On the Application of a New Statistical Method to the Ascertainment of the Votes of Majorities in a More Exhaustive Manner

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I.—*Introduction.*

Upon an examination of the working of our representative institutions in early times I think we are led to the conclusion that the process of counting numbers was rarely resorted to, either in local elections or in the assembled council of the nation. All important public movements were determined less by any such calculation than by the force and weight of individual character, energy, or power. If there were competent leaders it was not doubted, that the multitude would follow. This is the substance of what Bacon thinks it proper to make known of his views of political science, when, declining to reveal the secrets of high policy and the royal art of government, he refers us to the observation of Cato the Censor, that it is easier to drive a flock than a single sheep; for if only a few are brought into the right path the rest will follow of their own accord. The forms and structure of our early parliaments all tend to show that relative numbers was not the prevailing idea as the measure of representation. Personal influence, and not the number of voices, predominated. The summons to the sheriffs directs them to cause the knights to be sent with full powers (*cum*

plenâ potestate) for themselves and the county; and a statute of 1405 directs the sheriff to return the names of the persons chosen "under the seals of all them that did choose them." The knights, citizens, and burgesses, when elected, were apparently regarded as the proxies of those by whom they were nominated, and as having a relative importance or value in no respect determined by the number of heads. [338] Thierry observes that they acted as diplomatic agents, the number of whom on either side was unimportant to the contracting parties. In those times all kinds of superiority—the qualities of counsel and command—were elicited by the direct and effectual tests of personal contact and recognition. The problem of politics in all times must be the method of making known and giving their due place to such superiorities. In our own day, when society is no longer exposed to its early emergencies, difficulties, and dangers, and people have become self-dependent as well in mind and sentiment, as in their external relations with one another; when the population of a single city is probably equal to that of the kingdom a few centuries ago—when the intercommunication of persons and of material wealth is rapid and incessant, and the interchange of thought almost instantaneous, we should surely be wanting in practical wisdom if, in seeking to elicit and give their due place to all contemporary superiorities, we do not avail ourselves of the new facilities of instruction and communication which have superseded their former manifestations. If the spirit of the age refuses to place in hereditary or in official hands the selection of its political organs, our alternative is to employ, in the service of the constitution, all the means of appealing to thought and judgment which we now possess, especially our ubiquitous literature, and thereby to invoke the aid of all the virtue and knowledge which is dispersed throughout the empire in the task of making known and putting forward, as their fittest representatives, those whom the

concentrated result of intelligence and labour shall shew to be the most worthy.

In adapting our representation to the present state of society it will be found that we need to create very little that is new. Liberation from restrictions no longer suited to our condition is the great necessity. A statute of Henry V, enacted that the citizens and burgesses should be resident, and dwelling in, and free of, the cities and boroughs choosing them. There may have been good reasons in the fifteenth century why this should be, but the restriction gradually fell into disuse, and was repealed. It is in thus removing obstacles whereby every single elector can have more freedom of action that amendment is required. Every scheme of representative constitution will be found to follow one of two leading principles—it mainly regards the powerful action of numbers, masses, or classes of persons, and deals with individuals as purely subordinate to that first object; or, on the other hand, it labours first to give effect and scope to individual action, and trusts to the operation of personal effort to promote the higher interests of all classes, and thereby of numbers and majorities. It is in the latter direction—that of individual effort—that the genius of what we term the Anglo-Saxon race has always been displayed, as the incalculable results of their voluntary association in the old and new world bear witness. [339]

In this paper I propose to explain several applications of a discovery in method whereby the individual electors of representative bodies are relieved from all unnecessary restrictions. I use the word discovery in the sense in which we apply the word to any invention or new process whereby a desired result is better or more effectually obtained, and because I have not found any notice of such a principle earlier than 1839. Perhaps when we consider the peculiarity of our Parliamentary system, and how little it has entered into the consideration of our political men to look for the essential qualities of real representation, it is less extraordinary that so natural a thought should so lately have occurred for the first time. Impressed with the conviction that the vast majority of mankind must be the more uninstructed in mind, and the more liable to be governed by direct sensation and impulse, they have endeavoured to establish compensations and balances to guard against the force of undisciplined, ill-disciplined, or misguided numbers. Instead of looking for these balances and compensations in the better nature and the higher capacities of man, and in a frame of polity by which that nature and those capacities would be evoked, they have been pursued by means of empirical classifications of persons, geographical divisions of places, and other artificial expedients, which appear on a superficial view to act as a sort of clog on the operation of large masses, and at the same time give increased force and effect to the lower motives by which many are liable to be actuated or controlled. So far from being a security, these clogs are more likely to become dangerous weapons for the numerical majorities, as well as for the nation. To the extent in which every man to whom a vote is given can be induced to engage himself in selecting as his representative his own highest type and ideal of excellence, his own moral and intellectual capacities will be in process of development, and there is just ground for hope that the representative body will contain the real or reputed worth of the age and country, and that ignorance and error will be disabled and disarmed.

