, can make sure of returning a member.[3]

The Cumulative Vote.]

The Cumulative Vote, the second of the experiments referred to by Lord Ripen, although by no means free from serious defects, has also secured the object for which it was designed—the representation of minorities. With this system the member has as many votes as there are members to be elected, and is permitted to distribute them amongst candidates, or to cumulate them among one or more candidates according to his own discretion. It was warmly advocated for the first time under the name of the Cumulative Vote by James Garth Marshall in an open letter entitled "Minorities and Majorities: their Relative Rights," addressed by him in 1853 to Lord John Russell. But three years earlier, in 1850, it was recommended[4] by the Committee of the Privy Council for Trade and Plantations, and adopted by Earl Grey in the draft Constitution proposed for the Cape of Good Hope. The Legislative Council of Cape Colony continued to be elected under this system until the Council disappeared under the new Constitution of United South Africa. The Cumulative Vote secured the representation of minorities in the Legislative Council of Cape Colony, and a striking testimony to its value, from this point of view, was given by Lord Milner when speaking in the House of Lords on 31 July 1906, on the announcement of the terms of the new Transvaal Constitution:—

"I hope," said Lord Milner, "that when the time for making the Second Chamber elective comes, this matter may be reconsidered, for it is certainly very remarkable how much more fairly the system of proportional representation works out in the Cape Colony than the system, not of single members there, but of double-member representation. Take only a single instance. In the Cape Colony, take the bulk of the country districts; you have, roughly speaking, about two Boers to every one white man who is not a Boer. On the system which prevails for the Lower House the representation of these districts is exclusively Boer, for one-third of the population is absolutely excluded from any representation whatever. Under the system which prevails in the election to the Upper House, as nearly as possible one-third of the representatives of those districts are British. Inversely, in the case of the Cape Peninsula, where there is an enormously preponderant British population, but still a considerable Dutch population also, you get in the Lower House no single Dutch representative, whereas in the Upper House there are three representatives, one of whom represents the Dutch section. You could not have a more curious illustration of the great difference in fairness between the two principles as applied to the practical conditions of South Africa. And I cannot help hoping that between this time and the time when the Constitution of the projected Upper House comes to be decided, there may be such a development of opinion as will enable and justify the Government of that day adopting the far sounder principle for the elections to the Upper Chamber. It certainly has a great bearing upon that development of better feeling between the two great races of South Africa whom we are all agreed in desiring to see ultimately amalgamated and fused."

The Cape Assembly was elected by constituencies returning one or more members, and when more than one each voter could give a single vote to as many candidates as there were members to be elected, with the consequence that the majority in every constituency commanded the whole of its representation. The Council was elected by larger areas with the cumulative vote. Lord Milner in his speech refers to the cumulative vote as proportional voting, but it cannot, strictly speaking, be so described. Nevertheless his testimony clearly shows that the cumulative vote secured the representation of minorities—the great need of which has been recognized by all impartial students of South African political conditions.

Mr. Robert Lowe endeavoured to introduce this form of voting into the Electoral Reform Bill of 1867, but failed, and the only practical application of the system within the United Kingdom has been in connexion with School Board elections. It was introduced into the Education Act of 1870 on the motion of a private member, Lord Frederick Cavendish, whose proposition, supported as it was by W.E. Forster, Vice-President of the Council for Education, by W.H. Smith and by Henry Fawcett, was carried without a division. Under this Act London was divided into eleven electoral areas, returning from four to seven members each; whilst the large towns, such as Manchester, Birmingham, and others, each constituted an electoral area itself, electing a Board of some fifteen members. The Education Act for Scotland which followed in the same Parliament embodied the same principle in the-same manner. The figures of any School Board election will show that the object aimed at—the representation of minorities—was undoubtedly achieved. The last election of the School Board for London, that of 1900, will serve for purposes of illustration. The figures are as follows:—

	Votes Obtained.			Members Returned.		
Constituency.	Mode-rate.	Pro-gressive.	Inde-pendent.	Mode-rate.	Pro-gressive.	Inde-pendent.
City	4,572	2,183		3	1	
Chelsea	7,831	5,408	2,144	3	2	
Finsbury	7,573	7,239	837	3	3	1
Greenwich	6,706	6,008	3,375	2	1	
Hackney	5,438	9,130	1,579	2	3	

Lambeth, E 4,370 9,913 1,313 1 3
Lambeth, W. 8,709 14,156 54 2 4
Marylebone 9,450 7,047 536 4 3
Southwark 2,636 3,430 2,328 1 2 1
Tower Hamlets 6,199 7,437 5,495 1 3 1
Westminster 4,829 2,354 3 2

   Totals 68,313 74,305 17,661 25 27 3

In each constituency the minority was enabled to obtain some representation, and although in the majority of cases the representation was still confined to the two main parties, yet it was possible for an independent candidate, as in the Tower Hamlets, or a Roman Catholic candidate, as in Southwark, to succeed in their respective candidatures. The Cumulative Vote not only secured the representation of minorities, but in so doing facilitated very considerably the working of the Education Act. Mr. Patrick Cumin, at that time permanent secretary of the Education Department, in giving evidence before a select committee of the House of Commons, stated that "it would not have been possible to carry the Act into effect, and certainly there would have been more friction if the cumulative vote had not been in existence; for instance, he did not believe that the bye-laws could possibly have been carried into effect without co-operation." The Right Hon. W.E. Forster and Sir Francis Sandford bore similar testimony, and the Royal Commission on the Elementary Education Acts, in the Report issued in 1888, strongly advised the retention of a system of minority representation.

The Cumulative Vote was also adopted by the State of Illinois for the elections to the State House of Representatives. Each constituency returns three members, and the elector may cumulate or divide his votes, giving one vote to each candidate, or one and a half votes to each of two candidates, or three votes to one candidate. "As a result," says Professor Commons, "both parties have representatives from every part of the State instead of from the strongholds only, and there are no hopeless minorities of the two main parties. Every citizen who has business before the Legislature has some member of his own party to transact that business." Constituencies returning three members are, however, not sufficiently large to do justice to this method of voting.

The Cumulative Vote, whilst securing representation to the minority, does not necessarily secure the representation of majorities and minorities in their true proportions. As with the Limited Vote, the party organizations, if they desire to make use of their polling strength to the fullest advantage, must make as accurate an estimate as possible of the numbers of their supporters, and must issue explicit directions as to the way in which votes should be recorded. To nominate more candidates than the party can carry may end in disaster. In the first School Board elections in Birmingham the Liberal organization endeavoured to obtain the whole of the representation, and nominated fifteen candidates. The party polled a majority of the votes, but as these votes were distributed over too many candidates, the Liberals succeeded in returning only a minority of representatives. It is not easy to understand how the Birmingham National League came to imagine that, with the Cumulative Vote, they would still be able to elect a Board composed of members entirely of their own side, and Mr. Forster banteringly suggested that the League should obtain the assistance of a well-taught elementary schoolboy who would be able to show them that it was impossible to get the return which they supposed they might obtain. While there was little excuse for the mistake made by the Birmingham National League, it must be remembered that with the Cumulative Vote it is easy to fall into the opposite error of nominating too few candidates. Every School Board election furnishes examples of an excessive concentration of votes upon individual candidates. The Glasgow School Board election of 1909 resulted as follows:—

   Elected——James Barr 81,109
      Canon Dyer 58,711
      John Shaughnessy 54,310
      Charles Byrne 54,236
      Rev. James Brisby 51,357
      W. Rounsfell Brown 35,739
      R. S. Allan 24,017
      Rev. J. Fraser Grahame 23,806
      Dr. Henry Dyer 23,422
      Mrs. Mary Mason 22,929
      W. Martin Haddow 21,880
      Rev. Robert Pryde 21,692
      Miss K. V. Bannatyne 18,864
      Mrs. Agnes Hardie 18,794
      J. Leiper Gemmil 18,619
   Unelected—Rev. J. A. Robertson 18,534
      James Welsh 13,951

Dr. Sloan 13,114
S. M. Lipschitz 12,680
Dr. Charles Workman 7,405
James Laidlaw 4,869
Patrick Gallagher 2,478
————-
602,516

It will be seen that the candidate at the head of the list, Mr. Barr, obtained over 81,000 votes, and the highest of the unsuccessful candidates 18,534 votes. The total number of votes polled was 602,516, and one-fifteenth of this number, viz. 40,167, would have been amply sufficient to secure the return of any one candidate. The votes given to Mr. Barr in excess of this number were wasted, and thus, although with the cumulative vote minorities can secure representation, neither majorities nor minorities secure with any degree of certainty representation in their true proportions.

The Single Vote.]

Japan, keenly alive to the evils of a defective electoral system, abandoned, after a short trial, the system adopted when the Japanese Constitution was promulgated in 1889. The administrative areas (with some exceptions) were then divided into single-member constituencies, but it was soon found how unsatisfactorily this system works. It would appear from a memorandum prepared by Mr. Kametaro Hayashida, Chief Secretary of the Japanese House of Representatives—a memorandum which is printed in full in Appendix I.—that in certain of the administrative areas a minority of the voters often obtained a majority of the members elected. It was almost impossible for political parties to obtain representation in proportion to the strength of their supporters. In 1900 a new election law was adopted. The administrative areas, irrespective of size, were made parliamentary constituencies returning a number of members varying from one to twelve according to the population of the area, but the voter in any area was permitted only one vote. He can vote for one candidate and no more. Under this system minorities can and do get a share of representation whenever the area returns two or more members. A secondary advantage of considerable importance was secured by making the administrative areas conterminous with the parliamentary constituencies. Future redistributions of seats would leave the boundaries of these areas untouched; they would merely consist of a re-arrangement of the number of members to be returned by each area.

The new system secured not only the representation of minorities, but also the representation of the chief parties in reasonable proportion to their voting strength. Further, to men of independent mind and character the new system offered a greater opportunity of maintaining their position in the House of Representatives. As will be seen from Mr. Hayashida's memorandum, both Mr. Ozaki, the Mayor of Tokio, and Mr. S. Shimada, have never lost their seats in Parliament, although they have stood as independent candidates. At the General Election of 1908 they were returned for their native prefecture or town with a great number of votes. These are results of no mean value which are certainly not possible with our Parliamentary system of single-member constituencies, or with the block vote as used in the London municipal elections. Yet, in spite of the marked superiority of the Japanese system, it falls short of a true system of representation; it lacks the elasticity and adaptability which should characterize such a system. Like the limited vote and the cumulative vote, the Japanese system of the single vote demands exact calculations on the part of party organizations, which otherwise may fail to secure for their party the maximum number of representatives. The number of candidates nominated must depend upon a careful estimate of probable support, and when the nominations have taken place efforts must be made by the party organizations to allot this support to their candidates in such a way that not one of them is in danger of defeat. Moreover, as the nomination of too large a number of candidates would, as with the limited vote, be disastrous, parties have in some constituencies been unwilling to nominate more than the number of candidates who were successful at the previous election.

The need of minority representation.]

It cannot be maintained then, as was suggested by Lord Ripon, that the experiments made for the purpose of securing the representation of minorities have failed. All the methods tried—the limited, the cumulative, and the single vote—have without question accomplished their purpose. They have done even more. The cumulative vote facilitated the smooth working of the Elementary Education Act, the single vote has secured for Japan a House of Representatives which reflects in reasonable proportions the political forces of the country. The problem for the future is not the abandonment of the principle of minority representation, but the adoption of such improvements in voting mechanism as will do justice to majorities and to minorities alike. For the need of minority representation is becoming more and not less urgent. A brief reference to the more important Parliamentary Bills of recent years will show that the most difficult problems which our administrators have had to face in the framing of those Bills have

centred round the problem of representation—and that problem will recur with greater frequency in the future. Mr. Birrell, the Chief Secretary for Ireland, considered it essential that some special provision for the representation of minorities should be embodied in the Irish Administrative Council Bill introduced into the House of Commons in May 1907. But the method proposed—that the Council should consist of eighty-two elected members and twenty-four nominated members—was essentially undemocratic. The nominated members, even if they were representative of the minority, would never have had the same authority or influence as they would have had as members duly elected by the votes of the minority; and even if we admit the special difficulties attending the representation of minorities in Ireland the solution proposed by Mr. Birrell was in every sense of the term unsatisfactory, and obviously of a temporary character. The first step towards the solution of Irish problems will have been taken when due provision has been made by popular election for the representation of minorities.

Lord Morley of Blackburn, in preparing his great scheme of Indian reforms, found himself face to face with the same problem—the representation of minorities. He had, moreover, been advised by the Indian Government that "in most provinces the Muhammadans are in favour of election, and regard nomination as an inferior method of obtaining admission to the Legislative Council."[5] Lord Morley, willingly or unwillingly, was compelled to brush aside the English electoral methods as inapplicable to India, and to provide for the representation on the proposed Provincial Legislative Councils of Hindus and Muhammadans in proportion to their strength. The method proposed was an arbitrary one, and can be best described by quoting the terms of Lord Morley's preliminary despatch.

"Let it be supposed that the total population of the Province is twenty millions, of whom fifteen millions are Hindus and five millions Muhammadans, and the number of members to be elected twelve. Then since the Hindus are to Muhammadans as three to one, nine Hindus should be elected to three Muhammadans. In order to obtain these members, divide the Province into three electoral areas, in each of which three Hindus and one Muhammadan are to be returned. Then, in each of these areas, constitute an electoral college, consisting of, let us say, a hundred members. In order to preserve the proportion between the two religions, seventy-five of these should be Hindus and twenty-five Muhammadans. This electoral college should be obtained by calling upon the various electorates ... to return to it such candidates as they desired, a definite number being allotted to each electorate. Out of those offering themselves and obtaining votes, the seventy-five Hindus who obtained the majority of votes should be declared members of the College, and the twenty-five Musalmans who obtained the majority should similarly be declared elected. If the Musalmans returned did not provide twenty-five members for the Electoral College, the deficiency would be made good by nomination. Having thus obtained an Electoral College containing seventy-five Hindus and twenty-five Musalmans, that body would be called upon to elect three representatives for the Hindus and one for the Muhammadans; each member of the College would have only one vote, and could vote for only one candidate. In this way it is evident that it would be in the power of each section of the population to return a member in the proportion corresponding to its own proportion to the total population."[6]

Lord Morley proceeded to explain that "in this manner minorities would be protected against exclusion by majorities, and all large and important sections of the population would have the opportunity of returning members in proportion to their ratio to the total population. Their choice would in that event be exercised in the best possible way, that, namely, of popular election, instead of requiring Government to supply deficiencies by the dubious method of nomination." The system of nomination, considered by Mr. Birrell as an adequate solution of this problem in Ireland, was summarily rejected, and rightly so, by Lord Morley as being inferior to popular election, inferior even to the arbitrary method proposed by himself. The plan finally adopted by Lord Morley was a modification of the proposal here outlined, and its working, as the working of all arbitrary schemes must, has evoked criticism on the ground that it does not hold the scales even as between the two sections to be represented.

The Select Committee appointed by the House of Lords "to consider the suggestions made from time to time for increasing the efficiency of that House," was compelled to propose a method of election by which the Liberal minority might retain some representation in that House. In the election of Representative Peers for Scotland the majority method of election is followed, with the result that none but Unionists are chosen. It was obvious that no proposal for the reform of the House of Lords which embodied an electoral method so unjust could possibly be entertained, and therefore this Select Committee, following in this all previous proposals for the reform of the Upper House, reported that the representation of the minority was essential. A new Second Chamber is now advocated both by Liberals and Unionists.

Again, Mr. Asquith's Government experienced a very distinct rebuff in its attempt to abolish the cumulative vote in the elections of Scottish School Boards without making any alternative provision for the representation of minorities. The Government proposed to substitute the block vote for the cumulative vote. The block vote would have enabled the majority of the electors to have secured the

whole of the representation on the Board. The deletion of the Government's proposal was proposed in the Scottish Grand Committee, but was defeated. A further amendment by Mr. Phipson Beale in favour of the principle of proportional representation was, in spite of the strong opposition of the Secretary for Scotland, defeated only by twenty-two votes to eighteen. The Government finally withdrew their proposal to abolish the cumulative vote, and it has been made abundantly clear that, while the cumulative vote is far from satisfactory, it can only be dispensed with by the introduction of a better and more scientific way of securing the representation of minorities.

In framing the Port of London Bill, Mr. Lloyd George had to make some provision for the representation of the various interests concerned, and so far as possible, in due proportion. It was impossible to entrust the control of the new Port to the largest interest only, and accordingly he proposed that "in prescribing the manner in which votes are to be recorded, the Board of Trade shall have regard to the desirability of votes being so recorded, whether by allowing the voter to record a vote for a number of candidates in order of preference or otherwise, as to secure that so far as possible the several interests concerned shall be adequately represented on the Port Authority."[7] The reports of the Poor Law Commission also raise in an acute form the problem of minority representation. If the far-reaching suggestions of these reports are to become law, and especially if the powers of County and County Borough Councils are to be still further increased, the constitution of these bodies will have to be closely examined. Are minorities to be excluded altogether from the new authorities; are they to secure representation through the processes of co-option and nomination; or are they to obtain a hearing by a system of election that will provide them with representation in their own right?

While these and other matters are bringing into greater prominence the need of minority representation, a new problem—one with which the Continent has long been familiar—has arisen in connexion with English parliamentary elections. In an increasing number of contests three or more candidates have taken the field, and the candidate obtaining the highest number of votes has been elected although he may have received less than half the votes recorded. A member so chosen obviously represents only a minority of the electors in the constituency for which he has been returned. Such results have come as a shock to those who have hitherto accepted with composure the more glaring anomalies of our electoral system, and so the growing frequency of three-cornered fights will assist those other forces which are making for a complete readjustment of our electoral methods. The new problem is, however, quite distinct from that of minority representation, and is of sufficient importance to warrant consideration in a separate chapter.

[Footnote 1: 30 April 1907.]

[Footnote 2: "One ward voted for A and B, another for A and C, a third for B and C, a fourth for A and B, &c. The voter who had left the selection of the three candidates to the general committee was also to renounce the privilege of selecting from them the two which he preferred. 'Vote as you are told' was the pass word."—Ostrogorski, *Democracy and the Organization of Political Parties*, vol. i. p. 162.]

[Footnote 3: If in a four-member constituency the number of voters is 21,000 and the parties are in the ratio of 12,000 to 9000, the larger party would, if each elector had three votes, have 36,000 votes in all and the smaller party would have 27,000. No candidate of the smaller party could obtain more than 9000 votes, whilst the 36,000 votes of the larger party carefully divided among four candidates would also allow each candidate to receive 9000 votes. If then the larger party had slightly more than 12,000 supporters out of a total of 21,000, the larger party would obtain all four seats, as each of its candidates would, if the votes were carefully distributed, receive more than 9000 votes each.]

[Footnote 4: "If it is desired that the body should not be a representation of a single interest and a single class of opinions, some means must be adopted to guard against its falling entirely into the hands of the dominant party. With this view we would recommend that, in the election of the council, each elector should have as many votes as there might be members to be chosen, and should be entitled to give all these votes to a single candidate, or to distribute them among several. By this arrangement a monopoly of power in the Legislative Council by any one party, or any one district of the Colony, would be prevented, since a minority of the electors, by giving all their votes to a single candidate, would be enabled to secure his return."—Earl Grey, *The Colonial Policy of the Administration of Lord John Russell*, vol. ii., Appendix, p. 362.]

[Footnote 5: *East India* (Advisory and Legislative Councils, &c.) (Cd. 4426), p. 14.]

[Footnote 6: *East India* (Advisory and Legislative Councils, &c.) (Cd. 4426), p. 45.]

[Footnote 7: Port of London Act, 1908, Schedule I., Part IV. (1).]

CHAPTER V

THE SECOND BALLOT AND THE TRANSFERABLE VOTE IN SINGLE-MEMBER CONSTITUENCIES

"Le député, au lieu de représenter la majorité des électeurs, devient prisonnier de la minorité qui lui a donné l'appoint nécessaire pour son élection."

—YVES GUYOT

" ... every fool knows that a man represents Not the fellers that sent him, but them on the fence."

—J. RUSSELL LOWELL

Three-cornered contests.

It was stated in the first chapter that the rise of the Labour Party as a political force, with an organization wholly independent of those of the older parties, would make a change in our voting system imperative. Both prior and subsequent to the appointment of the Royal Commission on Electoral Systems political organizations have shown themselves keenly alive to the necessity of such a change. At the meeting of the General Committee of the National Liberal Federation at Leicester, on 21 February 1908, a resolution in favour of the early adoption of the second ballot was carried unanimously. The Trades Union Congress, at its meeting in September 1908, less eager to pronounce in favour of a reform of such doubtful value, passed a resolution in favour of an authoritative "inquiry into proportional representation, preference or second ballots, so that the most effective means of securing the true representation of the electors may be embodied in the new Reform Bill." The spokesman of a deputation from the Manchester Liberal Federation, which waited upon Mr. Winston Churchill on 22 May 1909, said: "The point on which we wish to speak to you to-day is the reform of the present system of voting, which we hold to be out of date, archaic, and in great need of reform." Mr. Churchill's reply was a significant reinforcement of Mr. Asquith's previous declaration, that "it was impossible to defend the present rough and ready methods." "I think," said Mr. Churchill, "the present system has clearly broken down. The results produced are not fair to any party, nor to any section of the community. In many cases they do not secure majority representation, nor do they secure an intelligent representation of minorities. All they secure is fluke representation, freak representation, capricious representation." The figures of two bye-elections—those of the Jarrow Division of Durham and the Attercliffe Division of Sheffield—will show how completely Mr. Churchill's language is justified. The figures are as follows:—

JARROW ELECTION, 4 July 1907

Curran (Labour) 4,698 Rose-Innes (Conservative) 3,930 Hughes (Liberal) 3,474 O'Hanlon (Nationalist) 2,124 ___ 14,226

ATTERCLIFFE ELECTION, 4 May 1909

Pointer (Labour) . . . . 3,531 King-Farrow (Unionist) . . . 3,380 Lambert (Liberal) . . . . 3,175 Wilson (Ind. Unionist) . . . 2,803 ___ 12,889

In the case of Jarrow the successful candidate obtained just less than one-third of the votes polled, and in the case of Attercliffe the member returned represented a little more than a quarter of the electors. The representation which results from elections of this kind is without doubt most capricious and uncertain in character. A House of Commons so built up could have no claim to be representative of the nation, and its composition would be so unstable as seriously to impair its efficiency. Nor can we afford to regard such elections as being a mere temporary feature of our parliamentary system. The General Election of 1906 showed a notable increase in the number of three-cornered fights over previous general elections, and the bye-elections during the four years 1906—1909 were marked by a still further increase. The Report submitted by the Executive Committee of the Labour Party to the Portsmouth Conference in January 1909 foreshadowed a very large addition to the number of Labour candidates. Some thirty-eight candidates, in addition to the then existing Labour members in Parliament, had been formally approved by the Executive Committee of the Labour Party after due election by the Labour organizations to which the candidates belonged, and although constituencies were not found for all of these new candidates, the number of three-cornered contests in the election of Jan. 1910, in which Liberal, Unionist, Labour (or Socialist) took part, was no less than forty-one, and this number would have been greater had not several Liberal candidates withdrawn. Owing to the desire on the part of the Liberal and Labour parties to avoid the risk of losing seats there were in the elections of December 1910 fewer three-cornered fights. But the Labour party, the permanence of

which is no longer open to question, will not be content to remain with its present share of representation. It can however gain additional seats only at the expense of the older parties, and although the Liberal party, as in the Mid-Derby bye-election of May 1908, may sometimes yield seats to Labour nominees, it is not to be expected that the Liberal organizations will always be willing to give way. At the Mid-Glamorgan bye-election in May 1910 the local organization, against the advice of the chief Liberal Whip, nominated a Liberal candidate, and succeeded in retaining the seat although it had been "ear-marked" by the Labour Party. In Scotland, where Liberalism is less complaisant than in England, no seat has been surrendered to the Labour Party without a fight, and when a Labour candidature was threatened in December 1910, in the Bridgeton division of Glasgow, the Liberals retaliated by threatening to place a Liberal candidate in the Blackfriars division where Mr. Barnes, the Labour representative was again standing. These facts should dispel any illusion, if such still exist, that the problem of three-cornered fights is a transitory phenomenon which can safely be ignored. The political organizations, with a true instinct, have realized the importance and urgency of this problem, and increasing pressure will doubtless be brought to bear upon the Government to introduce a system of second ballots, or some other electoral method, that will give effect to what Mr. Churchill has described as "the broad democratic principle, that a majority of voters in any electoral unit, acting together, shall be able to return their man." The advocates of the second ballot and cognate methods of reform seek a solution of this one problem only. They desire to maintain the essential characteristic of the present system—the exclusive representation of the majority in each constituency—and make no attempt to remedy any of the other evils associated with single-member constituencies. But the question at once arises whether the problem of three-cornered contests can be solved by attempts to preserve the distinctive feature of the present system—the representation of the majority only. A little reflection must convince the reader that such a solution deals with the form of the problem rather than with its essence. For the new problem arises from the fact that three parties instead of two are now seeking representation in Parliament, and no remedy can be regarded as effective which does not provide for the realization of the legitimate aspirations of all three parties. This the system of second ballots has completely failed to do; indeed its results only reinforce the arguments of previous chapters, that so long as we compel the electors of any one district, whatever their divisions of opinion, to be all represented by one man, their real representation will be impossible. An examination of the effects of the second ballot in those countries in which the system has been tried fully justifies these statements, and fortunately the body of experience now available is so considerable that the conclusions to be drawn therefrom have an authoritative character.

The second ballot.

The Reports furnished by His Majesty's representatives abroad show that the second ballot, in one form or another, is, or has been, in force in the majority of continental countries. The forms differ in detail, but reference need only be made to the three chief types. In Germany the two candidates highest at the first poll proceed to a second election. It was this form of the second ballot that was introduced into New Zealand in 1908. In France all candidates in the original election and even fresh candidates may stand at the second election. At this second poll a relative—not an absolute—majority of votes is sufficient to secure the election of a candidate. As a rule only the two candidates highest at the first election take part in the second ballot, and therefore in practice the German and French methods closely approximate to one another. The third type concerns the application of the second ballot to the *scrutin de liste* or block vote in multi-member constituencies. It was formerly used in the Belgian parliamentary elections, and is still employed in the election for the Belgian Provincial Councils. The candidates who receive the support of an absolute majority of the electors voting at the first ballot are at once declared elected; the candidates next highest on the poll, but only so many as are equal to double the number of vacancies remaining to be filled, take part in a second ballot.

The object of the second ballot—to ensure that every elected candidate should finally have obtained the support of a majority of the electors voting in the constituency for which he has been returned—has, generally speaking, been achieved. But that does not solve the problem of the representation of three parties; a general election based on such a system yields results which are far from satisfactory. The party which is unsuccessful in one constituency may suffer the same fate in the majority of the constituencies, and this is the fatal flaw in all forms of the second ballot. Moreover experience has shown, and it is evident *a priori*, that with this system the representation of any section of political opinion depends not upon the number of its supporters, but very largely upon the attitude taken towards it by other parties. For, at a second ballot, the result is determined by the action of those smaller minorities which were at the bottom of the poll at the first ballot. No party can be certain of securing representation unless in its own strength it can obtain an absolute majority in at least some of the constituencies. The largest party in the State, if its voting strength is evenly distributed, may be at the mercy of hostile combinations at the second ballots, unless it is so large as to command a majority of votes throughout the country, and when three parties have entered the political arena it rarely happens that any one of them is in this favourable position. That being so, the new element of

uncertainty associated with the system of second ballots may yield results which are further removed from the true representation of the whole electorate than the results of the first ballots.

Experience in Germany.

Continental experience has shown that the coalitions at the second ballots are of two types. One party may incur the hostility of all other parties, and if so, the second ballots will tend uniformly to the suppression of that party. The combination of parties whose aims and purposes are to some degree allied may be regarded as legitimate, but the cumulative effect of such combinations over a large area is most unfair to the party adversely affected. No defence at all can be urged in palliation of the evils of certain other coalitions also characteristic of second ballots—the coalitions of extreme and opposed parties which temporarily combine for the purpose of wrecking a third party in the hope of snatching some advantage from the resulting political situation. Sometimes such coalitions are merely the expression of resentment by an advanced party at the action of a party somewhat less advanced than itself. But, whatever the cause, the coalitions at the second ballots do not result in the creation of a fully representative legislative chamber; on the contrary, they tend to take away all sincerity from the parliamentary system. Illustrations of the first type of coalitions abound. The German general elections afford numerous examples, but as a special note on the working of the second ballots in Germany is to be found in Appendix II., it will suffice to quote some of the results of the election of 1907. The Social Democrats were engaged at the second ballots in ninety constituencies. At the first ballots they were at the head of the poll in forty-four of these constituencies, but at the second ballots they only succeeded in retaining that position in eleven. In the forty-six constituencies in which they were second at the poll they were only able to improve their condition in three cases. These figures show how the German Social Democrats suffered from hostile combinations. It was with the utmost difficulty that they obtained representation in constituencies other than those in which at the first elections they were in an absolute majority. No wonder that one of the planks of the platform of the Social Democratic party is proportional representation.

Austria.

The Social Democrats of Austria suffered in the General Election of 1907 in the same way. Professor Kedlich,[1] in an article entitled "The Working of Universal Suffrage in Austria," wrote as follows: "The Christian Socialists have ninety-six seats in the new House, the Social Democrats eighty-six ... The number of seats won by them weighs still heavier in the balance when we reflect that in many second ballots the majority of the opponents of social democracy joined their forces against them. Not less instructive are the relative numbers of the votes recorded for each of the parties. Over a million votes were given to the Social Democrats as against 531,000 for the Christian Socialists." Such results destroy the representative character of legislative bodies. The same lesson on a smaller scale is to be gathered from the Italian elections. Speaking of the General Election of 1904, the Rome correspondent of *The Morning Post* pointed out that, in not a few constituencies, like the second division of Rome, a rally of Clericals at the second ballots enabled the Conservative Monarchists to triumph over the Socialists.

Belgium.

The combinations of allied parties against a third party, as in the examples already given, may be defended, but the coalitions at second ballots, as has been pointed out, are not always of this character. Should parties, angered and embittered by being deprived of representation, use their power at the second ballots to render a stable Government impossible, then the results are disastrous. Such were the conditions which obtained in Belgium before the abandonment of second ballots. "The system," says Sir Arthur Hardinge, "answered well enough so long as only two parties contested an election; but the moment the Socialist Party formed a distinct third party, after the establishment of universal suffrage in 1894, it began to act in a manner which produced unsatisfactory results.... The overwhelming victory of the Clerical party in 1894 was largely due to the fact that in every second ballot between Catholics and Socialists the Liberals voted for the former, whilst in every second ballot between Catholics and Liberals, with the single exception of the Thuin Division, the Socialists preferred the Catholics as the creators of universal suffrage and as, in some respects, a more genuinely democratic party, to the Liberals, whom the Labour leaders regarded with peculiar hatred as the apostles of free competition and individualism. In 1896 the Socialists were in their turn the victims, as the Liberals had been in 1894, of the working of the system of second ballots. Liberal electors at these elections voted everywhere at the second ballots for Clerical against Labour candidates, with the result that the Clericals won every one of the eighteen seats for Brussels, although the total number of Clerical electors in a total electorate of 202,000 was only 89,000, as against 40,000 Liberals and 73,000 ultra-Radicals and Labour men. Two years later the Liberals swung round to an alliance with the Socialists against the Clericals, and in several constituencies, owing to the system of second ballots, the Socialists, although actually in a minority, won all the seats with the help of the Liberals, who on the

first ballot had voted unsuccessfully for Liberal as against both Catholic and Labour candidates. It was the practical experience of conditions such as these which gradually convinced all the Belgian parties that, given a three-cornered fight in every, or nearly every, constituency, the only way of preventing a minority from turning the scales and excluding from all representation the views of nearly half the electorate was to adopt the system of proportional representation."[2]

Count Goblet d'Alviella furnishes an excellent example of the working of the second ballots at Verviers in the General Election of 1898, the last parliamentary election in Belgium, at which second ballots were used. In the election for Senators the Socialists spoiled the chances of the Liberals by voting for the Clericals, whilst, in the election for the Chamber, the Liberals, not to be outdone, spoiled the chances of the Socialists by also supporting the Clericals. The Clericals thus obtained all the seats both in the Senate and in the Chamber with the assistance of the Socialists and of the Liberals in turn. The absurdities of the General Election of 1898 were so flagrant that on the day after the election so determined an opponent of proportional representation as *La Chronique* exclaimed, "Can anything be more absurd than the working of the second ballots in this country? ... What becomes of the moral force of an election in which parties are obliged, if they wish to win, to implore the support of electors who yesterday were their enemies? Such support is never obtained without conditions, and these conditions are either promises which it is not intended to keep or a surrender of principles—in either case a proceeding utterly immoral."[3]

France.]

French elections also furnish examples of the use of the second ballots for the purpose of fostering dissension between opponents. At the General Election in 1906 it was stated that the Conservatives in the South of France, despairing of obtaining representation themselves, intended to support the Socialists at the second ballot in the hope of obtaining an advantage by accentuating the difference between the Socialists and the Radicals. M. Jaurès indignantly denied that there was any understanding between the Socialists and the Conservatives, and took advantage of the accusation to write in *L'Humanité* a powerful plea for proportional representation. "This reform," he declared, "would make such unnatural alliances impossible. Each party would be induced and, indeed, it would be to each party's advantage to fight its own battle, for every group would have an opportunity of obtaining its full share of representation. There would no longer be any question of doubtful manoeuvres, of confused issues; Socialism would have its advocates, Radicalism its exponents, Conservatism its leaders, and there would be a magnificent propaganda of principles which would inevitably result in the political education of the electorate. Every movement would be assured of representation in proportion to its real strength in the country; every party, freed from the necessity of entering into alliances which invariably beget suspicion, would be able to formulate quite clearly its essential principles; governmental and administrative corruption would be reduced to a minimum; the real wishes of the people would find expression; and if parties still continued to dispute for power, it would be to enable them to promote the more effectually the measures for which they stood." In spite, however, of this eloquent disclaimer on the part of M. Jaurès, the Conservatives have at the bye-elections continued their policy of supporting the Socialists. The bye election of Charolles in December 1908 is a case in point. At the first ballot the figures were as follows:—

M. Sarrien fils (Radical) 5,770 votes
M. Duoarouge (Socialist) 4,367 "
M. Magnien (Conservative) 3,968 "

At the second ballot—

M. Ducarouge (Socialist) 6,841 " Elected
M. Sarrien fils (Radical) 5,339 "
M. Magnien (Conservative) 301 "

It should be explained that the Conservative candidate, although his name still appeared upon the ballot paper, retired before the second election, and it is evident that the votes of many of his supporters were given to the Socialist candidate. In the following April (1909) several further instances occurred. At Uzès a vacancy was caused by the death of a Radical Socialist member who, at the General Election of 1906, had beaten the Duc d'Uzès, a Reactionary, the Socialist candidate on that occasion being at the bottom of the poll. In the bye-election the Socialist was returned at the head of the poll, but so obvious was the fact that the Socialist owed his victory to Conservative support, that he was received in the Chamber by the Radicals with the cry of "M. le duc d'Uzès." Uzès was typical of other elections and, as the Paris correspondent of *The Morning Post* remarked, "the successes of the Unified Socialists in the recent series of bye-elections are in part to be attributed to the votes of the Reactionaries, who voted for the Unified candidates as being enemies of the Republic." This abuse of the purpose of second ballots—an abuse engendered by the failure of the minority to obtain direct

representation—destroys the last semblance of sincerity in the representation of a constituency, and must hasten the abolition of the second ballots in France in the same way as combinations of a similar nature rendered imperative the introduction of a more rational system of election in Belgium.

The foregoing facts are sufficient to show that a system of second ballots does not necessarily result in the formation of a legislative chamber fully representative of the electorate. In Germany the largest party has had its representation ruthlessly cut down by the operation of the second ballots. Indeed, were it not for the overwhelming predominance of this party in certain areas it might not have obtained any representation whatever. In Belgium the effect of the second ballots was to deprive the middle party, the Liberals, of their fair share of representation. In 1896, owing to the coalitions of Socialists and Catholics at the polls, the Liberals had only eleven representatives in the popular chamber. All their leaders had been driven from Parliament, their electoral associations had become completely disorganized save in some large towns, and in many constituencies they had ceased to take part in elections. Yet the results of the very first elections (1900) after the establishment of proportional representation, showed that the Liberals were the second largest party in the State, and that it was a party which still responded to the needs and still gave voice to the views of large numbers of citizens.

The bargainings at the second ballots in France.]

The system of second ballots not only deprives large sections of the electorate of representation, but the very coalitions which produce this result bring parliamentary institutions into still further disrepute. These coalitions are condemned in unequivocal terms by Continental writers and statesmen of widely differing schools of thought. The scathing language of M. Jaures has already been quoted, and we find his views endorsed by politicians of the type of M. Deschanel, an ex-President of the Chamber of Deputies, who declared that these coalitions entirely falsify the character of the popular verdict. Again, M. Yves Guyot, an ex-Minister, asserts that "the second ballots give rise to detestable bargainings which obliterate all political sense in the electors." M. Raymond Poincare, a Senator and a former Minister, condemns the system of second ballots in equally forcible language. "It will be of no use," he says, "to replace one kind of constituency by another if we do not, at the same time, suppress the gamble of the majority system and the jobbery of the second ballots." These expressions of opinion on the part of individual French politicians could be multiplied, but it will be sufficient to add to them the more formal and official declaration of the Commission du Suffrage Universel, a Parliamentary Committee appointed by the Chamber of Deputies. In the Report issued by this Committee in 1907, it is declared that "the abolition of the second ballots with the bargainings to which they give rise will not be the least of the advantages of the new system [proportional representation]."

The "Kuh-Handel" in Germany.

It would appear that the German second ballots are also characterized by this same evil of bargaining. Karl Blind, writing in *The Nineteenth Century*, March 1907, stated that "in this last election the oddest combinations have taken place for the ballots in the various parts of the Empire and within different States. There was no uniformity of action as to coming to a compromise between Conservative and Liberal, or Liberal and Social Democrat, or Centre and any other party, as against some supposed common enemy who was to be ousted from his insufficient majority by a subsequent alliance between otherwise discordant groups, or who wanted to have his insufficient majority increased to an absolute one by the addition of the vote of one of the defeated candidates whose friends finally choose the 'lesser evil'....

"To some extent these necessary, but sometimes rather sordid, transactions are made all the more difficult through the very existence of separate States with 'Home Rule' legislatures of their own. Political development has in them gone so far in a centrifugal sense that the nation has been sadly split up and the public mind too much divided into merely local concerns and issues....

"Irrespective of this baneful influence of a so-called 'Home Rule' state of things on the life of the nation at large, I must confess that the huckstering at the second ballots does not strike me as an ideal institution. It generally goes, in Germany, under the name of *Kuh-Handel* (cow-bargain). It often brings out the worst symptoms of intrigue and political immorality.... Those who dabble in the *Kuh-Handel* either lead their own contingent as allies into an enemy's camp from spite against another adversary, or they induce their own men to desist from voting at all at a second ballot, so as to give a chance to another candidate, whom they really detest with all their heart, but whom they wish to use as a means of spiting one still more deeply hated."

The position of a deputy elected at a second ballot.]

The separate experiences, therefore, of France, Belgium, and Germany all yield convincing and corroborative testimony to the demoralizing influence on political life which results from the coalitions at the second ballots. Insufficient attention, however, has been directed to one aspect of this influence,

its pernicious effect upon the inner working of parliamentary institutions. The deputy who is elected as the result of a coalition of forces at the second ballot finds himself in an extremely difficult and unstable position. Instead of being the representative of the majority of the electors he too often becomes, in the apt phrase of M. Yves Guyot, "the prisoner of the minority," and, whilst in Parliament, he is being continually reminded of the power of that minority to make or unmake him at the next election. The persistent pressure of that minority explains those contradictory votes in the French Chamber which, to a foreigner, are often incomprehensible. The deputy will usually act in accordance with the opinion of the group to which he belongs and vote accordingly, but at a subsequent sitting he will find it necessary to vote in such a way as will give satisfaction to that minority whose support assured his success at the previous election, and without whose support he cannot hope for re-election when the time comes for a fresh appeal to the country. The pressure which such a minority can exert must often be intolerable, and must, in any case, render it impossible for any deputy either to do justice to himself or to the legislative chamber to which he belongs.[3]

The alternative vote.

The shortcomings of the system of the second ballot are so pronounced and are so generally recognized that there now exists but little, if any, demand for its introduction into this country, and more attention has therefore been given to the mechanism of the alternative vote as affording a means of securing the object of the second ballot whilst avoiding many of its inconveniences. Under this suggested plan the voter is invited to mark his preferences against the names of the candidates on the voting paper by putting the figure "1" against his first favourite; the figure "2" against the man he next prefers, and so on through as many names as he may choose to mark. At the end of the poll the number of papers in which each candidate's name is marked "1" is ascertained, and if one of them is found to have secured the first preferences of an absolute majority of all the persons voting, he is declared elected; but if no candidate has obtained such a majority the papers of the candidate who has obtained the least number of first preferences are examined and transferred one by one to the candidate marked "2" upon them. In this transfer, the papers on which only one preference had been marked would be ignored, the preferences, to use the current phrase, being "exhausted." If, as the result of this transfer, any candidate has secured the support of an absolute majority of the number of effective preferences he is declared duly elected; but if there is still no candidate with an absolute majority the process is repeated by distributing the papers of the candidate who is left with the lowest number of votes, and so on until some candidate has got an absolute majority of effective preferences.

The alternative vote undoubtedly possesses many and valuable advantages as compared with the second ballot. In the first place, its introduction into the English electoral system would keep English voters in touch with Colonial rather than with Continental practice. Preferential voting[4] has been in use in Queensland since 1892; it was adopted in 1907 by the West Australian Parliament, and was proposed in a Bill submitted by Mr. Deakin to the Australian Commonwealth Parliament in 1906. Moreover, the alternative vote enables the election to be completed in a single ballot; and the fortnight that is wasted between the first and second ballots on the Continent would be saved. There has also been claimed for this method of voting this further advantage, that it would prepare the way (perhaps by rendering it inevitable) for the more complete reform—proportional representation.

The principle of the alternative vote is extremely simple. It is embodied in two Bills which were introduced into the House of Commons in 1908 by Mr. John M. Robertson and by Mr. Dundas White; and also in a modified form in a Bill introduced in 1907 by Mr. A.E. Dunn. Its purpose and mechanism is set forth in the memorandum of Mr. Robertson's Bill as follows:—

"The object is to ensure that in a parliamentary election effect shall be given as far as possible to the wishes of the majority of electors voting. Under the present system when there are more than two candidates for one seat it is possible that the member elected may be chosen by a minority of the voters.

"The Bill proposes to allow electors to indicate on their ballot papers to what candidate they would wish their votes to be transferred if the candidate of their first choice is third or lower on the poll and no candidate has an absolute majority. It thus seeks to accomplish by one operation the effect of a second ballot."

Mr. Robertson's Bill, as originally introduced in 1906, was applicable to single-member constituencies only; but the amended form in which the Bill was re-introduced provided for the use of the transferable vote in double-member constituencies as well, but, in doing so, still maintained the essential characteristic of the existing system of voting—that each member returned should have obtained the support of a majority of the electors voting. Mr. Dundas White, however, in applying the alternative vote to double-member constituencies, made a departure from this principle, and proposed to render it possible for a candidate to be returned who had obtained the support of less than one-half but more

than one-third of the voters.[5] The effect of Mr. Robertson's Bill would have been that it would still be possible in double-member constituencies for the party finally victorious to secure both seats; whilst with Mr. Dundas White's provisions the two largest parties would in all probability have obtained one seat each.[6]

The difference between the two measures is, however, of no great consequence; the number of double-member constituencies is not very large, and their number may be still further reduced in any future scheme of redistribution of seats. It will, therefore, be sufficient to consider what effect the alternative vote would have in single-member areas. Let us take the Jarrow election, in which there were four candidates, and apply to that election the possible working of the alternative vote. The figures for the election may be repeated:—

Curran(Labour) 4,698
Rose-limes (Unionist). . . 3,930
Hughes (Liberal) 3,474
O'Hanlon (Nationalist) . . 2,122

The electors would, with the alternative vote, have numbered the candidates on the ballot papers in the order of their choice, and, as none of the candidates had obtained an absolute majority, the votes of the lowest candidate on the poll would be transferred to the second preferences marked by his supporters. If, for purposes of illustration, it is assumed that every one of the 2122 supporters of Mr. O'Hanlon had indicated a second preference, that 1000 had chosen Mr. Curran, 1000 had chosen Mr. Hughes, and 122 had chosen Mr. Rose-Innes, then the following table will show the effect of the transfer:—

Candidate. First Count. Transfer of O'Hanlou's Votes. Result.

Curran (Labour) 4,698 +1,000 5,698
Rose-Innes (Unionist) 3,930 + 122 4,052
Hughes (Liberal) 3,474 +1,000 4,474
O'Hanlon (Nationalist) 2,122 -2,112 —

Total 14,224 — 14,224

Only three candidates now remain for consideration, and their position on the poll as the result of the transfer is as follows:—

Curran 5,698
Hughes 4,474
Rose-Innes 4,052

As neither has as yet obtained a majority of the total votes polled, it becomes necessary that the votes given for Mr. Rose-Innes, who is now lowest on the poll, should be transferred in accordance with the next preferences of his supporters. It is conceivable that the larger proportion of these preferences would have been given for the Liberal candidate, Mr. Hughes, rather than for Mr. Curran, and, if so, the final result might easily have been the election of Mr. Hughes as member for Jarrow.

The alternative or contingent vote in Queensland.]

Before considering the value of the transferable vote in single-member constituencies as a means of securing a true expression of the national will, it may perhaps be pointed out that the procedure prescribed by the Queensland Act differs from that contained in the English Bills. The regulations of the Queensland Act are as follows:—

"When one member only is to be returned at the election, if there is no candidate who receives an absolute majority of votes, all the candidates except those two who receive the greatest number of votes shall be deemed defeated candidates.

"When two members are to be returned, and there are more than four candidates, if there is no candidate who receives an absolute majority of votes, all the candidates except those four who receive the greatest number of votes shall be deemed defeated candidates."

It will be seen that the system here prescribed approximates to the German form of the second ballot, according to which only the two candidates highest on the poll may stand again. Were the Queensland form of preferential voting applied to the Jarrow election, both Mr. Hughes and Mr. O'Hanlon would be declared defeated candidates, and only the further preferences recorded by their supporters would be taken into account in determining the relative position of the two highest candidates, Curran and Rose-Innes. The provisions of the West Australian Act of 1907, and of Mr. Deakin's Bill of 1906, followed the

more elastic and undoubtedly superior method embodied in the English proposals.

Sir J.G. Ward, in introducing the Second Ballot Bill into the New Zealand Parliament in 1908, defended the selection of this electoral method on the ground that the system of preferential voting introduced into Queensland had been a partial failure. He stated that the privilege of marking preferences had not been extensively used, and quoted the opinion of Mr. Kidston, a former Queensland Premier, that the marking of preferences should be made compulsory. As explained in the course of the New Zealand debates, part of the alleged failure of the Queensland system was due to the unnecessarily cumbrous nature of the regulations. The Queensland Electoral Acts still retain the old method of voting—that of striking out from the ballot paper the names of such candidates as the elector does not intend to vote for. The confusion produced in the mind of the elector may readily be imagined when he is instructed to strike out the names of candidates for whom he does not intend to vote in the first instance, and then to mark such candidates in the order of his choice. Moreover, the provisions, as detailed above, for giving effect to preferences are so defective that only a proportion of the preferences marked can be taken into account. Even so, preferential voting in Queensland sometimes has a decisive influence upon the result of the election, as the following example, taken from the elections of 1908, will show:—

WOOLLOONGABBA ELECTION

First Count.

Votes.
1st Candidate . . . 1,605
2nd " . . . 1,366
3rd " . . . 788
          ——-
   Total . . . 3,759

The votes recorded for the third candidate were then distributed according to the preferences marked, which were as follows:—

1st Candidate . . . 15 2nd ,, . . . 379 No preferences . . . 394 —- 788

The result of the distribution brought the second candidate to the top of the poll, the final figures being as follows:—

2nd Candidate . . . 1,745 1st ,, . . . 1,620

West Australia

Where the more simple and straightforward instructions have been adopted, as in West Australia, it has been found that a larger percentage of the electors make use of the privilege of marking preferences. Here are the figures for the constituency of Claremont in the elections of 1908:—

First Count.

Foulkes 1,427
Briggs 825
Stuart 630
          ——-
Total . . . 2,888

When the votes recorded for the candidate lowest on the poll were distributed it was found that nearly 75 per cent, of his papers were marked with additional preferences. The numbers were as follows:—

Briggs 297
Foulkes 174
No preferences . . . 165
               —-
Total . . . 636

The final figures were as follows:—

Foulkes 1,601
Briggs 1,122

These figures doubtless show that even in West Australia, when the transferable vote is applied to single-member constituencies, a considerable number of the electors will not indicate a preference for any candidate other than for that of their own party, but similar abstentions occur at the second ballots in France, where it is found that a considerable percentage of the electors usually refrain from going to the poll on the second occasion. The Labour Party in Queensland has sometimes issued instructions to its supporters to abstain from marking preferences for the purpose of keeping the party solid and absolutely separate from other parties. Such action necessarily increases the percentage of abstentions. Nor can any remedy for action of this kind be found in making the marking of preferences compulsory. Even in Belgium, where "compulsory voting" is in force, the compulsion only extends to an enforced attendance at the polling place. The act of voting is not compulsory, for a blank unmarked ballot paper may be dropped into the voting urn. The compulsory marking of preferences when the elector has none may still further vitiate the results of elections in a most undesirable way, whilst abstention from preference marking merely deprives those abstaining of a privilege which they might exercise if they chose. It is quite conceivable that an elector after voting for the candidate of his choice may be indifferent to the fate of the remaining candidates and, if so, an enforced expression of opinion on his part would not be of any real value, and should not be counted in determining the result of an election.

Mr. Deakin's failure to carry the alternative vote.

Does then the alternative, or contingent vote, as used in West Australia, solve the problem of three-cornered fights—the problem of three distinct parties seeking representation in Parliament? When a single seat is being contested it is doubtless sufficient if the member elected represents the average views of his constituents, but a General Election based on such a system would yield results no more satisfactory than those of the second ballots. Neither the second ballot nor the contingent vote are acceptable after their true effects are understood, a fact which explains the failure of Mr. Deakin's Government to carry their Preferential Ballot Bill in 1906. Several of the seats held by the Australian Labour Party—as in the elections of Jarrow, Colne Valley, and Attercliffe—were won by a minority vote; the *Melbourne Age* published the following list of seven constituencies in Victoria where Labour members represented only a minority of the voters:—

Constituencies.	Non-Labour Votes.	Labour Votes
Geelong	1,704	1,153
Ballarat West . . .	2,038	1,034
Jika Jika	1,366	1,183
Williamstown . . .	1,931	1,494
Bendigo West . . .	1,654	1,248
Grenville	1,457	1,268
Maryborough . . .	1,929	1,263
Totals . . .	12,079	8,643

Preferential voting would have placed these seats at the mercy of a combination of the other parties, and, somewhat alarmed by the too eager advocacy of the measure on the part of the *Age*, the Labour Party, which had voted for the second reading of the Bill, procured its defeat on the first division in committee. It is impossible to defend the present system by which the Labour Party, which numbered two-fifths of the voters in these seven constituencies, obtained all seven seats, but, on the other hand, it cannot be alleged that a system of preferential voting, which would have enabled the other parties to have deprived these electors of all representation, was a satisfactory solution of the difficulty. In neither case would justice be done to the claims of three parties to representation.

Probable effect of the alternative vote in England.

A consideration of the possible results of the introduction into the English electoral system of second ballots or the transferable vote in single-member constituencies will show that neither reform will solve the problem presented by the rise of a new party. It is obvious that the Labour Party could by a combination of Conservative and Liberal voters be deprived of representation in all constituencies save those in which they had the support of an absolute majority of the electorate. Nor would the conditions remain the same as they are to-day. In many constituencies in which the Liberals have allowed a straight fight to take place between Tariff Reform and Labour candidates, the Liberal Party would intervene; and should combinations at the polls result in the defeat of Labour candidates, what would be the effect upon the temper and spirit of Labour voters who found themselves under an "improved" voting system less able than before to secure representation in Parliament? Would there not possibly arise a disposition on the part of the disfranchised minority to pursue on the next occasion a wrecking policy such as has distinguished the second ballots both in Belgium and in France? Even apart from

precipitate action which might arise as the result of ill-feeling, the alternative vote would afford an opportunity for a predetermined policy on the part of a minority to create dissension between the opponents. The manipulation of the alternative vote would be easily understood. An angry minority of electors could be instructed beforehand to use it, as we know from experience they *have* used the second ballot on the Continent. Would politicians, following an exclusive electoral policy, hesitate to avail themselves of the weapon which the alternative vote would place in their hands for the purpose of annihilating any section they especially disliked, in the same way as the Liberal Party in Belgium was destroyed by Catholic and Socialist combinations at the second ballots? We cannot escape the conclusion which all experience yields, that both these electoral methods place the representation of any party at the mercy of either temporary or permanent coalitions of other parties. To an even greater degree than under the existing régime, the result of a General Election would fail to reflect public opinion.

The advocates of the alternative vote assume, with but little justification, that this method will be free from the bargainings that have distinguished the second ballots on the Continent. The bargainings naturally take place between the first and second ballots, because that is the most suitable time for the striking of bargains, for the strength of parties is definitely known. With the alternative vote such transactions would take place before the election, upon the basis of the probable position of parties as ascertained by the party agents. Even if experience should show that the transferable vote did not lend itself so easily as the second ballot to the perpetration of those bargains which are detested by all Continental statesmen, yet it is probable that the successful candidate would, like the deputy elected under the system of second ballots, become "the prisoner of the minority." The figures of the election would disclose to what extent the member returned had owed his success to the smallest minority. This minority would be only too conscious that it held the key of the situation, and the member would doubtless be exposed to the same intolerable pressure as has been brought to bear upon members of the French Chamber of Deputies. In any case the position of the elected member would be most unsatisfactory. Were a Labour member returned with the assistance of Tariff Reform votes, would not the parliamentary relations between the various parties become as embittered as when the Unified Socialist candidate at Uzès was enabled by Reactionary votes to capture a Radical seat? What recriminations would accompany the election of a Conservative candidate whose victory was due to Labour votes given to him as an expression of resentment at the action of Liberals in other constituencies? What would be the relations between the Liberal and Labour parties if in a constituency now represented by a Labour member, a Liberal candidate, with the aid of Conservative votes, displaced him? These strained relations would not only exist within the House of Commons itself, but also and perhaps in a more pronounced form in the constituencies themselves. Such conditions would not only invite the sarcasm of all critics of democracy, they would produce the much more serious effect of crippling the successful working of parliamentary institutions.

The alternative vote not a solution of the problem of three-cornered contests.]

Neither second ballots nor preferential voting can solve the problem of three parties seeking representation. They may preserve the outward form of the distinguishing characteristic of the present system—that each successful candidate should secure the support of the majority of the electors voting —but this apparent conformity to the requirements of majority representation is only secured at the cost of destroying the sincerity of the parliamentary system and of rendering the composition of the House of Commons still more unstable than it is to-day. In England the competition of the three parties is most pronounced in the industrial areas, and Mr. Winston Churchill, apparently recognizing the futility of the alternative vote as a solution of the new difficulty, had good grounds for his suggestion that electoral reformers should concentrate their minds upon the proportional representation of the great cities.[7] For proportional representation attacks the new problem on entirely different lines. It provides for the realization of the essentially democratic principle, that the various sections of political' opinion are entitled to representation in proportion to their respective strengths, and that such representation should be independent of the action of other parties. Once this democratic principle is admitted we are in view of the only effective solution of the problem of three-cornered fights—a solution which not only solves this particular difficulty, but meets those serious defects of our electoral system to which attention has been directed in the two preceding chapters. "The theory of Government by party," says Professor Nanson of Melbourne, "is to find the popular mind by the issue of a number of contests between the 'ins' and the 'outs.' But owing to the multiplicity of political issues, this theory is now no more tenable than is the theory that every question can be answered by a plain 'yes' or 'no.' ... We require a system capable of finding the mind of the people on more than one issue. With such a system all the difficulties caused at present by the existence of three parties disappear. Instead of being a hindrance three parties will be a help. For each will help to organize public opinion, and so enable the mind of the public on important issues to be more definitely and clearly ascertained."

[Footnote 1: *The Albany Review*, October 1907.]

[Footnote 2: Reports on the Second Ballot at Elections in Foreign Countries. Miscellaneous. No. 2. 1908. (Cd. 3875.)]

[Footnote 2: *La Representation Proportionnelle en Belgique*, p. 7.]

[Footnote 3: An illuminating passage occurs in M. Guyot's article on "The French Senate and Chamber of Deputies," in *The Contemporary Review*, February 1910:—

"A deputy is only elected for four years, and almost on the morrow he becomes again a candidate. If he has been elected at the second ballot, with a rallying of the minority of electors, who have only voted for him as better than nothing, and who can desert him at the next elections, his position is very uncertain. Universal suffrage results in many constituencies in great instability, and it is threatening especially for the men who having had power have been obliged to act, and in acting have dispersed certain illusions which they had perhaps entertained when candidates, and have thus given offence.... Though one be an ex-Minister one is none the less a man. The greater number of men—not only ex-Ministers but men who have any reputation in Parliament—have sought to migrate from the Palais Bourbon to the Luxemburg. The result is that the Chamber of Deputies has not ceased to suffer from a species of inverse selection. No body could retain its vigour under such a system. The most experienced men have left; the composition of the Chamber of Deputies has grown steadily weaker and weaker."]

[Footnote 4: In Australia the system is known as the contingent or preferential vote. In recent years the phrase "alternative vote" has been employed in England, and was adopted by the Royal Commission on Electoral Systems as a means of distinguishing the use of the transferable vote in single-member constituencies from its use in multi-member constituencies for the purpose of securing proportional representation.]

[Footnote 5: The regulations as to counting the votes contained in the Schedule to the Bill were based upon those in Lord Courtney's Municipal Representation Bill (see Appendix VI.), the practical application of which is described in Chapter VII.]

[Footnote 6: Mr. Crawshay-Williams introduced a further Bill (based on that of Mr. Robertson) in 1910. This Bill, in its final form, was made applicable, in accordance with the recommendation of the Royal Commissions on Electoral Systems, to single-member constituencies only.]

[Footnote 7: Reply to deputation of Manchester Liberal Federation, 23 May 1909.]

CHAPTER VI

PROPORTIONAL REPRESENTATION

"Celui-ci tuera celui-là. Voilà la formula du scrutin d'arrondissement.

"Ceux-ci tueront ceux-là. Voilà la formule du serutin de liste sans la representation proportionnelle.

"Ceux-ci et ceux-là auront leur juste part. Voila la formule du scrutin de liste avec la representation proportionnelle."—J. JAURES

It cannot be a matter for surprise that the methods of election adopted in the early stages of representative institutions fail to respond to the needs of the more complex political conditions of highly civilized communities. The movement in favour of improved electoral methods is in keeping with the advances made in all other human institutions. We no longer travel by stage-coach nor read by rush-light. We cross the Atlantic with a certainty and an ease unknown and undreamt of a little while ago. Means of intercommunication, the press, the mail, the telegraph, the telephone have developed marvellously in response to modern requirements. This continuous adaptation is the law of existence and, in view of modern political conditions we cannot permanently refuse to adapt our electoral methods to the more perfect organization of a progressive democracy. By cumulative pressure the evils set forth in the preceding chapters can have but one result; they will compel English statesmen, as they have compelled or are compelling Continental statesmen, to devise an effective remedy; and although individual politicians may resist and retard the advent of reformed methods, the demand for better

representative institutions will in the end overcome all such resistance.

