“One Person, Three Votes;” Illinois’ 110-Year Experiment with Cumulative Voting

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List of Abbreviations

ALV – At-large Voting
Con-Con – Constitutional Convention
CV – Cumulative Voting
FPTP – First Past the Post
GA – General Assembly
IAPRAES – Illinois Assembly on Political Representation and Alternative Electoral Systems
LV – Limited Voting
PR – Proportional Representation
SMDV – Single-member-district voting
STV – Single Transferable Vote
Introduction

Voting in the United States is most often conceptualized in one particular way: as an election using majority rule, secret ballots, and the philosophy of “one person, one vote.” Any deviation from this voting system is seen as a novelty; the presidential caucuses every four years in Iowa are met with lengthy explanations of exactly how they function, while the New Hampshire primaries are understood as the “normal” system. That “normal” system is exemplified by current voting procedures in Illinois. Stepping into the voting booth (or more commonly now, the voting cubicle), a voter is handed a ballot on which candidates for a number of positions are listed. The voter chooses the one candidate for each position that he or she feels would be best and marks that selection, in Illinois, by drawing a line through an arrow next to the candidate’s name, though in other areas voters pull levers or punch holes in a card corresponding with the candidate they choose. Under this system, the voter makes one key choice in every race by deciding which candidate they prefer.

For 110 years, however, voters in Illinois were asked to do something different when electing State Representatives. In both the primaries and the general elections, once he or she stepped into the voting booth, a voter had to choose both whom they preferred among the candidates and how to distribute the three votes given to every voter. The cumulative voting (CV) system in Illinois allowed a voter to mark their top three candidates and give them each one vote, mark two candidates and give them each one and a half votes, or mark only one candidate and give them all three votes. After a general election, votes for every candidate were totaled and the three candidates with the highest vote totals in each district became State Representatives.
The system of cumulative voting was introduced in Illinois in 1870, with the first election held using CV in 1872. The primary intention of the system was to give representation to the minority party in each district, though over its lifetime in Illinois, proponents of CV have claimed many other benefits of the system. Cumulative voting ended in Illinois with the 1980 passage of the “Cutback Amendment,” which returned the House of Representatives to single-member districts with the voting process previously described. Even though CV ended more than 30 years ago now, it is still relevant to Illinois politics today. Politicians and political scientists still periodically advocate for its return, most recently in late March of this year, when a former Illinois Congressman wrote an opinion piece in the *Chicago Tribune* entitled “Let’s Restore Cumulative Voting.”¹

There were two important studies of cumulative voting done while it was in place. The first was by Blaine Moore in 1908, which he revised in 1919 after the first few years of primary voting, and looked at how well the legislators elected in the early years of cumulative voting represented the partisan distribution of Illinois.² The second study was conducted by George Blair in 1960 and titled “Cumulative Voting; an Effective Electoral Device in Illinois Politics.”³ Blair examined the levels of competition, minority representation, tenure and large shifts in party composition in the Illinois House of Representatives in 1929, 1939, and 1949. In order to understand how much of the situation in the House was caused by CV, Blair compared Illinois’

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House with the lower legislative assemblies in Indiana, Iowa, Michigan and
Wisconsin. These are both very good assessments of the state of CV in Illinois at the
times they cover, but are limited in their ability to be applied to the current situation
in Illinois. The Illinois system for voting in primary elections continued to change
after the studies were done, and both Blair and Moore look at times in which there
was little to no representation of women or racial minorities in the legislature. Finally,
since the end of cumulative voting, it is now possible to compare the effects of CV on
the Illinois house to the effects of the current plurality system on the same body,
which can eliminate some of the confounding variables at play when Blair compares
systems between states. In the period since cumulative voting ended, there has been
one serious attempt to look at how well the system worked, which came in 2001. The
Illinois Assembly on Political Representation and Alternative Election Systems was
formed to look at the change from cumulative voting to a plurality system and came
to the conclusion that cumulative voting was a better system for Illinois. 4 While the
assembly did produce a 13 page article comparing the House of Representatives
under the two systems, a large section of the Final Report and Background Papers
that the Assembly presented focused on the “National and International Context” of
voting systems, comparing the models used by many other countries to the models
used in Illinois.

This thesis seeks to expand on the work done in those thirteen pages by
analyzing how well the experience of cumulative voting in Illinois matched what

would be expected from the theoretical model of CV and using data from before and after the end of cumulative voting in order to compare CV in Illinois with the current system. Chapter one explores the main theoretical voting models used by political scientists and what benefits or drawbacks cumulative voting should theoretically provide relative to other voting systems. Chapter two will examine the history of cumulative voting in Illinois from its inception in 1870 to the constitutional amendment ending the system in 1980, with particular focus on the ways the CV system changed over the period and the numerous attempts to replace it throughout its 110 year existence. Chapters three and four investigate how the experience of cumulative voting in Illinois was similar or different to both the experience of the system which replaced it and the theoretical model of CV. Chapter three analyzes the representativeness of the cumulative voting system in Illinois as it compares to the current system and the theoretical model of CV, while chapter four focuses on the way the House of Representatives operated under each system.
Chapter 1

The right to vote defines a democracy. While governments also require other rights, freedoms and institutional structures to be considered fully democratic, holding “free and fair elections” is often the first step for countries becoming democratic. Elections are not simple, however, and the processes used to elect representatives or vote on issues are not universal. Representative democracies require a process by which all citizens can vote for people to serve in legislatures or as executives, but there are many different ways to structure such a process.

There are a multitude of different voting systems which are used around the world or have been proposed as the ideal method of voting for representatives. Most of the basic theoretical systems have many variations in practice and many countries use mixed structures which include elements of different systems, but this analysis will look at a few of the most common theoretical models. Voting systems are often divided into two large groups: plurality or majority systems and proportional systems.

