

WHAT ARE THE CONDITIONS WHICH DETERMINE THE JUST AND EQUITABLE REPRESENTATION OF THE PEOPLE?

BY R. M. JOHNSTON, F.L.S.

To secure a just and equitable representation of the people in Parliament is a matter which has at all times engaged the attention of thoughtful, practical legislators, and of great thinkers. That the idealist should be far in advance of the practical legislator is what we must naturally expect; for in their ideal schemes of "The Best Form of Government," or "The Best Form of Representation," the former may easily overlook or surmount obstacles by assumptions which are not open to the practical legislator who attempts to reduce any ideal to practice. If knowledge and justice were synonymous, there would be less difficulty as regards the attainment of an ideally perfect representation, for this might be secured by basing the electorate upon some common fixed minimum standard of education. But the practical legislator cannot entertain this dream, for his experience has too well taught him that selfishness and injustice are not eliminated by greater intelligence, nor is the sense of justice necessarily absent where the intelligence is small. An education standard, therefore, only helps us a very little way towards securing a basis for the formation of a just representation of the people. Indeed, another chapter in history is no longer necessary to us to demonstrate that the great barrier to just representation in the future is *immediate self-interest*, not *ignorance*. Self-interest is not always base, in the sense of being restricted to the individual, although it is always distinguished as the centre of those graduated rings of sympathies and interests which are in greatest harmony with those of the individual. These rings of sympathies, however, are themselves variable and complex, and sometimes conflict with each other.

The interests and sympathies which most strongly affect all individuals in common are approximately related to the individual in the following order, which, in a general way, correspond with a diminution of intensity, viz.:

PUBLIC INTERESTS.			
1.		INDIVIDUALS OF THE FAMILY GROUP.	Invariable, and simple within the Family Group.
2.	FAMILY	FAMILY.	Practically the same.
3.		HEAD OF FAMILY.	Ditto, ditto.
↓	↓	↓	↓
4.	NATIONAL	Locality Interests.	Class Interests.
		Moral Sympathies.	Interests variable and often conflicting in the same individual.

From this analysis we perceive that an ideally just representation of the people must be based upon the family, whose interests from a social point of view are in common, and are usually centred in *one* person, who by nature and affection stands as their natural guardian and representative to the outer world. At this stage the *foe* to just representation at a later stage is rendered comparatively harmless by the short range yet locally dominating altruistic attributes, such as the spontaneous love, affection, friendship, or powerful sense of duty, always more or less active, either in subduing the narrower forms of selfishness within the family group, or in so modifying its influence as to become beneficial, not harmful, to the family interest as a whole.

Any scheme of representation, therefore, which would aim at penetrating the solidarity of the family by proffering separate electoral rights to each of its existing component members would do more harm than good, for it would destroy the true foundation upon which good government rests, viz., the altruistic virtues evoked and fostered within the family circle. The question of *Female Suffrage* is reduced to a small compass when considered from this point of view.

The natural guardian of each family is also, as a rule, the breadwinner, and therefore the *naturally elected* representative of the dependent wife, child, or relative. It is manifest also that artificial representation should only begin where natural representation ends, *i.e.*, in the natural representative of the *family*. It excludes the dependants, not merely because they are females, or because the male dependants are under 21 years of age, but mainly because all such are naturally comprehended in their natural representative—the householder. There is no artificial determination of what constitutes a householder. Whatever natural condition exists which calls one person out to be regarded as the head of the family group suffices—whether it be the father, widowed mother, elder brother, or elder sister—so long as such one is regarded by the family group as the nominal head or guardian. The natural unit of the electorate of any population is the “Householder”—not “males 21 years of age and over.” The males of a population, 21 years of age and over, as such have no natural right to be singled out from women and children as representative electors of the community other than the savage one of being the *stronger*. Of course there are reasons, if not rights, why single men of 21 years and over may have some claim to electoral privileges, *e.g.*: 1. They may not be represented by any natural guardian or householder. 2. They may be independent breadwinners, and thus independently contribute to the taxation necessary for the government of the country. 3. *They may specially be drawn upon to defend the State in the case of war or disturbance*

to the peace of the community. But the two first reasons also apply to all single adult female breadwinners, who are neither householders nor represented by natural guardians. It is the third reason which alone gives a special claim to single adult male breadwinners who are neither householders nor represented by any natural guardian. Still the grounds upon which their title to vote as electors rest are much inferior to householders who are also natural guardians and representatives of the greater half of the population. The former are units, which represent themselves *alone*; the latter not only represent themselves, but also represent on the average from two to three dependent persons, the support of whom correspondingly increases the amount of taxation which each householder contributes to the support of government. If, therefore, the single adult breadwinner has a legitimate claim to be an elector, the householder's claim is at least three-fold greater.

