

The Economic and Social Problem

by Michael Flürsheim

CHAPTER VI. DEMOCRACY.

The best system of representation fails to insure government of the people by the people and for the people so long as the representative instead of their servant may become the people's master.

In the preceding chapters I have tried to show how a thorough social reform can be reached evolutionarily, within our existing political and social structure, and without recourse to revolution. Victory on these lines, however, is not to be hoped for, without a thorough organization of the people. Otherwise they are powerless against the small but well disciplined army of plutocracy, securely entrenched within the fort of vested rights, as their monopolies are styled by them. If these men knew their real interests they would help in the work of peaceable evolution as the only possible defense against their real enemy: the revolutionist, whose advance can only be staid by a destruction of the road over which he proceeds: the general discontent.

The first step towards this organization demands certain political reforms, without which no true democracy can exist.

Democracy! I know that it is violently attacked by those whose comfortable seats on the back of the people are in danger of being lost through unruliness on the part of the poor beast of burden. This is only natural, though not reasonable; for any clear-headed observer must become aware that the penetration of education into the lowest strata of the population can only end in one result: the demand for equal rights. Also, that not much time will elapse between the moment when this demand is made by the long-suffering and the occurrence of one of those terrible upheavals of the comfortable resting-places whereon the upper classes are so complacently philosophizing—of which history gives innumerable accounts. Now, all riders know very well that it is much pleasanter to get down from an unruly horse while it is standing still than to wait until it is disagreeably rearing and plunging.

Foolish as the stolid passivity of the governing classes may be, we can understand it. The riding business has been going on for so many thousand years, the habit of beholding the world from the backs of the oppressed masses has become so inveterate, that the idea of getting down is entirely superseded by schemes of better saddles, bridles and spurs. If such people declaim against universal suffrage and other conquests of democracy, we need not be surprised; but the case is different when some of the highest intelligences are found in the same camp: when a Carlyle, with his Niagara, and After, or a Huxley, are among the enemies of democratic rule.

I quote from an article contributed to the *Nineteenth Century*, April, 1890, in which I defend the theories of Henry George against an attack of Professor Huxley which had appeared in a previous number of the magazine.¹ Only the introduction refers to the subject in hand.

In the January number of this review, Professor T. H. Huxley contributes an article *On the Natural Inequality of Men*, in which he attacks J. J. Rousseau and the declaration of the rights of man, in so far as they proclaim man to be born free and equal. As long as Professor Huxley confines himself to the special department of knowledge in which he is of a world-known celebrity, the domain of biology, he remains master of the field. His proofs that man is born neither free nor equal are irrefutable.

It is true that a child is a helpless slave when it begins its career in this world, and it cannot be denied that even the children of the same family are by no means equal in their capacities and characters. "Some are more powerful and honored than the rest, and make themselves easily obeyed."

So far all right; but the moment Mr. Huxley begins to draw political conclusions from these facts, I am no more with him. He brings nothing new when he launches his arrows against universal suffrage, pointed with the argument that only the capable ought to govern. Even the simile he employs is borrowed from Carlyle, where that great writer declares his opinion of the infeasibility of a ship getting round Cape Horn by calling the crew together and taking a majority vote as to the direction to take, instead of having the competent officers decide it by means of their instruments. If a real ship cannot be kept off the rocks by such means, how is the ship of State, with its much more complicated course, to be protected from the dangers besetting it from all sides, if numbers and not competency are to decide its direction?

Alas! it is an old, old question, as old as the world, this question of government given to strength and capacity, instead of being the outcome of majority votes. Hero-worship v. popular rights—all the world's history is nothing but an infinite series of variations upon this theme.

The proof of the pudding is in the eating, says an English proverb. If we apply this old and simple method to the working of the principles in question, we come to a result quite the reverse of the one anticipated by Mr. Huxley. The tyranny and bad government of ages stands arrayed against the system of governing the masses by the classes, for this is what hero-worship comes to in the end. Even heroes are poor human beings, full of human failings, among which vulnerability to the effects of flattery and adulation stands foremost. The foul emanation of these swamps will finally create a mist around the most pure and upright, through which the sun of truth will find it harder and harder to penetrate. The uneducated common-sense of the poor clown will see in a clearer light the real purport of the most momentous questions touching the public weal, than the despot in the midst of the haze by which he is surrounded.

But this is not the worst by any means. As long as the real hero lives, things may work tolerably well; but he is subject to another incurable failing, that of being mortal. Who is to be his successor? We cannot get him elected by the popular vote, for that would be having the crew take a part in the guidance of the ship, which is just the thing to be avoided. The hero himself, or the wise ones appointed by him, will attend to it. They did so since untold ages. What was the result? Have they always picked out the wisest? Have they, has he, governed for the welfare of the people? Emphatically, history answers "No" in the overwhelming majority of cases. The frailty of our poor human nature brings it about that irresponsible governors and legislators will first think of their own interest before they give way to any other consideration. The final result of aristocratic rule always has been, always must be, that the governing minority will enslave the powerless majority, will make them give up the land and the best of its fruits; will make them do all the work for their superiors, who will finally believe themselves of a higher blood, born with special privileges, entitled to the right of spending their lives in laziness, and having the masses support them by their labor. Labor becomes a taint; graceful loafing the badge of gentility. Most of the governing done by them is to conserve, and, if possible, increase the privileges they enjoy. Commons are enclosed without any regard to the rights of commoners; wars are waged in the interest of the governing classes, whereas its charges are borne by the people. No, no, Messrs. Carlyle and Huxley, that kind of governing the ship of State has not proved a success! It may be that the crew will not always pick out the best man to take the rudder, but certain it is that the monopoly of steering given to a privileged minority has mostly failed to bring out the best pilot. And who would blame the poor slaves in the hold of a slave-dhow that they think it better for them if they can get the mastery of the vessel, even though they know that they have not got the captain's science and experience? It is true that he would be much more likely to bring the ship safely into port than

they in their ignorance; but what kind of port is it he brings them to? The slave-market, the place where they are to be sold like cattle to hard and inhuman masters. Do we blame them if they do not care to arrive in such a port, and that they would rather run their chances of getting into another place, be it even a desert island, or of meeting death in the waves of the ocean?

