

# Proportional Representation For Our Municipal Governments

By ALFIN S. VICENCIO \*

**I**N those countries where democracy has become ingrained in the hearts and souls of the people, ways and means are continuously devised to make the government truly a government of the people, by the people and for the people. Thus, in the middle of the nineteenth century, the theory of proportional representation was conceived in the minds of certain Englishmen. Notwithstanding strong opposition, this theory gradually won more and more adherents until today proportional representation may well be said to have found a solid foothold in the leading democracies of the world. Of course, the system is not without its defects and weaknesses, for there is no such thing as a perfect instrument of government. But it is safe to prophesy that with the introduction of the proper remedies, proportional representation will someday win universal support and recognition.

Conscious of the growing popularity of the system of proportional representation, the writer has seriously considered the advisability of applying proportional representation in the selection of our elective officials. At this stage of our country's existence, it is necessary that we adopt that which we think is best for our government. Any delay may prove disastrous. As our national law-making body, the National Assembly, is not elected by the country at large but by representative districts, the system of pro-

portional representation is impossible of application. The writer, therefore, believes that if proportional representation is to be introduced in the Philippines, it can be worked out only in connection with the election of municipal and city councilors because they are elected by their respective municipality or city irrespective of districts.

It is, therefore, the purpose of this thesis to acquaint the reader with the system of proportional representation as is being worked out typically in the City of New York in the United States. At the outset, however, the writer desires to state that he claims no originality in connection with the description of the working of proportional representation in the United States, acknowledgment being due to famous students and writers of the art of government.

## GENERAL PRINCIPLES OF PROPORTIONAL REPRESENTATION

### 1. *Definition and History.*

Proportional representation, as its name suggests, is the result obtained when the members of legislative bodies are so chosen that each party or faction in the voting population is represented by a number of delegates proportionate to its numerical voting strength. (22 *The Americana* 666). In other words, proportional representation is a method of electing members of a legislative council or body in such a way as to give a fair representation to all voters in proportion to their number

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\* LL.B., University of the Philippines.

Proportional representation is likened by some students of government to minority representation, a typical form of which is that now found in the State of Illinois. This State has been using this method of representation since 1870. The chief difference between proportional representation and minority representation, however, is that the latter system seeks to secure the representation only of the leading minority party or parties while the former assures representation to any minority party having the required voting strength.

The origin of proportional representation may be traced back to the middle of the nineteenth century in England when Thomas Hare first expounded this theory. A few years later, John Stuart Mill, convinced of the soundness of the principle, ably defended it and recommended its universal application in England. The proposed introduction of the new system was not, however, without objections from many leading national figures of England, particularly, those who believed in the theory of a two-party system of government. They based their objections largely on the argument that proportional representation is destructive to any two-party system of government, and therefore undemocratic. But the English people in general were not slow in grasping the advantages of the system, and they lost no time in applying this method of popular representation in certain portions of England. The existence of several political parties facilitated the application of the theory of proportional representation.

From England, proportional representation found its way to the New World, but it has been put into practice in the United States only in those rare instances

in which the principle of non-partisanship has found expression. Thus, it may be observed that proportional representation in the United States is confined only to cities in which the new forms of commission or city manager organization have been adopted. At present, the platform of the Socialist Party in the United States endorses its application in State and National governments. Other civic organizations are vigorously conducting educational campaigns in its behalf. (22 *The Americana* 666).

## 2. *Methods of Operation.*

There are two leading methods devised to give effect to the theory of proportional representation. A study of each of these methods will give us a clear idea of the nature and working of this principle of representation. The two leading methods are the single transferable vote and the list system.

### (a) *The Single Transferable Vote.*

This system is most suited or applicable to an election in which several representatives are to be chosen from a large constituency. Suppose six vacancies are to be filled by an electorate of 60,000 voters. Under the usual bi-party system each party would nominate six candidates and the party which cast the majority, or even the plurality in case more than two parties have tickets in the field, would elect all six representatives. It might be, therefore, that 31,000 voters would elect all the representatives and the other 29,000 would go unrepresented. Or it might happen that even a minority portion of the electorates would get all the representation, provided it obtained a plurality vote. But by the use of the single transferable plan of proportional