From what has been observed it is manifest that each electoral district should be represented in Parliament as nearly as practicable in accordance with the number of its population rather than with the numbers of electors, as urged by some. This, however, is a purely theoretical consideration; for in a general way the electors of a given district are nearly in the same proportion to all electors as its population is to the total population. But in exceptional cases, where it is not so, the population base for equitable representation has a much greater claim than the electoral base. There are other considerations why the *population quota* is preferable to the *elector quota* in determining the representative value of any electoral district. Many electors have votes for more than the one district in which the elector and his family resides. Such an one cannot be placed upon equality with the resident elector whose whole interest, including his dependants (non-electors) are bound up in the particular district. The non-resident elector element in the *elector quota*, therefore, destroys its value, and strengthens the grounds upon which representation by *population quota* is sustained. But some may still urge the old fallacious plea, Has property no just claim to representation? So far as the general government of a new country is concerned, the interests of property-holders are quite as varied and conflicting as the population interests *per se*, and the population of a particular district has more interests in common with the property interests within its border than have the property interests of different districts with each other; *e.g.*: The burning question in young colonies is the development of its lands and industries rather than incidence of taxation, and the aid of the General Government in the construction of roads, bridges, harbours, railways, telegraphs, etc., is the rock upon which the interests

of property, and people alike, split up into rival interests. The interests of the locality in young colonies are therefore upon the whole the dominating ones ; and in these conflicts the local interests of population and property are in unison so far as local matters are concerned, and together they are in rivalry with similarly combined interests of other localities. Moreover, it must be borne in mind that it is only in matters relating to Municipal Government that property, as such, has a just claim for special consideration in matters relating to representation.

The whole of the advantages secured in urban communities under Municipal Government may include Water Supply, Formation and Repairs to Streets and Footpaths, Sanitation, Protection to Persons and Real and Personal Property, Parks and Recreation Grounds, Street Lighting, etc. The enjoyment of all such benefits may be said to be equally distributed to each member of the community. That is, no matter whether any one person of the community pays little, much, or none of the taxation necessary to provide for most of these common benefits, each individual has the enjoyment of them *equally*. It is therefore reasonable that some extra share of the control and distribution of such common advantages should be placed in the hands of those who individually contribute the greatest share of the taxation necessary to provide for them.

Without such a safeguard it is conceivable that the luxurious demands of a majority who pay little or nothing towards their provision and maintenance might, by an extravagance which does not touch their pockets, almost ruin the minority, who are forced to defray the expenditure.

Having touched upon three distinct considerations which are somehow to be taken into account (Population, Electors, and Property) in the determination of any just and equitable representation of the people, it has been shown that so far as the functions delegated to a General Government are concerned, the best form of representation should be based rather upon the population quota method than upon either the elector or property quota, or upon any combination of these. It is advantageous, however, to show that population *per se* is not only theoretically the fairer method, but from the nature of things it fundamentally determines the number of electors as well as the amount of property. For whatever differences may be shown by individual districts from one another, on the whole, the population quota to the total population will yield for nearly all districts the same representation as the elector quota does relative to the total number of electors, or as the property quota does relative to the total amount of property. Indeed, broadly speaking, the number of the population is not only the fundamental

cause or root of the dimensions of the other two categories, but it may be safely taken as a unit measure or index of them. This is significantly illustrated by the following contrasts with respect to the principal divisions of Tasmania, taking a common division (40) for determining the respective quotas:—