There is only one clear course marked out for a man loving his brethren and mindful of their real good: that is to give them the full power over their own destinies, and to work with all his might that they may get sufficient instruction to use this power. Nobody ever learnt how to swim without going into the water, and if we want a crew to know how to steer a ship we must give them a chance to learn; not by jealously keeping them away from the rudder, but by letting them steer, and standing by, showing them how to do it. Instruct the people, and cease to be afraid of their ignorance if you succeed. Success is impossible, however, unless you look to something else first, and that is their being sufficiently fed, clothed, and housed, for there is no way of getting knowledge into starved brains. And this brings me to the main question, to which Mr. Huxley gets in the course of his article, that of land ownership; for there is no possible chance of ever really improving the people's social position without first righting this fundamental question.

Though economic liberty is unattainable without political liberty, political liberty is a mockery without economic liberty. This has been fully recognized by a Conference at Buffalo, State of New York, in July, 1899, attended by nearly 900 delegates. The following is an extract from an address to the people drawn up mainly by Professor George D. Herron, which was adopted by the Conference:

"We would urgently emphasize our belief that the militarism which menaces us as a people is but the offspring and incident of the greater menace of plutocracy, which has established monopoly government in the place of government by the people.

"Monopoly rule is entrenched in every branch of national, state and municipal government. By economic force based upon special privileges in law and natural resources, upon indirect taxation and consequent limited competition, monopoly is centralizing the wealth of the nation in the hands of enormous trusts, which are becoming irresponsible economic despotisms; which are using legislation, the judiciary and all the functions of government, as the mere instruments of private property; and which are reducing the entire people to economic serfdom or enforced wage-slavery.

"*Political liberty is a mockery without economic liberty.* No man is in any sense free, either in practice, or religion, or science, so long as he is in enforced dependence upon some other man for the opportunity to earn his livelihood. No individual or political rights are secure without security and equality of economic opportunity. Equality before law and institutions must be based upon equality of opportunity and access to the resources, which the common Father gave to all people in common. If the State permits a few men to own the earth, then these few own the rights, liberties, and moral well-being of the people who must live upon the earth. Even the further extension of the suffrage, so as to grant political citizenship to women, which extension we urge and advocate, will avail little or nothing without economic freedom to all.

"We, therefore, make urgent appeal to the people to co-operate with us in the institution of such movements, and the support of such men as shall propose a social political programme."

The intimate relationship existing between political and economic liberty is my justification for devoting one chapter to politics in a book otherwise exclusively concerned with economic questions. I begin with the foundation: *The Franchise, or Suffrage*.

In the good old times armed robbers, styling themselves conquerors, attacked peaceable populations, forced them into submission, after taking away their land and whatever valuables they possessed and made laws which deprived the conquered of any participation in the government of the country, reducing them to slaves or serfs, without any rights but the right to work for their masters. No wonder that in a few generations a great change could be observed

in the people. The rough warriors gradually made use of the leisure afforded them through the work of their serfs to cultivate their minds, to acquire some of the knowledge their time possessed, while the poor downtrodden human cattle became mere savages, though their forefathers had perhaps been far more advanced in culture than the wild clans who overthrew them. When civilization advanced, when it became unfashionable to govern by right of the physically stronger—principally in consequence of a little invention made by a German monk who looked for gold and found gunpowder, which enabled a baby's finger to overthrow an armored knight—when declarations of independence and *droits de l'homme* were the order of the day, the continued oppression of the poor, ignorant masses was justified on the ground of their poverty and ignorance. Which practically meant that all those who had become poor and ignorant because their ancestors had been forcibly deprived of their rights were to continue without these rights because they were poor and ignorant. And even in our days of universal suffrage we still hear the murmurs of the wealthy and educated against the injustice of giving an equal vote to a learned university professor and an ignorant boor, unable to read and write, knowing as little of the history and laws of the country which his vote is to govern as a savage in Central Africa; the injustice of giving no more than the same vote to the owner of untold wealth, whose estates cover an area larger than many a dukedom, with thousands obeying his mandates, than to the citizen of the slums, with a few rags as his only earthly possession, a man 'without any stake in the country,' as the other expresses it, quite forgetting who stole that stake!

Miserable hypocrites! where would you be if you had been brought up in the same surroundings? And these surroundings, these conditions, are they more likely to be changed where those who profit by the helplessness of the slave are the exclusive governors of the land, or where the masses are given the power? History is here to answer. How long is it since men in the Southern States risked their popularity, if not a good deal more, by teaching the negro slave to read and write? And would there be half the pains taken to educate the masses possessing the vote if experience had not taught the danger of letting the ignorant govern?

I think I have said enough to dispense with discussing property or education tests. We need not call to our aid Benjamin Franklin's sarcasm, when he asked whether the man who had voted under the hundred dollar franchise, because the mule he owned was worth as much, but who had lost his vote when the mule died, had really had the franchise; or whether, after all, it had not been the mule. Nor need we look at the educational franchise in the light of our late experiences in the Southern States, referred to in the following extract from the *New York Worker*: "We know that such qualifications are never honestly applied. It is notorious that in those Southern States where the law requires that the voter shall be able to 'read and explain' the Constitution of the United States, the most ignorant man can register and vote if he is known to be a safe supporter of the dominant party; while the poor man who is suspected of intending to vote the opposition ticket is called upon to explain some constitutional point that the Supreme Court of the United States has never been able to agree upon, and so is convicted of ignorance, no matter how he expounds it. All this talk about the ignorant vote is nothing more or less than a screen to conceal the intentions of the dominant school of capitalist politicians and gradually to take the ballot away from the working class, lest the workers use their lawful power to abolish capitalist exploitation."