In plurality or majority systems in general, the candidate or party that has the highest vote total in a district takes all the seats available. Often there is only one seat available in a district using plurality voting, and when that is the case, the system is called single-member-district voting (SMDV). When there is more than one seat available in an area, but the individual candidates with the highest vote totals win, the system is termed at-large voting (ALV). Proportional systems on the whole divide the seats available by the proportion of votes a particular party gets.\(^5\) When the party gets to decide who will fill the seats, the system is referred to as proportional representation (PR) with a closed list, whereas when voters have a say in who fills the

seats, it is PR with an open list. The single transferable vote (STV) system of proportional representation is a little different, as it allows voters to rank candidates rather than just pick one candidate or party. Systems like cumulative voting (CV), which Illinois adopted, and limited voting (LV), in which voters have fewer votes than the number of seats available in the race, are harder to categorize - they are often called semi-proportional systems, but some theorists merely leave them in an ‘other’ category, outside the binary of plurality and proportional systems.\(^6\) Advocates of PR in any form are quick to dismiss cumulative voting, calling it a step up from SMDV, but still a crude and inferior system. Quoting John Stuart Mill, Kathleen Barber writes: “Although Mill felt that both of these “makeshift” plans [limited voting and cumulative voting] “recognized the right principle,” neither reached the “degree of perfection” of [the single transferable vote] proposal.”\(^7\) Cumulative voting creates a middle ground between fully pluralistic-majoritarian systems and proportional systems, which is why advocates on either side are able to attribute the problems of each type of system to CV. However, it is also possible for CV to capture the benefits of each system, as well as some of its own, depending on how well it is implemented in practice. Before looking at how the systems’ benefits and drawbacks relate, it is necessary to briefly describe the way each system works.

**Theoretical Voting Models**

*The Single-Member-District Plurality System*

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Single-member-district voting is the most common voting system used in elections in the United States. Voters select between candidates of different parties by choosing one candidate to vote for. SMDV requires voters to be broken up into districts which each elect one member to the legislative body. Within each district, the plurality aspect of the system means that the candidate who receives the highest vote total of all the candidates running will take the seat in question. There are many slight variations which can be made to this system without changing the majoritarian structure. The US Senate effectively functions according to SMDV because, while each district (state) elects two senators, each senator is elected in a separate election under plurality rules. A common variation of this system is a first-past-the-post (FPTP) system with a runoff, in which a plurality alone is not enough. Instead the winning candidate must receive at least 50 percent of the vote, or else the top two candidates enter into a runoff election. While this is not a plurality system, the winner of the majority of the votes still takes the only seat, making the two systems very similar. The single-member-district system is designed to promote majority rule and a strong relationship between constituents and their representatives.

At-Large Plurality System

The at-large system is less common than SMDV, but it is often used in smaller municipalities or in other local elections in the United States. The at-large system differs from SMDV in that there are no districts – all representatives are elected by everyone. Each voter gets as many votes as there are seats available, and the top vote-getting candidates take the open seats. While statewide elections in Illinois now use SMDV, certain local races use at-large voting. The Metropolitan

Water Reclamation District Commission in Chicago, for instance, elects three commissioners every two years from the whole city. Each voter is instructed to “vote for not more than Three,” and the three candidates with the highest vote totals win.\footnote{Board of Election Commissioners for the City of Chicago, \textit{Official General Election Ballot, Chicago, IL}, Tuesday, November 4, 2008. That is the only set of special instructions on the Illinois ballot for the one race that uses ALV.}

\textit{Proportional Representation with a Closed Party List}

Proportional representation on the whole replaces an emphasis on majority rule with the promotion of ‘fair’ representation of every party – if a PR system works, the legislature should be fully representative of all the parties in the state or country in the right ratios. Under a system of proportional representation with a closed party list, voters do not vote for candidates at all. Instead, each voter chooses the party whose platform that they most agree with. The total number of seats in the legislature or assembly is allocated proportionally according to the share of votes the party received in the election. Therefore, if the Blue Party receives 28% of the vote, it will hold 28% of the seats in the legislative body, or 28 seats in a 100 seat legislature. The individuals who fill those seats are drawn from a list created by the party – when the Blue Party is allocated 28 seats, the first 28 people on the Blue Party’s list would join the legislature. The party therefore is able to determine which candidates it would prefer to get seats by placing them higher on the list. This system is used in a number of countries, including Israel.

\textit{Proportional Representation with an Open List}

Alternatively, some countries use PR with an open list, which is the same as a closed list system in that voters choose a party rather than an individual to vote for and the parties are allocated seats in the legislature based on their vote proportion.
The difference between open and closed list systems is that while voters were choosing which party to support, they also were given ballots containing the individual candidates. Open list PR systems vary greatly by country, but typically voters choose the candidates they most prefer out of those who on the parties’ lists (in some systems, voters are able to pick their top candidates from any party, while in others they can only choose candidates representing the party the voter supports). These ballots only come into play after the initial allocation of seats, when it is time to decide who in the Blue Party takes the 28 seats they have won in the election. Instead of just going by what the party leaders want, candidates who received most individual support from the voters get moved up the list and are thus more likely to obtain a seat. Examples of countries using PR with an open list include Belgium and Italy.