	ABSOLUTE.			PROPORTION PER QUOTA.					
	Property Capital Value.*	Electors. No. †	Population. No. †	Property.	Electors.	Population.	Mean of Three.	Mean of Electors and Population alone.	Mean Approx. Population.
North-Eastern Division...	£ 6,693,969	9,792	47,664	11.86	12.71	13.00	12.52	12.85	13
North-Western Division...	3,270,802	6,051	27,213	6.06	7.85	7.41	7.11	7.63	7
Midland Division ...	4,521,300	2,737	13,406	8.37	3.55	3.67	5.19	3.61	4
South-Eastern and South-Western Division ...	7,403,762	12,237	58,384	13.71	15.89	15.92	15.18	15.91	16
TOTAL ...	21,692,773	30,817	146,667	40	40	40	40	40	40
Quota 1-40th ...	540,069	779	3,667	1	1	1	1	1	1

* 1890. † Census Year 1891

Practically the proportion per quota of electors and population yield the same result in the detail representation for each sub-division; and the proportion per quota of property is remarkably close upon the whole.

Nay, so far as urban populations are concerned, the proportion per quota yielded by Property, Electors, and Populations invariably shows the very closest correspondence, thus :—

—	ABSOLUTE.			PROPORTION PER QUOTA.			
	Property Cap. Value.	Electors. No.	Popu- lation. No.	Property.	Electors.	Popu- lation.	Mean Approximate Population.
Hobart ...	3,134,539	5,237	24,905	5·80	6·80	6·79	7
Launceston	2,768,501	3,746	17,208	5·13	4·86	4·69	5
Both ...	5,903,040	8,983	42,113	10·93	11·66	11·50	12
Quota ...	540,069	779	3,667	1·	1·	1·	1

REPRESENTATION OF LOCALITIES

Having disposed of the question regarding the best method to be adopted for securing a just and equitable representation of the people, there is still a most important end to be secured, viz., a just and equitable representation for distinct localities. For it may readily be conceived that, although each individual of a quota had an equal voice in the selection of the Parliamentary representative, their *locality interests*, by the bad grouping of the boundaries or limits of the electoral district, may be so conflicting as to deprive the electors of power to give effect to them; or, what is the same, their representative would be so hampered by rival suggestions, destructive of each other in regard to locality interests, that he would be powerless to take any action in Parliament in respect of either rival interest.

This is more readily appreciated when we remember that each elector is governed by at least three primary interests, which often conflict with each other in respect to his own individual choice, viz.:—

1. Religious, Moral, and Intellectual Interests and Sympathies.
2. Trade or Calling, or Class Interests and Sympathies.
3. Locality Interests and Sympathies.
4. Personal Sympathies.

It may so happen that during the conflict of one election his mind may be dominated by the first of these, as in the case of the present elections in Ulster, *i.e.*, by religious sympathies. At another time class interests may dominate, as when the question of the day turns upon the relations between Capital and Labour. Again, if the burning question of the day turns upon rival routes for railways, or for the fair claims of the district to a share in the expenditure for the construction of roads or important public works, the locality interests of the individual electors may for the time being become the dominant ones in determining his action or choice. The definition of electoral boundaries, however determined, and so long as they are fairly represented on the basis of population, do not involve serious difficulties to the individual elector in exercising his influence upon the Central Government with respect to his various and variable interests, if we except the interests of locality.

To afford the individual the full force of his electoral privileges in respect of locality, it is necessary that the interests of all electors within any distinct electoral area should be in harmony, *i.e.*, that no important portion of the district should act as a dead weight owing to its locality interests being on geographical or other grounds more identified with some neighbouring electoral district than with its own.

How to secure fair representation on the basis of numbers whilst still preserving intact the solidarity of locality interests is the great problem which the practical politician has to solve; and it is a problem which is surrounded with many more practical difficulties than any of the schemes for representation which are confined to the representation of the person alone. It would not be difficult to divide the country into distinct electoral districts, whose locality interests are fairly identical, solely upon some physical or geographical basis. Nor would it be a difficult matter to cut up the whole country into electoral district units on the basis of population alone.

The practical difficulty only appears when we try to obtain an electoral district unit of representation which will fairly coincide with both of these important considerations.

As a matter of fact, the perfect attainment of such an ideal is utterly impossible. To secure one of its important aims rigidly would in most cases only be attained by the sacrifice of ideal fairness in respect of the other. Fairly perfect units coinciding in both aims would be purely accidental, temporary and exceptional.