But it is not enough to allow every citizen a vote; it is also essential that this vote should be made effective. Every voter ought to be represented in the Government of the nation as fully as every other. I need not say that this is not the case in most countries—in our republic less than in monarchic Germany, for we have not even got the second ballot. With us a relative majority still elects a candidate, though the absolute majority may be deadly opposed to him. If the Republican candidate has 2,000 votes, the Democratic one 1,900, while the Socialist polls 1,500, the Republican is declared elected, though the 3,400 voters on the other side may be opposed to him. In Germany, in such a case, where none of the candidates has an absolute

majority, a second ballot would be called between the two candidates who polled most heavily—in the above case, between the Republican and Democratic candidates. As the Socialists might, in all likelihood, have more confidence in the Democrat than in the defender of capitalism, their votes would probably swell those given for the Democratic candidate to 3,400, so that he could beat the 2,000 Republican votes. Thus a totally different result might follow through a more rational system. This does not mean that the latter might not sometimes work against new parties by enabling the old ones to unite against them in the second ballot. As a rule, however, the old system stands in the way of new parties, because many of their adherents are afraid of voting for them for fear of thus ruining the party of their second choice, whose candidates their votes might have elected. That such a simple reform has not yet been carried in this country is explained by the greater chances, which the old method gives to the domination of party leaders. Party machines hold the votes together, while free votes are likely to be lost by dispersion. Thus a well-united minority vote ensures a continuance of power, though the great majority of the country may be irreconcilably opposed to it. In a similar manner a few individuals, or one man, may obtain the lead in the party caucus where the nominations of the candidates are made, thus conferring the dominion of a party upon one man. Under such circumstances, we can hardly expect such a ‘boss’ to be eager for a more democratic ballot system.

For all that, the second ballot is only a clumsy attempt towards justice, towards the attainment of a fair proportional representation. There are far better systems; but, anyhow, none could be worse than the one we are used to. Its unproportionality is best evidenced by an exaggerated though possible case.

Let us suppose the case of constituencies of 6,000 voters each, of whom in each electoral division 3,001 vote for the A party and 2,999 vote for the B party. In this case, the parliament will consist merely of members of the A party, while the B party is not represented at all, though half of the voters have endorsed it. Under the proportional vote this result would be impossible; each party would elect one-half of the members. There are different systems of the proportional vote. The free list plan is used in Belgium and Switzerland. The official ballot has the nominees of each party arranged in separate lists, each under its party heading, and each party gets the proportion of members to which it is entitled. The system has the advantage of simplicity and least disturbance of present methods. Its great disadvantage is that it leaves the selection of candidates to the caucus, and consequently to the party chiefs, unless primary elections take place, which necessitate double work for the voters.

The Japanese system, which has multiple districts in which each elector obtains one vote only, reduces this difficulty, making it easier, in spite of party domination, for a number of electors to give their nomination and vote to the same candidate, who is elected upon receiving his quota of votes; but this system has the great disadvantage of non-proportionality through a waste of votes, as under the plumping system, discussed further on. All the votes given to a candidate after his quota has been reached are wasted; for they cannot be counted for another candidate to whom the surplus votes otherwise would be given in preference. Gove and Hare do away with this defect. They arrange for preference votes. Under the Gove system the candidate, before the election, publishes a list of his fellow candidates to whom his surplus votes are to go, in the order of his choice. This has the advantage over the previously mentioned systems that the work is lessened and automatic machines can be used; but it still leaves the elector dependent on the selection of others, it limits his own choice of candidates.

The Hare system is the only one, which leaves him fully free in this direction without requiring primaries. This system does away with the single constituencies. Every voter in a collective district, let us say a whole State, can only vote for one candidate, running for a special office, but all the votes given for a candidate in the whole district count for him, so that a number of minority votes in each section, which under the present system would have been lost, and for this reason in most cases would not even have been polled, are collected and may

help to elect provided the total of the candidate's vote in the whole State reaches the figure which elects. This figure corresponds to the quotient resulting from the division of the total number of votes polled by the number of candidates to be elected. For instance, if the total number of votes cast in a State is 200,000, who elect ten members of Congress, 20,000 votes will elect one member.

Hare takes care that the surplus given to a candidate is not lost, but is counted for another candidate. On his ballot the voter marks each candidate with a number, according to the preference he has for him. His vote counts in the first line for the candidate to whom he gives the number "1" If the number "1" on a list is elected, all the additional ballots on which the same name is now found marked "1" are counted for the number "2," and if "2" is elected, for number "3," etc. The ballots which are given for a candidate who has not reached the minimum figure required to elect him are now taken up, beginning with the file which has the smallest number of ballots. These are now distributed to the number "2" on each, or, in case 2 is already elected, to number "3," etc. This goes on until the number of files left corresponds to the number of candidates yet to be elected, when the candidates to whom the remaining files belong are declared elected.

The subject is of such importance that I should like to make it clear to everybody, and as there may be some among my readers who are fond of legal phraseology and who would like to see how the reform proposal reads when embodied in the project of a law, I repeat my explanation in this form:

Project of a Law on Proportional Voting.—All elections of members of the Legislature in the State of ... shall be conducted in accordance with the system known as the Hare system, hereinunder described.

In this text the expression 'full quota' shall mean the amount of the quotient resulting from the division of the total number of votes polled by the number of candidates to be elected (leaving any fraction out of account).

After the nominations of candidates for election have been closed, each voter shall number in the order of his preference on the voting paper, commencing with the number "1" the names of as many candidates as there are to be elected (or if he so desires, the names of more or fewer candidates).

The vote of each voter shall be used for one candidate only, according to the order of the voter's preference.

The result of the voting shall be ascertained as follows:—Each voting paper shall at first be filed under the name numbered "1" thereon, and when all the voting papers are so filed, the votes on each file shall be counted; and if any candidate shall have received more votes than the full quota, the votes last filed in his favor shall be taken from the file, until the votes remaining thereon are reduced to the full quota.

Every candidate who shall have received the full quota shall be deemed to be duly elected and his file shall be closed, and no further votes added thereto.

Any voting papers taken from the files of any candidates who shall have received more votes than the full quota shall be distributed over the remaining files, or over new files if necessary, as votes for the candidates whose names are numbered "2" on the voting papers so distributed, or according to the name of the candidate numbered next highest not already elected, in case the candidate whose name is numbered "2" on any such voting paper shall have been already elected.

After such distribution the votes for each of the candidates shall again be counted, and where any candidate shall have received more than the full quota, his votes shall be reduced to the full quota as hereinbefore provided, and the surplus votes distributed over the other files, or over new files if necessary, according to the names numbered "3" on the surplus voting papers, or according to the name of the candidate numbered next highest not already elected, in case the candidate whose name is numbered "3" on any such voting paper shall have been already

elected; and so on, whenever any file shall have a surplus of votes over the full quota.