representation, however, even the minority parties would be represented. In the example given, each voter would vote not for six candidates but for one only. Any candidate who received 10,000, or one-sixth of the total vote cast, would be elected. In this way, any group in the community which had this much voting strength could secure the election of one representative. With no provisions for expressing preference between candidates this system would, of course, tend to give the same representation to all groups of voters alike provided they could each cast a vote of 10,000. A voter might, therefore, find himself wasting his vote by casting it either for a man who has already received more than enough votes to elect him or for a man who did not receive enough to elect him. To avoid this difficulty, the single vote is made transferable by allowing the voter to indicate his second, third, fourth, fifth and sixth choices or as many of them as he cares to indicate. If the man for whom he has expressed his first choice does not need his vote, or cannot be elected even with the aid of it, then his second choice vote is added to the total first choice votes of the man for whom it is expressed, and so on. In this way, by counting as many of the later choices as are necessary to secure the election of six men each group in the electorate is able to elect approximately its proportionate share of the whole number of representatives. In other words, in our example given, 40,000 of the 60,000 could by expressing their first four choices elect four men. (22 *The Americana* 666).

C. G. Hoag and G. H. Hallett clearly explain this method of representation as follows: "The names of all candidates are printed

alphabetically on the ballot and the voter indicates his choices by marking the figure 1 after the name of his first choice, and so on. Then, when the polls are closed, the election officers compute the number of votes needed to elect a candidate and this is called 'the quota.' This they do by dividing the total number of votes cast by the number of places to be filled, plus one, and then adding one to the quotient. For example, let us suppose that 10,000 votes have been cast and that there are seven candidates to be elected. Ten thousand divided by eight (seven plus one) is 1,250, and any candidate who receives 1,251 first choice votes is declared elected. If such candidate, however, has more votes than enough to fill his quota, the surplus votes are distributed in accordance with the indicated second choices among candidates whose quotas have not been filled. If enough candidates are not elected by this process, the candidate with the smallest number of first choices is then dropped and his votes are distributed in the same way. This process of elimination and distribution goes on until enough candidates have filled their quotas or until the successive eliminations have left no more than enough to fill the vacant positions." (Hoag & Hallett, *Proportional Representation*, New York, 1926; William B. Munro, *The Government of American Cities*, 4th ed.; William Anderson, *American City Government*, 1925).

It may be observed from the foregoing description of this system that the whole procedure seems to require a long time before the results can be known. In fact, the serious criticism that has been raised against this system is the length of time it takes to cast the votes, to count them, and to trans-

fer the votes of the defeated candidate.

To do away with this objection, proportional representation voting machines have recently been invented. These machines make it easy for an elector to vote for ten or fifteen choices without undue delay. The City of New York was the first to use these machines very recently. Although their installation was expensive the cost was amply repaid in the saving in time and money. The working of these machines has been described as follows:

"When the voter enters the proportional representation voting machine booth he sees before him a list of the candidates in one horizontal line, in a slanting position, so that they are easily read. This list can be as much as three feet long, so that it can carry as many as 143 candidates if necessary, and above it is an upright about five inches high, having a handle at right angles and a red arrow at its base. The voter moves the upright to the right or left until the arrow points to the name of his first choice, then he pulls the handle forward which punches a card within the machine, then he pushes the handle back and moves the arrow to his second choice, and so on. Each time he votes for a name, a little indicator appears at the lower end of that name so that he can see the ones for which he has voted; the machine also shows for which choice he has voted, a number appearing each time. The machine also gives the voter an opportunity to 'write-in' a name by exposing a part of the card that is being punched. It also has a side lever which can be pushed if he had made a mistake and wishes to vote a new card. This lever discards the first card so that it cannot be counted. All this hap-

pens within the machine. When the voter leaves the booth the curtain lever shifts his card to the receptacle for completed votes and presents a new card for the next voter. The great saving in time takes place when these cards are taken to the central counting place where they are run through a separate machine with speed and accuracy. Four votes a minute are counted and sorted in one machine and a number of machines are used simultaneously. When transfers are made the machine is adjusted to count the second choice holes and then third choices and so forth as needed. With these machines the results are known in two days at most. It is impossible to spoil a vote unless the voter tries to write in names and does it incorrectly, and the delays in counting the paper ballots are entirely avoided." (Dr. William Jay Schieffelin, *Proportional Representation*).

This method of proportional representation known as the Single Transferable Vote is also called the Hare Method, for it was the very one advocated originally by Thomas Hare way back in 1859, although it has been modified in many ways, especially in the matter of the counting of the votes and the procedure in the elimination of weak candidates.

