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This Stalin Frankenstein System:
Adoption and Abrogation of Proportional Representation in
New York City, 1936-1947

This Stalin Frankenstein system ..., P.R., a foreign political theory that has created confusion with the blessing of the Kremlin, will meet its Waterloo on the sidewalks of New York.

Frank J. Sampson, leader of Tammany Hall from 1947 to 1948
(*New York Post* 13 October 1947)

Since the publication of Chambers and Burnham's *The American Party Systems*, in 1967, while the literature on the history of elections and on the American political system has constantly grown in understanding and sophistication, the subject of representative systems in the United States and their historical influence has been generally neglected. Historians have described the political and socio-economic implications of the political systems and have analyzed the consequences of their transformation, but did not reflect on the nature of the electoral system – the set of rules to which political parties must conform to participate in the electoral competition – and its impact on the political system (e.g. Sunquist; Kleppner). Also, modern research on the right of vote, such as *The Right To Vote* by Alexander Keyssar, tends to ignore the debate and the evolution in the American electoral laws, and to overlook the existence in the

United States of experiments with electoral systems alternative to the traditional and prevalent majority system.

Among those alternative systems, Proportional Representation (PR) had a long and articulate history. In the U.S., in fact, PR was discussed at least since the 1830s, and in 1893 a group of intellectuals and reformers established a national movement giving birth to the American Proportional Representation League (PRL) that remained active for over forty years.¹ Furthermore, since 1914, PR was often included in the progressive municipal reform, and was experimented with in twenty-two American municipalities of various size and importance. New York City was one of the most prominent PR experiments: in the decade between 1936 and 1947 it abandoned the majority system that had used until then to elect its Board of Aldermen, and passed laws to choose its City Council with elections based on a system of proportional representation.²

When New York City adopted proportional representation, many looked at the selected system as a weird novelty. Nonetheless, proposals for the adoption of alternative systems for the selection of representative bodies in the United States were far from being original, and PR for New York City was not a new idea either. New York State proportionalists had been active since 1872 when they had organized themselves into the Proportional Representation Society of New York to try to introduce PR in the State charter with the explicit intent of overpowering Tammany Hall's – the Democratic Party organization of New York County – and boss Tweed's control over New York City. Even though the proposal was constantly repelled, the New York Proportional Representation Society continued to sponsor and publicize the electoral reform based on PR, to pressure the State administration and participate in the organization of a web of associations endorsing the adoption of PR in New York City's charter ("News" 38; McBain 281-298; Shaw 111). The following campaigns, for the adoption of PR for the election of the State legislature in 1915, and for the adoption

of a proportionalist City charter in 1922, encountered growing popular support (“The New York Constitutional” 61; “News” 38). However, they both failed after several doubts about the constitutionality of electoral systems different from the SMD convinced the State commission judging the admissibility of the reform, to exclude PR from the final draft of the charters to submit to popular vote (“The Charter” 10; “New York Charter”).³

Changes of the electoral mechanism, especially the adoption of those based on the proportional representation principle, were expected to weaken the control of the party machines over politics and administration, and to strengthen other political groups (such as third parties, dissent factions, opinion movements) that had little influence over traditional party politics. With the conventional majority system in use in the United States for the elections to the House of Representatives known as single member district system (SMD), every State, county, or city is divided in as many electoral districts as there are representatives to elect. Each district is entitled to one representative only, who is elected by plurality: the candidate winning the plurality of the votes obtains the entire representation for the district. The SMD, based on a winner-takes-all mechanism, henceforth gives the winning party “super representation” and tends to polarize the electoral battle within the two major parties participating in the electoral contest, with hardly any room for the creation of “third parties” or independent candidates. PR, instead, is based on the idea that every party participating in the elections held at large should be entitled to a percentage of representatives equal to the percentage of the popular votes it has received.

The reform movements for the new charter and for the adoption of PR increasingly found consensus in a steady anti-Tammany spirit that had grown for years in opposition to the widespread climate of political and administrative corruption that characterized the Democratic government of the City. The strong

political and electoral control that Tammany maintained over New York City in the Nineteenth century, grew even further at the beginning of 1900, when the Democratic party was able to add to its established Irish base the strength of two ethnic groups that had recently assumed political relevance: Jewish and Italian New Yorkers (McNickle; Binder). Between 1900 and 1916 – with only four exceptions – the majority in the Board of Aldermen was Democratic, and between 1922 and 1937 Tammany maintained an unchallenged majority with more than 80% of the Aldermen.⁴

The widespread anti-Tammany spirit coalesced at the beginning of the 1930s around the Seabury investigations. In 1930, per Governor Franklyn Delano Roosevelt's request, the New York State Supreme Court had appointed a special investigator – Judge Samuel Seabury, “an austere and imposing fifty-seven-year-old [and] one of the most widely respected personages in New York City” – to probe into the political and administrative scandals or, as the *National Municipal Review* (NMR) wrote, “in the ... orgy of misrule” (Allen 242; Mitgang 159; “New York to Vote” 299). In 1932, after two years of public investigations, Seabury's public denouncement of “graft and crookedness of every description and in every phase of the city government,” gave a serious blow to the political stability of the Democratic Party machine (Shaw 36). After the investigation results were publicized, the resulting public indignation forced Mayor James J. Walker to resign, and triggered a diffused reaction of blame and hostility towards the Democratic Party apparatus that was increasingly described, as expressed in an article in the *New York Times*, as “an organization made up of mercenary men bent on making money out of political power” (“The Seabury Report” 22).

The investigations represented a judicial and political blow against Tammany, and resulted in a decrease in the absolute number of its suffrages. Although the Democratic Party never failed to maintain its preponderant majority in the Board of Aldermen, after the “Seabury scandals,” the political signal that

New York's electorate expressed in 1933 at the election of an interim mayor to fill Walker's vacancy, shifting in favor of Fusion coalitions and third parties, and demanding political and administrative reform, indicated a clear disappointment. Even if the Democratic candidate John P. O'Brien was easily elected, he fell considerably short of the result Democrats obtained in any other electoral contest in the same year (McNickle 33). In 1933, Tammany Hall had lost some of its absolute control over New York's electoral politics.