After all surpluses of votes (if any) have been redistributed as aforesaid, the contents of the file containing the smallest number of voting papers shall be distributed over the remaining files, as votes for the candidates whose names are numbered with the next highest number on such voting papers not already elected. This process shall be repeated with the voting papers on the file for the time being containing the smallest number of voting papers; and so on, according to the numerical order of the remaining names not already elected on each voting paper taken from such small files, until the voting papers are, as far as possible, redistributed over the files containing fewer votes than the full quota.

Any surplus of votes arising from the redistribution of the votes from the files containing the smallest number of votes, for the time being, shall be dealt with as hereinbefore provided.

After the voting papers have been redistributed as above, as far as possible, the candidate or candidates (to the number necessary to fill the number to be elected), who have received the greatest number of votes shall be declared duly elected, whether or not they shall have received the full quota of votes.

In the event of the necessity to decide between two or more candidates who have received an equal number of votes, the Chairman or Presiding Officer shall decide the election by his vote.

An article from a periodical may serve to show how the system works in practical operation:

"On March 19, 1901, Tasmania held an election for representatives in the Federal Parliament, using the proportional representation system. The island elected six senators and five representatives. For the senators 18,403 ballots were cast, besides 419 invalid at the start from improper marking, and 1,112 became inoperative in the course of the count, because, when those ballots were reached, all the candidates on them had either been elected or 'eliminated' in the course of the count, leaving 17,291 voters who aided in the election of the candidates to represent. Thus nearly 92 %, of the voters were represented, while in ordinary elections sometimes a little over half the voters, and sometimes a deal less, are represented, and very inadequately at that, being compelled to vote for the nominees of the machine."

Similarly as to the House, 18,039 voted, of which 1,014 were 'exhausted' in the count, besides 533 mismarked, leaving 17,025 electors represented, instead of half of them being practically disfranchised.

All were elected who received the highest vote on first choice so that the transfers from second, third, and subsequent marks of preference made no difference in the result; but the voters knew that, as a rule, they ran no risk of 'throwing away their votes' in voting for the men they deemed most competent for first choice because, if not utilized for these, they would be for less popular candidates marked "2," "3," "4," or "5."

No difficulties or complications whatever were experienced in the count, although the ballots were brought from all parts of the island to be counted in Hobart, located in the south-central portion.

One important effect of this proportional voting system will be that it democratizes the caucus, and thus deprives the politician of his most effective weapon. President Garfield said men in his State had gone to the polls for thirty years, with no more chance of seeing a candidate of their own way of thinking in Congress, than if they had lived under the Czar of Russia.

The Hare system not only elects according to the preference of the voters, but also nominates as the people desire. Anybody can propose nominees for the party, and if he finds a certain support, can have his man on the list. It does not matter if by that means many more candidates are on the list than there are places to fill, because not a single vote will be wasted. Each elector adds numbers of preference to the names on his list, and according to these numbers will his votes be counted. If he has given his number "1" to a man who has not the

shadow of a chance, his vote will count for the man to whom he gave number "2" on his list; and so forth, until it is counted for someone on this list who receives enough support from other votes to obtain the necessary quota. In this way every voter has a chance of nominating his own candidates, and of testing the popularity of these candidates, without any special primary election. If he succeeds in obtaining a sufficient number of votes for his nominee, he will carry him through: if he does not, his vote is not lost for all that, as it finally counts for somebody of his or another party whom he likes next best to the nominees preferred by him. The business of the caucus thus will have been given over to the whole people, as it ought to be.

The most important effect of the system is that it would gradually break up parties altogether, or, at least, parties in the present sense of the word. In a general sense, there always will be parties, for two men who agree to vote only for men advocating a certain policy, already form a party. What I mean by party here is the erection of a few big pens, mostly two only, into which the electors are forced, according to their preference, if they do not want to waste their votes. Whether certain principles, or only the names of certain leaders are affixed to the pens' doors, is immaterial. The proportional vote would leave it to the electors to decide how many different pens they want to erect, and in which special pen they feel most comfortable.

The proportional voting system has been objected to on the ground that it would bring a number of faddists into Congress.

So it would, no doubt, but where is the harm? Faddists are men with one idea, of whom Prince Bismark once said that he did not dislike them, for they had one idea more than most men.

The progressive laws of today, which are applauded by vast majorities were the fads of yesterday. And why should not every citizen have the right to send somebody to the House who represents his favorite idea, even if it is a fad? Is it less correct to vote on such ground than to vote for private interests? Who is the better citizen of the two—the one who forgets the interests of his pocket and votes for the men fighting for a great social reform, or he who has no other ideal than his personal advantage or local patriotism, who gives his vote to the man who pays him or who is likely to procure the greatest amount of Government patronage for his section of the country?

It may be inconvenient for the chief of a party to keep the reins of government, if the loaves and fishes of which he is the distributor lose their charm for electors and elected, but only where he lacks a noble enthusiasm, which makes him forget everything else but the desire to obtain the greatest good for the greatest number. A party chief of this nature will rejoice in the nobler task set before him and the possibility of accomplishing it. Instead of employing his political arithmetic in the direction of figuring where his official patronage will tell most on the support he can obtain, he will investigate which progressive law is likely to command most votes, and he will work in this direction. Is it not worthy of his best efforts to fight for that reform of the electoral system, which promises the possibility of such a change in electoral tactics?

It has also been urged against the proportional vote—that it favors the rich, who can get up an agitation in the large district, which would be substituted for the present small constituency, to the exclusion of the poorer man, who can only canvass his own locality, not being able to work the larger district. The very opposite is true. For the best men in the country, who have nothing to recommend them but their devotion to the people's interests, without financial means to back their candidature, it will be easier to obtain a seat under the new system than under the present one. A valid proof of this is supplied by the electoral statistics of Germany. The poor men's party, the Social Democratic party, polled 3,250,000 votes at the last election (1907), representing almost one-third of the total vote cast, but obtained only one-ninth of the representatives elected. If Germany had the proportional vote there would be 117 Socialists in

Parliament, instead of 43, out of 397 members. The Clericals, with only 1,850,000 votes, would only have 69 representatives instead of 105. And to think that men, calling themselves liberals, rejoiced at the outcome of a miserable election system because it injured an antagonist!