*The Single Transferable Vote System*

The STV system is often called the Hare system, after Thomas Hare, who proposed it. This system was designed to eliminate all “wasted votes” given to candidates who do not succeed or do not need all the votes they receive by distributing them proportionally to voters’ second and third choice candidates. Under the Hare system, there are no geographic districts – like other PR systems, representatives are elected at large. In this system, voters do not merely pick their top choice of a candidate. Instead, each voter ranks the candidates on his or her ballot in order of preference. When the ballots are tallied, a complex calculation process begins. First, election officials find the number of votes any candidate needs to get a seat by dividing the number of voters by the total number of seats being filled and

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adding one. Then each candidate who has that number of first choice votes or more gets a seat. The “extra” votes those candidates receive (the ones beyond the number actually needed) are then distributed according to a formula that determines the proportions of the second choices that people voted for and applies it to the extra votes. For instance, if candidate A received 20,000 votes but only needed 16,000 to get a seat, the second choices of all of the 20,000 people would be tallied. If three-quarters of those voters wanted candidate B second and a quarter wanted candidates C second, the “extra” 4,000 votes of candidate A would be redistributed according to that ratio (3/4 to ¼) such that B gets 3,000 more votes added to their total and C gets 1,000 votes added to the total. This process continues as more candidates are able to meet the threshold of votes required for a seat. Finally, the candidates with the lowest vote totals get their votes redistributed to the other candidates based on the second choices (or third or fourth, etc. if those candidates are already out or elected) of the people who voted for them.

While the single transferable vote tends to be grouped in with proportional representation systems, as it elects representatives at large and in proportion to their vote shares, it is sometimes grouped with other systems such as cumulative voting as a “family of ordinal electoral systems.” The similarities between these systems are in the ballots rather than the structure of the system; ordinal systems are contrasted with categorical systems like PR list systems and SMDV. In categorical systems,
voters each pick one and only one preference (whether of a party or of a candidate). In ordinal systems, voters have more options to use to demonstrate their preferences and the vote tabulation requires more calculation and complexity.

**Limited Voting**

In limited voting, as in SMDV, the electorate is divided into geographical districts. Instead of each district having one representative, however, the districts have multiple representatives. The precise number can vary without fundamentally changing the way limited voting works. Each voter can vote for a number of different candidates, as in at-large systems, except that the number of votes each person has must be less than the total number of seats. For instance, a district might have five representatives, but each voter only gets to cast three votes. In this case, the five candidates with the highest vote totals would take the seats in question.

**Cumulative Voting**

Cumulative voting is very similar to limited voting in that there are geographical districts which each have more than one elected representative. In CV, each voter can cast the same number of votes as there are candidates, but unlike in at-large systems, voters can combine their votes any way they wish. This means that a voter can decide to cast multiple votes for the same candidate if they wish.

As it was implemented in Illinois, each district had three representatives. The voters were allowed to cast one vote each for three candidates, one and a half votes each for two candidates, one vote for one candidate and two for another, or all three votes for one candidate, which was called “plumping” or “bullet voting.”

**Qualities of Voting Systems**
These voting systems all have their advantages and disadvantages, some of which are more readily apparent than others. The factors most used to assess voting systems are: how well the elected body represents the population it serves; the relationship the voting system creates between constituents and representatives; the quality of the elected body and how well it functions to pass legislation; and the complexity of the system for the voters. Choosing a system often depends on how people weigh these factors relative to one another, as no system is the best according to all of the criteria. Cumulative voting often is said to occupy a position between fully majoritarian and fully proportional systems, which is true in many ways. However, CV has its own structure as well, which gives it virtues beyond those of both plurality and proportional systems. The biggest exception to this is in the area of complexity for voters, where it is at a severe disadvantage relative to other systems. Cumulative voting theoretically could have many advantages over other systems, but it would depend on both the abilities of the electorate to use the system and the system functioning according to the ideal.

Representativeness

Representativeness of a voting system is most often conceptualized as the claim that the partisan composition of elected officials should be the same as the composition of the people who voted for them. In a very generalized example, if a population is made up of 30,000 Republicans, 42,000 Democrats and 3,000 Socialists, a fully representative body of 25 would have 10 Republicans, 14 Democrats and 1 Socialist. Representativeness is most highly prioritized by people who support proportional representation, which aims to create just this sort of system. The clearest version of this is PR with party lists, as each party gets the number of seats most
closely proportional to their vote totals. Conversely, a critique of representativeness is one of the most common aimed at plurality or majoritarian systems. Given that there is only ever one elected representative from an area in SMDV systems, large numbers of people end up represented by a person not of their party. This could even out over the whole electorate if the districts are set up in a very precise way, but it is very unlikely that the partisan distribution in an elected body under SMDV will be the same as the partisan distribution in the whole region, particularly over a long period of time, as opinions change quicker than districts. The real problem of representativeness in SMDV is not just the possibility of the districts not mitigating underrepresentation, but that they could be set up (intentionally or not) to facilitate it. G. Bingham Powell writes of SMDV, “the voters for the losing party are always unrepresented in the district’s outcome, even if they constitute 49 percent of its district’s electorate. If the same party finds itself in this situation across most of the districts, the collective outcome will find its voters badly underrepresented in the legislature”\(^\text{14}\)

Like SMDV, cumulative voting is also criticized for not being perfectly representative. Douglas Amy, a proponent of PR systems and particularly the single transferable vote, dismisses cumulative voting and limited voting, writing that “full proportional representation for all political groups is not guaranteed [with CV or LV], as it is with STV.... This is why these are called *semi*proportional and why most proponents of PR consider them crude systems inferior to true PR elections.”\(^\text{15}\) This statement demonstrates both the emphasis PR supporters place on the idea of

representativeness and the reason CV is thought of a middle path between plurality and proportional systems. In CV systems, there is no guarantee of true partisan representation of a full population – CV is not designed to create it. However, by allowing people to combine their votes, large minority parties are often able to combine all of their votes for one representative, meaning that they are not completely shut out of the process as they would have been under plurality voting structures. In this way, CV is a middle ground, benefiting by being better than plurality systems but not as good as PR. CV is not merely the compromise between a representative and non-representative system, however; the structure of cumulative voting makes it theoretically better than other systems when it comes to non-partisan representativeness, such as how representative an elected body is of racial or ethnic minorities rather than partisan ones.

