

herself that there is a point of honor in them; and most people have as little sympathy in the point of honor of others, when their own is not placed in the same thing, as they have in the religious feelings of those whose religion differs from theirs. Give the woman a vote, and she comes under the operation of the political point of honor. She learns to look on politics as a thing on which she is allowed to have an opinion, and in which, if one has an opinion, it ought to be acted upon; she acquires a sense of personal accountability in the matter, and will no longer feel, as she does at present, that whatever amount of bad influence she may exercise, if the man can but be persuaded, all is right, and his responsibility covers all. It is only by being herself encouraged to form an opinion, and obtain an intelligent comprehension of the reasons which ought to prevail with the conscience against the temptations of personal or family interest, that she can ever cease to act as a disturbing force on the political conscience of the man. Her indirect agency can only be prevented from being politically mischievous by being exchanged for direct.

I have supposed the right of suffrage to depend, as in a good state of things it would, on personal conditions. Where it depends, as in this and most other countries, on conditions of property, the contradiction is even more flagrant. There something more than ordinarily irrational in the fact that when a woman can give all the guarantees required from a male elector, independent circumstances, the position of a householder and head of a family, payment of taxes, or whatever may be the conditions imposed, the very principle and system of a representation based on property is set aside, and an exceptionally personal disqualification is created for the mere purpose of excluding her. When it is added that in the country where this is done a woman now reigns, and that the most glorious ruler whom that country ever had was a woman, the picture of unreason and scarcely disguised injustice is complete. Let us hope that as the work proceeds of pulling down, one after another, the remains of the mouldering fabric of monopoly and tyranny, this one will not be the last to disappear; that the opinion of Bentham, of Mr. Samuel Bailey, of Mr. Hare, and many other of the most powerful political thinkers of this age and country (not to speak of others), will make its way to all minds not rendered obdurate by selfishness or inveterate prejudice; and that, before the lapse another generation, the accident of sex, no more than the accident of skin, will be deemed a sufficient justification for depriving its possessor of the equal protection and just privileges of a citizen.

Chapter IX

Should there be Two Stages of Election?

In some representative constitutions, the plan has been adopted of choosing the members of the representative body by a double process, the primary electors only choosing other electors, and these electing the member of Parliament. This contrivance was probably intended as a slight impediment to the full sweep of popular feeling, giving the suffrage, and with it the complete ultimate power, to the Many, but compelling them to exercise it through the agency of a comparatively few, who, it was supposed, would be less moved than the Demos by the gusts of popular passion; and as the electors, being already a select body, might be expected to exceed in intellect and character the common level of their constituents, the choice made by them was thought likely to be more careful and enlightened, and would, in any case, be made under a greater feeling of responsibility than election by the masses themselves. This plan of filtering, as it were, the popular suffrage through an intermediate body admits of a very plausible defense; since it may be said, with great appearance of reason, that less intellect and instruction are required for judging who among our neighbors can be most safely trusted to choose a member of Parliament than who is himself fittest to be one.

In the first place, however, if the dangers incident to popular power may be thought to be in some degree lessened by this indirect management, so also are its benefits; and the latter effect is much more certain than the former. To enable the system to work as desired, it must be carried into effect in the spirit in which it is planned; the electors must use the suffrage in the manner supposed by the theory, that is, each of them must not ask himself who the member of Parliament should be, but only whom he would best like to choose one for him. It is evident that the advantages which indirect is supposed to have over direct election require this disposition of mind in the voter, and will only be realized by his taking the doctrine *au sérieux*, that his sole

business is to choose the choosers, not the member himself. The supposition must be, that he will not occupy his thoughts with political opinions and measures or political men, but will be guided by his personal respect for some private individual, to whom he will give a general power of attorney to act for him. Now if the primary electors adopt this view of their position, one of the principal uses of giving them a vote at all is defeated; the political function to which they are called fails of developing public spirit and political intelligence, of making public affairs an object of interest to their feelings and of exercise to their faculties. The supposition, moreover, involves inconsistent conditions; for if the voter feels no interest in the final result, how or why can he be expected to feel any in the process which leads to it? To wish to have a particular individual for his representative in Parliament is possible to a person of a very moderate degree of virtue and intelligence, and to wish to choose an elector who will elect that individual is a natural consequence; but for a person who does not care who is elected, or feels bound to put that consideration in abeyance, to take any interest whatever in merely naming the worthiest person to elect another according to his own judgment, implies a zeal for what is right in the abstract, an habitual principle of duty for the sake of duty, which is possible only to persons of a rather high grade of cultivation, who, by the very possession of it, show that they may be, and deserve to be, trusted with political power in a more direct shape. Of all public functions which it is possible to confer on the poorer members of the community, this surely is the least calculated to kindle their feelings, and holds out least natural inducement to care for it, other than a virtuous determination to discharge conscientiously whatever duty one has to perform; and if the mass of electors cared enough about political affairs to set any value on so limited a participation in them, they would not be likely to be satisfied without one much more extensive.