(b) *The List System.*

This system gives the voter a chance to express a preference not only for an individual candidate but also for a party or group. The names of candidates are put on the ballot in lists or blocks so that those of similar views are grouped together. The voter, as in the first system described, has but one vote to cast and he casts it for one candidate on one of the lists. This vote counts one in determining how many candidates the adherents of that list are to

elect and it also counts one toward the election of a single candidate on that list. The proportion of the total vote which is cast for a single list determines the number of representatives which are chosen from that list; and when that number has been determined the highest candidates on the list are chosen. Thus a man may vote for a candidate who is defeated yet at the same time further the election of another candidate from the same list of the party. (22 *The Americana* 666; Thomas H. Reed, *Municipal Government in the United States*; Charles M. Kneiser, *City Government in the United States*).

This system may be illustrated as follows: Suppose in a city or municipality there are six vacant positions for councilmen to be elected by 60,000 voters. And let us suppose that there are three political parties, each having an official list of six official candidates. Naturally, only those candidates who uphold the same principles of government and who are affiliated with the same party are grouped together in one single ticket called the official list of the party. Every voter can vote for only one candidate although six are to be elected. Now let us say that of the 60,000 voters, 30,000 voted for Political Party No. 1, 20,000 voted for Party No. 2, and 10,000 for Party No. 3. Since the proportion of the total vote cast for a single list determines the number of representatives which are chosen from that list, and since, in the example given, a vote of 10,000 is necessary for a party to have one representative, it follows that Party No. 1 will have three representatives, Party No. 2 will have two representatives, and Party No. 3 will have one representative. The question now is who among the

candidates of one party will be declared elected? The answer is to pick out those candidates who have the highest individual votes. Thus, the first three highest in Party No. 1 will be declared elected, the first two highest in Party No. 2 will be declared elected, and the highest candidate in Party No. 3 will also be declared elected.

From the foregoing description of this system of proportional representation, it can be readily seen that a candidate may be declared elected even if he is not the personal choice of the majority of the electorates. He may be so by virtue only of his being a member of his party.

(c) *Distinguished from Minority Representation.*

We have made mention above that the chief difference in principle between proportional representation and minority representation is that the latter system seeks to secure the representation only of the leading minority party or parties. Minority representation, which is in itself a different method of representation, is described as a system of cumulative voting. This method is worked out as follows: If in a district, three representatives are to be elected, each voter is given also three votes to cast, as distinguished from proportional representation in which each voter is entitled to vote for only one candidate. The voter in the example given above of minority representation may cast his three votes in any way he chooses. He may cast one for each of the three candidates, two for one and one for another, one and one-half each for two, or all three for one candidate. The first three candidates getting the highest number of votes will be declared elected. The result is that any party in any district which can cast one-third of the total

vote may, by concentrating or "plumping" all their votes on one man, elect him. In practice it has commonly worked out that the majority party has elected two candidates and the minority has elected one. The smaller minority parties go unrepresented. It may also happen that the minority party by supporting solidly two candidates will be able to elect them both against the majority party, if the latter unwisely scatters its vote among three candidates. To avoid this, the party managers usually try to limit the number of candidates of their parties to the number they can reasonably expect to elect. In this way, the freedom of the choice of the voter is somewhat abridged.

### 3. *Advantages and Disadvantages.*

#### (a) *Advantages.*

The advantages of this method of representation may be divided into four; to wit:

First, it would assure the representation of any respectable minority in the body politic. This is attained by allowing each group to enjoy that share in political power to which its numbers entitle it. The domination of majorities would be abolished. This may be illustrated as follows: Suppose there are in a municipality 100,000 voters who have the right to elect ten members of the Council. Let us also suppose that there are four political parties, each with its own list of ten official candidates. If, in the example given, 50,001 of the voters are affiliated with one political party, the result of the election would give that party exclusive control, or rather, exclusive membership in the council. The other three parties would not get a seat. In other words, if the 50,001 voters belonging to one of the

parties vote solidly and in straight tickets, they would no doubt win all the seats in the council. The council would then be composed of members who are not the choice of 49,999 voters. This would, in effect, deny representation to practically one-half of the electorate. And again, it may happen that by means of plurality vote, candidates representing only a minority of the total number of voters would get elected. Suppose in the example given, Political Party No. 1 gets 40,000 votes, Political Party No. 2 gets 30,000 votes, Political Party No. 3 gets 20,000 votes and Political Party No. 4 gets 10,000 votes. By plurality vote and without applying the principle of proportional representation, the candidates of Political Party No. 1 would all get elected. They would all claim to be the representatives of the people when in reality they are the representatives of only 40,000 voters out of the 100,000 electors in the municipality. The application of the theory of proportional representation would remedy this evil. In the last example given, Political Party No. 1 would get four representatives, Political Party No. 2 would get three representatives, Political Party No. 3 would get two representatives, and Political Party No. 4 would get only one representative. In other words, the membership in the Council would truly represent the voting public in proportion to the voting strength of each political party.