Judging how representative a system is by partisan breakdowns alone misses many other demographic factors that might impact whether people feel represented. One common critique of the US election system is the underrepresentation of women and racial and ethnic minorities. Most legislatures, including the US Congress, have a much smaller proportion of minority groups than the population at large does.\textsuperscript{16} This can become a problem when minority groups with strong and often separate interests from the majority get little to no representation. Representation of racial minorities is also a problem in the PR systems with closed lists, as the parties pick the legislators and the only thing the voters can decide is party. This is easier in areas that are relatively homogeneous, but harder with more diversity as the party officials do not

\textsuperscript{16} Ibid, p. 6.
necessarily have any incentive to pick a racially or ethnically representative slate of candidates.

In representing non-partisan minorities, cumulative voting is theoretically better than either plurality or proportional systems. Just as with partisan representativeness, it is not meant to give representation equal to the distribution of minorities in the population. Instead, CV allows large enough minorities to combine all of their votes and elect at least one representative – the size of the minority needed depends on the number of representatives elected per district. This is true for any minority group that holds similar views and has similar interests. In PR, any minority group can only be represented if they have a political party, as votes do not go directly to candidates, whereas in SMDV, majority rule in every district tends to prevent all but geographic minorities from gaining access to the legislature.

The idea of wasted votes is connected to the question of representativeness, though it applies beyond votes “wasted” by people who do not get representation. A so-called “wasted vote” is one that does not matter in the outcome of the election. In the case of a single-member plurality system the wasted votes are those of everyone who does not vote for the winning candidate and therefore does not influence the election. These are the votes of people who could have stayed home on Election Day without changing the results. Looking at wasted votes is a way of conceptualizing the problem of representativeness from the perspective of the voter rather than the demographics of the elected body; instead of comparing the traits of elected officials to the population as a whole, wasted vote models look at how many people had a real say in choosing their representative. Wasted votes are a specific problem (beyond the
problems of underrepresentation) because of the cynicism and distrust of the system that they engender. George Hallett, an early advocate of PR, writes that “after throwing his vote away a certain number of times the average voter becomes cynical as to its value and leaves those who make a business of politics in undisputed possession.”

Looking at the systems with wasted votes in mind, the SMDV system is the most likely to have wasted votes just as it was most likely to be non-representative. PR systems are better able to accommodate the votes of more people, but in translating votes to seats there are always situations where some number of votes really do not matter for the final result, often when certain parties do not meet the minimum requirements to get a seat. Those who prioritize few wasted votes are most often proponents of the single transferable vote system, as all the votes are allotted such that the very fewest possible are wasted – the Hare method was designed to eliminate as many wasted votes as possible. In fact, the Hare method goes so far as to consider votes for candidates who win, but above the margin necessary for victory, as wasted and does its best to redistribute those as well. As in partisan representativeness, cumulative voting is not nearly as efficient with votes as PR systems, let alone STV, but it is more efficient than SMDV. More people’s votes matter in an election under CV, simply because three candidates win in total, so everyone who voted for at least one of the three avoided wasting a portion of their vote.

**Direct Constituency**

While proportional representation is geared toward fair partisan representation, proponents of single-member-district plurality systems argue that

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representative-constituent relationships are much more important. Under SMDV, each single district has one elected official who is supposed to represent the interests of their geographic area. This allows people to have an individual they can go to with specific issues they have and to hold individual representatives accountable. Constituent services are a large part of what local and municipal representatives concern themselves with, and even national politicians often focus on promoting causes that will get jobs, money or benefits for those in their districts. Constituents can also lobby their representative directly on national issues. Many elected officials are swayed by the types of messages they get from voters in their districts; in the New York Legislature’s push for legalization of gay marriage, several of the Republican state senators who took the more liberal pro-marriage-equality stance cited the breakdown of letters and messages they were getting. This direct communication is sometimes effective for two main reasons. First, theoretically, representatives are supposed to be representing the will of their constituents. Some officials see their election as approval for their entire platform and a mandate to act as they best see fit, while others try to vote as the people in their district would on any given issue. More importantly, a representative must get re-elected only by those in his or her district. Thus even if their views or actions are supported by large numbers of people in the whole country or state, legislators are held accountable to their district members, and

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thus lobbying efforts showing support or disapproval of bills within their home district can have a great effect on legislators.

Under proportional systems, all or most of the representatives are elected at-large, removing direct relationships between constituents and elected officials. The people are represented by the legislators from their party, whom they helped to elect, but there is much less accountability to a diverse constituency. Instead the accountability is often to the party, which can even remove individuals who do not follow party lines under a closed-list PR system. In open list systems and STV, the party has less direct control, but people looking for support on individual issues still do not have one official who is supposed to listen to their concerns and take them into account. There is also no claim to geographic representation through constituent relationships in PR, which SMDV has. In SMDV it is impossible for an area to be underrepresented while that could easily end up happening in any PR or at-large system. PR advocates claim that direct constituency is unnecessary because very few people take advantage of it or pay attention to it. US citizens, for instance, are often very bad at identifying who their state representative is in polls. While this may be the case, it does not mean that constituents would not know how to find or get in touch with their representative if they needed something in the neighborhood or wanted to express their position on an issue.

Cumulative voting finds a middle ground in that each person is represented by more than one but fewer than all of the elected officials, but in doing so it has the potential to make it easier for people to cultivate constituent-representative relationships than for even SMDV systems. CV retains geographic constituency, in
that the representatives are elected from geographic districts, but each district elects multiple representatives. Theoretically, these representatives would include people from at least two different parties or people of different races or people of different genders, unless the district in question was very homogenous. Therefore, it should be easier under CV for constituents to find representatives who might be more open to acting on a particular issue as there are more to choose from. Unlike PR, however, the representatives that people could lobby would still be directly accountable to the voters in their districts and thus might find individuals’ concerns more important than representatives under PR would. Thus in being a “compromise” position between plurality and proportional systems, CV has the potential to create even better relationships between elected officials and voters by giving voters more options of public officials who have still been specifically elected to serve one region.