II.—*Modern System of Partitioning Districts solely for Electoral Purposes.*

All the important steps taken during the last thirty years in the development of representative government in Europe and America appear to have proceeded on the notion that the only practicable course is that of enabling every elector to vote for all the representatives to be chosen, modifying this power in some cases so as to render them less the nominees of one particular class or of one general paper or ticket, by dividing the city, county, or district into wards or electoral divisions, and assigning a small number of representatives, or even one to each division or ward. [340] This was the system pursued in the Reform Bill of 1832—twenty-five counties, to which additional members were given, were severally divided into two parts, each to return two members, instead of giving the four members to the entire county, and the previously unrepresented portion of the metropolis, instead of being added to ancient divisions, was formed into the distinct boroughs of Marylebone, Finsbury, Tower Hamlets, Lambeth, and Greenwich. Under the Municipal Corporation Act of 1835, corporate towns were divided into wards for the election of town councillors, every ward being entitled to elect a certain number. These divisions were nearly all of them novelties, and perfectly arbitrary, and they, in fact, constitute electoral districts, or districts for electoral objects only.

Since this legislation in England, the principle of the Reform Bill and the Corporation Acts, as to electoral districts, has been adopted and pursued, even more rigidly in the United States of America. In Store's Commentaries, published in 1833, it is

stated, of the laws for the election of representatives in Congress, that "there is no uniformity in the choice, or in the mode of election. In some States the representatives are chosen by a general ticket for the whole State, in others they are chosen singly in districts, in others they are chosen in districts composed of a population sufficient to elect two or three representatives, and in others the districts are sometimes single and sometimes united in the choice. In some States the candidate must have a majority of all the votes to entitle him to be deemed elected, in others it is sufficient if he has a plurality of votes." These diversities which shew how entirely the electoral arrangements had been the result of accident rather than of preconceived design have since given place to uniformity. A law of the federal government of the 5th June, 1842 (c. 47), made in accordance with a power reserved to it in the constitution of the United States, provided "that in every case where a State is entitled to more than one representative, the number to which each State shall be entitled under this apportionment shall be elected by districts composed of contiguous territory, equal in number to the number of representatives to which the said State may be entitled, no one district electing more than one representative." This law must have been carried into effect by Acts of the State legislature, and I accordingly find that in the State of Massachusetts an Act was passed on the 16th of September, 1842, dividing that commonwealth into ten districts, each of which should elect one representative, for the twenty-eighth and each subsequent Congress, until otherwise provided by law. A permanent law for the apportionment of representatives was made by Congress on the 23rd May, 1850, in which I do not find the provision of the law of June, 1842, repeated—whether it was omitted from any change of policy in this respect I am unable to say. [341] As the number of representatives to be elected by each State is subject to variation, the necessity of a geographical re-partition of electoral districts must be a constantly recurring inconvenience, requiring, in fact, something like a new survey of the country every ten years, for the mere purpose of an electoral apportionment, which it will be seen may be accomplished with infinitely greater accuracy and public benefit by a simple arithmetical operation.

A slight consideration of the consequences of the principle thus pursued, is sufficient to shew that it is the cause of most of the evils and infirmities of representative government, or, at least, that most of these evils and infirmities would be obviated if the amendments were made in the direction which has been pointed out by more recent investigation and discovery.

When a borough, or city, or county has been partitioned into electoral districts within which the choice of representatives must be confined to one or a small number of the aggregate body which is to be elected, and that choice is vested in a sole majority of the electors of the district, the door is immediately opened for all the vices of which political elections are susceptible, and the action of all the more valuable elements of virtue and intelligence to which it is desirable to give the most perfect scope and influence, is in a proportionate degree discouraged and impeded. A few active, unscrupulous, and intriguing persons are able by dealing with the more ignorant, politically indifferent, or corrupt, to forestall or usurp the expression of the popular voice, whilst the more sober, thoughtful, and unconspiring electors are not heard. Bribery, public-house influence, intimidation, false statements, calumny of opponents, and all the arts for gaining the public ear and misleading and inspiring with prejudices the popular mind, are brought into play. The union of numbers sufficient for success is not the result, necessarily, of any mutual sympathy or confidence, except of that noxious sort which arises from a predominant desire to overcome an opponent. The prevailing object is not to secure the approbation of the good and wise, but only of such numbers of the constituency as shall be sufficient to extinguish the voices and opinions of any *apparent* minority or minorities, and therefore it is less necessary, as it is more difficult, to appeal to reason, than to prejudice and the popular cry of the hour. I say any apparent minorities, for it will generally happen that if united, and if it were not for the very qualities which would render their political action more valuable—that critical appreciation of differences which is the common mark of intellectual aptitude and judgment, but which very sense of difference makes it all the more difficult or impossible for them to combine—the apparent minorities would be in truth the real majority. [342] Even if this were not so, if in electing the representative of a constituency of 2,000, the extinction of the judgment, discretion, and will of 999, by a majority of 1,001 was only an extinction of the exact proportions of such qualities as the smaller number contains, when compared with the larger, it might be confidently said that there is a waste of valuable material in the process of the election, to which no operation in modern labour—no application in modern art, affords any parallel—a waste which in physical processes no labour would be spared to avoid, and which would be regarded as still more intolerable if, in the waste, as in this case, were included the very