The Seabury investigations also provided the tactical argument that transformed PR into a legitimate political reform and a viable method of fighting against the political machine. In 1931-32, local and national reformers, and anti-Tammany politicians were able to exploit the occasion that this blend of political dissatisfaction, scandal, and administrative weakness constituted. To New York proportionalists, this was the right moment to link the claims for the adoption of reforms to the thirty years' old battle to overcome Tammany's political monopoly over the City. As the *New York Times* stressed, "by way of disguising their real purpose Republicans in the Legislature directed an inquiry into the structure of our Municipal Government" and the real object of Judge Seabury's investigations was "not our governmental system but the Tammany system" ("The Seabury Report" 22).⁵

After 1932, Proportional Representation appeared as a promising instrument to circumvent the traditional electoral dynamics. As Judge Seabury himself explained, establishing "truly representative governments, ... proportional representation will do much to destroy the partisan Tammany domination under which New York has suffered in years past" (Mitgang 347). In the years following Seabury's investigations, an overheated climate opposed Tammany Hall on the one side, and proportionalists, reformers, and minority political parties on the other. Starting in 1931-32, therefore, this coalition multiplied its efforts with the two-pronged objective of, on the one hand, obtaining from the State legislature a revision of the city charter that included both

the manager plan and the system of proportional representation, and, on the other, of polarizing New York public consensus around those two reforms.⁶

Seabury and the civic reformers favored the system that the American proportionalists had supported since the end of the nineteenth century: the “Hare system,” also known as “proportional representation system with single transferable vote” (PR/STV). Devised by Thomas Hare in 1859, this non-partisan system provided that every elector, though having one vote only, could indicate all his preferences on the ballot, numbering them in progressive order. The poll, which consisted of a sequence of stages, would allocate votes on the basis of the order of preference indicated. As soon as a candidate reached the needed quota, he would be declared elected and any further votes given to him would be transferred to the candidate who was next in order of preference. The procedure was to be repeated until all ballot papers had contributed to the election of a candidate (Hare *Machinery*; Hare *Election*).

After the failure of the last proportionalist attempt in 1923, the advocates of PR had started a long movement, focusing on the organization and coordination of the various groups in favor of PR reforms for New York City. Slowly, New York proportionalist were able to rise a certain consensus: in 1932 the *Proportional Representation Review*, the organ of the PRL was proud to announce that, in addition to a number of associations, clubs, civic groups, even “the two large minority parties of the city [the Republican Party and the Socialist Party] are showing special interest in proportional representation” (“Turning” 21). By the beginning of 1932, the PRL together with the National Municipal League (NML – with which it had just and transferred its offices to New York City to better organize the movement for the adoption of the new charter) and other local associations such as the Citizens Union, the Office Worker’s Union, the New York PR League, the Women’s City Club, the City Government League, gave birth to a new campaign for the adoption of a city

charter including proportional representation electoral provisions (“Consolidation” 19; “Turning”).

The new campaign for the adoption of PR was mainly based on a well-established rhetorical strategy. As for other campaigns, reformers relied on the argument of representative justice (or “correct representation,” as it was often called) and administrative efficiency to reinforce their call for non-partisan reforms. John Commons – at the time a young Economy professor at the University of Indiana, influential reformer, and honorary vice president of the PRL – had explained in 1907:

The city is not merely a voluntary business corporation organized to economize the taxes of the stockholders; it is a compulsory corporation in which men are born In a private corporation the interests of stockholders are all in one direction - the increase of dividends. In a political corporation different classes of citizens have often different interests. Therefore all interests and classes should be represented in its administration. In what direction its sovereign powers shall be employed is a *political* question, involving justice and expediency as well as business. (Commons 200-201)

In May 1934, New York State legislature authorized the appointment of a commission of twenty-eight members to draft a new charter for New York City, but as in appointing the commission members the legislature made an effort to maintain a balance between the two major parties, the Charter committee soon stiffened in a two-pronged political confrontation (Tanzer 535). In August 1934, four months only after its nomination, the legislature abrogated the May commission, and passed another act providing for the appointment by the mayor of the City of a commission of nine members. On January 12, 1935, Mayor LaGuardia appointed a new commission with Thomas D. Thacher (former United States district judge and solicitor general) as chairman. The new commission worked swiftly, organizing

public hearings and examining the experience of other municipalities that, like Cincinnati, had adopted both the manager plan and PR electoral laws, and issued a final draft of the new City charter on August 17, 1936, to be submitted to the voters on a referendum to be held in November.

To Tammany's surprise, the new Commission, which included also a Socialist lawyer (Mr. S. John Block) among its members, elaborated a charter proposal calling for the creation of a legislative body – the City Council – elected with PR in place of the old Board of Aldermen elected with the SMD. Since the issue of the first drafts of the charter, Tammany Hall tried to fight the proposal recurring to the traditional exceptions of constitutionality, and appealed against the charter proposal. On June 2nd 1936, however, New York's Court of Appeals (the highest court in the State) decided unanimously against the appeal (McCaffrey "New York" 736-737; "Constitutionality" 100-101; Schieffelin 43).

From that moment on, the movement in favor of the new charter adoption obtained a growing public support. This was expressed by a vast coalition of newspapers, reformers, and civic associations. The *New York Times*, the *World-Telegram*, the *Herald Tribune*, the *Daily News*, the *Daily Mirror*, the *New York Post*, and the *Brooklyn Eagle* all published editorials in favor of PR and hosted articles and abstracts of the proportionalist educational publications. More than one hundred radio broadcasts were delivered, hundreds of volunteers gave public speeches and addresses; "about a million and a half pieces of campaign literature about the charter and about half a million on PR" were published and distributed in the five boroughs (McCaffrey "Charter" 736).⁷ A large number of political clubs and organizations for vote and ballot reform, for good government and municipal development, workers associations, women's clubs (particularly, the Women's City Club and the League of Women Voters, which officially had adopted PR in its own program since June 1936), the NAACP, and New York City's CIO sections, all

organized themselves around the Keep Proportional Representation Committee.⁸

The Committee was a sample of the heterogeneous forces that tried unsuccessfully to compete with the Democratic political dominance over the City. It had a highly symbolic board including Judge Samuel Seabury, now leader of the Citizen Non-partisan Committee as honorary chairman, and Richard S. Childs, the former secretary of the Short Ballot Organization and President of the American PRL between 1921 and 1929 and current Secretary of the NML, as chairman. As New York's proportionalists were proud to announce, PR was also supported by "such prominent citizens as Mayor LaGuardia, Borough President Ingersoll of Brooklyn, and President Nicholas Murray Butler of Columbia University; ... by large sections, but not all, of the Republican Party; and by all the other minority parties, including the new Labor Party" ("New York City Adopts PR" 680). On the other front was an organization entirely financed by Tammany: the Citizens Committee to Repeal Proportional Representation, with the president of the Bronx Chamber of Commerce, George F. Mand, as chairman (Zeller and Bone 1130). The Committee to repeal PR brought together many local chambers of commerce and property owners, the *New York Sun*, Comptroller Taylor, former Governor Smith, the Central Trade and Labor Council, and a number of local Taxpayer groups ("New York City Adopts PR" 680).