In the next place, admitting that a person who, from his narrow range of cultivation, can not judge well of the qualifications of a candidate for Parliament, may be a sufficient judge of the honesty and general capacity of somebody whom he may depute to choose a member of Parliament for him, I may remark, that if the voter acquiesces in this estimate of his capabilities, and really wishes to have the choice made for him by a person in whom he places reliance, there is no need of any constitutional provision for the purpose; he has only to ask this confidential person privately what candidate he had better vote for. In that case the two modes of election coincide in their result, and every advantage of indirect election is obtained under direct. The systems only diverge in their operation if we suppose that the voter would prefer to use his own judgment in the choice of a representative, and only lets another choose for him because the law does not allow him a more direct mode of action. But if this be his state of mind; if his will does not go along with the limitation which the law imposes, and he desires to make a direct choice, he can do so notwithstanding the law. He has only to choose as elector a known partisan of the candidate he prefers, or some one who will pledge himself to vote for that candidate. And this is so much the natural working of election by two stages, that, except in a condition of complete political indifference, it can scarcely be expected to act otherwise. It is in this way that the election of the President of the United States practically operates. Nominally, the election is indirect; the population at large does not vote for the President; it votes for electors who choose the President. But the electors are always chosen under an express engagement to vote for a particular candidate; nor does a citizen ever vote for an elector because of any preference for the man; he votes for the Breckinridge ticket or the Lincoln ticket. It must be remembered that the electors are not chosen in order that they may search the country and find the fittest person in it to be President or to be a member of Parliament. There would be something to be said for the practice if this were so; but it is not so, nor ever will be, until mankind in general are of opinion, with Plato, that the proper person to be intrusted with power is the person most unwilling to accept it. The electors are to make choice of one of those who have offered themselves as candidates, and those who choose the electors already know who these are. If there is any political activity in the country, all electors who care to vote at all have made up their minds which of these candidates they would like to have, and will make that the sole consideration in giving their vote. The partisans of each candidate will have their list of electors ready, all pledged to vote for that individual; and the only question practically asked of the primary elector will be, which of these lists he will support.

The case in which election by two stages answers well in practice is when the electors are not chosen solely as electors, but have other important functions to discharge, which precludes their being selected solely as

delegates to give a particular vote. This combination of circumstances exemplifies itself in another American institution, the Senate of the United States. That assembly, the Upper House, as it were, of Congress, is considered to represent not the people directly, but the States as such, and to be the guardian of that portion of their sovereign rights which they have not alienated. As the internal sovereignty of each state is, by the nature of an equal federation, equally sacred whatever be the size or importance of the state, each returns to the Senate the same number of members (two), whether it be little Delaware or the "Empire State" of New York. These members are not chosen by the population, but by the State Legislatures, themselves elected by the people of each state; but as the whole ordinary business of a legislative assembly, internal legislation and the control of the executive, devolves upon these bodies, they are elected with a view to those objects more than to the other; and in naming two persons to represent the state in the federal Senate they for the most part exercise their own judgment, with only that general reference to public opinion necessary in all acts of the government of a democracy. The elections thus made have proved eminently successful, and are conspicuously the best of all the elections in the United States, the Senate invariably consisting of the most distinguished men among those who have made themselves sufficiently known in public life. After such an example, it can not be said that indirect popular election is never advantageous. Under certain conditions it is the very best system that can be adopted. But those conditions are hardly to be obtained in practice except in a federal government like that of the United States, where the election can be intrusted to local bodies whose other functions extend to the most important concerns of the nation. The only bodies in any analogous position which exist, or are likely to exist, in this country, are the municipalities, or any other boards which have been or may be created for similar local purposes. Few persons, however, would think it any improvement in our Parliamentary constitution if the members for the City of London were chosen by the aldermen and Common Council, and those for the borough of Marylebone avowedly, as they already are virtually, by the vestries of the component parishes. Even if those bodies, considered merely as local boards, were far less objectionable than they are, the qualities that would fit them for the limited and peculiar duties of municipal or parochial ædileship are no guaranty of any special fitness to judge of the comparative qualifications of candidates for a seat in Parliament. They probably would not fulfill this duty any better than it is fulfilled by the inhabitants voting directly; while, on the other hand, if fitness for electing members of Parliament had to be taken into consideration in selecting persons for the office of vestrymen or town councillors, many of those who are fittest for that more limited duty would inevitably be excluded from it, if only by the necessity there would be of choosing persons whose sentiments in general politics agreed with those of the voters who elected them. The mere indirect political influence of town-councils has already led to a considerable perversion of municipal elections from their intended purpose, by making them a matter of party politics. If it were part of the duty of a man's book-keeper or steward to choose his physician, he would not be likely to have a better medical attendant than if he chose one for himself, while he would be restricted in his choice of a steward or book-keeper to such as might, without too great danger to his health, be intrusted with the other office.