best of the material which was to be employed.

III.—*Apportioning Representatives to divided Majorities, instead of giving of them to the aggregate Majority only, in each locality.*

Other methods exist of apportioning members to constituencies without disturbing or breaking up any ancient or naturally-formed boundary, and without creating any new or artificial district or division; and these methods are, moreover, not only far more exact in their results than any geographical partition can be, but they accomplish every legitimate object of such a partition more perfectly, whilst they are unaffected by the movement or shifting of population from one site to another. These may be explained by the case of the metropolis. At the time of the Reform Bill it was proposed to add to the eight members for London, Westminster, and Southwark ten other members, for the five other metropolitan boroughs then created. Instead of creating the five new boroughs the ten members might have been added to the existing divisions—those north of the Thames to Westminster, and those South of the Thames to Southwark—or which would have been a still better and more natural arrangement, having regard to the numbers who, resorting to their offices or warehouses in the City, yet reside in the other districts—the whole metropolis might have formed one constituency, returning eighteen members. These eighteen members might have been equitably apportioned amongst the electors by the operation of either of two rules:—

1. That no elector shall vote for more than one candidate in the same constituency. The effect of this rule in the metropolis in the case last supposed would be to ensure the representation of eighteen different classes, or divisions of electors, and therefore possibly of eighteen different sections of thought and opinion, instead of the representation of none other than the eight majorities which arise out of the present distribution. This rule may be distinguished by the name of "single voting." [343]

2. That every elector be at liberty to give eighteen votes, and to distribute them at his will—either one or more to several candidates or all to one candidate. This plan which is said to have been first proposed by Mr. James Garth Marshall, may be called "cumulative voting." Except that this would introduce more figures into the calculation, its effect in permitting the representation of sections of thought and opinion, not

found in the large majorities now predominant, would be nearly the same as in the method of single voting.

A third method should be mentioned—that introduced in the Reform Bill of 1854, whereby, in cases where three members were to be chosen every elector was restricted to a vote for no more than two. This limitation would have been a great improvement on a system which allows every vote to be given for all the members, but without more than one for any candidate. The weakness of the principle is the absence of any sound reason for stopping at two-thirds, or for restricting its application to cases in which the number of members is divisible by three. It will be sufficient at present to confine our attention to the first two methods.

The Reform Bill, it has been observed, divided twenty-five counties, to which it gave additional members. Either of the two rules adverted to would have obviated the necessity of such a division. Cheshire and Cornwall, instead of being separated into east and west, and north and south, might each have returned four members, and four classes or sections of opinion in each county might have been represented.

In all these cases there is no doubt that there would be still minorities, of greater or less magnitude, unrepresented, and the system may therefore be more accurately called that of "the representation of *divided majorities* than of minorities." The minorities which remain after an equitable apportionment of representatives to majorities, are dissentients on the ground of some principle of importance and value, or they are not. If they are not, this exclusion is little to be regretted. If they are, it is open to them to propagate the truth on which they insist, and secure the adhesion of enough to make up at least one majority, and it is in this sense that it may not unjustly be said that "a minority can constitutionally obtain representation only by becoming a majority."

IV.—*Objections to an apportionment amongst divided Majorities, or to any other representation than of the aggregate Majority.*

The propriety and justice of the principle that a representative assembly should, as far as its numbers will permit, accurately express the chief varieties of thought and opinion which are found in the aggregate body it professes to represent, are so obvious that one is surprised that it does not command the immediate assent of every candid mind. [344] That the smaller number should not possess a weight

greater or equal to that of the larger number—except such weight as they may win for themselves by any superiority of virtue or intelligence they may possess—must be admitted, but that the smaller body, even having regard to numbers only, should have a weight proportioned to its relative number, would seem to be a necessary principle and safeguard of public and individual freedom. In fact, it is perhaps impossible to find any publication in which the contrary proposition has been seriously argued. Mr. Mill* says, "I am inclined to think that the prejudice which undoubtedly exists in the minds of democrats against this principle arises only from their not having sufficiently considered its mode of operation. There is no true popular representation if three-fifths of the people return the whole House of Commons and the remaining two-fifths have no representatives. Not only is this not government of the people, it is not even government by a majority of the people; since the Government will be practically in the hands of a majority of the majority."