After the repeal of the anti-PR appeal in June, Tammany focused on technical argumentations, and attacked PR on the very arguments used by the supporters of the reform. According to reformers' propaganda in 1936, proportional representation would have mechanically produced an increase in voters' turnout, a superior administrative efficiency, an elevation of candidates' cultural and moral qualities, and to a greater inclusion of minorities in city government. As the *New York Times* summarized,

[s]ome of the arguments commonly advanced in favor of proportional representation are ... that it would assure adequate minority representation; ... that it would give every borough equitable representation on the Council regardless of apportionment; ... each party or independent group [would get] its share of Councilmen; ... that it would do away with the need of holding primaries for the nomination of Councilmen; ... would give intermediate objectives to the good-government forces, whose active participation in city affairs would no longer have to await occasional spasm of reform.; ... that it would encourage local voters to take more interest in politics. (“P.R.’ Voting” E10)

The Committee to Repeal Proportional Representation contested the arguments in favor of PR’s supposed efficiency, and claimed that the system was largely unfit to govern New York City. Furthermore, they maintained that “[PR] was thoroughly anti-American” because it “constitute[s] a blow at universal suffrage [and] it would destroy responsible party government and substitute, instead, a government by irresponsible radical groups made up of racial and religious blocs, repugnant to the whole spirit and intent of our Constitution and laws” (“Victory” 19).

Tammany Hall, who did not expect to have to fight a referendum campaign, did not have much time to reorganize its strategies for building consensus against PR. Furthermore, until the very last days of the campaign, Tammany was confident that the new proportionalist Charter would have been defeated without difficulty: in a joint declaration issued in the very last days of October 1936, James J. Dooling – leader of Tammany between 1934 and 1937 – and other Democratic district leaders of the Democratic organization, were still declaring “we are unanimously opposed to charter revision, proportional representation, and the proposition calling for a constitutional convention, and we are confident of their overwhelming defeat at

the polls” (“Tammany Fights” 1). The Democratic Party was, therefore, taken by surprise by the large popular consensus for the charter movement. George H. McCaffrey, the chairman of the Research Commerce and Industry Association of New York, and an active supporter of the proportionalist statute, reports an incident occurred in October at the final rally of the Democratic Party at Madison Square Garden: when Tammany’s speaker appeared to pronounce his speech against the new charter and its electoral laws, “the crowd at first booed him and then started to chant ‘We want the Charter. We want the Charter.’ So many joined in that the speaker was drowned out and had to stop” (McCaffrey “Municipal” 845).

On November 3, 1936, after five years of anti-Tammany campaign, the new Charter – and PR with it – was adopted by referendum in New York City. The referendum of 1936 asked New Yorkers to vote separately on the two issues of the Ashtabula plan (thus called from the first city to adopt City manager plan and PR, in 1915), and called for two distinct votes: the adoption of the City Council form of government and the adoption of PR for its election (“P.R. for Cities” 20; Barber 51). Against the expectations of reformers and members of Tammany, both proposals were a sound success. The old boards were substituted with a council of 26 members – that became the sole legislative body of the city – to be elected at large by “Borough wide districts electing as many members as [they poll] multiple of 75,000 votes” (Shaw 158; Zeller and Bone 1127; “New York City Adopts PR” 680).

The victory of the new charter appears to be due to the convergence of a series of factors. The lack of care Tammany Hall demonstrated, between the beginning of the campaign for the adoption of PR in 1931, and the submission of the first charter drafts early in 1936, was consequence of the difficulties the Democratic Party experienced at the same time on other fronts. In the 1930s, Tammany had to tackle not only the strong anti-Tammany sentiment grown around the Seabury

investigation, but also the general transformation of the balance of power that for a long time had been eroding the traditional patterns of local politics such as the change in electorate distribution. The Democratic Party, and, in particular, Manhattan's Democratic machine was feeling all "the effects of decreased immigration and of the tremendous shift of population away from Manhattan into the other boroughs," and of the contextual rise of new political forces such as those that determined the LaGuardia and Fusion electoral success, and the formation and success of new electoral formations such as the American Labor Party (ALP) ("New York's 1937" 39). In other words, as the *NMR* wished in May 1936, "[f]ortunately, the vote presumably will come at a time when Tammany will have plenty to worry about in other directions" ("New York Drafts" 25).

The ALP introduced into the electoral dialectic a third strong electoral pole that quickly attracted the votes for other radical parties and contributed to reorienting electoral behavior.⁹ ALP's political formula proved very successful, and against every prediction, in its first elections in 1936, the American Labor Party polled 275,000 votes and in 1937 the ALP reached its municipal electoral zenith, polling 21% of New York City's mayoral vote in favor of Fiorello LaGuardia's second term (Waltzer 112).¹⁰ During the same years, the international climate contributed to making radical forces (such as the Communist and the Socialist parties) a politically more acceptable within political coalitions. As of June 1934, the threat of European Nazi-Fascism induced Comintern to instruct the Communist parties around the world to form alliances with the Socialist parties. A few months later, the Seventh World Congress of the Comintern in 1935 concretized these policies in the Popular Front. As Robin D. G. Kelly has illustrated for the Communist Party in Alabama, in the U.S. as well as in Europe, the Communist Party (CP) had the opportunity to turn into a respectable, legitimate political movement (Kelly).

Among the causes for the reform accomplishment, some success of proportionalist rhetoric must also be mentioned. The argument against the SMD, automatically generating an “unjust representation” that the proportionalists had customarily used in their propaganda, convinced many to support the new charter in 1936 (Table and fig. 1). Furthermore, emphasizing the abolition of geographic based district vote in favor of an at large one was a powerful argument in the rapidly growing areas – namely Queens, the Bronx, and Brooklyn – that quickly became underrepresented compared to others of more stable population. As a 1936 article in the *NMR* had put it, “the automatic apportionment determined by the PR’s quota mechanism proved to be a strong argument in favor of the adoption of PR, especially in the boroughs of Queens, the Bronx, and Brooklyn that were ridiculously underrepresented in relation to Manhattan” (“New York City Adopts PR” 680; Hallett 155).