The essential features of a sound electoral method.]

What then are the requirements of a satisfactory electoral method? The evils to be remedied must yield the clue. Our present system—exclusive majority representation—has often, as we have seen, resulted in a gross exaggeration of the majority, sometimes in the total suppression of the minority; and, on other occasions, in the return of a majority of representatives by a minority of the electors. These evils have happened when only two parties have been seeking representation; when a third party enters the political arena the system completely breaks down, and all efforts to restore "majority" representation by a system of second ballots have proved an absolute failure. The attempts made in the past to secure the special representation of minorities, though most successful in many respects, have been of an empirical character, and have dealt with the problem in a very partial way. Yet it is not difficult to find a solution for all these problems which is at the same time satisfactory and effective. It is only necessary to return to the first principles of democracy, to keep steadily in view the meaning of that self-government which we desire to achieve through representative institutions. Self-government can only be realized when every section of the community through its own representatives can give expression to its needs in the assembly which is representative of the nation and which derives all its authority from the fact that it is so representative. This assembly acts in the name of the nation; its decisions are said to embody the national will. But if any considerable section of the nation is deprived, from whatever cause, of representation in the House of Commons, in what sense can it be said that its decisions give expression to the national will? The new electoral conditions force us, willingly or unwillingly, to the conclusion that no satisfactory solution can be reached until effect is given to Mill's fundamental principle of democracy—that the various sections of political opinion should be represented in the legislative chamber in proportion to their strength. Only in the fulfilment of that condition can we escape from the evils of the existing system and at the same time do justice to the claims of three organized parties to representation within the House of Commons.

Constituencies returning several members.

It is now no longer possible to accept Mill's declaration as theoretically perfect and then to dismiss it as wholly impracticable. If the political conditions are such that the proportionate representation of parties is the only satisfactory solution of our electoral difficulties, it becomes the duty of statesmen to find some way by which practical effect can be given to Mill's formula. There was doubtless some excuse for the cry of impracticability when, in launching in 1857 his proposals for proportional representation, Thomas Hare suggested that the whole kingdom should form a single constituency. This suggestion raised a barrier of prejudice against all proposals for proportional representation, which only to-day is being broken down, and led to a refusal to consider seriously any attempt to secure an amelioration of existing methods along more modest lines. Nevertheless, it must be admitted that the first step in the direction of realizing true representation must be the enlargement of our present electoral areas. So long as single-member constituencies are retained elections must necessarily take the form of a struggle for the whole of the representation allotted to the constituency. There is but one prize—a prize which is indivisible—and the proportional distribution of that prize is impossible. For a system of proportional representation the first requirement is the formation of constituencies returning several members. These electoral areas need not be formed in an arbitrary manner. Familiar divisions of the country, such as large towns, counties or parts of counties, may be treated as single constituencies. Glasgow, Manchester, Birmingham, Sheffield, Leeds would form constituencies in themselves. Counties which are large enough to return at least five members might also be treated as electoral areas, whilst the smallest counties would be grouped and the larger counties, if necessary, subdivided.

The proportional representation of the electors.

With such constituencies it would be possible to approximate to a true representation of the electors. Birmingham, which may be taken for purposes of illustration, returns seven members to the House of Commons, one for each of its seven divisions. The Unionists being in a majority in each of these seven divisions, are enabled to secure the whole of the representation allotted to the city, although there is a large minority of non-Unionists. If Birmingham were treated as a single constituency, and if the electors were divided as follows: Unionists, 40,000; Liberals, 20,000; Labour, 10,000, then it is obvious that any just system of representation would enable the Unionists, Liberal and Labour electors to obtain four, two, and one members respectively. Birmingham would then be represented accurately and fairly within the House of Commons; and if each large area was so represented we should, in this way, be able to build up a House of Commons which would reflect in true proportions the political opinions of the country. The undoubted fairness of such a system of representation will appeal with even more force if consideration is given to the grounds on which seven representatives are now allotted to a town of the size of Birmingham. Did Birmingham contain only 40,000 electors, all of whom

were Unionists, it would only be entitled to four representatives in Parliament. The presence of a large number of electors who are not Unionists brings, however, the total electorate to 70,000, and Birmingham is granted representation on the basis of this total. Thus the additional representation, granted because of the presence of a large minority of non-Unionist electors, takes the form of additional Unionist members. The minority under the present system is not only disfranchised but penalised; the representation which is due to them is given to their opponents.

But it is not difficult to devise a scheme of proportional representation which should ensure that the electors of Birmingham and other large towns, and also of the various counties, should be truly represented within the House of Commons. Of this fact the recent history of electoral legislation on the Continent and in the Colonies furnishes incontrovertible proofs. Proportional representation has been embodied in the laws of several countries, and these laws work with perfect smoothness.

Experience in Denmark.

The first application of the principle took place in Denmark so long ago as 1855, two years before the publication of Mr. Hare's scheme, when M. Andrae, a Danish Minister of great eminence and ability, introduced it into the new Constitution promulgated in that year. The system of proportional representation was retained through the constitutional changes of 1863 and 1866, though, it should be added, the extent of its application was limited to the election of members of the Upper House. The citizens of each constituency, voting in two classes, choose by the ordinary method of voting an equal number of representatives. These representatives constitute an electoral college, the members of which proceed to the election of representatives of the constituency according to the method of proportional representation. This limited application of proportional representation still remains in force, and in recent years the principle has received further and increasing recognition. Parliamentary committees and committees of the municipalities of Copenhagen are chosen by a proportional method. The principle was applied in 1903 to the elections of the Congregational councils, but its most notable extension was effected in 1908, when the system was applied to all municipal elections, the first elections taking place in March 1909.

Switzerland

It will be seen that even in Denmark there was a considerable lapse of time between the limited application adopted in 1855 and its extension to elections of a more popular kind in recent years; and outside Denmark, although societies advocating the new principles were founded in England, France, Belgium, and Switzerland, proportional representation did not succeed in finding its way very readily to the statute book. It was not until 1890 that the first step was taken which has resulted in so rapid an extension of the system. The evils arising from the majority method of election had become so acute in the Swiss canton of Ticino[1] that proportional representation was adopted as a means of pacification. The elections in March 1889 resulted in the return of seventy-seven Conservative deputies by 12,783 votes, whilst the Liberals, with 12,166 votes, were only able to obtain thirty-five representatives. The Liberals alleged that this unfair result was due to a gerrymandering of the constituencies, and demanded a revision of the Constitution. The Conservative Government declining to take the necessary steps for this purpose, a revolution broke out in Bellinzona, in the course of which one of the members of the Government was killed and his colleagues arrested and imprisoned. The Federal Council intervened and sent its representative, Colonel Künzli, who recommended the adoption of proportional representation. After some hesitancy the party leaders agreed, and the Cantonal Council passed a law (5 December 1890), providing for the election by a system of proportional representation of a Constituent Assembly for the purpose of revising the Constitution. The suspicions of the Liberals were not, however, fully allayed and, thinking that they were again being duped, they decided on the eve of the election of the Assembly to abstain. This decision was adhered to, and as a result the first assembly in Ticino elected under the proportional system consisted of Conservatives only. The Conservatives remained faithful to the agreement entered into with the Liberals and voted the law of 9 February 1891, introducing proportional representation into the cantonal constitution and applying it to the elections for the Cantonal Council, Constituent Assemblies and municipalities. The law was approved by popular vote in the following March, and the system has since retained its place in the constitution of the canton[2]. The immediate object in view—the pacification of the canton—was completely attained and its success has led to its adoption in other cantons. It is now in force in Neuchâtel, Geneva, Solothurn, Zug, Schwyz, Bâle City, Lucerne and St. Gall, and also (for municipal elections) in Berne, Fribourg, and Valais, whilst there is an active and growing demand for its application to the Federal elections. The progress of public opinion in this respect has been tested by means of the Referendum in 1900 and 1910. On the first occasion 169,000 voters supported the extension to Federal elections, and 247,000 opposed it. In 1910 the number of voters in favour of the proposal had increased by 70,000, while the opposition had increased by only 15,000, and the adoption of proportional representation for Federal elections was defeated by the narrow margin of 23,000 votes in a total poll of half a million. At the same time twelve out of the twenty-two cantons approved of the extension, and it is generally

agreed that the ultimate triumph of the proportional principle cannot long be delayed.

The need for proportional representation was particularly felt in the canton of Geneva, where religious differences often form the dividing line between parties. The canton is divided into three constituencies; one for the town of Geneva, one for that part of the canton on the right bank, and one for that on the left bank of the Lake and of the Rhone. With the *scrutin de liste* (the former method of election) the minority in each constituency was completely crushed. The Protestants of the right bank were deprived of all representation; the Catholics of the town obtained a few deputies as an act of grace on the part of the majority. In 1872, when the affairs of the Catholic church were being discussed, the Radicals and Independents succeeded in excluding from the Council all who were most directly affected by the question of the day. The proportional system was introduced in 1892, and as the election of members of the Federal Council was still conducted according to the old system the working of the two methods could be readily compared. "The elections for the cantonal councils in November 1892," wrote M. Naville, "were keenly fought, but calm; no recriminations followed, and political life pursued a normal course.... On the other hand, the Federal elections in October 1893 were riotous, blows being exchanged. Exclusive majority representation artificially creates disturbances.... Proportional representation introduces a pacifying element into all political struggles."

Belgium.

The introduction of a complete scheme of proportional representation into Belgium was also rendered necessary by the intolerable position arising from the former methods of election. The rapid growth of the Socialist Party with a distinct organization created a situation which, as already explained, was in no way relieved by the system of second ballots in force. Indeed, the coalitions at the second ballots not only discredited the system but greatly embittered the relations between the various parties. "In 1899," says Count Goblet d'Alviella, "Belgium was on the eve of a revolution—a revolution which was only avoided by the immediate and complete introduction of proportional representation into parliamentary elections." This, however, was not the first trial of proportional representation in Belgium, for Belgium, like Switzerland, affords an example of the gradual but certain extension of the new method of election. In 1894 proportional representation had been applied partially and tentatively to the larger municipal councils, and although this application was of a partial character it achieved a considerable measure of success. M. Braun, the Burgomaster of Ghent, speaking in May 1899, described its results in the following terms:—

"During the four years that proportional representation has been applied to the communal elections of Ghent, every one has been able to appreciate the happy effects of the reform. Everybody recognizes that, far from being endangered, the material prosperity of the city has increased, and that the ameliorating and pacifying effects of the altered electoral method have even exceeded the expectations and hopes of its advocates." [3]

The system of proportional representation adopted for the parliamentary elections was much more complete, and so great has been its success that there has arisen a strong demand for its introduction into the elections for the provincial councils in which the old majority system, with second ballots, is still used. The parliamentary elections in May 1908 were followed by the provincial elections in the ensuing month, and thus a favourable opportunity was presented of contrasting the working of the two systems. The grossly unfair results of the provincial elections drew forth from many journals most caustic criticism. *Le Peuple* expressed the hope that these provincial elections would be the last instance of the use of the majority system in Belgium. "Is it not," it proceeded, "absurd, stupid, detestable that the provincial councils are alone excluded from the system of proportional representation? Once for all we must have done with this jumble of confusion, dishonesty, and corruption." The *Etoile Belge* declared that "One thing is certain, the provincial electoral system can no longer be maintained without exposing us to the laughter of Europe. To apply one system of proportional representation to the parliamentary elections, another to municipal elections, and to maintain the majority system for the provincial elections, is really too absurd. For once we agree with *Le Peuple* and join our hopes and wishes to theirs." That these comments were fully justified a few examples will show. In the province of Limbourg the forty-eight seats on the provincial council were all obtained by the Catholics, whereas in the parliamentary elections of the previous month the Liberals, owing to the proportional system, were able to obtain two seats out of six. In the "Agglomération Bruxelloise" no Catholic and only five Socialists were elected, although the Liberals numbered but a few more than a third of the voters. The provincial elections of former years afford further illustration. In 1898 at Ghent the Liberals of the first canton defeated the Socialists at the second ballots with the help of the Catholics, in the second canton they defeated the Catholics with the help of the Socialists, while in the third canton they were themselves defeated by the Catholics, who were assisted by the Socialists. In the same year at Brussels, where a second ballot took place in each of the five cantons, the Liberal minority captured every one of the forty-four seats. Sir Arthur Hardinge pointed out in his Report on the working of the Second Ballots in Belgium, that it was the failure of this electoral method

that rendered a proportional system in parliamentary elections an absolute necessity; its failure in the provincial elections will result in its abolition from these also. No more convincing evidence of the satisfactory working of the proportional system can be given than this demand for its extension, the latest example of which in Belgium is its application by a new law passed in 1909 to the election of the *Conseils de Prud'hommes.*

German States.

Whilst the adoption of proportional representation in Switzerland and in Belgium was due to the pressure of particular circumstances, the marked success of the new method has not only resulted in its extension in those countries, it has also had a pronounced influence upon public opinion in neighbouring countries. The kingdoms of Southern Germany are following the example of the Swiss cantons. Würtemberg, in the new constitution adopted in 1906, decided that the seats set free by the removal of the "privileged" members of the Lower House should be filled by proportional representation. Legislative proposals have since been discussed in Saxony, and in May 1910 a vigorous debate took place in the Bavarian Parliament, in the course of which Dr. Müller declared that the advocates of the reform would not rest "until this unjust electoral system, this bulwark of short-sighted injustice and ill-omened party spirit, is set aside in the higher interests of justice and of civil and religious freedom." The principle has received a recognition even more general in character, for a ministerial decree issued in June 1901, relative to the associated committees of employers and workmen, enabled these bodies, if they so chose, to elect their members in accordance with the principle of proportional representation. Some sixteen towns, including Frankfort-On-Main, Munich, Carlsruhe, Fribourg, Mannheim, &c., availed themselves of the privilege, and the results have been most satisfactory. Much greater interest has been taken in the elections. In Carlsruhe, for instance, the number of voters increased from 1103 in 1897 to 3546 in 1903.

France

Similarly, the great success of the Belgian legislation gave birth to a fresh and more powerful movement in France. Founded in 1901, under the presidency of M. Yves Guyot, the *Ligue pour la Représentation Proportionnelle* enlisted the support of deputies drawn from all political parties. The Electoral Reform group within the Chamber of Deputies during the Parliament 1906-10 consisted of over two hundred members, and, under the auspices of this group large and enthusiastic meetings were held in the great towns. The reform has the support of many leading newspapers, and the authoritative reports of the French Parliamentary Committee, *la Commission du Suffrage Universel*, contain strong recommendations in favour of the adoption of proportional representation. The first of these reports prepared in 1905 by M. Chas. Benoist[4] contains an admirable statement of the case for the reform, a plea which is powerfully reinforced in the report prepared two years later by M. Etienne Flandin.[5] The Bill recommended in this latter report was discussed in the French Chamber of Deputies in October 1909. The first clause of the Bill read as follows: "The members of the Chamber of Deputies shall be elected by the *scrutin de liste* according to the rules for proportional representation." The first portion of this clause—the members of the Chamber of Deputies shall be elected by *scrutin de liste*—was carried by 379 votes against 142, or a majority of 237. The second portion—according to the rules for proportional representation—was carried by 281 votes to 235, or a majority of 46. The Prime Minister, M. Briand, urged by many of his Radical supporters, who were unwilling to forego the advantages which they obtained from the existing system, then made the question one of confidence in the Government, and the whole clause, when put to the final vote, was defeated by 291 votes to 225. A noteworthy feature of these divisions was the size of the majority by which the system of single-member constituencies was condemned. At the General Election in April 1910 no fewer than 315 Deputies were returned pledged to the reform. M. Briand at once introduced a Bill which, however, did not fully meet the demands of the reformers, and the *Commission du Suffrage Universel* made important modifications in it with a view to securing more completely the proportional representation of all political parties within the country. On the fall of M. Briand in February 1911, the government of M. Monis announced its intention of supporting the amended scheme. The success of the movement, commenced in 1901 is now, after a decade of active effort, no longer open to doubt.

Holland

Holland, too, has felt the influence of the legislation of its neighbour. A constitutional commission, appointed by the Dutch Government, reported in favour of amending the fundamental law so as to render possible the adoption of proportional representation. The recommendations of this Commission were embodied by the Government in Bills presented to the States General in 1907, and although the proposals were subsequently withdrawn, the reform has the support of many of the leading statesmen, and a favourable report is anticipated from the new Commission to which the question of reform has been referred.

Finland.

In the North of Europe an equally successful and, in some respects, an independent movement in favour of true representation has taken place. In an excellent little pamphlet, published at Helsingfors, [6] it is stated that during those calamitous years between the *coup d'état* of 1899 and the restoration of the constitution in 1906, there arose in Finland the conviction that only a democratic reform of its political institutions would afford a sufficient guarantee for the maintenance of its internal independence. The fruits of that conviction were seen in the draft of the new constitution for the Diet prepared by a committee appointed by the Finnish Government. Provision was made for the adoption both of universal suffrage and proportional representation. The report adds that the four Estates of the Diet, satisfied that proportional representation would ensure the just representation of all parties, willingly accepted the proposals for universal suffrage, and also agreed that henceforth the Diet should consist of but one chamber. Finland thus found herself, when the new constitution was granted, in the possession of an electoral system as democratic as any in the world.[7]

Sweden.

In Sweden a long and arduous struggle took place over the reform of the franchise. The Liberals and Socialists demanded that less weight should be given to the possession of property. The Conservatives resisted the demand. The adoption of proportional representation as a possible way out was proposed in 1902, and from that date the fight assumed another aspect. "The method of voting," wrote Major von Heidenstam, part author of the proposals embodied in the new law, "took from the beginning a very prominent place, strange to say the most prominent down to the last few months before the chief battle. We who went in for proportional representation had a very hard struggle for the first five years, but we won at last." The victory was complete; proportional representation was accepted for both Chambers of the Riksdag, for the committees selected by these Chambers, for County Councils and for Town Councils. When the final adoption of the reform Bills was voted in 1909 they were carried by very large majorities; in the first Chamber only 19 out of 141, and in the second Chamber only 53 out of 225, recorded an adverse vote.[8]

Australasia.

In this remarkable outburst in favour of proportional representation English-speaking countries are taking their part. Inspired by the late Catherine Helen Spence, an untiring advocate of the reform, the Effective Voting League has carried on an active campaign in Australasia. Legislative proposals for proportional representation have been discussed in recent years by the Commonwealth Parliament, and also by the Parliaments of Victoria, South Australia and West Australia. Although these measures have not become law, the work of Miss Spence and her colleagues has gained considerable support. Mr. Deakin has openly acknowledged his approval, whilst the results of recent elections, and more particularly that of the election in 1910 for the Commonwealth Senate, have increased the demand for reform. Proportional representation, too, is meeting with increasing sympathy in New Zealand where the system of second ballots, adopted in 1908, has failed to give satisfaction. In Tasmania the movement has made much greater headway. An Act was passed in 1896 applying proportional representation to the urban districts of Hobart and Launceston, but although this Act was an acknowledged success so far as the representation of these two towns were concerned, the differentiation between the voting methods applied to the town and country districts gave rise to dissatisfaction, and the measure was withdrawn in 1901. But when once the benefits of proportional representation had been felt its re-introduction in a more complete form was not long delayed. In 1907 a new Act was passed applying equally to town or country. The State is now divided into five electoral districts, and the six members allotted to each district are elected by the proportional method. The first elections under the new law took place in April 1909, and the result has met with general approval.

South Africa.

In South Africa proportional representation has, with astonishing rapidity, gained the adherence of its foremost public men, and although the delegates to the South African National Convention abandoned the proposal for the use of the proportional method in the elections to the legislative Assembly of United South Africa, yet the adoption of this principle for the election of members of the Senate and of the committees of the Provincial Councils, as finally agreed to, marks an advance which a few years ago would have been thought impossible. Nor is this the only forward step taken in South Africa. The Transvaal Municipal Commission recommended the adoption of proportional representation in municipal elections, and the Government embodied this recommendation in an Act passed in June 1909. The first elections under this Act took place with complete success on 27 October 1909, in Johannesburg and Pretoria, each of these towns being polled as a single constituency.

Canada.

In Canada, although the movement has not taken so active a form as elsewhere, the Government consented in March 1909, on the motion of Mr. F.D. Monk, K.C., to the appointment of a committee of the House of Commons for the purpose of investigating methods of proportional representation. Further, the Trades and Labour Congress, the chief organization of this kind in Canada, the Toronto District Labour Council, and the Winnipeg District Trades Council, employ the proportional method in the election of their committees.

Oregon.

In the fight for the more popular control of politics in the United States proportional representation will apparently play no mean part. The object of the People's Power League of Oregon is to free the representative assemblies of the State from the domination of political bosses, and an amendment to the constitution, providing for the adoption of proportional representation was, on the initiative of this League, submitted to the electorate in 1908 and carried with a large majority. The Oregon Legislature, which met in January 1909, was bitterly opposed to the change, and refused to pass the Representation Bill which was required to give effect to the decision of the electorate. A new proportional representation amendment, which was self-enactive, was submitted to the popular vote in November 1910, in conjunction with other proposed constitutional changes, but failed to meet with approval owing to the unpopularity of the measures with which it was combined, the most striking of which was a six-year term for the legislature. There may be a long struggle for supremacy between the "machine" and the reformers, but in that revival of interest which is being taken throughout the United States in the conduct and working of representative institutions it can be confidently predicted that the reform of the existing methods of election will take a prominent place.

The United Kingdom.

In the United Kingdom the Proportional Representation Society, founded in 1884, was revived in 1905, and since its revival has secured the adherence of a considerable number of members of Parliament. The Royal Commission on Electoral Systems, appointed in December 1908, was the outcome of its activity and, although this Commission did not recommend the immediate application of proportional representation to the House of Commons, its Report marks a very considerable advance in the history of the movement in this country.[9] The Commission reported that there would be much to be said in favour of proportional representation as a method for the constitution of an elective Second Chamber, and intimated its approval of this method of election for municipalities. The views taken by the Commission in respect of an elective Second Chamber and municipalities have found expression elsewhere. The Select Committee on the Reform of the House of Lords, presided over by Lord Rosebery, recommended that the election of Lords of Parliament to represent the hereditary Peerage should be by the cumulative vote or any other scheme of proportionate election,[10] and since this Report was issued all proposals for the introduction of an elected element into the House of Lords have recognized the need for an adequate representation of minorities.[11] The Municipal Representation Bill, introduced by Lord Courtney of Penwith, was passed by the House of Lords in 1908 after careful examination by a select Committee of that House, whilst a motion, moved by Mr. Aneurin Williams, on 30 March 1910, in the House of Commons, in favour of applying the system to municipal elections was carried without opposition.

The success of proportional representation in practice.

The movement in favour of more accurate methods of election is becoming world-wide in its scope, and the brief summary[12] already given of the progress made in recent years furnishes in itself abundant proof of the practicability of proportional representation. In every country in which the new methods have been introduced fears were expressed that it would be impossible for the average elector to fulfil the new duties required of him, and that returning officers would collapse under the weight of their new responsibilities. The same apprehension still exists in England, and it may therefore be desirable to refer in greater detail to the experience of those countries in which the new methods have been put to the test of popular elections. Nowhere do we find that the new systems of voting have presented any serious difficulty to the electors, and although the task imposed upon the returning officers has been in some cases unnecessarily severe, yet they have not only carried out their new duties with credit, but have made the introduction of the new system a brilliant success. After the first elections in Geneva, in November 1892, the journal *Le Génevois*, which had fought desperately against the introduction of the reform, stated that the counting of the votes had been quickly and correctly carried out. "We readily acknowledge," it added, "that in this matter we were greatly deceived." "From the point of view of practicability," wrote the *Journal de Genève*, "the new system has been a brilliant success." *La Suisse* declared that the outstanding triumph of the day was proportional voting. The first elections in the canton of Bale-town were equally successful. "The elections," said the late Professor Hagenbach-Bischoff, "took place on 26 June 1905; the polling places were open till 2 P.M., the counting was finished at 7 P.M., so that the newspapers were able to publish the results the same evening.

Everything went off well, and the journals have acknowledged the great success of proportional representation."

Six General Elections have taken place in Belgium since the law of 1899, and now no one in the country speaks of the impracticability of proportional representation. Count Goblet d'Alviella states that "all the objections that were brought against the system before its introduction have been set at naught. The proportional method instead of complicating, as was foretold, both the voting and the counting, has worked with greater ease than the old one. The electors understood at once what they were to do, and the counters made fewer mistakes than before." Wurtemberg furnishes another instance of the ease with which the new system can be introduced. *Der Beobachter*, a leading journal of Stuttgart, stated that: "The new electoral system, which only a short time ago was unknown to the electors, worked without a hitch in the whole country, just as it worked a few weeks ago in Stuttgart. The first feeling is one of surprise. The number of votes was enormous; the candidates were numerous, the ballot papers from the different districts were in various forms, and yet the whole machine, from the district officials to the employees of the Government office, who collected the results, worked with promptitude and ease. The next feeling is one of pleasure at the complete success of this first experiment in proportional representation on a large scale in the German Empire."

The success of the first elections in Finland, in which more than half the voters exercised the franchise for the first time, was equally complete. According to the account of a Finnish journalist[13]: "The first election under the new system took place on 15 and 16 March 1907. The total electorate amounts to some 1,300,000 people, or 47 per cent, of the whole population. Of these about 887,000, or nearly 64 per cent., polled. In the more thickly-populated electoral divisions the percentage was much higher: thus, in the Nyland division, which comprises Helsingfors, it was 74.2 per cent.; in several polling districts as many as 95 and even 98 per cent, came to the polling station. The often-used argument against proportional representation, that the system is too involved to be understood by the average voter, was in Finland completely refuted. The number of spoilt ballot papers in the whole country probably is less than 1 per cent.; in the Nyland division, the largest of all, returning twenty-three members, the ballot paper contained ninety-five candidates, and yet only 0.59 per cent, were spoilt." Small as this number is, the official returns for the succeeding elections show a still smaller percentage. In November 1910 the number of spoilt papers throughout the country amounted to .25 per cent, of the whole. The first elections in Sweden were equally successful. There was only one spoilt paper in the elections witnessed by the author at Carlskrona in May 1910.

Nor have English-speaking peoples shown themselves less able to adapt themselves to new voting methods. An official report presented by the chief returning officer of Tasmania to the Senate of the Australian Commonwealth[14] contains convincing evidence as to the practicability of the single transferable vote for the purpose of parliamentary elections. The report deals with the election of members of the Commonwealth Senate and House of Representatives in 1901 by means of the single transferable vote. For this purpose the State of Tasmania was treated as a single constituency. The percentage of spoilt papers due to the new system of voting was 1.44 in the Senate elections and 1.80 in the election of the House of Representatives, but the returning officer adds that "this would have been much less had it not been that the old defective system previously in force in Tasmania required the actual scoring out of every rejected candidate instead of, as in most countries, the marking of a cross or sign only against those candidates who were selected. Had this better form of marking been in practice in Tasmania previous to the introduction of the Hare system of voting, it is probable that there would be very few invalid papers due to the Hare system of marking with preference numbers." Professor Jethro Brown, in describing these first elections, states that "the work of the returning officer, whilst less simple than that of the elector, demands no exceptional qualifications; he need display the industry of an average clerk—scarcely more."[15] The more recent elections in Tasmania, those of 1909, were carried out with equal ease. The percentage of spoilt ballot papers due to all causes was 2.86, and this percentage compared favourably with the number of spoilt papers in the election of 1906, in which the majority system of voting was used.[16]

The Transvaal municipal elections also afford excellent evidence of the ease with which the new system of voting can be introduced. Most of the electors made their first acquaintance with the system during the electoral campaign. In Pretoria the number of spoilt papers due to all causes amounted to 38 out of a total of 2852, or 1.33 per cent., while the number of spoilt papers which could be attributed to the new system was only 27, or less than 1 per cent. The percentage of spoilt papers at Johannesburg was larger, but it must be remembered that the electorate in this town is perhaps as cosmopolitan as any in the world. At some of the public meetings addresses were given in English, Dutch, and Yiddish, and the task of instructing the electors in their new duties was considerably more difficult than in a more homogeneous constituency. Nevertheless the number of spoilt papers due to all causes was only 367 out of a total number of 12,155, or 3 per cent., whilst the number of spoilt papers attributable to the new system was 285, or 2.35 per cent. Moreover, the returning officer was very strict in his

decisions as to the validity of papers, so that the number of spoilt papers attributable to the new system included all those in which voters had in any way departed from the letter of the instructions. The press bore striking testimony to the success of the elections. The *Transvaal Leader* declared that "the consensus of competent opinion is that the system is a perfect success, considered as electoral machinery.... The municipal elections have demonstrated that every section can secure that amount of representation which it can justly claim." The *Rand Daily Mail* expressed the view that "...Both here, and in Pretoria, it may claim to have proved a success. The ten councillors elected under it here may fairly claim to be representative of every shade of public opinion.... We should like to see it extended to all municipalities, and ultimately to parliamentary elections." The *Johannesburg Star* stated that "The authors may fairly congratulate themselves that they have proved it practicable in working and fair in results. The business of counting the votes and allotting the preferences was sure to be a slow one at the first time of asking, but there was no hesitation and no confusion. The proceedings in the Wanderer's Hall went forward with the steady certainty of clockwork.... The whole trial was a high one in a town like this with a considerable element of illiterate voters; but taking it all through we have no hesitation in saying that the working of the new system was a conspicuous and unqualified success."

An election by miners.]

After such a mass of testimony as to the satisfactory working of proportional methods in parliamentary elections, it is perhaps hardly necessary to refer to the success of those model elections carried out from time to time by the Proportional Representation Society in England.[17] Yet it may be as well to recall the novel and entirely successful experiment, organized in 1885, by Mr. Albert Grey, M.P. (now Earl Grey, Governor-General of Canada). "Mr. Grey," according to the account in *The Times*[18], "was returning officer, and was assisted in the count by thirty miners—a body of utterly untrained men whose hands, accustomed by daily usage to the contact of pickaxe and shovel, were new and strange to the somewhat delicate task of fingering and separating flimsy ballot papers. They had received no instructions before they were assembled in the room as to the duties they would be required to transact, and the expedition, good-humour, and correctness with which they got through the several stages of the count justly earned for them the admiration of those who had come from a distance, as well as the compliment which Mr. Grey deservedly paid them at the conclusion of the day's proceedings." On this occasion some 6645 papers were counted, the number of spoilt votes being 44, considerably less than 1 per cent. The election is of interest as the members of Northumberland Miners' Association have ever since that date used the transferable vote in the election of their agents.

To demonstrate the practicability of proportional representation does not, however, dispose of all of the objections which have been urged against the system, but before dealing with these objections it will perhaps be useful to outline those schemes which have emerged so successfully from the test of popular elections. These methods, although they vary in detail, range themselves under two heads—the single transferable vote and the system of lists. The first of these systems—the single transferable vote —bases representation upon electors who may, if they so desire, group themselves into parties, whereas the list systems base representation upon parties as such. And as the single transferable vote, in basing representation upon electors follows English traditions, we will begin with the consideration of this system.

[Footnote 1: The story of the introduction of proportional representation into the Canton of Ticino is told in full by Professor Galland in *La Démocratie Tessinoise et la Représentation Proportionnelle* (Grenoble, 1909).]

[Footnote 2: The application was extended in 1892, 1895, and 1898 to the election of the Executive Council, of jurors and of Communal Councils. In 1904, however, when the Liberals were in a majority, a change was made in the election of the Executive Council. The proportional system, which had given them only three seats out of five, was replaced (for the election of Executive Councils) by the limited vote. Under the new system, which is less favourable to the minority, the Liberals obtained four out of five seats.]

[Footnote 3: Goblet d'Alviella, *La Représentation Proportionnelle en Belgique*, p. 92.]

[Footnote 4: No. 2376, *Chambre des Députés, Huitième Législature*, 1905.]

[Footnote 5: No. 883, *Chambre des Deputes, Neuvième Legislature*, 1907. (See App. X.)]

[Footnote 6: *The Finnish Reform Bill of* 1906. The new method of voting is described in Appendix IV.]

[Footnote 7: The Russian Duma has since passed a law (1910) by which the powers the Finnish Diet have been considerably curtailed.]

[Footnote 8: The Swedish system is described in Appendix III.]

[Footnote 9: Report of Royal Commission on Electoral Systems, 1910 (Cd. 5163).]

[Footnote 10: House of Lords Report, 1908 (234), par. 18.]

[Footnote 11: In the article, "Two Chambers or One," in *The Quarterly Review,* July 1910, the writer recommends that elected members, if introduced into the House of Lords, should be chosen in large constituencies by a system of proportional representation. Professor Ramsay Muir in *Peers and Bureaucrats* advocates the formation of a new Upper House, wholly elected under a proportional system.]

[Footnote 12: This summary is necessarily incomplete; the list of countries is continually lengthening. Uruguay has adopted a form of minority representation (1910); Lisbon and Oporto, under the electoral scheme of the new Portuguese government, will choose representatives by a proportional system (1911); a new movement, under the leadership of Prince Teano, has arisen in Italy.]

[Footnote 13: *The Daily Chronicle* 1 June 1907.]

[Footnote 14: Reprinted in Report on Municipal Representation Bill,
House of Lords, 1907 (132), p. 125.]

[Footnote 15: *The New Democracy*, p. 47.]

[Footnote 16: The percentage in the Federal Senate election of 1906 was 4.48; in the election of the House of Representatives, 3.94. A full report on the General Election of 30 April 1909 has been published by the Tasmanian Government—Tasmania, 1909, No. 34.]

[Footnote 17: See Chapter VII.]

[Footnote 18: *The Times*, 26 January 1885.]

CHAPTER VII

THE SINGLE TRANSFERABLE VOTE

"The law regulating the form of voting may be thus expressed. Every vote shall be given on a document setting forth the name of the candidate for whom it is given; and if the vote be intended, in the events provided for by this Act, to be transferred to any other candidate, or candidates, then the names of such other candidate, or candidates, must be added in numerical order."—Thomas Hare, *The Election of Representatives* (Fourth edition, 1873)

The single transferable vote was the distinguishing characteristic of the scheme of electoral reform proposed by Hare in 1857, but it was associated with the proposal to treat the whole kingdom as a single constituency. The later advocates of this new method of voting have recommended its application to constituencies of more moderate size, such as counties and large towns, and in this form the system has found a more ready acceptance and has been used with success in parliamentary elections.

Its present application.]

The first application of the single transferable vote took place in Denmark[1] in 1855, and it is still being used under the Constitution of 1867 in the election of members of the Danish Upper House. It is also used, as provided by the South Africa Act of 1909, in the elections of the Senate of the United Parliament and in the election of the Executive Committees of the Provincial Councils. In each of these cases the electorates are small, and the electors possess special qualifications. The Danish Upper House is elected in two stages, the transferable vote being used only in the final stage in which electors of the second degree alone take part. In South Africa the members of the first Senate were elected by members of the local parliaments of the several Colonies,[2] and the Executive Committees of the Provincial Councils by members of the Councils. The system has, however, been subjected to the test of

popular parliamentary elections in Tasmania and of municipal elections in Pretoria and Johannesburg.

Ever since the publication of Hare's scheme, proposals for proportional representation have been associated in English-speaking countries with the idea of a transferable vote. Hare's proposals were warmly endorsed by John Stuart Mill first in *Representative Government*, and again in a memorable speech delivered in the House of Commons on 30 May 1867, when he moved an amendment to the Electoral Reform Bill.[3] Mill's amendment was defeated, but he retained to the full his faith in the great value and need of the improved method of voting, as the following passage from his *Autobiography* shows: "This great discovery," said he, "for it is no less, in the political art, inspired me, as I believe it has inspired all thoughtful persons who have adopted it, with new and more sanguine hopes respecting the prospects of human Society, by freeing the form of political institutions towards which the whole civilized world is manifestly and irresistibly tending from the chief part of what seemed to qualify and render doubtful its ultimate benefits. ... I can understand that persons, otherwise intelligent, should, for want of sufficient examination, be repelled from Mr. Hare's plan by what they think the complex nature of its machinery. But any one who does not feel the want which the scheme is intended to supply; any one who throws it over as a mere theoretical subtlety or crochet, tending to no valuable purpose and unworthy of the attention of practical men, may be pronounced an incompetent statesman, unequal to the politics of the future."[4]

An English movement.]

The English advocates of proportional representation who have succeeded Mill have equally favoured the single transferable vote. This system was embodied in the Bill introduced into the House of Commons in 1872 by Mr. Walter Morrison, Mr. Auberon Herbert, Mr. Henry Fawcett, and Mr. Thomas Hughes; it was advocated in the important debates which took place in the House of Commons in 1878 and 1879; and the Proportional Representation Society, founded in 1884 in view of the Electoral Reform Bill of that year, created, under the leadership of Sir John Lubbock and Mr. Leonard Courtney, a strong movement in its favour. Owing to the agreement between the leaders of the Liberal and Conservative parties in favour of single-member constituencies this movement had no immediate result. Since its revival in 1905 the Proportional Representation Society has continued to press the claims of the single transferable vote, and with some success. The practicability of the system was admitted by the Select Committee of the House of Lords appointed to examine the Municipal Representation Bill introduced into that House by Lord Courtney in 1907; the model elections organized by the Society in 1906, 1908, and 1910,[5] have to some extent familiarized the British public with its details; it found, as already mentioned, a place in the South African Constitution of 1909, whilst the Royal Commission on Electoral Systems reported in 1910 that "of schemes for producing proportional representation we think that the transferable vote would have the best chance of ultimate acceptance."

The system in brief.]

What then is the single transferable vote, and how does it help to secure a true representation of the electors? Its mechanism and advantages will best be understood by a comparison with the existing system. The city of Birmingham is at present divided into seven single-member constituencies, with the result that the majority in each of these constituencies secures a representative, while the minority in each case is unrepresented. Suppose there were in Birmingham 40,000 Unionist, 20,000 Liberal, and 10,000 Labour voters: it might easily happen that the Unionists would be in a majority in each of the seven divisions and, if so, the 40,000 Unionist electors would obtain the seven seats and the remaining 30,000 voters none. The transferable vote, as will presently appear, would enable these 70,000 citizens to group themselves into seven sections of equal size, each returning one member, so that there would be four Unionist groups returning four members, two Liberal groups returning two members and one Labour group returning one member; and this is the ideal representation of such a community.

Large constituencies.]

In order to achieve this result several changes in electoral mechanism are required. In the first place, Birmingham, instead of being divided into seven constituencies, must be polled as one constituency, otherwise the necessary grouping could not take place. This change is not in itself sufficient, because if Birmingham were polled as one constituency electing seven members, and if each elector could give, as with the "block" vote, one vote apiece to seven candidates, then the seven nominees of the majority would all receive a higher number of votes than the seven nominees of the minority. In the numerical case cited above, each Unionist candidate would command 40,000 votes, each Liberal 20,000, and each Labour candidate 10,000, and the largest party would win all the seats.

The single vote.]

It is therefore necessary, however many may be the number of members to be elected, to limit the voting power of each elector to one vote—hence the name "the single vote." An obvious result of this

limitation is that if a group numbering 10,000 electors concentrates its support upon one man, then the group is certain of returning that candidate, because not more than six equally large groups can be formed out of the remaining electors. With open voting the grouping of electors could be arranged with comparative ease, for if more electors than were sufficient to constitute his group desired to vote for a particular candidate, those who arrived late at the poll could be asked to give their votes to another candidate, and so help to build up another group of the requisite size. Or, if a candidate was receiving so little support that he had no chance of election, the small group that had gathered round him could be disbanded and these electors, instead of having their votes wasted, could make their selection from among the other candidates available. In this way seven groups could be formed, each of which would obtain a representative.[6]

The vote made transferable.]

As, however, the ballot is secret and the result of the voting is not known until the close of the poll, some provision must be made to facilitate the equal grouping of the electors upon which fair representation depends. This will be made clear by an example. Were Mr. Joseph Chamberlain one of the Unionist candidates for Birmingham, the group of voters who would record their votes for him would probably considerably exceed the number required for his election. His Unionist colleagues might, in consequence, find themselves left without adequate support, and the party might fail to secure its fair share of the representation. In order to prevent a mischance of this kind the very simple device has been adopted of making the vote transferable. By this means the necessary accuracy in grouping is secured automatically.

How votes are transferred.]

The transferable vote enables the elector to instruct the returning officer to whom his vote is to be transferred in the event of his first favourite *either* receiving more support than he requires *or* receiving so little as to have no chance of election. Continuing the example already given, an elector who desired to vote for Mr. Chamberlain would place on the ballot paper the figure 1 against his name. If, in addition, he placed the figures 2, 3, &c. against the names of other candidates in the order of his choice, these figures would instruct the returning officer, in the event of Mr. Chamberlain obtaining more votes than were necessary to secure his election, as to whom the vote was to be transferred. The votes given to Mr. Chamberlain in excess of the number required for his election would thus be rendered effective. They would be used and not wasted. If, on the other hand, an elector had recorded his vote for a candidate who, after all excess votes had been transferred, was found to be at the bottom of the poll, the returning officer would similarly give effect to the wishes of the elector as recorded on the ballot paper by transferring the vote to the elector's second choice. Again the vote would not be wasted, but would be used in building up a group sufficiently large to merit representation.

The ideas which have led up to the single transferable vote are, therefore, of a simple character. Constituencies returning several members are formed. A representative is given to every group of electors which attains to a definite proportion of the whole, the proportion depending upon the number of members to be returned. If a candidate receives more votes than are sufficient, *i.e.* if too large a group is formed, the surplus votes are transferred. If, after all surplus votes have been transferred, there still remain more candidates than there are vacancies, the lowest candidate on the poll is eliminated from the contest, *i.e.* the smallest group is disbanded. The transfer of surplus votes and of votes recorded for the candidates lowest on the poll are all carried out in accordance with the wishes of the electors as indicated by them on the ballot paper at the time of the poll. The proportionate representation of all the electors is secured; each party obtains the number of members to which it is entitled.

The Quota.

A few questions will at once occur to the reader as to the application of these simple rules. How is the number of votes required for success to be determined? In what way are the surplus votes to be distributed? What is the order in which the elimination of unsuccessful candidates shall proceed? The number of votes necessary to secure the election of a candidate is called the "quota." At first sight it would seem that this number should be ascertained, as suggested in the preceding paragraphs, by dividing the number of votes by the number of vacancies. But a smaller proportion is sufficient. Thus, in a single-member constituency a candidate has no need to poll all the votes; it is evident that if he polls more than a half he must be elected. No other candidate can equal him; the quota in this case is, therefore, one more than a half. So, in a two-member constituency the quota is one more than a third, for not more than two candidates can poll so much; in a three-member constituency, one more than a fourth, and so on. In a seven-member constituency, like that of Birmingham, the quota would be one more than an eighth. In general terms the quota is ascertained by dividing the votes polled by one more than the number of seats to be filled and adding one to the result.[7]

A simple case.

The processes involved in distributing the votes are described at some length in the account which appears further on in this chapter of the model election organized by the Proportional Representation Society in 1908, but the method of transferring votes and deciding the result of an election may be more easily understood from a simple case. Let us imagine there are six candidates for three seats, of whom A, B, C belong to one party and X, Y, Z to another. On the conclusion of the poll the ballot papers would be sorted into heaps, or files, corresponding to the names against which the figure 1 had been marked, and in this way the number of votes recorded for each candidate would be ascertained. Let us assume that the result of the sorting is as follows:—

A is marked 1 upon 1801 papers, and therefore has 1801 votes
B " 1 " 350 " " 350 "
C " 1 " 300 " " 300 "
X " 1 " 820 " " 820 "
Y " 1 " 500 " " 500 "
Z " 1 " 229 " " 229 "
—— ——

Total number of papers 4000 Total number of Votes 4000

As there are three seats the quota is one more than a fourth of the total of the votes polled. The total in this case is 4000, and the quota is therefore 1001.

A, having obtained more than the necessary quota of votes, is declared elected.

The transfer of surplus votes.

It will be seen that A has obtained nearly two quotas of votes, and his supporters, in the absence of any provision for the use of his surplus votes, would not obtain the full share of representation to which they are entitled. The next step is therefore to transfer A's surplus votes in accordance with the wishes of his supporters. These have indicated on the ballot papers to whom they desire their vote to be transferred. The different methods in which the transfer of votes can be carried out will be described, but for the present it may be assumed that the result of the operation was to transfer:

648 of the 800 surplus votes to B (a member of the same party as A) 132 " 800 " C (also a member of A's party) 20 " 800 " Z

The votes transferred to the several candidates are added to those already obtained by them as follows:—

Original Votes. Transferred Votes. Total.
B 350 + 648 = 998
C 300 + 132 = 432
X 820 nil = 820
Y 500 nil = 500
Z 229 + 20 = 249

The elimination of the lowest unelected candidate.]

Had any candidate, as a result of the transfer of A's surplus votes, been raised above the quota he would have been declared elected and his surplus distributed in the manner just described. In this case no candidate, as the result of the transfer, has obtained the quota, and there are, therefore, no further surplus votes to distribute. There are, however, two vacancies still remaining unfilled, and the next operation is to distribute the voting papers of Z, who, being the lowest on the poll, is clearly out of the running. Z's papers are sorted, as in the previous process, according to the candidates who are marked by the voters as their next preferences, and it may be supposed that the result is as follows:—

B is marked as next preference on 20 papers
X " " 200 "
Y " " 29 "

These papers are then added to the heaps of the respective candidates, B, X, and Y, and, with these additions, the votes credited to each candidate may be shown thus:—

Previous Transfer of
Total. Z's Votes. Total.
B 998 + 20 = 1018
C 432 + nil. = 432

X 820 + 200 = 1020
Y 500 + 29 = 529

Since B and X, as a result of the distribution, each obtain a quota of votes, they are declared elected, and all the vacant seats now being filled, the election is at an end.

The result.

The candidates elected, A, B, and X, each represent a "quota" of voters. Each considerable section of the constituency is thus able to choose a representative, whilst the party to whom both A and B belong return two members, these candidates taken together having secured the support of two quotas of voters. The voters who failed to secure a representative, namely the supporters of C and Y, number less than a quota.

Different methods of transferring surplus votes.—The Hare Method.]

There are several methods by which surplus votes may be transferred. In the case imagined the simplest way to distribute A's surplus votes is to take the 800 papers last filed and to sort these papers according to the second preferences indicated thereon. This method, which was recommended by the advocates of proportional representation in the movement of 1884-85, is based upon that contained in Mr. Hare's proposals. It has, however, been objected that if some other 800 voting papers are taken the result may be different, and that in this way an element of chance is introduced. This objection is considered in detail in Appendix VI., and it will be sufficient to state here that, when large numbers of votes are dealt with and the papers are well mixed, this element of chance is negligible. But small as it is it can be eliminated by adopting more accurate methods of transferring the votes.

The Hare-Clark method

One of these more accurate methods was embodied in the Tasmanian Act of 1896, and also in the Municipal Representation Bill approved by the Select Committee of the House of Lords in 1907. It is known as the Hare-Clark system, its inception being due to Mr. Justice Clark, of Tasmania. With this method the surplus votes of any successful candidate are transferred to the unelected candidates in such a way that each unelected candidate marked as the voter's next preference on the successful candidate's papers receives a proportionate share of the surplus. Continuing with the illustration already given, the returning officer, instead of taking from A's heap the 800 papers last filed, takes the whole of A's heap and sorts all these papers according to the next preferences. Assume that the result is as follows:—

B is marked 2 on..... ....1296 papers
C " 2 on......... .... 264 "
Z " 2 on............. .... 40 "

Total papers showing second preferences .. 1600

Papers on which no further preferences are shown ...201

Total of A's papers.................... ...1801

In this case there are 800 surplus votes, whilst there are in all 1600 papers on which next preferences have been marked. It is therefore clear that each of the candidates B, C, Z is entitled to receive one-half the papers on which his name has been marked as the next preference. Each of the three bundles of papers showing next preferences for B, C, Z are divided into two portions. One portion is transferred to the next preference, the other is retained for the purpose of constituting A's quota, in which is included the papers on which A's name is alone marked.

The complete operation is shown below:—

Candidate indicated as next Preference.	Number of next Preferences.	Number of Papers Transferred to the next Preference.	Number of Papers Retained for A's Quota.
B	1290	648	648
C	264	132	132
Z	40	20	20
	——	—-	—-
Total of next preferences	1600	800	800
Papers showing no further preference	201	—	201
	——	—-	——

Totals 1801 800 1001

In this way each of the candidates B, C, and Z obtains in strict proportion that share of A's surplus to which he is entitled, and, so far as this operation is concerned, the element of chance is wholly eliminated.[8]

The papers selected for transfer, however, are those last filed in the process of sorting, and should it become necessary to transfer these papers a second time there would enter in this further distribution an element of chance which, as explained in the Appendix already referred to, is so trifling as to have no practical effect upon the result unless the number of electors is small as compared with the number of members to be elected.

The Gregory Method.

A third method, in which the element of chance is eliminated from every transfer, has been embodied in the Tasmanian Act of 1907. Whenever it is necessary to transfer surplus votes, the whole of the successful candidate's papers on which preferences are marked are transferred, but at a reduced value. In the example given the whole of A's papers on which next preferences had been marked for B, C, and Z would be carried forward to those candidates, but each paper would be transferred at the value of one-half, the remaining portion of the value of each paper having been used for the purpose of electing A. This method is known as the fractional, or Gregory, method of transfer, having been first suggested by Mr. J. B. Gregory of Melbourne, in 1880. The regulations for the conduct of elections contained in the Tasmanian Act are given in Appendix VIII.

The committee which investigated the working of this system as applied to the Tasmanian General Election of 1909, made a very valuable comparison between the rules contained in the Municipal Representation Bill[9] and the more exact rules of the Tasmanian Act. A fresh scrutiny, based on the rules of the Municipal Representation Bill, was made of all the ballot papers used in that election. It was found that in each district the same candidates were excluded in the same order and the same candidates returned as at the actual election. The same results would, therefore, have been attained and much labour saved if the rules of the Municipal Representation Bill had been used. This committee, however, in view of the fact that the more exact method had already been established in Tasmania, and that the ascertainment of the results only involved an expenditure of a few hours more time, and that there were no data available to show the frequency of close contests in which a small change in the distribution of votes might possibly affect the result, recommended that no change should be made in the law. Still it would seem that the rules of the Municipal Representation Bill are sufficiently exact for all practical purposes except where the number of electors is small. The fractional transfer is of course the most perfect from the mathematical point of view, but the Royal Commission on Electoral Systems, after a careful examination of its working, report that "we agree with the Proportional Representation Society in regarding the additional labour involved as greater than it is worth."[10]

Where the number of electors is small, however, it is not only desirable to carry out the transfers with the exactness prescribed by the Tasmanian rules, but in important elections, such as those of the Senators in South Africa, it is desirable to introduce a further modification. In transferring the votes in ordinary elections fractions of votes are ignored, because such fractions do not affect the result. Where, however, there are only a few electors such fractions may become important, and, for this reason, the regulations (see Appendix IX.) adopted by the South African Government for the election of Senators provided that each ballot paper should be treated as of the value of 100, or, in other words, that fractions should be taken into account as far as two places of decimals. The application of these regulations presented no difficulty; the counting of the votes in each of the four Colonies proceeded without the slightest hitch.

The Gove or Dobbs Method.

The methods of transfer hitherto described all enable the voter to maintain complete power over the disposal his vote. It has, however, been suggested that the candidate for whom the vote is recorded should have the privilege of deciding to whom it should be transferred. The suggestion was first made by Mr. Archibald E. Dobbs, who, in 1872, in a pamphlet entitled *General Representation*, made the proposal that before the date of the election each candidate should publish a schedule of the names of any of the other candidates to whom he desired his vote to be transferred. This method of transfer by schedule is usually known as the "Gove" method, and was contained in the Bill submitted by Mr. W. H. Gove to the Legislature of Massachusetts, in 1891. Section 7 of this Bill reads as follows: "Votes shall be transferred according to the request of the candidate for whom they were originally cast to a person named in the list furnished by said candidate before the date of the election." With this method the elector in recording his vote for any one candidate would have no independent power of indicating to whom the vote should be transferred, and Mr. Dobbs, in a later pamphlet[11] has suggested that the elector should be given the option of accepting the schedule of preferences published by the candidate,

or of indicating his own. Mr. Dobbs thus gets rid of the compulsory acceptance of a schedule of preferences, a proposal to which most English-speaking electors would have an instinctive dislike. But even to an optional schedule certain objections remain. The system has lost in simplicity, and the order of the candidates in the particular schedules would be determined in most cases by the party organizations.

The *transferability* of votes is the connecting link between all these systems; it is the essential feature upon which depends the proportionate representation of the contending parties, and the mode of transfer is properly regarded as a matter upon which different views may be held. As regards the second and third systems of transfer outlined above—which so far are the only ones which have been put into practice—experience confirms the theoretical conclusions of mathematicians that, save in the case of small electorates, both methods yield the same result. The second method was that used by the Proportional Representation Society for the purpose of its model elections, and is now applied in the election of Municipal Councils in Johannesburg and Pretoria. A description of the Model Election of 1908 will serve to illustrate the various processes involved in the sorting and counting of votes.

The model election of 1908.

In this election it was assumed that the voters in a constituency returning five members were asked to make their choice among twelve candidates. These candidates were all well-known political men, and were chosen with an attempt at impartiality from the Liberal, the Unionist, and the Independent Labour parties. As no Irish newspaper was publishing the ballot paper, no Nationalist was included.[12] This ballot paper, a copy of which appears on page 147, was sent, accompanied by a short explanatory article, for publication to, and appeared in, the following newspapers: *The Times, The Morning Post, The Spectator, The Nation, The Daily News, The Financial News, The Manchester Guardian, The Yorkshire Post, The Yorkshire Daily Observer, The Western Morning News, The Western Daily Mercury, The Glasgow Herald, The Dundee Advertiser, The Woolwich Pioneer*, and *The Labour Leader*. Readers of the newspapers were asked to cut out the ballot paper, mark it and return it to Caxton Hall by the first post on the morning of Tuesday, 1 December 1908. Ballot papers were also circulated independently among members of the Proportional Representation Society and their friends. About 18,000 papers were returned by newspaper readers, and about 3700 by members of the Society and their friends. In all a constituency of 21,690 electors was formed, a number whose votes were enough, but not too many, for counting in a single evening.

PROPORTIONAL REPRESENTATION ELECTION, 1908

BALLOT PAPER

PLEASE VOTE

In this Illustrative Election FIVE members are to be elected for a single constituency, such as Leeds. The following TWELVE Candidates are supposed to have been nominated.

Order of
Preference. Names of Candidates

……….. ASQUITH, The Rt. Hon. H. H.

……….. BALFOUR, The Rt. Hon. A. J.

……….. BURT, The Rt. Hon. Thomas

……….. CECIL, Lord Hugh

……….. HENDERSON, Arthur

……….. JONES, Leif

……….. JOYNSON-HICKS, W.

……….. LLOYD GEORGE, The Rt. Hon. D.

……….. LONG, The Rt. Hon. Walter H.

……….. MACDONALD, J. Ramsay

……….. SHACKLETON, David

INSTRUCTIONS TO VOTERS

A. *Each Elector has one vote*, and one vote only.

B. *The Elector votes*

(a) By placing the figure 1 opposite the name of the candidate *he likes best*.

He is also invited to place

(b) The figure 2 opposite the name of his *second choice*.

(c) The figure 3 opposite the name of his *third choice*, and so on, numbering as many candidates as he pleases in the order of his preference.

N.B.—The vote will be spoilt if the figure 1 is placed opposite the name of more than one candidate.

* * * * *

This Ballot Paper should be filled in and returned not later than *Tuesday*, first post, 1 *December* 1908, in open envelope (halfpenny stamp), addressed to

THE RT. HON. LORD AVEBURY, Caxton Hall, Westminster, S.W.

The counting of the votes. General Arrangements.

The votes were counted at the Caxton Hall, Westminster, on the evening of Thursday, 3 December. Unfortunately, it was not found possible for all the newspapers to reproduce the ballot paper in its exact dimensions, and the unevenness in the sizes of the papers, which would not occur in a real election, caused some trouble to the counters. The method on which the room was arranged may best be gathered from the plan shown on next page.

[Illustration: ILLUSTRATIVE ELECTION, DECEMBER 3RD, 1908 PLAN OF ROOM]

In the centre of the room was the sorting table, where the votes were in imagination discharged from the ballot boxes. At this table were stationed a number of helpers, chiefly Post Office sorters, who through Mr. G. H. Stuart, of the Postmen's Federation, and Mr. A. Jones, of the Fawcett Association, had kindly volunteered their services. Here also were a dozen sets of pigeon-holes, each set having twelve compartments, and each compartment being labelled with the name of a candidate. As soon as the count began, the sorters started sorting the ballot papers according to the names marked 1, placing in each candidate's compartment the papers in which his name was so marked, and setting aside spoilt or doubtful papers. Printed instructions to the sorters had been issued, thus:—

1. Sort the ballot papers according to the names marked 1.

2. Place spoiled or doubtful papers on top of the case (right-hand side).

As the papers were sorted the two assistants supervising these processes took them to the small tables (checking and counting tables) ranged on either side of the sorting table. These tables were appropriated to the various candidates, and when it was expected that a candidate would poll a large number of votes—*e.g.,* in the cases of Mr. Asquith and Mr. Balfour—several tables were allotted to him. At each of these tables sat two counters who acted in accordance with the following instructions:—

1. Count the papers into bundles of fifty.

2. See that the figure 1 appears against the name of the candidate whose papers are being counted.

3. Place mis-sorts at the side of the table.

4. Count each bundle twice.

5. Place on the top of each bundle a coloured slip bearing the candidate's name (already printed).

6. Note the final bundle with the number of papers therein contained.

The counters thus checked the accuracy of the sorters' work, and labelled the bundles of each candidate's votes with a card of a distinctive colour bearing his name. These bundles of votes were then taken to the returning officer's table, where there awaited them a row of twelve deep, three-sided open

boxes, each labelled with the name of a candidate. The returning officer's assistants at this table made up the bundles of 50 into parcels of 500, and ascertained the total number of votes for each candidate, carefully keeping each candidate's papers in his own allotted box.

Lastly, the results as ascertained were shown on large blackboards. If and whenever any doubt arose as to the validity of a vote, it was taken to the returning officer by the supervisors and adjudicated upon by him. The accuracy of the sorting may be judged by the fact that when the 9043 votes attributed to Mr. Asquith on the first count were subsequently analyzed, it was found that only one paper was wrongly placed to his credit, a Liberal vote which should have gone first to Mr. Lloyd George.

As to these arrangements, one suggestion may be made for the guidance of future returning officers: it was found in practice that the work at the returning officer's table was too heavy for the two assistants to keep pace with the rapidity with which the votes were sorted and counted. Two assistants are required for the purpose of keeping a record of the various processes; two others for receiving and distributing the ballot papers.

The first count.