In addition to the absence of a just conception of the principle itself, I think that another and not unreasonable ground of hostility to it is the uncertainty of action with which its operation might be attended, and to correct which it stands in need of a subsidiary law. I may illustrate this by supposing that in the West Riding of Yorkshire there were four members to be chosen, and that the constituency contained in the aggregate a large majority of one political party. It is possible for that majority, in giving single votes, to concentrate so great a number of votes upon one or two popular candidates that the opposite party might, owing to this waste of strength, acquire a share of the representation out of all proportion to their aggregate numbers in the constituency. No party arrangements would be sufficient to guard against this result where the electors are spread over so large an area; and if this were otherwise, no individual should be left at the mercy of party arrangements. Again, in the City of London, if only one vote be given by each elector, it is possible that out of the 20,000 votes 10,000 might vote for one candidate, 6,000 for another, and the remaining 4,000 votes would then suffice to return two members of opposite political opinions, even, though, as the hypothesis is, such opinions be not held by a fourth of the constituency. Results may, in fact, be supposed, even more extravagant, and yet not impossible. In order to obviate such an injustice, and to enable electors of every party and opinion to act with

* "Thoughts on Parliamentary Reform," p. 26, 2nd Edit., Parker, 1859.

a certainty that their votes will be rendered, as far as possible, effectual, another and a subsidiary rule or law is necessary, in addition to a law which should prescribe either single or cumulative voting; and this subsidiary law will be found entirely to obviate the objection by introducing "*contingent votes.*" [345]

V.—*Method of Contingent Voting.*

Any possible waste of votes by the concentration of an excessive number on one or more popular candidates, may be avoided by prescribing a *maximum* of votes to be appropriated to any single candidate, and by enabling every voter to give contingent votes for other candidates. The *maximum* would properly and accurately be the product or quotient of the number of voters who poll at the election, divided by the number of seats to be filled. Applying this subsidiary law to an election of four members, say for the West Riding of Yorkshire, in which we will suppose 27,000 voters to poll, that number divided by four gives a quotient of 6,750, which would be the maximum, and the persons and parties supporting the popular candidates may be certain of not losing a single vote unnecessarily, by being enabled to transfer such of their votes as shall be the surplus of one candidate, to any of the others. The votes might, for this purpose, be recorded by the poll clerk in the form shewn in the Appendix, Table V.

The votes should be recorded in books or on sheets, entering a certain even number on each page, every entry or vote being numbered as in the first column (Table V.), in a series of numbers running consecutively through all the books prepared for and used at the election—the next column contains the names and addresses of the voters, opposite to each of which under the head 1, is placed the name of the candidate for whom the vote is given, and if the elector desires to transfer his vote to the other or either of the other candidates, in case the first should not need it, the names of such other candidate or candidates successively will be placed in the columns, 2, 3, and 4, four being the supposed number of members. If none of the candidates should poll a number of votes equal to the quotient, or as to any of them that fail to do so, the result must be determined as at present, by their comparative majorities, viz., those at the head of the poll will be returned.

In the case which Table V supposes there are eight candidates distinguished by the letters A to H. It exhibits the record of twenty votes, B and F appear to be the popular candidates and have each polled six votes, C and G have polled each two votes, and A and H each one vote. Now as the quotient or maximum produced by dividing twenty voters by four

members, is five, the supporters of B and F, besides returning those two candidates, are able to transfer their surplus votes to other candidates.

The first question is which vote shall be appropriated definitively to B or F, and which shall be transferred to the other candidates, if any, for whom they have respectively been contingently given. [346]

The first rule of appropriation is to take all such votes as are given for that particular candidate, only—such as we now call plumpers—where in the proposed system the voter has not provided for any contingent disposition of his vote. Thus, No. 113, in Table V would be first appropriated to B; then, secondly, the votes which provide for only one other contingency, as No. 104; then, thirdly, the votes which provide for only two contingencies, as Nos. 105, 110, and 116. This makes up the five votes, and it will follow that the vote for B, which will be transferred, is No. 101, which then becomes available for G.