If it were merely a question of money, social democracy would be nowhere, and plutocracy would govern without hindrance; but fortunately money is not the only power. After all, the appeal to the higher motives in man is a far greater force in the direction of human affairs if it can be made under the conditions that render it effective. These conditions are supplied by the proportional vote and its system of large constituencies.

Here is a man whose life is devoted to a great principle. He fights for it day and night; his powerful voice is heard all over the land, and his adherents are counted by the hundreds of thousands. This is the very man whom you will never see in one of our present parliaments elected on the single constituency system. The men who can grasp his ideas are not very thickly scattered over the country. Though combined, they would be able to elect their leader, if the total of their votes were counted, they would not have the shadow of a chance in any single constituency. Talk of wealth profiting, of poverty losing, by the proportional vote! This man and his adherents are too poor, perhaps, to contest a single constituency against the plutocrat who dominates in that section; they have so little influence in each separate constituency that even if they could collect money enough to pay for election expenses, they would be at the bottom of the poll. The master-mind would succumb to a stupid local politician, whereas under the P. V., without any expensive canvass, all his friends in the country would put his name foremost on their list and thus elect him.

Henry George would not have had the smallest prospect of being elected if he had been running for Congress, in at least ninety-nine constituencies out of a hundred; but under the proportional vote, he would have had "1" on all the ballots of his partisans in the country, and of many thousands besides, who, though not in everything of his opinion, were at least convinced that they voted for an honest, incorruptible man with wide views and an urgent desire for the public welfare. I am confident that in such a case no other Congressman would have polled so many votes as the first preference of the voters.

Instead of making the whole country one single constituency, as Hare proposes, it has been suggested as a compromise to throw together only a certain number of constituencies, half a dozen, for instance. I believe that the change thus proposed is for the worse, and that the original and unadulterated Hare System is in every way preferable. The larger the constituency, the greater are the chances for minorities of being represented; the more constituencies, the less hope there is for struggling progressive thought to find a representation in the council of the nation. Take the case of New Zealand, for instance, with its 74 constituencies, and let us suppose that 148,000 were the total of votes cast at an election, which makes 2,000 votes the number electing a member. Now, let us suppose there were 80 Socialists in each constituency. Under the present system they would not even dream of putting up candidates, as the 80 partisans in each district would not have the slightest hope of success. But even if the country were divided into 6 voting districts of 12 members each, they could not elect a single member, as their vote would nowhere exceed 1,000. If, on the other hand, the whole country formed one single constituency, they would send 3 members to the house. With constituencies of 6 members, even 250 votes in each local district might not give them a single member; while on the centralized plan they would obtain as many as 3 representatives, and by joining with other progressives, might largely infuse legislation with Socialistic principles.

I think the incentive to thus improve an excellent plan backward was the fear that the work of counting the ballots might be a little too complicated. I am not so sure of this, but there need not be much more work for each voter than in the other case. He would simply pick the list he specially favors from the rest, and would vote for it by affixing the numbers according to his

preference. Of course, there would be more names on the general list than there would be on each district list, but it will never be necessary to number all names. It suffices to mark those specially preferred, while the others will be taken in the sequence in which they are printed, if they should be needed. The case where men of other parties and lists will be added to, others struck out from a special list by the voter, will be exceptional; and even then the additional work is almost nil.

Anyhow, the advantages of the larger constituency are so great that minor considerations must be relegated into the background. The larger the constituency, the more effective will be the vote of the whole people. The smaller the constituency, the more of the evils inherent in the present system are preserved.

The more effective we make the vote, the better do we obtain a true expression of the people's will. The new system will make elections tell a different tale from that of today; not money will profit, but intellect and character. Principles, not men, will be elected, which means a back seat to that class of men called politicians, who treat politics as a business—a lot of nobodies who all over the world bring parliamentarism into contempt. Only a party leader who himself belongs to this stamp will feel an instinctive horror of the new system. A leader capable of great thoughts, preferring to be the first among equals to being the master of servants, will welcome the proportional system.

The bitterness of party strife will lose its venom, and the participation of the people in elections will be more general. Many who now abstain altogether from voting, because the proposed candidates constitute to them a mere choice between evils, will interest themselves in the political contest when they have a chance to vote for men of their own choice.

Opinions and principles may not be the only rallying points of the future voters. It is very likely that different trades will send their own delegates—practical men, who know better what the people want than the lawyers who constitute such an undue proportion of our existing parliaments. (In the U. S. Senate 74 out of 92 members are lawyers.) Unfortunately, for good talkers are seldom great doers. Doubtless a certain danger might still exist in this case that the interest of the community could be neglected for that of the trade; but, aside from the fact that the totality of trade interests forms the totality of community interests, even this would be preferable to a narrow local interest representation. Quite a different tone would govern the discussion of such parliaments, as every one can see who studies the business-like and concise addresses and discussions at co-operative congresses, that of Great Britain, for instance. A co-operative congress does more business in one day than many a parliament does in a week.

By-elections, when a member resigns his seat or dies, are unnecessary under the proportional vote on the Hare system, as the unelected candidate on the same list who obtained the next largest number of votes would simply take the vacated place.

The proportional vote must not be confounded with the scrutin de liste, which also collects a number of single member constituencies into a large one of many members, a very objectionable method of doing away with the defect of the small constituency: the subordination of the common to the local interest. It is a device of party politicians, because nothing strengthens more the autocratic power of the caucus of nominating candidates. Cases happen under this system that a candidate is strongly opposed—even by the majority of his own party—in his own local district where he is known; but is elected by an overwhelming majority, "because the other districts that vote the straight party ticket, not knowing the man, gave him their votes. In fact, it could occur that each single candidate on the list is rejected by the people among whom he lives, and yet the whole list pass with a large majority, because each district of the constituency, not knowing the candidates from the other districts, gives them an undivided vote, as the party leaders have nominated them. The defects of this system have been used with the ignorant to throw disfavor on the proportional vote, with which it has nothing in common but the throwing together of electoral districts; whereas the fact that under the P. V. each elector votes for only one candidate enables him to select whomsoever he

prefers and to leave out altogether those he does not know or like, thus preserving the advantages of the many-member electorate, without its drawbacks.