The first duty of the returning officer, as already explained, was to ascertain the total number of votes polled by each candidate, each ballot paper being a vote for the candidate marked 1 thereon. This was a simple task, which took about an hour and a quarter, and yielded the following result:—

Asquith (Liberal) 9,042
Balfour (Unionist) 4,478
Lloyd George (Liberal) 2,751
Macdonald (Labour) 2,124
Henderson (Labour) 1,038
Long (Unionist) 672
Hugh Cecil (Unionist Free Trader) 460
Shackleton (Labour) 398
Burt (Liberal) 260
Leif Jones (Liberal) 191
Smith (Unionist) 164
Joynson-Hicks (Unionist) 94
———
Total 21,672

The Quota.

It will be seen that, with this method of election, the general result, showing the relative strength of the parties, can be quickly ascertained, but, some time elapses before the definitive result, with the names of all the successful candidates, can be published. The first step necessary in determining which candidates were successful was to ascertain the *quota*, and this, in accordance with the rule above stated,[13] was found by dividing the total number of votes by six and adding one to the result. The number was found to be 3613, and the table given above shows that on the first count Mr. Asquith and Mr. Balfour had each polled more than a quota of votes. Both these candidates were, in accordance with the rules, declared elected, and, as some misapprehension prevails on this point, it should be stated that the order of seniority of members elected under this system would be determined by the order in which they were declared elected. In this case Mr. Asquith and Mr. Balfour would be the senior members in the order named.

The transfer of surplus votes.

The peculiar feature of the single transferable vote now came into play. Both Mr. Asquith and Mr. Balfour had polled more votes than were sufficient to ensure their election, and in order that these excess votes should not be wasted and a result produced such as that already shown to be possible where the votes are not transferable, it was the duty of the returning officer to transfer these surplus votes, and in doing so to carry out strictly the wishes of the electors as indicated on their ballot papers.

The largest surplus, that of Mr. Asquith, was first dealt with, and the transfer of votes, as already mentioned, was effected in accordance with the provisions of Lord Courtney's Municipal Representation Bill. All the votes recorded for Mr. Asquith were re-examined, all the ballot papers contained in his box being taken to the central table and re-sorted according to the next available preferences indicated by the electors. For this purpose the names of the elected candidates were removed from their former pigeon-holes, and one of the compartments vacated was marked "exhausted" and used as a receptacle for those papers which contained no available next preference. The instructions to sorters were:—

1. Sort the ballot papers according to the highest available preference.

2. When no further preference is indicated, place the ballot paper in the compartment marked "exhausted."

The term "next available preferences" needs definition. As a rule the next preference was the candidate marked with the figure 2; but if any supporter of Mr. Asquith had indicated Mr. Balfour (already elected) as his second choice, then the elector's third choice became the "next available preference." The papers for each next preference were made into bundles of 50, but, instead of a coloured card with the name of the candidate, a white "transfer" card was placed with each bundle. The transfer card was marked with the name of the candidate whose papers were being re-sorted and also with the name of the candidate who had been indicated as the next available preference. The instructions issued to the counters were as follows:—

_(a)_ 1. Check the sorting of the papers, *i.e.,* see that the candidate whose papers are being counted is the highest available preference.

2. Place mis-sorts at the side of the table.

(b) 1. Count the papers into bundles of fifty.

2. Count each bundle twice.

3. Place on the top of each bundle a "transfer card" showing from and to whom the votes are being transferred.

4. Note each bundle with the number of papers therein contained.

These bundles were placed in a second series of open boxes on the returning officer's table, each box being labelled with the name of a candidate and being smaller in size than the boxes containing the first preferences. The number of next available preferences for each candidate was then ascertained. It was, of course, not the duty of the returning officer to transfer all the re-sorted papers; it was necessary to retain a "quota" for Mr. Asquith; and an operation which requires some care now took place. The papers contained in each of the second series of boxes were divided into two portions, bearing in each case the same proportion to one another. One portion was transferred to the candidate who had been indicated as the next preference, and the other was placed in Mr. Asquith's box, the portions reserved for him constituting his quota; the actual papers transferred to each next preference were those last placed in the box bearing his name. The details of this process are set forth in the table overleaf.

PROPORTIONAL REPRESENTATION ELECTION, 1908

TRANSFER SHEET

Distribution of the Rt. Hon. H. H. ASQUITH's surplus.

Surplus Votes 5429

No. of Papers showing a next preference 9009

$$\text{Proportion to be transferred} = \frac{\text{Surplus } 5429}{\text{Total of next preferences } 9009} = \text{——}$$

Column Headings:
A. Names of Candidates indicated as next preference.
I. No. of papers on which Candidate is marked as next preference.
II. No. of Votes transferred to next preference. (Fractions ignored.)
III. No. of Votes retained for Mr. Asquith's Quota.

A. I. II. III.

Balfour, The Rt. Hon. A. J. — — —
Burt, The Rt, Hon. Thomas 468 282 186
Cecil, Lord Hugh 132 79 53
Henderson, Arthur 261 157 104
Jones, Leif 176 106 70
Joynson-Hicks, W. 17 10 7

Lloyd George, The Rt. Hon. D. 7,807 4,704 3,103
Long, The Rt. Hon. Walter H. 46 27 19
Madonald, J. Ramsay 51 30 21
Shackleton, David 35 21 14
Smith, F. B. 16 9 7

——- ——- ——-
Total of next preferences 9,009 5,425 3,584

Preferences exhausted . . 33 — 33 ——- ——- ——- Total 9,042 5,425 3,617[14]

This table needs, perhaps, a further word of explanation. The first column shows the result of the re-sorting of Mr. Asquith's papers, Mr. Burt having been indicated as the next preference on 468 papers, Lord Hugh Cecil on 132 papers, and so on. The papers for each next preference were, as already staked, divided into two portions, and the second and third columns show the result of this division. The division is carried out in a strictly proportional manner, according to the following principle. If 5429 surplus votes are to be transferred from a total of 9009 unexhausted voting papers, what portion should be transferred from 468, from 132, and so on. The proper numbers, which are given in the second column, are found by a simple rule of three process; each of the numbers in the second column is obtained from the corresponding number in the first column by multiplying by the fraction 5429/9009, that being the fraction which represents the proportion of unexhausted papers to be transferred. The figures in column III., which are the votes retained in each case to make up Mr. Asquith's quota, are obtained by subtracting the corresponding numbers in column II. from those in column I. Ten separate calculations were thus necessary, and for this part of the election it is desirable that the returning officer should have two assistants who are accustomed to figures. These should check one another's work. In Belgium the returning officer is assisted by two "professional calculators."

The ballot papers with the votes constituting Mr. Asquith's quota were replaced in his original box and never touched again. The ballot papers transferred were placed in each case on the top of the papers already contained in the box of the candidate to whom the transfer was made.

As the result of the transfer of Mr. Asquith's surplus it was found that the total of Mr. Lloyd George's votes amounted to 7455, and as this number exceeded the quota, Mr. Lloyd George was declared elected, he being the third member chosen. Mr. Balfour's surplus was then distributed in a similar manner. The number of votes transferred is shown in the result sheet, pp. 160-61. As Mr. Lloyd George's total exceeded the quota, it was also necessary to dispose of his surplus. In the latter case only the papers transferred to Mr. Lloyd George, and not his original votes, were re-examined, as his surplus consisted of votes originally given to Mr. Asquith.

The poll now stood:—

Asquith (Liberal) 3,613 \
Balfour (Unionist) 3,613 > Elected
Lloyd George (Liberal) 3,613 /
Macdonald (Labour) 2,387
Henderson (Labour) 2,032
Burt (Liberal) 1,793
L. Jones (Liberal) 1,396
Long (Unionist) 1,282
Cecil (Unionist Free Trade) 822
Shackleton (Labour) 683
Smith (Unionist) 258
Joynson-Hicks (Unionist) 167

Votes lost through neglect of fractions 13

It will readily be seen that these transfers have been in accordance with what might have been assumed to be the general political preferences of the electors. The Liberal surplus votes from Mr. Asquith naturally went on chiefly to Mr. Lloyd George, and the overflow from Mr. Lloyd George, after filling up his quota, went on to Mr. Burt and Mr. Leif Jones, whose positions were greatly improved in consequence, though neither obtained the quota. At the same time a formidable addition of 834 votes was given to Mr. Henderson, the votes doubtless of Liberal sympathisers with Labour; and Lord Hugh Cecil received 88 votes, presumably from moderate Liberals who lay chief stress on Free Trade. On the other hand, Mr. Balfour's smaller Unionist surplus was divided mainly between Mr. Walter Long, who received 526 additional votes, and Lord Hugh Cecil, who received 195.

The elimination of unsuccessful candidates.]

After the transfer of all surplus votes had been completed, the work of the returning officer again became very simple. Three members only had been elected, two more were required, and there remained in the running nine candidates, none of whom obtained a quota of votes. Another process now began, namely the elimination of candidates at the bottom of the poll, beginning with the lowest and working upwards. The group of electors who have recorded their votes for the candidate lowest on the poll are evidently not sufficiently numerous to have a direct representative of their own. The process of elimination allows these electors to re-combine with other groups until they become part of a body large enough to be so entitled. The supporters of the lowest candidate are treated as being asked (and answering, if they care to do so, by their next preferences) the question: "The candidate of your first choice having no chance of election, to whom now of the candidates still in the running do you prefer your vote to go?" By this process, first the two candidates, Mr. Smith and Mr. Joynson-Hicks, who at this stage were at the bottom of the poll and whose combined votes were less than those of the third lowest candidate, were eliminated and their votes transferred to the next preferences of their supporters. No one was elected as a result of this operation, and accordingly the votes of Mr. Shackleton and Lord Hugh Cecil, now lowest on the poll, were transferred in the order named.

These and all other eliminations were of the same character. *All* the papers of the eliminated candidates which showed an available next preference were transferred, and no calculations such as were required in the case of the transfer of surplus votes were needed. It will be sufficient if the details of one process—the transfer of Mr. Shackleton's votes—are given; for the details of all other similar transfers the full table on pp. 160-61 should be consulted. The votes of Mr. Shackleton were disposed of as follows:—

TRANSFER OF MR. SHACKLETON'S VOTES

Names of Candidates Number of Papers indicated as next for each next preference. preference.

Burt 89
Cecil 18
Henderson 233
Jones 57
Long 8
Macdonald 252

Preferences exhausted 45 —- Total 702

The transfers of the votes both of Mr. Shackleton and of Lord Hugh Cecil were completed, but still no fresh candidate had the quota, and Mr. Lief Jones's 1500 votes came next for distribution. These 1500 votes might have been expected to go to Mr. Burt, the sole remaining unelected Liberal, who had already 2025 votes, and make his election practically secure. But here came a surprise; Mr. Leif Jones's supporters (who had, of course, in most instances, come to him from Mr. Asquith and Mr. Lloyd George) had in some cases marked no further preferences, so that their votes were no longer transferable, and in many other cases had marked Mr. Henderson or Mr. Macdonald as their next preference; thus at the conclusion of this operation the result of the election was still doubtful.

Two places had still to be filled, and the poll stood:—

Asquith (Liberal) 3,613 \
Balfour (Unionist) 3,613 > Elected
Lloyd George (Liberal) 3,613 /
Macdonald (Labour) 2,851
Henderson (Labour) 2,829
Burt (Liberal) 2,683
Long (Unionist) 2,035

Mr. Long's votes had now to be distributed; the majority of his supporters were Unionists who had not marked any preference for either of the two remaining Labour candidates or for the remaining Liberal candidate, and their votes consequently were not capable of being transferred. But some 370 of Mr. Long's supporters had shown a preference for Mr. Burt (presumably as being reckoned not so Socialistic as his competitors) as against some 27 for Mr. Macdonald and 80 for Mr. Henderson, so that the poll stood:—

Asquith (Liberal) 3,613 \
Balfour (Unionist) 3,613 > Elected
Lloyd George (Liberal) 3,613 /
Burt (Liberal) 3,053
Macdonald (Labour) 2,938

Henderson (Labour) 2,910

Mr. Henderson, being at the bottom of the poll, was then eliminated, but it was unnecessary to proceed with the transfer of his votes as, after his elimination, there were only five candidates remaining, and five was the number of members to be elected. The work of the returning officer was at an end, the following candidates being elected:—

Asquith (Liberal)
Bafour (Unionist)
Lloyd George (Liberal)
Burt (Liberal)
Macdonald (Labour)

The whole process of the election is shown by the returning officers' full result sheet.

The fairness of the result.

The fairness of this method of voting is at once apparent. Each group of electors as large as a quota secured a representative. The Liberals were in a very large majority, and with the block system and probably with the single-member system would have nominated five candidates and have obtained all five seats. In this election the two smaller groups, the Unionist and Labour parties, each returned one member. The voters did not, in recording their preferences, restrict themselves to candidates of one party, but nevertheless, it will be of interest to compare the seats gained with the strength of parties as indicated by the first preferences. The party vote disclosed in the first count was as follows:—

Votes polled.
Liberal 12,244
Unionist 6,868
Labour 3,660
———
Total 21,672

The quota was 3613, and these totals show that the

Liberals obtained 3 quotas with 1405 votes over and gained 3 seats.
Unionists obtained 1 quota with 2265 votes over and gained 1 seat.
Labour obtained 1 quota less 53 votes and gained 1 seat.

PROPORTIONAL REPRESENTATION ELECTION, 1908—RESULT SHEET

No. of Votes,—21,672.

No. of Seats—5.

Quota = (21,672/6) + 1 = 3613

Col 1: First Count
Col 2: Transfer of surplus votes (Asquith's)
Col 3: Result
Col 4: Transfer of Surplus Votes (Bafour)
Col 5: Result
Col 6: Transfer of Surplus Votes (Lloyd George)
Col 7: Result

Names of Candidates. 1 2 3 4 5 6 7

Asquith, The Rt.Hon.H.H. 9,042-5,429 3,613 — 3,613 — 3,613

Balfour, The Rt.Hon.A.J. 4,478 — 4,478-865 3,613 — 3,613

Burl, The Rt. Hon. Thomas. 260 +282 542 +12 554+1,239 1,793

Cecil, Lord Hugh 400 +79 539+195 734 +88 822

Henderson, Arthur 1,038 +157 1,195 +3 1,198 +834 2,032

Jone, Leif 191 +157 297 +2 299+1,097 1,396

Joynson-Hicks, W. 94 +10 104 +52 156 +11 167

Lloyd George, The Rt.Hon.D. 2,751+4,704 7,455 — 7,455-3,842 3,613

Long, The Rt.Hon. Walter H. 672 +27 699+520 1,225 +57 1,282

Macdonald, J. Ramsay 2,124 +30 2,154 +5 2,159 +228 2,387

Shackleton, David 398 +21 419 +2 421 +202 683

Smith, F.E. 184 +9 173 +65 238 +20 258

Votes lost through neglect of fractions - +4 4 +3 7 +6 13

Preferences Exhausted - - - - — — —

Totals 21,072 - 21,672 — 21,672 — 21,672

Col 8: Transfer of votes (J Hicks and Smiths)
Col 9: Result
Col 10: Transfer of Votes Shackleston's)
Col 11: Result
Col 12: Transfer of Votes (cecil's)
Col 13: Result
Col 14: Transfer of Votes (L.Jones)
Col 15: Results
Col 16: Transfer of Votes (Long's)
Col 17: Final Result.

8. 9. 10. 11. 12. 13. 14. 15. 16. 17.

Asquith — 3,613 — 3,613 — 3,613 — 3,613 — 3,613 E

Balfour — 3,013 — 3,613 — 3,613 — 3,613 — 3,613 E

Burl. +21 1,814 +89 1,903+122 2,025 +658 2,683 +370 3,053 E

Cecil +88 908 +18 923-926 — — — — —

Henderson +14 2,046+233 2,270 +49 2,328 +501 2,829 +81 2,910

Jone +12 1,408 +57 1,465 +35 1,500-1,500 — — —

Joynson-Hicks 167 — — — — — — — — —

Lloyd George — 3,613 — 3,613 — 3,613 — 3,613 — 3,613 E

Long +233 1,505 +8 1,513+490 2,003 +32 2,035-2,035 —

Macdonald +21 2,408+252 2,680 +48 2,708 +143 2,851 +87 2,938 E

Shackleton +19 702-702 — — — — — — —

Smith -258 — — — — — — — — —

Votes lost — 13 — 13 — 13 — 13 — 13

Exhausted +29 29 +45 74+182 256 +166 422+1,497 1,919

Totals — 21,672 — 21,672 — 21,672 — 21,672 —21,672

This result is as fair as is possible, and would have been equally attained if, as would probably be the case in a real election, there had been but little cross voting. The total results in the Tasmanian General Election, 1909 (six-member constituencies) showed an exact proportion between the votes polled and the seats gained by the respective parties.[15]

Improved arrangements in the Transvaal elections.

The arrangements made at the model election were adopted by the Chief Electoral Officer of Tasmania,[16] and were also adopted by the returning officers of Pretoria and Johannesburg. Experience has shown that some improvements in details can be made. Both at Pretoria and Johannesburg less work was done at the returning officer's table. The counters were placed more directly arrangements under the superintendence of the returning officer's assistants, and the final totals of each operation were ascertained at the counters' tables. When the ballot boxes were brought

in by the presiding officers of the polling stations with a return of the votes they contained, the returning officer handed them one by one to superintendents who took them to that section of the counting force over which they had charge. The counters ascertained the number of papers in each ballot box. The superintendents reported the total number to the returning officer, and if this number agreed with the presiding officer's return the ballot box and contents were handed back to the returning officer. After the contents of all the ballot boxes had been verified and the grand total of votes ascertained, all the papers were emptied into one box and were well mixed. The papers were then sorted at a central table, as in the election already described; the superintendent took the papers to the counters, each of whom ascertained the number of votes for that candidate whose papers he had been deputed to count. The superintendents brought a statement of the totals for each candidate to the returning officer, and if the aggregate of these figures did not agree with the number of ballot papers distributed to the sorters a fresh count was ordered. The elections at Johannesburg and Pretoria demonstrated that the requisite accuracy in counting could be easily attained. The operations were characterized with remarkable precision. There was no error in the counting of the votes at Pretoria during the whole of the operations, and the same remark holds good of Johannesburg, save that one ballot paper which had been accidentally torn was omitted to be counted. The two pieces had been pinned together, and the paper, which in consequence had been rendered shorter than the others, was overlooked. The omission was quickly discovered, and no other error took place during the whole of the proceedings. The various counting processes check one another. Any errors occurring in the earlier operations are thrown out in the course of the subsequent proceedings, for the totals of the votes at the conclusion of each operation must agree with the total shown at the commencement of the count. In another feature the organization of the Transvaal elections might be copied. All spoilt or doubtful papers were brought to the returning officer's table by his assistants, and were not examined until the conclusion of the first count. The whole of these papers were then gone through by the returning officer, who decided the question of their validity in the presence of the candidates or their representatives. The returning officer also examined all papers which were treated as "exhausted," but this work might have been deputed to the assistant returning officer.[17]

Criticisms of the single transferable vote.

After reviewing the whole of the evidence submitted to them, the Royal Commission on Electoral Systems reported that "of schemes for producing proportional representation we think that the transferable vote will have the best chance of ultimate acceptance," but the Report contains some criticisms of its mechanism which demand consideration. These criticisms are directed to two points: (1) the effect of later preferences in deciding the result of an election; (2) the process of eliminating candidates at the bottom of the poll.

Effect of late preferences.

The Royal Commission express the opinion that late preferences may have an undue weight in deciding the result of an election. But the Commissioners seem to have been unnecessarily alarmed in this matter. A careful analysis of the preferences recorded in the Tasmanian elections was made by a Committee appointed for the purpose by the Tasmanian Government. This Committee ascertained that the comparative values of the various preferences in determining the result of the election were as follows:—

1st preference .739 2nd .140 3rd .051 4th .029 5th .014 6th .008 7th .009 8th .008 9th .003

In other words 73.9 per cent, first preferences became effective votes, 14.0 per cent, second preferences became effective votes, and so on. These figures show the great superiority in value of the earlier preferences, and this superiority was also seen in the Transvaal elections. In Pretoria 68 per cent, of the first preferences were directly effective in returning candidates, in Johannesburg 67.5 per cent. Second preferences primarily come into play in favour of candidates of similar complexion to the candidates first chosen, and when, as is possible in the last resort, a vote is passed on in support of a candidate of a different party, this is no more than the Commissioners themselves approve and recommend for adoption in the case of three or more candidates standing for a single seat. The difference between the effect of the final transfers under a system of proportional representation and of transfers under the system recommended by the Commission is that in the first case they might determine the character of one out of five or more members representing a constituency, in the other they might affect the representation of each of the five or more divisions into which the constituency would be divided.

The elimination of candidates from the bottom of the poll.

The second criticism concerns the elimination of candidates. It is sometimes contended that it is unfair to eliminate the candidate at the bottom of the poll, because had he remained longer in the contest he might have received at the next stage a considerable amount of support. Taking an extreme

case, the candidate at the bottom of the poll may have been so generally popular as to have been the second choice of the majority of the electors. This is theoretically conceivable, but it does not conform to the facts of elections. The principle of eliminating a candidate at the bottom of the poll is not peculiar to the single transferable vote. When a constituency returns but one member and there are three candidates, and it is desired by means of the second ballot to ensure the election of the candidate who commands the support of the majority of the electors, the candidate lowest on the poll is eliminated and a second ballot is held to decide between the claims of the remaining two candidates. In such a case it is conceivable that the candidate lowest on the poll may have been more acceptable to the majority of the electors than the candidate finally selected. But the system of the single transferable vote with constituencies returning several members diminishes very considerably any such possibility. In the first place, the candidate to be successful need only obtain a much smaller proportion of the total number of votes than in a single-member constituency. In the latter he must poll just over one-half before he is safe from defeat; in a seven-member constituency if he polls one-eighth he will escape this fate. The candidate who has a reasonable proportion of support, therefore, stands less chance of being excluded. In the second place no candidate is excluded until after the transfer of all surplus votes has been completed. If, in a constituency returning several members, a candidate, after the transfer of all surplus votes, is still at the bottom of the poll, the facts would seem to indicate that he was not even the second favourite of any considerable number of electors. The preferences actually given in elections show how little force this criticism possesses. The table below was prepared by the Committee appointed by the Tasmanian Government. It shows the result of an examination of all the votes cast in the district of Wilmot for the election of five members of the Tasmanian House of Assembly in April 1909. The names of the candidates are given with the numbers of the various preferences recorded for each candidate. The total number of second preferences recorded for Waterworth, the first candidate to be excluded, was 141. Similar tables for the other four districts show that no injustice arose from the exclusion of the lowest candidate. The only occasion on which the criticism has any force is when, in filling the last seats, the conditions are analogous to those which obtain in a three-cornered fight in a single-member constituency. Yet in the latter case the Royal Commission did not hesitate to recommend the exclusion of the lowest candidate.

DISTRICT OF WILMOT: NUMBERS OF VARIOUS PREFERENCES

Name. Preferences.

	1	2	3	4	5	6	7	8	9	10
Best	935	690	596	609	615	550	23	2	7	5
Dumbleton	518	537	603	632	819	650	24	4	3	5
Field	930	699	692	619	555	585	21	9	4	5
Hope	1,232	1,302	1,077	551	229	159	13	6	2	5
Jensen	1,955	894	1,087	132	58	58	13	19	7	36
Kean	599	1,521	1,370	118	53	50	11	28	38	15
Lee	822	750	902	618	512	488	27	4	7	1
Lyons	1,079	1,444	1,329	93	76	65	21	29	32	12
Murray	572	885	972	848	625	395	14	6	7	1
Waterworth	221	141	236	590	198	254	141	21	6	9
	——-	——-	——-	——-	——-	——-	—-	—-	—-	—
	8,863	8,863	8,863	4,810	3,740	3,254	308	128	113	94

The elimination of candidates has been criticized from another point of view. The Royal Commission, while careful not to endorse this criticism, and referring to it with reluctance, "because doubts about the absolute reliability of the mechanism of the system may arouse prejudices disproportionate to the importance of the subject, which is very small in comparison with the other considerations involved," review the evidence which had been submitted to them as follows: "The element of chance involved in the order of elimination is exceedingly difficult to determine. It would appear that the element is perceptible in certain contingencies, but the rarity or frequency with which these would occur in actual practice is a matter of pure speculation, as it apparently depends on the amount of cross-voting which voters permit themselves in the use of their later preferences, a point only to be decided by experience. 'Chance' in this connexion has not quite the same meaning as when used in respect of the method of transfer. In the case of the latter we were dealing with mathematical probabilities; the chance which is said to be involved in the process of elimination consists in the fact that the results of the election may vary according to the strength of quite irrelevant factors. Thus, a case was put to us to show that with certain dispositions on the part of the electors the representation of a party might be so much at the mercy of the order of elimination that while it would only obtain one seat with 19,000 votes of its own it would obtain two with 18,000, because in the latter case the order of elimination of two candidates would be reversed."[18]

It is here suggested that the results may depend upon the amount of cross-voting which voters would

permit themselves in the use of their later preferences. The whole paragraph abounds in obscurities, and the word "cross-voting" is used in such a context as to make it quite uncertain whether the Commission mean by it inter- or intra-party voting, or both. It is somewhat difficult to make a definite answer to a charge so indistinctly formulated. Cross-voting, in the ordinary sense, may certainly affect the result. If the supporters of a Radical candidate prefer to give their second preferences to a Labour candidate rather than to a moderate Liberal, such cross-voting obviously may determine whether the Labour candidate or the moderate Liberal will be successful. There is no element of chance involved. The object of the system is the true representation of the electors, and the returning officer must give effect to their wishes. The numerical case cited by the Commissioners can only occur when so-called supporters of the party in question are so indifferent to its fate as to refrain from recording any preferences for any members of the party other than their own favoured candidate. Such voters can hardly be called "members of a party" for the purpose of contrasting its strength with that of another party.[19] Even such cases, supposing them at all probable in practice, could be provided against, as has been suggested by Mr. Rooke Corbett of the Manchester Statistical Society, by determining a new quota whenever any votes have to be set aside as exhausted. But the elections in which the system has been tried show how little these cases accord with the facts. The large number of exhausted papers which occur in the model election described in this chapter, which was organized through the press, perhaps accounts for much of this criticism. In real elections the percentage of exhausted papers is much less. Thus in Johannesburg, where one rigidly organized party, another party more loosely organized, and ten independent candidates took the field, the electors made good use of their privilege of marking preferences. Some 11,788 votes were polled. At the conclusion of the tenth transfer only 104 votes had been treated as exhausted. In Pretoria, where there were 2814 votes, the total number of exhausted votes at the end of the election was only 63. This happened on the occasion of the first trial of the system in Johannesburg and Pretoria, and further experience will lead to an even fuller exercise of the privilege of marking preferences. There is no case for a criticism based on such a hypothetical example as that hinted at by the Commission.

Quota Representation on the basis of the system.

Mr. Ramsay Macdonald, in criticizing this method of voting, complains that its advocates "assume, quite erroneously, that a second preference should carry the same political value as a first preference." But it would be obviously unfair to penalize an elector by depriving him of any part of the value of his vote because he failed to secure his first choice as his representative. In making this criticism Mr. Macdonald has lost sight of the reason for which the vote is made transferable. Every elector has but one vote, and unless this vote retains its full value when transferred, the proportionate representation of the electors cannot be achieved. Thus it is conceivable that in a constituency returning several members Mr. Macdonald might poll two quotas of Labour votes, and if his excess votes were not transferred to the second preferences of his supporters at their full value, the representation of the party would suffer. Each quota of electors is entitled to a member, and the transferring of votes enables the electors to group themselves into quotas of equal size.

In a critical analysis of the regulations adopted in the Transvaal, Mr. Howard Pim, President of the Statistical Society, South Africa, stated that: "However defective these regulations may be, the system of election introduced by this Act is a great advance upon any previously in existence in this Colony, for by it a minority which can command a number of votes equal to or exceeding a number equal to the quota can elect its candidate. This advantage far outweighs any defects that exist in the regulations, and I trust that this principle of the quota will never be surrendered, even if the Second Schedule of the Act be modified."[20] Representation by quota has always been recognized by advocates of the single transferable vote as being the great reform accomplished by the new method of voting. The Government Statistician of Tasmania, Mr. R. M. Johnston, declared that "those who ignore this keystone, or foundation of the Hare system, and restrict their attention entirely to peddling or unimportant details—such as the element of chance involved in quota-excess-transfer-votes—fail altogether to comprehend the grandeur and perfection of the cardinal features of the system, which secures just and equitable representation of all forces, whether of majorities or minorities." In attempting to give effect to this great principle it is unnecessary to impose more work upon the returning officers than is absolutely essential for the purpose, and such experience as is available shows that the rules contained in the Municipal Representation Bill[21] accomplish this end.

[Footnote 1: Denmark was thus the first country to make use of a system of proportional representation. An excellent account of its introduction is given in *La Représentation Proportionelle*, published in 1888 by the French Society for the Study of Proportional Representation.]

[Footnote 2: In addition to the eight members elected by each Parliament, the Senate includes eight nominated members appointed by the Governor in Council. In future elections, unless otherwise determined by the Union Parliament, eight Senators for each province will be elected at a joint session

of the members of the Provincial Council and the members of the Union House of Assembly elected for the province.]

[Footnote 3: The first section of the amendment was as follows: "From and after the passing of the present Bill, every local constituency shall, subject to the provisions hereinafter contained, return one member for every quota of its registered electors actually voting at that election, such quota being a number equal to the quotient obtained by dividing by 658 the total number of votes polled throughout the kingdom at the same election, and if such quotient be fractional, the integral number nest less. Provided always, that where the number of votes given by the constituency shall not be equal to such quota, the quota may be completed by means of votes given by persons duly qualified as electors in any part of the United Kingdom; and the candidate who shall have obtained such quota may, notwithstanding, be returned as a member for the said constituency if he shall have obtained a majority of the votes given therein as hereinafter mentioned."]

[Footnote 4: *Autobiography*, 1873, p. 259.]

[Footnote 5: The election of 1910, which was held in Glasgow, was organized by the Scottish Branch of the Society.]

[Footnote 6: This mode of voting is simple and effective where the electing body is small and where there is no need or desire to avoid full publicity. It is in use in the municipality of Toronto for the election of committees, and was proposed for use in the election of a number of Lords of Parliament from the whole body of peers in a memorandum submitted by Lord Courtney of Penwith to the Select Committee on the Reform of the House of Lords. See Report of this Committee [(234) [(234) 1908]]

[Footnote 7: This rule for ascertaining the quota was first suggested by Mr. H.R. Droop in a paper read by him before the Statistical Society in April 1881. Both Mr. Hare and M. Andrae proposed that the quota should be ascertained by dividing the number of votes cast by the number of members to be elected. Mr. Droop pointed out that such a quota might, with constituencies returning from three to eight representatives each, yield on some occasions an incorrect result. "Suppose, for instance," says he, "that the election is a contest between two parties of which one commands 360 votes and the other 340, and that each party runs four candidates for seven seats; then M. Andrae's quota will be (360 + 340) / 7 = 700 / 7 = 100, while mine will be: 700 / 8 + 1 = 88. Consequently, if the 360 voters should divide their first votes so as to give originally to each of three candidates 100, or more, votes, say 110, 104, and 100, their fourth candidate will originally have only 46 votes, and will obtain by transfer with M. Andrae's quota only 14 additional votes, and thus he will not get altogether more than 60 votes, and therefore if the 340 can by organization arrange to divide their first votes so that each of their four candidates has originally more than 60 votes (which would not be difficult, as an equal division would give each of them 85 votes) they will carry the odd candidate. On the other hand, with my quota, the fourth candidate will get by transfer (however the votes may be originally distributed) 360 - (3 x 88) = 360 - 264 = 96 votes, and it will be impossible for the 340 to place all their four candidates ahead of those of the 360. Therefore, with my quota nothing can be gained by dividing the votes equally, or lost by dividing them unequally, while with M. Andrae's and Mr. Hare's quota there will always be a possibility of gaining by this, and therefore it may be worth while in an important election to organize and ascertain how many candidates the party's votes can carry, and arrange for such votes being divided equally between these candidates, the very thing which preferential voting is intended to render unnecessary."]

[Footnote 8: The proportion will not in practice be so simple as in this example—one-half. In every case the proportion is that which the number of next preferences marked for any one unelected candidate bears to the total number of preferences marked for all unelected candidates. *Cf.* p. 164.]

[Footnote 9: *Vide* Appendix VII.]

[Footnote 10: Report of the Royal Commission on Electoral Systems (Cd. 5163), Par. 65.]

[Footnote 11: *Real Representation for Great Britain and Ireland*, 1910, p. 23.]

[Footnote 12: In the model election held in Glasgow, 1910, the list contained the name of a Nationalist candidate (see *Representation*, No. 19, November 1910).]

[Footnote 13: See page 137.]

[Footnote 14: This total slightly exceeds the quota, 3613, owing to the neglect of fractions in the second column. The loss of votes due to neglect of fractions will be found separately recorded in the result sheet, p. 160-61. This loss of votes can be avoided by treating the largest fractions as unity.]

[Footnote 15: See page 257.]

[Footnote 16: It was at first intended to adopt the arrangement of staff and method of recording preferences used at the election of 1897. These arrangements were after a test abandoned in favour of the much more convenient method used at the Proportional Representation Society's model election held December 1908.—*Report on the Tasmanian General Election*, 1909, par. 8.]

[Footnote 17: For full details of these elections, see Report presented to both Houses of the Transvaal Parliament.—T.G. 5—'10.]

[Footnote 18: *Report of Royal Commission on Electoral Systems*, par. 76.]

[Footnote 19: A simple example will explain. Let it be assumed that P and Q are members of party A, and poll 18,000 votes, that R and S and T are members of party B, polling in all 19,000 votes, and that the following table records the votes given and the details of the transfers made in arriving at the final result:—

Quota = (37,000/4) + 1 = 9251

		1st Count.	Transfer of R's Surplus.	Result.	Transfer of T's Votes.	Result.
	P	9,050		9,050		9,050 (Elected).
Party A.	Q	8,950		8,950		8,950 (Elected).
	R	10,000	-749	9,251		9,251 (Elected).
Party B.	S	6,000	+500	6,500	+2,400	8,900
	T	3,000	+249	3,249	-3,249	
Exhausted					+849	849
		37,000		37,000		37,000

The members of the two parties recorded their votes as follows:—

Party A.		Party B.	
P.	9,050	R.	10,000
Q.	8,950	S.	6,000
		T.	3,000

The total number of votes polled is 37,000, and the quota, therefore, is 9251. Candidate R, having received more than a quota would be declared elected, and his surplus of 749 votes carried forward. It may be assumed that candidates S and T, who are of the same party, received 500 and 249 as their shares of this surplus. The result of this transfer is shown in the table. T, the lowest candidate on the poll, would then be eliminated. Now, if the contingent of voters supporting T are not fully loyal to their party, and as many as 849 have recorded no preference save for T, then 2400 would be available for transfer to S, whose total would be only 8900. S would be eliminated, and the three candidates elected would be P and Q of party A, and R of party B, although R and S between them represented 18,151 voters. This case can be met by providing that whenever votes are exhausted the quota should be counted afresh. The votes in play, ignoring those exhausted, would be in all 36,151, the new quota would be 9038, while an additional number of votes, viz. 213, would be available for transfer from R to S, with the result that the position of these candidates would be as follows:—

R 9,038 S 9,113 P 9,050 Q 8,950

Party B would obtain two seats, the party A only one seat.]

[Footnote 20: Address delivered on 6 September 1909.]

[Footnote 22: See Appendix VII.]

CHAPTER VIII

LIST SYSTEMS OF PROPORTIONAL REPRESENTATION

"'One man, one vote; one party, one candidate'—thus runs the cry."—COUNT GOBLET D'ALVIELLA

List systems of proportional representation are based upon the block vote or *scrutin de liste*—the method of election generally used on the Continent of Europe and in the United States of America when several members are to be elected for the same constituency. With the *scrutin de liste*, lists of candidates are nominated by the various political organizations or groups of electors; each elector has as many votes as there are members to be elected, but he may not give more than one vote to any one candidate. The party which can obtain the support of a majority of the electors can carry its list to the exclusion of all others; minorities are crushed even more completely than with the system of single-member constituencies. But as constituencies returning several members are an essential requirement of any scheme of proportional representation, the *scrutin de liste* facilitates the introduction of a proportional system, for the only great change involved is the allotment of seats to the respective lists in proportion to the totals of votes obtained by each. But this change brings in its train a change in the nature of the vote. It remains no longer a vote only for candidates as individuals; it obtains a twofold significance, and becomes what is termed the double simultaneous vote (*le double vote simultanée*). In the first place it is a vote for the party list as such, and is used for determining the proportion of seats to be allotted to the lists; and, in the second place, it is a vote for a particular candidate or order of candidates for the purpose of ascertaining which of the candidates included in a list shall be declared successful. This double function of the vote is characteristic of all list systems of proportional representation. Other changes of a subsidiary character, which experience has shown to be advisable, have been adopted in different countries so that the various systems differ in detail in the methods both by which seats are apportioned among the competing lists and by which the successful candidates are chosen.

The Belgian electoral system.]

List systems are in operation for parliamentary purposes in Switzerland, Belgium, Würtemberg, Sweden, and Finland. The simplest of these is that adopted by Belgium, and the description of a Belgian election may serve as an introduction to the study of other systems. Through the courtesy of M. Steyeart, the President of the Tribunal of First Instance and Chief Electoral Officer for the constituency of Ghent-Eecloo, the author was enabled to watch the elections in May 1908 in that constituency. Proportional representation is, however, only one of the points in which the Belgian and English electoral systems differ, and in order to obtain a true estimate of the working of the Belgian law it is necessary to distinguish between results which are due to the franchise qualifications and those which are due to the system of proportional representation. The effects arising from these two separate features of the electoral system have sometimes been confused, and it is therefore desirable to give a brief outline of the conditions which govern a Belgian election.

In the first place, Belgium has manhood suffrage modified by a system of graduated voting. Secondly, each elector is compelled to vote or, at least, to present himself at the polling place. Thirdly, both the Chambers are elective, and, although provision exists for the dissolution and the election of Parliament as a whole, only one-half of each Chamber is, in the ordinary course, elected at a time, each Senator being elected for a fixed period of eight years, and each member of the House of Representatives for a period of four years.

The franchise.

The unique franchise system embodied in the Belgian constitution in 1893 was adopted only after months had been spent in discussing the schemes of rival parties. All attempts at compromise failed until attention was seriously directed to the suggestions of M. Albert Nyssens, Professor of the University of Louvain, contained in his pamphlet *Le Suffrage Universel Tempéré*. His proposals had the merit of recognizing the validity of the arguments advanced by all the political parties. Conservatives desired the introduction of a system based on occupation coupled with the payment of taxes; many Liberals were anxious to secure special recognition for electors of admitted capacity—in short, an educational qualification; the Radicals inside and Socialists outside Parliament demonstrated continually in favour of universal, direct and equal suffrage. The claim for universal suffrage was recognized by granting to every male Belgian who had attained the age of twenty-five years the right to vote, but a counterpoise to so democratic a suffrage was sought in the granting of additional votes to electors possessing specified qualifications. A supplementary vote was awarded to every married man who had attained the age of thirty-five years and paid five francs in taxes on his dwelling. An additional vote was given to every owner of land or house property of the value of two thousand francs, or to the possessor of an income of a hundred francs derived from Belgian public funds. Thus were met the demands of the Catholics for the representation of property, whilst the Liberal advocacy of the claims of the educated voter were met in a similar way. Two additional votes were awarded to those who had obtained a diploma of higher education; to those who filled, or had filled, a public position; or to those engaged in a profession which implied the possession of a good education. The highest number of votes

awarded to any elector, for parliamentary purposes, whatever qualifications he might possess, was three.

Compulsory voting.

The exercise of the franchise is regarded in Belgium as a duty which each citizen owes to the State, and the obligatory vote is therefore universally accepted without demur. The elector must attend at the polling place, take his ballot paper and deposit it in the ballot box. If he places the ballot paper in the urn without voting there are no means of ascertaining the fact; but unless he forwards to the Electoral Officer an explanation, in due form, of his absence from the polling booth he is liable to prosecution. The percentage of abstentions is thus very low, but, in addition to this result, the obligatory vote has had a considerable indirect effect upon the character of electoral contests. Voting has become an official matter. Formerly, as here, it rested with the political organizations to persuade and exhort electors to vote; now, each elector receives from the Returning Officer an official command to attend at the polling place.

Partial renewal of chamber.

The third difference—the partial renewal of the Chambers—dates from the constitution of 1831, and the reason for its adoption was the same as that which underlies the partial renewal of English municipal councils—the desire to ensure continuity in the composition and proceedings of Parliament. There was some justification for this practice under the old voting methods, for then the result of elections largely depended, as is the case in England to-day, upon the chance distribution of party strength. The composition of the Chamber of Representatives was liable to violent oscillations and changes, and the partial renewal of the Chambers moderated the violence of these changes. But whilst the partial renewal may be defended on these grounds, it has two distinct disadvantages. When only one-half of the Chamber is to be elected (as in the renewal of only one-third of our municipal Councils) a considerable diminution takes place in the amount of public interest evoked by an election. There is, moreover, a further and even more serious drawback that, when the election turns upon a question of vital importance, such for instance as the annexation of the Congo, the verdict of *only one-half* the people is obtained. In 1908 elections took place in four provinces only—East Flanders, Hainaut, Liege, and Limbourg—and so, whilst the citizens of Ghent and Liège were expressing their opinion upon the policy of the Government, the citizens of Brussels were reduced to the position of spectators of a fight in which doubtless many would have liked to have taken a part. The introduction of proportional representation has rendered this particular feature of the Belgian electoral system quite unnecessary. Electors are not so fickle as an irrational method of voting made them appear to be.

The presentation of lists.

For the purpose of parliamentary elections each of the nine provinces of Belgium is divided into large constituencies returning several members; Brussels returns twenty-one members, Ghent eleven, but several of the smaller constituencies return as few as three representatives. Fifteen days before the date of the election lists of candidates which, before presentation, must have received the support of at least one hundred electors, are sent to the returning officer. After verification, each list is given an official number and the lists are then published, no official title other than the number being given to the lists. In the copy of the ballot paper used at Ghent, shown on the opposite page, list No. 1 was presented by the Catholics; No. 2 by the Liberals; No. 3 by those Socialists who were dissatisfied with their party's list; No. 4 by the small tradesmen; No. 5 by the official Socialists; whilst No. 6 contains the name of a candidate standing as an independent. It will be observed that each of the first five lists is divided into two parts separated by the word "Suppléants." The candidates so described are not taken into account in the actual election of representatives; they are, however, voted for in the same way and at the same time as the other candidates, and are called upon (in the order determined by the result of the election) to fill any vacancy occasioned by the retirement or death of a duly-elected representative belonging to the same list. This arrangement obviates the necessity for bye-elections, and the relative strength of parties remains the same from the time of one election to the next. The order in which the names of the candidates appear upon the lists is arranged by the organizations responsible for their presentation. It should, however, be stated that this provision, about which public opinion is much divided, is not an essential feature of a proportional system. It was not a part of the original proposals of M. Beernaert, and it certainly strengthens the hands of political organizations, although, as will be shown subsequently, proportional representation considerably modifies, if it does not altogether prevent, abuse of the power conceded to political bodies.

[Illustration: List Ballot paper]

The act of voting.

The work of the elector is simplicity itself. He can select one list or one candidate in a list but not more for each of the votes to which he may be entitled. His choice can be recorded in four different ways. In each case the act of voting consists in pencilling one or other of the white spots contained in the black squares at the head of the lists or against the names of individual candidates. In the first place, the elector may vote by blackening the spot at the head of the list. The significance of such a vote is that the elector votes for the list, and, at the same time, approves of the order in which the candidates have been arranged by the party organization. Naturally all the party organizations and journals advise their supporters to vote in this way.

Secondly, the elector may vote by blackening the white spot against the name of one of the "effective" candidates on one of the lists. Such a vote implies that the elector votes for the list on which the candidate's name appears, but that, instead of approving of the order in which the candidates have been arranged, he prefers the particular candidate he has marked. The third and fourth methods are but variations of the second. The elector can indicate a preference for one of the supplementary candidates, or he can indicate preferences for an effective and also for a supplementary candidate. In brief, the elector votes for one of the lists, and either approves of the list as arranged or indicates the change he desires.

The allotment of seats to parties.

The number of representatives awarded to each party is determined by the method formulated by M. Victor d'Hondt, a professor of the University of Ghent. Its working may best be shown by an illustration. Let it be assumed that three lists have been presented; that they have obtained 8000, 7500, and 4500 votes respectively, and that there are five vacancies to be filled. The total number of votes for each list is divided successively by the numbers 1, 2, 3, and so on, and the resulting numbers are arranged thus:—

List No. 1. List No. 2. List No. 3. 8,000 7,500 4,500 4,000 3,750 2,250 2,666 2,500 1,500

The five highest numbers (five being the number of vacancies to be filled) are then arranged in order of magnitude as follows:—

8,000 7,500 4,500 4,000 3,750

The lowest of these numbers, 3750, is called the "common divisor"[1] or the "electoral quotient," and forms the basis for the allotment of seats. The number of votes obtained by each of the lists is divided by the "common divisor" thus:—

8,000 divided by 3,750 = 2 with a remainder of 500. 7,500 " 3,750 = 2 4,500 " 3,750 = 1 with a remainder of 750.

The first list contains the "electoral quotient" twice, the second twice, and the third once, and the five seats are allotted accordingly. Each party obtains one representative for every quota of voters which it can rally to its support, all fractions of "quotas" being disregarded.

The method of determining the electoral quotient may appear at first sight rather empirical, but the rule is merely the arithmetical expression, in a form convenient for returning officers, of the following train of reasoning. The three lists with 8000, 7500, and 4500 supporters are competing for seats. The first seat has to be allotted; to which list is it to go? Plainly to the list with 8000 supporters. Then the second seat has to be disposed of; to which list is it to go? If it is given to the first list, then the supporters of the first list will have two members in all, or one member for each 4000 votes. This would be unfair while 7500 supporters of the second list are unrepresented, therefore the second seat is allotted to the list with 7500 supporters. Similar reasoning will give the third seat to the list with 4500 supporters, the fourth to the list with 8000 supporters, which now will rightly have one representative for each 4000, and the fifth to the list with 7500. The question in each case is to what list must the seat be allotted in such a way that no one group of unrepresented electors is larger than a represented group. The separate allotment of seats one by one in accordance with the foregoing reasoning may be shown thus:—

8,000 (List No. 1) 7,500 (" No. 2) 4,500 (" No. 3) 4,000 (" No. 1) 3,750 (" No. 2)

This result of course agrees with that obtained by the official process of dividing the total of each list by the electoral quotient.

The selection of successful candidates.

The seats having been apportioned to the respective lists it becomes necessary to ascertain which of the candidates on the respective lists are to be declared elected. In this second process it will be seen

now great an advantage is obtained by the candidates at the top of each list.[2] All the votes marked in the space at the top of a list, *i.e.,* list votes, form a pool from which the candidates of the list draw in succession as many votes as are necessary to make their individual total equal to the electoral quotient, the process continuing until the pool is exhausted. In the example already given, assume that List No. 1 consists of three candidates, A, B, and C, arranged in the order named, and that the 8000 supporters of the list have given their votes as follows:—

Votes at the head of the List 4,000
Preferential votes for A 600
  " " B 500
  " " C 3,000
            ——-
      Total 8,000

Candidate A, being the first in order on the list, has the first claim on the votes recorded for the list. The electoral quotient is 3750, and A's total 500 is raised to this number by the addition of 3250 votes taken from those recorded for the list. This secures his election, and there remain 750 list votes which are attributed to candidate B, this candidate being the second in order on the list. B, however, also had 500 votes recorded against his name, and his total poll therefore amounts to 1250. But candidate C has obtained 3000 votes, all recorded for himself personally, and as this total exceeds B's total of 1250, C would be declared elected. The two candidates chosen from List No. 1 would, in this case, be A and C. The successful supplementary candidates are ascertained in the same way.

A Belgian election. Ghent, 1908: the poll.

In a Belgian election the polling proceeds very smoothly and quietly. This is largely due to the fact that the law for compulsory voting has relieved the party organizations of the necessity of whipping up their supporters to the poll. At the election of Ghent, which the author was privileged to witness, the candidates for the Chamber of Representatives were as given in the ballot paper on page 177. It will be seen that six lists of candidates were presented, but in the election of Senators only the three chief organizations took part. There were eleven members of the House of Representatives and five Senators to be elected.

The constituency was divided into 350 polling districts, the maximum number of electors for a district being 500. To each district was assigned a polling place in charge of a presiding officer, appointed by the returning officer of the district; the presiding officer was assisted by four citizens, each of whom was required to be in possession of the maximum number of votes, and to be at least forty years of age. In addition, the party organizations sent duly accredited witnesses to watch against possible fraud, and to assure themselves of the absolute regularity of the proceedings. The poll opened at 8 A.M. Each elector had to present his official "summons" to vote, and received from the presiding officer one, two, or three ballot papers according to the number of votes to which he was entitled. The elector took the papers to a private compartment, as in an English election, marked them, placed them in the ballot box and received back his official letter, now stamped—evidence, if need be, that he had carried out the obligation imposed upon him by law. At 1 P.M. the poll was closed; the ballot boxes were opened and the ballot papers counted in the presence of the assessors and party witnesses for the purpose of ascertaining that all papers in the possession of the presiding officer at the opening of the poll had been duly accounted for.

The counting of the votes.]

In order to maintain as far as possible, not only the secrecy of the individual vote, but the secrecy of the vote of any locality, the votes of three polling places were counted together, the grouping of polling places for this purpose having been previously determined by lot. Thus the votes counted at the town hall (polling district No. 1) were those recorded in the districts Nos. 1, 112, and 94. The proceedings were directed by the presiding officer of the first polling place, assisted by the presiding officers of the other two. The only other persons present were witnesses representing the three chief parties. The counting commenced soon after 3 P.M., and was completed, both for the Senate and Chamber, by 7 P.M. The papers were sorted according to the votes given for each list, subsidiary heaps being made for those candidates who had received individual votes of preference. A separate heap was made of spoiled and blank voting papers, but it was evident from the very commencement of the proceedings that the method of voting had presented no difficulty to the elector. Of the 1370 votes recorded in this division for candidates for the Chamber there were but twenty-six spoiled papers; of these thirteen were blank, indicating that the voters, although attending the poll, did not wish to record any opinion. The thirteen other papers showed in nearly every case some confusion in the mind of the elector with the elections for the communal councils, when the elector can give several votes of preference. The official returns, after endorsement, were forwarded by post to the returning officer, whose duty it was to prepare the

returns for the whole constituency. The figures for each district were given to the press at the close of the count, and special editions of the journals, containing the probable result of the election, were issued the same evening.

The final process.

The compilation of the returns for the whole constituency took place on the following day. The returning officer presided, and was assisted by four assessors, a secretary and three witnesses, who attended on behalf of the chief parties. In addition there were two professional calculators, who were responsible for the accuracy of the arithmetical processes. The proceedings, in brief, consisted in extracting the details of the returns furnished by the 120 counting places. The final sheet for each list showed not only the total number of votes obtained by the party, but the number of votes of preference recorded for each candidate. The votes for each list were as follows:—

List No.1. List No.2. List No.3. List No.4. List No.5. List No.6. 78,868 39,788 913 1,094 23,118 271

The process of allotting the seats to the respective parties then commenced. The totals for each list were divided by the numbers 1, 2, 3, and so on, and arranged thus:—

List No. 1.	List No. 2.	List No. 3.	List No. 4.	List No. 5.	List No. 6
78,865	39,788	913	1,094	23,118	271
39,432	19,894			11,559	
26,288	13,262				
19,716	9,947				
15,773					
13,144					
11,266					