The process of ascertaining the state of the poll, and the particular votes which are to be appropriated or transferred is rapidly worked out by a tabular book (Appendix, Table W), which can be filled up almost contemporaneously by a second or computing Clerk, and in which a column is appropriated to each candidate, according to alphabetical arrangement. In appropriating the votes for F, according to the same rules, it will be immediately seen by referring to the column in which votes for him are entered (Table W), that No. 106 must be taken first, and then Nos. 108, 111, and 117. The principle of this rule of appropriation is that of giving an effect and value to every vote proportioned to the degree of thought and labour which the elector has bestowed upon it, as manifested by the number of contingencies for which he has taken care to provide. We now perceive, in the case of candidate F, that another rule is necessary to determine which of the votes, Nos. 109 and 115, shall be appropriated to him, and which shall be transferred to the next candidate whom each voter has preferred, each having provided for the same number of contingencies, and the vote in one case going on to C, and in the other case to G. All that is necessary is that the order of appropriation, whatever it be, shall be distinctly prescribed beforehand, so that it shall be purely mechanical on the part of the returning officers, and that the rule shall afford to every elector the same chances or probabilities as to the application of his positive and contingent votes. An unexceptionable rule would be this—that the votes shall be taken in rotation, one from each page or sheet of the poll book or the tabular register at each polling place

(which places may be distinguished by consecutive marks or numbers as A, B, C, &c.), and beginning at the last sheet or page taken at each of such places, and at the highest number on each page (as, for example, taking first 115 for F), proceeding thence to the lowest number, and following this rotation until the maximum or quotient of votes necessary for the candidate is completed. It will probably be found that a rule for appropriating, *caeteris paribus*, the later votes first, will be desirable as counteracting any tendency that may otherwise grow up, to hang back from the poll to the later hours, for the advantage of previously ascertaining who are elected. [347] The name of the candidate whose quotient is complete, may then be cancelled by a stamping instrument, on all the remaining votes given for him, and the next contingent votes of such electors become their actual votes.

The change in the state of the poll for the remaining candidates, by the transfer of the surplus votes of B and F, will be exhibited in the further reduction of the tabular book, shewn in the Appendix, Table X.

The entire result is as follows :—

B   ...   5 votes (or the maximum) and one surplus.
F   ...   5 votes (or the maximum) and one surplus.
C   ...   3 votes.
G   ...   3 votes.
A   ...   1 vote.
D   ...   1 vote.
E   ...   1 vote.
H   ...   1 vote.

And B, F, C, and G are therefore returned. Supposing the twenty votes to be converted into 27,000 votes, distributed in the same ratio, the poll would be thus announced:—

B   ...   6,750 (or the maximum) and 1,350 surplus.
F   ...   6,750 (or the maximum) and 1,350 surplus.
C   ...   4,050
G   ...   4,050
A   ...   1,350
D   ...   1,350
E   ...   1,350
H   ...   1,350

I have adapted the Tables V, W, and X, in the Appendix, to an exhibition of the process of single voting in large constituencies, with the aid of the subsidiary or correcting rule as to contingent votes. There is, however, much prejudice against single voting in constituencies accustomed to a plurality of votes. Many of such voters, if restricted to

one vote by a new law, will be apt to consider themselves wronged, as those persons did who, in the last century, complained that they were robbed of eleven days of their lives by the adoption of the Gregorian Calendar. Single voting, it has been said, will be unpopular, because it seems to cut down the privileges of the voter, while cumulative voting, on the contrary, extends them. It is yet not improbable that the power of contingent voting for a larger number of candidates would, by most persons, be esteemed an ample compensation; but in case this should not be so, it is desirable to show that the same certainty of action, by means of the subsidiary law referred to, can be obtained in cumulative voting. [348] It requires only an additional column in the Poll Clerks' Record, to insert the number of votes given for each candidate. (See Appendix, Table Y.)

It will be seen by the variety in the manner of distributing the votes (Table Y) that the system affords scope for the manifestation of every degree of preference which the elector may entertain for particular candidates. "Why," observes Mr. Mill, "should the fact of preference be alone considered, and no account whatever be taken of the degree of it? The power to give several votes would be eminently favourable to those whose claims to be chosen are derived from personal qualities, and not from their being mere symbols of an opinion. For if the voter gives his suffrage to a candidate in consideration of pledges, or because the candidate is of the same party with himself, he will not desire the success of that individual more than of any other who will take the same pledges, or belongs to the same party. When he is especially concerned for the election of some one candidate, it is on account of something which personally distinguishes that candidate from others on the same side. Where there is no overruling local influence in favour of an individual, those who would be benefited as candidates by the cumulative vote would generally be the persons of greatest real or reputed virtue or talents."*

A slight modification of the rule for appropriating votes is necessary to this form. After taking the votes of electors who have given no contingent votes, the next votes to be appropriated should be those of electors who have distributed their contingent votes amongst the smallest number of candidates (not the smallest number of contingent votes), the number of candidates measuring, *primâ facie*, the amount of intellectual effort. If the last votes taken for D should be those of Voter No. 105, and

D should require only two of the four votes to complete his maximum, the remaining two would be applicable for C.