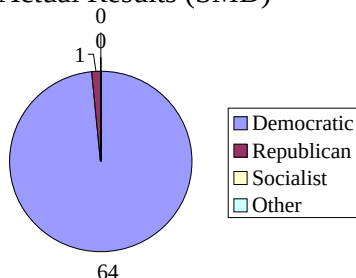
Table 1 and Fig. 1

Election of Aldermen by Single Member Districts. November 3, 1931^a

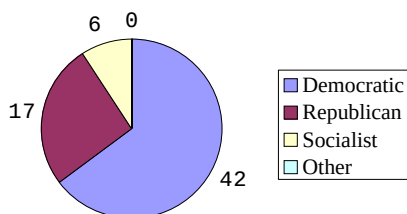
Party	Vote Cast	Aldermen Elected	Aldermen in Proportion to Votes
Democrats	851,216 (65%)	64 (98.5%)	42
Republicans	339,020 (25.9%)	1 (1.5%)	17
Socialists	110,254 (8.4%)	0	6
Others	8,773 (0.7%)	0	0
Totals	1,309,263	65	65

^a The table represents a typical comparison of the results of a SMD election with the result the same election would have had with a PR electoral system. The caption read, “An election by Proportional Representation with the same votes cast would have given approximately the same results in the last column. It would however, have changed the votes count and thus giving independent Democrats, Republicans, and Socialists a new incentive to vote.”

Actual Results (SMD)



Results Under PR



Source: “Misrepresentation in New York City” Back Cover.

Although it did not thoroughly revolutionize traditional electoral relations – as many had wished, or feared – PR did put an end to the decades of the Democratic Party’s domination of the City politics bringing into the Council political forces that the traditional electoral system would have excluded from representation. The first PR election on November 2, 1937, allowed the representation of multiple political forces in the City Council, and marked both the nadir of the Democratic Party’s recent representative history, and the unexpected electoral success of the ALP.¹¹ At the end of 1937, the Labor Party, supporting LaGuardia’s mayoral candidacy together with the Republican Party, and City Fusion, had become a solid third party behind the Democratic and Republican parties.

However, notwithstanding ALP's success, the balance of the forces that fought the proportionalist campaign in 1936 did not change substantially. Although, as everybody expected, the Democratic Party severely dropped its percentage of seats in the City Council, it never lost its secure majority (as a matter of fact the Democratic Party never failed to conquer more than 50% of the seats in the Council – Table 4). As a critical editorial in the *New York Times* explained in 1941, “[i]f it is the virtue of PR that it prevents the local political machine from enjoying a complete monopoly in the local legislative body, it is also its defect that it prevents us from ever throwing out that political machine completely” (“PR and the Council” 23).

Even if Tammany Hall and other forces traditionally against PR reinvigorated their usual criticism, the only other public complaint about the first proportionalist experiment was about the mechanics of the electoral proceeding. The *Daily News* was the only newspaper to withdraw its support to PR and joined the anti-PR coalition “because of disappointment with the length of count.”¹² Other newspapers, however, maintained the tones of the campaign in support of proportional representation. The November 24, 1932 edition of the *World Telegram* reads: “The significant fact ... is that PR has made good in improving the quality of man power in the council and in breaking Tammany's old notorious unfair predominance in the government” (“New York City First” 610).

The third PR election was held in November 1941, and not only followed the same pattern of the previous PR elections – containing Tammany's majority and confirming the success of the ALP – but also had innovative and traumatic effects. Firstly, while before the introduction of PR, no women had ever been seated on a New York board, in 1941, three women were sent to the City Council: Genevieve B. Earle, Fusionist and Citizen Non-partisan candidate from Brooklyn;¹³ Rita Casey, a Brooklyn Democrat whom the Democratic party decided to nominate, hoping to divert women's vote from Earle; and Gertrude Weil

Klein, an organizer and educator for the Amalgamated Clothing Workers, elected as an ALP candidate in the Bronx. Furthermore, for the first time in its history, New York City elected a black councilman: Rev. Adam Clayton Powell, Jr. as a Fusion/ALP candidate. Finally, in addition to the three Laborites elected in the Council, the third New York PR council listed among its members a Communist: Peter Vincent Cacchione, President of the National Electoral Committee of the U.S. Communist Party.

The change in the international situation played a significant role in Cacchione's election: U.S. alliance with the Soviet Union during the war had beveled the hostility toward Communist candidates. The politics of the Popular Front from 1935, the sacrifice of the International Brigades in the Spanish Civil War, and the inaction of European democracies in the face of the boldness of Nazi-fascist aggressions had collectively troubled American public opinion. As was observed in the *NMR*, "undoubtedly the Russian victories and cooperation in the Allied cause had served to lessen the feeling of many voters against the Communists in this country" ("Fourth" 184). Notwithstanding the fact that the Molotov-Ribbentrop pact of 1939 had renewed anti-Communist feelings, and that from June 28, 1940 the Alien Registration Law had started to heat the American political climate, at the municipal election of 1941, a surprising 5.5% of New York's electors voted for a candidate who was both a Communist and a second generation Italian.

Within public opinion that was increasingly anti-immigrant and anti-Communist, the election in 1941 of Cacchione, represented a political and cultural shock. Immediately after the election, newspapers, politicians, and commentators raised their voices at the scandal of a Communist's election. On November 13, the *Brooklyn Eagle* expressed the disappointment of the anti-PR coalition, publishing an editorial with the title "Election of Red to Council Is New Blow to P.R. System" (Gerson 115). On the same day, the *New York Times* reported "the announcement of the election of the Communist candidate ... brought to immediate

intimations that an effort might be made to bar him from the Council when it convenes on Jan. 1” (“New City council”). A Democratic Councilman of Queens, Hugh Queen, declared that he would challenge Cacchione’s right to sit, under the Devaney Law of 1939.¹⁴ His sentiment was reinforced the day after by the November 14 edition of the *World Telegram* in which a reporter wrote: “Electorate or not, it seems grotesque to bar Communists by State law from civil service jobs but let an active Communist into the City Council” (Gerson 117).

If, on the one hand, after Pearl Harbor in December 1941, the cohesive rhetoric of the antifascist coalition, made it impossible to exclude Communists from the electoral contest, on the other, from the election of Cacchione on, many of the traditional PR supporters and many sympathetic New York newspapers hesitated about the endorsement of PR. Until the 1941 election, for example, the pro-PR coalition proudly included the *New York Times* among the supporters of Proportional Representation. After the 1941 election, however, this support started wavering. Although it did not withdraw its support of PR until 1947, the *New York Times* started publishing an increasing number of articles against PR. The day after the publication of the 1941 electoral results, an editorial read:

PR is divisive in its effect; it emphasizes and aggravates differences among groups instead of helping to reconcile them. It elects Communists, Fascists and other extremists who could otherwise not have gotten into power, and these extremists thereupon proceed to try to make parliamentary government unworkable. The history of Europe in recent years had given much sad testimony to this. (“PR and the Council” 23)¹⁵

In the following issue, the *New York Times* published several letters by outraged readers criticizing the editor’s interpretation of PR. Nonetheless, after the election of 1941, an increasing number

of citizens was persuaded that the PR system was “unworkable, confusing and barren of results promised by its advocates” (Weinstein 22).