In an attempt to solve the problem of minority representation using geographic constituency, states often try to draw boundaries in order to create districts in which the a minority group makes up a majority of the district. This gerrymandering often leads to districts designed in shapes that undermine geographic cohesion and therefore undercut one of the benefits of the single-district system – its focus on the needs of specific communities. In Illinois, there are many congressional districts (elected by SMDV) in which this occurs, as shown in the maps in Appendix A. “Districting solutions become even more problematic when a jurisdiction’s minority populations are spatially dispersed (which is more common outside of the South),” as the effort to create minority districts must sacrifice even more
geographical cohesion if the population is not spatially segregated.\textsuperscript{19} Drawing districts is also an inherently political process, as under SMDV parties can win and lose seats based on how districts are drawn. An area with a 55% Republican majority can be split in two equal parts in many ways: some of them would probably produce two Republican representatives (two 55% Republican districts) while others could produce one representative of each party (a 65% Republican district and a 45% Republican district). Deciding which of these is the best is very controversial, and redistricting maps often end up challenged in court for being unfair. The Voting Rights Act in fact requires states with a history of Jim Crow laws to get preclearance for any changes to voting rights from the courts or the Attorney General.\textsuperscript{20}

Proportional representation eliminates the problem of districting entirely, but that is because it eliminates all geographic constituencies. Cumulative voting changes the dynamics of districting greatly. Under CV it is still possible to draw districts politically, but the results of doing so are not as large as they are when single-member-districts are redrawn. For an example, consider a legislative district with a population that is 60% Republican and 40% Democratic that needs to be divided in two. Under SMDV, it may be possible to carve the districts such that one is majority Republican and one is majority Democratic or so that both have the same overall party distribution as the whole (60% R, 40% D). Thus the two possible options for the area are that the Democrats get half the seats in the area or that they get none. Under CV, creating one majority Republican and one majority Democratic district would


\textsuperscript{20} US Government. Voting Rights Act of 1965. \\
have the same effect as it would in SMDV – with 3 seats in a district, the Democrats would receive two from one district and one from the other, for a total again of half the seats available in the area. Unlike in SMDV, however, it is impossible to redistrict the area so that the Democrats have no seats – in fact, the fewest they can end up with is 2 seats out of 6. The larger districts and the possibility for minority groups to elect some representatives mean that it is not as necessary to create districts specifically for minorities to have majorities in.

*Quality of the Legislative Body*

Another central aspect of voting systems is the quality of the legislative body elected under the system. George Hallett explained well why this is both important and distinct from the other factors: “When what we want is not a single officer or a decision among alternatives, but a body fit to make decisions on behalf of the voters, something quite different is required.”  

21 Hallett wrote this statement in support of his argument for proportional representation (which he calls the “key to democracy” in his subtitle), but ironically the need for a “body fit to make decisions” is most often used to criticize PR systems.  

22 Any proportional voting structure, whether a list system or STV, allows for the representation of many different parties, including very small parties and fringe groups. This means that it is unlikely for one party to win an absolute majority and makes it necessary for parties to build coalitions in order to govern. Coalitions often take time to form as parties negotiate with each other following the election, and they potentially make the government much less stable, as

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21 George H Hallett Jr. *Proportional Representation: The Key to Democracy.* p. 5. [emphasis in original]  
22 Ibid.
coalitions can fracture, particularly during crises.\(^\text{23}\) If coalitions break apart and new ones cannot be quickly formed, new elections must be held. This process can take time and prolong instability in countries. Italy is often cited as an example of a country with problematic coalitions resulting from PR (along with Israel, France’s fourth republic, and Weimar Germany).\(^\text{24}\) Italy had 45 different governments over a period of 40 years, during which time only 10 elections were held.\(^\text{25}\) PR systems can replace mandates from the people with negotiation between powerful parties and interests outside of the public eye, which many critics see as less democratic and less fair to the wishes of the people. On the other hand, PR systems also include more voices in the legislative body by incorporating small parties. Hallett’s argument was that PR systems create a body of people that includes all different kinds of ideas and perspectives, potentially making the legislature better able to function and make good decisions. Advocates for plurality systems and for proportional systems clearly see the quality of the governments created by PR systems very differently.

Plurality systems, like PR systems, create a distinctive legislative body which can be seen as either effective or ineffective depending on perspective. Because plurality systems give representation to only the largest vote-getting candidates, they tend to exclude small parties and often lead to a predominately two-party system. In order for a third-party to be well represented in the government, there must be multiple districts in which it can claim the largest support of any party; consistently winning 15 to 20\% of the vote in a plurality system does not typically result in any seats in a legislature. Two-party systems often encourage moderation, as the

\(^{23}\) Douglas J. Amy, *Real Choices/New Voices*. p. 158
\(^{24}\) Bowler, Donovan, and Brockington. *Electoral Reform and Minority Representation*. p. 29
candidates only fight over the undecided or independent voters in the middle ideologically, who would feel comfortable voting for either party. The votes of people with stronger or more divisive opinions are assumed to be guaranteed and unchangeable, so the fight moves to the middle. This moderation is seen as good by people who claim it makes the government more stable and open to compromise positions. It is seen as a problem by people who claim that by leaving out more extreme positions, good debate and potentially good solutions can be lost.