It appears, therefore, that every benefit of indirect election which is attainable at all is attainable under direct; that such of the benefits expected from it as would not be obtained under direct election will just as much fail to be obtained under indirect; while the latter has considerable disadvantages peculiar to itself. The mere fact that it is an additional and superfluous wheel in the machinery is no trifling objection. Its decided inferiority as a means of cultivating public spirit and political intelligence has already been dwelt upon; and if it had any effective operation at all--that is, if the primary electors did to any extent leave to their nominees the selection of their Parliamentary representative, the voter would be prevented from identifying himself with his member of Parliament, and the member would feel a much less active sense of responsibility to his constituents. In addition to all this, the comparatively small number of persons in whose hands, at last, the election of a member of Parliament would reside, could not but afford great additional facilities to intrigue, and to every form of corruption compatible with the station in life of the electors. The constituencies would universally be reduced, in point of conveniences for bribery, to the condition of the small boroughs at present. It would be sufficient to gain over a small number of persons to be certain of being returned. If it be said that the electors would be responsible to those who elected them, the answer is obvious, that, holding no permanent office or position in the public eye, they would risk nothing by a corrupt vote except what they would care little for, not

to be appointed electors again: and the main reliance must still be on the penalties for bribery, the insufficiency of which reliance, in small constituencies, experience has made notorious to all the world. The evil would be exactly proportional to the amount of discretion left to the chosen electors. The only case in which they would probably be afraid to employ their vote for the promotion of their personal interest would be when they were elected under an express pledge, as mere delegates, to carry, as it were, the votes of their constituents to the hustings. The moment the double stage of election began to have any effect, it would begin to have a bad effect. And this we shall find true of the principle of indirect election however applied, except in circumstances similar to those of the election of senators in the United States.

It is unnecessary, as far as England is concerned, to say more in opposition to a scheme which has no foundation in any of the national traditions. An apology may even be expected for saying so much against a political expedient which perhaps could not, in this country, muster a single adherent. But a conception so plausible at the first glance, and for which there are so many precedents in history, might perhaps, in the general chaos of political opinions, rise again to the surface, and be brought forward on occasions when it might be seductive to some minds; and it could not, therefore, even if English readers were alone to be considered, be passed altogether in silence.

Chapter X

Of the Mode of Voting.

The question of greatest moment in regard to modes of voting is that of secrecy or publicity, and to this we will at once address ourselves.

It would be a great mistake to make the discussion turn on sentimentalities about skulking or cowardice. Secrecy is justifiable in many cases, imperative in some, and it is not cowardice to seek protection against evils which are honestly avoidable. Nor can it be reasonably maintained that no cases are conceivable in which secret voting is preferable to public; but I must contend that these cases, in affairs of a political character, are the exception, not the rule.

The present is one of the many instances in which, as I have already had occasion to remark, the *spirit* of an institution, the impression it makes on the mind of the citizen, is one of the most important parts of its operation. The spirit of vote by ballot--the interpretation likely to be put on it in the mind of an elector, is that the suffrage is given to him for himself--for his particular use and benefit, and not as a trust for the public. For if it is indeed a trust, if the public are entitled to his vote, are not they entitled to know his vote? This false and pernicious impression may well be made on the generality, since it has been made on most of those who of late years have been conspicuous advocates of the ballot. The doctrine was not so understood by its earlier promoters; but the effect of a doctrine on the mind is best shown, not in those who form it, but in those who are formed by it. Mr. Bright and his school of democrats think themselves greatly concerned in maintaining that the franchise is what they term a right, not a trust. Now this one idea, taking root in the general mind, does a moral mischief outweighing all the good that the ballot could do, at the highest possible estimate of it. In whatever way we define or understand the idea of a right, no person can have a right (except in the purely legal sense) to power over others: every such power, which he is allowed to possess is morally, in the fullest force of the term, a trust. But the exercise of any political function, either as an elector or as a representative, is power over others. Those who say that the suffrage is not a trust, but a right, will scarcely accept the conclusions to which their doctrine leads. If it is a right, if it belongs to the voter for his own sake, on what ground can we blame him for selling it, or using it to recommend himself to any one whom it is his interest to please? A person is not expected to consult exclusively the public benefit in the use he makes of his house, or his three per cent. stock, or any thing else to which he really has a right. The suffrage is indeed due to him, among other reasons, as a means to his own protection, but only against treatment from which he is equally bound, so far as depends on his vote, to protect every one of his fellow-citizens. His vote is not a thing in which he has an option; it has no more to do with his personal wishes than the verdict of a jurymen. It is