The eleven highest figures thus obtained were then arranged in order of magnitude, and the seats allotted accordingly:—

```
 1st Seat 78,865 (List No. 1—Catholic)
2nd "  39,783 ( "   No. 2—Liberal)
3rd "  39,432 ( "   No. 1—Catholic)
4th "  26,288 ( "   No. 1—Catholic)
5th "  23,118 ( "   No. 5—Socialist)
6th "  19,894 ( "   No. 2—Liberal)
7th "  19,716 ( "   No. 1—Catholic)
8th "  15,773 ( "   No. 1—Catholic)
9th "  13,262 ( "   No. 2—Liberal)
10th " 13,144 ( "   No. 1—Catholic)
11th " 11,559 ( "   No. 5—Socialist)
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Thus the Catholics, Liberals, and Socialists obtained six, three, and ten seats respectively. It will be noticed that the eleventh figure, 11,559, which is the "common divisor," or "electoral quotient," is contained six times in the Catholic total, with a remainder of 9511; three times in the Liberal total, with a remainder of 5000; and twice in the Socialist total.

The highest number of preferences recorded for any individual candidate (although placards had been posted inviting votes of preference for M. Buysse, the candidate fourth on the Liberal list, and for M. Cambier, the candidate third on the Socialist list) were 1914 and 1635, much too small to effect any change in the order of the candidates as arranged by the associations. It remains to add that the task was accomplished with perfect regularity and despatch; the figures were checked at each stage, but as the number of votes polled in the double election (for the Senate and for the Chamber) amounted to no less than 270,892, it is not surprising that the compilation of the final figures was not completed until midnight.

Public opinion favorable to the system.

This was the fifth parliamentary election[3] in which the system of proportional representation has been put to the test; its practicability, both from the point of view of the elector and of the returning officer, is now no longer open to question. Interviews on the effects of the system with Catholic leaders like M. Beernaert or M. Van den Heuvel, with Liberals like Count Goblet d'Alviella, or M. Gustave Abel, the editor of *La Flandre Liberale*, or with Socialists like M. Anseele, revealed the fact that there is no party in Belgium which desires to return to the former electoral system. The Liberals and Socialists are hostile to plural voting, but their attitude to proportional representation may be summed up in the

desire to make the system more perfect.[4] Constituencies returning three or four members are not sufficiently large to do complete justice to a system of proportional representation, and many, among whom must be included M. Vandervelde, desire the grouping of these smaller constituencies into larger ones. The general trend of public opinion is in complete agreement with the views of party leaders, and found forcible expression in the press comments on the elections in 1908 for the provincial councils.

The relation of the Belgian to other list systems.

The Belgian list method, although simple in form, is based upon a very careful examination of earlier list systems, and represents an attempt to avoid the defects and inconveniences of those systems. As already stated, the vote in a "list" system has two aspects. Indeed, in the canton of Solothurn in Switzerland each elector is invited, first, to record his vote for a list as a separate act, and secondly, to vote for the particular candidate he prefers.

In tracing the growth of the Belgian system it will be best to consider these two aspects separately, and, in the first place, the vote in so far as it affects the fortunes of the list. The object in view—the allotment of the seats in proportion to the total number of votes obtained by the respective lists—would seem quite simple of attainment, and would be so were the totals obtained by each list such that it was possible to divide the seats among them in exact proportion. Voters do not, however, group themselves in exact proportion, and it becomes necessary therefore to devise a rule of distribution that shall approximate to the desired end as closely as possible.

The different methods of apportioning seats to lists.

The first rule—a very simple one—was adopted because, in the words of Ernest Naville, "it seemed most intelligible to the general public." The grand total of votes polled by the different lists was divided by the total number of seats, and the distribution of seats was based upon the quotient, or "quota" thus obtained. The total of each list was divided by the quota for the purpose of ascertaining the number of seats to which it was entitled. The answers, as will be seen from the following example, usually contained fractions. Assume that seven seats are to be distributed among three lists, A, B, C; that the grand total of votes is 7000, and that the respective lists have polled as follows:—

List A 2,850 votes
" B 2,650 "
" C 1,500 "
——-
Total 7,000

The quotient in this case is 1000. The totals of the lists A, B, and C contain the quotient twice, twice and once respectively, but in each case with a remainder, and it is the remainder that constitutes the difficulty. According to the earliest list schemes the remaining seats were allotted to the lists having the largest remainders, and, in the example given, lists A and B would each receive an additional seat. Party organizers were not slow to perceive that it was advisable to obtain as many of the largest remainders as they could, and considerable dissatisfaction arose in Ticino from the action of the Conservatives, who very skilfully divided their forces into two groups, thereby obtaining additional seats. A simple example will explain. Assume that three deputies are to be elected, that the grand total of votes is 3000, and that the party votes are as follows:—

Party A 1,600 votes
" B 1,400 "
——-
Total 3,000

The quota would be 1000 votes. Party A, having the larger remainder, would obtain two seats, and party B only one seat; but if party B should present two lists and arrange for the division of its voting force, the following result might ensue:—

Party A 1,600 votes
" B1 700 "
" B2 700 "
——-
Total 3,000

The quota would still be 1000 votes, but party A would only obtain one seat, whereas party B would obtain two, because each of its two lists would show a remainder larger than A's remainder. This possibility led to a modification of the rule, and the seats remaining after the first distribution were allotted to the largest parties. But this was also far from satisfactory, as will be seen from the following

example taken from a Ticino election:[5]—

Conservatives 614 votes
Radicals 399 "
            ——-
Total 1,013

The constituency to which the figures refer returned five members; the quotient therefore was 202, and the Conservatives obtained three seats on the first distribution, and the Radicals one. As, under the rule, the remaining seat was allotted to the largest party, the Conservatives obtained four seats out of the five when, obviously, the true proportion was three to two.

The rule subsequently devised aimed at reducing the importance of remainders in the allotment of seats. The total of each list was divided by the number of seats plus one. This method yielded a smaller quota than the original rule and enabled more seats to be allotted at the first distribution. The final improvement, however, took the form of devising a rule which should so allot the seats to different parties that after the first distribution there should be no seats remaining unallotted. This is the great merit of the Belgian or d'Hondt rule, which has already been fully described.

Criticism of d'Hondt Rule.

The d'Hondt rule certainly accomplishes its purpose; it furnishes a measuring rod by which to measure off the number of seats won by each list.[6] But the rule is not without its critics.[7] As in the earlier Swiss methods objection was taken to the undue favouring of certain remainders, so in Belgium objection is taken to the fact that remainders are not taken into account at all. The Belgian rule works to the advantage of the largest party, a fact that many may consider as a point in its favour.

A further simple example will explain how the larger parties gain. Assume that eleven seats are being contested by three parties, whose votes are as follows:—

Party A 6,000 votes
" B 4,800 "
" C 1,900 "
          ———
Total 12,700

Arrange these numbers in a line, and divide successively by 1, 2, 3, and so on, thus:—

Party A. Party B. Party C. 6,000 4,800 1,900 3,000 2,400 960 2,000 1,600 1,500 1,200 1,200 960 1,000

The eleventh highest number, which constitutes the measuring rod, will be found to be 1000; the largest party obtains six seats, the second party obtains four seats, with a remainder of 800 votes, and the third only one seat, with a remainder of 900 votes. The two smaller parties taken together poll 6700 votes but only obtain five seats, as compared with the six seats obtained by the larger party with 6000 votes; the two remainders of 800 and 900 votes, which together constitute more than a quota, having no influence on the result of the election. Even if, in the allotment of seats, the largest party has a remainder of votes not utilized, yet this remainder necessarily bears a smaller proportion to the total of the votes polled than is the case with a smaller party. Thus the system works steadily in favour of the larger party.

The question of remainders, or votes not utilized in the distribution of seats, is of minor importance when the constituencies return a large number of members. When, for example, as in the city of Brussels, there are twenty-one members to be elected, the votes not utilized bear a small proportion to those that have been taken into account in the allotment of seats. In Belgium, however, there are several constituencies returning as few as three members, and there is naturally a demand that these constituencies should be united so that the method of distribution should yield more accurate results.

If the d'Hondt rule, like every other method of distribution, is open to criticism from the point of view of theoretical perfection, it must be admitted that in practice it yields excellent results. The election at Ghent resulted in the return of six Catholics, three Liberals and two Socialists; it would have been impossible to have allotted the seats more fairly. Under the old non-proportional method the Catholics would have obtained eleven representatives and the Liberals and Socialists none. The immeasurable improvement effected by every true proportional method is apt to be overlooked in the critical examination of the working of these methods in those extreme cases which rarely occur in practice.

The formation of "cartels."

The steady working of the d'Hondt rule in favour of the larger parties has, however, not escaped the attention of advocates of proportional representation. The late Professor Hagenbach-Bischoff has formulated the proposal that parties should be allowed to put forward combined lists, and that in the first allotment of seats the totals of the combined lists should be taken as the basis of distribution. The need of some such provision may be shown by an example used in illustration of the d'Hondt system, at a meeting held under the auspices of the French Proportional Representation League.[8] A constituency with eleven members was taken; four lists, A, B, C, and D, received 6498, 2502, 1499, and 501 votes respectively; the d'Hondt rule made 834 the measuring rod, and gave A seven members, B three, C one, and D none. The question was asked why provision was not made for the transfer of the votes from list D to list C, so that if, for example, these lists were put forward by Radical-Socialists and by Socialists respectively, the parties might obtain the additional seat to which their combined totals entitled them. It will be seen that lists C and D, with a total of 2000 votes (more than twice 834), obtained but one representative, while list A, with 6498 votes, obtained seven representatives.[9]

Professor Hagenbach-Bischoffs proposal, which would meet this difficulty, has not been embodied in the Belgian law, but "cartels" (arrangements for the presentation of a common list) are formed between the Liberals and Socialists so as to lessen their loss of representation due to the working of the d'Hondt rule. The "cartels," however, do not give satisfaction, as experience shows that many Liberals who would vote for a Liberal list decline to vote for a "cartel" of Liberals and Socialists; whilst, on the other hand, extreme Socialists decline to support a Liberal-Socialist coalition. In the Finnish system, however, provision is made for the combination of lists in accordance with Professor Hagenbach-Bischoff's suggestion. Indeed, as the Finnish law forbids any list to contain more than three names, some such provision was necessary in order to allow each separate party to nominate a full list of candidates.

The experience of the Belgian "cartels" would seem to show that, even where party organization and discipline are highly developed, many electors resent the disposal of their votes by a bargain between the organizations concerned. The single transferable vote, by allowing each elector to indicate his second choice in the way in which he himself prefers, would enable smaller parties to obtain their share of representation without involving a preliminary compact between party organizations. A list system seems to establish a rigid division between parties, whilst there is no such corresponding rigid division in the minds of many electors. The model elections conducted by the Proportional Representation Society cannot perhaps be accepted as a conclusive guide to the action of voters at a real election, yet the number of Liberals who, in the last of these elections, gave an effective preference to a representative of the Independent Labour Party, in the person of Mr. Henderson, was very noteworthy. In the Belgian system no such fluidity is possible; the Liberal electors would be shut off from any relation with the supporters of Mr. Henderson, who could figure only upon the Labour Party's list.

The different methods of selecting successful candidates.

It will be seen that the problem of allotting seats to lists has been solved in several different ways. Similarly, different methods have been tried for the purpose of selecting the successful candidates from the respective lists. The instructions to voters vary accordingly. The earlier schemes (and the practice obtains in several Swiss cantons to-day) provided that each elector should have as many votes as there were members to be elected, and that he might distribute (without the privilege of cumulating) his votes over the whole of the candidates nominated, selecting, if he desired, some names from one list, some from another, and some from another. After the number of seats secured by each list had been ascertained those candidates were declared elected who, in the respective lists, had obtained the highest number of individual votes.

Panachage.

The practice of voting for candidates belonging to different lists—*panachage*, as it is called—has evoked considerable discussion, and still gives rise to differences of opinion among the advocates of proportional representation on the Continent. At first sight there would appear to be nothing to discuss, and that there was no possible reason why the elector should not be allowed to exercise his choice in the freest manner. It has, however, been found that this privilege can be used in an unfair way. When each elector has as many votes as there are candidates, and is not permitted to cumulate his votes on any one, it usually happens that the votes obtained by individual candidates in any given list vary but little in number. When in some elections it was realized that the party could only obtain a certain number of seats, but that it had a few hundred votes to spare, some extreme partisans used these votes for the purpose of voting for the least competent men of their opponents' list, and their action sometimes resulted in the election of those men in preference to the more competent men of the party. The danger from this cause would appear to be exaggerated, but although success has seldom attended the abuse of *panachage*, the fear of a successful attempt has a disturbing influence. The later Swiss laws allow electors to cumulate three votes, but not more, upon any one candidate, so that the success

of popular candidates is assured.

The single vote and the case de tête.

The Belgian parliamentary system suppresses *panachage*, and that in a most effective way. In this system each elector has but one vote, and therefore can only vote for one candidate. In addition, the Belgian system confers upon the organization presenting a list the right to arrange the order in which the candidates shall appear upon the list, and, further, it provides that the voter may approve of this arrangement by voting at the head of the list in the space provided for that purpose and which is known as the *case de tête*. Party organizations naturally advise their supporters to vote in this way. Public opinion is divided on this feature of the Belgian system, but M. Van den Heuvel, formerly Minister of Justice, who took a responsible part in the passing of the law, and with whom the author discussed this provision, defended it most vigorously, on the ground that the party as a whole had a right to determine which of its members should be elected. In the absence of the provision referred to it might happen that some candidate would be elected in preference to one who was more generally approved of by the party. This may be made clear by an example given by M. Van den Heuvel himself. A, B, C and D are candidates. Suppose that the party is strong enough to return three candidates, but no more, and that five-sixths of the party are in favour of candidates A, B and C, whilst the minority, one-sixth, are ardently in favour of candidate D. It will be necessary that the majority of the party (the five-sixths) should cleverly divide their votes equally between the candidates A, B and C in order to prevent the possibility of candidate D being elected by a small minority of the party. A little reflection will show that in the absence of any such provision the popular candidate of the majority, say A, might attract too large a proportion of the votes, thereby allowing D to pass B or C. Each provision of the Belgian system has been most carefully thought out, and, if it strengthens the hands of party organizations, it does so in order to secure the representation of the party by the candidates most generally approved. It may, however, be pointed out that had the single transferable vote been used, the candidates A, B and C, who, in M. Van den Heuvel's example, were supported by five-sixths of the party, would have been sure of election; there would have been no need to have conferred a special privilege upon the party organizations.

The limited and cumulative vote.

The French Proportional Representation League, which, impressed with the simplicity of the Belgian system, desired to introduce it into France, refrained from advocating the adoption of the *case de tête*, and suggested that the order in which candidates should be declared elected on each list should be determined by the votes of the electors. The French League in its first proposal recommended that each elector should, as in Belgium, have but one vote. It was soon realized that the popular candidate of the party might attract a large majority of the votes, and that, in consequence, candidates might be elected who were the nominees of only a small section of the party. The League in its second proposal recommended the use of the limited vote, each elector having two votes when six deputies were to be elected, and three in larger constituencies. The League, however, followed the Belgian practice in confining the choice of the elector to candidates on one list. This proposition was examined in 1905 by the *Commission du Suffrage Universel*, which, in the Report, declared that it was impossible to approve of such a limitation of the elector's freedom. "Nous ne pouvons," runs the Report, "laisser si étroitment enchainer, garrotter, ligotter l'electeur proclamé souverain et qui doit en tout cas être libre." The Committee recommended the use of the limited vote without the restriction recommended by the League. In a further Report, issued in 1907, this Committee again emphasized the necessity of leaving the elector quite free in the choice of candidates, and a new Bill, drafted by the Committee, provided that each elector should have as many votes as there were deputies to be elected, and that he should be allowed to cumulate the whole, or several of his votes, upon any one candidate. Where, however, the cumulative vote has been introduced into recent Swiss laws, as in that of the Canton of Bâle City, the elector is not permitted to cumulate more than three votes upon any one candidate. It will thus be seen that the single vote, the multiple vote without the privilege of cumulating, the limited vote, and the cumulative vote, have all been proposed or adopted as methods of determining which candidates shall be declared elected.

Special characteristics of Swedish and Finnish systems.

This summary of the different methods used in solving the double problem of a list system—the allotment of seats to parties and the selection of successful candidates—is not fully complete.[10] Special features have been incorporated in the Swedish and Finnish systems for the purpose of securing as much freedom of action as possible to electors, and these systems are described in Appendices Nos. III. and IV. The differences between the various list systems are, however, not so great as those between a list system and the single transferable vote, but the consideration of these must be reserved for the next chapter.

[Footnote 1: The text of the Belgian law (Art. 263 of the Electoral Code) runs as follows: "Le bureau principal divise successivement par 1, 2, 3, 4, 5, &c. le chiftre électoral de chacune des listes et range les quotients dans l'ordre de leur importance jusqu'à concurrence d'un nombre total de quotients égal à celui des membres à élire. Le dernier quotient sert de diviseur électoral.

"La répartition entre les listes s'opère en attribuant à chacune d'elles autant de sièges que son chiffre électoral comprend de fois ce diviseur."]

[Footnote 2: The order in which the names appear is arranged by the party presenting the lists.]

[Footnote 3: A further election (the sixth) took place in 1910.]

[Footnote 4: See *La Representation Proportionnelle intégrale*, 1910.
Felix Goblet d'Alviella (fils).]

[Footnote 5: *Rapport de la Commission du Suffrage Universel*, 1905, p. 45.]

[Footnote 6: Professor Hagenbach-Bischoff, of Bâle, formulated a different rule which is finding favour in Swiss cantons. The quota which will ensure the apportionment of all the seats among the lists without remainder is ascertained by trial. In practice the same results are obtained as with the d'Hondt rule. Full directions for applying the rule are contained in Clause XIII. of the law adopted for the canton of Bale Town.—Appendix IX.]

[Footnote 7: For recent French criticism, see page 202.]

[Footnote 8: At Lille, December 1906.]

[Footnote 9: The new French Bill (*see* Appendix X.) provides for the presentation of combined lists (*apparentement*).]

[Footnote 10: Cf. *La Repésentation Proportionelle en France et en Belgique*, M. Georges Lachapelle (1911) and the new report of the Commission du Suffrage Universel (No. 826, Chambre des Députés, 1911). M. Lachapelle recommends a new proposal, *le système du nombre unique*. The electoral quotient for all constituencies would be fixed by law at, say, 15,000 votes. The number of deputies chosen at each election would be allowed to vary. Each list in each constituency would receive as many seats as its total contained the quotient. The constituencies would be grouped into divisions. The votes remaining over after the allotment of seats in each constituency would be added together, and further seats would then be allotted to the respective lists.]

CHAPTER IX

A COMPARISON OF LIST SYSTEMS WITH THE SINGLE TRANSFERABLE VOTE

"Les partis sont une institution de la vie politiquo actuelle. Ils sont une partie, non écrite, de la Constitution."—P. G. LA CHESNAIS

Influence of previous conditions.]

List methods of proportional representation have been favoured on the Continent, the transferable vote in English-speaking countries, and the question naturally arises, whence this difference? It would appear from the history of proportional representation that advocates of the reform have always kept in mind local customs, and have adapted their proposals to them. Thus a list system of proportional representation was adopted in Switzerland because such a system was more easily grafted upon previous electoral conditions. This is the explanation given by Ernest Naville, who for more than forty years was the leading advocate of electoral reform in Switzerland, in a letter[1] addressed to the late Miss Spence of Adelaide, South Australia. "The Swiss Cantons," said he, "have adopted the system of competing lists. I do not think the system is the best, but, as it involved the least departure from customary practices, it was the system for which acceptance could be more easily obtained. My ideal is a system which leaves the electors face to face with the candidates without the intervention of lists presented by parties; that is to say, that the method of voting indicated at the end of the pamphlet[2] forwarded by you has my preference. It is the system which I, inspired by the works of Mr. Hare, first proposed in Geneva, but, in order to obtain a practical result, account has to be taken of the habits and prejudices of the public to which the appeal is made, and the best must often be renounced in order to

obtain what is possible in certain given circumstances." In a further letter Professor Naville was even more emphatic. "I consider," said he, "the Hare system preferable to that of competing lists. I have always thought so. I have always said so. But our Swiss people are so accustomed to the *scrutin de liste*, or multiple vote, that we could not obtain from them the profound modification which would have been necessary to pass to the Hare-Spence system."

Partly the basis of representation in a list system.

The long familiarity of the Belgian electors with the *scrutin de liste* also paved the way for the adoption of the list system of proportional representation, but there is an additional reason why list systems have found favour on the Continent. Some continental writers consider that parties as such are alone entitled to representation in Parliament, and are not enamoured of any scheme which makes personal representation possible. This view is also taken by Mr. J. Ramsay Macdonald, who, speaking of the Belgian scheme, says that "it makes party grouping the most important consideration in forming the legislative order, and is therefore much truer to the facts of Government than any other proportional representation scheme."[3] The Royal Commission on Electoral Systems also seems to have accepted the continental theory, that "in political elections it is the balance of parties which is of primary importance." In England, however, representation has never theoretically been based upon party. The limited vote, the cumulative vote, the double vote in double-member constituencies, have all allowed the elector complete freedom of action to follow party instructions, or to act independently. The electoral method has not been chosen to suit the convenience of party organizations; parties have had to adapt themselves to the system of voting. The single transferable vote in accordance with these traditions bases representation upon electors, and preserves to them freedom to vote as they please. So much is this the case that some critics consider it unsuitable for a system of proportional representation, and although Mill evidently regarded the Hare scheme not only as a system of personal representation, but as a plan for securing the representation of majorities and minorities in due proportion, the Royal Commission on Electoral Systems took the view that the transferable vote "was not originally invented as a system of proportional representation, but as a system of personal representation to secure the return of men as men, not as party units." Again, Professor Commons says that "the Hare system is advocated by those who, in a too doctrinaire fashion, wish to abolish political parties."[4] But in making this statement Professor Commons himself supplies the answer. "They apparently do not realize," says he, "the impossibility of acting in politics without large groups of individuals, nor do they perceive that the Hare system itself, though apparently a system of personal representation, would nevertheless result in party representation." The more complete organization of parties is a direct consequence of the more democratic franchise now existing. Political action in modern times without organization is impossible. The Johannesburg municipal elections in November 1909, despite the success of two independent candidates, showed that the most effective way of conducting elections with the transferable vote is that of organizations presenting lists of candidates. Indeed, so great a part does organization take in the political life of to-day that it is desirable, if possible, to have some counteracting influence. The transferable vote supplies this by securing for the elector the utmost measure of freedom of action.

This freedom of action is greatly appreciated by electors. A voter, asked after the Johannesburg elections to give his impressions of the new method of voting, stated that "the new system had put him on his mettle. He had never experienced so much pleasure in the act of voting; he had had to use his intelligence in discriminating between the claims of the various candidates." Voting with the single transferable vote ceases to be a purely mechanical operation, the voter becomes conscious of the fact that in voting he is selecting a representative. It is of little value to ask electors to exercise their intelligence if on the day of the poll they have no means of doing so. There was some complaint in Sweden after the first proportional representation elections because the new system compelled an elector, if he wished to use his vote with effect, to act rigidly with his party. With the transferable vote party action has sufficient play. Electors can freely combine and vote as parties, and effective organization will reap its legitimate reward. But the elector will not be constrained to act against his wishes. He will play an effective part in the election. In view of the great freedom conferred by the single transferable vote on electors, it is not surprising that the Royal Commission on Electoral Systems reported that the "Belgian system is foredoomed to rejection by English public opinion," and Mr. J. R. Macdonald states that "the British mind would not submit to this (the Belgian) simplest and most efficient form of proportional representation."

The freedom of the elector within the party.

Even when representation is based, as in the list systems, upon parties as such, it becomes necessary to determine the degree of liberty that shall be allowed to the individual elector in the exercise of the franchise. If a party has obtained five seats and the party has nominated seven candidates, how are the five successful ones to be selected, and what part is the elector to take in the selection? There is considerable dissatisfaction in Belgium with that part of the system which enables the party

organizations to arrange the order in which the names shall appear upon the ballot paper, although this order may have been arrived at by a preliminary election among members of the party. In the election of 1910 there was a considerable increase in the number of voters who exercised their right of giving a vote of preference to individual candidates. The extensive use of this right resulted at Brussels in the alteration of the order of election as determined by the party organizations, and Count Goblet d'Alviella points out that this will demand the consideration of the political parties.[5] Some device such as that of making the vote transferable within the list will be required in order to ensure that the majority within the party shall obtain its full share of the representation. As stated in the previous chapter, the French Parliamentary Committee felt it necessary to provide for the elector a greater freedom of action than is possible under the Belgian system. In the report issued by this Committee in 1905 the use of the limited vote was recommended; in the report of 1907 the cumulative vote, which confers still greater freedom upon the elector, was proposed. In the Swedish system electors not only have full power to strike out, to add to or to vary the order in which candidates' names appear upon the ballot papers issued by the party organizations, but they have the opportunity of presenting a non-party list. The Finnish electoral law was deliberately framed so as not to interfere with or to check the liberty of the voter in making up the lists.[6] This law not only allows the names of candidates to figure on more than one list, but permits the voter to prepare a list of his own composed of any three of the candidates who have been duly nominated. In a list system two problems, the allotment of seats to parties and the selection of the successful candidates, have to be solved and the solution must in each case respect the personal freedom of the elector. With the single transferable vote the same mechanism solves both problems; it gives to each party its due proportion of seats, it determines in the most satisfactory way which of the candidates nominated by a party shall be declared elected, and it does not encroach in any way upon the elector's freedom of action. There is one point in which the single transferable vote differs essentially from the list systems. With the former the vote never passes out of the control of the voter, and the returning officer can only transfer the vote to some candidate whom the elector has named. With the list systems adopted in Belgium, Switzerland, Sweden and Finland, or with that recommended by the French Parliamentary Committee, a vote given for any one candidate is also a vote for the party which has nominated the candidate, and the vote may contribute to the success of some candidate of this party whose election the voter did not desire to advance. This fact explains the difficulties which have been associated with the formation of cartels in Belgium. A cartel is an agreement between two parties to present a common list, and if, as has taken place in some of the Belgian constituencies, Socialists and Liberals present a combined list, a Liberal by voting for one of the Liberal candidates of the cartel may contribute to the success of one of the Socialist candidates. The Socialist voter may, on the other hand, contribute to the return of a Liberal candidate. For this reason some Liberals and some Socialists refuse to support cartels. In Sweden it is possible that the elector's vote may, if he make use of a party ticket, contribute to the return of some candidate whom he may have struck off the list. If two parties agree to place the same motto at the head of their respective lists, which may be quite distinct, a member of one party may help to elect an additional candidate of the other party. Yet a list system affords no way by which votes can be transferred from one party to an allied party save by a cartel; if transferred at all they must be transferred *en bloc* from one party to another party, and not from one candidate to another candidate, in accordance with the expressed wishes of the elector. Mr. J. R. Macdonald states that "proportional representation seeks to prevent the intermingling of opinion on the margins of parties and sections of parties which is essential to ordered and organic social progress." The statement is in no sense true of the single transferable vote which affords every facility for the intermingling of opinion on the margins of parties and sections of parties, whilst even in Belgium groups within a party have always presented a common list.

Comparative accuracy.

Considerable discussion has taken place as to which of the list systems yield the most accurate results. It is obvious that as electors do not divide themselves into groups which are exactly one-fourth, one-fifth, or one-sixth of the whole, the utmost that a system of proportional representation can do in the allotment of seats is to approximate as closely as possible to the proportions in which the electors are divided. There is very little difference in the results obtained by the various list systems and by the single transferable vote. The Belgian (d'Hondt) rule slightly favours the larger party; this rule allots seats to parties according to the number of times the party total contains the common divisor, the votes remaining over being ignored. For this reason other advocates of list systems prefer the simple rule-of-three or *méthode rationelle.*[7] With this system the total number of votes polled is divided by the number of seats. The totals gained by the respective lists are then divided by the quotient thus obtained and the seats allotted to the lists accordingly. If after the allotment of seats to the different lists there remain some seats not allotted, these are awarded to the lists with the largest numbers of votes not utilized. The transferable vote in practice, if not in theory, also awards seats to the various parties according to the number of times the party total contains the quota. If there is a seat not allotted it does not necessarily fall to the party having the largest number of votes not utilized. All the votes not utilized are taken into consideration, and the smaller remainders may, by combination, win the odd

seat. For example, suppose that in a six-member constituency five seats have been allotted and three candidates remain in competition for the last seat with votes as follows:—

Candidate A 4,000
  " B 3,000
  " C 2,000

Then if the supporters of candidate C prefer B to A and have indicated this fact on the ballot papers, the votes given to C would be transferred to B, who would be elected to fill the last seat. With the d'Hondt rule remainders are ignored; with the "rational method" the largest remainders are favoured; with the single transferable vote the last seat is awarded to the majority of the electors not otherwise represented. The transferable vote therefore gives a result at least as accurate as any of the rules devised in connexion with the list systems. But in the majority of cases all three rules will yield the same result.

Panachage.

In the previous chapter reference has been made to the possible abuse of *panachage*. In order to prevent such practice the Belgian system provides that the elector shall vote for a member on one list only. In Switzerland the elector is permitted to vote for members of more than one list, and any abuse of this privilege is prevented by allowing the elector to cumulate as many as three votes upon any of his favourite candidates. This provision assures the return of the favourite candidates of each party. The problem hardly arises with the single transferable vote; the favourites of each party will doubtless always receive more votes than are sufficient to ensure their election. The elector who desires to advance the interests of his own party as much as possible must indicate his preferences among all the members of his own party before recording any preference for a candidate of another.

Applicability to non-political elections.

The single transferable vote possesses another advantage over list systems. It is not only applicable to political elections, but to all elections in which it is desired that the elected body should be representative in character, but in which party lists are undesirable. The British Medical Association has decided to conduct all its elections so far as possible by the transferable vote; Trades Unions have made use of it in the election of their committees; it has been used in Australia by the Labour party for the selection of parliamentary candidates by members of the party before the date of election. Thus the single transferable vote would produce a much to be desired uniformity in method in different elections.

Bye-elections.

The list systems have an advantage over the transferable vote in the simplicity of their solution of the problem of bye-elections. Under list systems bye-elections are abolished. But the preliminary question, whether it is desirable that they should be abolished, needs consideration. The Report of the Royal Commission on Electoral Systems says: "Neither the single transferable vote nor list systems provide for a solution of the problem of bye-elections which is both fitted to English ideas and practically satisfactory." The Report continues: "Bye-elections are generally regarded as valuable, if rough, tests of public approval or disapproval of the proceedings of the Government, and useful indications of the trend of political feeling. A system, therefore, which would abolish or seriously hamper them is bound to excite opposition."[8] If bye-elections are desirable because of the indications which they give of the trend of political feeling, then the large constituencies which the proportional system demands would add to their value. The opinion of a larger number of electors would be obtained.

Wherever the single transferable vote has been adopted bye-elections have been retained. In Tasmania, whenever a vacancy occurs the whole constituency is polled; the Transvaal Municipal Act allows single vacancies to remain unfilled, but provides for bye-elections when two or more seats become vacant. The Proportional Representation Society, in view of the demand for the retention of bye-elections, suggests that single vacancies should be immediately filled by a bye-election when they occur in a three-membered constituency, but that in larger areas no bye-election should be held until two seats are vacated. But is not the importance of bye-elections overrated? In many respects they are the least satisfactory feature of English elections, and it is noticeable that the change of opinion registered in a bye-election has often not been maintained when the same constituency is polled at a General Election. A considerable proportion of bye-elections are consequent upon the taking of office by members of Parliament, and it is generally agreed that such bye-elections are not necessary. Further, the House of Commons has already resolved that it is desirable to reduce the length of parliaments to five years, which in practice would mean a working life of four years. The shortening of parliaments would destroy what little value bye-elections possess.

With a system of proportional representation bye-elections may produce results which are unfair to the minority. If, for example, at a General Election a constituency returned four Conservatives, two Liberals, and one Socialist, and the Socialist member died or retired during the lifetime of the parliament, the largest party would at a bye-election be able to gain another member at the expense of the smallest party in the constituency. This possible injustice is avoided in the list systems by the abolition of bye-elections. Supplementary members are chosen at the time of the General Election, and these are called upon to fill vacancies in the order of their election. The party character of representation remains unchanged from one election to another. When the cumulative vote was used for School Board elections casual vacancies were filled by co-option, and the party in whose ranks the vacancy occurred was usually allowed to nominate his successor by consent of the whole Board. Doubtless were bye-elections abolished there would be a similar willingness to act fairly towards the smaller parties, but if it was felt desirable to bring the transferable vote into agreement with the practice followed in the list systems the necessary arrangements could be made. On the death or retirement of a member the quota of ballot papers by which he was elected, kept meanwhile under official seal, could be re-examined, and the candidate who had secured a majority of the highest preferences recorded on the papers could be called upon to fill the vacancy.

Relative simplicity of scrutiny.

Experience shows conclusively that proportional systems, even the most complex, present no great difficulty to the voter, and therefore there is little to choose between them. The work thrown upon the returning officer varies considerably, but in every country the returning officers have proved equal to their task. The author has been present at Belgian elections and at Swedish elections; he has conducted model elections in England, and has been present at elections in the Transvaal, and has therefore had some opportunity of judging different systems from the point of view of facility in the counting of votes. The conclusion arrived at is that the different schemes may be arranged in the following order:—

1. The single transferable vote when the surplus votes are taken from the top of the successful candidate's heap;

2. The Belgian list system with its single vote;

3. The single transferable vote with the surplus votes distributed proportionately to the next preferences, as prescribed in the Schedule of Lord Courtney's Municipal Representation Bill.

4. List systems in which more than one vote is recorded. With these, the counting increases in difficulty with the complexity of the scheme.

The reasons for this conclusion are briefly these: Whenever the ballot paper (as in the Belgian system and with the single transferable vote) represents but one vote only, the process of counting consists of sorting papers according to the votes given, and then in counting the heaps of papers so formed. Whenever there is more than one vote recorded upon a ballot paper it becomes necessary to extract the particulars of each paper upon recording sheets. This is the case in the London Borough Council elections, when the *scrutin de liste* in its simple form is used, and when, as in the list system proposed by the committee of the French Chamber, the elector may cumulate or distribute his votes as he pleases, selecting candidates from any or all the lists, this process of extracting the details of the ballot papers must involve considerable labour. By comparison, the process of sorting and counting ballot papers is extremely simple. The Belgian law makes provision for the employment of two "professional calculators," who are responsible for the accuracy of the arithmetical calculations, and if the more accurate form of the single transferable vote is adopted, it will be desirable that the returning officer should have two assistants whose special duty it should be to verify the accuracy of each stage of the process.

In any comparison between the two main systems of proportional representation there is no need to understate the advantages of either. The results which have followed from the adoption of list systems on the continent have shown how immeasurably superior these are to ordinary electoral methods. Even in the most rigid of these systems—the Belgian—there is within each party considerable freedom of opinion in respect of all political questions which do not spring directly from the principles on which the party is based. It is claimed, however, for the single transferable vote that it is more elastic than the most complex of list systems, that it more freely adapts itself to new political conditions, and that in small constituencies returning, say, five or seven members, it yields better results. Moreover, this system, based as it is upon the direct representation of the electors, has appealed with greater force to English-speaking peoples; it has its advocates in South Africa, Australia, New Zealand and Canada, as well as in England, and as a common electoral method for the British Empire is a desideratum in itself, the balance of advantage, at least for English-speaking peoples, would appear to be with the single transferable vote.

[Footnote 1: October 1894.]

[Footnote 2: An address given by Miss Spence at River House, Chelsea, London.]

[Footnote 3: *Socialism and Government*, vol. i. p. 146.]

[Footnote 4: *Proportional Representation*, New Edition, p. 104.]

[Footnote 5: "Il serait désirable que nos associations politiques se prononcent plus explicitement sur sa légitimité, si l'on ne veut pas que ce genre de propagande reste une duperie pour les candidats les plus scrupuleux." —*Nos Partis Politiques au lendemain du 22 Mai 1910*, p. 10.]

[Footnote 6: *Cf.* pamphlet, *The Finnish Reform Bill*, Helsingfors, 1906.]

[Footnote 7: Readers who desire to follow the discussion as to the comparative merits of the d'Hondt rule and the *méthode rationelle*, should consult the following works:—

Examen Critique des Divers Precédés de Répartition Proportionnelle en Matière Electorale, par M. E. Macquart; *Revue Scientifique*, 28 October 1905.

La Représentation Proportionnelle et les Partis Politiques, par M. P.G. la Chesnais.

La Vraie Représentation Proportionnelle, par M. Gaston Moch.]

[Footnote 8: Ibid., par. 83.]

CHAPTER X

PROPORTIONAL REPRESENTATION AND PARTY GOVERNMENT

"Parties form and re-form themselves; they come together, dissolve, and again come together; but in this flux and reflux a stability reigns such as we observe amid similar phenomena in the course of nature; and indeed it is the course of nature, only working in the world of politics instead of the world of physics."—LORD COURTNEY OF PENWITH

"To think in programmes is Egyptian bondage, and works the sterilization of the political intellect."—AUGUSTINE BIRRELL

Hitherto the objection most often urged against proportional representation has been that it is impracticable; the successful working, however, of the single transferable vote in Tasmania, in the elections of the South African Senate and in the Transvaal Municipal elections, and of list systems in Belgium, Switzerland, Sweden, Würtemberg and Finland has furnished a complete answer to this objection. Manhood suffrage obtains in Belgium, adult suffrage in Tasmania and Finland, and if, in countries possessing a franchise so democratic, proportional systems have proved successful, it is no longer possible to declare that proportional representation is impracticable. Indeed, the practicability of proportional representation is now generally admitted, and its critics prefer to lay stress upon objections of another character. They even complain, as does Professor Jenks, that "the supporters of the movement appear to be concentrating all their arguments on the feasibility of their project, quietly assuming that its desirability is axiomatic."[1] It does seem axiomatic that it is desirable that representative institutions should reflect the views of those represented, but it is now alleged that the representative principle is merely "a means of getting things done," that the chief function of the House of Commons is to provide the country with a strong Government, and that proportional representation would render these things impossible "because there would be no permanent majority strong enough to get its own way."

Proportional representation and the two-party system.

This fear of a weakened executive doubtless explains why many others who admit the justice and practicability of proportional representation, still hesitate to support a reform the effects of which may greatly modify existing parliamentary conditions. "We have still," said *The Westminster Gazette,*[2] "to be convinced that we shall do well to make still more difficult the maintenance of the two-party system, and that it seems to us would almost certainly be the effect of proportional representation." Ten years

ago some professed supporters of proportional representation took up the extraordinary position of allowing it only in respect of two great parties within a State,[3] and quoted in support of their views the words of Professor Paul Reinsch in his work on *World Politics:* "It is still as true as when Burke wrote his famous defence of party, in his *Thoughts on the Cause of the Present Discontents*, that, for the realization of political freedom, the organization of the electorate into regular and permanent parties is necessary. Parliamentary government has attained its highest success only in those countries where political power is held alternately by two great national parties." Is no allowance to be made for the fluidity of progressive democracy? Is it imagined that active political thought can be compelled to follow stereotyped channels? Too profound a respect for a system designed to meet former conditions led the Royal Commission on Electoral Methods to the conclusion that, "reviewing the whole of the evidence, and duly considering the gravity of the change involved, we are unable to report that a case has been made out before us for the adoption of the transferable vote here and now for elections to the House of Commons."[4] The Commission proceed "to emphasize the exact nature and limitations of this conclusion," which ultimately amounts to no more than a suggestion for the postponement of an inevitable change.[5] But the fact remains that the Royal Commission accepted the theory of government placed before it by those who desire to maintain the existing party system and who are of opinion that that system can only be maintained by single-member constituencies and the majority method of election. "On the question," says the Commission, "whether the representation of all parties in proportion to their voting strength is in itself desirable, we may point out that it is not a fair argument against the present system that it fails to produce such a result, because it does not profess to do so. A General Election is, in fact, considered by a large portion of the electorate of this country as practically a referendum on the question which of two governments shall be returned to power."[6] " ... The case of those who hold that the transferable vote is not capable of application in this country rests only to a very slight extent on its mechanical difficulties.... The most potent arguments are a theory of representation on the one hand and a theory of government on the other."[7] It is evident that the most important objection which advocates of proportional representation have to meet concerns its probable effect upon party organization and upon party government, and it is therefore necessary to consider this objection in detail.

Burke's view of party and party discipline.

In the first place, can Burke's definition of party be used in defence of modern party organization and discipline? The character of these has fundamentally changed since Burke's time. His conception of national parties and also, perhaps, of the probable influence of a system of proportional representation upon their formation may be gathered from his own words. "Party," says Burke, "is a body of men united for promoting by their joint endeavours the national interest upon some particular principle in which they are all agreed. For my part I find it impossible to conceive that any one believes in his own politics, or thinks them to be of any weight, who refuses to adopt the means of having them reduced into practice. It is the business of the speculative philosopher to mark the proper ends of government. It is the business of the politician, who is the philosopher in action, to find out proper means towards those ends, and to employ them with effect. Therefore every honourable connexion will avow it is their first purpose to pursue every just method to put the men who hold their opinions into such a condition as may enable them to carry their common plans into execution, with all the power and authority of the state." No advocate of proportional representation would in the least quarrel with Burke's definition of party or deny that sustained effort and efficient organization are absolutely essential if practical effect is to be given to political principles. Burke, however, did not contemplate a party system in which complete submission to the programme of the party was considered an essential condition of membership. Burke's definition of party must be read in conjunction with his own interpretation of the term. "In order," says he, "to throw an odium on political connexion, these politicians suppose it a necessary incident to it that you are blindly to follow the opinions of your party, when in direct opposition to your own clear ideas; a degree of servitude that no worthy man could bear the thought of submitting to; and such as, I believe, no connexions (except some court factions) ever could be so senselessly tyrannical as to impose. Men thinking freely will, in particular instances, think differently. But still as the greater part of the measures which arise in the course of public business are related to, or depend on, some great leading general principles in government, a man must be peculiarly unfortunate in the choice of his political company, if he does not agree with them at least nine times in ten. If he does not concur in these general principles upon which the party is founded, and which necessarily draw on a concurrence in their application, he ought from the beginning to have chosen some other, more conformable to his opinions."[8] Burke does not limit the number of parties to two, and if his authority is to be invoked in support of the maintenance of the two-party system, it can only be invoked in support of the maintenance of two parties which are based on such leading general principles as will cover the whole field of politics, and the organization of which is such as to leave to members of the party a considerable measure of freedom in respect of individual questions. "We may be confident," says Lord Courtney of Penwith, "that the two main divisions will survive, the one pressing forward and the other cautiously holding back,"[9] and in so far as it corresponds to the two

main tendencies in human thought the two-party system will doubtless survive any change in voting method. But with the spread of political intelligence it cannot possibly survive the rigidity of modern discipline—a rigidity which Burke would have been the first to repudiate—nor can it survive the modern tendency towards the formation of parties for the purpose of carrying specific reforms.

Narrow basis fatal to a large party.

The complete transformation of the Conservative Party into a Tariff Reform Party would considerably narrow its basis, and any narrowing of the basis of one party must help to break down the two-party system. For although Tariff Reform is a matter of great national interest, having very far-reaching effects, it obviously does not cover the whole field of politics. There is no fundamental and necessary relation between Tariff Reform and Home Rule, the constitutional position of the House of Lords, or the special problem of the place of religion in national education. Nor does it necessarily or even naturally attract those cautious intellects which are the typical supporters of Conservatism. The strenuous efforts which have been made in recent years to exclude from the Unionist Party all who are unwilling to accept the policy of Tariff Reform have, it is true, been crowned with considerable success, but there is a limit to the process of unification. Should the advocates of this fiscal change, for example, have desired to make terms with the Nationalist party for the purpose of carrying their policy, any attempt to impose those terms upon all members of the party would have resulted in a further and probably a more serious split. In such circumstances parties necessarily give place to groups, and the fissiparous tendency is most apparent where party discipline is most rigid. The solidarity of the German Social Democratic Party will only be maintained by according liberty of action in local matters to the South German Socialists.[10] The formation of the French Unified Socialist Party was a work of considerable difficulty, and its maintenance will only be possible if its constituent parts can tolerate differences of opinion. The two sections of the English Labour Party have been able to work together by concentrating their efforts on reforms which are advocated by both, whilst the troubles which have arisen within the smaller group, the Independent Labour Party, have sprung from attempts to insist upon a narrow interpretation of the term Independent. The narrower the basis on which the parties are formed and the more rigid the discipline employed, the more difficult will become the maintenance of the two-party system. If, then, it is considered essential to the successful working of parliamentary government that there should be but two parties, these parties must be based on broad leading principles and must be so organized as to allow for differences of opinion on minor matters. With the increase in the number of questions of first-class importance it will, however, be difficult to maintain even the semblance of the two-party system, and in the absence of those more elastic political conditions which a system of proportional representation provides, absolutely impossible.

Proportional representation and party discipline.

The argument in the preceding paragraphs can be illustrated from the effect of proportional systems on party organization in those countries in which they are at present in force. In Belgium the prophecy was repeatedly made that the new law would result in the splitting of parties into petty factions, rendering parliamentary government impossible. Its real effect has been, if anything, of the contrary character. There are still but three Belgian parties—Catholic, Liberal, and Socialist. Their principles have tended to become more clearly defined, but within each party there has arisen a considerable freedom of opinion in respect to all political questions which do not spring directly from the principles on which the parties are based. This was clearly shown in the discussion on the proposals for the annexation of the Congo. At the conference of Liberals held before the General Election of 1908 it was decided that the annexation of the Congo should be treated as a *question libre*. M. Vandervelde, at the same time, expressed opinions on this subject which were contrary to those held by the majority of Socialists, whilst several Catholics, who disapproved of the terms on which the Congo was offered to the nation, did not hesitate to say so. None of these expressions of opinion involved ostracism from the party, and, although party discipline is strict, there is but little doubt that this freedom of movement in respect to non-party questions will continue to grow. The annexation of the Congo was voted in due course, but the original draft of the Treaty received important modifications which were due largely to the action and criticism of the more independent Conservatives.

The question of free trade or protection does not, at the present time, occupy a prominent place in Belgian politics, but should it do so, there is no reason to assume that opinions either for or against free trade would involve, as here, ostracism from any party. Such conditions admit of a much more genuine discussion of public and of economic questions. In England, with the system of single-member constituencies, Unionist Free Traders have had the alternative placed before them of submitting to the opinions of the majority of the party or of retiring from all active participation in public life. In Belgium, on the other hand, proportional representation has induced parties, while adhering to their fundamental principles, to make their lists of candidates as inclusive as possible. The list presented by the Catholics at Ghent in 1908 contained not only a free trader and a protectionist, but representatives of different classes of interests within the constituency, of agriculture, of landed proprietors, of

workmen and of masters of industry. Stress was laid upon the comprehensive character of their list in the election address issued by the Catholics, and each party endeavoured to make its list representative of the forces within the party. Special efforts indeed are taken to accomplish this end; in the preparation of the Liberal list members of the organization took part in the preliminary selection of candidates, the final choice being determined by a formal election. In reporting that the Belgian system of proportional representation "is not favourable to small independent parties, or, what is of greater interest to many observers in this country, to small sections or wings of large parties," the Royal Commission on Electoral Systems misinterpreted the working of the Belgian system. It is true that the Christian Democrats form the only small party in Belgium which has obtained direct representation, but the Belgian system has certainly given representation to the wings of large parties. Count Goblet d'Alviella, who was examined by the Commission, has kindly furnished some observations upon the Commission's statement. "Whenever there is room," he writes, "that is, where the seats are numerous enough, the leaders take the greatest care to choose representatives of the principal shades of opinion within their party lines. At Brussels in 1910 the Catholics placed on their list not only M. Colfs, who upset their order of precedence in the previous election, but also M. Theodor, who, for the last three times, headed—unsuccessfully—a separate list of the so-called Independent Party. The Liberal list at Brussels has been formed by the joint action of Moderates (Ligue libérale) and Radicals (Association libérale), each of these two organizations trying to give satisfaction to their own subdivisions (Flemish and Walloon, rural and urban, &c.). At Antwerp the Liberal list has been formed by five Liberal organizations, each one choosing its own representative." The M. Colfs referred to in Count Goblet d'Alviella's letter strongly opposed the military proposals of the Belgian Government, but he was, nevertheless, placed by the party organization on the official list. Thus, in Belgium wings of parties undoubtedly obtain their legitimate influence, and this renders the formation of independent small parties superfluous. The number of broad general principles on which political parties can be based is strictly limited, and this explains why neither the Belgian nor any other system of proportional representation will produce innumerable parties.

"Free Questions" in Japan.

The electoral system in Japan, giving as it does great freedom for the expression of political opinion, has resulted, as in Belgium, in the separation of political questions into two types—party and free. According to Mr. Kametaro Hayashida, the Secretary of the Japanese House of Representatives, the measures before parliament are duly considered at party meetings; after deliberation a decision is taken as to whether the measure under discussion should be treated as a party question, or whether freedom of action should be permitted to the individual members of the party, and a communication, embodying the result of the party meeting, is then sent to every member. Here then we get additional evidence of the amelioration of party spirit, which follows the adoption of a more elastic system of representation. Political debate must become in such cases not only more real but infinitely more valuable. The number of questions left to the discretion of the individual member is by no means inconsiderable, as will be seen from the following figures showing the attitude taken by the various parties towards public questions in 1908:—

(1)—Laws

Party . . . . . Constitutionalist Progressive Conservative Radical

Party questions . 105 75 66 —
Free questions. . 2 32 41 107

(2)—Petitions

Party . . . . . Constitutionalist Progressive Conservative Radical

Party questions . 63 167 68 —
Free questions. . 119 15 114 182

"It should be noted," says Mr. Hayashida, "that the Radicals had no party questions, but made all questions free. On the other hand, the Constitutionalists, who supported the Government, made party questions of practically all laws submitted. On the average, apart from the Radicals, the three other parties treated 23 per cent. of the laws, and 37 per cent. of the petitions in the twenty-sixth session of the Imperial Japanese Diet as free questions."

The formation of groups.

Such evidence as we possess does not then warrant the assumption that a proportional system leads to an increase in the number of political parties. It makes them more elastic. On the other hand, it has been demonstrated beyond any doubt that a system of single-member constituencies has completely

failed to maintain the two-party system. In England the Labour Party forms within the House of Commons a distinct camp by itself, the Nationalist Party still more jealously guards its independence, and at the election of January, 1910, a smaller group of Independent Nationalists was formed. The rise of the Labour Party in Australia was not prevented by a system of single-member constituencies. In Germany and France single-member constituencies have not arrested the development of groups with national, religious, or sectional programmes. When, therefore, it is contended that proportional representation will lead to the formation of groups, the obvious answer is that it is the present system which is producing groups; and should the representation obtained by these groups, as in France and Germany and in Australia, give no clear indication of public opinion, then the instability which has been a characteristic of French and for a time of Australian parliamentary conditions may become characteristic of the House of Commons.

Nor do those advocates of proportional representation, who desire to maintain the two-party system by artificial means, offer any machinery adequate for the purpose. In an article written before the first elections for the Commonwealth parliament, Mr. Deakin wrote as follows:—

"By the very circumstances of the case the tariff issue cannot but dominate the first election, and determine the fate of the first ministry of the Commonwealth. There will be no time for second thoughts or for suspension of judgment. The first choice of the people will be final on this head. The first parliament must be either protectionist or anti-protectionist, and its first great work an Australian tariff. That is the clear-cut issue. The risk is that a proportion of the representatives may be returned upon other grounds, as the electors as a whole may not realise all that is at stake or make the necessary sacrifices or opinion and preferences to express themselves emphatically on this point."

In commenting upon this declaration the supporters of so-called two-party proportional representation[11] said:

"The only way to avoid the risk indicated is to take this one definite issue as the basis of proportional representation. Each State should be divided on it, and should elect its proportional number of Free-trade and Protectionist representatives." But how are all the electors to be constrained into accepting the dictates of party leaders as to the lines upon which elections shall be fought? The Labour Party in Australia apparently considered the special principles for which they stood of more importance than either Free Trade or Protection. The English Labour Party would doubtless adopt the same point of view, whilst the Nationalists regard the Tariff question as of little importance as compared with Home Rule. "The rude and crude division," said Mr. Asquith, "which used to correspond more or less accurately with the facts of a representative assembly of two parties, had perhaps become everywhere more or less a thing of the past."[12] There are no means available for restoring the earlier conditions, and certainly the existing electoral system of single-member constituencies affords no guarantee that in the future any one party will obtain a permanent majority strong enough to get its own way. The maintenance in form of the two-party system during the parliament of 1906-10 was merely due to the accident of the phenomenal election of 1906, when the Liberal Party was returned in such numbers as to exceed the combined forces of all other groups. At the General Election of January, 1910, five parties entered the field, and as a result of this election no party obtained an absolute majority. In the important parliamentary debates which arose immediately after the election each of these groups took part, as such, for the purpose of emphasizing their independence, and when, consequent upon the death of King Edward, a conference on the constitutional question was arranged between the leaders of the Conservative and Liberal parties, Mr. Ramsay Macdonald, in commenting upon the conference, made this statement: "He regretted that there was going to be any conference at all, but if there was going to be one he, as a member of the Labour Party, denied the right of the two front benches to settle it. They no longer represented the House of Commons or the opinion of the country. There were other benches."[13] Obviously, if other benches are to be taken into consideration in the solution of constitutional questions, it is a matter of importance to know the true strength that lies behind those occupying them. The difference—an extremely important difference—that a proportional system would produce in the composition of the House of Commons is that the representation obtained by these groups would give a much more accurate clue to public opinion and, as in the long-run the strength of an executive depends upon its capacity to interpret the will of the people, the position of the executive would be rendered much more stable. This is the justification of Mr. Asquith's statement: "Let them have a House of Commons which fully reflected every strain of opinion; that was what made democratic government in the long-run not only safer and more free, but more stable."

But does parliamentary government, as the Royal Commission on Electoral Systems suggests, really depend for its working upon the maintenance of a system of election which admittedly distorts the real wishes of the people? This argument had been anticipated and effectively dealt with by M. Ostrogorski in his *Democracy and Political Parties*. "There arises," says he, "the old question of the Duke of Wellington, frightened by the prospect of the abolition of the rotten boroughs: How will the King's government be carried out? How will parliamentary government work? In reality the catastrophe will

not be more than that which so alarmed the hero of Waterloo; now, as then, it will be nothing more nor less than the destruction of something rotten."[14] The King's government has been improved by the abolition of the rotten boroughs, and will be still further improved if opinion within the House of Commons is brought into more direct relation with opinion outside. The view taken by the Commission was not shared by one of its members, Lord Lochee, who in a note appended to the Report says: "I am not concerned to dispute that the introduction of proportional representation might involve important changes in parliamentary government. That, in my view, is not a question for the Commission. I shall, therefore, only say that I do not believe that the cause of good government is bound up with the maintenance of a distorted representation, or that British statesmanship would be unable to cope with the problems which a better system might bring in its train."

The formation of an executive.

Changes will doubtless take place in the method of carrying on the King's government, but they will take place very gradually, and will be evolved out of present conditions. It would be essential, as now, that the government should possess the confidence of the House of Commons and of the country, and, in order to obtain this confidence it would not be sufficient to secure a majority by means of bargainings between groups which involved important sacrifices of principle. Even with such rigid party discipline as now obtains it would be difficult and perhaps impossible to effect an alliance between Unionist Tariff Reformers and Nationalists for the purpose of carrying out a double policy of Tariff Reform and Home Rule. It is certain that under a system of proportional representation such an arrangement would be useless as a basis for a stable executive, for with the lessened rigidity in discipline party leaders would have no means of enforcing the terms of such bargains upon their followers. The composition of the House itself would give a clear indication of the main policies which would meet with the approval of the House and also of the Government which would command its confidence. It is perhaps unwise to attempt to map out in any detail the probable course of events, but there are some who are unwilling to take this step forward in the perfecting of democratic institutions without some clear conception of the way in which a good government might be formed under the new conditions. Professor Nanson of Melbourne has endeavoured to satisfy this anxiety by attempting to forecast the probable effect which a system of proportional representation would have upon the formation of governments in Australia, showing how such a system would enable a really stable executive to be formed.

"To bring the matter vividly before us," says he, "consider the two vital issues now before the Australian public. These are Protection and the Labour platform. Every elector and every candidate at once falls into one of four groups. For every one is either Protectionist or anti-Protectionist, and every one is either Labour or non-Labour. Every person is therefore either Protectionist and Labour, or Protectionist and non-Labour, or anti-Protectionist and Labour, or anti-Protectionist and non-Labour. Using the letters P, A, L, N to denote Protectionist, Anti-protectionist, Labour, Non-labour, we have four groups which we may denote by PL, PN, AL, AN.

"It is clear that if we can find out the number of voters in each group we can at once declare the verdict of the country for or against Protection, and for or against the Labour platform. Suppose, for the sake of argument, that the percentage of voters are: Non-labour Protectionist, 32; Non-labour Anti-protectionist, 28; Labour Protectionist, 24; Labour Anti-protectionist, 16; as shown in the following table:—

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      P  A
N .... 32 28 60
L .... 24 16 40
      __
      56 44 100
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"Then it is clear that there is a majority of 60 per cent, to 40 per cent, against the Labour platform, and a majority of 56 per cent, to 44 per cent, in favour of protection. Under such circumstances the distribution of members in a House of 75 would be as follows:—

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      P  A
N .... 24 21 45
L .... 18 12 30
      __
      42 33 75
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"In such a House there would be a majority of 45 to 30 against the Labour platform, and a majority of 42 to 33 in favour of Protection. In such a House the only possible Ministry would be a Non-labour Protectionist. There would be a straight out Ministerial party of 24. There would be a right Ministerial Labour Protectionist wing of 18 bound to support the Ministry in its Protectionist policy. There would

be a left Ministerial Anti-protectionist Non-labour wing of 21 bound to support the Ministry in its Non-labour policy. The straight out Opposition would be 12. Such a House might well be left to elect a Ministry. Every minister would, with a proper method of election, if necessary, be a Non-labour Protectionist. For there would be an absolute majority of the House against every Labour man and against every Anti-protectionist. Every Minister would be heart and soul with the Ministerial policy. There could then be no possibility of dirt eating or of voting against one's convictions, as is alleged to be the case at present."[15] The divisions between English political parties may not be so clearly cut nor the composition of the Executive so homogeneous as outlined in this forecast of Professor Nanson, but a proportional system would certainly yield a true indication of the mind of the nation on at least three, and probably more, of the important matters under discussion in England—Tariff Reform, Home Rule, and the constitutional position of the House of Lords. A clear expression of national opinion on these issues would determine the policy which an executive resting for authority upon the House of Commons would have to pursue, but, in addition, the improved electoral methods would yield unmistakable indications of the attitude of the nation towards those Labour and Social questions which will more and more claim the attention of Parliament. In brief, so far from proportional representation creating conditions unfavourable to the formation of a strong executive, it will furnish the only means by which in the future stable executives can be formed. It will place within the hands of governments a new and more delicate instrument with which to gauge public opinion, and it is on the accurate interpretation of public opinion that the continued existence of a government depends.

A check on partisan legislation.

But those who, with Professor Jenks, regard the representative principle as being merely a means of getting things done, will perhaps want some indication of the possibility, not only of forming an Executive under a proportional regime but of carrying legislation. There are obviously two aspects to this question. The power of initiating and of controlling legislation is now so largely in the hands of the executive authority that means are required not only of getting things done but of ensuring that the privileged position possessed by the executive authority is not abused. The present system enables a ministry in command of an overwhelming but false majority to impose upon the nation legislation with which the nation is not in accord. It is more than doubtful whether the Education and Licensing measures carried by Mr. Balfour's administration (1902-5) would have been acceptable to a House of Commons which was truly representative, and as Mr. Balfour's government dominated the House of Lords as completely as it controlled the House of Commons, the only check which existed upon the action of the Ministry was the fear of defeat when the time came for the inevitable appeal to the country. Such a check has proved to be inadequate to prevent the passage of partisan legislation, and the failure of the House of Commons to protect the nation against legislation of an arbitrary nature has given rise to the demand for checks of another character.

Unlike the referendum, proportional representation will strengthen the House of Commons.

Thus, it is now urged that the nation should, by means of the referendum, be afforded the opportunity of exercising that control over the executive which the House of Commons has lost. "Formerly," says Professor Dicey, "when the King was the real and effective sovereign of the country, and was responsible for its government, it was right that he should have a veto. The nation is now the sovereign, and what I propose is to place a veto in the hands of the nation.[16] Now, although proportional representation is not inconsistent with the referendum, yet these two reforms endeavour to cure the defects of representative institutions in different ways. The referendum, by transferring responsibility and authority from the House of Commons to the nation, will tend to diminish the importance of the representative chamber. Proportional representation, on the other hand, aims at strengthening the House by making it more fully representative, and in consequence more competent to discharge its true functions. Moreover, there are some practical objections to the referendum. There must always be considerable difficulty in framing the form in which a legislative proposal should be submitted to the country. To be permitted to say 'yes' or 'no' to a complicated measure is not sufficient. It would have been extremely difficult for most of the electors to have stated, without any qualification, whether they approved of Mr. Asquith's Licensing Bill of 1908. This measure was far too comprehensive to submit as a whole, and an unfavourable verdict would have given no clear indication as to the nation's wishes, and would have been open to serious misinterpretation. The new licensing duties and the new land taxes contained in the Finance Bill of 1909 had nothing in common, and it would have been necessary to have submitted a Bill of this nature in sections. Further, every time a measure which had passed the House of Commons was rejected by the nation, the prestige of the House would be impaired, and the conclusion is unavoidable that, were the referendum adopted, the House could only retain an authoritative position by introducing a system of proportional representation so as to bring it as closely as possible into agreement with the nation. It is, moreover, generally agreed that Finance Bills should not be the subject of a referendum, but in a modern state these are of as much importance as other legislation. The work of legislation demands special qualifications. When we select a doctor or a lawyer,

or any other agent, we wish him to do his special work. The elector desires to have an effective choice in the selection of his representative in parliament, but having chosen a legislator with whom he is in sympathy entrusts the details of legislation to him. Proportional representation would give the elector this effective choice, and by restoring to members of Parliament a greater measure of freedom would enable the House of Commons to resume its proper function of controlling legislation. The need for the referendum would disappear.

Proportional Representation facilitates legislation desired by the nation.