These feelings quickly found a political spokesman in Councilman Louis Cohen, a Bronx Democrat who, by claiming that “PR is neither proportional nor representative, [is expensive, and] worst of all, undemocratic,” organized in 1941 an attempt to abrogate PR and replace it with the election of Councilmen by Senate districts (“Abolition” 27). Cohen’s was already the third abrogation attempt, but, unlike the first two anti PR campaign (both failed at the polls, in 1938 and 1940), his campaign was not based on the mere repetition of the critiques used against PR on the first referendum in 1936. To the classic arguments against PR, Cohen added that the 1941 election – besides allowing “New York to gain the doubtful distinction of electing a communist to public office” – showed beyond any doubt that the system was severely flawed. The PR system in use – the Hare system – , Cohen explained, giving the voter the possibility of indicating on the ballot a personal order of preferences, was exceedingly confusing and generated paradoxical mistakes:

it is impossible to believe that voters that supported representatives of tax paying and real estate interests as their first choice meant to support a Communist as their second choice. ... The fact that Cacchione was actually elected only because he received thousands of second and even third choice votes shows that P.R. is a dangerous lottery. (“Abolition” 27)

The proportionalist coalition, too, shared the anxieties triggered by the election of Cacchione, but, trying to protect the reform, suggested the interpretation of the election of a Communist as a positive effect of PR. As the *NMR* explained, it was preferable to give to Communists their own representation rather than forcing them to exert continuous pressure on other parties to obtain

some representation (“New York’s Third” 731). As the advocates of proportional representation claimed since the end of the previous century, without representation, radical minorities may be induced to bring their strife outside the context of institutional confrontation. With proportional representation, instead, “it is hardly possible that any element large enough to be formidable in civic strife would be forced to have recourse to violence to protect its interests” because it could have expressed its radical dissent into institutional arenas (Hoag and Hallett 97; “PR and Industrial” 40). Furthermore, as is stated in the 1941 Citizen’s Union annual report, “With Democracy fighting for his [sic!] life ... this is no time to restore a near-monopoly of representation in our largest city to a single political machine and to take representation away from nearly half a million minority votes” (“Attack” 185).

A few weeks after Cohen’s announcement of his repeal attempt, the war effort interrupted the conflict over electoral systems and Communist representation, but, as Ferdinand Hermens, a political science professor at Notre Dame University and an influential anti-PR commentator foresaw in 1943: “[t]here is no doubt though that the issue will be raised again when the war is over” (Hermens 52). This was a rather easy forecast. The anti-Communist apprehension and the anti-proportionalist propaganda had already increased in intensity with the electoral campaign for the 1943 municipal elections, the following re-election of Cacchione for the City Council, and the election of a second Communist councilman: Benjamin Davis, a black candidate elected with the votes of a surprisingly large majority of the Harlem electorate.

Between 1943 and 1947, although there was no official campaign to abrogate PR, New York public opinion was quickly and radically reorienting its consensus. As soon as the war ended, a vigorous campaign to abrogate PR was reorganized, and from late 1946 onward, the press, mirroring the inversion of the public consensus, abandoned the support for PR, and diffused a large

number of anti-proportionalist publications and researches, supporting arguments of technical and political malfunction of the proportional system (Table 2).

While in 1936-37 the majority of New York City's newspapers took the position of favoring the adoption of PR, by 1947 that same majority sustained its abrogation. In terms of aggregate daily distribution, the number of copies of newspapers against PR in 1947 was six times higher than those favoring PR (Zeller and Bone 1131). The editorial position of the *New York Times*, expressed in four articles published between October 27 and October 30, 1947, epitomized this transition. Originally, in 1936, the *New York Times* sided with PR, but starting in 1937 started expressing criticism. Eventually, on April 2, 1947, it announced in an editorial the decision to endorse the movement against PR.¹⁶

Table 2

Deployment of New York City's Newspapers on PR

Newspaper	Position on Proportional Representation
Herald-Tribune	For
New York Post	For
PM	For
Daily Worker	For
Daily Mirror	Initially for, by 1947, against
Journal-American	By 1947, against
World-Telegram	Initially for, by 1947, against
The New York Times	Initially qualified for, gradually turned against
Daily News	First election for, subsequently against
Sun	Always against

Source: Shaw 205; "New York City Adopts P.R." 680; "New York's First" 609-610

With Cacchione winning a third term in 1945 and Davis re-elected in his second term, both with increasing popular support, the campaign for PR abrogation in 1947, suspended after Pearl Harbor in December 1941, resumed with force, and centered on the presence of Communists in the City Council. From the first abrogation campaign in 1938, a part of the anti-PR propaganda focused on the consideration that PR was giving super representation to political, racial, ethnic, and religious minorities.

As Ferdinand Hermens explained in 1943, “Another aspect of the 1941 Council elections was the recurrence of ‘freaks’ on large scale” (Hermens 47). Cacchione and, after 1943, Davis (among many others) were elected only by virtue of their being “ethnic” and “racial” candidates rather than communists. This interpretation had the double advantage of claiming that PR was far from being a fair system, and of defusing the native dimension of a Communist radicalism: New York was safe from Communism since Cacchione’s and Davis’ electorate were aligned on issues of ethnicity and race, rather than on political ideology. After the third PR election in 1941, an article in the *Political World* read:

A. Clayton Powell, the Negro, got thousands of votes from the politically ignorant who naturally supposed that that they were voting for an Anglo-Saxon, and Peter Cacchione, the Communist, got thousands of votes from Italian Americans whose first thought was racial rather than American. (Hermens 27)

As the *NMR* explained, summarizing the views of the opponents of PR, “[t]he charge is being made that Communists and other left-wing radicals have been able to ‘beat the system’ and get more than their share of representation” (“P.R. Fight” 287).

The proportionalist coalition tried to demonstrate the groundlessness of the antiproportionalist arguments by

publishing analyses of the vote and studies of the transfers of the Hare system's ballots. For example, as emphasized in an article in the *NMR* on December 1943, when six candidates with Italian names or ancestry were defeated, the second choices on their ballots were not redistributed to the remaining Italian candidates, but according to partisan lines ("Racial" 624; "New York City's Fourth" 624). Cacchione himself responded to his detractors that if on the one hand it was true his vote was only partially based on a Communist vote, it was certainly not a mainly ethnic vote: instead it came from "thousands of ballots cast by democrats, Republicans, Laborites, veterans, Unionists, and Italian-Americans" ("Quattro" 22; Gerson 110; Rosa-Clot, "Contadini"). Ben Davis released identical declarations to the *New York Times* stressing how "it was 'crystal clear' from an analysis of the vote that he had not been 'elected by Harlem alone or by the Communist party alone [but by people] identified with all religious, racial and national groups'" ("Davis").