In terms of the body it elects, cumulative voting is once again in a middle position between the extremes of PR and pluralist systems. CV allows minority groups to win seats, but the groups must be bigger than in PR – tiny minorities cannot easily get seats. As in SMDV, this makes it easier for one party to have complete control over the legislature, rather than having to build a coalition. However, minority groups should theoretically be elected more often in CV than in SMDV, so CV opens the legislature up to more diversity of ideas and resists the moderation that is often seen in single member district plurality systems. By incorporating the relative stability of plurality systems and some of the diversity of PR, cumulative voting benefits from being in between the main voting structures.

Complexity

The final important factor in judging electoral systems is how easy they are for voters to understand. Many aspects of the ballot can impact how difficult it is to understand, regardless of the voting system, such the inclusion of pictures to help aid illiterate voters or ballot designs that make judging voters’ intent difficult, like Florida’s butterfly ballots with ‘pregnant’ and ‘hanging’ chads. However, the

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26 Ibid. p. 171
complexity of the voting structure itself has a huge impact on the difficulty of voting. Closed list PR systems are the simplest system available as voters only have a choice between parties, picking the one that they feel best aligns with their views. Candidates do not enter into the process at all on the level of the individual voter, because even if a voter knows the whole list of candidates there is no way to tell which one any individual vote will help elect – it depends on what proportion of the seats the party receives. Single-member-district systems are also relatively simple. Voters choose between the individual candidates and select the one they want representing their district. While individual characteristics of the candidates can color the race, the voting process is as clear as it is for closed-list PR: in both, the voter votes for their favorite one option out of several. There is a little more strategy involved in SMDV than in PR, as only one representative is elected in SMDV, so voting for a candidate with little support or chance of winning might be a wasted vote, encouraging voters to strategically pick among those who seem able to win.

The other systems are all a little more complicated for voters. The single transferable vote ballot allows voters to rank candidates. If they do not know to do so, voters have a large chance of wasting all or part of their vote. Ranking candidates and distributing votes by specific formulas and algorithms also means that counting the votes is complex, adding time and energy to the voting process that is not required in most other systems. PR with an open list also has a complicated ballot as people can vote for both a party and candidates within the party.

Cumulative voting (and to a lesser extent, limited voting) are both complex in the practical sense and strategically complex for voters. Practically, the voters have to
understand how their votes are distributed based on what they mark. In CV, marking only one candidate gives that candidate all of a person’s votes. Marking more than one gives each a proportion of the total number of votes, but in Illinois, it was decided that voters could also indicate for themselves how many votes they wanted to give each candidate. This makes the ballot difficult to understand for people who are not familiar with the system. Strategy is also very important in CV, more so than in most other systems. Voters have to decide whether it makes most sense to combine all of their votes for one candidate, and if so which candidate to support (particularly if there is more than one nominated by a party), or whether the voter’s preferred party has enough strength that they should vote for two or even three candidates.

Conclusion

These advantages and disadvantages to different voting systems apply theoretically. Some real world examples are useful in demonstrating what could happen in these systems, but for the most part the comparison of voting systems, particularly those which are used much less frequently in the world, depends on ideal versions of the systems and theoretical challenges to them. The way these systems are implemented can vary greatly and therefore have huge impacts on whether or not the voting systems live up to their theoretical potential. Issues like the structure of primary systems, the level of public participation, restrictions (or the lack thereof) to campaign financing, and the redistricting process among others can dramatically change the way any voting system functions, so it is often hard to make fair comparisons between real-world systems without extra variables coming into play. The success of cumulative voting, in particular, is dependent to a large extent on
whether people know how to use it. This not only applies to voters, for whom the system may be too complex to use well, but also to officials, candidates and parties. The number of candidates each party runs relative to the total number of seats, for instance, has a large impact in how strategic voters have to be. While cumulative voting has the potential to perform better as a voting system than many others, whether it did in practice depends on an analysis of how it worked, who was elected, and what happened.
Chapter 2
During the 110 years cumulative voting was in use in Illinois, it was neither uniform in its structure nor consistently supported by political leaders. The structural changes to the system were often consistent with changes that would happen under any voting model, as primaries were introduced in the state, for example, with slight modifications to support CV. However, unlike most plurality systems of voting in the US and the single-member-district voting used for other Illinois elections, CV in Illinois was consistently challenged as a voting system and often put to a popular vote. After a state-wide vote instituted the system in 1870, Illinois voters were asked to vote on measures eliminating cumulative voting or leading to the elimination of CV another four times before the Amendment finally ending CV was put on the ballot. Cumulative voting in Illinois was not just a fluke of history or a holdover system from a previous generation – voters throughout the period of its existence in Illinois continued to support it (or at least to not oppose it). Cumulative voting succeeded in Illinois because it was not specifically targeted toward a particular group and thus could be used to help any minority group find a voice in government. It ended not because voters believed it stopped doing so, but because many Illinoisans stopped believing that the General Assembly as a whole had value.

The 1870 Constitutional Convention and the Introduction of a New Voting System

In the late 1860s, Illinois was struggling to deal with the consequences of the Civil War. The state as a whole was part of the Union, but the southern part of Illinois borders Missouri and Kentucky, both slave-owning states, and extends farther south than almost all the non-slave-owning states in the Union. Following the end of the war, there were deep political divides in Illinois – the south and west of the state were
solidly Democratic, while northern and eastern Illinois, including Cook County, which holds Chicago, were just as solidly Republican. To complicate matters further, the state as a whole was increasing in population but Chicago was growing disproportionately fast, nearly tripling in size between 1860 and 1870.27