Let us examine this matter a little more closely.

Locality interests should mainly be determined by the following circumstances:—

DESIDERATA, OR PRINCIPLES.

1. The interests of the principal industries carried on within the district are not of a conflicting character, *i.e.*, they are mainly Agricultural, Pastoral, Mineral, or Industrial, as the case may be.
2. The main channels of communication by Road or Rail are common to the particular sub-divisions contained therein.
3. The minor or Road Districts included within the district are so far harmonious that they meet in common in the trunk system of the particular Electoral District.
4. The centre or centres for the administration of justice, law, protection, and registration within the district are more convenient to all its sub-divisions than to the corresponding centres of neighbouring Electoral Districts, allowance being made as regards the borderlands, especially of Rural Districts and Urban Districts, where it must ever happen that the inhabitants of a Rural District Boundary *touching* an Urban District Boundary are nearer, or as near, to the Urban centres than to those of their own.

These are the principal conditions which determine the nature of an ideally perfect electoral district based upon locality interests.

The conditions which are demanded by representation on the basis of population are, that every electoral district shall, as nearly as possible, contain one quota of the total population, or in exceptionally populous geographically undivided districts two or more *complete quotas*!

But the density of population of many large distinct geographical areas is so small that it would require to unite as many of them as would cover an area of 3,280 square miles (Franklin) to enable us to satisfy the claims of fairness of representation on the basis of numbers, that is, one quota of the total population; while others (Hobart city) are so dense that 1.98 square miles embraces as many persons as would fairly constitute seven complete quotas. But how are we to reconcile two rival claims for distinct representation, one of which we may call the geographical unit, is rigidly fixed for all time, and the other—the population unit—which

varies each day in accordance with the actual changes brought about, naturally by births and deaths, and artificially by constant movements of the population to or from old or new centres of population? Even if we could fix an exact and coincidentally fair representation for all districts at any one moment, such is the variableness of growth or decline ever going on in various districts that it would certainly be out of perfect harmony in both respects within the space of a few weeks.

It is clear, therefore, that the ideal of a perfectly exact and fair representation on the basis of distinct natural geographical units and single population or electoral quotas is practically unattainable, and therefore any objections that may be put forward *on such grounds* to any scheme of representation whatever, will in itself be no conclusive evidence against or for such a scheme, whether good or bad. It will only amount to a truism expressive of the fact *that the impossible has not been achieved*. It is, however, practicable to attain a fair approximation to our ideal in both its important aspects if the two standards of fair and equitable representation be used as tests for measuring the relative value of different plans which most nearly satisfy their claims.

The following are the principles by which a fair and just scheme of Representation may always be preserved, which unites the distinct claims of the solidarity of distinct geographical units with those which rest on the claims of numbers:—

PRINCIPLES.

1. Preserve all Geographical Districts as Single Electoral Districts, whose population does not exceed or fall below the population or Electoral quota by 25 per cent.
2. Unite two or more sparsely populated but distinct Geographical Districts, so that combined they approximate to a full Electoral quota.
3. Where two contiguous Geographical Districts already constitute two single Electoral Districts, only give two Representatives taken separately, but if united would represent three quotas nearly.—Unite the two to form a single Three-member District, with the consent of the Representatives of the original districts in cases where it is impracticable to form a third separate district whose boundaries would not transgress in matters essential to Locality Interests.

4. In fixing the total number of Representatives leave a margin in the aggregate, so that from time to time a single member may be added—in case of a new centre springing rapidly into existence, or an old one suddenly expanding—without any disturbance to other districts, which comparatively may be unaffected in their relation to the Electoral quota—*e.g.*: If the normal number be determined to be 40, fix the standard thus, “not less than 40 and not exceeding 44.”
5. In areas that are progressive do not add an additional member for excess of quota until it reaches at least 75 per cent. of the full quota.
6. In declining areas do not cancel the representative of a geographical unit or Electoral District until the deficiency below the quota falls below it by 40 per cent. of the said quota.
7. Where two contiguous Electoral Districts exist, one decreasing in numbers and the other making a corresponding increase, adjustment may be preserved in relation to quota either by amalgamating the two as a single Two-member District, or if not infringing upon the solidarity of Locality Interests of one of them, annex one or more of the complete sub-divisions—say Road Districts—to the smaller population, where it would produce the desired distribution of population.
8. As Local Taxation is levied on the basis of Assessment Rolls relating to Road Trusts and Municipal Districts, and as Population Statistics are obtained in relation to Registration Districts, it is absolutely necessary for determining the Population, Amount of Property, and Trade and Industry of any Division, whether Electoral, Municipal, Registration, or Road Trust, that there should be a systematised plan of harmony between the smaller and the larger divisions.