Actually, as the *New York Times* explained (and as Cacchione's and Davis' staff forgot to mention), a big part of the Communist candidates' first choices success was "attributable to 'bullet voting' by that highly organized minority group." Cacchione and Davis, in fact, were the only candidates on the Communist ballot for their districts: their electors would have not, therefore, dispersed their first choices, but would have surely "shot" their first choice for the same candidate. The Democrats, instead, "spread their first choice organization votes among the three or four organization-endorsed candidates, insuring that all of them stay in the race" ("Communists").

Notwithstanding the severe anti-PR and anti-Communist criticism that tried to link Cacchione's successes, electoral laws, and ethnic vote, Italian-American ballots were not the primary source for his election: Cacchione received his most solid vote from Jewish neighborhoods, and among white candidates he obtained the best results in the Black neighborhoods. Even though he did not get landslide results in Italian-American

neighborhoods, as his detractors claimed, Cacchione drew consistent support from them. However, as Gerson emphasizes, “as a practical matter ... his ‘ethnic’ Italian vote was no greater and in fact less than that of some Italian-American machine candidates” (Gerson 111).

The most effective argument for the anti-proportionalist campaign, however, did not focus on the obscure technicalities of the system or on more or less refined arguments about democratic theory. As Belle Zeller and Hugh A. Bone have observed, the crucial issue was the electoral legitimization of Communism. Brought together by the common rhetoric of the war against Nazism, Soviet-American relations were maintained as friendly, but immediately after the war a violent anti-Communist rhetoric quickly became the paradigm of any social and political relation. In September 1945 the House Committee on Un-American activities summoned four leaders of the Communist party (Benjamin Davis among them, as the party’s vice-president) to ascertain “whether the Communists are conducting operations ‘dangerous’ to the country,” or as Indiana Republican Representative Gerald W. Landis declared, “to find out whether the Communists are still planning to destroy or overthrow the American system of government” (“Call” 1). As the leader of the Tammany organization, Frank J. Sampson, had stressed in a resolution on October 8, he considered PR the “first beachhead of Communist infiltration ..., a foreign importation designed to weaken the American system” (“Head”). The first goal of the New York City electorate, wrote the *New York Post* on October 13 was, therefore, to get rid of PR, “to throw out this Stalin Frankenstein system ..., a foreign political theory that has created confusion with the blessing of the Kremlin” (Zeller and Bone 1128).

The haunting might of Cold War culture provided a good rhetorical equipment to pursue the recovery of that political control that the Party machines had in part lost ten years earlier. The *NMR*, strenuous advocate of PR, summarized the tone of

the 1947 anti-proportionalist campaign: “[Democrat politicians] launched the attack on P.R. for quite other reasons, were able to persuade a majority of the Newspapers and the people that they were voting on the foreign policy of the Kremlin instead of a feature of city government in New York” (“New York Voters” 648). The Red Scare’s paranoid culture wonderfully fitted the needs of the new anti-PR campaign: the public debate on the issue was so overheated that an investigating commission, which reported to President Truman just before the 1947 election, “found a state of near hysteria on the subject” (Shaw 205). A Democratic-Republican coalition successfully led the movement against PR, and on November 4th 1947, Tammany’s decennial efforts to eliminate PR were finally successful: reversing the poll ratio of PR adoption from eleven years before, a popular referendum abrogated the provisions for the election of New York City Council (Table 3).

Table 3

The vote for the adoption and abrogation of PR

1936 Election	In favor of PR		Against PR	
Charter Changes	959,519	[61%]	603,072	[39%]
Implement PR	923,186	[62%]	555,127	[38%]
1947 Election	Against PR		In favor of PR	
Repeal of PR	935,222	[61%]	586,170	[39%]

Source: Shaw 171, 209.

A widespread anti-Communist rhetoric overpowered all other political considerations. In May 1947, a commentator in the *NMR* once more opined “[the] present feelings of exasperation at the course being followed by the government of Russia are being directed against PR because of the presence of two communists on the 23 member city council” (“P.R. Fight” 287). As the *NMR* explained in an editorial in December, after the abrogation of PR,

the “[m]ost important factor in the campaign was the unpopularity of the CP and ALP – the latter being charged with having policies parallel to the former – each of which elected two councilmen at the last election in 1945” (“New York Voters” 648).

The electoral effect of proportional representation contributed, therefore, to the polarization of New York’s political forces: on the one side the Democratic and Republican parties directed the anti-PR movement, and, on the other, the Fusionists and the Liberal, Communist, and American Labor Parties tried to defend the proportional system. The Democratic Party had very good and obvious reasons to be hostile to PR. Until 1937, the Democratic Party had the monopoly of representation, and the adoption of the proportional system represented a partial but significant loss of power in the Council.¹⁷ The Republican Party, instead, being the bigger minority party, enjoyed an increase in the percentage of representation under the new system. Why then, in spite of this advantage, did it endorse PR abrogation siding with Tammany?

According to Zeller and Bone, Anti-Communism is a first answer: the Cold War rhetoric was too precious a political resort to leave its monopoly to the Democrats. Even if the New York Young Republican Club, the Young Women’s Republican Club of New York, and many New York councilmen did not follow the official Party position, prominent Republicans participated in the campaign for PR abrogation. Republican Park Commissioner Robert Moses – former secretary of State, expert on the city and State’s park system, and influent authority of city politics – , for example, saw in PR a very serious threat to democracy: “No democratic system can exist in any form of government save the two-party system. I want to see the two-party system restored in our city instead, instead of the three, four, and five party systems which now exist” (Zeller and Bone 1129). Although Republicans were not unanimous in supporting the repeal of PR, as C. C. Burlingham, former president of the American Bar Association,

clarified, the Republican leaders were “willing to sacrifice their party in order to be rid of the two Communists who, thanks to P.R, are members of the Council” (Zeller and Bone 1129).

During the eleven years of proportional representation, with the disappearance for the need of primary elections and the rise of independent factions within the two main Parties, “weaken[ing] their ability to dominate the nomination and election of councilmen,” both the Democratic and the Republican parties had lost a significant portion of their control over electoral politics, and, as a consequence, of political power (Shefter 61). It was, therefore, logic for the Republican party to support the campaign against PR “even though this [the abrogation of PR] drastically (and predictably) reduced Republican representation on the council” from four councilmen on a council of 23 in 1945, to a single one in a council of 25 in 1949 (Table 4) (Shefter 61).