Plumping, or the multiple vote, is an improvement on the scrutin de liste, through the faculty given to the voter to concentrate his votes on one or more candidates whom he prefers. It is the most primitive of proportional systems, for it wastes all those plumped votes, which a candidate does not need. If Jones needs only 2,000 votes, while 5,000 are concentrated on him, through plumping, 3,000 votes are absolutely lost; while under the Hare system they are used for the man second on the list, and so forth; so that all the votes are in any case given for some party friend.

The secrecy of the ballot ought to be combined with the greatest convenience of the voter. I understand that in Queensland the vote can now be given by postal card. I do not know how they secure the secrecy, but can see no difficulty in this direction. Each voter might be supplied with a parcel of cards of different colors, each color for a different election or referendum vote. The cards would be numbered, and if no record is allowed to be kept where each number was sent, a control of the vote by the officials would not be possible. The influencing of the voter cannot be avoided by the most ingenious systems of secrecy; but social reform would put an end to economic dependence, and at the same time would greatly raise the financial value of the vote for each shareholder in the State. No briber could afford to pay as much as the vote would transfer to him from the common pocket, for this would leave him no profit; and no voter could, on the average, afford to take less, or his loss on one side would exceed his profit on the other. You can afford to bribe one shareholder of a limited company to vote for something which is against his interest, by paying him more than he loses; but you cannot bribe all, for their loss as shareholders would either exceed their gain by the bribe, or your profit would not reach the outlay. A well-known saying is: "You can fool some people all the time, and all the people some time, but you cannot fool all the people all the time."

The greatest danger of the present system is the indifference of the voters, many of whom do not go to the polls; just as small shareholders in stock companies mostly do not attend at the general meetings, or do not even send proxies, unless somebody specially asks for them. Their other interests outweigh too much the one influenced by their vote to make the sacrifice of time worth their while. Social reform will change this.

The administration of the people's land under land nationalization, the management of the currency, organization of distribution, perhaps also of certain branches of production, are public measures so deeply touching the self-interest of the voter that he will be as eager to be represented as the large shareholder is certain to look after his own interests in a stock company.—Even with the best systems of voting, and the most general participation of the people at the elections, it is not possible to be absolutely certain that the views of the voters are really faithfully represented. Leaving even the question of honesty apart, it is not to be supposed that one man will exactly hold the same views on every point as another, and generally the elector must be satisfied if his representative is at one with him on some important points, though he may diverge in others. An *imperative mandate* might obviate this inconvenience. Each representative represents as many votes as he received, and has always to deliver the votes of his mandators where he has not been given full liberty to vote as he pleases. The principal objection against this system—which caused its abandonment after it was tried in the beginning of the French Revolution, when the representative arrived with his cahier, which directed his votes—no more exists. The general ignorance then was so great that no hope of reform could be entertained except by sending the most intelligent men to mutually enlighten each other. Binding the delegate beforehand meant simply renouncing every hope of arriving at any useful solution. This has entirely changed in our times. Our public school system, the public meeting, the press, and the accessibility of literature, have disseminated general enlightenment, and the representative is sent less to form his own opinions than to give

vent to those already held by his electors. The cases where speeches in Parliament influence the votes have become more and more the exception. The party meeting often decides beforehand how each member is to vote, and the speeches are usually made for the constituency, or for the people at large, which could be reached by other means. A reader of certain parliamentary debates is often struck by the strange fact that some bills are passed by a large majority after almost every speaker has opposed them. The majority, certain of the result and not wishing to waste time, keeps silent, and lets the opposition do all the talking. Many members sit in the refreshment-rooms or chat in the lobbies, and only come in when a division takes place.

The single change, which an imperative mandate would bring into the system, would be the substitution of the elector's mandate for that of the party meeting. It is therefore mere nonsense to consider such a mandate as derogatory to the dignity of the member, who feels no such scruple when he votes as the party dictates. There is still plenty of work to be done which requires the exercise of his personal intelligence and initiative, such as the wording of laws (the principles only of which have been decided for him), the perusal of the public accounts, the investigation of abuses, the control of the executive, etc. A lot of useless talk could be done away with, if each elector's imperative mandate were registered at the beginning of every session, and debates avoided where a decision has already been arrived at by the majority of the electors, or as soon as a majority is reached through additional votes sent to the chairman during the debate. Such votes may come from electors who have reserved their mandates, or from the representatives as far as they possess free mandates, i.e. full power to vote as they please. In such a case, the debate would at once be closed. There are plenty of other possibilities to get rid of suppressed speeches, without spending the people's time and money thereby!

However, there might be some inconveniences connected with such a system, and in any event another remedy against the despotism of the representation has been obtaining great popularity: the direct vote in its modern form, *the Referendum and the Initiative*.

This system was first adopted in Switzerland, where it takes the place of the old Germanic and also old Greek and Roman custom—as yet existing, as the *Landsgemeinde*, in some Swiss cantons, and, in the New England town meetings—of having the people decide by their direct vote, in public meetings, what laws they want and what expenditures they authorize. The old system would not be applicable to the administration of a modern state, and the referendum—the referring of decisions to the approval or negation of the people's vote—has taken the place of the old folk-mote. The Swiss have two kinds of referendum, the optional (facultative) and the obligatory, or compulsory. The one is taken whenever a certain number of voters demand it; the other has to be taken before certain laws become valid, or before expenditure, beyond certain limits, is allowed. The right of the Initiative enables a certain number of voters to propose a law. It would be useless to deny that the referendum has not always given the best of results, if the results are judged by the most intelligent section of the community. A river cannot mount higher than its source, and a people will not dictate better laws than their understanding permits. The intellectual aristocracy, who think themselves fitted to educate the masses, believe they can best do so by passing progressive laws, even if these laws go beyond the people's wishes for the time. They feel sure that the masses will soon be educated up to the laws. It is the system of benevolent despotism, of which some think that it produced good results in its time. The safest plan, however, and the only possible one under a real democracy, is to wait until the people are ripe for progress, instead of presuming to force on them the progressive measures in the expectation that these will accelerate the ripening process.