Progress has been defined to be the development of order, a maxim which will be admitted by many who do not accept all the philosophy which has assumed this definition for its motto. We see, however, that by the simple process which has been suggested, precision and order in the individual exercise of the franchise is substituted for the uncertainty and confusion which now prevail. The amount of judgment and discretion which each voter may employ is limited only by his own capacity, and his field of choice; and that field of choice, which every geographical division of constituencies more and more narrows, is enlarged by every abolition of the artificial boundaries which prevent union and circumscribe mind. [349] Districts and wards for electoral purposes utterly fail in enabling distinct interests or opinions, to be represented, for at this day people do not reside together in certain quarters, or combine their property territorially according to their opinions. The only way of securing the representation of special interests or opinions is by permitting, as far as possible, those who have or hold them to act together. New forces or motives that tend largely to elevate and purify the representative system are thus introduced. Individual intelligence recovers that power and weight which is lost in the systems which permit individuals to be swamped by numbers. It is in that modification of the electoral power which considers the individual before it deals with the masses, that the true strength and excellence of representation resides. In order to stimulate personal effort, the advantage of the larger areas over the smaller districts or wards is evident. The greater the area and the corresponding number of representatives to be chosen, the greater will be the number of candidates, and the opportunity of every elector to find amongst them one or more with whom he sympathizes, and in whom he can repose confidence. The character of the election is thus entirely changed. It becomes rather an intellectual and generous contest, in which every class and party seeks to put forward the best and noblest exponent of its opinions, and it is no longer the struggle of any assumed majority to exclude the rest. If instead of dividing boroughs into wards under the Municipal Corporation Act, the principle of single voting had been adopted, giving to every voter the opportunity of voting contingently for as many of the town councillors as he might think fit, property and intelligence would have been everywhere represented in the corporations, and it would not have been possi-

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* "Thoughts on Parliamentary Reform," p. 29, 2nd Edit., Parker, 1859.

ble even for the Act of 1850 (13 & 14 Vict., c. 99) to have produced the ill effects apparent on the Report of the Select Committee of the House of Lords, and the evidence taken before it. (1859-46.)

VI.—*Application of the Method to equal Majorities in all Counties, Cities, and Boroughs.*

I have hitherto adverted only to improvements in our representative system for which the political world seems ripe, and which many statesmen are more or less directly seeking. The method which I have explained is, however, capable of far more extensive development. It is not too much to anticipate that at no distant time statesmen will be shocked at the unmeaning and puerile anomalies in the representation disclosed in the statistical statements in the last volume of the transactions of the Society; that it will be seen that the adoption of population as a basis is impossible, without rectifying an inequality which gives one member to 22,000 inhabitants of boroughs, and only one to 66,000 inhabitants of counties— [350] that it is impossible to assert the value and justice of an impartial distribution of political privileges as the ground of enfranchisement, and assert it in the same breath as the ground of disfranchisement—that such a principle cannot be consistently put forward as a reason for excluding 332 market towns in England and Wales, having an average population of nearly 5,000 persons, from the privileges which are given to 248 boroughs, or far less than half of the towns in the same portion of the Kingdom. The moral evil of creating such monopolies of political privileges with all their consequent temptations to the poor, the weak, and the indifferent, who share in their exercise, may be more generally felt. It may not always be thought that the preservation of constituent bodies varying in numbers from 200 to 20,000 is the depth of profound policy. We may perhaps look forward to a time when, in gathering the exponents of the national opinion, sentiment, and will, the electors may not be encumbered with the difficulties and obstacles of a period when the want of roads almost prevented communication between remote places, when writing and printing were generally unpractised, and their use little known. Instead of considering it a sagacious policy to compel large numbers of voters to travel unlimited distances if they desire to vote, a time may come when they may be permitted to use the post-office near their dwellings. The nation, in its electoral laws, may one day recognize that some knowledge of letters has been generally diffused, and may receive or invite, as valuable aid

in the exercise of electoral powers, by means of papers deposited or transmitted, the votes of its energetic sons, who, having their homes in Britain, are absent, conducting maritime enterprise, expanding commerce, or laying the foundations of colonial empire. Statesmen may endeavour to inspire the political life of the nation with a more comprehensive and noble spirit; they may desire to make it the study and delight of every subject of these realms to discover and attach himself to all that his generation contains of greatness or eminence, to give due play to all his sympathies, whether with historic association, intellectual power, or moral energy, and to this end to afford him a choice of representations as wide as the nation can afford. With this view I have developed the plan of simple and contingent voting into a larger scheme, which combines all the great and essential elements of personal, local, and national representation. The length to which this paper has extended, enables me to do little more than refer to the work in which this scheme is set forth and explained.* I will but simply state its broader features. [351]

It proposes to furnish every elector, at a general election, with a copy of an official gazette, stating the names of all who are candidates for seats in Parliament, and the town or constituency which each especially addresses, each candidate having paid £50 for registering his candidature, and being free from all other pecuniary liabilities. It then enables every elector to nominate *for his own constituency* any of such candidates, on a document or voting paper, in the form shown in the Appendix (Z), adding, in numerical succession, as many candidates as he will, no vote being taken ultimately for more than one person, and all the substituted names being therefore contingent votes, as explained in the foregoing examples.