On November 1st, 1949, with the first election after the abrogation of PR and the reintroduction of the SMD, the Democratic Party recuperated the levels of absolute control it had lost in 1936. All the other parties except the Republican Party lost all representation. Although collecting more than 26% of the popular votes, the Communist, Laborite, and Liberal Parties failed to elect any councilmen. Reversion to the traditional electoral system restored the habitual two-party system and the political equilibrium so essential to the survival of the political system (Table 4). As Herbert Pell, Democratic State Committee Chairman and Congressman for Manhattan, wrote in a letter to the *New York Times* in May 1947, “The objection to PR does not come from the people. It comes from the political leaders who want a body subservient to themselves and which they can control” (Pell 24) or, as the Chairman of the Young Democrats of New York explained on August 25, 1947 in a letter to the *New York Times*, it was necessary to eliminate an electoral system such as PR as “subversive of the two-party system” (Zeller e Bone 1134).

Table 4: New York City Aldermanic and Council Elections 1921-1949^b

	1921	1923	1925	1927	1929	1931	1933	1935	1937 ^c	1939 ^d	1941 ^e	1943 ^f	1945 ^g	1949
System	SMD	SMD	SMD	SMD	SMD	SMD	SMD	SMD	PR	PR	PR	PR	PR	SMD
Democratic														
% Votes	54	57.6	61.6	62.6	62.2	65	51.2	66.4	47	65.5	64	53	59	52.6
% Seats	80	86.2	93.8	89.2	93.8	98.5	75.4	95.4	50	66.5	65.5	59	60	96
# of Seats	52	56	61	58	61	64	49	62	13	14	17	10	14	24
Republican														
% Votes	35	34	33.4	32.2	31.7	25.9	40.8	26.1	8.5	8.0	6.5	22	15	21.6
% Seats	18	12.3	4.6	10.8	6.2	1.5	24.6	4.6	11.5	9.5	7.5	17	13	4.0
# of Seats	12	8	3	7	4	1	16	3	3	2	2	3	3	1
Fusion (Candidate endorsed by both Democrat & Republican Parties)														
% Votes	1.0	0.6	0.6	-	-	-	-	-	-	-	-	-	-	-
% Seats	2.0	1.5	1.5	-	-	-	-	-	-	-	-	-	-	-
# of Seats	1	0	1											
City Fusion														
% Votes	-	-	-	-	-	-	0.5	-	10.5	11.5	12.5	-	-	-
% Seats	-	-	-	-	-	-	0	-	11.5	9.5	11.5	-	-	-
# of Seats							0		3	2	3			

^b After 1945, councilmanic elections were held once every four years. The election of 1949, hence, is the first councilmanic election after 1945.

^c Council of 26 members ^d Council of 21 members ^e Council of 26 members

^f Council of 17 members ^g Council of 23 members

# of Seats							0							
Other														
% Votes	0	0.2	0.2	0.4	0.3	0.7	2.0	3.6	3.5	-	-	-	-	-
% Seats	0	0	0	0	0	0	0	0	0	-	-	-	-	-
# of Seats	0	0	0	0	0	0	0	0	0					

Source: Shaw 127, 128, 196, 245; Zeller and Bone 1132.

Those reformers and political associations that had supported proportional representation since the beginning of the century, managed to captivate a larger consensus by exploiting the diffused discontent for the political monopoly of Tammany Hall and the climate of widespread political corruption that embedded the politics of the City. New York proportionalists were able to link the argument in favor of PR to “anti-machine” and anti-corruption arguments exploiting a major political and administrative scandal that hit Tammany Hall. After the election of 1941 – after only two elections since the adoption of PR – and the success of ALP and of the Communist party (electing that year its first councilman) the rhetorical climate that surrounded proportional representation and the popular consensus that supported its adoption in 1936, faltered. General dissatisfaction with the results of PR, quickly assumed the tone of a scandalized criticism, and led to the organization of a movement for the abrogation of proportional representation, and, finally, in 1947 a new referendum definitely put an end to the proportionalist parenthesis New York opened only eleven years earlier.

Why this course? If on the one hand Zeller and Bone correctly identified in anti-Communism the primary trait of antiproportionalist rhetoric, on the other hand they committed a mistake of analytical perspective in considering anti-Communism the structural reason for the failure of PR in New York. This, as

well as for the real reason for Democratic-Republican anti-proportionalist coalition, is not to be found in anti-Communism, but, rather, in the loss of political power engendered by the non-partisan nature of the Hare system. Furthermore, although Zeller and Bone stress the fact that “it was not too well known, but one of the most important reasons why the party machines repeatedly fought PR was that it deprived them of control over nominations,” since, at least, the end of the 19th century proportionalists all over the word had based an important part of their rhetoric on the very argument that PR would be a viable instrument to limit the power of the party machines (Zeller and Bone 1137). The same argument was a frequent one in the campaign for the adoption of PR in 1935-36, and, again, in all the subsequent campaigns in defense of PR: as the *Herald Tribune* explained on November 5th 1947, “the politicians have never liked a system which undermines their influence on the choice of candidates to the city council” (“New York Voters” 649). Cold War was not the structural cause for the failure of the proportionalist experiment, but only its rhetorical frame.

PR lost consensus and was repelled both because the Hare system was perceived as over complicated and obscure even by those progressive clubs that supported it (although one of the prominent theorist of PR in the United States, George H. Hallett, claimed “The rules [of the Hare system] are simpler than those of baseball, and incomparably simpler than those of bridge), and because PR failed in realizing the interests of its supporters (Hallett 91).¹⁸ PR also frustrated the expectations that proportionalist propaganda had generated in public opinion, or, as Ferdinand Hermens commented in 1943 in supporting the new campaign to abrogate proportional representation, “New York’s PR experience is characterized by a great gap between promise and performance” (Hermens 50). Indeed, the transition in 1937 to an electoral system based on proportional representation principles altered the traditional two-party political equilibrium of the City, bringing into the Council

political forces that did not belong to the traditional institutional arena and existed within the two-party system only as pressure groups. However, the political cement of the coalition that sponsored the adoption of proportional representation in 1936 was the expectation that the use of PR would have fatally penalized Tammany Hall. This did not happen.

In 1941, after electing three legislatures with proportional representation, it became evident that the new electoral system (as was expected) did penalize Tammany Hall's electoral outcome, but was also far from taking the control of the city away from it. As an editorial in the *New York Times* lamented in 1941, "Tammany and its allied organization in this city have several times paid 'P.R.' the compliment of trying to get rid of it; but they have nevertheless learned to use it for their purposes far better than their opponents" ("PR and the Council" 23). Not only did Tammany maintain a strong and steady majority in the Council – although far from the absolute control of the pre-1936 legislatures – but also it was also able to elect an enormous percentage of incumbents, demonstrating its electoral robustness.