The rising sun first illuminates the highest peaks, whose brilliancy announces the coming day. The complete victory over the sway of darkness, however, is only gained when the whole body of the mountains and finally of the lower country is lighted. So the world's great men merely indicate the lines of future advance, but this advance is only accomplished when the

intellectual progress has become the property of the masses from the monopoly of the few. The Swiss progressives have long since learnt this, and they humbly bow to the will of the people, even where the best laws are rejected by the referendum vote. So, for instance, when the law for workers' insurance against disease and accident—the result of ten years' hard work—was passed by the two houses of the legislature; but when it was submitted to the popular verdict, May 20, 1900, the Swiss people refused it, with 341,254 against 146,954 votes. The further education of the masses since then had the result of bringing out another law, which is under discussion while I add this, in June, 1908, and which has the best prospects of adoption by the people.

This proves how little the representative sometimes represents the people's ideas; also, in the middle of the nineties, a military law was adopted by a vote of 111 to 9 by the Nationalrath, and by 30 to 12 by the Ständerath, and was rejected by the referendum with 269,751 against 195,278.

The Referendum is a reform urgently demanded, and one which no really democratic country ought to be without. One State of the Union after another is adopting it as the surest remedy against boss rule and graft.² The Initiative, though not quite as important, is also desirable, to enable the people to overcome the inertia of their legislators, sometimes caused by impure motives; and their subsequent failure to pass certain laws, which are demanded by popular opinion. The Recall, the right to dismiss at any time a representative, when a majority vote against him at a poll taken upon the demand of a certain number of his constituents, proves that he no longer enjoys the confidence of his electors, is another commendable democratic measure. The main result of this right would be to strengthen the impulse to resign, engendered by decency, whenever a representative becomes doubtful as to his position with his electors. Any sensitive man would in such a case submit to the test of a new election of his own initiative, rather than continue in a dubious position. The Recall would also be a wholesome strengthener of an elected candidate's faithfulness to election promises. It would not be applicable, however, under the proportional vote on the Hare system, and at all events is not of great importance where the representative is kept in order by the referendum bridle.

For constitutional changes, a majority vote of the people—of all entitled to vote, not only of those actually voting—ought to be demanded; and among such constitutional laws that which restores the land to the people ought to be placed. In fact, from an ethical point of view, the people have no jurisdiction here; they have no authority to give away the heirloom of unborn generations; they have no right to re-create private land monopoly after it once has been terminated. Every new child born into the world could claim the privilege to nullify any enactment that deprived him of his full share in God's gift. Any other obstacle to changes in the constitution but the requisition of such a majority of the whole people might turn justified conservatism into a clog to legitimate progress. We must not forget that a majority of all entitled to vote means considerably more than a mere majority of those actually voting.

To introduce such a radical change into the constitution of the United States will not be found an easy matter in consequence of the power given to the smaller States to resist constitutional changes demanded by the majority of the nation; but the final victory of the latter cannot remain doubtful. Archives full of once valid but long since worthless State documents, and many a bloody page of history, show us which way as a rule victory finally went in the battle of which is to govern: the people or the parchment? The change must come or the United States will cease to be a democracy.

The question of constitutional changes brings up that other one of the constitutionality of laws. Who is to decide whether a certain law keeps within the bounds of the constitution? The United States allow such power to the courts, who thus override the law-giving power of the people, delegated to the State legislatures and to Congress. We know that the courts make a liberal use of this power. I need only recall the Income Tax Law, passed by Congress and the President, but annulled by the Supreme Court of the United States, or rather, as has been a

common thing lately, by one judge, who gave the fifth vote against four on the other side. Or that recent decision of the same Court and single vote, affirming the unconstitutionality of a law of the State of New York, which, in the interest of health, limited the working hours of New York bakers. It is highly instructive to note the grounds on which sometimes laws are declared unconstitutional. The New York law was supposed to infringe the freedom of contract guaranteed by the Constitution of the United States—freedom of contract, where one of the contracting parties has to starve, if he does not accept work regardless of terms! Or a late decision of a San Diego court, which declared this city's Referendum law unconstitutional, because it was on the lines of a pure democracy, while "the law-making power of a city must remain in a representative legislative body." As if it were not the business of the people to choose the means by which they will give expression to the views of the majority! It is no wonder that the power thus exercised by the courts, a power, which subordinates the legislature to the judicial department, grows in disfavor. The people, as the source of the constitution, are the final judge as to the constitutionality of laws, and to the people the last appeal must lie in each case where a court declares a law unconstitutional. If they decide by a majority vote, such as will authorize changes in the constitution, that the law stands, then the judgment of the court ought to be annulled. The simplification of such changes, as here proposed, will make such appeals less cumbersome than they would be with the present apparatus, at least as far as the national constitution is concerned. The pastime of declaring laws unconstitutional might be less frequently indulged in if the third failure of any judge in such an attempt would involve his incapacity of further serving on the bench.

One of the most important questions which will come up when future changes in the constitution are made by the people will be the composition of our present second chamber, the Senate of the United States. Second chambers, often wrongly called first chambers, are, anyhow, in very bad repute with democrats. My old friend, J. Morrison Davidson, than whom no better and sincerer democrat ever drew breath, makes out their bill of indictment in his *Politics for the People* (London, Reeves), especially that of the mother of second chambers, the British House of Lords, an anachronism, and a dangerous one at that. Mr. Davidson has drawn up an ominous list of its sins against the people, in proof that it has opposed any kind of progress, and usually has only yielded out of fear. But its very origin must condemn it, for its authority is based on the foulest wrong ever committed against the people of England: the robbery of their land. Its only title is that of usurpation based upon usurpation. The lords first stole the people's land, and then founded their hereditary privilege of governing the country upon the possession of the soil. As the same author points out, the American Senate was nothing but a servile copy of a bad precedent, with its own goodish quota of sins in addition, especially in the matter of slavery. "Suffice it to say that, but for the existence of the American Second Chamber, the Republic would have been spared all the horrors of the Civil War, with its holocaust of 900,000 lives and its loss of £1,400,000,000 of treasure," is the summing up of the history of the Secession War by our friend. "Wherever two chambers exist, one must be master; and, unfortunately for the Western republic, the master is the plutocratic upper chamber. Hence Lord Salisbury's admiration for the American Senate, in which the little State of Delaware is put on a footing of equality with that of New York, with more than thirty times its population."