It may be said, however, that there is here no indication of the means of getting things done, only of a check upon partisan action. But proportional representation, in rendering more difficult the passing of legislation conceived in a partisan spirit, will save the time and energy of Parliament for legislation which is more in accordance with the nation's will. The history of the numerous Education and Licensing Bills which have been presented to Parliament during the two decades 1890-1910 furnish an excellent example of the way in which a rigid party system results in the waste of parliamentary time. No wonder that the legislative machine has broken down. Efforts are now being made to increase the working capacity of the House of Commons, but if these are to be permanently successful, there must be such an abatement of partisan feeling as a system of proportional representation encourages. The changes which have been introduced in recent years into the procedure of the House of Commons are of a far-reaching character. According to the rules adopted in 1907, all Bills, other than money Bills and Bills for confirming Provisional Orders, are referred, after the passing of the second reading, to Standing Committees of the House, unless a resolution to the contrary is moved immediately and carried. There is a growing opinion in favour of these committees, the value of which is largely due to the greater sincerity in discussion which takes place in them. When Mr. Asquith moved the resolution allocating the time to be allowed for discussion on the Housing and Town Planning Bill, Lord Robert Cecil expressed the opinion that the system of guillotining debate was destructive of the legislative efficiency and the dignity of the House of Commons.[17] "Personally he thought some remedy might possibly be found in an extension of the Grand Committee system. He began with a violent prejudice against them. He had now sat on several of them, and he had come to the belief that, on the whole, they were by far the best instrument they now possessed, inferior though it was to a full and free discussion in the whole House for the consideration of legislation. The most important characteristic of them was that only those decided who heard the arguments. They did not have the disgusting farce that went on in that Chamber of members trooping in from outside who had not the slightest knowledge of the subject which had been discussed, who had not taken the slightest interest in it, and who merely asked the Whips at the door, 'Which side are we to-day?' and voted 'Aye' or 'No' as they were told. The Prime Minister recognized that the independence and dignity of the House were invaluable assets to the country, and had shown on many occasions a genuine desire to preserve the dignity of members of Parliament, and the self-respect of the House." Mr. Asquith, in reply to this statement, also expressed his opinion that by a larger and more elastic use of the system of Committees it would be possible to avoid some of the evils arising from the growing congestion of parliamentary business. "The Housing and Town Planning Bill was," said he, "a very good illustration of the useful purpose served by the Grand Committee. It was there for twenty-three days; it was discussed under almost ideal conditions; the closure was never moved from beginning to end; the Government Whips never sought to exert their authority in any one of the divisions which took place; and the discussion was conducted by men who were obliged to listen to the arguments of those who were opposed to them. As regards Bills of this character, it was perfectly certain that they got a much more accurate discussion, and decisions were arrived at far less under the stress of party prepossession than when a Bill was discussed in Committee of the whole House."

Thus it seems that a lessening of party discipline and a greater freedom and sincerity in discussion result in an acceleration of the rate of legislation, and as a proportional system favours these conditions it would materially assist the process of getting things done.

Proportional Representation in Standing Committees.

But this important change in the procedure of the House of Commons—the discussion of the details of legislation in Grand Committees instead of committees of the whole House—furnishes from another point of view cogent reasons for the adoption of a system of proportional representation. In the composition of these committees strict care is taken to allot representation to the various parties within the House in proportion to their strength. Otherwise these committees would not possess the confidence of the House. But if the composition of committees on a proportionate basis is a condition of their success, would not their work be even more successful if in the first instance the strength of parties within the House corresponded to the number of their supporters in the country? The House of Commons would enjoy the confidence of the nation, and its standing committees would acquire greater authority because they, in turn, would be fully representative.

One of the most important of these committees is the Scottish Grand Committee, to which all Scottish Bills are referred. All Scottish members are appointed to this committee, but in order that its composition should conform to the rule—that committees should reflect the strength of parties within the House—it has been found necessary to add thereto a number of English Conservatives who often, if not usually, have not the special qualifications necessary for dealing with the details of Scottish questions. If the purpose for which the Scottish Grand Committees have been constituted is to be fulfilled, it will be necessary that the different political forces within each part of the Kingdom should be represented in the House proportionately and that the membership of the committees should be confined to Scottish members. It is quite possible, under the present electoral system, that there might be an overwhelming Conservative majority in England and a large Liberal majority in Scotland. In such conditions the Scottish Grand Committee would fail to work. It would be necessary to add so large a number of English Conservatives that the Committee would lose its distinctively Scottish character. There is often very little difference between Scottish representatives on Scottish questions. A good instance of this was shown in the discussion on the report stage of the House Letting Bill (1909). The measure was opposed by the English Conservative members of the Committee, whilst the Scottish Conservatives voted for it. If the Scottish Conservatives were fully represented in the House of Commons they would obtain adequate representation on the Committee; a large addition of English Conservatives would not be necessary, and an agreement between the members of the Committee would often be much more quickly reached. Not only so, but a system of proportional representation would greatly strengthen the personnel of the Committee. Both the Scottish Law Officers of Mr. Balfour's Administration were defeated in the General Election of 1906, and in consequence the Scottish Conservatives, in their deliberations in Committee, were deprived of the expert advice which these officers could have afforded. Obviously, Scottish legislation can be dealt with best in a Scottish Grand Committee, but the successful working of this Committee requires the true representation thereon of the different sections of political opinion in Scotland, and, in addition, the presentation of those opinions by their most capable exponents.

Similarly, all members representing constituencies in Wales and Monmouth are to be appointed to the Committee dealing with Bills relating exclusively to that part of the country. Such Bills are not so numerous as Bills relating to Scotland, but nevertheless it is most desirable that in the discussion of a Welsh Bill minorities in Wales should be represented not by members sitting for English constituencies, but by representatives chosen by themselves who would be fully conversant with Welsh conditions. In the absence of such representation there will always remain the feeling that the minority has been unfairly treated, and it is this sense of unfairness that so often calls forth opposition of a partizan character, and such opposition is fatal to progress in legislation.

Perhaps the South African National Convention affords the most striking example of the capacity of a fully representative body to achieve results of a satisfactory character and with little delay. Had this Convention been packed either in the Boer or the British interest the great task of South African Union would never have been accomplished. The scrupulous care with which the rights of the minorities were respected is the secret of the wonderful rapidity with which the enormous difficulties involved in the task were overcome. Not only were minorities awarded full representation on this Convention, but every facility was afforded them in the choice of their delegates. The sense of justice and the spirit of reasonableness go always hand in hand, and the spirit of reasonableness alone makes possible the smooth and efficient working of the legislative machine.

Taking off the Whips.

Proportional representation will therefore not only facilitate the formation of a stable executive in the new political conditions, but it will be of very great value in creating the atmosphere in which legislation can most easily be passed. Even with the present system of false representation progress might often be more rapid if debate was less partisan in character. The executive might easily refrain from driving so hard the members of the party on which it rests for support. All political questions are not of the same importance, and a step in the direction of freer and less partizan conditions would be taken if opportunities were more often given to members to vote in accordance with their own judgment. The experiment of taking off the official Whips more frequently might yield valuable results. Sir Courtenay Ilbert says, however, that "open questions are not popular; they compel a member to think for himself, which is always troublesome."[18] But the advantage which would arise from the increase of the spirit of reasonableness would far outweigh such disadvantages as might befall the less politically minded members of the House. Far less importance too need be attached to snap divisions, and, as Sir William Anson has suggested, it should be generally understood that the results of such divisions need not entail the resignation of a government.

New political conditions.

Must then the practical politician still reject proportional representation? Sir Charles Dilke, in

evidence before the Royal Commission on Electoral Systems,[19] attached great importance to the views of political leaders upon the party system, and doubtless practical politicians are guided by their views. The recent utterances, however, of two great party leaders show that the new political conditions and their consequences are fully recognized and appreciated by them. Mr. Balfour, in a speech before the Scottish Conservative Club,[20] emphasized the importance of having every shade of opinion represented in the House of Commons: "There is a section," he said, "an important section of Socialist opinion in the country, and it is quite right that they should find voice in the House of Commons if their numbers in the country render that desirable. We cannot, we do not, lose by having Socialist members in the House of Commons, if there are many Socialists in the country. We do not lose, we gain by it." Does this utterance of a great Conservative leader indicate any belief that the two-party system is the final and unchangeable expression of national feeling. Mr. Asquith has said that "the rude and crude divisions which used to correspond more or less accurately with the fact of a representative assembly of two parties only, the Whig and the Tory, the Right and the Left, or by whatever other names they may have been called, with strictly drawn lines of demarcation with no debatable or intermediate territory, that perhaps has become everywhere, more or less, a thing of the past." Such opinions so freely expressed must prepare the way for the more serious consideration of proportional representation by the practical politicians. It will in no sense involve the abandonment of party organization, but it will render those organizations, to use Mr. Asquith's words once more, "elastic, flexible, always adapting itself to shifting conditions." Party organization of such a character is undoubtedly a fundamental condition of the smooth working of the parliamentary machine, but another condition equally fundamental is that the strength of parties within the House should bear a direct and true relation to the strength of parties in the country. Both these requirements are supplied by a system of proportional representation.

[Footnote 1: "Doubts of Proportional Representation," *The Albany Review,* November 1907.]

[Footnote 2: 12 September 1908.]

[Footnote 3: T. R. and H. P. C. Ashworth, *Proportional Representation applied to Party Government*, 1901, p. 195.]

[Footnote 4: *Report of Royal Commission on Electoral Systems* (Cd. 5163) par. 133.]

[Footnote 5: Ibid., par. 126.]

[Footnote 6: Ibid., par. 134.]

[Footnote 7: Ibid., par. 88.]

[Footnote 8: Burke, *Thoughts on the Cause of the Present Discontents*.]

[Footnote 9: "The Regeneration of Parliaments," *Contemporary Review*, June 1905.]

[Footnote 10: The Baden Socialists voted for the estimates in the Baden Diet, and shortly after at the German Socialist Congress, Magdeburg, 21 September 1910, a motion was carried excluding from the party *ipso facto* any member who in future voted for the estimates. The South German Socialists left the Congress House.—*Times*, 23 September 1910.]

[Footnote 11: T.R. and H.P.C. Ashworth, *Proportional Representation Applied to Party Government: A New Electoral System*, 1901, p. 210.]

[Footnote 12: Address to members of the Russian Duma, House of Commons, 22 June 1909.]

[Footnote 13: *The Times*, 13 June 1910.]

[Footnote 14: M. Ostrogorski, *Democracy and the Organization of Political Parties*. (Translation by F. Clarke, M.A.), vol. ii. p. 713.]

[Footnote 15: The Australian *Review of Reviews*, January 1906.]

[Footnote 16: *The Times*, 16 March 1909.]

[Footnote 17: *The Times*, 16 June 1909.]

[Footnote 18: Preface to *Parliamentary Procedure of the House of Commons*, by Josef Redlich, p. xvii.]

[Footnote 19: *Minutes of Evidence of the Royal Commission on Electoral Systems* (Cd. 5152), Q. 1492.]

[Footnote 20: Glasgow, 22 October 1910.]

CHAPTER XI

OBJECTIONS TO PROPORTIONAL REPRESENTATION

"The party agents and political men opposed to the very last the introduction of a system of proportional representation."—COUNT GOBLET D'ALVIELLA

The question of practicality.

Although the fear lest proportional representation should weaken the party system is now the most serious obstacle in the way of its acceptance by the practical politician, yet there are others who warmly approve of the principle, who regard proportional representation as the ideal, but still entertain some doubts as to its practicability, and therefore shrink from a whole-hearted advocacy of the reform. Nor are these doubts entirely removed by the conclusion arrived at by the Royal Commission on Electoral Systems—that the three systems of proportional representation examined by the Commission are quite feasible. The sceptics need to be convinced that the intelligence of the ordinary English elector and the capacity of the English returning officer are equal to the requirements of the new system; its practicability has in fact to be demonstrated afresh. It is granted that the more complete adaptation of the machinery of elections to the true representation of the electors must involve some departure from the simplicity of present methods, and in order to gauge the value of the objection that the change proposed is so great as to render its introduction impracticable, it will be well to consider once more the character of the tasks which the new system will throw upon the elector and the returning officer.

The elector's task. In criticizing the mechanism of the single transferable vote a Member of Parliament, at a public meeting in his constituency, declared that the act of voting ought to be made so simple as to be intelligible to a child of the second standard in a public elementary school. The reply might very well be made that such children are capable of indicating a choice amongst those things in which they are interested. But this assertion raises the question whether the method of voting for the purpose of selecting the members of an assembly, to which the affairs of an empire, a nation or a city, are to be entrusted, can only be regarded as practicable if it is adapted to the capacity of the least intelligent of the electors. Must a nation continue to suffer all the evils which arise from an imperfect electoral system because some of its citizens may be so unintelligent as to be unable to make use of an improved method? A secretary of the Liberal Unionist Association has declared that in some constituencies hundreds of electors are so ignorant as not to know the name of the Prime Minister, and has even advanced this fact in order to show that it is unnecessary to trouble about the true representation of the electors. Even were this statement not exaggerated it would but furnish an additional argument in favour of proportional representation. The votes of such ignorant electors, not being given for political reasons, are far too easily bought by that indirect corruption which takes the form of subscriptions, charitable donations, gifts of coals and of blankets; and yet, with the present system, these votes may decide the result of an election and completely nullify the votes of intelligent citizens.

With the single transferable vote all that an elector is asked to do is to number candidates in the order of his preference. He need do no more than place the figure 1 against the name of his first choice. It is desirable that, he should proceed further, but abundant assistance, if he needs it, will be forthcoming from the party organizations and the press. But is there any considerable section of the English electorate that cannot perform this new duty? When being examined before the Select Committee of the House of Lords on the Municipal Representation Bill, Mr. J. J. Stephenson, a member of the Executive Committee of the Labour Party, was asked, "Do you think that the system of voting proposed in the Bill would offer any difficulties to working men?" His reply was emphatic. "No. I have had some experience of working men, and I have never found them any slower in intelligence than any other part of the community—there are few working men who could not tell in order of merit the men they wanted to vote for. That is my personal experience gained after some years of work." Apart from this expression of opinion, we have this convincing testimony to the capacity of working men electors

that they have been among the first to put improved electoral methods into practice. The Northumberland miners and Canadian Trades Unions are familiar with the use of the single transferable vote in the election of their officers; the Labour Party in Victoria has made use of preferential voting in the selection of its parliamentary candidates. Moreover, the daily work of artizans enables them readily and quickly to grasp the fundamental idea of proportional representation—the representation of parties in *proportion* to their strength—and the discussions on this question in Labour organizations have been at least as keen as, if not keener than, those in other political associations.

The doubts entertained as to the capacity of the electorate are not shared by those who have been officially responsible for the conduct of elections. Mr. S. R. Ginn, Clerk of the Peace for Cambridgeshire, in giving evidence before the Royal Commission on Electoral Systems, declared that "after one or two elections proportional representation ought to work as easily as the ballot. When the county electors got the extended franchise we had some difficulty with the ballot, but now it is simple, and proportional representation would be much the same." Speaking of the elaborate precautions taken in the organization of elections he expressed the opinion that the voters were more to be trusted than our machinery trusts them. It is difficult in the face of such evidence to understand on what grounds the English electors should be regarded as so greatly inferior to the electors of other countries that they cannot be trusted to make proper use of an improved electoral method. The charge of incapacity can only apply to the least intelligent section of the electorate, and it is astonishing that those who are so anxious to preserve the electoral privileges of the unintelligent voters should be supremely indifferent to the representation of the abler sections of the electorate. At present at every election the votes of thousands of intelligent citizens count for nothing. The electors who voted for Conservative candidates in Wales at the General Election in 1906 might have saved themselves the trouble. Their voting papers, although not spoiled in the technical sense, had no value. Proportional representation would have given a value to all these votes, and even if its introduction should result in an increase in the number of spoiled papers, this would be as nothing compared with the number of votes to which, for the first time, a value would be given. The Australian advocates of proportional representation aptly describe the reform as "effective voting." The elector knows that his vote will count, and thus every inducement is offered to him to take part in the choice of a representative. The vote becomes a more valuable possession to the elector under proportional representation than under the single-member system.

The returning officer's task.

With regard to the duties of returning officers, which in England fall upon the sheriffs of counties and the mayors of boroughs, it should be remembered that in the performance of these duties they are invariably assisted by an expert staff, and in judging of the difficulties which would attend the introduction of a new system, the fact that this expert staff would be available for the purpose of carrying out the details of an election must be taken into consideration. There would probably be no more difficulty in the introduction of a system of proportional representation than was experienced in introducing the greater change associated with the Ballot Act. On that occasion instructions as to their new duties were issued to returning officers, and similar instructions would no doubt be issued as to the practical organization of elections under a system of proportional representation. In Belgium a department of the Ministry of the Interior is set apart for the administration of electoral affairs. Complete instructions are issued from this department to the returning officers throughout the country, and the supervision which the department exercises over the conduct of elections doubtless contributes to the facility with which returning officers have carried out their duties under the proportional system.

The fears expressed lest returning officers should not be equal to the duties which would fall upon them under the system of the single transferable vote are not shared by the returning officers themselves. Mr. H. R. Poole, Under Sheriff for Somerset, who has had thirty years' experience in the conduct of elections, stated, in evidence before the Royal Commission on Electoral Systems, that were Somersetshire treated as a single constituency under the system of the single transferable vote he would be able to make the necessary arrangements for the counting of the votes with a staff of the same class of men as had assisted him hitherto. Speaking on behalf of the Under Sheriffs' Association, he added that "they saw no difficulty in carrying out any new electoral law which might be passed, and that they would always be glad to give their assistance and work as loyally as they could in support of anything which might be done." The officials of urban constituencies are not less competent. Perhaps the largest urban constituency which would be formed under a system of proportional representation would be that of Glasgow, and Mr. Alexander Walker, the Assessor of that city, who for twenty-four years was intimately associated with the organization of elections, has, after a careful examination of the details of the single transferable vote, stated that there are no practical difficulties in the way of applying the system to a constituency of the size of Glasgow.

The doubts as to the capacity of returning officers spring from an inadequate acquaintance with the difficulties which they already overcome in the conduct of elections. The duties which would devolve

upon these officers under the single transferable vote system are not greater than have been undertaken and are undertaken in Great Britain to-day in connexion with the use of the cumulative vote. The Scottish School Boards are still elected under the latter system, and the following particulars of the elections in Glasgow on 2 April 1909, illustrate the admirable manner in which returning officers in this country, as elsewhere, carry out the tasks assigned to them. The whole city was polled as one constituency; fifteen members were to be elected, and each elector had fifteen votes, which he could distribute or cumulate as he pleased upon any of the twenty-one candidates nominated. There were on the roll 157,194 electors, of whom 40,778 took part in the election. The returning officer, in this case the Treasurer of the Glasgow School Board, had therefore to deal with over 600,000 votes, but he had to make provision for counting a much larger number of votes. Yet he had no difficulty in accomplishing successfully and expeditiously this gigantic task. He enlisted the services of over 250 clerks, and the whole process of extracting the details of the ballot papers was completed in the course of about five hours. Had the single transferable vote been employed the number of votes to be dealt with would have been 40,778 only, and although the papers would have had to be counted more than once, the task would not have been so large as that entailed by the cumulative vote, nor would it have been necessary to have engaged so large a staff. It is sometimes forgotten that returning officers take a pride in the perfecting of their arrangements for counting the votes. In introducing new methods into the counting of votes in the Glasgow Municipal elections, Mr. Walker prepared and issued very complete instructions to his staff, and took pains to see that the staff were fully prepared for its work, and there is not the least doubt that the town clerks and under-sheriffs would meet any changes in electoral methods with the determination to carry out their part of the work as successfully as possible. The first elections in Tasmania and the Transvaal with the single transferable vote proceeded with perfect smoothness, and this was due to the excellent preparations made by the returning officers.

Time required for counting votes.

One of the minor objections urged against proportional representation is that a considerable time must elapse between the close of the poll and the declaration of the result. It will not be possible to announce the figures on the day of the election. It is doubtless desirable that the result of an election should be ascertained without unnecessary delay, but it is far better to wait a day in order to obtain a true result than to adhere to an electoral system which gives a false result, and on which a government may have to be based for a period of five years. With most proportional systems only one day's delay occurs. The Under Sheriff of Somerset has estimated that it might take him two days before he could complete the return for that county, as it would probably take half the first day to verify the contents of the ballot boxes. On this point the verdict of the Royal Commission on Electoral Systems is as follows: "On the whole it is probably safe to say that in a constituency where 60,000 or 70,000 votes are cast, such as would have to be contemplated in this country, the results should be declared with efficient arrangements in the course of the second day after the poll. Where the constituency was compact, *e.g.,* in the case of a large town like Birmingham or Manchester, the count of first votes could be finished on the night of the election, and the remaining operations of elimination and transfer completed in a long day's work on the following day; but a longer time would have to be allowed in the case of extensive rural districts."[1] It has also been alleged that there may be a greater number of petitions for the recounting of votes under the transferable vote system. But neither Tasmanian nor South African experience gives any ground for this statement, and as the Tasmanian Agent-General has pointed out, there is as much difference between the counting of votes under the improved system and under the existing rough and ready method as there is between book-keeping by single and book-keeping by double entry; the sorting of the votes is carefully checked at each operation, and all errors in the counting of votes must be rectified before any new stage in the process can be entered upon.

Fads and sectional interests.

The objection that a proportional system is too complex for English electors and returning officers thus completely breaks down. But it remains to consider whether the other objections which have been raised against proportional representation are of sufficient weight as to render its introduction undesirable. It is repeatedly asserted that proportional representation will encourage the undue representation of faddists and of sectional interests. For example, Professor Edward Jenks alleges that, "If we had such a vast constituency as Manchester, or Liverpool, under the proportional system we should certainly have a member for teetotalism, a member for vegetarianism and the like, and each of these, in all probability, would be instructed rigidly to oppose everything inconsistent with the special ideal of its constituents."[2] Now under a system of proportional representation a candidate in any constituency, were it Liverpool, Manchester or Glasgow, would have to secure about 10,000 votes before he could be sure of being returned, and it is incredible that in any of these constituencies so large a number of voters would support candidatures such as those described by Professor Jenks, or that political feeling is so weak that Liberal, Conservative, and Labour candidates would be set aside in favour of candidates standing for a single interest only. The character of the objection shows that the

true working of a system of proportional representation is completely misunderstood, for a proportional system reduces fads and sectional interests to their proper proportions; it is the existing system of single-member constituencies which confers excessive power upon insignificant sections of the whole. Were there 10,000 electors in Manchester who, as suggested, would regard vegetarianism as of greater importance than any other political question, and were these electors scattered throughout the city, then there would be an average of more than 1500 such electors in each of the existing divisions. A body of 1500 voters in a division of Manchester prepared to place their particular fad above all other political questions have now the power of determining the result of the election in that division; the 10,000 electors similarly minded would have the power of extracting a pledge in support of their proposals, and probably an effective pledge from the successful candidate in each division. Under a system of proportional representation they might possibly secure a few seats, but under the present system they can affect the election in every constituency. It is well known that a large number of members of Parliament pledge themselves at election time to the support of movements with which they are not fully in accord. Probably their seat depended upon the answer which they gave to the leaders of some small body of electors holding the balance in the constituency.

Mr. Henry Vivian, M.P., thus refers to the pressure which small groups of voters bring to bear upon parliamentary candidates: "One serious evil which he hoped might be abolished by a change of system was the ragging of constituencies by a comparatively small number of busybodies interested in some particular fad. A large number of members of Parliament really had to bend to some two or three hundred electors, although there might be 20,000 in the whole constituency. He had the misfortune to be elected by only a gross. It was strictly true that in many cases a candidate was compelled to consent to support something that he felt strongly against, merely because a certain percentage of the electors insisted upon it. He was not suggesting that proportional representation would entirely get rid of this evil, but he was satisfied that proportional representation rested on a larger basis—that they would have larger constituencies and a number of men from whom the elector might make selection; and therefore there would be a possibility of their lessening, if not altogether getting rid of, this most intolerable evil. He was not at all sure that he would not at times rather be out of political life than in it; it became so threatening that he absolutely refused to reply to the letters at all, or to be dictated to, in the way that these people attempted to do. He would venture to say that with a system of proportional representation they would be able to get rid of some at least, if not of most, of the objectionable features of the present system."[3] The same feature of our electoral system has been condemned in the strongest terms by Mr. Balfour. "Everybody," said he, "who has watched the actual course of a contested election in a constituency where parties were fairly evenly balanced, knows perfectly well the monstrous power which is given to a very small minority to exact a pledge from the candidate, not that he should support this or that great policy, but that he should help their small and particular interest. I know nothing which is more corrupting, both to the electors or to the elected, than that process; and although I have fully seen the difficulties which attach to what is commonly known as minority representation, it surely is an extraordinary criticism upon our existing system that, while a small handful of interested people can turn an election one way or the other on their own personal issue, huge minorities, like the minority of the Unionists in Scotland, are utterly and grossly unrepresented. We give every privilege to the little knot of people in the individual constituencies; we ignore the great mass who under our existing system find no representation at all comparable either to their numerical strength or to their public spirit, or to any other quality which makes them useful, able and independent citizens."[4]

The organizations of different branches of the Civil Service have, in furtherance of their interests, sought to bring pressure to bear upon members of Parliament, and in consequence of this action it has been suggested that civil servants should be disfranchised. In other words, it is proposed to meet an evil encouraged by defective electoral methods by inflicting a gross injustice upon a large body of citizens, the majority of whom, like other citizens, consider political problems purely from the point of view of national advantage. The true remedy for the unfair pressure of small sections must be sought in such a change in the method of election as will allow the country to appraise them at their true value. Direct representation, by means of which sectional interests can, if necessary, be defended or advanced within the House of Commons, is far less injurious to the State than a system which allows such interests to bring unfair pressure to bear upon a considerable number of members of Parliament, or to enforce their demands upon the nation by linking themselves to a national party. There is, however, but little danger of any large number of members being returned in support of single interests only. The results under systems of proportional representation show that the members elected are returned upon political grounds, and when any question has attained such importance as to command the support of 10,000 votes in any constituency, doubtless that question has become ripe for discussion in Parliament, and can no longer fairly be described as a fad.

It is, however, said that the direct representation of sectional interests will enable these to exercise in Parliament the same pressure that they at present exercise in the constituencies. This statement also

is based upon a misconception of the changed conditions which would result from a system of proportional representation. A small body of electors can at present exercise pressure in the constituency, because the result of the election is in their hands. A small group of members could only exercise the same influence in the House of Commons if the large parties were willing to bid for their support and were, at the same time, able to enforce upon their followers the observance of any agreement entered into. The great difference in the new conditions of party discipline will here come into play. Members of a party who have been able to win elections in spite of the opposition of sectional interests, would be able to withstand pressure in Parliament. They would know that they could appeal with confidence to their supporters in the constituency to endorse their action, and, indeed, they would much more likely lose their seat if they acted contrary to the wishes of those who had returned them. Any sacrifice of principle by a party for the sake of conciliating a small faction would cause a loss of support greater than the gain. When proportional representation is established such grouping as may take place within the House of Commons will be based upon political affinities.

The representation of localities.

Another objection which is often brought against proportional representation is that it will destroy the intimate relation which exists at present between a constituency and its representative in Parliament. Here the arguments used are not only as a rule self-destructive, but they are obviously in conflict with the suggestion that proportional representation would give undue weight to sectional interests. "Parliament," said Burke, "is a deliberate assembly of one nation, with one interest, that of the whole; where not local purpose, not local prejudices, ought to guide, but the general good, resulting from the general reason of the whole. You choose a member indeed, but when you have chosen him he is not a member of Bristol, but he is a member of Parliament. If the local constituent should have interest, or should form a hasty opinion, evidently opposite to the real good of the rest of the community, the member for that place ought to be as far as any other from any endeavour to give it effect."[5] Were the primary duty of a member for any constituency to consider the special needs of that constituency, local considerations would outweigh national interests.

Yet Burke's declaration is not intended to relieve the representative of a constituency from the duty of attending to its administrative necessities. "Only members of Parliament," said Mr. Gulland, M.P., "appreciate how largely their time is taken up with local matters. They have to approach the different Government Departments upon an endless variety of topics." But Mr. Gulland proceeds: "These matters as a rule have no reference to existing Parliamentary divisions, and in a city it would be very much better if a man were member for the whole city rather than for a division. And in the case of a county, including burghs, it would be better that the general interests of the county should be attended to by members representing the county as a whole than by a member who is only the representative of the burgh."[6] It is also possible that the interests of some division of the city or county might be opposed to the interests of the city as a whole, and this is an additional reason against the subdivision of such constituencies for the purpose of parliamentary representation. An admirable illustration occurs in a speech made in the Canadian House of Commons by Mr. F. D. Monk, K.C. "In a very large constituency," said he, "say of the size of the entire island of Montreal, it would be impossible to resort to the promise of a great many small public works, which by the admission of everybody are not at present advantageous, when we have such large problems to solve in connexion, for instance, with the problem of transportation. Nobody in a constituency such as I have just indicated could advocate the construction of a small wharf or a small public building, but would be obliged to consider the relation of such a large territory as the island and city of Montreal to the all-important question of transportation. He would be obliged to lay before the electors, not promises of small and very often useless, though comparatively costly improvements, but the necessity of carrying out such a plan of transportation as was laid before the country and the Government some years ago by a commission composed of very experienced men, who after considerable labour had in my opinion solved that very vital question in every part of the country."[7] If local representation is necessary it would therefore appear to be most desirable that the representatives should be able to speak in the name of the whole of the town or of the county, as the case may be, and that is the kind of local representation which a system of proportional representation provides. The members for the larger area can and do take a wider view than the member for the smaller electorate.

But what kind of local representation does a system of single-member constituencies provide? A large number of constituencies are represented by members who have no connexion with the locality other than that of being its spokesman in Parliament. Mr. Winston Churchill, defeated in a division of Manchester, is elected member for Dundee, a Scottish constituency. In what sense is the local representation of Dundee preserved? What were the special qualifications possessed by Mr. Churchill for giving utterance to the needs of a Scottish constituency? Doubtless Mr. Churchill made every effort to become acquainted with the local conditions of Dundee, and the necessity of doing so must have made considerable demands upon his time and energy. Yet it is more than doubtful whether Mr.

Churchill can ever be an ideal representative from the standpoint of locality of a constituency to whose local life he is a stranger. Mr. Churchill's experience is in no sense singular. Mr. Gladstone found it necessary to leave Greenwich for Midlothian; Lord Morley to leave Newcastle for Forfarshire; Sir William Harcourt to leave Derby for Monmouthshire; Mr. Balfour to leave Manchester for the City of London, and, however honoured the new constituencies might be by the distinction of their members, it cannot be said that the intimate relation between the representative and the constituency was maintained. Under proportional representation the representation of localities becomes much more real. Excellent examples can be seen in the working of the system in Belgium. Before the introduction of the new methods leaders of political parties in Belgium were compelled, as in England, to leave the towns with which they were identified and to seek election for constituencies, in which, comparatively speaking, they were unknown. Here the cause was not the subdivision of constituencies but the absence of any provision for the representation of minorities. M. Anseele, the leader of the Socialists in Ghent, and intimately acquainted with the life of that city, had to seek entrance into the Chamber of Deputies as one of the Socialist representatives of Liège. Similarly, M. Vandervelde, whose activities had always been identified with Brussels, had to proceed to Charleroi in order to secure election. But on the introduction of the proportional system, M. Vandervelde returned to Brussels and was immediately elected as one of the Socialist members of the constituency, of whose special requirements he could, if need be, speak with effect in Parliament. M. Anseele returned to Ghent and was elected as one of the members for the city with which the whole of his life had been associated. He was relieved from the double burden of continuing his work in Ghent and of acting as the representative of a constituency in another part of the country. It is abundantly clear, if it is desired to maintain the local character of representation, that a proportional system secures such representation in its most efficient form.

So flimsy and contradictory are some of the arguments brought against proportional representation that it is not surprising that certain critics, impressed by such facts as are recorded in the previous paragraph, have alleged that the system will so favour the representation of localities that no one but a local candidate will ever have any chance of success. The conclusion is drawn that proportional representation will militate against the return of eminent politicians, and is, for this reason, undesirable. But the facts cited as to Belgium bear no such interpretation. It is true that under all electoral systems the local candidate has, other things being equal, an advantage, and rightly so, over candidates who are not directly connected with the constituency, but it is also true that under all systems local candidates give way, if necessary, to distinguished statesmen. In Belgium the Socialists of Liège and Charleroi willingly accepted as their representatives M. Anseele and M. Vandervelde when these failed to secure representation in their own towns. So welcome are eminent politicians that there can be no ground for supposing that they will suffer from a proportional system. Indeed, large constituencies returning several members give to these a much surer foothold in Parliament than they can possibly secure with single-member areas. The distinguished candidate can appeal almost with certainty of success for the "quota" of votes which is sufficient to secure his election. The only change that will be made by the proportional system is that he will be able to retain his seat in the constituency with which he is really identified; he will no longer be compelled to wander from place to place with every swing of the pendulum.

The member and his constituents.

There is perhaps one other aspect of the representation of localities which deserves attention. The fictions are still maintained that a member of Parliament represents and is intimately associated with all his constituents. As regards the latter, it is obvious that only in a very small constituency can a member become personally acquainted with the electors. This might have been feasible in the days of the restricted franchise prior to 1867, but in modern constituencies which, on an average, contain some 11,000 voters it is impossible. Further, in respect of representation, since votes, save those of ignorant and corrupt electors, are given more and more on political grounds, an elector can derive but little consolation from the fact that he is "represented" in Parliament by the candidate whom he did his best to defeat, nor does such an elector, should he take a considerable interest in political work, care to approach the member in any cause; he prefers to seek help of a member of his own party who is the representative of another constituency. If a member of Parliament is elected to defend Free Trade he cannot possibly represent the political convictions of constituents who believe that Free Trade is disastrous to the country. But under a proportional system Free Traders and Tariff Reformers would each have their own representatives, and whilst all the members would be able to speak for the constituency when its local interests were concerned, the various parties within the constituency would find expression given to their views when the question of Free Trade or of Tariff Reform was under discussion. So far as modern conditions permit, the relations between the member and his constituents would be of an intimate character, and at least there would be that bond of sympathy which springs from identity of purpose and of political faith.

Objections of party agents.

Count Goblet d'Alviella has stated that the most strenuous and persistent opposition to the introduction of proportional representation in Belgium came from party agents and from the political men, that is, from the extreme partizans. It is perhaps only natural to expect that party agents should object to a system which would introduce a considerable change in the method of party organization and in the conduct of elections, but a good many of their fears are based upon misapprehensions. It is true that political organizations might not control nominations as much as they do now, but the work of organizers would perhaps be even in greater demand than now. Thus, in Belgium, before the introduction of proportional representation, many constituencies were uncontested, some not for twenty years, and the political organizations of the minority in these constituencies fell into decay, in many places being completely abandoned. Similarly in England, it is often extremely difficult to maintain political organizations in those constituencies in which the position of the minority is hopeless. The new electoral methods have been followed in Belgium with a great increase of political activity; no constituency is now uncontested, and each of the parties maintains an active organization in every district.

The objections generally advanced by party agents are the increased inconvenience and cost which would result from the enlargement of the constituencies. It is alleged that it would be impossible for candidates in country areas to make themselves known to the electors. But to what extent does this objection hold good? Prior to 1885 many of the constituencies were much larger than they are to-day. The county of Northumberland, which is now divided into six divisions, was then divided into two. With the more rapid means of communications and of transit now available a candidate can cover a county constituency with much more ease than was possible a generation ago. The decrease in the size of constituencies since 1885 has not given any greater leisure to the candidates during the period of his candidature. Every moment of his time is filled up and, indeed, there is often an unnecessary expenditure of time and energy upon public meetings, the number of which, owing to an insane competition, has been multiplied to an absurd degree. Candidates are now expected to address meetings at the breakfast hour, meetings at the luncheon hour, and meetings in the evening; if constituencies were enlarged the time of the candidate would doubtless be carefully mapped out to meet the new conditions. Moreover, the constituencies required by a system of proportional representation in the United Kingdom would still be small compared with the constituencies in the Colonies, and even though large electoral areas may have some disadvantages the benefits to be gained from a true system of representation completely outweigh them.

Alleged difficulties in the organization of elections.

Some valuable lessons were learned during the course of the Johannesburg municipal elections in 1909, as to the organization of contests under the system of the single transferable vote. There was no previous experience to guide either the candidate or their agents. The methods pursued differed according to the rigidity of the discipline existing within the party. A committee representative of commercial and other interests, presided over by the Hon. W. A. Martin, M.L.C., selected the names of ten candidates—there were ten vacancies—and this committee asked the citizens of Johannesburg to vote for the candidates whose names figured upon this ticket—the "ticket of the ten good men," as it was called. The committee did not attempt to instruct the electors as to the order in which preferences should be expressed for these candidates. The electors were asked to place them in such order as they pleased.[8] The candidature of the ticket, as such, was in some respects also loosely organized. The various candidates gave separate and special attention to the districts with which they were most closely identified, but they also appeared in twos and threes on the same platform at public meetings. In every district the names of all ten candidates appeared upon the posters, but special prominence was given to the name of some one candidate—the candidate associated with the district. The final appeal to the public, in the form of a specimen ballot paper, had all the ten names printed in bold type. In this way the committee was enabled to appeal to the town to support the ticket as a whole, whilst the individual members of the ticket were free to solicit first preferences in the districts and circles in which they were best known. Such an arrangement shows how easily the difficulties of candidature under the new system can be overcome. If the arrangements outlined above were adopted by party organizers the difficulties of an electoral campaign would be no greater than with a system of single-member constituencies. Each candidate on the ticket would canvass a portion of the constituency—which would be no larger than a single-member area—whilst at convenient centres the members of the ticket would appear upon a common platform. The campaign of the Labour Party was more rigidly organized. The leaders nominated a ticket of three candidates, but instead of leaving their supporters free, instructed them to vote for the candidates on the ticket in a definite order, although this order was varied in different wards. In the official instructions the elector is asked to vote by placing the figure 1 opposite the name of the candidate he likes best, and some risk is run by an organization which advises its supporters to express their first preference for some candidate who is not the party's true

first choice. It is sufficient for organizers to advise their supporters to record preferences for all the candidates of the party, leaving the elector free to decide the order in which those preferences should be given.

Alleged increase of cost.

These elections threw some light on another difficulty urged against proportional representation by party agents, namely, the increased expenditure involved. Considerable sums of money were certainly spent in the prosecution of the candidature of the "ten good men," but these elections proved conclusively that excessive expenditure had much less influence in determining the result than in our parliamentary and municipal elections. The total expenses of the three Labour candidates in Johannesburg were returned at £18, 5s., and even if there is added thereto the expenditure incurred by the Labour Representation Committee, amounting to £34, 3s. 6d., the total sum cannot be said to be excessive. Two of these three candidates were successful. The expenditure of the successful Labour candidate in Pretoria was practically nil. Further, the Mayor of Johannesburg, who, relying upon his record of past work, personally took no action beyond the issue of a manifesto to the electors, was returned at the head of the poll.

Mr. Ramsay Macdonald also objects to proportional representation because of the cost involved in contesting large areas.[9] Johannesburg, for the purpose of its municipal election, was polled as one constituency, and the evidence furnished by this election is, therefore, of considerable value. Further, this evidence is confirmed by the experience of Socialist parties in Belgium, in Finland and elsewhere, which apparently find no difficulty in fighting large constituencies. The electoral conditions in these countries doubtless differ from those in England, but an analysis of the expenses incurred by Labour candidates at home show that single-member constituencies and small expenditure do not go together. The cost of these candidatures, even apart from returning officers' expenses, usually exceeds £500, and sometimes £1000. Such sums could be spent to much greater advantage in large areas in bringing all the adherents of a party to the poll.

It has already been shown that the practice of "nursing" a constituency is one of the indirect results of the single-member system. Indeed, no system gives so great an advantage to the candidate with a long purse; he can more easily influence those non-political electors whose votes may decide the issue. A consideration of the working of the new system will show that the cost of elections will in all probability be greatly diminished. At present in a city returning seven members a party must find seven candidates each with his separate organization and separate expenses; with proportional representation there will be but one organization for all candidates of the same party, and as no party can hope to monopolize the representation, it is unlikely that any will run as many as seven candidates. A well-organized party will get its due share of representation without subscribing to clubs and flower shows. The illegitimate power of money will be weakened, and the total amount spent considerably reduced.

The accuracy of representation.

A final criticism made against proportional systems of voting is that they do not secure the exact representation of all the electors in a country. Thus the Royal Commission on Electoral Systems, whilst admitting that the new method would generally produce more accurate results, mathematically at least, than the existing method, qualified their statement by saying that their success "in producing in Parliament the 'scale map of the country,' which they held up as the ideal, can be only partial"; and in another paragraph the Report contains this remarkable statement: "On the assumption, however, that proportional representation is desirable, can any system yet invented be guaranteed or reasonably expected to ensure it? In our opinion, only in a limited and generally unascertainable degree." No responsible advocate of proportional representation has contended that proportional systems, save when the country is treated as one constituency, will result in a mathematically accurate representation of opinion. But the close approximation to accuracy obtained in the practical application of proportional systems is so pronounced that the statement of the Commission is wholly misleading. The following figures of the Belgian election of 1910 will show to what extent accuracy is obtained by a proportional system, even when, as in this case, the mechanism slightly favours the larger party:

BELGIAN ELECTION, 1910

Parties	Votes.	Seats Actually Obtained.	Seats in Proportion to Votes.
Catholics	676,939	49	47.0
Liberals and Socialists .	561,052	36	37.5
Christian Democrats . .	16,170	——	1.0

Independents . . . . 20,428 —— 1.5

In Finland, where another system of proportional representation is in operation, the result of the election of 1909 was as follows:—

FINLAND ELECTION, 1909

Parties	Votes.	Seats Actually Obtained.	Seats in Proportion to Votes.
Social Democrat	337,685	84	80
Old Finn	199,920	48	47
Young Finn	122,770	28	29
Swedish	104,191	25	25
Agrarian	56,943	14	13
Christian Labourers . .	23,259	1	6

The single transferable vote has yielded results which are remarkably accurate. It has been used in Tasmania, with adult suffrage, in the Transvaal, with the municipal franchise, and in the election of the Senate for United South Africa, by members of Parliament. Each of the five constituencies in Tasmania returned six members, and the total result was as follows:—

TASMANIAN ELECTION, 1909

Parties	Votes.	Seats Actually Obtained.	Seats in Proportion to Votes.
Labour	19,067	12	11.7
Non-Labour	29,893	18	18.3

These figures speak for themselves. In the municipal elections in the Transvaal each of the parties obtained its fair share of representation. In Johannesburg the elections were fought by a commercial ticket of ten candidates, a Labour ticket of three candidates, and ten Independent candidates; the number of valid votes was 11,788, and the quota—that is, the proportion of votes which would ensure the election of a representative—amounted to 1072. The ticket of "ten good men" polled in all some 6185 votes, or 247 votes short of six quotas, and the ticket succeeded in returning six members. This result was strictly fair, for the deficiency in votes was made up by those supporters of independent candidates who, having failed to return their first choice, had indicated members of this ticket as their next choice. The three Labour candidates polled in all 2126 votes, or 18 votes short of two full quotas, and the Labour Party was successful in securing two representatives. The remaining two seats fell to two Independent candidates, each of whom had a considerable personal following. In the third test, the election of South African Senators, each of the parties obtained representation in proportion to their force in the Parliaments of the respective colonies. The details of the voting have not been published, [10] but the returning officers have all borne testimony to the satisfactory working of the system and absolute fairness of the results.

In the light of these facts, what meaning can be attached to the statement that proportional systems only secure proportional representation in a limited and generally unascertainable degree? The results of proportional systems are seen in a still more favourable light if contrasted with the working of non-proportional methods. Thus the Liberals of Surrey, Sussex, and Kent were without representation in the Parliament of 1910. The Unionists of Wales were in the same plight in the previous one. In the election of the Australian Senate (1910) the Labour Party obtained eighteen seats, all other parties none. In the same year, the Municipal Reformers elected all the aldermen of the London County Council, the Progressives none. In the election of Representative Peers of Scotland no Liberal peer is ever chosen.

Summary of objections.

The various objections which have been raised from time to time against proportional representation have been almost wholly disproved. Before it was put into operation it was said to be impracticable; wherever the new methods have been introduced the proceedings have in every case passed off without a hitch. Proportional representation, it was said, would result in unstable governments; now complaint is made that it has been difficult in Belgium under the new system to effect a change of government, the majority of the electors apparently being content with things as they are. It was alleged that faddists would obtain undue representation; it is now complained, under some misapprehension, that independent political thought will fail to secure an adequate hearing. Objections of a minor character are also raised; that proportional representation will increase the difficulties of electioneering; that it

will increase the cost of elections—a conclusion not in accordance with the experience of countries in which it has been applied; or that it will destroy the sporting element in politics, as if the pursuit of politics by itself was lacking in interest. Yet all the time the demand for electoral reform is increasing, and whilst the figures in the foregoing paragraphs show to what extent proportional systems secure accuracy in representation, it can also be shown that proportional representation will facilitate the solution of those other electoral reforms which are also demanded upon the ground that they will add to the representative character of the House of Commons.

[Footnote 1: *Report of the Royal Commission on Electoral Systems* (Cd. 5163), par. 81.]

[Footnote 2: *The Albany Review*, October 1907.]

[Footnote 3: Annual Meeting of the Proportional Representation Society, June 1910.—*Representation*, vol. iii. p. 79.]

[Footnote 4: Scottish Conservative Club, Glasgow, 5 October 1910.]

[Footnote 5: Speech to the Electors of Bristol, 3 November 1774.]

[Footnote 6: Minutes of Evidence: *Royal Commission on Electoral Systems* (Cd. 5352), p. 118.]

[Footnote 7: 15 March 1909.]

[Footnote 8: The following is taken from a letter sent to the press by the Chairman of the Committee: "I am aware that many people are opposed to the principle of a ticket on the ground that it savours of 'dictation,' &c. &c. We are exceedingly anxious that every voter should be in a position to exercise his privilege of choice to the fullest extent.... It is not reasonable to expect him, without advice, to express an order of preference in the case of men he does not know. This is exactly one of the strongest justifications for a representative committee to come forward as we do, to say: 'We have carefully inquired as to the character, capacity, and ability of all the candidates, and having taken everything into consideration we recommend you to vote for the ten whose names are on our ticket, *placing them in such order of preference as you please*.'"]

[Footnote 9: Labour Party Conference, Leicester, February 1911.]

[Footnote 10: Owing to the small numbers taking part in the election, the publication of the details might possibly have furnished a clue to the votes of individual members of Parliament. For this reason the returning officers and the scrutineers were pledged to secrecy. The fairness of the results were fully recognized by the press, as the following extracts show:

"The result has demonstrated the absolute fairness of the single transferable vote."—*Bloemfontein Friend*.

"The system proved in practice as simple and accurate as it was scrupulously fair in character."—*Bloemfontein Post*.]

CHAPTER XII

THE KEY TO ELECTORAL AND CONSTITUTIONAL REFORM

"De la manière de régler le suffrage dépend la ruine ou le salut des Etats."—MONTESQUIEU

Electoral problems awaiting solution.

The Liberal, Conservative, and Labour parties are all agreed that a large measure of electoral reform is long overdue, but hitherto the various parties have contended only for such reforms as would strengthen their own parliamentary position. Liberal and Labour politicians, looking at the inequality in the voting power of electors, have demanded a reform of the franchise; they urge that every man should have one vote and no more. The Conservative party, looking at the inequalities in the size of constituencies, have demanded a redistribution of seats on the ground that all votes should be of equal value. Liberals, again, feeling the difficulties which have attended the emergence of third-party candidatures in the constituencies, ask for a reform in the method of voting so as to ensure that the member elected for any constituency shall represent a majority of the citizens. Apart from the question of the enfranchisement of women, which involves considerations of a different order, these are the three electoral problems with which public opinion has been chiefly concerned.

The efforts of parties to give effect to the reforms in which they have been more particularly interested have so far ended in failure. In 1905 Mr. Balfour introduced a Bill for the redistribution of seats, unaccompanied by any reform of the franchise. The measure was met with the cry of "gerrymander!" and its disappearance with the fall of the Government was regretted by few. In 1907 the Liberal Government attempted to deal with the franchise problem, apart from any scheme of redistribution. It endeavoured in Mr. Harcourt's Plural Voting Bill, a highly complex measure, to give effect to the principle of "one man, one vote." This Bill was strongly opposed on the ground that the reform was partial in character. If, said the opponents of the measure, it is unfair that one elector should have twelve votes whilst another elector has but one, it is equally unfair that the vote of an elector in one constituency should be twelve times as valuable as the vote of an elector in another constituency. The justice of the argument must be admitted, and explains why the rejection of the Plural Voting Bill by the House of Lords aroused comparatively little public feeling. Yet the rejection of this Bill has focussed attention upon the deficiencies of our franchise laws, and the eyes of all politicians are turning towards that more comprehensive measure of electoral reform which cannot be indefinitely postponed. Such a measure has been categorically promised by Mr. Asquith on more than one occasion. So far back as 1908, soon after his accession to the Premiership,[1] he made the following public declaration: "I regard it as a duty, and indeed as a binding obligation on the part of the Government, that before this Parliament comes to an end they should submit a really effective scheme for the reform of our electoral system."

The simplification of the franchise.

What are the lines on which a really effective scheme can be framed? The fate of the partial measures already referred to is at least an indication of the difficulties which will attend any attempt to carry an incomplete scheme. It may be assumed that an effective scheme must deal with the three problems named: franchise (including registration), redistribution, and three-cornered contests. Each of these factors must be dealt with as simply as a due recognition of the problem to be solved will allow. The complexity of Mr. Harcourt's Plural Voting Bill was due to the fact that we possess no less than twenty[2] different franchises. But the remedy is easy. "If," said the late Sir Charles Dilke, "they wanted to cheapen the cost, to remove the disgrace from this country of having registration more full of fraud and error than anywhere else, they could only do so by some simple franchise. All registration reform was condemned to failure until they made up their minds on a simple and easy basis for the franchise, sufficiently wide to enable them to absorb all existing franchises." Such a simple franchise is to be found in manhood suffrage, which would admit of the easy transfer of electors' names from the register of one electoral division to another. The chief objection to this solution, which arises from the fear that the most numerous class in the country may monopolise representation, may be met by linking the adoption of a simple franchise with a system of election which shall give due representation to minorities.

Redistribution.

Redistribution must be treated with like boldness, but before considering the principle on which this reform must be based, it would be well to give some indication of its urgency. Here are the figures of four of the largest and four of the smallest English constituencies as given in the Parliamentary Return of 1911:— *** Constituency. Electors. Constituency. Electors. Romford (Essex) 55,951 Durham. 2,698 Walthamstow (Essex) 42,029 Bury St. Edmunds 2,878 Wandsworth 39,821 Whitehaven 2,989 Harrow (Middlesex) 38,865 St. George's, Tower Hamlets 3,252

Should be automatic.

It will be observed that an elector in Durham has twenty times the political power of an elector in the Romford Division of Essex. Nor are these discrepancies confined to England. There are great divergencies between the electorates of individual constituencies in Scotland and Ireland, and any measure of redistribution which attempted to deal effectively with these would necessarily have to be of a far-reaching character. Even were it possible to effect a readjustment by the creation of parliamentary areas containing an equal number of electors, so rapid are the changes in the electorate that the scheme would be out of date almost before it came into force. Mr. Ellis T. Powell has published a valuable table entitled "the process of electoral evolution,"[3] in which he has arranged the constituencies in the order of their size as measured by the number of electors who were on the registers in 1886, and again in 1906. The table shows how remarkable has been the change in their relative importance. The rapidity of the change is still further indicated by a comparison based upon the 1908 register. Any one who has the curiosity to count the number of constituencies which retained the same position on the list both in 1906 and 1908 will find this to be the case in nineteen constituencies only out of a total of 481. So great, indeed, has been the change since 1901, the date of the last census, that no satisfactory scheme of redistribution could be framed upon the population figures of that year. It would seem that the only satisfactory principle upon which the problem can be

solved is that of an automatic redistribution of seats on the completion of every census, but the difficulties associated with such a solution, if the present system of single-member constituencies is retained, are so overwhelming as to render it almost inadmissible. True, the South African Constitution provides for the automatic redistribution of seats after every quinquennial census,[4] and the Canadian Constitution contains a similar provision, but the inconveniences attaching to a rearrangement of boundaries are not so great in new countries as those which obtain in an established country. Moreover, as time goes on, the inconveniences associated with rapid changes in boundaries will be felt more and more both in Canada and in South Africa. For local authorities[5] rightly complain of the difficulties which arise from the creation of different areas for different purposes and the consequent overlapping of boundaries, and these difficulties would increase were fresh parliamentary divisions created every ten years. The problem which would be involved in the creation of new parliamentary divisions for London is such as to render a satisfactory scheme almost impossible. Apart, however, from these considerations, the difficulties of another kind attendant upon the creation of new constituencies are so great that it is quite easy to understand the unwillingness of the leaders of both political parties to embark upon schemes of redistribution. The influence of boundaries upon the political fortunes of parties is so well known that any rearrangement, whether in the metropolis or in the large towns, would probably be looked upon with very grave suspicion, and the more so that in several towns party organizations have already endeavoured to obtain the maximum of party advantage under existing conditions.

Secures neither one vote, one value nor true representation. Further, it has been proved beyond question that a redistribution of seats will, if single-member constituencies are retained, fail to accomplish the end which its advocates have in view, namely, one vote one value. For redistribution can only secure equality in the size of electoral districts, and this is not the same as equality in the value of votes. With equal electoral districts it would still be possible in two adjoining constituencies for one member to be returned by a large majority and the other by a small majority. In Wales it might still happen that a Conservative vote would be valueless for the purpose of obtaining representation. Equality in vote value is only secured when the votes of electors of all parties are equally effective. This can only happen when the representation of parties is brought into agreement with their voting strength.

The Royal Commission on Electoral Systems entered very carefully into the probable effect of redistribution upon the representation of parties within the House of Commons, and came to the conclusion that, so far "as facts can be adduced to test it, the theory that the varying size of constituencies accounts for the exaggeration of majorities falls to the ground." This conclusion—and the Commission could hardly have come to any other—is in agreement with the opinions expressed both by Mr. S. Rosenbaum, of the Royal Statistical Society,[6] and by Mr. J. Rooke Corbett, of the Manchester Statistical Society.[7] The following summary of the results of Mr. Corbett's analyses of the eight General Elections 1885-1910 shows conclusively that redistribution would fail to remedy the inequalities in representation arising from a system of single-member constituencies:

GENERAL ELECTIONS, 1885-1910

Majority Majority Year of of seats under system Majority under Election Party. actually of equal a proportional gained. electorates. system. 1885 Liberal 158 178 86 Liberal 1886 Conservative 104 102 8 Liberal 1892 Liberal 44 46 34 Liberal 1895 Conservative 150 172 12 Conservative 1900 Conservative 134 150 16 Conservative 1906 Liberal 356 362 104 Liberal 1910(Jan.) Liberal 124 136 66 Liberal 1910(Dec.) Liberal 126 122 38 Liberal

"It is sometimes said," states Mr. Corbett, "that if the single-member constituencies were made equal in size these inequalities of representation would disappear. It is difficult to understand how any one with even the most elementary knowledge of the facts can support such a proposition. An examination of the foregoing summary will show that no readjustment of the electoral constituencies would do much to remedy the enormous inequalities which occur at present. In fact strict equalization of the constituencies would be as likely to make matters worse as to make them better. Thus, in the year 1885 the Liberal majority of 158, which under a proportional system would have been 86, by a system of equal electorates would have been transformed into a majority of 178; in the following year a Conservative majority of 104, which, with a proportional system, would have been a Liberal majority of 8, would under a system of equal electorates have been transformed into a Conservative majority of 102." Mr. Rosenbaum states: "I am firmly persuaded that it is not possible for redistribution alone to effect those particular reforms which the advocates of proportional representation urge…. Proportional representation would secure in the House of Commons a representation of each party in strict arithmetical proportion to the number of its supporters in the country. Redistribution can remove anomalies due to over-representation in one part and under-representation in another part of the country. So far as the over-representation in one area is accompanied by an excessive proportion of

members of one party, and the under-representation in another area is accompanied by a deficiency of members of the opposite party, redistribution might have some counterbalancing results. There is, however, no real security that redistribution by itself might not aggravate rather than mitigate this particular trouble."

The problem simplified by proportional representation.

It will have been observed that the difficulties of redistribution arise from the system of single-member constituencies, and it is this which also renders all schemes useless for the purpose of securing equality in the value of votes. An effective and simple solution of all difficulties is available. Abandon the system of single-member constituencies with their ever-changing boundaries, and treat the natural divisions of the country (its counties, large towns, &c.) as permanent constituencies with representation varying with the rise or fall of their population. This is the scheme of redistribution required by a system of proportional representation, and its adoption would simplify the most difficult of all the problems of electoral reform. It would make possible that automatic redistribution of seats, which must be an essential feature of any satisfactory scheme of redistribution, without involving these alterations of boundaries which, in addition to their other disadvantages and even dangers, interfere so seriously with administrative efficiency. With such a system the areas for local or parliamentary purposes might easily be brought into agreement. Already "we have strong county patriotism fostered by tradition, by ecclesiastical and judicial affairs, county council government, county territorial organization, and even county cricket and football; to have, therefore, county electoral areas would be at once popular and intelligible to all; besides, it would be a reversion to an old tradition";[8] and if the large towns were made parliamentary constituencies this also would be a reversion to the conditions which existed before 1885. It would be infinitely easier to add representatives to or take them away from such electoral areas than it would be to redivide the boroughs and counties for the purpose of creating new constituencies.

Commenting on the work of the Delimitation Commission, to which was entrusted the duty of creating the new constituencies for the South African Assembly and Provincial Councils, the Secretary, in a letter to the author, says: "The task set the Commission proved exceedingly difficult. While it was, so to speak, imperative to give due consideration to all the principles enjoined by the Act, the great object naturally was the framing of constituencies both for the Union Assembly and for the Provincial Councils which would be able to send representatives who, in turn, would reflect the will of the various sections of the people. The conditions enjoined by the Act made it very difficult to produce schemes which could on all hands be considered entirely satisfactory.... Good as the result is, there is no question that had the first recommendation of the South African Convention in favour of proportional representation been adopted, the work of the Commission would not only have been much simplified, but the chances of framing constituencies with representatives forming a true mirror of the various sections of the people would have been increased by more than fifty per cent.... If there had been any doubt in my mind my work on this Commission has removed that doubt, and proved to me that the only remedy for our various electoral ills is a system of proportional representation." This considered testimony, from one who has been immersed in the practical details of redistribution, is of great value, but it can occasion no surprise, for proportional representation admits of automatic redistribution of seats, provides for the permanence of boundaries, renders gerrymandering impossible, and, above all, secures equality in the value of votes.

The case of Ireland. There is one special difficulty,[9] however, which must be faced in the consideration of any scheme of redistribution for the United Kingdom—the number of representatives to be allotted to Ireland. The permanent over-representation of any one part of a kingdom united for common purposes cannot easily be defended, but the South African Constitution furnishes an example of a larger representation being accorded temporarily to the smaller states for the purpose of facilitating the union of all; whilst in South Africa, Australia, and the United States the separate states or provinces have equal representation, irrespective of size, in the Senate. If the continued over-representation of Ireland would in any way facilitate the process of the unification of the United Kingdom, that in itself would be a very powerful and sufficient reason for maintaining the number of Irish members at its present level. A system of proportional representation might simplify the solution of this particular difficulty, for the over-representation of Ireland would not have the same disturbing effect upon the composition of the House of Commons if the different divisions of political opinions within Ireland obtained their fair share of representation. For proportional representation would produce a very important modification of the electoral conditions within Ireland. According to Mr. J. Rooke Corbett, the Irish Unionists who, at the General Election of 1906, obtained 18 representatives, were entitled to 34. But that is not the only change that would take place. There would result a softening of those racial divisions which are now the chief characteristic of Irish representation. Moderate opinion would be encouraged to take a more active part in elections and to seek representation. Nor can it be said that the political conditions of Ireland are such as to render

proportional representation within Ireland either impracticable or nugatory in its effect. Mr. Archibald E. Dobbs, High Sheriff of county Antrim, has framed a scheme with special reference to Irish conditions[10], and Lord MacDonnell, who was intimately associated with the details of the Irish Council Bill of 1907, has said: "He made the subject the matter of as close a study as he could at the time, and everything he read more fully satisfied him of the great desirability of the system. He felt that it was more needed in Ireland than in any other part of the British Empire, because, although for the purpose of general politics the division into Nationalists and Unionists could be defended, for the purpose he had in view—the internal administration of Ireland—it was essential that all views, not only the Nationalists and the Unionists, but the great political school of thought under the name of the old Whigs should also be represented. The results of his labours perhaps it would not be discreet for him to disclose, but he was quite satisfied of the practicability in Ireland of a scheme of proportional representation[11]."

Three-cornered contests.