This wider application of the method requires some additional, but simple, machinery. The quotient, *or maximum*, of voters sufficient for the election of a representative, cannot be determined by local computation, but must be the product of the number of voters who poll throughout the kingdom, divided by the number of members of the House of Commons.† The voting papers must be carried temporarily for computation to some central spot, which should be selected with reference to conve-

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* Treatise on the Election of Representatives, Parliamentary and Municipal; by Thomas Hare. Longmans, 1859.

† In the Treatise referred to (pp. 29, 30), it was proposed to ascertain the quota by reference to the number of electors *on the Registers*. Subsequent investigation and discussion have led to the substitution of the numbers that actually poll at the election, as the dividend.

nience of access from all the chief seats of population. The returning officers might appoint the most competent of the polling clerks to have charge of the voting papers, assist in the process of computation and appropriation, and to carry back the voting papers to every borough and locality, after every paper has been endorsed by the Registrar-General with the name of the member to whom it is appropriated. The rules for appropriating votes will be substantially the same as I have already mentioned with reference to the first and contingent votes in the Tables V, W, and X (Appendix). The voting papers appropriated to each candidate will be, first, those containing the smallest number of unchosen names, adopting a rotation as to numbers and polling-places corresponding with that which I have already indicated. Another rule of rotation will be necessary in order to determine as well between localities as between polling-places, and this rule would properly be that the votes given for the candidate in the constituency for which he offers himself should be taken first, and then the nearest surrounding constituencies in succession, according to previously-settled tables of proximate localities, thus giving all possible operation to local attachments.* After the number of the House has been as nearly completed as may be possible from the names which stand first in every voting paper, it will be necessary to reduce the number of candidates by stamping out the names of all those who have fewer votes, contingent or otherwise, than (say) half of the maximum or quotient, which will bring up others of the contingent votes, and thereby add to the numbers returned. [352] The Registrar-General, to whom the control of this operation is entrusted, can then proceed, by an alternate or balancing process to complete the House, by expunging one by one the names of the candidates having the smallest number of votes above the moiety of the quotient, and diminishing, as it shall appear to be necessary, the maximum, by withdrawing at each step one vote from every appropriated quotient (taking first, in a rotation the reverse of that previously adopted in the appropriation, the vote which has provided for the greatest number of contingencies), and so proceeding as to leave ultimately the smallest residue or number of unappropriated papers, or in other words of unrepresented voters.†

The effect of this arrangement is to group every town and constituency in the kingdom, and every section of voters, by the just and attractive principle of voluntary association, in which all will have the exact weight to which their numbers and intelligence entitle them, and will not be affected by whatsoever changes may hereafter take place in the seats of population. Every member of the House of Commons will represent an unanimous constituency. The leaders of public opinion will be there, with those who most perfectly express it.* Separate tables or lists would shew the names of the constituents whom every member actually represents. The electoral results exhibiting the various preferences which every county and town has expressed—the electors by whom every member is supported—the numbers which, besides these, have expressed their willingness to vote for him, and the classes of which they are composed, will afford such materials for future statistics, illustrating the condition and progress of society, as the history of mankind has not hitherto supplied.

In this system it will be seen that there can be no swamping of persons, or opinions, or classes, or interests. It leaves every voter to act as his feelings or his interests may dictate. Property will be represented, by representing every possessor of property, far more effectually than by a struggle of one kind of property against another. Education and intelligence will be represented by the representation of every man of education and intelligence. [353] The professional, agricultural, commercial, and working classes may be represented by their chosen exponents. Every locality will have its special representatives in the members who have received the greatest number of votes in the county or borough, but local divisions become rather, as Bacon says, lines and veins than sections and separations. All contribute to the national representation, which will be as perfect as the understanding and patriotism of each succeeding age can make it.

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* Treatise, pp. 208-210.

† This process slightly differs from that which was proposed by Laws xxv and xxvi (pp.214-21) in the Treatise. The author had then contemplated another mode of completing the numbers of the House. (See Treatise, p. 324).

* On nothing connected with modern political society is it more important that enlightened consideration should be bestowed than on the method of ascertaining "public opinion," as to which the Legislature is liable to such serious illusion. The enquiry upon which the author of this paper ventured (Treatise, p. 276 et seq.), does but touch the margin of the subject.

