

Proportional Representation A Study in Methods of Election

John H. Humphreys

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PROPORTIONAL REPRESENTATION

A STUDY IN METHODS OF ELECTION

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BY

JOHN H. HUMPHREYS

HON. SECRETARY, PROPORTIONAL REPRESENTATION SOCIETY

WITH AN INTRODUCTION BY

THE RT. HON. LORD COURTNEY OF PENWITH

First Published in 1911

TO THE MEMORY OF

CATHERINE HELEN SPENCE

OF ADELAIDE

AN UNWEARIED WORKER IN THE CAUSE OF REAL REPRESENTATION

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

AUTHOR'S NOTE

Current constitutional and electoral problems cannot be solved in the absence of a satisfactory method of choosing representatives. An attempt has therefore been made in the present volume to contrast the practical working of various methods of election; of majority systems as exemplified in single-member constituencies and in multi-member constituencies with the block vote; of majority systems modified by the use of the second ballot or of the transferable vote; of the earlier forms of minority representation; and, lastly, of modern systems of proportional representation.

Care has been taken to ensure accuracy in the descriptions of the electoral systems in use. The memorandum on the use of the single vote in Japan has been kindly supplied by Mr. Kametaro Hayashida, the Chief Secretary of the Japanese House of Representatives; the description of the Belgian system of proportional representation has been revised by Count Goblet d'Alviella, Secretary of the Belgian Senate; the account of the Swedish system by Major E. von Heidenstam, of Ronneby; that of the

Finland system by Dr. J.N. Reuter, of Helsingfors; whilst the chapter on the second ballot and the transferable vote in single-member constituencies is based upon information furnished by correspondents in the countries in which these systems are in force. The statistical analyses of elections in the United Kingdom were prepared by Mr. J. Booke Corbett, of the Manchester Statistical Society, whose figures were accepted by the Royal Commission on Electoral Systems as representing "the truth as correctly as circumstances will permit."

The author is greatly indebted to his colleagues of the Proportional Representation Society, Mr. J. Fischer Williams and Mr. Alfred J. Gray, for the cordial assistance rendered by them in the preparation of this book. Acknowledgments are also due to the editors of the *Times*, the *Contemporary Review*, and the *Albany Review*, for permission to make use of contributions to these journals.

J.H.H.

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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."

--BURKE

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 regime 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, at 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 Candidates	6	25
Socialist	--	2

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. Poincare may well liken an election to a game of dice (he speaks of *les coups de de du systeme 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 Ministerialists 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 ascendancy 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 to Votes.	proportion
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 to Votes.	proportion
Moderate	526,700	79	67	
Progressive and Labour	395,749	38	50	
Independent	6,189	1	1	
Moderate majority over Progressive and Labour	70,478	49	12	

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 Candidates.	Progressive Candidates.
Shaftesbury (six seats)	786	905 }
	777	902 }
	769	899 }all
	753	895 }successful.
	753	891 }
	741	852 }
Totals	4,579	5,344
St. John's (three seats)	747 }	217
	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 Polled.	Seats Obtained.	Seats in proportion to Votes.
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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 interet vital, presque aussi grand, a la forme dans laquelle on consulte la nation qu'au principe lui-meme 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 debacle 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 L100 to the funds of the hospital, whereas Mr. B. has given L5, 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 L20, but

waits to see if Mr. B. gives L25, in which case he will raise his intended L20 to L30. 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 L1500 to L2000 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 sides, 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 indiscriminating 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.		1874.		1880.	
	Actual	Probable	Actual	Probable	Actual	Probable
	results	results	results	results	results	results
	with	without	with	without	with	without
	Limited	Limited	Limited	Limited	Limited	Limited
	Vote.	Vote.	Vote.	Vote.	Vote.	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	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	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	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	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	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	3 0 3 0	3 0 3 0	3 0 3 0
Herefordshire	1 2 0 3	1 2 0 3	1 2 0 3	1 2 0 3	2 1 3 0	2 1 3 0
Hertfordshire	2 1 3 0	1 2 0 3	1 2 0 3	1 2 0 3	1 2 0 3	1 2 0 3
Leeds	2 1 3 0	1 2 3 0	1 2 3 0	2 1 3 0	2 1 3 0	2 1 3 0
Liverpool	1 2 0 3	1 2 0 3	1 2 0 3	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	1 3 0 4	1 3 0 4	1 3 0 4
Manchester	2 1 3 0	1 2 0 3	1 2 0 3	2 1 3 0	2 1 3 0	2 1 3 0
Oxfordshire	1 2 0 3	1 2 3 0	1 2 3 0	1 2 0 3	1 2 0 3	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 Ripon, 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:--

Constituency.	Votes Obtained.			Members Returned.		
	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 depute, 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. Jaures indignantly denied that there was any understanding between the Socialists and the Conservatives, and took advantage of the accusation to write in L'Humanite 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. Jaures, 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'Uzes, 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'Uzes." Uzes 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'Hanlon'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 regime, 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 Uzes 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

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