But even if the Electoral Reform Bill provided for a simplification of the franchise and a redistribution of seats, yet such a measure could not be described as a complete and effective scheme of reform. The Bill must provide a solution for the further problem arising from three-cornered contests, which have greatly increased in number in recent elections. On what principle is this difficulty to be solved? Formerly there was a strong demand for the second ballot, but its defects have been so constantly exposed that the remedy more generally advocated is the one recommended by the Royal Commission on Electoral Systems, viz., the adoption of the alternative vote (the transferable vote in single-member constituencies). This proposal, however, ignores the real difficulty, which is found in the fact that three parties, and not two, are now seeking representation. Three-cornered contests have, so far, affected adversely the fortunes of the Liberal Party; and the alternative vote, whilst tending, at least temporarily, to redress the situation, does so without providing any adequate guarantee for the fair representation of other parties. Were this remedy adopted it may be assumed that Liberal candidates would be nominated in those constituencies which are now represented by members of the Labour Party, and at least there would be a cessation of the process of withdrawing Liberal candidates from other constituencies ear-marked by the Labour Party. Were all these constituencies contested by the three parties it might easily happen that the smallest party would obtain no representation whatever. Conservative electors might record their second choice for the Liberal candidate, and in this way secure in each case the defeat of the Labour candidates. On the other hand, an alliance between Labour and Conservatives might procure the defeat of the Liberal candidates. The representation of any one party would depend upon the action taken by members of other parties.

As the probable effects of the alternative vote becomes more fully understood its inadequacy as a remedy will be more clearly realized, and this proposal, instead of facilitating, may hinder the passage of a comprehensive measure of reform. On the contrary, the wider reform of proportional representation, providing as it would for the just and fair representation of three parties (and this is the problem for which a solution has to be found), has far greater claims to the consideration of practical politicians. It simplifies the problem of redistribution; it is the way by which equality in the value of votes can be secured; it provides for the fair representation of three parties, and, in guaranteeing the adequate representation of minorities, facilitates the adoption of a simple franchise. Proportional representation is, as it were, the master key which unlocks the difficulties associated with a comprehensive measure of electoral reform. Based on a broad simple principle, the justice of which is apparent to all, it provides the means by which each of the separate parts of such a measure can be most easily and effectively dealt with. Indeed, it is difficult to conceive on what other principle any permanent solution of the electoral problem can be based, or by what other means the difficulties inherent in a comprehensive measure of reform can be successfully overcome.

Partial adoption of proportional representation not desirable

Some who recognize the great merits of proportional representation have suggested its application to urban constituencies by way of experiment. Thus, Mr. Winston Churchill has expressed the opinion that "the proportional representation of great cities was a point upon which electoral reformers ought to concentrate their minds."[12] A partial application of the reform might be of value as further evidence of its practicability, but there is no need for this further evidence. The full benefits of the system cannot be expected from such experiments, and although a partial measure is apparently working satisfactorily in Würtemberg, the history of the movement shows that such schemes usually arouse fierce opposition. An attempt to introduce a partial scheme in Belgium provoked a storm of indignation and had to be withdrawn, and the amendment to the original draft of the South African Constitution, carried in the Cape Parliament, limiting the proposed application of proportional representation to the towns, resulted in its complete abandonment for the elections for the House of Assembly. All partial applications of proportional representation are apt to work unfairly. In Belgium, the Catholics were stronger in the rural districts than in the towns and the proportional representation of the towns alone

would have strengthened the political position of the Catholics. Similarly the limitation of proportional representation to the towns in South Africa would have strengthened the political position of the Dutch in those constituencies without giving a corresponding advantage to the minorities in the country areas. Were a partial application attempted in Great Britain it would be necessary to overcome the initial difficulty of selecting the constituencies to which the experiment should be applied, and in the absence of an agreement between the parties, it would be difficult, if not impossible, to escape the fatal charge of partisan selection.

Proportional representation and democratic principles.

What hinders the adoption of a complete scheme of proportional representation? Is it not primarily a lack of courage and of trust in the principle of democracy? But does it need a greater courage, a greater belief in the value of the democratic principle than the grant of self-government to the Transvaal and to the Orange River Colony within a few years of the Boer War? The courage and faith in the latter case have been abundantly justified, and were statesmen actuated by a similar courage and belief in democracy to propose a system of proportional representation there would undoubtedly be a public response which would astonish them; for reforms which are obviously based upon justice are quickly and gladly accepted. Democracy cannot be carried to its highest pitch of perfection if the electoral methods by which representative institutions are brought into being are fundamentally defective. "By proportional representation," said Mr. James Gibb, "if electors were enabled to put more intelligence and conscience into their votes, the nation would be the gainer. The character of the electorate is of paramount importance, one outcome of it being the character of the House of Commons. The electors have not yet had a fair chance of showing what they can do in the making of a House of Commons. The question put to them is in such a form that they can hardly give an intelligible reply. The single-member system seems to imply a belief that the elector's liberty of choice must be narrow. We have now arrived at a point when another step is due in the evolution of the people's liberties, when an individual elector should obtain a greater freedom of choice and therefore a more intimate relation to national affairs.[13] Further, the smooth working of democratic institutions requires that no section of the electors should be permanently divorced from the governing body. Such separation begets a feeling of hostility towards the institutions of the country. Thus, Lord Dunraven has referred to Ireland as a country in the government of which some of its best citizens are not allowed to take part. Similarly, many British settlers in the Orange Free State, although resident for several years, never had any representative in the State Assembly. The natural feeling arose that the government of the country was a matter which did not concern them, and they never attended the meetings addressed by the member of the Assembly for the district. It may be true that minorities must suffer, but there is no reason why they should suffer needlessly. Here justice and expediency go hand in hand. It is to the advantage of the country that all should be associated with the representative body which speaks in the name of the whole, whether that body be a town council, a county council, or a House of Commons.

Constitutional reform.

As pointed out in the opening chapter, the question of electoral reform is intimately associated with the constitutional problem which has occupied Parliament since 1906. This problem contains two factors—the relation between the two Houses of Parliament, and the constitution of the House of Lords. The House of Commons claims greater power in legislation on the ground that it is the expression of the national will. This demand has called forth a movement for reforming the House of Lords in order that it may fulfil more adequately its duties as a Second Chamber. The Unionist leaders have proposed that the peers should delegate their powers to a small number and that the House should be strengthened by the introduction of nominated and elected elements. With regard to the suggestion that a certain number of Lords of Parliament should be nominated by the Crown, all evidence points to the fact that such nominations invariably become party in character. No Government can afford to ignore the claims of the party which supports it, or to miss the opportunity of strengthening its position in one of the Houses of Parliament. The Canadian Senate, which is a nominated body, fails to give satisfaction, and there is a strong demand for its reform. At the conclusion of Sir John Macdonald's long lease of power the Senate consisted nearly wholly of Conservatives. Now that the Liberal Government has been in office for a good many years, the Senate is nearly wholly Liberal. Obviously, the introduction of a nominated element will not provide a Second Chamber that will command public confidence.

The elected element might be chosen indirectly by the County Councils or by the House of Commons, or the much bolder course of direct popular election, advocated by Sir Edward Grey, might be adopted. Direct election is distinctly preferable to indirect election by bodies created for other purposes. The experience of the United States, France, Sweden, and all other countries where the Upper House is elected by local legislatures, provincial councils, or municipalities, show that elections to the local authorities are fought on questions of national politics. But whether indirect or direct election is determined upon, it is already clear that the only possible method of election is that of proportional

representation. The Royal Commission on Electoral Systems has reported that there is much to be said in favour of the transferable vote as a method of election for a Second Chamber, and this verdict has since been endorsed in numerous articles in the press. Thus a writer in the *Quarterly Review* says that: "If an elected element is thought to be necessary for the popularity and effectiveness of a reformed Upper House, then let a certain number of members be elected in large constituencies by means of proportional representation."[14] Were the minimum age qualifying for a vote in such elections raised to twenty-five or more there would naturally be provided the conservative tendency to which that House is intended to give expression, and were peers eligible as candidates doubtless such peers as were interested in politics would experience little difficulty in securing election.[15]

The principle of election has been adopted for the Senates of Australia and of South Africa. In the former the majority system with direct election is used; in the latter, a proportional system with indirect election. The difference in the results is most striking. In Australia each of the States is polled as a separate constituency, each elector having three votes. The result of the election of 1910 was as follows:—

AUSTRALIA: SENATE ELECTIONS, 1910

State. Votes Polled. Labour Non-Labour Seats Obtained. Votes. Votes. Labour. Non-Labour. Victoria 648,889 692,474 3 — New South Wales 736,666 735,566 3 — Queensland 244,292 124,048 3 — South Australia 171,858 148,626 3 — Western Australia 128,452 109,565 3 — Tasmania 92,033 75,115 3 — ————- ————- — — 2,021,090 1,997,029[16] 18 —

It will be seen that the Labour Party polled 2,021,090 votes and obtained 18 seats, whilst their opponents, with a poll of no less than 1,997,029 votes, obtained none. So effectively does the majority system in the form of the block vote blot out minorities. The Hon. W. Pember Reeves, in commenting upon these figures,[17] said that: "Such results give rise to revolutions."

In South Africa each State is represented by eight Senators chosen by the local Parliaments by means of the single transferable vote. The first elections gave the following result:—

SOUTH AFRICA: SENATE ELECTIONS, 1910

Seats Obtained. States. Dutch Parties[18] British Parties[18]

Cape Colony South African 6 Progressive 2 Transvaal Het Volk and Progressive and Nationalist 5 Labour 3 Natal Dutch 1 British 7 Orange Free State Orangia Unie 6 Constitutionalist 2 — — Total 18 Total 14

In the one case minorities are completely suppressed; in the other the minority in each State obtains representation.

These two illustrations show that if the House of Lords is to be strengthened by the infusion of an elected element chosen by large constituencies, a true system of election must be adopted. This is the conclusion arrived at by Professor Ramsay Muir[19] after a careful examination of the different methods by which a Second Chamber can be constituted. All suggestions as to the selection of peers by hereditary peers, of peers qualified by service, by nomination, by indirect election, by direct election on a limited franchise, are ruled out and the direct election of a new Second Chamber by the single transferable vote is advocated in order that the new House may contain those elements which fail to secure representation with a system of single-member constituencies. But if, by the adoption of direct popular election and proportional representation, the Upper House were made more truly representative than the Lower, then whatever resolutions were passed defining the relations between the two Houses there is not much doubt that power would tend to pass into the hands of the more representative House. In commenting upon the Royal Commission's report *The Nation*[20] said: "Perhaps the most pregnant sentence in this whole report is that in which the Commission suggests that proportional representation might be a suitable basis for an elective Senate. We have our liberty of choice, and democracy may find its account in either alternative. We may prefer to retain an imperfectly representative Lower House. But if we place above it a really representative Senate the whole balance of the Constitution might be altered, and the Senate become the more venerable, the more democratic, and in the end, the more powerful Chamber. We may, on the other hand, reform the House of Commons, and render any Senate superfluous. In either event, proportional representation may become the ultimate key to our constitutional problem."

Federal Home Rule.

The same question, the method of election, must enter into the consideration of those larger schemes, Federal Home Rule and Imperial Federation, which have been mooted in the discussion of the

constitutional relations between the two Houses of the Parliament of the United Kingdom. A writer in *The Times*,[21] whose series of letters attracted considerable attention, said that the "central idea of Federalism appears to be that our present single Imperial Parliament, which does, or makes an attempt at doing, all the complicated work—first of the Empire, and second of the United Kingdom of Great Britain and Ireland, and third of the various countries which together make up the United Kingdom—is no longer adequate to the purpose. The Federalists therefore propose that the Imperial Parliament, while maintaining its supremacy absolutely intact, shall delegate a large part of its functions to a number of subordinate national or provincial Parliaments, who shall manage the domestic affairs of England, Scotland, Ireland and Wales, or of such other territorial divisions as may be agreed upon. These national or provincial Parliaments will be entirely independent one of another, but all will acknowledge the full and absolute sovereignty of the Imperial Parliament." Mr. Birrell stated that "Federation beginning here at home, as it is called, is ripening for a speedy decision. Such a Federation once established would be able to find room for our Dominions overseas as and when they wished to come in. We should have then a truly Imperial Parliament, at the door of which any one of our Dominions could come in, and as it were hang up its hat and coat in his Mother's House and take part in common Imperial proceedings, and in the government of this great Empire."[22] These are great changes, and without entering too deeply into details of how these new bodies are to be brought into being, it is certain that one of the conditions of their successful working is that they must be fully representative. It is inconceivable that a national council can be set up for Wales, or for Scotland, or for Ireland, without provision for the adequate representation of minorities. Lord Morley, in instituting the new Councils in India, was compelled to make provision for the representation of Muhammedans. Mr. Birrell, in the Irish Council Bill of 1907, proposed that minorities should be represented by members nominated by the Crown. It is impossible to reconcile this reactionary proposal with democratic principles, and there can be no possible reason for its adoption when there is a method of election available which enables minorities to choose their own representatives.

Imperial federation.

Mr. Birrell's vision of an Imperial Parliament for the British Empire raises once more the value of a true method of election. An Imperial Parliament will not accomplish its purpose—the consolidation of the Empire—if the basis of representation is such as to give undue emphasis to the separate interests of the constituent States. Further, it would seem desirable that the establishment of such a Parliament should be preceded by the more complete unification of the various States, for in no other Empire are there so many racial divisions, and it is from these that the greatest of political difficulties spring—in Ireland the division between north and south; in the United Kingdom between Ireland and Great Britain; in South Africa between the Dutch and British; in Canada between the French and British. The majority system of election brings out these differences in their acutest form. In Canada in 1910 no representative from the Province of Quebec attended the National Conference of Canadian Conservatives; of the four Provinces forming the South African Union it was in the Orange Free State, where in the local Parliament the minority was almost wholly deprived of representation, that racial differences gave rise to the keenest feeling. Proportional representation has proved itself to have been of the greatest value in bi-racial countries such as Belgium where the representation of political parties no longer coincides with racial divisions. The adoption of proportional representation in the United Kingdom, in Canada, and for all elections in South Africa would complete the consolidation of these various divisions of the Empire, and even where racial difficulties do not exist, as in Australia and New Zealand, the fair representation of all classes of citizens would free questions of Imperial politics from the dangers of exaggerated party majorities.

Conclusion.

Whether it is a question of improving existing institutions, or the creation of further representative bodies, the method of election is all important. All other departments of human activity show continuous improvement, and the substitution of scientific for rule-of-thumb methods of election is an improvement long overdue. It may even be said that the continued successful working of representative institutions demand such an improvement. The accomplishment of other electoral reforms can be more easily attained by the adoption of a system which allows of the fair representation of all. The reform of the House of Lords, whether by the delegation of the powers of existing peers to a small number, or by the introduction of an elected element, or its establishment on a completely democratic basis, necessitates the adequate representation of minorities. Federal Home Rule is impracticable unless due provision is made for minority representation. But in the contemplation of newer legislative bodies it must not be forgotten that it is of the utmost importance that the prestige of the House of Commons— the mother of parliaments, and, as such, the glory of English-speaking peoples—should be maintained at the highest level. Yet its predominance in the Parliament of the United Kingdom can be permanently secured only if it is made fully and completely representative. The House of Commons must once more renew itself; it must establish itself on sounder foundations. Its privileges and powers have been won

by the efforts of past generations. To the present generation falls the opportunity of perfecting its organization and of strengthening its foundations by making it in truth the expression of the national will.

[Footnote 1: Reply to Deputation of Liberal members at House of Commons, 20 May 1908.]

[Footnote 2: "This number might be reduced to eleven, if minor variations were grouped."—Sir Charles Dilke, National Liberal Club, 10 May 1909.]

[Footnote 3: *The Essentials of Self-Government,* 1909, p. 62.]

[Footnote 4: Section 41 of the South Africa Act, 1909, reads thus: "As soon as may be after every quinquennial census the Governor-General-in-Council shall appoint a commission consisting of three Judges of the Supreme Court of South Africa to carry out any redivision which may have become necessary as between the different electoral divisions in each Province, and to provide for the allocation of the number of members to which such Province may have become entitled under the provisions of this Act."]

[Footnote 5: The Town Clerk of Edinburgh, Dr. Hunter, urges a rearrangement of the Parliamentary Divisions of the city, so as to assimilate them to the municipal wards. "Confusion and unnecessary expense are caused by the present arrangement.... The municipal area of the city is represented in Parliament partly by the four city members, partly by the member for Leith Burghs, and partly by the member for the County of Midlothian. The distinction thus existing between the Municipal and Parliamentary divisions of the city necessitates the annual making up of separate rolls of voters for municipal and for Parliamentary purposes respectively, involving heavy additional expense (amounting to upwards of £1100 per annum), which would be avoided if the areas for both purposes were assimilated." Assimilation is desirable "not merely in order to save needless expense, but in the interests of candidates and electors as well as of the electoral agencies. In the dual arrangement at present existing the usual organizations for electoral purposes of all kinds have to be duplicated. Not one of the Parliamentary wards correspond with any of the municipal wards."—*The Scotsman*, 9 August 1910.]

[Footnote 6: "The General Election of January 1910, and the Bearing of the Results on some Problems of Representation." Paper read before the Royal Statistical Society, 19 April 1910. Mr. Rosenbaum, however, rejects proportional representation on political grounds. These have been considered in the two previous chapters.]

[Footnote 7: "Electoral Statistics." Paper read before the Manchester
Statistical Society, 12 December 1906.]

[Footnote 8: Joseph King, M.P., in evidence before the Royal Commission on Electoral Systems, 1909.]

[Footnote 9: This difficulty would disappear with the adoption of Home
Rule.]

[Footnote 10: *Real Representation for Ireland*, 1908.]

[Footnote 11: Report of Annual Meeting of the Proportional Representation Society, 21 July 1909.—*Representation,* vol. ii. p. 154.]

[Footnote 12: In reply to a deputation of the Manchester Liberal
Federation, 22 May 1909.]

[Footnote 13: *Minutes of Evidence*, Royal Commission on Electoral
Systems, 1910 (Cd. 6352), p. 104.]

[Footnote 14: *Cf.* "Two Chambers or One," *Quarterly Review*, July 1910.]

[Footnote 15: The indirect election of the United States Senate gives so little satisfaction that the House of Representatives on 14 April 1911 approved of the proposed amendment to the Constitution providing for popular election by 296 votes to 6.]

[Footnote 16: Of these, the Fusionists polled 1,830,353 votes.]

[Footnote 17: Address to the London School of Economics, 5 October 1910.]

[Footnote 18: These broad distinctive titles are here given, although the author recognizes that the Nationalist and Unionist parties in South Africa are not exclusively Dutch or British.]

[Footnote 19: *Peers and Bureaucrats*, by Ramsay Muir, Professor of Modern History at Liverpool University.]

[Footnote 20: 21 May 1910.]

[Footnote 21: "Pacificus," *The Times*, 31 October 1910.]

[Footnote 22: Address to the Eighty Club, 25 July 1910.]

APPENDIX I

THE JAPANESE ELECTORAL SYSTEM—THE SINGLE NON-TRANSFERABLE VOTE

The following memorandum has been written by Mr. Kametaro Hayasbida, the Chief Secretary of the Japanese House of Representatives, in reply to a series of questions, the particulars of which are set out in the memorandum.

Failure of single member system.

The Original Election Law of our country was promulgated in 1889, the same year in which took place the promulgation of the Constitution. Under this law the system of small electoral districts was single-adopted, and each *Fu* or *Ken* (administrative district) was divided into several electoral districts each of which constituted a single-member constituency (with the exception of some large districts which, impossible of further division, had two seats allotted with the system of *scrutin de liste*). The system was, however, found in practice to be very unsatisfactory, as it often happened that a minority of the voters, instead of the majority, in certain *Fu* or *Ken* obtained the majority of the members returned, and, on the other hand, a party with a majority at the polls could not sometimes, as the result of the grouping of the voters in the small electoral districts, secure any representation at all. Under such circumstances it was utterly impossible for each political party to obtain representation in reasonable proportion to the strength of its voters; or, in other words, the electors of the country at large had never succeeded in being properly represented in their legislative body. As the inadequacy of the system was thus apparently shown I formulated in 1891, by somewhat what modifying Marshal's cumulative voting system, a system of large electoral districts combined with that of the single vote, and urged for a revision of the Election Law.

Multi-member constituencies. Single vote adopted 1900.

Since then several elections had taken place; and the defects of the existing law were more strongly pronounced at each successive election. It was, however, not until the year 1898 that the Government at last introduced a Bill for a revision of the law with the view of adopting the system I had the honour of formulating. After heated discussion in three successive sessions, the Bill was passed in 1900 and sanctioned as a law. This is our present Election Law. In the revised system the *Fu, Ken*, and *Shi* (the administrative districts) constitute at the same time the electoral districts, and a voter in each district has but one vote for one candidate, while several seats (according to the population) are allotted to the district.

The above is a brief historical sketch of our electoral system. I shall now try to answer your questions in order.

Equitable results.

As to the first question whether our system secures the representation of each party in reasonable proportion to its voting strength, I cannot do better than answer it by pointing out a few instances in the General Election which took place on the 15 May 1908.

TABLE I

THE CITY OF TOKYO (11 seats)

Parties.	Votes.	Seats in Proportion to votes.	Seats Obtained.
Seiyu-Kwai (Liberals)	6,579	2.71	2
Konsei-honto (Progressives)	2,216	0.91	1
Daido-ha (Conservatives)	2,879	1.18	2
Yuko-Kwai (Radicals)	4,656	1.91	2

Churitsu (Independent) 10,414 4.29 4

——— ——- —

Total 26,744 11.00 11

All parties except the Seiyu-kwai and Daido-ha succeeded in obtaining their representatives in reasonable proportion to their respective voting strength. The explanation given for the particular case of the Seiyu-kwai is that the party, unable for some reason or other to limit the number of candidates, had placed five candidates instead of three or four, and caused its own defeat by splitting the votes. I take at random, or rather in the order they come, a few more districts, and the results obtained are as follows:—

TABLE II

TOKYO-FU (5 seats)

Parties.	Number of Candidates.	Votes.	Seats in Proportion to Votes.	Seats Obtained
Seiyu-kwai	5	12,794	4.02	4
Kensei-honto	-	-	-	-
Daido-ha.	1	13,122	.98	1
Churitsu	-	-	-	-
		———	——	-
Total	6	15,916	5.00	5

TABLE III

THE CITY OF KYOTO (3 seats)

Parties.	Number of Candidates.	Votes.	Seats in Proportion to Votes.	Seats Obtained
Seiyu-kwai	1	1,284	0.45	-
Kensei-honto	-	-	-	-
Daido-ha	-	-	-	-
Yuko-Kwai	-	-	-	-
Churitsu	3	7,304	2.55	3
	-	——-	——	-
Total	4	8,588	3.00	3

TABLE IV

KYOTO-FU (5 seats)

Parties.	Number of Candidates.	Votes.	Seats in Proportion to Votes.	Seats Obtained
Seiyu-kwai	5	18,928	4.01	4
Kensei-honto	—	—	—	—
Daido-ha	—	—	—	—
Yuko-kwai	—	—	—	—
Churitsu	1	4,701	0.99	1
		————————————————————		
Total....	6	23,629	5.00	5

TABLE V

THE CITY OF OSAKA (6 seats)

Parties.	Number of Candidates.	Votes.	Seats in Proportion to Votes.	Seats Obtained
Seiyu-kwai	5	8,666	3.32	4
Kensei-honto	—	—	—	—
Daido-ha	—	—	—	—
Yuko-kwai	1	2,612	1.00	1
Churitsu	2	4,368	1.68	1

—————————————————————————-
Total.... 8 15,646 6.00 6

TABLE VI

OSAKU-FU (6 seats)

Parties. Number of Seats in Seats
     Candidates. Votes. Proportion Obtained.
         to Votes.

Seiyu-kwai 5 15,137 3.57 5
Kensei-honto — — — —
Daido-ha 1 2,199 0.52 —
Yuko-kwai 1 1,304 0.31 —
Churitsu 3 6,786 1.60 1

      —————————————————————-
Total.... 10 25,426 6.00 6

Throughout all electoral districts similar results were obtained. The Churitsu (*i.e.* those belonging to no party), considered as a group, had not everywhere been as successful as the other parties, as observe in Tables V. and VI. Each candidate of this group is quite independent of the other, and has no political views or propaganda in common, nor any organization whatever. Therefore, each case is totally different from the other. Although all independent candidates or voters are in these tables grouped as Churitsu, it is not proper to consider them in the same category with the other parties.

Now, judging from the results in the General Election, a few instances of which are given above, I may say that our present system, if not fully satisfactory, tolerably secures the representation of each political party in approximate proportion to its voting capacity.

The new system and party organization.

As to the first part of your second question, whether, to obtain these results, the system involves a great deal of calculation on the part of political organizations as to the exact number of their supporters, I should say that, as the same system and method of election are uniformly adopted in the city, county, borough and village elections as well as in the elections of the Prefectural Assembly, it is not a very difficult task for all political parties to ascertain from the results of all these elections their relative strength, and to estimate the number of their supporters.

As to the second part of the question, whether it is necessary to issue precise instructions to the electors as to the candidates for whom they should vote, my answer is this: as every political organization through its branch in every *Fu* and *Ken* and the sub-branches in the cities, counties, towns and villages, is always in close touch with its constituents, and is constantly explaining its position and propaganda, with the view not only to instruct them but also to extend the sphere of its influence, it is not so difficult as it seems to decide the number of candidates. When it is once decided efforts are made on the part of the organization to distribute the votes among the candidates in such a way that not one of them receives a defeat at the hands of the other party. To attain this object the methods are not very complicated, for every elector has but one vote for one candidate; and, moreover, the stronger candidates, so long as their own position is secured, will endeavour to distribute a portion of their votes among the weaker candidates. This being the case, the member returned with the greatest number of votes may not be the most popular candidate, but the party as a whole is much more likely to succeed in getting representatives in proportion to the strength of its voters.

The position of independents.

As to the third question, whether the system enables men of independent mind and character to maintain their position in Parliament, I should emphatically state that the revised system is much better than the old in this respect. Under the old system even such a prominent man as Mr. M. Matsuda (the Speaker of the House of Representatives some years ago, and the Minister of Finance in the present Government) suffered several defeats. But under the new system it has never happened that the leader of a party has lost his seat at any election, as he may seek his election at the safest district. To men of independent mind and character the new system offers the greater opportunity to maintain their position in the House, for in the election they may, in spite of the opposition of parties, draw their votes from all parts within a large electoral district. It may be said that the larger electoral district we have, the greater opportunity we afford to independent candidates. For instance, both Mr. Y. Ozaki, the Mayor of Tokyo, and Mr. S. Shimada, by being independent candidates, have never lost their seat in Parliament, and in the last General Election were returned for their native prefecture or town with a great number of votes.

This brings me to the end of my answers to your inquiries. In conclusion I may say a few words about the public opinions in our country as to the Election Laws.

Public opinion and the new system.

Despite the fact that the new system enables the elector of the country to be more reasonably represented in the House, still there are some ambitious politicians urging for their own selfish purpose to restore the old system. But, as almost all prominent members in both Houses are fully cognizant of the relative merits and demerits of the two systems, there is not much chance of our returning to the old system.

APPENDIX II

THE SECOND BALLOT

A Note on the German General Elections of 1903 and 1907.

The German Reichstag, which consists of 397 members, is elected by a system of single-member constituencies. Every member, however, must have obtained a majority of the votes polled, either at a first or second ballot, in the constituency for which he has been returned. The German Official Returns furnish very complete details of the elections, including the figures for the first and second ballots, and the summaries at the end of the Returns disclose a very striking divergence between the proportions of seats obtained and votes polled by the various political parties. These discrepancies have attracted general attention, and have usually been attributed to the great variation in the size of German constituencies. As a matter of fact, the effect of redistribution on the proportionality between seats and votes is not nearly so large as is generally supposed. Apart from the consequences of neglecting the votes of the minority or minorities in each constituency, wherein lies the gravest defect of a single-member system, the second ballot is a disturbing factor of considerable importance. So far from diminishing the disproportion between seats and votes polled by the various parties, the second ballot frequently increases that disproportion. In order to appreciate the respective effects of unequal constituencies and of the second ballots it is necessary to consider these two factors separately. This will be facilitated by making a comparison between the results which would have been obtained without second ballots with the results actually obtained. The following tables, which are based upon the official returns, give the votes polled and the seats obtained by the five principal groups:—

GERMAN GENERAL ELECTION, 1903

Parties.	Votes.	Results without Second Ballot.	Results with Second Ballot.
Social Democrats	3,010,771 (31.7%)	122 (30.7%)	81 (20.4%)
Centre Party	1,875,273 (19.7%)	104 (26.2%)	100 (25.2%)
National Liberals	1,317,401 (13.9%)	32 (8.1%)	51 (12.8%)
Conservatives	1,281,852 (13.6%)	79 (19.9%)	75 (18.9%)
Radical Parties	872,653 (9.2%)	11 (2.8%)	36 (9.1%)

GERMAN GENERAL ELECTION, 1907

Parties.	Votes.	Results without Second Ballot.	Results with Second Ballot.
Social Democrats	3,259,029 (28.9%)	73 (18.4%)	43 (10.8%)
Centre Party	2,179,743 (19.3%)	101 (26.4%)	105 (26.4%)
National Liberals	1,630,681 (14.5%)	47 (11.8%)	54 (13.6%)
Conservatives	1,632,072 (13.6%)	91 (22.9%)	84 (21.2%)
Radical Parties	1,233,933 (10.9%)	30 (7.6%)	49 (12.3%)

The effect of unequal constituencies on representation.

The Social Democrats were affected to a greater extent than any other party by both the factors referred to. In 1903 the Socialists polled 31.7 per cent, of the votes, and, at the first ballots, were at the head of the poll in 122, or 30.7 per cent, of the constituencies. In other words, if the system of second ballots had not been in force, the Social Democrats would have obtained very nearly their fair share of representation. If, in addition, there had been a redistribution of seats by which the sizes of constituencies had been equalized, the Social Democrats would have obtained more than their share of representation. The strength of the party lay in the large towns, and if, for example, Berlin had the additional eight seats to which it was entitled nearly all of them would have fallen to the Social Democrats. Again the three divisions of the district of Hamburg returned Social Democrats with overwhelming majorities. Were the representation allotted to Hamburg doubled, as it should be, all six seats might possibly have fallen to the Social Democrats.[1] An equalization of the size of constituencies might have produced in 1903 the phenomenon which has occurred so often in England. The largest party would have secured a number of seats far in excess of that to which it was entitled by reason of its strength. In 1907 the Socialists polled 28.9 of the votes, but only succeeded in reaching the head of the poll at the first ballot in 73, or 18.4 per cent. of the constituencies. A redistribution of seats would have added to their representation in the large towns, and the first ballots would have yielded a result which would have corresponded more fairly with their polling strength.

The effect of second ballots.

In both years the system of second ballots has had the effect of reducing very considerably the representation of the Social Democrats. In the year 1903 the Social Democrats won 56 constituencies by absolute majorities, and were engaged in the second ballots in 118 constituencies. In 66 of these constituencies they were at the head of the poll, but succeeded in maintaining this position at the second ballots in 24 only. In the remaining 52 constituencies they were second on the poll, and at the second ballots they were able to win only *one* of these seats. In these 118 constituencies the Socialists polled 1,170,000 votes at the first ballots, whilst the other parties polled 1,920,000. As a result of the second ballots the Socialists obtained 25 seats and the remaining parties obtained 93 seats.

The figures of the year 1907 tell a similar tale. At the first ballots the Social Democrats were at the head of the poll in 73 constituencies. The second ballots reduced this number to 43. They were engaged in the second ballots in 90 constituencies; they were at the head of the poll in the first ballot in 44 of these constituencies, but kept this position in 11 only; they were second on the poll in the remaining 46 constituencies and won in 3 cases only. In these 90 constituencies the Social Democrats polled at the first ballot 1,185,000 votes, whilst the other parties taken together polled 1,888,000 votes; the Socialists obtained 14 seats, the other parties obtained 76 seats.

In both these elections the second ballots affected very adversely the representation of the largest party. If this party, without the second ballot and with a fair distribution of seats, might have obtained more than its share of representation, then the second ballots would have acted as a corrective, but not necessarily so. There is no reason why the second ballots should not have added to the over-representation already obtained. This will be seen from the figures of the elections in the Kingdom of Saxony. This division of the German Empire is entitled to 23 representatives in the Reichstag. In 1903 the Socialists won 18 of these seats with absolute majorities; they were engaged in the second ballots in the remaining five constituencies; they won four (all those in which they were at the head of the poll at the first ballots) and only lost the one constituency in which they were second on the poll. The Social Democrats, who at the first ballots polled 58.8 per cent, of the votes, thus obtained 22 seats out of 23, and the second ballots in this case only confirmed the overwhelming preponderance which the system of single-member constituencies had conferred upon the larger party.

Second ballots and the swing of the pendulum.] It would, indeed, seem that a system of second ballots rather accentuates those great changes in representation which are the normal characteristic of a system of single-member constituencies. In the elections in Saxony in 1907 the Social Democrats were still by far the largest party, obtaining 48.5 per cent. of the votes. They succeeded in obtaining eight seats by absolute majorities and were engaged at the second ballots in eight other constituencies. They lost every one of these constituencies, although at the first ballots they had been at the head of the poll in five of them. The unfavourable swing of the pendulum reduced their representation at the first ballots, and the second ballots merely increased their misfortunes.

Nor would redistribution have lessened the violence of these changes in the constituencies in which second ballots were necessary. Thus, for example, Frankfort-On-Main, with an electorate of 77,164, should return two members instead of one. The constituency was won by the Socialists in the second ballots of 1903, but was lost at the second ballots in 1907. In both years the Socialist candidate was at the head of the poll at the first ballots. Similarly the constituency of Elberfeld-Barmen, with an

electorate of 67,241, won by an absolute majority in 1903, was lost by the Socialists at the second ballots in 1907, although their candidate had been at the head of the poll at the first ballot. If these and other constituencies had received additional representatives, the violence of the changes in the composition of the legislative body would in all probability have been increased.

The second ballot and the representation of minorities.

A study of the statistics of the German General Elections shows that the representation obtained by the various parties depends very largely upon their supremacy in certain localities. In these districts the minorities have been unrepresented for many years, the second ballots having in no way saved them from practical disfranchisement. Thus the Centre Party is in the ascendant in the Rhenish Provinces. In the district of Cologne, Münster, and Aix-la-Chapelle, the Centre Party monopolizes the representation, returning in 1907 every one of the 15 members to which the districts were entitled. In the adjoining districts of Dusseldorf, Coblentz and Treves they returned 16 out of 24. In Bavaria, the districts of Lower Bavaria, the Upper Palatinate, Lower Franconia and Schwabia, which are entitled to 23 members, were represented wholly by members of the Centre Party. Taking the kingdom of Bavaria as a whole, the Centre Party obtained 34 seats out of 48, although they polled only 44.7 per cent of the votes at the first ballots. There is therefore reproduced in Germany the conditions which obtain in certain parts of the United Kingdom—the permanent supremacy of one party which monopolizes, or nearly so, the representation of the district.

Summary

The system of second ballots has therefore had a considerable influence in creating that divergence between the votes polled and the seats obtained which has characterized German elections. The representation of any one party depends, to a very large degree, upon the attitude taken towards it by other parties. The system in no way acts as a corrective to the anomalies arising from single-member constituencies, and may even accentuate the violent changes associated with them. Moreover, the system does not provide representation for minorities, and therefore does not ensure a fully representative character to popularly elected legislative bodies. It may be mentioned that all the criticisms here directed against the second ballot apply with nearly equal force to the use of the alternative vote (*see* p. 95), a thinly disguised form of the same principle which appears to be meeting with some acceptance in this country.

[Footnote 1: The minority would, of course, have had a better chance with six divisions. Dr. Ed. Bernstein, to whom the author submitted this memorandum, makes the following comment: "I am not so sure that the equalization of the size of the constituencies would in 1903 have secured to the Social Democratic party a number of seats far in excess of its voting strength. But this is a subordinate consideration. The possibility of an unproportional representation of parties, even if the seats are equally distributed, is undeniably there, and this ought to settle the question.]

APPENDIX III

THE SWEDISH SYSTEM OF PROPORTIONAL REPRESENTATION

The principle of proportional representation was first discussed in Sweden in 1867. The new Danish Constitution of that year provided for the use of the transferable vote (Andrae's scheme) in the election of the Upper House, and Herr S. G. Troil proposed in the Swedish Parliament that the three most important of its committees should be elected by means of the same system. The motion was not carried, and a similar motion, made by Professor H. L. Ryön in 1878, was equally unsuccessful. It was not until 1896 that the next step was taken, when the Government, in view of the increasing demand for a more democratic franchise, proposed a proportional system of election. Nothing came of this proposal immediately, but from this date the agitation for an extension of the franchise gave rise to the demand for the proportional method of election in order to ensure the representation of minorities.

The former constitution of the two chambers.]

The story of the struggle for reform will best be understood if prefaced by a statement of the franchise conditions previously existing in Sweden. The Upper, or First, Chamber of the Riksdag, was elected by members of the provincial councils and of the councils of the five largest towns. The other towns sent members to their provincial councils. The members of provincial councils were elected in two stages; the primary electors chose electors of the second degree, who in turn chose the councillors. The primary electors in the country[1] had ten votes for every 100 kroner of rateable income, subject to a limit of 5000 votes. The electors of the second degree had only one vote in the election of councillors, and councillors had only one vote in the election of members of the First Chamber of the Riksdag.

Owing to the great advantage conferred upon primary electors possessed of large incomes these electors largely controlled not only the composition of the town and provincial councils, but also the composition of the Upper Chamber. The election of members of the Lower Chamber of Parliament was direct; every person of not less than 800 kroner income was entitled to vote, but no one was entitled to more than one vote.

The struggle for electoral reform.

In 1899 M. Branting, the leader of the Socialist Party, proposed the adoption of proportional representation, coupled with universal and equal suffrage for the election of town councils. The main object of this proposal was to place town councils on a more democratic basis, but as the five largest councils elected representatives to the First Chamber the proposal would have had some influence upon the composition of that House. M. Branting's proposal was rejected, and when revived two years later met a similar fate. In 1902 two Liberals (MM. Hedlund and Carlsson) proposed that provincial councils should be elected by a proportional method on the basis of manhood suffrage, whilst a similar proposition was made in the same year in respect of the elections of the Lower House of Parliament. Both these motions were rejected, but in response to a demand from both Houses for an inquiry a Royal Commission was appointed to consider the problem of electoral reform. The Commission reported in the following year in favour of a list system of proportional representation with official ballot papers, and the Government proposed this system combined with manhood suffrage for the election of members for the Lower Chamber. This proposal was accepted in 1904 in the Upper Chamber, but rejected in the Lower Chamber by five votes. Next year it was again discussed, accepted by the Upper Chamber but rejected in the Lower by a majority of ten. A change of ministry took place, and in 1906 M. Staaff, the Liberal Prime Minister, proposed manhood suffrage with the "majority" system of election. But the Moderate Party insisted upon a proportional system, and the proposals of the Liberal ministry were rejected by the Upper Chamber. M. Alfred Petersson, of Paboda, then proposed manhood suffrage with a proportional system for the Lower Chamber, and a proportional system for the Upper Chamber, which, however, was to be elected as before by the provincial councils. This proposal was rejected by the Lower Chamber but accepted by the Upper Chamber, and M, Staaff resigned. The Moderates, with M. Lindman as Prime Minister, then introduced a Bill incorporating M. Petersson's proposals with the addition of the direct election of provincial councils and a less plutocratic franchise. This measure, which was adopted by both Houses in 1907, was confirmed after a General Election in 1909.

The Swedish law of 1909.

Under this law the proportional system is applied to elections for both Houses of Parliament, all parliamentary committees, town councils and provincial councils. For the Lower Chamber there is manhood suffrage. The Upper Chamber is elected still by the provincial councils and by the town councils of the five largest towns, but the elections of provincial councils are now direct. But, in order to maintain as much continuity as possible in the composition of the Upper Chamber, only one-sixth of the House is renewed every year. The maximum number of votes in the elections of both provincial and town councils is forty. The first election under the new system took place in 1909, when the Stockholm Town Council and several provincial councils were called upon to elect their proportion of members of the Upper House. In March 1910 the first elections to the Stockholm Town Council were held, and in the following May there were elections under the new system for all the provincial councils. In 1911 the first elections to the Lower House of Parliament will take place.

In Sweden, even under the new law, there are no official ballot papers and no nominations of candidates. This arrangement is supposed to preserve to the electors the fullest possible liberty in voting. In practice the party organizations print ballot papers containing the names of the candidates whom they support, and these printed forms are accepted by the returning officers. Every elector, however, is at liberty to strike out any of the names on these papers, to substitute other names, to vary the order in which the names are printed, or to prepare his own ballot paper.[2]

The Swedish system of proportional representation.]

The mechanism of the proportional system adopted has had regard to the practice mentioned in the preceding paragraph. The first proposal, that of M. Petersson, of Paboda, was only a crude approximation towards a proportional system. His scheme, in brief, was (1) that the number of votes recorded for each candidate should be ascertained; (2) that the candidate with the highest number of votes should be declared elected; (3) that a further count should then take place, the papers on which the successful candidate's name appeared being treated as of the value of one-half. The remaining candidates whose names appeared on these papers would be credited with half a vote in respect of each such paper. The non-elected candidates would then be arranged according to the number of votes obtained, the highest being declared elected. As soon as any two names on any ballot paper had been

declared successful a fresh count would take place, such papers being treated as of the value of one-third. This process of reducing the value of the paper as soon as a further candidate appearing thereon was elected was to be continued until all the seats were allotted. The principle underlying this distribution of seats is the same as that contained in the d'Hondt rule of the Belgian system. A group of electors which was more than twice as numerous as any other group would obtain two seats before any was allotted to a smaller group. If the group was more than three times as large as any other it would obtain three seats before the smaller group received one, and so on. It was at once recognized that this scheme would tell considerably in favour of well-organized parties—parties whose supporters would accept the ballot papers printed for them without question. An example will make this clear. If, taking an extreme case, in an election for three members 8000 voters placed the names of two candidates, P and Q, on each of their ballot papers, whilst a more loosely organized group of 13,000 voters spread its support over four candidates, T, S, V and W, different sections voting for these candidates independently, the following result might take place:—

P Q . . 8,000 | T . . . 4,000 | S . . . 3,500 | V . . . 3,000 | W . . . 2,500

Candidate P, being the first in order on the 8000 ballot papers of the first group, would be declared elected, and Q, the remaining name on these ballot papers, would be credited with 4000 votes—half the original value of the papers. Q and T, having 4000 votes each, would then be declared elected. Thus one group, with 8000 votes, would carry two seats, and the other, with 13,000 votes, would only obtain one—a result due to a lack of combination.

The allotment of seats to parties.

The plan finally adopted is based on M. Petersson's proposal, but provides, as in the Belgian scheme, for the official recognition of parties. Electors may write at the head of their ballot papers the name or motto of a party. The papers bearing the same name or motto are then grouped together, the numbers in each group ascertained, and the seats available are allotted to these groups in accordance with the d'Hondt rule, irrespective of the number of votes obtained by individual candidates. Thus, in the example given, if electors of the second group had all headed their ballot papers with the same party name or motto the particular way in which they had distributed their votes among the candidates would not have affected the number of seats obtained by the group as a whole. The first group would have obtained one, and the second two seats.

The selection of the successful candidates.

The position of the candidates on each list is determined in accordance with the original proposal of M. Petersson. The candidate receiving the highest number of votes is declared elected, the papers on which his name appears are then marked down to the value of one-half, the relative position of the remaining candidates ascertained afresh, and the highest of these declared elected, and so on. This procedure, called the reduction rule, is however subordinate to a further rule (the rule of the order of preference), which is as follows. If more than one-half of the supporters of a party list have placed the same candidate at the head of their ballot papers, the first seat apportioned to the list is allotted to this candidate; if more than two-thirds have placed the same two candidates in the same order at the head of the ballot papers, these two candidates have the first claim to the seats apportioned to the party; if more than three-fourths have placed the same three candidates in the same order at the head of the list, these are given the first, second, and third seats, and so on. The selection of the successful candidates is determined in accordance with this rule so far as possible, but as soon as the application of the rule breaks down the relative claims of the non-elected candidates on the list are determined in accordance with the reduction rule. But if, say, three candidates have been declared elected in accordance with the rule of the order of preference, and it is necessary to choose others by the reduction rule, the papers containing these three names are treated as of the value of one-fourth in determining the relative position of the remaining candidates of the group.

Free voters and double candidatures.

In order to complete the description of the Swedish system two subsidiary features, which will seldom come into play in actual elections, must be mentioned. Provision is made for those electors who owe no party allegiance, and who therefore do not wish to place any party name or motto at the head of their list. Such voters are called "free voters," and the votes recorded for their candidates are ascertained. These candidates are placed in a group by themselves, called the free group, but the number of votes recorded for each individual candidate in this group, and not the total number of votes recorded for all the candidates, forms the basis of comparison with the totals of the party lists in the allotment of seats. The second feature provides for the improbable case of two groups of electors or parties having placed the same candidate upon their list. In the event of such candidate being so favourably placed in two lists as to be elected by both parties, then, for the purpose of ascertaining the

new value of the papers on which his name appears, each list is debited with half a seat. When, as already explained, one seat has been allotted to a list, the list total is divided by two in accordance with the d'Hondt rule for the purpose of the fresh comparison of totals; but if this candidate has already been elected on another list the total would be divided by one and a half instead of by two. A fresh total would be ascertained for each of the lists containing the candidate's name.

An election at Carlskrona.

The author was permitted by the courtesy of the Burgomaster of Carlskrona to watch the election of provincial councillors on 24 May 1910, to represent the city in the Bleking provincial council, and a description of this election will show how the system works in practice. Carlskrona is entitled to nine members. For the purpose of the election the town was divided into two parts, but the polling place in each division was at the town hall. The register was prepared fourteen days before the election, and stated in addition to the name, address, and occupation of the elector, the amount of his (or her) rateable income and the number of votes to which he (or she) was entitled. The conduct of the election was in the hands of the Burgomaster, assisted by the magistrates of the town. As already explained, there were no official ballot papers and no nominations of candidates. Each elector voted for such candidates as he pleased, provided they possessed the necessary qualifications—those of an ordinary elector. Three parties—the Moderate, Liberal, and Labour—contested the election. Each party printed ballot papers containing the names of the candidates adopted by the party organization and with the name of the party at the head of the ballot paper. The ballot paper issued by the Moderate party was in the following form:—

De Moderata

Borgmästaren—O. Holmdahl. *Grosshandlaren*—N. P. Nordström. *Lasarettsläkaren*—R. Lundmark. *Disponenten*—H. Berggren. *Kommendören*—G. Lagercrantz. *Rådmannen*—C. G. Ewerlof. *Chefsintendenten*—I. Neuendorff. *Kaptenen, friherre*—F. E. von Otter. *Underofficeren af 2: dra graden* —O. W. Strömberg. *Folkskolläraren*—H. E. Mattsson. *Byggmästaren*—K. J. A. Johansson. *Handlanden*— Aug. Andrén.

The Poll.

The ballot papers could be obtained at the committee rooms on, or prior to, the day of election, and also on the day of election from party agents at the doors of the polling stations. Each elector took his ballot paper folded to the Burgomaster, or presiding magistrate, who endorsed the back with the number of votes to which the elector was entitled. The presiding magistrate was assisted by two others who checked the accuracy of the proceedings. The poll opened at 10 A.M., the proceedings were adjourned for lunch at 1 P.M., the poll was again opened during the afternoon and closed about 8 P.M. The counting took place next day when, as comparatively few electors took advantage of their right to vary the order of the names as printed on the ballot papers, the number of votes recorded for each candidate was easily ascertained. Nor did the varying values of the ballot papers present any great difficulty. A calculating machine made the necessary additions both quickly and accurately. In this election only one paper was spoiled,[3] and it was very obvious that the provision of printed ballot papers by the party organizations made the act of voting a very simple one. The votes recorded for the different parties were as follows:—

Moderate 20,334
Liberal 8,732
Labour 3,617

_The allotment of seats to parties.

There were nine seats to be distributed among the three parties. The distribution was carried out in accordance the d'Hondt rule, but the method of applying this rule differed from that employed in Belgium. In Belgium the party totals would have been divided by the numerals 1, 2, 3, &c., and the quotients ranged in order of magnitude, the ninth in order being termed the "electoral quotient." Each party would have received as many seats as its total contained this quotient. The Swedish method provides for the allotment of one seat at a time, and it does so because of the possibility of the same candidate being elected by more than one party. Save in the rare case mentioned, the arithmetical operations, though differently presented, are identical with those of the Belgian system. Thus, at Carlskrona the first seat was given to the Moderates—that party having received the highest number of votes. Before the next seat was allotted the value of the Moderate total was reduced by one-half, and the new total was then compared with the original totals of the other parties. The totals to be considered in the allotment of the second seat were, therefore, as follows:—

Moderate. 10,167

Liberal 8,732
Labour 3,617

The Moderate party being still credited with the highest total received the second seat, and their original total, 20,334, was then divided by three in order to ascertain to whom the third seat should be allotted. The totals at this stage were as follows:—

Moderate 6,778
Liberal 8,732
Labour 3,617

The Liberal total being now the highest, this party received the third seat, and in order to ascertain to whom the fourth seat should be given the Liberal total was reduced in value by one-half, the totals of the other parties remaining as at the previous allotment. The totals for comparison were now:—

Moderate 6,778
Liberal 4,366
Labour 3,617

The Moderate total was again the highest, and the party received the fourth seat. The process of reducing the totals in succession according to the foregoing rule was continued until all the nine seats were allotted. In this election the Moderates obtained six seats, the Liberals two, and Labour one.

The selection of the successful candidates.

The returning officer had then to determine which candidates on each list should be declared successful. In the Carlskrona election this task was extremely simple, for the large majority of the voters had accepted the ballot papers provided for them by their parties. No less than 19,756 votes out of a total of 20,334 had been received for the Moderate list as printed by the party organization. The totals for each candidate were quickly ascertained. Moreover, it was possible to select all the successful candidates by the rule of the order of preference. More than six-sevenths of the Moderate votes having been recorded for the list as printed, the first six names on the list were declared elected. Of the Liberal votes, 8118 out of a total of 8732 were recorded for the party list as printed, and as this number constituted more than two-thirds of the total, the first two names on the list were declared elected. With regard to the Labour party, 3580 out of a total of 3617 votes had been recorded for the party list, and the first candidate on the list was therefore declared elected.

_The election of suppléants.

In common with all continental systems, supplementary members (suppléants) were chosen for the purpose of taking the place of an elected member who might die or retire before the council had run its course. The method adopted in Sweden is peculiar to itself. In Belgium the same rules serve for the election of the suppléants as for the election of members, and they are called upon to serve in the order in which they stand at the declaration of the poll. In Sweden it is held that each elected member must have a suppléant, or deputy, special to himself. The method of selection may be illustrated from the Carlskrona election. The candidate who was to be regarded as suppléant to Burgomaster Holmdahl (the first on the Moderate list) was chosen as follows: Holmdahl had received 20,334 votes, his name having appeared on every ballot paper of the Moderate party; the votes recorded for the unelected candidates on these papers were ascertained, the result being:—

Neuendorfs 20,334
von Otter 20,242
Strömberg 19,913
Mattsson 20,119
Johansson 20,237
Andrén 20,170

Neuendorff being the candidate who had received the highest number of votes on these papers, was declared elected as suppléant to Holmdahl. A suppléant for Nordström, the second elected member, was then chosen from among the remaining five non-elected members. Nordström's votes were 20,235, and the votes recorded for the non-elected members on the same papers were:—

von Otter 20,143
Strömberg 19,913
Mattsson 20,055
Johansson 20,195
Andrén 20,071

Johansson, being highest with 20,195 votes, was declared suppléant to Nordström.

This method of choosing the suppléant seems to be unsatisfactory. The party as such does not determine who shall be called upon to fill a vacancy in its ranks; whether a non-elected member succeeds to a vacancy as a suppléant depends very largely on accident. A good illustration occurred in the selection of a suppléant from the Labour list. The party's candidates were as follows:—

Kloo.
Karlsson.
Ostergren.
Olsson.
Ek.
Johansson.
Jensen.
Fagerberg.
Pettersson.

The first candidate on the list had been declared elected, and obviously, in the opinion of the party, the next favourite was Karlsson, and had there been a second seat awarded to the list Karlsson would have been declared elected. In determining, however, whether he should be declared elected as a suppléant, his position on the list did not count, and as the party list had been voted for without alteration by most of the Labour voters, five of the non-elected candidates were credited with the same number of votes. The choice of the suppléant was made by lot, and fell in this case upon Johansson, the sixth name on the list. It may be said that there is; considerable dissatisfaction with the method of electing suppléant candidates, and the Stockholm *Dagblad*, in its issue of the 29 May 1910, stated that the choice of suppléant, although there might have been many thousand votes given to every candidate, depended upon so small a difference in the totals received by each that even one ballot paper might determine the result. This is a detail in the system that can easily be remedied, and steps are already being taken to bring the election of suppléants into agreement with the election of ordinary members.

Comparison with Belgian system.

It will be of interest to compare the Swedish with the Belgian system. It has been shown that the method of allotting seats to different groups is identical in principle in both countries. This method, the d'Hondt rule, favours the largest parties, and this explains why, in the smaller Belgian constituencies, cartels or combinations of parties take place. The Swedish system enables such combined action to take place with greater facility. It enables two parties to make use of the same motto without presenting a common list of candidates. No inter-party negotiations are required, as in Belgium, with reference to the order in which the names of candidates shall appear upon the list. In Sweden each group can put forward its own list of candidates, and so long as the electors make use of the same motto at the head of the ballot paper the combination gains the additional representation which may fall to it as a result of being treated as one party, whilst the share falling to each section is determined by the number of votes recorded for their respective candidates.

The Swedish method of choosing the successful candidates from the various lists differs materially from that used in Belgium. In Sweden the d'Hondt rule is used not only for the allotment of seats to parties, but also in the selection of the successful candidates. In Belgium the use of the d'Hondt rule is restricted to the former purpose, and when once the electoral quotient is ascertained the rule is discarded. The difference in the two methods can be illustrated from the Stockholm municipal election of 1910. In the fifth ward the ballot paper of the Moderate party was as follows:—

Welin.
Norstrom.
Boalt.
Roberg.
Palmgren.
Bohman.
Ringholm.
Herlitz.
——————————
Hafstrom.
Svensson.
von Rosen.
Freden.

The line in the ballot paper divides the eight candidates for election as members from those who

were standing for election as suppléants only. The votes recorded for the Moderate party numbered 118,483, of which 86,851 were given for the party ticket as printed. The number of votes accepting the party order of the first three candidates was about 93,000. This latter number was more than three-fourths, but less than four-fifths of the total, and therefore only the first three candidates on the ballot paper could be declared elected in accordance with the rule of the order of preference. The remaining four members had to be chosen by the reduction rule; the votes recorded for the five non-elected candidates were ascertained, the papers containing the names of the three elected candidates being treated for this purpose as of the value of one-fourth.

Some of the supporters of the eighth and sixth candidates had struck out the names of the fourth and other candidates. This manoeuvre had the result of placing these two candidates in the order named at the head of the poll at the fourth and fifth counts, and they were accordingly elected. Other candidates had received exclusive support, and it should be pointed out that it is the total amount of exclusive support recorded for all candidates which determines how soon the application of the rule of the order of preference breaks down. As soon as this takes place the election of any one candidate may depend, as in the election of the suppléants, upon the action of a comparatively small number of voters. Thus, some supporters of the fifth candidate, a Miss Palmgren, had struck out the names of all candidates save hers. Those papers which contained her name alone were treated as of full value, and although the votes of these supporters only numbered 1100, or less than 1 per cent. of the whole, they were sufficient to turn the scale in her favour. As, however, 86,851 votes out of a total of 118,453, had been recorded for the list as printed, showing that this proportion of voters preferred the fourth candidate to those that succeeded him, it would certainly seem that the result was not fair to this candidate. In Belgium if seven seats were won by a party which polled 118,453 votes, the electoral quotient would not be more than one-seventh of this total, and the election of the first candidate, instead of absorbing one-half the value of the votes, would consume only one-seventh. The election of the first two candidates would absorb two-sevenths instead of two-thirds, the election of three candidates would consume three-sevenths instead of three-fourths, and the election of four candidates would consume four-sevenths instead of four-fifths. In the Stockholm election more than five-sevenths of the voters had supported the party list as it was printed, and according to the Belgian system the first five candidates would have been declared elected.

The system and party organization.

The Swedish rule of selecting successful candidates is defended on the ground that it confers great power upon the electors. These can if necessary more effectively express their disapproval of the list put forward by the party organization, and as it is thought that a large number of voters too readily accept the party lead, a counterpoise is considered desirable. Recent experience in Belgium, however, would tend to show that a greater knowledge of their power has induced more and more electors to make use of the opportunity which that system allows of expressing individual preferences. If we regard a party as consisting of two groups—those that follow the party lead, and those which, whilst supporting the party, desire to assert their own preferences—then as between these two groups the Belgian system is strictly fair. If a party wins seven seats and four-sevenths of the party support the official list, this group would obtain four out of the seven seats; but in Sweden, as has been shown, at least four-fifths must support the official list before the first four candidates can be sure of election. The Swedish system discriminates in favour of the dissentients within a party, and this discrimination may have unexpected effects on party organization. The Belgian method has induced parties to welcome the support of all sections, knowing that such sections will not obtain more than their fair share of influence. In Sweden the tendency may be for party organizers to regard the support of various sections with suspicion, because, whilst these sections will obtain the full advantage of the party vote, their independent action may result in the gain of the section at the expense of the party as a whole. As a result of the Stockholm election referred to, the opinion was expressed by party organizers that it would be necessary to limit the number of candidates on a list to the number which the party knew it could carry. This would be an undesirable outcome of a rule designed to secure greater freedom for the elector, for it would tend to make party discipline more strict and parties exclusive rather than inclusive, as is the case in Belgium. It should, however, be added that in the large majority of the provincial council elections the selection of candidates was made in accordance with the rule of the order of preference. It would, therefore, seem that party organizers, as a rule, took care to present lists of candidates acceptable to the party as a whole.

The great improvement effected by the Swedish system.

The new Swedish electoral system, like all proportional systems, constitutes a striking advance upon the previous electoral conditions. The extent of the improvement will, of course, be seen from a comparison of some of its results with those of former years. For example, Stockholm used to be represented in the Lower Chamber by twenty-two members chosen by the "block" system, or *scrutin de liste*. The party in the majority monopolized the representation, and the absurdity of the system was

well illustrated by an incident in the election of 1882, which was preceded by a severe struggle between the advocates of free trade and protection. At this election Stockholm returned twenty-two free traders, but as one of the elected members had not paid his taxes, all the voting papers containing his name were declared to be invalid. In consequence the twenty-two free traders were unseated and the twenty-two protectionist candidates were declared elected in their place. An attempt was made to ameliorate the evils of this system by dividing the town into five parliamentary districts, but, although so divided, Stockholm in 1908 returned twenty-one members, all of whom were either Liberals or Socialists, the large minority of Moderates being unrepresented. When the proportional system was applied in March 1910 to the election of the municipal council, each party obtained its fair share of representation in each of the six wards of the city, and the total result shows how large an improvement is effected by the new method:—

Parties.	Votes Obtained.	Seats Obtained.	Seats in Proportion to Votes.
Moderate	281,743	22	24
Liberal	142,639	12	12
Socialist	160,607	16	14
	584,989	50	50

In the election of the provincial council of Bleking the result was as follows:—

Parties.	Votes Obtained.	Seats Obtained.	Seats in Proportion to Votes.
Moderate	54,465	22	22.4
Liberal	36,595	10	15.1
Socialist	3,617	1	1.5
	94,677	39	39

The general fairness of these results is all the more remarkable, because in Stockholm there was a very considerable variation in the value of a vote in the different wards, whilst many of the constituencies in the province of Bleking returned only a few members, and these did not give full play to the proportional system. The figures confirm the experience of all other countries, that a proportional system, even when applied to comparatively small constituencies, yields results which approximate very closely to the ideal aimed at, the true representation of the electors.

[Footnote 1: The town councils were elected in one stage; each elector had one vote for every 100 kroner income, subject to a limit of 100 votes. The members of the town council, when electing members of the provincial councils, had only one vote each.]

[Footnote 2: A ballot paper is not declared invalid even if it contains the names of more candidates than there are members to be elected (except at the elections of parliamentary committees). The names in excess are regarded as suppléant candidates (see *Election of Suppléants*) to the number of two in the elections for the Riksdag and the town councils, and to a number equal to the number of members at the election for the provincial councils. Any additional names on a ballot paper are regarded as non-existent.]

[Footnote 3: This paper bore the signature of the elector.]

APPENDIX IV

THE FINLAND SYSTEM OF PROPORTIONAL REPRESENTATION

The influence of the Belgian system.

The system of proportional representation introduced into Finland by the electoral law of 1906, while it presents little or no difficulty to the voter, is, in its method of counting the votes, perhaps the most complicated of the systems at present in force. It has for its basis the Belgian List system and the d'Hondt rule, but the variations which were introduced with the object of safeguarding the rights of the electors against the possible tyranny of party managers are so important that at the first glance its resemblance to the parent system is not easily recognized. The Belgian model is followed more closely in the method of distributing the seats to the various parties than in the manner in which the successful candidates are chosen from the party lists. In its internal party arrangement the Finnish system shows boldness, originality, and, it must be added, no little complexity of procedure.

Schedules and "compacts" in place of lists.

Finland is divided into sixteen electoral districts returning from six to twenty-three members, with

the one exception of Lapland, which is a single-member constituency. In each constituency any group of not less than fifty electors can put forward a schedule of not more than three candidates, however many may be the total number of members to be elected. Each of these schedules may be headed with the name of a party or some political motto. The persons responsible for these schedules may, and commonly do, combine them in groups known as "compacts," and it is these compacts, and not the original schedules, which correspond roughly to the party "lists" of the Belgian system, the only limit to this power of combination being that the combined schedules must not contain the names of more candidates than there are vacancies to be filled. But as the names of the same candidates may, and constantly do, occur in many different schedules within a single compact, a first glance at a Finnish polling paper would seem to show in each combination the names of more candidates than there are vacancies. The compact bears the name of the political party to which it belongs. Combination into compacts is, of course, optional, and a certain number of schedules are put forward independently. A vacant corner is reserved on the ballot paper where any elector who is not content with any of the schedules submitted may make his own schedule.

An election in Nyland.

The system may be more fully understood from some details of the election of 1907 in the Nyland division. In this division, the largest in Finland, returning twenty-three members, no less than seventy-two schedules were presented, or which all except five were combined into compacts. The five remained isolated. Of the combined schedules seventeen were included in the compact of the Swedish party, but the individual candidates in these seventeen schedules numbered only twenty-three, the legal limit, the same names being repeated in several schedules. The old Finnish compact contained thirteen schedules, the Young Finns seventeen, the Social Democrats eight, the "Christian" compact seven, the "Free Christian" compact three, and the Radicals two.

As already stated, the voter's task is not difficult. He, or she, simply marks the schedule of his, or her, choice. The voter can also, if he wishes, alter the order of the names in a schedule. The effect of doing this will be apparent in a moment. That the task is simple is conclusively shown by the fact that the percentage of spoilt votes was in the Nyland division only 0.58 per cent. For the whole country the percentage was only 0.93, and this with universal adult suffrage and a poll of 899,347, or 70.7 per cent, of the electorate.

The returning officer's task.

The task of the returning officer is twofold. He has to ascertain (1) the relative positions of candidates within each compact (or independent schedule), and (2) their position relatively to the candidates of other compacts in the final allotment of seats. He proceeds as follows. He first counts the votes on each schedule, reckoning a full vote to the first name, a half vote to the second, and a third of a vote to the third (the effect of an alteration of the order of names in a schedule by the voter is now apparent). Thus if schedule No. 1 (in the specimen ballot paper on page 323), containing the names Schybergson, Neovius, and Soderholm, receives the support of 6000 voters in all, of whom 3000 have placed Schybergson as No. 1, 2000 as No. 2, and 1000 as No. 3, Schybergson will have a total of 3000 + 2000/2 + 1000/3 = 4333. Similarly, if Neovius obtains the support of 2000 as No. 1, 2000 as No. 2, and 2000 as No. 3, his total will be 2000 + 2000/2 + 2000/3 = 3666; Soderholm, the third candidate, would receive 1000 votes as No. 1, 2000 as No. 2, and 3000 as No. 3, and his total would be 1000 + 2000/2 + 3000/3 = 3000. But these individual totals of 4333, 3666, and 3000 are used merely to determine the order of the candidates within the schedule itself, and having performed that function, they are not taken further into account. In the example given (as would usually be the case in practice) the order within the schedule has not been disturbed, and the candidates are credited, the first (Schybergson) with the full number of the voters who supported the schedule—6000; the second (Neovius) with one-half that number—3000; the third (Soderholm) with one-third of that number—2000. These last figures are called "numbers of comparison," a phrase intended to throw light upon their function. The same process is gone through with all the other schedules in the same compact. The returning officer then adds up all the numbers of comparison which each candidate has obtained in all the schedules within the compact where his name appears, and arranges candidates within the compact in the order of these totals. Thus, in the actual election of 1907, in the Nyland division, Schybergson headed the Swedish party compact with 9192 as the total of his "numbers of comparison," Soderholm coming next with 6837.

The allotment of seats.

When the candidates in each compact have thus been arranged in order (and the votes given in writing by independent voters have also been counted), the returning officer proceeds to the second stage of his duties—the determination of the position of candidates with reference to their competitors in other compacts; and it is on this position that the actual allotment of seats depends. For this purpose

he primarily takes into account, not the "numbers of comparison" of individual candidates, but the total number of voters who have supported each compact; he credits this total to the candidate who has the highest "number of comparison" within the compact; credits the next candidate with one-half this total, the third candidate with one-third, and so on, finally arranging the whole of the candidates in order. Thus far this stage of the process is identical in substance with the Belgian method, though the appearance is different. For, obviously, if List (or compact) A, of which the candidates are G, H, I, in that order receives 12,000 votes, while List B, with candidates P, Q, R, receives 10,000, and List C, with candidates X, Y, Z, receives 8000, it is all one whether the returning officer applies the d'Hondt rule and assigns two seats to List A (thus seating G and H), two seats to List B (thus seating P and Q), and one seat to List C (thus seating X), or whether he tabulates the result of the polling thus:

```
  G 12,000 \
P 10,000 |
X 8,000 > Elected.
H 12,000/2 i.e. 6,000 |
Q 10,000/2 i.e. 5,000 /
Y 8,000/2 i.e. 4,000 Not elected, and so on.
```

But at this point a characteristic feature of the Finnish system comes into play. Candidates' names may occur in more than one compact, and may be found in isolated schedules, or on the written papers of independent voters as well. Consequently their final order cannot be determined by this simple application of the Belgian method. The returning officer must[1] add to the number of votes credited to a candidate of any one compact such additional votes as he may have obtained either as a member of another compact or from independent voters. Thus, in the Nyland elections, Miss Sohlberg, whose name will be found at the head of Schedule 48 within the Swedish compact, obtained the eleventh place within that compact. The total number of voters supporting this compact was 44,544, and Miss Sohlberg was therefore credited with an eleventh of this total, or 4049 votes. But Miss Sohlberg's name also occurred in Schedules 62 and 63 in the "Free Christian" compact and Schedule 21 in the "Christian" compact, and as her share of the votes of these compacts she received 153 and 325 respectively. She also received four votes in writing. Thus her final total was 4049 + 153 + 325 + 4, or 4531 in all, and it was this number which determined her position on the poll.

Successful candidates in the Nyland election. This explanation will perhaps be more comprehensible if the actual result of the polling in the Nyland division, so far as the first 25 candidates are concerned, is given in a tabular form:—

Final Names of Party. Number of Additional Final Order Candidates. Votes resulting Votes. Total. of from Place of Poll. Candidates on Compact. 1 Schybergson Swedish 44,544 2.33 44,546.33 2 Häninan Social Dem. 40,951 6.5 40,957.5 3 Soderholm Swedish 22,272 0.33 22,272.33 4 Sillanpää Social Dem. 20,475.5 8.83 20,484.33 5 Käkikoski Old Finn 20,402 9.33 20,411.33 6 Oljemark Swedish 14,848 — 14,848 7 Sirén Social Dem. 16,650.33 2.33 16,652.66 8 Rosenquist (G.) Swedish 8,908.8 2,932.83[2] 11,841.63 9 Rosenquist (V.) Swedish 11,136 4.33 11,140.33 10 Helle Social Dem. 10,237.75 3 10,240.75 11 Palmén Old Finn 10,201 8.83 10,209.83 12 Pertillä (E.) Social Dem. 8,190.2 4.67 8,194.87 13 Ahlroos Swedish 7,424 1 7,425 14 Pertillä (V.) Social Dem. 6,725.17 1.5 6,726.67 15 Reima Old Finn 6,800.67 5.67 6,806.34 16 Erkko Young Finn 6,521 6.32 6,527.32 17 Ehrnrooth Swedish 6,363.43 75.83 6,439.26 18 Laine (M.) Social Dem. 5,850.14 4 5,854.14 19 Wasastjerna Swedish 5,568 — 5,568 20 Ingman Social Dem. 5,118.88 3.5 5,122.38 21 Laine (O.) Old Finn 5,100.5 — 5,100.5 22 von Alfthan Swedish 4,949.33 — 4,949.33 23 Johansson Social Dem. 4,550.11 1.33 4,551.44 (All the above were elected.) 24 Sohlberg Swedish 4,049.45 482.45[3] 4,531.9 25 Gustaffsson Swedish 4,454.4 4.5 4,458.9 &c. &c.

Equitable results.

It will to some extent be gathered from the foregoing table that the total number of the supporters of the various compacts or parties in the Nyland division and the number of seats won were as follows:

Parties.	Votes.	Seats Actually Won.	Seats in Proportion to Votes.
Swedish	44,544	9	8.7
Social Democrat	40,951	9	8.0
Old Finn	20,402	4	4.0
Young Finn	6,521	1	1.3
"Christian" compact	2,932	-	.6
"Free Christian"	458	-	.1
Radical	168	-	-

Isolated schedules 1,356 - .3

Total 117,332 23 23.0

The result is thus in reasonable correspondence with the demands of a strictly proportionate allotment of seats; this statement is also true of the results for the whole of Finland, as the following table will show:—

Parties.	Votes.	Seats Actually Won.	Seats in Proportion to Votes.
Social Democrat	329,946	80	74.1
Old Finn.	243,573	59	54.7
Young Finn	121,604	26	27.3
Swedish	112,267	24	25.2
Agrarian	51,242	9	11.5
Christian Labourer	13,790	2	3.1
Minor groups	18,568	-	4.1

Total 890,990 200 200.0

An exactly mathematical distribution is, of course, not to be expected from this, any more than from any other method which does not adopt the system of treating a whole country as a single constituency. As to the mechanism of the system it only remains to add that the process of counting was found to be very lengthy. In the Nyland division, where the results were ascertained sooner than in any other case, the elections were held on 15 and 16 March, but the result was not announced until the 2 April. To people accustomed to the greater rapidity of ordinary electoral methods this will seem a serious drawback. Possibly improved arrangements may shorten this long interval between the elections and the announcement of the result.

It would obviously be premature to attempt to estimate the political effects of the Finnish system as compared with other systems of proportional representation.

Elector's freedom of choice.

The Finnish system has been in operation since 1907, and the whole political circumstances of Finland have undergone so many striking changes, and so many new factors are at work that to disentangle particular causes and effects is an impossibility. But plainly the Finnish machinery gives a greater freedom to the elector than the Belgian system. The Finnish system in fact encourages the electors to arrange the candidates of a party in the order preferred by the electors themselves, and not in the order dictated by the party managers. There is no "party ticket" for which the elector can vote blindfold. He must choose the schedule that he prefers; he can even rearrange that schedule, or, if he chooses, can make one of his own. No doubt the schedule itself is ready made for him, but it contains three names only, and is not the equivalent of the Belgian "list." On the other hand, the elector who chooses to vote for a schedule within a compact adds, whether he likes it or not, to the total votes of the compact, and so may help to return not the candidate of his choice, but the candidates preferred by the majority of the party with which he is in sympathy. An illustration of this fact may be taken from the Nyland poll. The old Finnish party were alive to the possibilities of the situation, and combined their lists with great skill so as to attract votes. They placed their favourite candidates in nearly every schedule, but not at the head of the schedule. At the head of the schedule they placed some man of local popularity, usually a peasant proprietor, whose name was not repeated in many, if any, other schedules. Thus the local favourite attracted votes to the schedule, but in the race for the highest numbers of comparison the candidates whose names appeared on few schedules were left behind those whose names appeared on many schedules even in the lower places.

A portion of the official ballot paper showing the compact put forward by the Swedish People's Party is printed on the opposite page. In one corner of the ballot paper was a blank schedule in the following form.

THE ELECTOR who does not approve of any of the preceding lists should write here the names of his candidates in the order in which he wishes them to be elected.

CANDIDATES

Name..

Profession or Occupation...............................

Address...

Name...

Profession or Occupation...............................

Address...

Name...

Profession or Occupation...............................

Address...

FINLAND GENERAL ELECTION, 1907

Part of Ballot Paper—Nyland Division.

The Voters' Compact of the Swedish People's Party.

1
HELSINGFORS.
Experienced Members of the Diet:—
—Schybergson, E. K.
—Neovius, A. W.
—Soderholm, K. G.

33
EAST NYLAND-LOUISA.
Justice and Progress:—
—Rosenquist, G. G.
—Stromberg, J.
—Ehrnrooth, L.

34
MID-NYLAND-NIOKBY.
The Welfare of the Rural Population;—
—Topelius, G. L.
—Alfthau, K. von
—Rosenquist, B. T.

35
MID-NYLAND-ESBO.
The Welfare of the Rural Population:—
—Wasastjerna, O.
—Schybergson, E.
—Soderholin, K.

36
WEST NYLAND-KYRK-SLATT.
The Welfare ol the Rural Population:—
—Nordberg, G.
—Ehrnrooth, L.
—Oljemark, K. T.

37
WEST NYLANB-EKENAS.
The Welfare of the Rural Population. Law and Justice:—
—Oljemark, K. T.
—Schybergson, E.
—Soderholm, K.

38
BORGA.
Knowledge and Experience:—
—Runeberg, J. W.

—Bjorkenheim, G.
—Rosenquist, G. G.

39
HELSINGFORS.
Sound Development of the Community;—
—Westermarck, Helena.
—Rosenquist, B. T.
—Bjorkenheim, G.

40
HELSINGFORS.
Law and Justice:—
—Sorterholm, K.
—Alfthan, K. von
—Westermarck, Helena,

41
HELSINGFORS.
Legality and Progress:—
—Westermarck, Helena.
—Neovius, A.
—Ehrnrooth, L.

42
HELLSINGFORS.
Swedish Culture:—
—Rosenqnist, B. T.
—Gustafsson, F. prof.
—Soderholm, K.

43
HELSINGFORS.
Friends of Labour and of the People:—
—Alfthan, K. von
—Gustafsson, F. prof.
—Gronroos, F.

44
HELSINGFORS.
Experience and Practical Knowledge:—
—Runeberg, J. W.
—Schybergson, E.
—Neovius, A.

45
HELSINGFORS.
The Labourers' Welfare:—
—Ahlroos, F.
—Holmberg, W.
—Ehrnrooth, L.

46
HELSINGFORS.
Commerce and Industry:
—Heimburger, W. F.
—Bjorkenheim, G.
—Schybergson, E.

47
THE SKERRIES OF NYLAND:
Navigation and Fisheries:—
—Hjelt, Th.
—Renter, O.
—Alfthan, K.

48

THE PROVINCE OF NYLAND:
HELSINGFORS.
Temperance, Morality and Popular Education:—
—Sohlberg, H.
—Ahlroos, F.
—Rosenquist, G. G.

[Footnote 1: This right of addition is subject to a limit. The reinforcements must not raise a candidate's total above what he might obtain if the votes given to all compacts or lists, where his name occurs, were divided by the figure which indicates his order within the compact from which he derives his principal strength.]

[Footnote 2: This large reinforcement of votes came from the Christian compact, where this candidate's name appeared as well as in the Swedish compact.]

[Footnote 3: See reference to Miss Sohlberg in preceding paragraph.]

APPENDIX V

THE STATISTICS OF THE GENERAL ELECTIONS, 1885-1910

The following tables are taken, with permission, from a paper read on 12 December 1906, by Mr. J. Rooke Corbett, M.A., before the Manchester Statistical Society, of which a second and revised edition was published in April 1910 by the Proportional Representation Society.

In these tables the totals for England, Wales, and Monmouth, Scotland and Ireland are shown separately, and the figures for England have been further subdivided according to the ten divisions into which the kingdom is divided by the Registrar General for the purpose of his work.

These ten subdivisions are as follows:

Metropolitan—
London.
South East—
  Surrey.
  Kent.
  Sussex.
  Hampshire.
  Berkshire.
South Midland—
  Middlesex.
  Hertfordshire.
  Buckinghamshire.
  Oxfordshire.
  Northamptonshire.
  Huntingdonshire.
  Bedfordshire.
  Cambridgeshire.
East—
  Essex.
  Suffolk.
  Norfolk.
South-West—
  Wiltshire.
  Dorsetshire.
  Devonshire.
  Cornwall.
  Somersetshire.
West Midland—
  Gloucestershire.
  Herefordshire.
  Shropshire.
  Staffordshire.
  Worcestershire.

Warwickshire.
North Midland—
 Leicestershire.
 Rutlandshire.
 Lincolnshire.
 Nottinghamshire.
 Derbyshire.
North-West—
 Cheshire.
 Lancashire.
Yorkshire—
 West Riding.
 East Riding (with York).
 North Riding.
Northern Division—
 Durham.
 Northumberland.
 Cumberland.
 Westmorland.

The first three columns, A, B and C, show the number of members allotted to these several divisions, the number of registered electors, and the number of members to which each division would be entitled if the 670 members of which the House of Commons is composed were divided among the several divisions in proportion to their electorates.

In taking the electorate as the basis of a proportionate redistribution of seats it is not intended to prejudge the question whether population or electorate is the better standard. The electorate has been taken because the figures are available for the very year in which the election takes place, whereas the population is only enumerated once in ten years.

The columns D and E show in two groups the number of members elected for these divisions, Liberal, Labour, and Irish members being gathered together in one column, Conservatives alone occupying the other.

It is one of the disadvantages of our present system of representation that it makes it quite impossible to ascertain the relative strength of the several parties into which the voters are divided. In the great majority of contests there is a Liberal, Labour, or Irish Nationalist candidate on one side, and a Unionist candidate on the other, and there is practically no evidence as to how many of the supporters of either candidate belong to each of the parties concerned. Any estimate of the relative strength of the Liberal and Labour parties or of the Unionist Free Traders, and Tariff Reformers must be largely a matter of guesswork. All that is possible, therefore, is to divide the voters into two groups, as has been done in these tables.

The columns F and G show the total electorate of the constituencies held respectively by the two groups of members shown in columns D and E.

The figures in these two columns are of value in showing the probable result of a scheme of redistribution. The South-Eastern counties may be taken as an example. These are at present represented by 48 members. The Liberals held three constituencies in January 1910 containing an electorate of 31,221 (columns D and F); the Conservatives held 45 constituencies containing an electorate of 604,887 (columns E and G). If a redistribution of seats was made on the basis of equal electorates, the South-Eastern counties would be entitled to 55 members (column C). It may be assumed that in any rearrangement of constituencies the parties would retain their predominance in the areas which they now represent, and if so the result of a rearrangement of constituencies on the basis of equal electorates would be that in January 1910 the Conservatives would have obtained 52 seats and the Liberals 3 (column K). Similarly in the General Election of 1906 the Liberals in Wales and Monmouth held 34 seats, the Conservatives none. If the constituencies had been rearranged, the Liberals would have held 35 seats, the Conservatives none. The majorities throughout the United Kingdom which would be obtained under a scheme of equal electorates are shown in column K.

The columns H and I show the number of electors who voted for the candidates of the two groups; Liberal, Labour, and Irish Nationalist voters in one group, Conservative voters in the other.

In computing the figures in these columns an allowance has been made for uncontested constituencies on the following basis. It has been supposed that the changes of public opinion which affect the contested constituencies affect uncontested constituencies also, and in estimating the number of voters in an uncontested constituency it has therefore been assumed that the strength of

each party varies from one election to another in the same ratio as in the contested constituencies in the same county.

The three columns J, K and L show respectively the actual majorities obtained, the majorities which would have been obtained if the country had been divided into single-member constituencies of equal size, and the majorities under a system of proportional representation.

The figures in the last two columns have been calculated with reference to the totals in column C, which gives the number of members to which each division would be entitled on a proportional basis.

In order to ascertain the figures given in column K (*i.e.* the probable results with equal single-member constituencies) it has been assumed, as already explained, that the two groups would, after the redistribution of seats, be predominant in the same areas as before the rearrangement.

The representation of minorities.

The tables give abundant evidence of the anomalies associated with our electoral system. One of the most striking is the great difference in the amount of representation secured by minorities in different parts of the country. The amount of representation secured by a minority has not depended upon its size, but upon the way in which it has been distributed. The following table shows the amount of representation obtained by important minorities in the General Election of January 1910:—

THE REPRESENTATION OF MINORITIES, ELECTION JAN. 1910

Area.	Size of Minority.	Seats Obtained.	Total Seats for Whole Area
Ireland	145,437	21	103
Scotland	265,770	11	72
S. East: Counties. . .	220,995	3	48
Wales and Monmouth . .	116,696	2	34
Northern Counties . .	75,897	9	32

The figures show that in Ireland a minority of 145,437 obtained twenty-one representatives, whilst a minority of 116,696 in Wales and Monmouth obtained only two. The good fortune which befel the minority in Ireland, not only in the elections of 1910 but in all the elections since the Redistribution Bill of 1885, has been due to the fact that this minority is concentrated in one corner of Ireland and can transform itself into local majorities. The larger minority in Scotland, owing to its distribution throughout the country, obtains much less representation; the minorities in the south-eastern counties of England and Wales are also distributed throughout these two areas and likewise suffer. The minority of 75,879 in the northern counties being less evenly diffused was more fortunate, and obtained nine representatives. The figures for the election of December 1910 disclose similar anomalies.

GENERAL ELECTION, 1885

Col A: Members
Col B: Registered Electors
Col C: Proportionate Number of Members
Col D: Members - Liberal, Labour and Irish
Col E: Members - Conservatives
Col F: Electorate of Constituencies held by - Liberal, Labour, and Irish Nationalists
Col G: Electorate of Constituencies held by - Conservative
Col H: Voters - Liberal, Labour, and Irish Nationalist
Col I: Voters - Conservative
Col J: Majority - Actual
Col K: Majority - With equal Single Member Constituencies
Col L: Majority - Under Proportional Representation.

	A	B	C	D	E	F	G	H	I	J	K	L
	Memb	Elect	Prop Memb	Memb Act		Electorate		Voters		Majority		
										Act	Eq	PR
Metropolis	60	489,396	57	LLI 22		165,345		162,228				
				Con 38		324,051		188,067		16	19	3
England												
South-East	48	406,955	47	LLI 4		34,883		144,659				
				Con 44		372,072		187,831		40	39	7
S.Midland	38	312,477	36	LLI 14		123,665		124,717				

Region	A Memb	B Elect	C Memb	Party	Memb	Electorate	Voters	J Act	K Eq	L PR
				Con	24	188,811	129,544	10	8	
East	29	257,022	29	LLI	18	173,521	107,710	7	11	1
				Con	11	83,501	98,137			
South-West	40	314,603	36	LLI	27	229,612	144,273	14	16	4
				Con	13	84,991	117,442			
W.Midland	58	544,415	63	LLI	45	427,549	248,825	32	36	8
				Con	13	116,866	198,212			
N.Midland	34	328,844	38	LLI	26	255,836	55,503	18	22	4
				Con	8	73,008	120,933			
North-West	70	654,751	76	LLI	24	231,123	263,670			
				Con	46	423,628	292,942	22	22	4
Yorkshire	52	536,553	62	LLI	36	398,426	248,078	20	30	8
				Con	16	138,127	189,930	20	30	8
North	32	305,015	35	LLI	25	262,287	144,803	18	25	5
				Con	7	42,728	96,708			
ENGLAND	461	4,150,031	480	LLI	241	2,302,248	1,740,466	21	52	16
				Con	220	1,847,783	1,619,746			
Wales and Monmouth	34	286,145	33	LLI	30	263,199	149,782	26	27	11
				Con	4	22,946	79,006			
Scotland	72	576,828	67	LLI	58	485,116	289,032	44	45	15
				Con	14	91,712	181,706			
Britain	567	5,013,004	580	LLI	329	3,050,563	2,179,230	91	124	42
				Con	238	1,962,441	1,880,458			
Ireland	103	777,954	90	LLI	85	624,760	404,892	67	54	44
				Con	18	153,194	139,273			
Total	670	5,790,958	670	LLI	414	3,675,323	2,584,122	158	178	86
				Con	256	2,115,635	2,019,731			
Majority	158	1,559,638	564,391							

NOTE.—The figures in columns K and L are calculated with reference to the totals in column C. Thus the figure L 54 for Ireland in column K of the last section of the table indicates that under a system of equal single-member constituencies Ireland's 90 members would be Liberal etc. 72, Unionist 18, a Liberal majority of 54, and the corresponding figure L 44 in column L indicates that under proportional representation the 90 members which Ireland would return would be Liberal etc. 67, and Unionist 23. a Liberal majority of 44.

GENERAL ELECTION, 1886

Col A: Members
Col B: Registered Electors
Col C: Proportionate Number of Members
Col D: Members - Liberal, Labour and Irish
Col E: Members - Conservatives
Col F: Electorate of Constituencies held by - Liberal, Labour, and Irish Nationalists
Col G: Electorate of Constituencies held by - Conservative
Col H: Voters - Liberal, Labour, and Irish Nationalist
Col I: Voters - Conservative
Col J: Majority - Actual
Col K: Majority - With equal Single Member Constituencies
Col L: Majority - Under Proportional Representation.

Region	A Memb	B Elect	C Memb	Party	D/E Memb	Electorate	Voters	J Act	K Eq	L PR
					Prop Memb	Electorate	Voters	Majority		
	Memb	Elect	Memb		Act				Eq	PR
Metropolis	60	489,396	57	LLI	11	87,974	125,457			
				Con	49	401,422	185,072	38	37	11
England—										
South-East	48	406,955	47	LLI	0	-	114,518			
				Con	48	406,955	184,221	48	47	11
S.Midland	38	312,477	36	LLI	9	73,292	94,213			
				Con	29	239,185	128,339	20	20	6

East 29 257,022 29 LLI 4 87,975 81,838
                Con 25 219,047 102,732 21 21 3
South-West 40 314,603 36 LLI 7 63,063 96,753
                Con 33 251,540 129,056 26 22 6
W.Midland 58 544,415 63 LLI 15 136,518 173,463
                Con 43 407,897 218,753 28 32 8
N.Midland 34 328,844 38 LLI 14 147,138 125,078
                Con 20 181,706 126,547 6 4
North-West 70 654,751 76 LLI 13 123,459 236,134
                Con 57 531,292 282,187 44 48 6
Yorkshire 52 536,553 62 LLI 33 359,414 214,407 6
                Con 19 177,139 180,728 14 22
North 32 305,015 35 LLI 23 247,275 123,901 5
                Con 9 57,740 96,404 14 21
ENGLAND 461 4,150,031 480 LLI 129 1,276,108 1,385,762
                Con 332 2,873,923 1,634,039 203 188 42

   Wales and
Monmouth 34 286,145 33 LLI 27 240,752 123,186 20 23 7
                Con 7 45,393 82,179
Scotland 72 576,828 67 LLI 43 339,726 218,561 14 11 5
                Con 29 237,102 188,164

   Subtotal 567 5,013,004 580 LLI 199 1,856,586 1,727,509
                Con 368 3,156,418 1,904,382 169 154 30

   Ireland 103 777,954 90 LLI 84 616,735 376,445
                Con 19 161,219 144,755 65 52 38

   Total 670 5,790,958 670 LLI 283 2,473,321 2,103,954 8
                Con 387 3,317,637 2,049,137 104 102

   Majority 104 844,316 54,817

GENERAL ELECTION, 1892

   Table headings:
Col A: Members
Col B: Registered Electors
Col C: Proportionate Number of Members
Col D: Members - Liberal, Labour and Irish
Col E: Members - Conservatives
Col F: Electorate of Constituencies held by - Liberal, Labour,
     and Irish Nationalists
Col G: Electorate of Constituencies held by - Conservative
Col H: Voters - Liberal, Labour, and Irish Nationalist
Col I: Voters - Conservative
Col J: Majority - Actual
Col K: Majority - With equal Single Member Constituencies
Col L: Majority - Under Proportional Representation.

        A B C DE FG HI J K L
              Prop Memb Electorate Voters Majority
      Memb Elect Memb Act Eq PR
Metropolis 60 552,024 60 LLI 23 186,572 183,967
                Con 37 365,452 214,275 14 20 4
England:
South-East 48 463,073 50 LLI 4 38,534 147,136
                Con 44 424,539 206,075 40 42 8
S.Midland 38 340,650 38 LLI 15 139,228 120,844
                Con 23 210,422 147,347 8 8 4
East 29 276,491 30 LLI 13 134,632 108,866
                Con 16 141,859 110,849 3
South-West 40 325,769 35 LLI 15 136,061 125,392
                Con 25 189,708 136,449 10 5 1
W. Midland 58 577,397 63 LLI 16 143,567 204,453

Con 42 433,830 248,774 26 31 7
N. Midland 34 347,482 38 LLI 22 232,970 145,587 10 14 2
Con 12 114,512 130,380
North-West 70 707,392 77 LLI 26 284,970 282,139
Con 44 422,422 307,698 18 15 3
Yorkshire 52 571,864 62 LLI 35 418,414 244,099 18 28 6
Con 17 153,450 204,492
North 32 328,189 36 LLI 25 264,483 143,172 18 22 4
Con 7 63,706 115,626
ENGLAND 461 4,499,331 489 LLI 194 1,979,431 1,705,655
Con 267 2,519,900 1,821,985 73 57 15

Wales and
Monmouth 34 314,063 34 LLI 31 294,395 152,326 28 30 10
Con 3 19,668 86,576
Scotland 72 606,203 66 LLI 52 449,994 267,631 32 32 8
Con 20 156,209 214,448

Subtotal 567 5,419,497 589 LLI 277 2,723,820 2,125,612 5 3
Con 290 2,695,777 2,123,009 13
Ireland 103 746,781 81 LLI 80 561,938 345,548 57 41 31
Con 23 184,843 157,181

Total 670 6,168,388 670 LLI 357 3,285,758 2,471,164 44 46 34
Con 313 2,880,620 2,280,190
Majority 44 405,138 190,974

GENERAL ELECTION, 1895

Table headings:
Col A: Members
Col B: Registered Electors
Col C: Proportionate Number of Members
Col D: Members - Liberal, Labour and Irish
Col E: Members - Conservatives
Col F: Electorate of Constituencies held by - Liberal, Labour,
   and Irish Nationalists
Col G: Electorate of Constituencies held by - Conservative
Col H: Voters - Liberal, Labour, and Irish Nationalist
Col I: Voters - Conservative
Col J: Majority - Actual
Col K: Majority - With equal Single Member Constituencies
Col L: Majority - Under Proportional Representation.

A B C DE FG HI J K L
Prop Memb Electorate Voters Majority
Memb Elect Memb Act Eq PR
Metropolis 60 573,141 61 LLI 8 70,056 161,328
Con 52 503,085 242,999 44 47 13
England:
South-East 48 472,725 50 LLI 2 24,057 152,213
Con 46 448,668 217,096 44 44 8
S.Midland 38 358,501 38 LLI 3 30,569 116,143
Con 35 327,932 164,052 32 32 6
East 29 294,153 31 LLI 8 70,467 101,736
Con 21 223,686 122,999 13 15 3
South-West 40 330,670 35 LLI 10 76,141 124,852
Con 30 254,529 144,435 20 19 3
W.Midland 58 589,881 63 LLI 9 85,544 195,545
Con 49 504,337 259,382 40 45 9
N.Midland 34 351,792 37 LLI 16 186,167 143,142 1
Con 18 165,625 149,436 2 1
North-West 70 728,292 78 LLI 10 114,035 273,585
Con 60 614,257 332,101 50 54 8
Yorkshire 52 565,799 61 LLI 28 317,932 238,032 4 7 1
Con 24 247,867 225,871

Region	A Memb	B Elect	C Prop Memb	Party	Memb	Electorate	Voters	Maj Act	Maj Eq	Maj PR
North	32	339,289	36	LLI	20	222,202	145,085	8	12	2
				Con	12	117,087	124,697			
ENGLAND	461	4,604,243	490	LLI	114	1,197,170	1,652,261			
				Con	347	3,407,073	1,983,068	233	236	48
Wales and Monmouth	34	320,532	34	LLI	25	241,750	148,552	16	18	6
				Con	9	78,782	108,036			
Scotland	72	636,106	68	LLI	39	335,143	243,425	6	4	2
				Con	33	300,963	234,138			
Subtotal	567	5,560,881	592	LLI	178	1,774,068	2,044,238			
				Con	389	3,786,818	2,325,242	211	214	40
Ireland	103	727,562	78	LLI	82	549,467	317,910	61	42	28
				Con	21	178,095	154,379			
Total	670	6,292,443	670	LLI	260	2,323,530	2,362,148			
				Con	410	3,964,913	2,479,621	150	172	12
Majority	150	1,641,383			117,473					

GENERAL ELECTION, 1900

Table headings:
Col A: Members
Col B: Registered Electors
Col C: Proportionate Number of Members
Col D: Members - Liberal, Labour and Irish
Col E: Members - Conservatives
Col F: Electorate of Constituencies held by - Liberal, Labour, and Irish Nationalists
Col G: Electorate of Constituencies held by - Conservative
Col H: Voters - Liberal, Labour, and Irish Nationalist
Col I: Voters - Conservative
Col J: Majority - Actual
Col K: Majority - With equal Single Member Constituencies
Col L: Majority - Under Proportional Representation.

	A	B	C	D	E	F	G	H	I	J	K	L
			Prop Memb			Electorate		Voters		Majority		
	Memb	Elect	Memb							Act	Eq	PR
Metropolis	60	601,925	60	LLI 8		73,718		150,047				
				Con 52		528,207		247,777		44	46	14
England:												
South-East	48	512,408	51	LLI 3		23,362		140,277				
				Con 45		489,406		220,829		42	47	11
S. Midland	38	388,361	39	LLI 6		63,375		120,012				
				Con 32		324,986		164,148		26	27	7
East	29	319,997	32	LLI 9		80,447		101,785				
				Con 20		239,550		125,375		11	8	4
South-West	40	337,449	33	LLI 14		122,410		127,086				
				Con 26		215,039		142,269		12	9	1
W. Midland	58	630,931	63	LLI 10		96,089		200,113				
				Con 48		534,842		261,474		38	43	9
N. Midland	34	378,996	38	LLI 18		211,280		149,794		2	4	0
				Con 16		167,716		153,294				
North-West	70	794,142	79	LLI 14		176,183		281,634				
				Con 56		617,957		351,243		42	43	9
Yorkshire	52	612,892	61	LLI 26		326,841		239,045		5	1	
				Con 26		286,051		238,870				
North	32	367,007	36	LLI 16		197,102		147,017		2	2	
				Con 16		169,905		135,459				
ENGLAND	461	4,944,108	492	LLI 124		1,370,807		1,657,814				
				Con 337		3,573,301		2,040,508		213	212	52
Wales and Monmouth	34	342,209	34	LLI 28		286,628		161,190		22	24	8

Con 6 55,581 103,396
Scotland 72 683,840 68 LLI 34 312,781 254,112
Con 34 371,059 258,836 4 6

Britain 567 5,970,187 594 LLI 186 1,970,216 2,073,116
Con 381 3,999,941 2,402,740 195 194 44

Ireland 103 765,258 76 LLI 82 598,469 318,203 61 44 28
Con 21 166,757 145,906

Total 670 6,735,415 670 LLI 268 2,568,685 2,391,319
Con 402 4,166,698 2,548,736 134 150 16
Majority 134 1,598,013 157,417

GENERAL ELECTION, 1906

Table headings:
Col A: Members
Col B: Registered Electors
Col C: Proportionate Number of Members
Col D: Members - Liberal, Labour and Irish
Col E: Members - Conservatives
Col F: Electorate of Constituencies held by - Liberal, Labour,
   and Irish Nationalists
Col G: Electorate of Constituencies held by - Conservative
Col H: Voters - Liberal, Labour, and Irish Nationalist
Col I: Voters - Conservative
Col J: Majority - Actual
Col K: Majority - With equal Single Member Constituencies
Col L: Majority - Under Proportional Representation.

A B C DE FG HI J K L
Prop Memb Electorate Voters Majority
Memb Elect Memb Act Eq PR
Metropolis 60 626,011 57 LLI 40 385,762 251,937
Con 20 240,249 225,725 20 13 3
England
South East 48 583,000 54 LLI 22 273,398 245,046
Con 26 309,602 241,097 4 4
S.Midlands 38 441,803 40 LLI 27 328,386 193,594 16 20 2
Con 11 113,417 172,159
East 29 368,662 34 LLI 25 333,564 170,039 21 28 4
Con 4 35,098 128,991
South-West 40 371,300 34 LLI 34 321,822 176,478 28 24 4
Con 6 49,478 144,342
W.Midland 58 679,903 63 LLI 35 402,148 288,832 12 11 1
Con 23 277,760 286,862
N.Midland 34 420,677 39 LLI 28 358,852 205,066 22 27 5
Con 6 61,825 151,924
North-West 70 869,792 80 LLI 55 680,843 420,969 40 46 12
Con 15 188,949 321,560
Yorkshire 52 667,863 62 LLI 41 556,233 340,865 30 42 14
Con 11 111,635 218,778
North 32 409,843 38 LLI 27 345,353 215,748 22 26 10
Con 5 64,490 123,003
England 461 5,438,859 501 LLI 334 3,986,356 2,508,574 207 233 53
Con 127 1,452,503 2,014,441

Wales and
Monmouth 34 387,585 35 LLI 34 387,585 217,462 34 35 13
Con 0 — 100,547
Scotland 72 750,401 70 LLI 60 629,360 367,942 48 48 16
Con 12 121,041 235,098

Britain 567 6,576,845 606 LLI 428 5,003,301 3,093,978 289 316 82
Con 139 1,573,544 2,350,086

Ireland 103 693,417 64 LLI 85 545,748 301,833 67 36 22
Con 18 147,669 144,708

TOTAL 670 7,270,262 670 LLI 513 5,549,049 3,395,811 356 352 104
Con 157 1,721,213 2,494,794
Majority 356 3,827,836 901,017

GENERAL ELECTION, JANUARY 1910

Table headings:
Col A: Members
Col B: Registered Electors
Col C: Proportionate Number of Members
Col D: Members - Liberal, Labour and Irish
Col E: Members - Conservatives
Col F: Electorate of Constituencies held by - Liberal, Labour,
  and Irish Nationalists
Col G: Electorate of Constituencies held by - Conservative
Col H: Voters - Liberal, Labour, and Irish Nationalist
Col I: Voters - Conservative
Col J: Majority - Actual
Col K: Majority - With equal Single Member Constituencies
Col L: Majority - Under Proportional Representation.

	A	B	C	D	E	F	G	H	I	J	K	L
			Prop	Memb		Electorate		Voters		Majority		
	Memb	Elect	Memb			Elect		Memb		Act	Eq	PR
Metropolis	60	658,795	57	LLI 26		246,838		254,154				
				Con 34		411,957		298,821		8	15	5
England:												
South-East	48	636,108	55	LLI 3		31,221		220,995				
				Con 45		604,887		334,022		42	49	11
S. Midland	38	490,592	43	LLI 11		146,312		197,717				
				Con 27		344,280		235,776		16	17	3
East	29	400,062	35	LLI 15		236,234		173,465		1	7	1
				Con 14		163,828		170,027				
South-West	40	386,514	34	LLI 18		201,726		172,692		2		
				Con 22		184,788		175,010		4		
W. Midland	58	713,761	62	LLI 17		227,430		284,629				
				Con 41		486,331		334,874		24	22	6
N. Midland	34	446,752	39	LLI 23		334,766		216,469		12	19	3
				Con 11		111,986		181,209				
North-West	70	928,640	81	LLI 47		636,497		449,324		24	35	7
				Con 23		292,143		382,796				
Yorkshire	52	701,856	61	LLI 89		564,418		365,185		26	37	11
				Con 13		137,438		248,507				
North	32	430,594	38	LLI 23		354,697		216,760		14	24	6
				Con 9		75,897		150,471				
ENGLAND	461	5,793,674	505	LLI 222		2,980.139		2,551,390		21	3	
				Con 239		2,813,535		2,521,513		17		
Wales and												
Monmouth	34	425,714	37	LLI 32		414,613		243,383		30	35	13
				Con 2		11,101		116,696				
Scotland	72	785,391	68	LLI 61		675,723		394,103		50	50	14
				Con 11		109,668		265,770				
Sub total	567	7,004,779	610	LLI 315		4,070,475		3,188,876		63	106	30
				Con 252		3,188,876		2,903,979				
Ireland	103	688,284	60	LLI 82		518,154		356,223		61	30	26
				Con 21		170,130		145,437				
Total	670	7,693,063	670	LLI 397		4,588,629		3,545,099		124	136	56
				Con 270		3,104,434		3,049,416				

Majority 124 1,484,195 495,683

GENERAL ELECTION, DECEMBER 1910

Table headings:

Col A: Members
Col B: Registered Electors
Col C: Proportionate Number of Members
Col D: Members - Liberal, Labour and Irish
Col E: Members - Conservatives
Col F: Electorate of Constituencies held by - Liberal, Labour, and Irish Nationalists
Col G: Electorate of Constituencies held by - Conservative
Col H: Voters - Liberal, Labour, and Irish Nationalist
Col I: Voters - Conservative
Col J: Majority - Actual
Col K: Majority - With equal Single Member Constituencies
Col L: Majority - Under Proportional Representation.

	A	B	C	D	E	F	G	H	I	J	K	L
	Prop		Memb	Electorate		Voters		Majority				
		Memb	Elect	Memb		Act		Eq		PR		
Metropolis	60	658,795	57	LLI 29		279,492		223,151				
					Con 31		379,303		264,281	2	9	5
England—												
South-East	48	636,108	55	LLI 5		58,248		209,434				
					Con 43		577,860		311,888	38	45	11
S. Midland	38	490,592	43	LLI 14		170,762		190,120				
					Con 24		319,830		219,876	10	13	3
East	29	400,062	35	LLI 16		256,750		164,849		3	9	1
					Con 13		143,312		154,529			
South-West	40	386,514	34	LLI 14		159,494		164,698				
					Con 26		227,020		168,992	12	6	0
W. Midland	58	713,761	62	LLI 19		246,842		268,125				
					Con 39		466,919		316,574	20	20	6
N. Midland	34	446,752	39	LLI 21		298,037		202,351		8	13	3
					Con 13		148,715		173,545			
North-West	70	928,640	81	LLI 39		524,682		400,508		8	11	1
					Con 31		403,958		386,045			
Yorkshire	52	701,856	61	LLI 40		570,544		321,622		28	39	9
					Con 12		131,312		239,067			
North	32	430,594	38	LLI 25		375,574		200,583		18	28	6
					Con 7		55,020		142,388			
ENGLAND	461	5,793,674	505	LLI 222		2,940,425		2,345,441			7	
					Con 239		2,853,249		2,377,185	17		5
Wales and Monmouth	34	425,714	37	LLI 31		388,507		210,525		28	31	9
					Con 3		37,207		121,013			
Scotland	72	785,391	68	LLI 61		678,395		372,313		50	50	10
					Con 11		106,996		277,183			
Subtotal	567	7,004,779	610	LLI 314		4,007,327		2,928,279		61	88	14
					Con 253		2,997,452		2,775,381			
Ireland	103	688,284	60	LLI 84		536,675		350,029		65	34	24
					Con 19		151,609		146,982			
Total	670	7,693,063	670	LLI 398		4,544,002		3,278,308		126	122	38
					Con 272		3,149,061		2,922,363			
Majority	126	1,394,941		355,945								

APPENDIX VI

PREFERENTIAL VOTING: THE TRANSFER OF SUPERFLUOUS VOTES

(A Memorandum by the Rt. Hon. J. Parker Smith)[1]

(1) *The Element of Chance Involved: Its Magnitude*

An objection, which occurs to every one who considers schemes of Preferential Voting, is that an

element of chance is introduced into the result by the methods for the transfer of the superfluous votes of successful candidates. Supposing one part of the supporters of A, a successful candidate, have put down B as their second choice, and the remainder C, and that a certain number of A's votes are superfluous, and have to be transferred, how is it to be determined what number of AB votes, as they may be called, and what number of AC votes shall be transferred? If the question is settled by chance, as, by drawing the necessary number at random from A's heap, by declaring that voting papers shall be used in the order in which they were handed in at the polling booths, or by laying down any other set of arbitrary rules to determine the order in which they shall be counted, an element of uncertainty is introduced by which there seems to be serious danger that B and C will gain or lose unfairly.

Those who are accustomed to dealing with statistics will be prepared to find this danger less than might have been expected; but even they will be surprised to find of how small importance the arbitrary element is discovered, by actual calculation, to be.

The difficulty can be made clear by a numerical instance. Take the case of an election for several seats, where the necessary quota is 6000, and where a favourite candidate, whom we will call A, has received the first votes of 10,000 voters. Though all those voters have agreed in putting the same candidate first, they are divided as to who may wish to be returned next. Six thousand of them put B as their second choice, and the other 4000 C. If the 6000 votes which A requires are drawn wholly from the AB votes, the result of the transfer will be that C is credited with 4000 votes and B with none. This would be clearly unfair, for, in reality, B has received among A's voters much more support than C. To use up the 4000 AC votes and only 2000 AB votes, and to transfer 4000 votes to B and none to C would be equally unfair to C. The course which is exactly fair to both B and C is that the votes which are transferred should be divided between them in the same proportion as that in which the opinions of the whole number of A's supporters is divided. That is to say, strict justice will be done if every 1000 votes which are used or transferred are made up of 600 AB votes and 400 AC votes. Accordingly, A's quota of 6000 must be made up of 3600 AB votes and 2400 AC votes, and the 4000 papers left to be transferred will consequently consist of 2400 votes for B and 1600 votes for C.

This principle avoids all uncertainty, and is indisputably fair. It remains to consider how to carry it into effect. In most cases there would, in reality, be many more classes of votes than in the instance taken above. Even in such cases it is practicable, as will presently be shown, to divide the votes proportionately by an actual process of counting and separation. A certain amount of complication is, of course, introduced, but the extra labour involved does not seem impossible. The question whether this extra labour is necessary must be answered by examining the magnitude of the evil which it is sought to remedy.

If the votes are counted in a random order, it is clear there is a probability that the order in which they are drawn will correspond to the total numbers of each class in the ballot-box. It is reasonable to expect that when there are 10,000 ballot papers in an urn the composition of the first thousand drawn out will nearly be the same as that of any other thousand, or of the whole 10,000. The amount of this probability may be determined mathematically, and is very great.

This fact was clearly seen by Mr. Andrae, the statesman by whom the method of preferential voting was introduced into Denmark in 1855, and a mathematician of undisputed eminence. In answer to an objection of the kind now under discussion, he replied: "If this law of mine had already been in operation over the whole of Europe (including Turkey), for a period of 10,000 years, and if the elections in every part of Europe to which the law was applied were to take place, not every one, or three, or seven years, but every week in regular repetition, these elections throughout Europe, at the rate of a general European election per week, would still have to go on for more than a thousand times the period of years already stated; that is to say, for more than a thousand times ten thousand years, before the chances would be equal that the voting papers should come out of the urn in the order required to form the basis of this problem. Although, therefore, the supposed combination is, mathematically speaking, only an enormous improbability, yet, practically speaking, it is absolutely impossible."[2]

To state the matter more exactly, and as the result of an independent mathematical investigation, it appears that in the case we have stated, if 4000 voting papers were drawn out of A's heap at random, instead of the papers being carefully sorted and proportionately divided, the probability is that neither B nor C would gain or lose more than 11 votes. In other words, it is just even betting that the number of AB votes in the 4000 drawn would lie between 2411 and 2389 (inclusive), and consequently that the number of BC votes will lie between 1589 and 1611. The odds are more than 3 to 1 neither B nor C would gain or lose more than 20 votes, *i.e.* that the number of AB votes drawn will lie between 2420 and 2380; more than 10 to 1 that neither would gain or lose more than 30 votes; just 50 to 1 that neither would gain or lose more than 40 votes; and about 2000 to 1 that neither would gain or lose more than 60 votes. If the number of classes were larger or the number of votes to be drawn smaller, the effect would be much less. It will thus be seen that it is only in the case of very closely contested

elections that the element of chance can affect the result. It will also be observed that the *element of chance will not be of importance as between the different parties,* but only as *between different individual candidates of the same party*, since in almost all cases the electors who are agreed upon the candidate they most desire will also put for their second choice candidates of the same party.

In closely contested elections it must, of course, be admitted that as a result of this method, chance might decide which of two candidates of the same party should be elected. But in closely contested elections in large constituencies so many elements of chance are always and necessarily involved, that the introduction of a fresh one does not, in reality, make the result more arbitrary. Putting aside all the slight influences which at the last moment decide a score or two of featherweight votes, and assuming that every voter is profoundly convinced of the truth of his opinions, there remains the question of boundaries. A slight change in the line of the boundaries of the constituency might easily make a difference of fifty votes—a larger difference than what we are concerned with. To carry the dividing lines from North to South instead of from East to West, would, in many localities, completely alter the character of the representation.

These are, in reality, matters of chance, and more arbitrary in their nature than the order in which voting papers are drawn from an urn.

(2) *Method of Eliminating the Chance Element*

If, however, special precautions are still thought necessary, the following method of counting the votes appears to reduce, as far as practicable, the element of chance involved in the transfer of superfluous votes:—

The whole set of voting papers of the constituency being mixed, the papers, not yet unfolded, are drawn out one by one. Each is stamped, as it is drawn, with a corresponding number, 1, 2, ... in order. It is then unfolded, and sorted according to the names of the candidates marked first and second upon it. Suppose there are six candidates, A, B, C, X, Y, Z; the votes of any candidate, A, will be sorted into six heaps, viz., A votes (*i.e.* votes where A only is voted for), AB, AC, AX, AY, and AZ votes. If A is found to have received more votes than he requires, the order in which the votes will be counted to him will be as follows: Use first the A votes, then use up those heaps where the second name also is that of a candidate who has received more than the necessary minimum. If these heaps give A more than he requires, take the same proportion out of each of such heaps, taking out of each heap the last drawn votes first. If, however, these heaps are used up without giving A as many votes as he requires, take an equal proportion of the votes of each of the remaining heaps—taking out of each heap the last drawn votes first.

Example.—Take an election where 6000 is the necessary minimum, and suppose A has 8650 votes, composed as follows:

```
  A 600
AB 2,700
AC 4,500
AX 50
AY 200
AZ 600
   ——-
   8,650
```

Using first the 600 A votes, we are left with 5400 to make up out of the remaining heaps.

1. Suppose B and C have received the quota. The 5400 can be taken from their heaps exclusively, for in their two heaps are 7200 votes; the proportion to be taken from each heap is therefore 5400 out of 7200, which is three quarters. Thus we make up A's number thus:—

```
                      A votes 600
Three-quarters of 2,700 AB " 2,025
Three-quarters of 4,500 AC " 3,375
                         ——-
                         6,000
```

And transfer the remainder (the AB and AC votes transferred being those stamped with the lowest numbers).

2. Suppose B and X have received the quota. Their two heaps amount to 2750 votes. Using these up, there remain 2650 votes to be made up out of the AC, AY, and AZ heaps. These three heaps together

contain 5300 votes; and the proportion to be taken from each heap is 2650 out of 5300, or half. Thus A's number is made up as follows:—

```
            A votes 600
         AB " 2,700
         AX " 50
Half of 4,500 AC " 2,250
Half of 200 AY " 100
Half of 600 AZ " 300
               ——-
              6,000
```

And the remaining votes of each of the three last classes—being those stamped with the lowest numbers—will be transferred.

It will be observed that the element of chance is not wholly excluded, since the question, which papers out of the AC heap are transferred, is left to depend upon the order of drawing. To exclude chance wholly, these would have to be sorted into heaps according to the third name upon them, and an equal proportion taken from each heap. The figures in the first half of this paper are sufficient to show that such trouble would be wholly superfluous.

[Footnote 1: This Memorandum is published by permission of the Rt. Hon. J. Parker Smith. Although written in 1884, the arguments still apply. The method described in the second part of the paper has been adopted in the Municipal Representation Bill (see Appendix VII.), but the method of application differs in detail.]

[Footnote 2: Quoted by Mr. (afterwards Earl) Lytton in his *Report on the Election of Representatives for the Rigsraad.*—House of Commons papers, 1864, vol. 61, p. 24 of No. 7.]

APPENDIX VII

THE SINGLE TRANSFERABLE VOTE

SCHEDULE TO MUNICIPAL REPRESENTATION BILL, 1910

THE FIRST SCHEDULE[1]

RULES FOB THE TRANSFER OF VOTES AND FOR ASCERTAINING THE RESULT OF THE POLL

Arrangement of ballot papers.

1. After the ballot papers have been mixed, in accordance with the rules contained in the First Schedule to the Ballot Act, 1872, the returning officer shall draw out all ballot papers which he does not reject as invalid, and file in a separate parcel those on which the figure 1 is set opposite the name of the same candidate. The returning officer shall then count the number of papers in each parcel.

Ascertainment of quota.

2. The returning officer shall then add together the numbers of the papers in all the parcels and divide the total by a number exceeding by one the number of vacancies to be filled, and the result increased by one, disregarding any fractional remainder, shall be the number of votes sufficient to secure the return of a candidate, herein called the "quota."

Candidates with quota elected.

3. Any candidate whose parcel contains a number of papers equal to or greater than the quota shall be declared elected.

Transfer of surplus votes.] 4.—(1) If the number of candidates elected under the last rule shall not equal the number of vacancies, the returning officer shall as far as possible transfer from each elected candidate the votes (if any) in excess of the quota (herein called surplus votes) to the candidates indicated on the ballot papers as next in order of the voters' preference, excluding candidates already declared elected. The votes of the candidate having the largest number of votes shall first be dealt with, and the particular votes to be transferred shall be determined in accordance with the following regulations:—

(a) The returning officer shall arrange all the ballot papers in the parcel of the elected candidate on

which votes capable of transfer are given by filing in a separate sub-parcel those on which a next preference is indicated for some one continuing candidate.

(b) The returning officer shall also make a separate sub-parcel of the ballot papers in the parcel on which the votes given are not capable of transfer.

(c) The returning officer shall count the ballot papers in each sub-parcel, and also the total of all the ballot papers containing votes capable of transfer.

(d) If the total number of votes capable of transfer is equal to or less than the surplus votes, the returning officer shall transfer all the votes capable of transfer.

(e) If the total number of votes capable of transfer is greater than the surplus votes, the returning officer shall transfer from each sub-parcel of votes capable of transfer the number of votes which bears the same proportion to the total of the sub-parcel as the number of surplus votes bears to the total of all the votes capable of transfer.

(f) The number of votes to be transferred from each sub-parcel under the preceding regulation shall be ascertained by multiplying the total of the sub-parcel by the number of surplus votes and dividing the result by the total number of votes capable of transfer. Fractional remainders shall be disregarded.

(g) The particular votes transferred from each sub-parcel shall be those last filed in the sub-parcel.

(2) The transfer of surplus votes shall be effected by making new sub-parcels of the ballot papers on which those votes are given, and adding those sub-parcels to the parcels (if any) of the candidates to whom the transfers are made, or, where any such candidate has as yet no parcel, a new parcel shall be formed for him from the papers transferred.

(3) All ballot papers in a parcel of an elected candidate not transferred under this rule shall be set aside as finally dealt with, and the votes given thereon shall thenceforth not be taken into account.

(4) If two or more parcels of elected candidates are equal in size, the returning officer shall decide which parcel he will first deal with under this rule.

(5) A transfer of votes under this rule shall not be made unless the surplus votes of the elected candidate, together with any other surplus votes not transferred, exceed the difference between the totals of the votes of the two continuing candidates lowest on the poll.

(6) This rule shall take effect subject to the provisions for filling the last vacancy herein-after contained, and if at any time it shall be possible to fill the last vacancy under those provisions, no further transfer under this rule shall be made.

Result of transfer.

5. After the transfer of the surplus votes of an elected candidate, any candidate who shall, as a result of the transfer, obtain the quota of votes, shall be declared elected.

Further transfer of surplus votes.

6.—(1) Unless and until the last vacancy shall have been filled under the provisions herein-after contained, if, after the transfers directed by Rule 4, there shall still remain a vacancy, and the votes of any elected candidate to whom a transfer has been made are in excess of the quota, the returning officer shall, as far as possible, take from the sub-parcel last transferred to that candidate a number of votes equal to the surplus.

(2) The particular votes to be taken shall be determined in accordance with the regulations given in Rule 4 hereof, in the same manner as if the votes included in the sub-parcel last transferred had been the only votes given to the candidate; the ballot papers so taken shall be added in separate sub-parcels to the parcels of the continuing candidates (if any) indicated thereon as next in order of the voters' preference, and the votes given thereon shall be transferred to those candidates accordingly. Where any such candidate has as yet no parcel, a new parcel shall be formed for him from the papers transferred.

(3) The remaining ballot papers in the parcel of the elected candidate (including the ballot papers taken from the parcel under Sub-Rule (1) on which the votes given are not capable of transfer) shall be set aside as finally dealt with, and the votes given thereon shall thenceforth not be taken into account.

(4) After any transfer of votes under this rule, any candidate who shall, as a result of the transfer, obtain the quota of votes shall be declared elected.

(5) The process directed by this rule shall be repeated until the last vacancy is filled, or until no candidate has any surplus votes, whichever shall first happen.

(6) If two or more parcels shall be equal in size, regard shall be had to the number of votes counted to each candidate under Rule 1, and the parcel of the candidate highest on that count shall first be dealt with, but if the numbers of votes on that count were equal, the returning officer shall decide which parcel he will first deal with under this rule.

(7) A transfer of votes under this rule shall not be made unless the surplus votes of the elected candidate, together with any other surplus votes not transferred, exceed the difference between the totals of the votes of the two continuing candidates lowest on the poll.

Distribution of votes of lowest candidate.

7.—(1) Unless and until the last vacancy shall have been filled under the provisions herein-after contained, if, after the transfers under the preceding rules, there shall still remain one or more vacancies, or, if no candidate shall have been declared elected under Rule 3, the returning officer shall exclude from the poll the candidate having the lowest number of votes, and shall distribute the votes capable of transfer on the ballot papers in his parcel among the continuing candidates next in order of the voters' preference. Any ballot papers in the parcel, on which votes not capable of transfer are given, shall be set aside as finally dealt with, and the votes given thereon shall thenceforth not be taken into account.

(2) If in any case the total of the votes of the two or more candidates lowest on the poll together with any surplus votes not transferred is less than the votes of the next highest candidate, the returning officer may in one operation exclude those candidates from the poll and distribute their votes in accordance with the foregoing provisions.

(3) After the distribution under this rule of votes capable of transfer, any candidate who has received the quota shall be declared elected.

(4) The surplus votes of any candidate elected under this rule who has received more than the quota shall be distributed in the manner directed by and subject to the conditions of the last preceding rule.

Further distributions.

8. The process directed by the last rule shall be repeated on the successive exclusions one after another of the candidates with the lowest numbers of votes until the last vacancy is filled either by the election of a candidate with the quota or under the next following rule.

Filling the last vacancy.

9.—(1) When the number of continuing candidates is reduced to the number of vacancies remaining unfilled, the continuing candidates shall be declared elected.

(2) When only one vacancy remains unfilled and the votes of some one continuing candidate exceed the total of all the votes of the other continuing candidates together with any surplus votes not transferred, that candidate shall be declared elected.

(3) When more than one vacancy remains unfilled and the votes of the candidate, who, if all the vacancies were filled by the successive elections of the continuing candidates with the largest numbers of votes, would be the last to be elected, exceed the total of all the votes of the continuing candidates with fewer votes than himself together with any surplus votes not transferred, that candidate and all the other continuing candidates who have not less votes than himself shall be declared elected.

(4) When only one vacancy remains unfilled and there are only two continuing candidates, and those two candidates have each the same number of votes and no surplus votes remain capable of transfer, one candidate shall be declared excluded under the next following rule and the other declared elected.

Provisions for exclusion of candidates in special cases.

10. If at any time when a candidate has to be excluded under these rules two or more candidates have each the same number of votes, regard shall be had to the number of votes counted to each candidate under Rule 1, and the candidate lowest on that count shall be excluded, but, if the numbers of votes on that count were equal, the returning officer shall decide which candidate shall be excluded.

Public notice of transfers.

11. The returning officer shall record and give public notice of any transfer of votes made under

these rules and of the total number of votes counted to each candidate after any such transfer in addition to the particulars prescribed by Rule 45 to the First Schedule to the Ballot Act, 1872. Such public notice may be in accordance with the form given in the appendix to these rules.

Recounts.

12.—(1) Any candidate or his agent may at any time during the counting of the votes, either before the commencement or after the completion of the transfer of the votes (whether surplus or otherwise) of any candidate, request the returning officer to recount the papers then comprised in the parcels of all or any candidates (not being papers set aside as finally dealt with) and the returning officer shall forthwith recount the same accordingly. The returning officer may also at his discretion recount votes either once or more often in any case in which he is not satisfied as to the accuracy of any previous count. Provided that nothing herein shall make it obligatory on the returning officer to recount the same votes more than once.

(2) If upon an election petition—

(i) any ballot papers counted by the returning officer are rejected as invalid,

or

(ii) any ballot papers rejected by the returning officer are declared valid,

the court may direct the whole or any part of the ballot papers to be recounted and the result of the election ascertained in accordance with these rules.

(3) Except as in this rule expressly provided, no recount shall be had whether on an election petition or otherwise.

_Determination of questions as to transfers.

13.—(1) If any question shall arise in relation to any transfer, the decision of the returning officer, whether expressed or implied by his acts, shall be final unless an objection is made by any candidate or his agent before the declaration of the poll, and in that event the decision of the returning officer may be reversed upon an election petition.

(2) If any decision of the returning officer is so reversed, the transfer in question and all operations subsequent thereto shall be void, and the court shall direct what transfer is to be made in place thereof, and shall cause the subsequent operations to be carried out and the result of the election to be ascertained in accordance with these rules.

Definitions.

14. In these rules—

(1) The expression "votes capable of transfer" means votes given on ballot papers on which a further preference is indicated for a continuing candidate. Provided that a vote shall be deemed not capable of transfer in any case in which—

(a) The names of two or more candidates (whether already excluded from the poll or declared elected or not) are marked with the same figure and are next in order of preference, or

(b) The name of the candidate to whom the transfer is to be made or of some candidate (whether continuing or not) higher in the order of the voters' preference is marked

(i) by a figure not following consecutively after some other figure on the ballot paper, or

(ii) by two or more figures.

(2) The expression "continuing candidates" means candidates not already declared elected or excluded from the poll.

APPENDIX TO SCHEDULE

EXAMPLE OF AN ELECTION CONDUCTED ON THE SYSTEM OF PROPORTIONAL REPRESENTATION SET OUT ABOVE

Let it be assumed that there are five members to be elected, and that there are ten candidates.

The valid papers are drawn from the general heap of ballot papers and arranged in separate parcels under the names of the candidates marked with the figure 1. (Rule 1.)

Each separate parcel is counted (Rule 1) and the total of all the valid votes is ascertained (Rule 2). It is found that the total of all the valid votes is 6000.

This total is divided by six (*i.e.* the number which exceeds by one the number of vacancies to be filled), and 1001 (*i.e.* the quotient 1000 increased by one) is the number of votes sufficient to elect a member, and is called the "quota" (Rule 2).

The result of the count may be supposed to be as follows:—

A 2,009 Elected
B 952
C 939
D 746
E 493
F 341
G 157
H 152
I 118
K 93
——-
  6,000

A's votes exceed the quota and he is declared elected (Rule 3).

First Transfer.

It now becomes necessary to transfer A's surplus votes (Rule 4 (1)). A has in fact (2009 less 1001 or) 1008 surplus votes. All A's 2009 voting papers are examined and arranged in separate sub-parcels according to the second preferences indicated thereon (Rule 4 (1) (*a*)). A separate sub-parcel is also formed of those papers on which no second preference is shown, and which are therefore not capable of transfer. (Rule 4 (1) (*b*).) The result is found to be as follows. (Rule 4 (1) (*c*).)

A second preference is shown for G on 1,708 papers
  " " " D " 257 "
  " " " E " 11 "
  " " " F " 28 "
                    ——-
Total of votes capable of transfer 2,004 "
No second preference is shown on 5 "
                    ——-
Total of A's votes 2,009

The total number of votes to be transferred is 1008, and it is necessary that they should be taken from the several sub-parcels in the proportions which the latter bear to all the votes capable of transfer; that is, there must be transferred, *e.g.,* to G a number of votes bearing the same proportion to 1008, the total to be transferred, as 1708, the number of votes in G's sub-parcel, bears to 2004, the total of votes capable of transfer. In other words the number of the ballot papers on which each candidate is next preference must be multiplied by a fraction of which the surplus is the numerator and the total of votes capable of transfer the denominator, in order to ascertain the number of votes to be transferred to the candidate in question. In making the transfers fractions of votes are neglected (Rule 4 (1) (e) and (f)).

The process is as follows:—

To G there are to be transferred 1,708 x 1,008 / 2,004 = 589 votes

" D " " " 257 x 1,008 / 2,004 = 129 "

" E " " " 11 x 1,008 / 2,004 = 5 "

" F " " " 28 x 1,008 / 2,004 = 14 "

                    ——-
                      1,007

859, 129, 5 and 14 votes are now transferred to G, D, E, and F respectively, the particular voting

papers taken being those last filed in their sub-parcels, and therefore at the top of the sub-parcels. These voting papers are added in separate sub-parcels to G, D, E, and E (Rule 4 (2)).

Their totals then become—

G . . . . . 157 + 859 = 1,016 D . . . . . 746 + 129 = 875 E . . . . . 493 + 5 = 498 F . . . . . 341 + 14 = 355

All the other voting papers in A's parcel (1002 in number) are set aside as finally dealt with (Rule 4 (3)), the figure 1002 being the quota 1001 with the addition of the one further vote of the surplus which, owing to the disregard of fractions, is not transferred. G having obtained more than the quota is now declared elected (Rule 5), and the poll stands as follows:—

A 1,002 Elected
G 1,016 Elected
B 952
C 939
D 875
E 498
F 355
H 152
I 118
K 93

Second Transfer

G has now more than the quota, and his surplus votes (1016 less 1001 or 15) would have to be transferred (Rule 6(1)) were it not for the provisions of Rule 6(7). But under that rule, the process of transferring a surplus is postponed in a case where the surplus is less than the difference between the two lowest candidates on the poll, and where, therefore, the transfer would produce no practical effect. In this case the difference between I and K, the two lowest candidates, is 118 - 93, or 25, and therefore it is not necessary to transfer G's surplus.

The returning officer proceeds to distribute the votes of the candidates with the smallest totals (Rules 7 and 8).

K's parcel is therefore examined and is found to contain 89 papers on which F is next preference, and 4 on which C is next preference.

Therefore 89 votes are transferred to F and 4 to C.

The poll now stands—

A 1,002 Elected
G 1,016 Elected
B 952
C 943
D 875
E 498
F 444
H 152
I 118

No further candidate has the quota.

Third Transfer

The difference between I and H exceeds G's surplus, which therefore is allowed to remain (Rule 6 (7)), and the votes of I as now lowest on the poll have now to be distributed in the same manner as K's (Rule 8). But as the combined votes of H and I, together with G's surplus (152 + 118 + 15 = 285), are less than 444, the total of F, the next highest candidate, the returning officer avails himself of Rule 7 (2), and distributes both H and I's votes at one operation.

I's parcel is found to contain 107 papers on which D and 11 on which B is next preference, and H's parcel is found to contain 108 papers on which B is next preference, and 44 on which there is no available preference marked. (In some cases, some or one of A, G, I, H, and K are marked as next in order of preference on the papers examined, but as all of them are already either elected or excluded they are left out of account.) Therefore, 107 votes are transferred to D, and 119 (108 + 11) to B, while 44 are set aside as finally dealt with (Rule 7 (1)). The result is to give B the quota, and he is declared

elected.

The poll now stands—

A 1,002 Elected
G 1,016 Elected
B 1,071 Elected
D 982
C 943
E 498
F 444

Fourth Transfer

B has now a surplus of 70 votes, and it is necessary to distribute this (Rules 7 (4), 6, and 4) as it exceeds the difference between E and F, which is 54 (Rule 6 (7)).

For this purpose only the 119 votes last transferred are taken into account (Rule 6 (2)).

These are examined and arranged in sub-parcels, in the same manner as A's votes were examined and arranged, with the following result: A next preference is shown for E on 84 papers. No further preference is shown on 35 papers. The total number of votes capable of transfer (84) is thus greater than the surplus (70), but, as there is only one possible transfer, the process is simple: 84 x 70/84 = 70; and so the 70 votes last filed in E's sub-parcel are transferred to E.

The poll now stands—

A 1,002 Elected
G 1,016 Elected
B 1,001 Elected
D 982
C 943
E 568
F 444

Fifth Transfer

G's surplus is still not distributable (Rule 6(7)), but F is now lowest on the poll and his votes have to be distributed (Rule 8).

On examination it is found that of F's 444 papers, 353 show a next preference for C, and the remainder, 91, contain no further preference.

The 353 are transferred to C, who thus has more than the quota, and is declared elected, and the 91 are set aside as finally dealt with (Rule 7(1)).

The poll now stands—

A 1,002 Elected
G 1,016 Elected
B 1,001 Elected
C 1,296 Elected
D 982
E 568

This terminates the election; for, even if all C's surplus votes (295) and all G's surplus votes (15) were transferred to E, his poll would only amount to 878. But D's votes (982) exceed this total, D is therefore declared elected (Rule 9 (2)).

The final result is that A, G, B, C, and D are elected.

Public Notice of the Result of the Poll and of the Transfer of Votes

Number of valid votes ... 6,000
Number of members to be elected ... 5
Quota ... 1,001

[column names—]
N: Names of Candidates

V: Votes
TA: Transfer of A's surplus
RA: Result
TK: Transfer of K's Votes
RK: Result
THI: Transfer of H and I's Votes
RHI: Result
TB: Transfer of B's surplus
TB: Result
TF: Transfer of F's Votes
RF: Final Result

N: V: TA: RA: TK: RK: THI: RHI: TB: TB: TF: RF:

  A 2,009 -1,007 1,002 — 1,002 — 1,002 — 1,002 — 1,002(E)
B 952 — 952 — 952 +119 1,071 -70 1,001 — 1,001(E)
C 939 — 939 + 4 943 — 943 — 943 +353 1,296(E)
D 746 +129 875 — 875 +107 982 — 982 — 982(E)
E 493 + 5 498 — 498 — 498 +70 568 — 568
F 341 + 14 355 +89 444 — 444 — 444 -444 —
G 157 +859 1,016 — 1,016 — 1,016 — 1,016 — 1,016(E)
H 152 — 152 — 152 -152 — — — — —
I 118 — 118 — 118 -118 — — — — —
K 93 — 93 -93 — — — — — —
       __ __ __ __ __ __
Effective votes
  6,000 — 6,000 — 6,000 — 5,956 — 5,956 — 5,865
Preferences exhausted
    — — — +44 44 — 44 +91 135
Total valid votes
  6,000 — 6,000 6,000 — 6,000 — 6,000 — 6,000

[Candidates A, B, C, D, and G are elected.]

[Footnote 1: The rules contained in this schedule were examined and approved by the Select Committee of the House of Lords in 1907. They are substantially identical with those embodied in the Transvaal Municipal Act of 1909, and used in the municipal elections of Pretoria and Johannesburg in 1909, as well as in the model elections conducted by the Proportional Representation Society in 1906, 1908, and 1910.]

APPENDIX VIII

THE SINGLE TRANSFERABLE VOTE

SCHEDULE (4) OF TASMANIAN ELECTORAL ACT, 1907

In this Schedule, unless the contrary intention appears—

"Returning Officer" means the Returning Officer for the District:

"Quota" means the number of votes sufficient to elect a candidate:

"Surplus" means the number of votes which a candidate has obtained, at any stage of the scrutiny, over and above the quota:

"First choice recorded for a candidate" means a voting-paper on which the number 1 is placed in the square opposite the name:

"Second choice recorded for a candidate" means a voting paper on which the number 2 is placed in the square opposite his name:

"Transfer value" means that portion of a vote which is unused by—

(a) an elected candidate who has obtained a surplus,

(b) a candidate excluded on account of his being lowest on the poll, and which is therefore transferred to the candidate next in the order of the voter's preference. The transfer value of all votes

is either 1 or some fraction of 1.

First choice of each candidate to be counted.]

1. The number of first choices recorded for each candidate shall be counted, and all informal voting papers shall be rejected.

To find the quota.

2. The aggregate number of such first choices shall be divided by one more than the number of candidates required to be elected, and the quotient increased by one, disregarding any remainder, shall be the quota, and (except as hereinafter provided in Rule 10) no candidate shall be elected until he obtains a number of votes equal to or greater than the quota.

Candidates who have the quota to be declared elected.

3. Any candidate who has, upon the first choices being counted, a number of such votes equal to or greater than the quota shall be declared elected.

If first choices exactly equal to quota, voting papers to be set aside.

4. Where the number of such votes obtained by any candidate is equal to the quota, the whole of the voting papers on which a first choice is recorded for such elected candidate shall be set aside as finally dealt with.

If a surplus, surplus to be transferred.

5. Where the number of such votes obtained by any candidate is in excess of the quota, the proportion of votes in excess of the quota shall be transferred to the other candidates not yet declared elected, next in the order of the voters' respective preferences, in the following manner:—

Voting papers reexamined and second choices counted.

(i) All the voting papers on which a first choice is recorded for the elected candidate shall be re-examined, and the number of second choices, or (in the case provided for in Rule 12) third or next consecutive choices, recorded for each unelected candidate thereon shall be counted:

Find the transfer value. (ii) The surplus of the elected candidate shall be divided by the total number of votes obtained by him on the counting of the first choices, and the resulting fraction shall be the transfer value:

Multiply second choices by transfer value.

(iii) The number of second or other choices, ascertained in paragraph i, to be recorded second for each unelected candidate, shall be multiplied by the transfer value:

Add result on.

(iv) The resulting number, disregarding any fractional remainder, shall be credited to each unelected candidate, and added to the number of votes obtained by him on the counting of the first choices.

If more than one surplus, largest to be first dealt with.

6.—(a) Where, on the counting of the first choices or on any transfer, more than one candidate has a surplus, the largest surplus shall be first dealt with. If then more than one candidate has a surplus, the then largest surplus shall be dealt with, and so on: Provided that, if one candidate has obtained a surplus at a count or transfer previous to that at which another candidate obtains a surplus, the surplus of the former shall be first dealt with.

If surpluses equal, last difference to decide.

(b) Where two or more surpluses are equal, the surplus of the candidate who was the highest on the poll at the count or transfer at which they last had an unequal number of votes shall be first dealt with; and if they have had an equal number of votes at all preceding counts or transfers, the returning officer shall decide which candidate's surplus shall be first dealt with.

If transfer raises candidate up to or above quota, he is to be declared elected.

7.—(a) Where the number of votes obtained by a candidate is raised up to or above the quota by a

transfer as aforesaid, he shall thereupon be declared elected. And in such case, notwithstanding the fact that he may have reached the quota, such transfer shall be completed, and all the votes to which he is entitled there from shall be transferred to him, but no votes of any other candidate shall be transferred to him.

If votes exactly equal quota, voting papers to be set aside.

(b) Where the number of votes obtained by a candidate is raised up to, but not above, the quota by a transfer as aforesaid, the whole of the voting papers on which such votes are recorded shall be set aside as finally dealt with.

If surplus created, surplus to be transferred.

(c) Where the number of votes obtained by a candidate is raised above the quota by a transfer as aforesaid, his surplus shall be transferred to the candidates next in the order of the voters' respective preferences, in the following manner:—

Voting paper of last transfer re-examined and third choices counted.

(i) The voting papers on which are recorded the votes obtained by the elected candidate in the last transfer shall be reexamined, and the number of third, or (in the case provided for in Rule 12) next consecutive choices recorded for each unelected candidate thereon counted:

Find the transfer value.

(ii) The surplus of the elected candidate shall be divided by the total number of voting papers mentioned in paragraph i, and the resulting fraction shall be the transfer value:

Multiply third choices by transfer value.

(iii) The number of second (or other) choices, ascertained in paragraph i, to be recorded for each unelected candidate, shall be multiplied by the last-mentioned transfer value:

Add result on.

(iv) The resulting number, disregarding any fractional remainder, shall be credited to each unelected candidate, and added to the number of votes previously obtained by him.

When all surpluses dealt with candidate lowest on poll to be excluded, and his votes transferred. 8.— (a) Where, after the first choices have been counted and all surpluses (if any) have been transferred as hereinbefore directed, no candidate, or less than the number of candidates required to be elected, has or have obtained the quota, the candidate who is lowest on the poll shall be excluded, and all the votes obtained by him shall be transferred to the candidates next in the order of the voters' respective preferences, in the same manner as is directed in Rule 5.

First choices to be transferred first.

(b) The votes obtained by such excluded candidate as first choices shall first be transferred, the transfer value of each vote in this case being 1.

Then other votes in order.

(c) The other votes of such excluded candidate shall then be dealt with in the order of the transfers in which, and at the transfer value at which, he obtained them.

Each transfer deemed a separate transfer.

(d) Each of the transfers which takes place under the two previous clauses of this rule shall be deemed for all purposes to be a separate transfer.

If transfer raises candidate up to quota, he is to be declared elected.

9.—(a) Where the number of votes obtained by a candidate is raised up to or above the by any such transfer as aforesaid, he shall thereupon be declared elected. And in such case, notwithstanding the fact that he may have reached the quota, such transfer shall be completed, and all the votes to which he is entitled therefrom shall be transferred to him, but no other votes shall be transferred to him.

If votes exactly equal to quota, voting papers to be set aside.

(b) Where the number of votes obtained by a candidate is raised up to, but not above, the quota by any such transfer as aforesaid, the whole of the voting papers on which such votes are recorded shall

be set aside as finally dealt with.

If surplus created, surplus to be transferred.

(c) Where the number of votes obtained by a candidate is raised above the quota by any such transfer as aforesaid, his surplus shall be transferred to the candidates next in the order of the voters' respective preferences in the same manner as is directed in Rule 7, Clause (c): Provided that such surplus shall not be dealt with until all the votes of the excluded candidate have been transferred.

Surpluses to be dealt with before further exclusion.

(d) Where any surplus exists it shall be dealt with before any other candidate is excluded.

Process of exclusion to be repeated until there remain number of candidates required.

10. The same process of excluding the candidate lowest on the poll and transferring to other candidates his votes shall be repeated until all the candidates, except the number required to be elected, have been excluded, and the unexcluded candidates, who have not already been so declared, shall then be declared elected.

If lowest candidates equal last, difference to decide.

11. Where at any time it becomes necessary to exclude a candidate, and two or more candidates have the same number of votes and are lowest on the poll, then whichever of such candidates was lowest on the poll at the last count or transfer at which they had an unequal number of votes shall be first excluded, and if such candidates have had an equal number of votes at all preceding counts or transfers, the returning officer shall decide which candidate shall be first excluded.

If a candidate elected or excluded, his name not considered on voting paper.

12. In determining what candidate is next in the order of the voter's preference, any candidates who have been declared elected or who have been excluded shall not be considered, and the order of the voter's preference shall be determined as if the names of such candidates had not been on the voting paper.

Exhausted votes.

13. Where on any transfer it is found that on any voting paper there is no candidate opposite whose name a number is placed, other than those who have been already either declared elected or excluded, such voting paper shall be set aside as exhausted.

APPENDIX IX

THE SINGLE TRANSFERABLE VOTE

REGULATIONS FOR THE ELECTION OF SENATORS UNDER THE SOUTH AFRICA ACT, 1909

I. In these Regulations:—

(1) "*Continuing Candidates*" mean candidates not elected or not excluded from the poll at any given time.

(2) "*First Preference*" means the figure 1 set opposite the name of any candidate; "second preference" similarly means the figure 2; "third preference" the figure 3, and so on.

(3) "*Unexhausted papers*" mean ballot papers on which a further preference is recorded for a continuing candidate.

(4) "*Exhausted papers*" mean ballot papers on which no further preference is recorded for a continuing candidate, provided that a paper shall also be deemed to be exhausted in any case in which —

(*a*) The names of two or more candidates, whether continuing or not, are marked with the same figure and are next in order of preference, or

(*b*) The name of the candidate next in order of preference, whether continuing or not, is marked

(i) By a figure not following consecutively after some other figure on the ballot paper, or

(ii) By two or more figures.[1] (5) "*Original Votes*" in regard to any candidate mean the votes derived

from ballot papers on which a first preference is recorded for such candidate.

(6) "*Transferred Votes*" in regard to any candidate mean votes, the value or part of the value of which is credited to such candidate and which are derived from ballot papers on which a second or subsequent preference is recorded for such candidate.

(7) "*Surplus*" means the number by which the value of the votes of any candidate, original and transferred, exceeds the quota.

II. (1) The Governor in Council shall by Proclamation fix a date on or before which every candidate for election shall be nominated by two members of the Legislature in writing addressed to the Clerk of the Legislative Assembly. Such nomination shall contain the candidate's full name and address, shall be signed by two members of the Legislature, and shall be accepted in writing by the candidate.

A nomination paper may include any number of names not exceeding eight, but no member shall sign more than one nomination paper, and no candidate shall sign a nomination paper on which his name appears. The Clerk of the Legislative Assembly shall, after consultation with the Assessors hereinafter referred to, reject all nominations not made in accordance with these regulations.

(2) Immediately after the date fixed for receiving nominations the Clerk of the Legislative Assembly shall make a return to the Governor in Council showing the names and addresses of the candidates who have been duly nominated, together with the names of the members who have nominated them. He shall at the same time certify that such nominations have been duly made in accordance with these regulations, and forward to the Governor-in-Council the certificate by the Assessors mentioned in Regulation IV. (2).

In case of disagreement between the Clerk of the Legislative Assembly and the Assessors, the Speaker of the Legislative Assembly shall, at the request of the Governor-in-Council, inspect the nomination papers, and his decision on the point at issue shall be final.

(3) If the number of nominations received is less than the number of vacancies to be filled, the Governor-in-Council shall by Proclamation call for further nominations to be made on or before a date to be fixed therein. If the number of nominations received on the original date, or such further date as may be fixed, is equal to the number of vacancies to be filled, the Governor-in-Council shall by Proclamation declare the candidates so nominated to be duly elected.

(4) If the number of candidates nominated as aforesaid exceeds the number of vacancies to be filled, the Governor-in-Council shall by Proclamation summon a joint sitting of both Houses of the Legislature for the purpose of electing candidates to fill the vacancies in the manner prescribed in these regulations. Such sitting shall be continued for a period to be fixed in the Proclamation, not being less than two hours, and no member shall be allowed to vote except during the continuation of such sitting. Provided, however, that if all the members of the Legislature have voted before the expiration of the said period of two hours, the Speaker may close the sitting.

III. Each member of the Legislature present shall vote in person, and no voting by proxy shall be permitted.

IV. (1) The Clerk of the Legislative Assembly shall act as returning officer and shall, subject to these rules, do all things necessary for the conduct of the election.

(2) Two Assessors, not being Members of Parliament, shall be nominated, one by the President of the Legislative Council and one by the Speaker of the Legislative Assembly, who shall assist and advise the returning officer in his duties, both in respect, of the receiving of nominations and the conduct of the election. Immediately after the date fixed for the receipt of nominations the Assessors shall furnish the returning officer, for transmission to the Governor-in-Council, with a certificate stating whether or not they are satisfied that the nominations have been received in accordance with these regulations. Further, if either of the Assessors is for any reason dissatisfied with the conduct of the election he shall report his opinion, with the reasons therefor, in writing to the President of the Legislative Council and the Speaker of the Legislative Assembly, who, after consultation, may if they consider it necessary, order a recount to be made, and the returning officer shall act accordingly.

(3) Before entering on their duties the returning officer and the assessors shall be required to make oath or affirmation before the Speaker that they will faithfully and impartially discharge the duties of their offices according to the rules laid down herein, or such other rules as may be lawfully made.

(4) The returning officer shall furnish the Governor-in-Council with the names of the persons elected, and shall make to the President of the Legislative Council and the Speaker of the Legislative Assembly a complete return signed by himself showing the various steps of the election, and the result of the

election. He shall also transmit to the Speaker of the Legislative Assembly a sealed packet containing the nominations, the actual ballot papers and the counterfoils, which shall be preserved for a period of at least twelve months. The Governor-in-Council shall notify by Proclamation the names of the persons duly elected.

V. (1) The voting shall be by ballot. The returning officer shall ascertain that the person desiring to vote is entitled to vote and shall enter his name upon the counterfoil in the ballot paper book, and shall then tear out the ballot paper corresponding to that counterfoil, and, having stamped the ballot paper with a perforating stamp provided for the purpose, shall hand it to the member. Every ballot paper shall contain the names and addresses of all the candidates duly nominated for election, printed in alphabetical order, in the form prescribed in the annexure hereto.

(2) When the member has received a ballot paper he shall take the paper to a compartment and desk provided for the purpose and signify in manner provided by the next succeeding section for whom he desires to vote. The member shall then fold the ballot paper so that the perforated mark may be visible, and having held up the ballot paper so that the returning officer can recognize the perforated mark, shall drop the ballot paper in the ballot box placed in front of the returning officer.

(3) If a member inadvertently spoils a ballot paper he may return it to the returning officer, who shall, if satisfied of such inadvertence, give him another paper and retain the spoiled paper, and this spoiled paper shall be immediately cancelled, and the fact of such cancellation shall be noted upon the counterfoil.

VI. Every member shall have one vote only. A member in giving his vote

(*a*) Must place on his ballot paper the figure 1 in the square opposite the name of the candidate, for whom he votes;

(*b*) May in addition place on his ballot paper the figure 2, or the figures 2 and 3, or 2, 3 and 4, and so on, in the squares opposite the names of other candidates in the order of his preference.

VII. A ballot paper shall be invalid

(*a*) Upon which a member signs his name or writes any word, or makes any mark by which it becomes recognizable; or

(*b*) Which does not bear the perforated mark; or

(*c*) On which the figure 1 is not marked; or

(*d*) On which the figure 1 is set opposite the name of more than one candidate; or

(*e*) On which the figure 1 and some other figure is set opposite the name of the same candidate; or

(*f*) Which is unmarked or void for uncertainty.

VIII. In carrying out these rules the returning officer shall

(*a*) Disregard all fractions;

(*b*) Ignore all preferences recorded for candidates already elected or excluded from the poll.

IX. The ballot papers shall be examined and the returning officer, after rejecting any invalid ballot papers, shall divide the remaining papers into parcels according to the first preferences recorded for each candidate. He shall then count the number of papers in each parcel.

X. For the purpose of facilitating the processes prescribed by these regulations, each valid ballot paper shall be deemed to be of the value of one hundred.[2]

XI. The returning officer shall then add together the values of the papers in all the parcels and divide the total by a number exceeding by one the number of vacancies to be filled, and the result increased by one shall be the number sufficient to secure the return of a candidate, herein called the "quota."

XII. If at any time under these regulations a number of candidates equal to the number of persons to be elected has obtained the quota, such candidates shall be treated as elected and no further steps shall be taken.

XIII. (1) Any candidate the value of whose parcel, on the first preferences being counted, is equal to or greater than the quota, shall be declared elected.

(2) If the value of the papers in any such parcel is equal to the quota, the papers shall be set aside as finally dealt with.

(3) If the value of the papers in any such parcel is greater than the quota, the surplus shall be transferred to the continuing candidates indicated on the ballot papers as next in the order of the voters' preference, in the manner prescribed in the following regulation.

XIV. (1) If and whenever as the result of any operation prescribed by these regulations a candidate has a surplus, that surplus shall be transferred in accordance with the provisions of this regulation.

(2) If more than one candidate has a surplus the largest surplus shall be dealt with first and the others in order of magnitude; provided that every surplus arising on the first count of votes shall be dealt with before those arising on the second count, and so on.

(3) Where two or more surpluses are equal the returning officer shall decide according to the terms of regulation XIX., which shall first be dealt with.

(4) *(a)* If the surplus of any candidate to be transferred arises from original votes only, the returning officer shall examine all the papers in the parcel belonging to the candidate whose surplus is to be transferred, and divide the unexhausted papers into sub-parcels according to the next preferences recorded thereon. He shall also make a separate sub-parcel of the exhausted papers.

(*b*) He shall ascertain the value of the papers in each sub-parcel and of all the unexhausted papers.

(*c*) If the value of the unexhausted papers is equal to or less than the surplus, he shall transfer all the unexhausted papers at the value at which they were received by the candidate whose surplus is being transferred.

(*d*) If the value of the unexhausted papers is greater than the surplus, he shall transfer the sub-parcels of unexhausted papers, and the value at which each paper shall be transferred shall be ascertained by dividing the surplus by the total number of unexhausted papers.

(5) If the surplus of any candidate to be transferred arises from transferred as well as original votes, the returning officer shall re-examine all the papers in the sub-parcel last transferred to the candidate and divide the unexhausted papers into sub-parcels according to the next preferences recorded thereon. He shall thereupon deal with the sub-parcels in the same manner as is provided in the case of the sub-parcels referred to in the last preceding subsection.

(6) The papers transferred to each candidate shall be added in the form of a sub-parcel to the papers already belonging to such candidate.

(7) All papers in the parcel or sub-parcels of an elected candidate not transferred under this regulation shall be set aside as finally dealt with.

XV. (1) If after all surpluses have been transferred, as hereinbefore directed, less than the number of candidates required has been elected, the returning officer shall exclude from the poll the candidate lowest on the poll, and shall distribute his unexhausted papers among the continuing candidates according to the next preferences recorded thereon. Any exhausted papers shall be set aside as finally dealt with.

(2) The papers containing original votes of an excluded candidate shall first be transferred, the transfer value of each paper being one hundred.

(3) The papers containing transferred votes of an excluded candidate shall then be transferred in the order of the transfers in which, and at the value of which, he obtained them.

(4) Each of such transfers shall be deemed to be a separate transfer.

(5) The process directed by this regulation shall be repeated on the successive exclusions one after another of the candidates lowest on the poll, until the last vacancy is filled either by the election of a candidate with the quota, or as hereinafter provided.

XVI. If as the result of a transfer of papers under these regulations the value of the votes obtained by a candidate is equal to or greater than the quota, the transfer then proceeding shall be completed, but no further papers shall be transferred to him.

XVII. (1) If after the completion of any transfer under these regulations the value of the votes of any candidate shall be equal to or greater than the quota, he shall be declared elected.

(2) If the value of the votes of any such candidate shall be equal to the quota, the whole of the papers

on which such votes are recorded shall be set aside as finally dealt with.

(3) If the value of the votes of any such candidate shall be greater than the quota, his surplus shall thereupon be distributed in the manner hereinbefore provided, before the exclusion of any other candidate.

XVIII. (1) When the number of continuing candidates is reduced to the number of vacancies remaining unfilled, the continuing candidates shall be declared elected.

(2) When only one vacancy remains unfilled and the value of the votes of some one continuing candidate exceeds the total value of all the votes of the other continuing candidates, together with any surplus not transferred, that candidate shall be declared elected.

(3) When only one vacancy remains unfilled and there are only two continuing candidates, and those two candidates have each the same value of votes and no surplus remains capable of transfer, one candidate shall be declared excluded under the next succeeding regulation, and the other declared elected.

XIX. If when there is more than one surplus to distribute, two or more surpluses are equal, or if at any time it become necessary to exclude a candidate and two or more candidates have the same value of votes and are lowest on the poll, regard shall be had to the original votes of each candidate, and the candidate for whom fewest original votes are recorded shall have his surplus first distributed or shall be first excluded as the case may be. If the values of their original votes are equal the returning officer shall decide by lot which candidate shall have his surplus distributed or be excluded.

ANNEXURE A

FORM OF FRONT OF BALLOT PAPER

```
_____ | | Counterfoil | Order of | Names of Candidates. No.........
|Preference  |  |  |  _____   |_____|_____   |  |  |  | JOHN   BROWN  |  |  |  |
Address........................... The counterfoil |_____|_____   must show | | the number | |
JAMES THOMSON corresponding to| | that on the back| | Address........................... of the ballot
|_____|_____   paper.  |  |  |  | ALFRED  JAMES  |  |  |  | Address...........................
|_____|_____   |  |  |  |  HENRY   JONES  |  |  |  | Address...........................
|_____|_____ | | | | ISAAC LEVY | | | | Address........................... |_____|_____
| | | | PAUL MAYNARD | | | | Address........................... |_____|_____ | | | | JOHANNES
OOSTHUIZEN | | | | Address........................... |_____|_____ | | | | HERBERT PAIN | | | |
Address...........................  |_____|_____  |  |  |  | GEORGE   ROBINSON  |  |  |  |
Address...........................  |_____|_____  |  |  |  | JACOBUS   SMIT  |  |  |  |
Address...........................  |_____|_____  |  |  |  | PETRUS  VAN  DER  SPUY  |  |  |  |
Address........................... |_____|_____
```

Instructions to Members

[*Printed below the List of Candidates on the Ballot Paper shown on opposite page*

A. Each member has one vote, and one vote only.

B. The member votes—

(*a*) By placing the figure "1" opposite the name of the candidate he likes best.

He is also invited to place

(*b*) The figure "2" opposite the name of his second choice.

(*c*) The figure "3" opposite the name of his third choice, and so on, numbering as many candidates as he pleases in order of his preference. The number of preferences is not necessarily restricted to the number of vacancies.

N.B.—The vote will be spoilt if the figure "1" is placed opposite the name of more than one candidate.

[A number is printed on the back of the ballot paper corresponding with that on the counterfoil.]

ANNEXURE C

ILLUSTRATIVE ELECTION

Example of an Election conducted on the system of the single transferable vote in accordance with the preceding regulations

Reg. IX.

Assuming that there are eight members to be elected, sixteen candidates, and eighty-four electors.

The valid ballot papers are arranged in separate parcels according to the first preference recorded for each candidate, and the papers in each parcel counted. Let it be assumed that the result is as follows:—

A 3 J 4 B 13 K 4 C 4 L 3 D 2 M 4 E 19 N 4 F 5 O 3 G 5 P 2 H 3 — I 6 84

Reg. X.

Each valid ballot paper is deemed to be of the value of one hundred, and the values of the votes obtained by the respective candidates are as shown in the first column of the result sheet.

Reg. XI.

The value of all the papers are added together and the total, 8400, is divided by nine (*i.e.* the number which exceeds by one the number of vacancies to be filled), and 934 (*i.e.* the quotient, 933, increased by one) is the number sufficient to secure the return of a member, and is called the quota. The operation may be shown thus:— Quota = 8400/9 + 1 = 933 + 1 = 934.

Reg. XIII. (1).]

The candidates B and E, the values of whose votes exceed the quota, are declared elected.

Reg. XIII. (3). *Transfer of surplus.*]

As the values of the papers in the parcels of B and E exceed the quota, the surplus of each candidate must be transferred. B's surplus is 366 (*i.e.* 1300 less 934), and E's surplus is 966 (*i.e.* 1900 less 934).

Reg. XIV. (2).]

The largest surplus, that of E, is dealt with first.

Reg. XIV. (4)(*a*).]

The surplus arises from original votes, and therefore the whole of E's papers are divided into sub-parcels according to the next preferences recorded thereon, a separate parcel of the exhausted papers being also made. Let it be assumed that the result is as follows:

G is marked as next available preference on 10 papers.
H " " 5 "
L " " 3 "
—
  Total of unexhausted papers 18
  No. of exhausted papers 1
  —
  Total of papers 19

Reg. XIV. (4)(*b*).]

The values of the papers in the sub-parcels are as follows:—

G 1,000
H 500
L 300
——-
Total value of unexhausted papers 1,800
Value of exhausted papers 100
——-
Total value 1,900

Reg. XIV. (4)(*d*).]

The value of the unexhausted papers is 1800, and is greater than the surplus. This surplus is

therefore transferred as follows:—All the papers unexhausted are transferred, but at a reduced value, which is ascertained by dividing the surplus by the number of unexhausted papers. The reduced value of all the unexhausted papers, when added together, with the addition of any value lost as the result of the neglect of fractions, equals the surplus. In this case the new value of each paper transferred is 966 (the surplus)/ 18 (the number of unexhausted papers) = 53, the residue of the value, 47, being required by E for the purpose of constituting his quota.

The values of the sub-parcels transferred are:—

G = 530 (*i.e.* 10 papers at the value of 53)
H = 265 (*i.e.* 5 " ")
L = 159 (*i.e.* 3 " ")

These operations can be shown on a transfer sheet as follows:

TRANSFER SHEET

Value of surplus (E's) to be transferred 966
No. of papers in E's parcel 19
Value of each paper in parcel 100
No. of unexhausted papers 18
Value of unexhausted papers 1,800

New value of each paper transferred =

Surplus 966 / No. of unexhausted papers 18 = 53

Names of Candidates marked as the No. of Papers Value of Sub-parcel
next available Preference. to be to be
Transferred Transferred
G 10 530
H 5 265
L 3 159

Totals 18 954

No. of exhausted papers 1 —-
Loss of value owing to neglect of fractions — 12

Totals 19 966

The values of the sub-parcels are added to the values of the votes already credited to the candidates G, H, L. This operation is shown on the result sheet.

As a result of this operation G's total is brought above the quota, and he is declared elected.

Reg. XIV. (2).]

The next largest surplus, that of B, viz. 366, is then transferred, the operations being similar to those described in the transfer of E's surplus. Assume that there are no unexhausted papers. The new value is therefore 366 / 13 or 28. The surplus is distributed according to next preferences, as follows:

A = (7 x 28) = 196
C = (6 x 28) = 168
Value lost owing to
neglect of fractions 2
——
Total ... 366

Reg XIV. (5).

G's surplus has now to be transferred, only the sub-parcel last transferred being re-examined. The details are as follows:—

Value of G's surplus 96
No. of papers in sub-parcel 10
Value of each paper therein 53
No. of unexhausted papers 10
Value of unexhausted papers 530

New value of each paper transferred = 96/10 = 9

The result of the distribution is shown on the result sheet, five papers of the value of nine each being transferred to A, and five of the same value to O.

Reg. XV. (1).

There being no further surplus, the candidate lowest on the poll has now to be excluded. D and P both have 200.

Reg. XIX.

The returning officer casts lots, and P is chosen to be excluded.

Reg. XV. (1).

Being original votes the two papers are transferred at the value of 100 each, as shown in the result sheet, 100 going to L and 100 to N. D, now being lowest, is then excluded in the same way, 100 going to H and 100 to J, all transfers being made to the next preference as marked by the elector.

O now being lowest with 345, is next excluded.

Reg. XV. (2).

300 being the value of original votes, the three corresponding papers are transferred at the value of 100 each to K.

Reg. XV. (3).

45 being the value of transferred votes, the five corresponding papers are transferred at the value of 9 each to N.

M is then excluded; his papers represent original votes and are transferred to F. J is then excluded; of the 500 credited to him, 400 come from original and 100 from transferred papers, but the value of the latter being 100, all five papers are transferred at that value, 300 going to I and 200 to H.

A is then excluded, the value of his votes being as follows:—

    Original 300
  Transferred 196
     " 45

The 300 original go to L.

The 196 transferred representing 7 papers of the value of 28 each, and the 45 representing 5 papers of the value of 9 each, all go to N.

C is then excluded, the value of his votes being as follows:—

    Original 400
  Transferred 168

The original go 300 to K and 100 to I, and the transferred go 84 to L and 84 to H.

H, I, K, and L now exceed the quota, and are declared elected. Seven seats are now filled.

Reg. XIX.

I and K now both have a surplus of 66, which surpluses have to be transferred. I having had 600 from original votes, and K 400, K's surplus is first distributed.

Reg. XIV. (5).

The last sub-parcel of the value of 300 is dealt with, and the whole surplus 66 goes to F, he being the next preference on all three papers.

F then has the quota and is declared elected. The election is now completed, the full details being shown on the accompanying result sheet.

RESULT SHEET
Number of Votes 84 Number of Members to Elect 8
       8,400

Value of Votes 8,400 Quota ——- + 1 = 934
                                    9

  Column headings:
  1: Names of Candidates
  2: Value of Votes at 1st Count.
  3: Distribution of E's Surplus.
  4: Result.
  5: Distribution of B's Surplus.
  6: Result.
  7: Distribution of G's Surplus.
  8: Result.
  9: Distribution of P's and D's Votes.
 10: Result.
 11: Distribution of O's and M's Votes.
 12: Result.
 13: Distribution of J's and A's Votes.
 14: Result.
 15: Distribution of C's Votes.
 16: Result.
 17: Distribution of K's Surplus.
 18: Result. (E: Elected, NE: Not elected)

  1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18
A 300 300+196=496+45=451 541 541-541 — — —
B 1,300 1,300-366=934 934 934 934 934 934 934 E
C 400 400+168=568 568 568 568 568-568 — —
D 200 200 200 200-200 — — — — —
E 1,900-966=934 934 934 934 934 934 934 934 E
F 500 500 500 500 500+400=900 900 900+66=966 E
G 500+530=1,030 1,030-96=934 934 934 934 934 934 E
H 300+265= 565 565 565+100=665 665+200=865 +84= 949 949 E
I 600 600 600 600 600 600+300=900+100=1,000 1,000 E
J 400 400 400 400+100=500 500-500 — — -
K 400 400 400 400 400+300=700 700+300=1,000-66=934 E
L 300+159= 459 459 459+100=559 — 559+300=859 +84= 943 934 E
M 400 400 400 400 400 400-400 — — —
N 400 400 400 400+100=500 +45=545+241=786 786 786NE
O 300 300 300+45=345 345-345 — — — —
P 200 200 200 200-200 — — — — —
Value of exhausted papers

  Loss of value owing to neglect of fractions
      +12 = 12 +2= 14 +6= 20 — 20 - 20 — 20 — 20

  Totals
 8,400 8,400 8,400 8,400 8,400 8,400 8,400 8,400 8,400

[Footnote 1: The fact that a voter has not marked every preference correctly does not invalidate the whole of his preferences. His paper is only treated as exhausted when the wrongly marked preference is reached.

   The following are examples:—

{ A 1 { A 1 { B 2 { B 2 (1) { C 3 (2) { C 3 { D 3 { D 5 { E 4 { E 6 { F -

   In case (1) the preferences for A and B would be valid. If the third preference were reached the paper would be treated as exhausted, as it would be impossible to say for which candidate the voter really intended to give his third preference. In case (2) the preferences for A, B and C would be valid, but not the later ones, whether D had been elected or excluded or was still a continuing candidate. It is possible that the voter meant to give a fourth preference for some other candidate, *e.g.* F, but omitted to do so. It would not be possible to treat 5 as being meant to be 4.]

[Footnote 2: In small elections certain difficulties arise which are not present in the case of large elections.

(*a*) The quota becomes too large if calculated in the ordinary way. Assume that 27 electors are to elect 8 candidates. Then the quota is 27/(8+1) + 1 = 4. But 8 x 4 = 32.

There are not enough quotas to go round and difficulties would arise. The addition of 1 in the case of so small a number makes the quota disproportionately big. For this reason it is advisable to treat each paper as of the value of one hundred. In the case of the Transvaal the quota instead of being 84/(8+1) + 1 = 10 will be 8400/(8+1) + 1 = 934.

(*b*) The disregard of fractions in the case of small numbers may mean the waste of several votes. Take the following example:—

Seat to be filled, 8
Electors 25
Quota = 25/(8+1) + 1 = 3

First Count
A 10
B 3
C 3
D
E 2
F 1
G 1
H 1
I 1
J 1

A having 10 has a surplus of 7, which has to be distributed. According to the usual rule A's 10 votes are examined and the surplus is distributed in proportion to the next preferences. The preferences are as follows:—

For B....... 5
" C....... 2
" F....... 1
" G....... 1
" H....... 1

Each of these numbers must be multiplied by 7/10, *i.e.* the surplus over the number of unexhausted votes, and the following votes are transferred:—

To B.......3-1/2
" C.......1-2/5
" F.......7/10
" G.......7/10
" H.......7/10

The fractions which are ignored amount to 3 votes, which are consequently wasted. This difficulty is overcome by increasing the value of the papers to one hundred, or in other words by working out the results to two places of decimals.

(c) In a small election at the several stages there may be two or more candidates at the bottom with an equal number of votes. Resort has to be had to lot to decide which is to be eliminated. If the papers are raised to the value of one hundred this difficulty is much less likely to occur after the first count.]

APPENDIX X

LIST SYSTEM: BILL PRESENTED TO THE FRENCH CHAMBER OF DEPUTIES, 1907

The *Commission du Suffrage Universel*, a committee of the Chamber of Deputies, made a careful comparison of the various Bills which had been submitted to the Chamber for the purpose of securing the proportional representation of the electors. The Commission in their report,[1] which was issued in March 1907, recommended the adoption of the Bill, of which a free translation is given below.

The essential features of this measure, which has received the support of the leading advocates of proportional representation, are: (1) The allotment of seats to lists in accordance with the d'Hondt, or Belgian rule (Art. 8); (2) the use of the cumulative vote in determining the relative position of candidates (Art. 6). The elector is given as many votes as there are members to be elected, which he

may cumulate upon any one or distribute among several candidates. The elector is not restricted in his choice of candidates to any one list.

Text of the Bill

(1) Members of the Chamber of Deputies shall be elected on the list system (*scrutin de liste*) in accordance with the scheme of proportional representation hereinafter stated. There shall be no second ballot.

(2) Each department shall elect one deputy for every 75,000 inhabitants. A remainder of 25,000, or more, inhabitants shall be reckoned as 75,000.

(3) A department shall form a single constituency, provided that where a department would elect more than ten deputies, it shall be divided into two or more constituencies, as determined by law hereafter.

(4) A "list" is constituted by a group of candidates who (after making the declaration prescribed by Article 2 of the Law of 17 July 1889) jointly appeal for the support of the electors.

A list shall not include a larger number of names than there are deputies to be elected in the constituency, but it may contain a smaller number. An independent candidate shall be reckoned as a distinct list.

(5) Each list shall be delivered at the prefecture at any time after the commencement of the electoral period, and at the latest ten clear days before polling day. It shall be registered and numbered at the prefecture, and a receipt for it shall be given to each candidate.

The name of a candidate shall not be registered unless he has signed the list. A list with more candidates than there are deputies to be elected shall not be accepted for registration.

A candidate whose name appears on one list shall not be entered on another unless he has notified the prefecture by writing under his hand, duly attested, that he retires from the former list, in which case his name shall be at once removed from the former list.

Twenty-four hours before the opening of the poll the prefect shall cause each registered list with the number thereto given to be posted on the doors of the polling station.

(6) An elector has as many votes as there are deputies to be elected in his constituency.

He may give all or any of his votes to the same candidate.

The reports of the local returning officer at each polling station shall state the number of votes obtained by each candidate. (7) A Central Board (*Commission de recensement*) shall collect the reports of the local returning officers, and ascertain the electoral total of each list, and allot the seats among the lists in proportion thereto.

The electoral total of a list is the sum of the votes given to the candidates whose names appear thereon.

(8) For the purpose of allotting the seats, each electoral total shall be divided by the figures 1, 2, 3, 4, and so on up to the number of vacancies, and as many of the resulting quotients as there are vacancies shall be arranged in order of size, beginning with the largest. The smallest of these quotients so arranged, corresponding to the last seat to be filled, shall be used as the common divisor, and to every list shall be allotted a number of deputies equal to the number of times which its electoral total contains the common divisor.

(9) Within each list the seats shall be assigned to the candidates who have the largest numbers of votes; in case of an equality of votes, the eldest candidate shall be elected.

(10) If two or more lists have an equal right to a seat, it shall be allotted as between the competing candidates to that one who has received the greater number of votes, and if those votes are equal the eldest candidate shall be elected.

(11) The unelected candidates of each list with the greatest number of votes shall be classed as first, second, and third substitutes (suppléants), and so on.

If any vacancy shall occur by death, resignation, or otherwise, the substitutes shall be summoned in their classified order to fill the places of the elected members of the list to which they are attached, provided that at the time of summons they are in the enjoyment of their political rights.

(12) If more than six months before the end of a Parliament, the representation of a constituency is diminished by one-fourth and there is no substitute who can be declared elected, bye-elections to fill the vacant seats shall be held in that constituency. (13) The present law shall extend to Algeria. Nothing in this law shall affect the representation of the Colonies.

NOTE.—Since the introduction of this Bill several other proposals have been considered by the *Commission du Suffrage Universel.* The draft Bill proposed in the last report (March 1911) is not based so strictly upon proportional principles as the measure given above.

The points of difference may be summarised as follows:—

(*a*) The use of the cumulative vote is retained (Art. 6), but there is a change in the method of allotting seats to various lists (Art. 8). The new method of allotment is as follows: an "electoral quotient" is found by dividing the number of voters by the number of vacancies, and as many seats are allotted to each list as the number of voters supporting a list contains this quotient. Since each voter has as many votes as there are seats to be filled, the number of voters supporting a list is determined arbitrarily by dividing the total number of votes cast for the list by the number of vacancies.

If there are any seats not allotted by this distribution they are awarded to any list which obtains an absolute majority of the votes. Should no party obtain an absolute majority, the remaining seats are allotted to the various lists in accordance with the method described in the succeeding Appendix. This method leads to the same distribution of seats as the d'Hondt rule.

(b) The Bill recognises an important new principle in permitting *apparentement des listes*. Parties may unite for the purpose of presenting lists in combination, and the lists so presented are treated for the purpose of the allotment of seats as if they emanated from one party. This is an elastic form of the Belgian "cartel," allowing parties to act together without loss of individuality. The seats won by any such cartel are allotted to the various lists composing the cartel in accordance with the second of the methods described in the previous paragraph.

[Footnote 1: *Chambre des Deputés, Neuvième Legislature:* 1907, No. 883.
See note as to further report, March 1911, at end of Bill.]

APPENDIX XI

LIST SYSTEM: LAW ADOPTED BY THE CANTON OF BÂLE TOWN, 1905

The special features of the following law are as follows:—

(1) The partial use of the cumulative vote in determining the relative position of candidates (sec. 9).

(2) The allotment of seats to lists in accordance with the rule formulated by Professor Hagenbach-Bischoff (sec. 13).

The provisions for bye-elections are contained in sections 17 to 20.

(1) The elector is supplied three days before the election with copies of the various party lists; he is given as many votes as there are members to be elected; he may strike out any names and insert others in any of the lists supplied to him, or compose his own list; he may repeat the name of the same candidate three times, but no more; but in no case may the total number of names exceed the number of members to be elected.

(2) The Hagenbach-Bischoff rule, like the d'Hondt rule, aims at finding an electoral quotient which will allow all the seats to be allotted to the different parties without remainder. In the former rule this is found by trial. The following example explains its mechanism:—

Suppose, in an election for sixteen seats, five lists have obtained votes as follows:—

List. Votes.
A 5,537
B 9,507
C 3,885
D 4,769
E 377
——––-
Total 24,075

The first quota is ascertained as prescribed in section 11. The number of votes is divided by one more than the number of vacancies, and the result is increased by one, thus:—

24075/(16+1) + 1 = 1417

It will be observed that this quota is identical with the Droop quota of the single transferable vote system. The totals obtained by each list are divided by this quota, as many representatives being allotted to each list as the list contains the quota. Remainders are ignored.

Lists. Votes. Quota. Representatives.
A 5,537 ÷ 1,417 3
B 9,507 ÷ 1,417 6
C 3,885 ÷ 1,417 2
D 4,769 ÷ 1,417 3
E 377 ÷ 1,417 0
                —
            Total 14

Only fourteen out of sixteen seats have been allotted in this operation. It is obvious that the quota is too large, and a smaller quota is ascertained in the following way. The number of votes for each list is divided by one more than the number of members already assigned to such list, and the first seat still to be disposed of is allotted to that list which has the largest quotient. The following table shows the process:—

Lists. Votes. Quotient. Representatives.
A 5,537 ÷ 4 1,384 4
B 9,507 ÷ 7 1,358 6
C 3,885 ÷ 3 1,295 2
D 4,769 ÷ 4 1,192 3
E 377 ÷ 1 377 0
                —
            Total 15

The largest quotient is 1384, and this figure, which is taken as the new quota, allows of the allotment of fifteen seats. There still remains one seat to be disposed of, and the process just described is again repeated, as shown in the following table:—

Lists. Votes. Quotient. Representatives.
A 5,537 ÷ 5 1,107 4
B 9,507 ÷ 7 1,358 7
C 3,885 ÷ 3 1,295 2
D 4,769 ÷ 4 1,192 3
E 377 ÷ 1 377 0
                —
                16

On this occasion all sixteen seats are allotted, the final quota being 1358.

The results obtained by the Hagenbach-Bischoff method are identical with those obtained by the d'Hondt rule. The operations required in the preceding example for the allotment of seats by the latter rule are as follows:—

List totals
divided by A B C D E
  1 5,537 9,507 3,885 4,769 377
  2 2,768 4,753 1,942 2,384 —
  3 1,845 3,169 1,295 1,589 —
  4 1,384 2,376 971 1,192 —
  5 1,107 1,901 — — —
  6 — 1,684 — — —
  7 — 1,358 — — —

The sixteen highest quotients arranged in order of magnitude are:—

9,507 (List B) 2,376 (List B) 5,537 (List A) 1,942 (List C) 4,769 (List D) 1,901 (List B) 4,753 (List B) 1,845 (List A) 3,885 (List C) 1,589 (List D) 3,169 (List B) 1,584 (List B) 2,768 (List A) 1,384 (List A) 2,384 (List D) 1,358 (List B)

The lowest of these sixteen figures, viz. 1358, is the electoral quotient, and agrees with the final quota furnished by the Hagenbach-Bischoff rule. *Law for Elections to the Grand Council, on the principle of Proportional Representation, 26 January 1905*

1. Nomination papers for the various electoral districts must be handed in to the police department not later than three weeks before the day fixed for the re-election of the Grand Council.

They may contain the names of one or more persons eligible for election, provided that the total number of names in any nomination paper is not greater than the number of members which the electoral district in question is entitled to elect; any name may appear more than once, but not more than three times.

2. Nomination papers for town districts must be signed by at least ten qualified electors; those for country districts by at least three. An elector may sign one, and only one, nomination paper, on each occasion, in each electoral district.

When handing in the nomination paper the signatories thereto must designate one of their number to attend to any necessary formalities with the police department in connexion therewith.

3. The police department shall at once communicate with the candidates nominated, and call upon them to declare within two days whether they accept the candidature or not.

If the person nominated declines to stand for election his nomination shall be cancelled.

4. No candidate may appear on more than one nomination paper. If therefore any candidate be nominated in different electoral districts, or on several nomination papers in the same district, the police department shall, in informing him of the nominations, call upon him to declare, within two days, under which nomination he wishes to stand, and on receipt of his declaration shall strike his name off the other nomination papers.

If the candidate makes no declaration within the time fixed, the police department shall decide by lot under which nomination he shall stand.

5. The police department shall inform the representatives of the nominators of the cancellings due to the refusal of the nominees to accept nomination, or to the latter having been nominated more than once, and shall allow the former a period of two days in which to make further nominations. To these further nominations the declaration in writing of the person nominated, accepting the candidature, must be attached.

If this declaration is not attached, or if the proposed candidate already appears on another nomination, the supplementary nomination shall be rejected.

6. The final (definitive) nomination papers thus obtained shall be called lists, and no further alterations may be made in them. The lists shall each be printed on a separate sheet with the names of the candidates in the order in which they appear on the nomination papers. The lists shall also be provided with a number (in rotation) for each electoral district, and if the proposers have given them any titles these shall likewise be printed.

If more than one list have the same title the police department shall require the representatives of the nominators to make some distinction between them. If this is not done within two days, these lists shall be distinguished by further special numbers (in rotation).

The different lists shall be printed on paper of the same size and the same colour.

7. At least three days before the election these lists shall be delivered to each elector in an envelope, which shall at the same time serve as a voucher of the elector's right to vote. In addition to the printed lists, each voter shall receive a blank list containing no names, but as many numbered lines as there are members to be elected (free lists).

The voucher shall take the place of the present admittance card.

8. Electors must present themselves in person at the polling booth and deliver the voucher to the polling officers.

The latter shall retain the voucher, and in return give the elector an official stamp.

9. Each elector shall have as many votes as there are members of the Grand Council to be elected in his district, and shall for that purpose choose *one* of the lists supplied to him. If he makes use of a printed list he may strike out any names and insert any others. Every vote is valid where the name of an

eligible candidate is clearly given, and the only restrictions are that the same name may not appear more than three times, and that the total number of names may not exceed the number of members to be elected.

The voter may make the alterations he desires in the printed list selected by him, or fill in the free list either at the polling booth or before reaching it.

The voter shall affix the official stamp supplied to him to the list he has selected, and place the latter in the ballot box.

10. At the close of the poll the presiding officer shall open the ballot box and compare the number of voting papers therein with the number of vouchers received and the number of official stamps issued.

Only the official voting papers with stamps attached shall be valid.

11. The polling officers shall then examine the valid voting papers and ascertain by entering the votes on counting sheets how many votes each name has received.

If a voting paper contain more names than there are Councillors to be elected for the electoral district, then the votes in excess at the bottom of the list shall not be counted.

If a voting paper contain fewer names than there are Councillors to be elected in the district, then the number of votes not used shall be ascertained and shall be added (as list votes) to the list chosen by the elector, provided the latter has made use of a printed list.

The number of votes for each list shall then be ascertained by adding together the list votes and the vote given for individual candidates on the list.

If eligible persons not standing on any list receive votes, each of these names shall be treated as a separate list.

12. If no nominations have been handed in, those persons shall be elected who receive most votes.

In the event of equality of votes, the returning officer shall at once decide the matter by casting lots.

13. If one or more lists have been nominated, the vacancies on the Grand Council shall be divided among the several lists in proportion to the number of votes each list has received. The procedure shall be as follows:—

The total number of the valid votes shall be divided by the number of vacancies increased by one.

The quotient thus obtained increased by one (but disregarding fractions) shall be called the quota.

To each list there shall be allotted as many members as the number of times the quota is contained in the votes it receives. If the total number of members thus obtained is less than the number to be elected, the votes for each list shall be divided by one more than the number of members already assigned to such list, and the first seat still to be disposed of shall be allotted to that list which has the largest quotient.

The same procedure shall be repeated as long as any seats remain to be disposed of.

If two or more lists have the same claim to the last seat to be disposed of (equality of quotient), that list shall always take precedence in which the candidate who would be selected under the provisions of Clause 14 has received the largest number of votes. In case of equality of votes the returning officer (*Wahl-bureau*) shall immediately decide the question by casting lots.

14. From each list those candidates (to the number allotted to the list) shall be selected who have received the largest number of votes. Equality of votes is decided by lot, to be drawn immediately by the returning officer.

15. If to one or several lists are allotted more seats than there are names contained, all their candidates shall in the first place stand elected. The surplus seats shall be divided among the remaining lists by continuance of the procedure prescribed in Clause 13.

16. After ascertaining the result of the election, the electoral office shall draw up a report stating the number of the voting vouchers received, of the official stamps issued, and of the voting papers handed in, the number of the votes received for each name and for each list, arranged according to the lists, particulars of the allotment of seats and the names of the elected members.

Mention shall also be made of any irregularities which have occurred.

These reports shall be signed by all the electoral officers, and shall then be forwarded, together with the voting vouchers received, the unused official stamps, the voting papers and the unissued papers, to the Government Council.

The result of the election shall be affixed conspicuously outside the Chief Polling Booth.

The Polling Officers shall notify each elected candidate of his election in writing.

17. An elected candidate who did not appear on any of the nominations put in may refuse to accept his election within one week by giving written notice to the Government Council.

The Government Council shall then immediately order a bye-election.

18. Those elected candidates whose election is rendered void owing to their simultaneously having been elected as members of the Government Council shall be immediately replaced by the Government Council by the non-elected candidates on the same list who have received most votes.

If there are none, the vacant seats on the Great Council shall immediately be filled by supplementary elections, which shall also serve to fill any seats, if any rendered vacant under Clause 17.

19. Members retiring from the Great Council during their period of office shall be replaced immediately by the Government Council by the non-elected candidates on the same list who have received most votes. If there are none, supplementary elections shall take place in the first half of the next following month of May.

20. The same regulations shall serve for supplementary elections as for general elections.

21. The provisions of this law shall come into operation for the first time in the general election for the Grand Council which takes place in the year 1905.

The provisions of earlier laws and resolutions of the Grand Council referring to elections to the Grand Council are hereby repealed, in so far as they are contrary to this law.

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