APPENDIX.

(V).—*Poll Clerk's Record.*

Consecutive Numbers in the Poll Book.	Name and Address of the Voter.	Candidates for whom first and Contingent Votes given.			
		1.	2.	3.	4.
101	...	B	G	H	D
102	...	A	F	G	—
103	...	G	F	B	—
104	...	B	D	—	—
105	...	B	D	E	—
106	...	F	G	—	—
107	...	H	E	D	B
108	...	F	G	C	—
109	...	F	C	A	G
110	...	B	D	H	—
111	...	F	G	A	—
112	...	C	A	F	G
113	...	B	—	—	—
114	...	E	H	—	—
115	...	F	G	C	A
116	...	B	D	E	—
117	...	F	G	A	—
118	...	C	A	F	—
119	...	D	E	—	—
120	...	G	C	F	—

(W).—*Tabular Book.*

A.		B.		C.		D.		E.		F.		G.		H.	
Vot. No.	Con-votes	Vot. No.	Con-votes	Vot. No.	Con-votes	Vot. No.	Con-votes	Vot. No.	Con-votes	Vot. No.	Con-votes	Vot. No.	Con-votes	Vot. No.	Con-votes
102	2	101	3	112	3	119	1	114	1	106	1	103	2	107	3
—	—	104	1	118	2	—	—	—	—	108	2	120	2	—	—
—	—	105	2	—	—	—	—	—	—	109	3	—	—	—	—
—	—	110	2	—	—	—	—	—	—	111	2	—	—	—	—
—	—	113	—	—	—	—	—	—	—	115	3	—	—	—	—
—	—	116	2	—	—	—	—	—	—	117	2	—	—	—	—

NB. In the table above, the columns are the Voter Number and the Contingent Votes.

(X).—*Tabular Book (after the return of Members having Surplus Votes).*

A.		B.		C.		D.		E.		F.		G.		H.	
102	2	—	—	109	2	119	1	114	1	—	—	103	2	107	3
—	—	—	—	112	3	—	—	—	—	—	—	120	2	—	—
—	—	—	—	118	2	—	—	—	—	—	—	101	2	—	—

(Y).—*Poll Clerk's Record — Cumulative Voting.*

Consecutive Numbers in the Poll Book.	Name and Address of the Voter.	Candidates for whom first and Contingent Votes given.							
				1.		2.		3.		4.
101	...	C	1	C	4	D	4	A	4	
		D	1	-	-	-	-	-	-	
		E	1	-	-	-	-	-	-	
		A	1	-	-	-	-	-	-	
102	...	B	2	G	4	H	4	F	4	
		G	2	-	-	-	-	-	-	
103	...	B	4	H	4	G	4	F	4	
104	...	B	1	-	-	-	-	-	-	
		H	1	-	-	-	-	-	-	
		F	1	-	-	-	-	-	-	
		G	1	-	-	-	-	-	-	
105	...	D	4	C	4	-	-	-	-	

In the above table, the final pairs of columns give the candidate name and the votes for that candidate.

Computing Table, exhibiting instantaneously the state of the Poll, as above, in Cumulative Voting.

A.		Candidates Contingently Voted for.		B.		Candidates Contingently Voted for.
Voters	No. of Votes.		Voters	No. of Votes.	
101	1	3	102	2	3
—	—	—	103	4	3
—	—	—	104	1	—
1	1	—	3	7	—

C.		Candidates Contingently Voted for.		D.		Candidates Contingently Voted for.
Voters	No. of Votes.		Voters	No. of Votes.	
101	1	3	101	1	3
—	—	—	105	4	1
—	—	—	—	—	—
1	1	—	2	5	—

E.		Candidates Contingently Voted for.		F.		Candidates Contingently Voted for.
Voters	No. of Votes.		Voters	No. of Votes.	
101	1	3	104	1	—
—	—	—	—	—	—
—	—	—	—	—	—
1	1	—	1	1	—

G.		Candidates Contingently Voted for.		H.		Candidates Contingently Voted for.
Voters	No. of Votes.		Voters	No. of Votes.	
102	2	3	104	1	—
104	1	—	—	—	—
—	—	—	—	—	—
2	3	—	1	1	—

Z.) *Voting papers on the application of the Method to equal Majorities in all Counties, Cities, and Boroughs.*

Name ——————————————————
Address ——————————————————
Vote No. ———— *Parish of* ———— *Borough of* ————

The above-named elector hereby records his vote for the Candidate named first in the subjoined list, or, in the events provided for by Statute, for the other Candidates successively in their numerical order, viz :—

1	———————————————
2	———————————————
3	———————————————
4	———————————————
5	———————————————
6	———————————————
7	———————————————
8	et seq.

Editor: This reprinting uses modern typographical conventions.