Second, proportional representation would be centered upon the selection of men who represent a definite body of opinion rather than upon men who, as in certain places, represent a definite geographical unit or district. In certain localities where the municipal councils are composed of members

ected at large, proportional representation is also applied. As a matter of fact, proportional representation seems to be inapplicable if the membership of a council or any law-making body is based on geographical divisions. A study of the government of cities and municipalities in the United States will reveal that election at large, rather than election by geographical unit or division, has gradually established itself.

Third, by the wide range of choice open in the election, the necessity for complicated nominating machinery with all the evils attendant upon it would be obviated. This is really seen from the existence of so many candidates in an election where proportional representation is used as compared with the number of candidates when they are elected by plurality votes.

Fourth, proportional representation would tend to break up the bi-party system and the elaborate organizations and methods of control which that system produces, and replace it by a natural, informal and genuine alignment of the people along the lines marked out by the actual divisions in the public opinion of the community. This is peculiarly desirable in municipal government where the influence of national parties dominates municipal politics to the exclusion of local issues. For this reason, proportional representation has developed most rapidly and successfully in cities. (The Americana).

The foregoing advantages of proportional representation are not merely theoretical. They have been proved to be true. Dr. William Jay Schieffelin, speaking on proportional representation in the City of New York, observed that "when we compare the present council elected with the last Board

of Aldermen, we see that the minority groups are fairly represented, whereas before they were not represented at all—or at least practically not represented at all." (From Vital Speeches, Vol. IV, No. 5, Dec. 15, 1937). And the "World-Telegram" of November 24, 1937, in an illuminating editorial on the Manhattan election for Council by means of proportional representation, said in part: "The significant fact, which no longer can be left to speculation, is that proportional representation has made good in improving the quality of man-power in the Council and breaking Tammany's old notorious unfair predominance in the government. In the present Board of Aldermen, Tammany Hall, the Manhattan Organization, has twenty-two members, or about 34 per cent of the total. In the new Council the Hall will have three out of twenty-six, or about 11 per cent, which is a big plenty for its actual share in the city's population. In the present Board of Aldermen, the allied Democratic machines have sixty-two out of sixty-five members, whereas in the Council, it is estimated the Democrats will reach their maximum if they get thirteen out of the twenty-six. Whatever the precise figure the Councilmen over whom President-elect Newbold Morries presides will be representative of the whole city, and not if the political organization, as no Aldermen in living memory ever have been. This is clear gain of the finest sort."

(b) *Disadvantages.*

Proportional representation has its disadvantages as well as advantages. Authorities on the subject are agreed that among its disadvantages are the following:

First, the system makes the formulation and development of a legislative policy very difficult.

The legislature is composed of a large number of groups with no cohesive influence uniting them and the policies they work out are usually compromises which are really not representative of the real views of any group. Furthermore, responsibility is lost in such a case. Under the two-party system each party goes before the people on a certain platform and the successful one may properly be held responsible for the carrying out of that policy. With a large number of parties the policy which is ultimately agreed upon is one which the electorate may never have expressed itself and no one group can be held accountable for it.

Second, in a proportional representation it is very hard to say just what is being represented in an election held under this system. The groups which may temporarily gather in support of a candidate may be based upon racial, religious, social, or political grounds, and the legislative body which results may be a mosaic of widely divergent and incompatible interests with no common ground upon which to meet.

Third, it is urged that the average voter would not be able to vote intelligently the somewhat complicated ballot necessary to a proportional representation scheme; that it enormously increases the difficulties of counting the election and materially augments cost. (The Americana).

#### OUR MUNICIPAL GOVERNMENTS AND PROPORTIONAL REPRESENTATION

##### 1. *Present System of Representation in Our Municipal Governments.*

It is to be remembered that municipalities in the Philippines are divided into five classes accord-

ing to their receipts. A first class municipality has eight councilors; a second class municipality has also eight councilors; a third class municipality has six councilors; a fourth class has six councilors; and a fifth class municipality has four councilors. For purposes of this thesis, all the chartered cities in the Philippines are also considered as municipalities. Their law-making bodies are not called municipal councils as those of municipalities but municipal boards like that of Manila. Their memberships are fixed by the charters that created them.