It seems to me, however, my worthy friend goes too far when he concludes, from cases where the so-called upper chambers did not represent the people's will, through an unjust composition, that second chambers by themselves are a bad institution, and that, if the second chamber represents the people as much as the other chamber, it simply supplies a needless repetition of the same vote. Two bodies, though of the same origin, may have different ideas on some points. We have seen, in discussing the referendum, that the representative does not always correctly represent the people's wishes, and two representatives elected by the same vote often differ. The history of the French Convention, on the other hand, proves that the

pendulum has its good uses. It is true that to a certain extent the referendum can undertake its regulation; but a second chamber might in many cases save the trouble of recurring to the referendum.

Certainly it would be far better if a second chamber could be obtained which in a high degree represents popular opinion, without being a mere duplication of the other body, but how attain this end? A different division of the electoral districts would not be feasible under the proportional vote. Wealth should be as little a determining factor in the franchise for one chamber as for the other, especially in a country where common land ownership makes the whole people proprietors. Nor are appointments by the Government to be recommended; for the legislature ought to control the Government, and an administrator ought not to be allowed to select his own auditor.

I think a good idea would be to limit the franchise of the second chamber to all citizens above a certain age, say forty. Not the passive franchise, as in Sparta's Gerontes (Council of the Aged), but the active franchise. Only the citizens beyond a certain ripe age have the right to vote for the second chamber, but I see no objection to their choosing younger men if they wish to. Wherever younger men are elected by their elders, we may suppose that they possess a greater ripeness of judgment than the average men of their age.

Most of us who have lived a certain number of years are astonished to see, when we look back on our state of mind as it was in our youth, in what different aspects men and things appeared to us, how much we owe to a ripened experience. There is a great difference in the judgment of the average man above forty and the average man below forty. They have a joke against a certain country in Germany—Württemberg—that the people there only become reasonable at forty. A cooler reflection on the consequences of certain measures, the outcome of temperament and experience, gives the riper men a decided superiority as critics, and thus they are eminently fitted for the work in question.

The referendum is not the only institution for which little Switzerland, the purest democracy in the world, might afford America an object lesson. Its Executive is also far superior to ours. There the Parliament appoints a committee which carries on the executive work of the Government, each of the members undertaking a special branch of the administration, and which elects one of their number as their president for the year. The two chambers meet together and elect the seven members of the Federal Council for three years. The President is only the chairman of a board, without any other privilege. The system works to perfection, and yet there is an agitation towards a change in the constitution, which would place the election of the Council in the hands of the people—changing the indirect election into a direct one, which constitutes a real progress only under a good proportional voting system. Without it, the direct system is certainly more democratic in theory; but in practice, as we have seen, in our country, a miserable nomination system clogs it with the defects of the indirect system, and without preserving the advantages of the latter. Practically, the nominating caucus of one of the two main parties elects, and, as a rule, this caucus is not elected by the people as a whole, but by political clubs, usually domineered by a few politicians. The attempts made by some of our States to substitute the regular vote of the whole people for that of unauthorized self-elected political clubs are certainly in the right direction, and, if the people voting at the primary elections selected their delegates on the Hare system, nothing further could be desired. This would combine the advantages of the indirect with those of the direct system, where one or a few officials are elected by a large constituency. It would be the system, which ought to govern our Presidential elections. The nominations would not be left to irresponsible conventions, without any mandate from the people, but to the product of the primary election, the Electoral College, to whom the present constitution entrusts the election. But this college, far from being a meeting of dummies, ordered to elect the President whom the majority party has nominated, into which custom has transformed it, would then be a congress of independent delegates, entrusted with the task of nominating and presenting to

the people's choice two sets of candidates. Of course, the members of the College ought to be elected on the proportional system, so that all parties are fairly represented among the delegates from each State. Those members of the College who have no chance of bringing through their own candidates would then use their influence to insure the nomination of their second choice candidates, i.e. those candidates selected by another party who are most acceptable to them, or, at all events, the lesser evil, if they cannot pass their own. Under the present system they are not only absolutely disfranchised, but their very attempt at carrying through an independent third party candidate may insure the victory of the party most obnoxious to them.

The reform here proposed would not only free the birth of new parties from such risks; it would do more than that. It would bring to their ranks many thousands of voters whom the danger of insuring the victory of their worst enemies today keeps from voting for the men of their first choice. Nominations by an independent college, issuing from the direct proportional vote, would thus facilitate in this country the peaceable success of new parties which hardly anything short of a real revolution could bring to the top under existing circumstances. At the same time the new system would protect the old parties from sudden discomfiture by a revolutionary minority, though relative majority, by enabling them to defeat the common enemy at the last moment, through their joint vote. All this could be accomplished without any more work and expense than are entailed by the present system, because we should do away with the whole claptrap of the existing convention business; the jugglery by which the bosses and their tools manage to endow with the appearance of life the corpses of old rotten party organizations. Those to whom this appears a harsh judgment had better remember the election of 1904, and the part which plutocratic influence played in the Democratic nomination. Does anybody really believe that an official convention (the new Electoral College here proposed), chosen by the proportional vote, would ever have made such a nomination? Or, in other words, that the Democratic party, as a whole, would have really enlisted under such a standard? The answer was given by the thousands of Democrats, who either abstained, or else voted for the opposite party, rather than vote for the candidate of bosses, bought by or acting for plutocracy.

The members of the cabinet could be nominated by the same Electoral College and elected at the same general election, or they could be appointed in the present way.

This chapter would become too long if it treated all the reforms our Constitution requires to make it an instrument for the expression of a free nation's will, instead of a curb upon democracy. As an instance, I only mention the absolutely undemocratic system which delays the entrance into office of the newly elected President and congressmen for four months, so that in the interim often men legislate and govern who have lost the people's confidence. The last four months of President Buchanan's administration supply the best proof of the fatal consequences. If Lincoln and the newly elected members of congress could have taken their seats immediately after their election, the Southern States would not have been given the time for that preparation for the Civil War which Buchanan's inactivity afforded them.