The state constitution was not equipped to deal with any of these issues, so in 1867, the Illinois General Assembly proposed calling for a Constitutional Convention. In Illinois, the process of calling for a constitutional convention required at the time a majority of voters to support a measure on the ballot to do so, and then for them to elect delegates equal in number to the state representatives. Once the convention finished, voters would then be asked to decide whether to adopt the final product as a new constitution. Voters supported the move for a convention and in elected delegates in 1869. The delegates were evenly split among partisan lines, with a nonpartisan slate of candidates elected from Cook County providing the deciding votes.28 According to Blaine Moore in 1908, these delegates made up an assembly that “was probably the ablest body that had ever met in the state, a large number of the members having had extensive experience in public affairs.”29 Moore’s effusive praise for the delegates is more understandable when the 1869 delegation is compared with the assemblies brought together for prior attempts to alter the Illinois constitution. In 1847, when the Illinois Constitution in use in 1870 was being created, farmers in the delegation outnumbered lawyers; by 1869, 53 of 85 delegates were

lawyers and a number had held public office either at the state or national level.\textsuperscript{30} The delegates to the convention included some of the most well-known and well-respected Illinois politicians and leaders of the time, including Joseph Medill, a founder of the state Republican Party, former editor of the Chicago Tribune and chairman of the Committee on Electoral and Representative Reform.\textsuperscript{31} Records of committee hearings from the 1870 constitutional convention are incomplete, but the Committee on Electoral and Representative Reform initially submitted a proposal to the convention calling for cumulative voting to be enacted in the entire General Assembly, but when it was taken up by the complete delegation, Medill offered a shorter and simpler substitute proposal. There are three sections in this proposal: the first provides for reapportionment of the Senate every 10 years beginning in 1871; the second states that there should be three Representatives in the House for each Senator; and the third provides for cumulative voting.\textsuperscript{32} The CV provision reads:

“In all elections of Representatives aforesaid each qualified voter may cast as many votes for one candidate as there are Representatives to be elected, or may distribute the same, or equal parts thereof, among the candidates as he may see fit; and the candidates highest in votes shall be declared elected.”\textsuperscript{33}

The convention decided to put the cumulative voting proposal on the ballot separately from the rest of the constitution, along with a few other controversial issues, so that voters could choose to accept the majority of the proposals without being forced to change voting systems as well. This was the first time the question of cumulative voting...
voting went directly to the people of Illinois for a vote, but it would appear on the ballot a number of times in the next century.

The proposals from the Constitutional Convention of 1870 met with considerable support from politicians, organizations and the media in Illinois. The main opposition came from a few investors with specific business interests that were restricted by the new constitution, “professional bummers, lobbyists, and barnacles who oppose reform,” and outright racist publications, like the Quincy Herald, which felt the legislature might be too willing to provide civil rights and asked “do you suppose a Radical legislature would establish separate schools for the Negroes, unless it was required by the constitution to do so?”

Supporters, including most newspapers and public figures, praised the new constitution for its ability to meet the needs of the time in a way the 1848 Constitution was not, and many proponents of the constitution, like the Chicago Tribune, focused on its non-partisan nature. In an editorial praising the document, the Tribune notes:

“There is not a single section or paragraph in the whole instrument of a partisan nature. There is no reason why a Republican would be more in favor of it than a Democrat, or a Democrat than a Republican. In this respect, the new constitution appeals to each man as a citizen and a taxpayer — as a member of a commonwealth that will live long after existing political parties are forgotten. We can see no reason, therefore, why it should not be cordially supported by men of all shades of political and religious belief.”

The bipartisan nature of the Convention and the non-partisan final document were crucial for passage. Though the CV provision was supported by a staunch Republican in Joseph Medill, it was meant to help everyone by creating a more diverse House and to particularly help the downstate Republicans and northern Democrats who were

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34 Tribune May 13, 1870 and June 23, 1870, as cited in Cornelius, A History of Constitution Making in Illinois. p. 65
35 Ibid.
effectively disenfranchised. Moreover, the entire Convention, evenly balanced between Democrats and Republicans with a bi-partisan caucus from Cook County providing the deciding votes, decided to put in on the ballot, making it clear that CV was not simply an attempt by one party to grab more power by changing the electoral process.

In July of 1870, the new Illinois constitution passed with the support of an enormous majority of voters. Roughly 134,000 voted in favor of passage, while only about 35,000 opposed it.36 The individual propositions that were on the ballot separately were also approved, including the provision for cumulative voting. CV, however, was passed by the narrowest margin of any of the provisions, with 99,022 votes for and 70,080 votes against.37 Much of the support for CV came from Cook County, which voted overwhelmingly for the measure (20,139 to 2,244), but it would have passed even without the Chicago vote, albeit much more narrowly. A number of other northern counties, along with a few western and central counties, gave strong support to the measure, even as it failed to win a majority of voters in 40 of the 102 Illinois counties overall.38 The first elections held under the new cumulative voting system occurred in 1872.

Changes to the CV System

During the period of cumulative voting, Illinois general elections for the House of Representatives did not change much in their format. For 110 years, every voter had three votes that they could split as they wished among the candidates on the ballot. The only real alteration in this process came in 1928 with the Supreme Court

37 Ibid.
ruling in Allen v. Fuller, which held that ballots which make it clear that the voter wished to divide their votes into 2 and 1 (for two candidates) rather than give 1½ votes to each candidate should be counted as two votes and one vote according to the voter’s preference. This allowed voters to demonstrate their preference for one candidate while still supporting two, but did not fundamentally alter the way the system of CV functioned in Illinois. At the time, all ballots were counted by hand, and therefore counting ballots which demonstrated clearly the intention to unevenly distribute votes would not have been a large change. Moreover, the ruling did not require that ballots provide separate options for people to mark if they wanted to unevenly divide their votes, which may have been difficult or confusing; the only voters affected by the ruling were the ones who wanted to be affected and clearly demonstrated that by marking ones and twos on their ballots. All other voters could continue voting the way they always had.