According to law, the councilors are elected by the qualified voters of the municipality from among the list of qualified and duly registered candidates. The candidates declared elected are those who polled the largest individual number of votes and who have filed their certificates of candidacy. This is to say, if the number of councilors necessary is eight, then the eight candidates who got the highest individual votes will be declared elected, regardless of political affiliation and irrespective of the proportionate voting strength of the party to which he belongs. In short, the method of representation now found in our municipalities is the system of plurality vote. As long as the candidate polls a sufficient number of votes as to rank him among the required number of councilors, he gets elected, even if the votes he got could not be considered as a majority of the total number of votes cast. In case of tie between two or more candidates for municipal councilors and only one of them is to be elected, lots shall be drawn between the tied candidates in a meeting of the board of canvassers under its direction, and the one favored by luck shall be proclaimed elected.

## 2. *Disadvantages of the Present System.*

Time and again, dissatisfaction have been voiced by certain people against the present system of choosing the members of the municipal council or municipal board. The most serious indictment launched against the plurality system is that this system tends to the absorption all minority groups by a strong majority party. According to them, as long as the members of the majority party continue to vote solidly in a straight ticket, the minority party or parties will never have a chance to be represented in the legislative body of the municipality or city. This may be explained by the following illustration: Suppose of the 100,000 electors of a city 51,000 are dyed-in-the-wool members of the majority party and the rest are divided between two minority parties. In such a case, the 51,000 electors of the majority party will always vote solidly or in straight ticket for the official candidates of their party. They will, of course, succeed in electing all their candidates, even if the two minority parties join forces. In effect, therefore, the candidates of the majority party who are elected will not truly represent the various political elements of the city, but will, strictly speaking, represent only the 51,000 voters belonging to the majority party. Thus, the 49,000 voters who belong to the minority party or parties are left without any representation.

A worse situation obtains if certain candidates of a party are elected not because they received the majority of the votes cast but because they happened to get more votes than their opponents.

Thus, in almost all the cities and municipalities in the Philippines, the membership of the leg-

islative body is not sufficiently representative of the real feelings and sentiments of the voting public.

A second charge against our present system of representation is that it tends to make the elections a matter of personal question rather than of issues. In proportional representation, the political parties with their respective platforms are always foremost in the minds of the voters; whereas in the system of plurality representation, the person rather than the principles for which he stands is the main consideration of the voter. Thus, we hear of many instances in which certain voters voted for a certain candidate not because they belong to the political party with which that candidate is affiliated but because they just like him as a person. In other words, political issues are often relegated to the background as a secondary consideration.

## 3. *Application of Proportional Representation in our Municipal Governments.*

The application of proportional representation in the election of our municipal councilors would bring about the abolition of the domination by the majority party, for, as stated above, proportional representation would prevent the non-representation of any respectable minority in the body politic but would instead allow each group to enjoy that share in political power to which its numbers entitle it. It would thus make the municipal council truly representative of the sentiments of the people in the locality, and the people would feel conscious of the fact that they properly represented in their legislative body. Those who belong to the minority will not feel deprived of any representation because as long as they can

possess sufficient voting strength in proportion to the others, they can have a spokesman in the Council.

In the City of Manila which is considered as the bulwark of the oppositionists, there is a slight difference in number between the majority party and the minorities combined. Yet, in many instances in the past, the municipal board was composed of members all belonging to the majority party. The application of proportional representation would stop this anomalous and undemocratic situation. It would grant representation to the minorities in proportion to their voting strength.

In other words, the application of proportional representation in our municipal governments would truly and wisely make these governments the "government of the people, by the people, and for the people."

#### CLOSING REMARKS

Whatever defects exist in the system of proportional representation, the stubborn fact remains uncontradicted that as a system it brings the legislative body closer to the people than any other method of representation.

The representation of the minority elements in the community so as to collaborate with the representatives of the majority in their task of making the laws or ordinances, is an achievement in the art of government never dreamed of before by our forefathers who steadfastly held on to the principle of the majority rule. Although proportional representation does not dispute the rule of the majority, it claims the right of the minority to be heard and consulted before the majority take any action that will affect not only the majority themselves but the minority as well.

The writer, therefore, believes that the introduction of proportional representation in our city and municipal government would be beneficial to the country. However, to allay the fears of the orthodox, the writer suggests the adoption of this system in the City of Manila first as a trial. If it proves successful, it can be extended to the other chartered cities and municipalities; if it proves unsuccessful, it can be done away with and the present system restored.

There is no harm in trying.