Proportional representation or not, the Democratic Party could rely on a structural popular support. Notwithstanding the assurances of the proportionalist supporters, the electoral reform neither automatically broke the prevalence or power of the Democratic Party on New York City, nor allowed smaller parties or independent candidates to compete with it. As a reader grumbled in a letter to the *New York Times* after the 1945 elections, "the blame for the continued Democratic control of the City Council should not be placed on P. R. It should be placed first of all on the voters themselves who gave the Democrats quite handsome majorities" (De Berhune 22). If it was true, on the one hand, that proportional representation could determine original electoral behaviors and results, on the other hand, a superior organizational structure – like Tammany Hall –, and the dynamic of a century-old political system proved

to be a much more important and resistant element in the management of electoral politics than the PR reformers had predicted, and could not be easily overcome by just a decade of proportional representation.

Although, as Peter Argersinger has noted, in generalizing a problem of the historical research on the nineteenth century, historians' lack of attention to the modes of representation is significant, it is indeed relevant to note how the adoption of a specific electoral system instead of another can be crucial in shaping cultural patterns and electoral behaviors, and how its choice can be the very base of a long term political strategy (Argersinger 60). Not only does New York City's experience exemplify several aspects of this mechanism but it also raises another set of questions.

In analyzing American political history, scholars have implicitly postulated that the traditional electoral system – the majority system – is tightly linked to the American political system (or systems), and that the second cannot exist without the first (Rosa-Clot, "One"). The assumption at the base of the American democratic system can be summarized by what Republican Park Commissioner Robert Moses straightforwardly stated on the *New York Herald Tribune* on October 28, 1947, "[n]o democratic system can exist in any form of government save the two party system" (Zeller and Bone 1129). However, in spite of this widely diffused opinion, many other democracies (among others, Ireland, Israel, and, until 1994 – when it switched to a peculiar majority system – , Italy) have based their democratic system not on a bi-party majority system, but upon a multi-party system with proportional representation (Lijphart).

Furthermore, notwithstanding the widespread assumption that the American Political system relies on the single member district electoral system, the use of proportional representation in New York City not only failed to engender a crisis in New York's society or institutions, but also favored the emergence of social forces and of political subjects that, although scarcely visible

under the majority system of representation, proved to be a structural component of the City and a legitimate part of the American democratic system. Those councilwomen and councilmen who entered the City council for the first time in the history of the City – women, blacks, Communist, and Laborites in such a number – were not “invented” by the new electoral system, but were already part of the City’s actual political pattern: proportional representation merely gave them institutional visibility.

What would be, as Lani Guinier rhetorically asked in *The Tyranny of the Majority*, the result of the application in the United States, of an alternative multi-party system, giving to political, ethnic, or racial minorities the possibility to elect their representatives instead of diluting their electoral weight within the single member district system? (Guinier). The experience of New York City can provide a few constructive insights, and useful elements to ponder some of the traditional assumptions of American politics.

NOTES

¹ For an extensive account of the history of the PRL and of the electoral systems in the U.S. see Rosa-Clot “One.” With the exception of Barber’s, the other available works on the history of PR in the United States have been published before the 1950s.

² It is interesting to note how even the scholarly research, analyzing New York City politics in the 1930s and 1940s, fails to discuss this change of electoral rule. The only important exceptions are Shaw, and Zeller and Bone.

³ For a brief discussion on the issues of constitutionality see Barber; Rosa-Clot, “Rappresentanza.”

⁴ The Democratic Party lost the majority in the Board of Aldermen only in 1902, in 1906, in 1912, and 1914 (Bayer, McNickle 48).

⁵ Seabury had always openly expressed his opposition to Tammany Hall, that he saw as “not only a menace to New York City – it is a menace to the nation as well” (*Address* 25).

⁶ See, for example, Rebecca Browning Rankin MRL radio broadcasts “Proportional Representation” on June 4th, 1934, and “Charter Revision” on May 7th, 1934 (Seaver 308-309).

⁷ See, for example, the pamphlet *A Primer on Proportional Representation* published by the Women’s City Club of New York in June 1936 and Rebecca B. Rankin’s very successful radio broadcasts on WNYC (Seaver 312).

⁸ At its 1936 national convention in Cincinnati, the National League of Women Voters inserted for the first time in the national program the support for the municipal manager plan “preferably with council elected by proportional representation” (“National” 377).

⁹ Formally organized by leaders of Labor and by the Non-Partisan League on July 16, 1936, the ALP tried to create a link between large sections of New York Socialist electors and the vote for Franklin Delano Roosevelt. Its tactic objective was to provide “a line under which Socialists and other radicals and liberals could vote for the New Deal without voting for the Democratic Party” (Waltzer ix, 2).

¹⁰ Between 1936 and 1950, the ALP polled an average of 15% or better of New York City’s candidates (Table 5).

¹¹ In 1937, for the first time since 1916, the Democratic Party fell under 50% of the total votes cast.

¹² The count was long indeed, for the Bronx completed it on November 30 because of a judicial investigation for ballot tampering. In Manhattan, however, half a million ballots were counted in “only [sic] eighteen working days” of seven to eight hours each (“New York’s First”).

¹³ Earle was already elected as an Independent Republican in the first PR election in 1937, becoming the first woman to enter New York’s City Council.

¹⁴ The Devaney law barred from public employment and from teaching in tax-supported educational institutions any person who advocated, advised, or taught the doctrine that government should be overthrown by force or any other unlawful means (Konvitz).

¹⁵ Both Mussolini and Hitler had strong electoral success under electoral systems based on PR.

¹⁶ According to the *New York Times*, PR did a “doctrinaire mathematical justice to minorities” but was “sheer nonsense [in providing] a fair and accurate reflection of party registration and public opinion in New York City” (“The Future of P.R.” 26).

¹⁷ The Democratic Party passed from a percentage of Aldermen between 75% and 95% of the Board before 1937, to a percentage between 50% and 67% during the period of use of Proportional Representation.

¹⁸ The Hare system “[i]n itself it insures a just representation, but in practical operation would probably be made the occasion of great dissatisfaction, unfairness, and fraud” (Dutcher in Hoag and Hallett 185). The election of 1941 reinforced these reservations: “[t]he election was marked by a substantial increase in the number of invalid and blank ballots compared with the 1939 race. ... In Brooklyn the invalid and blank ballots totaled about 15 per cent of the complete vote” (“New City Council has 26 Members”).

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