In urban districts the municipal area should be a multiple exactly of the electoral unit. In rural districts the municipal area should be an exact multiple of complete road district divisions plus its non-road district area regarded as one of the units: and the municipal and electoral district should be so related that the larger of the two should be an exact multiple of the other. The registration district should be identical with one or more multiples of some

of the aforesaid divisions. In this way information relating to Population, Trade and Industry and Property obtained by any of the modes now in operation could be readily related to any of the several forms of district groupings. The grand principle of harmony of districts being that the larger division boundary should *coincide exactly* with the corresponding outermost limits of the lesser but complete divisions contained within it. Negatively it may be stated as follows :—

- (a.) Any Road District should not form parts of two or more Municipal Districts.
- (b.) Any Municipal District should not form parts of two or more Electoral Districts.
- (c.) Any Electoral District (Urban Centres perhaps excepted) should not form parts of two or more Municipal Districts.

To secure with greatest economy the valuation of property or the state of any industry, the Rolls or Schedules should not be based solely upon the alphabetical order of either streets or names of persons (occupiers), but rather the alphabetical order should be subordinate to one of the smaller systematic sub-division of municipal districts, thus:—

PLAN of MUNICIPAL or POLICE ASSESSMENT ROLL.

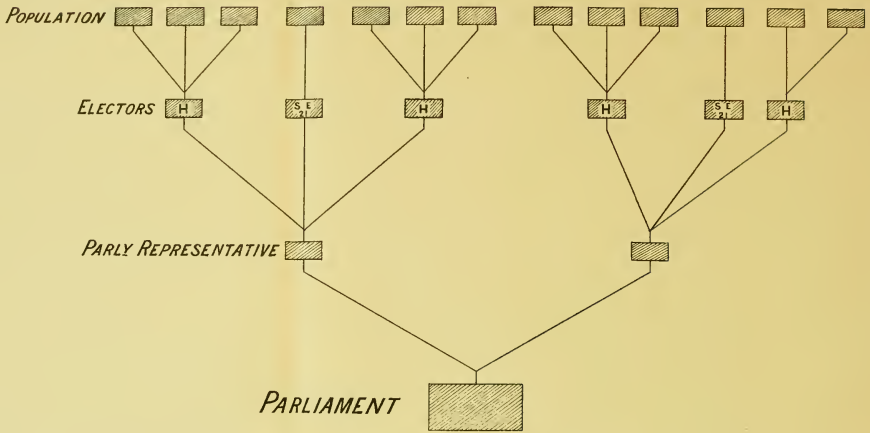
ALPHABETICAL ORDER.	ROAD DISTRICT.	ELECTORAL DISTRICT.	MUNICIPAL DISTRICT.
Names. a b c Total.....	A	}	}
Names. a b c Total	B	}	x
Names. a b c Total.....	C	}	}
	Total		
Names. a b c Total..	D	}	}
Names. a b c Total.....	E	}	y
Names. a b c Total.....	F	}	}

			SUMMARY.
			Electoral District <i>x</i> .
	Road District	A...	
	" "	B...	
	" "	C...	
			Total Electoral Dis-
			trict <i>x</i>
			Electoral District <i>y</i> .
	Road District	D ...	
	" "	E ...	
	" "	F ...	
			Total Electoral Dis-
			trict <i>y</i>
			Grand Total ...
			Municipal District

If a scheme of representation satisfies all these conditions, it is the best scheme which is practically attainable, and is not defective from this point of view, even when it may show in many instances a considerable departure from the ideal standard of perfection.

7 June 1880

— REPRESENTATION OF THE PEOPLE. —



== POPULATION ==