The process for voting in the primary elections, however, changed substantially and meaningfully over cumulative voting’s 110 year history. The Supreme Court played a large role in the development of the primary structure in Illinois, striking down any legislation that it felt “interfered with free elections, or … delegated powers the legislature could not delegate,” as the Chicago Tribune puts it, which led to the Illinois legislature putting forward six different primary bills within 25 years (and four in the first five years). While the struggles between the Supreme

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40 The Court also did not rule that any division of votes was acceptable, which prevented increasing complexity due to votes of 1.25 or .666 for a candidate.
Court and the General Assembly to create a constitutional primary system continued for many years with slight variations in proposed legislation, there were three main structures for primaries under cumulative voting. From 1872 through (roughly) 1910, party committees chose candidates with little to no input from voters; between 1910 and 1970, voters could choose candidates through an open primary, but the number of candidates who could run in the general election was chosen by party committees; from 1970 through the end of CV, party committees were prevented from running only one candidate in the general if the primary was contested. Each of these impacted CV in different ways.

When cumulative voting was first adopted in Illinois, there were no primary elections. Candidates for each district were chosen by party leaders from the district having a meeting and voting amongst themselves to decide whom to nominate. The party was also allowed to determine how many candidates to run, meaning that the party in the minority in a specific district could select only one candidate for the general election and be virtually guaranteed that he (this system was over before women were able to be candidates) would get a seat in the General Assembly. Not holding primaries also meant that parties could nominate candidates at various times in the election cycle and respond to each other. For instance, when the Republican party nominated the first black man to the House of Representatives in 1876, the Democrats in the district had already nominated one candidate, as they were the minority party and only expected to be able to elect one Democrat in the district.42

42 Moore, The History of Cumulative Voting and Minority Representation in Illinois.
However, at a meeting, the Democratic Central Committee decided that because it was likely that many Republicans would decide not to vote for a black man, the Democrats might be able to elect two representatives, which required nominating a second candidate significantly after the first. The Republican Party had anticipated this move and was threatening to nominate another candidate as well, to try to capitalize on the Democrats’ split votes and take all three seats.\textsuperscript{44} The entire issue was rendered moot when the Democrats’ second choice declined the nomination and the party did not pursue the idea further, but the example demonstrates both the power each party had in determining the legislature and the lack of any official nomination or primary structure.

Bills proposing some variation of a primary system or the election of delegates to party conventions began to appear in the first decade of the 20\textsuperscript{th} century, but it took years for any of them to get through the legislature and then survive court challenges. The primary systems proposed by the General Assembly during this still time relied on the party committees to choose candidates. Under the first primary law in 1905, for instance, citizens had one vote they could cast in the primary, and if any candidate won a majority, delegates to the committees were required to vote for the majority candidate on the first ballot.\textsuperscript{45} This allowed majority parties to pick the second candidate they ran without considering voter preferences, and allowed either party to pick their favorite candidate for the first slot if multiple candidates split the vote in the primary such that no one won a majority. The second and third laws passed by the GA were very similar to this model, though the third law allowed

\textsuperscript{44} Joens, “John W. E. Thomas and the Election of the First African American,” p. 207.

\textsuperscript{45} Blair, \textit{Cumulative Voting; an Effective Electoral Device in Illinois Politics}.  

cumulative voting in the primary itself for the first time. All three of these laws were struck down by the Illinois Supreme Court for not creating free elections by leaving too much power in the hands of the party delegate.46

The first primary law that was upheld by the Illinois Supreme Court came was passed by the General Assembly in 1909. 47 For the first time, the law stipulated a direct primary, in which the voters chose who they wanted to be on the ballot rather than who they wanted to delegate the choice to. Each party’s Senatorial Committee was still allowed to choose the number of candidates to run in the general election, meaning that it was still likely that the ballot would only have three candidates on it, but the Committee was not allowed to choose someone the voters did not pick to put on the ballot instead.48

The final change to the primaries for the Illinois House came from the 1970 Constitutional Convention. The delegates added the following sentence to the Constitution: “No political party shall limit its nominations to less than two candidates for Representative in any Legislative District.”49 This change meant that as long as there were two people from either party running in the district, the party could not choose to have only one nominated to run in the general election. The intention of the new language was to encourage competition by preventing the parties from only nominating the number of candidates who they thought would be elected.

46 “The Direct Primary.” Chicago Daily Tribune (1872-1922), (1922, Apr 30).
47 To complicate matters even further, the Illinois primary laws went through another series of Supreme Court challenges in 1919 and 1927. An amendment to the system was offered in 1919 that was struck down; the Supreme Court then struck down the entire primary legislation for separate issues in the law not relating directly to the structure of the primary. The final law passed by the GA after the 1927 Supreme Court decision looked very much like the 1910 primary law, so it makes sense to treat the entire period from 1910-1970 as relatively consistent with regard to primary structure. Blair, Cumulative Voting; an Effective Electoral Device in Illinois Politics.
48 Ibid.
The changes in primary structure that occurred over the history of CV in Illinois have had large impacts on the way the system as a whole functioned and who benefited most from it. When there were no primaries at all, party leaders had enormous power generally, and even more under CV, as they could not only select the candidates who would run, but they could often select the candidates that would definitely win. As long as both parties had the same impression of their relative strengths in an area, one party would pick one candidate and the other party would pick two, which allowed the party leaders to, in essence, decide on their full caucus before the general elections even occurred. Once a direct primary was instituted, independent candidates (those not endorsed by the party leaders, as distinct from those running as Independents or on a third-party ticket) could theoretically knock out mainstream Democrats or Republicans in the primaries. Still, fully half of the general elections in Illinois were uncontested because the parties only ran enough candidates to give the majority party two representatives and the minority party one.\footnote{Ibid, p. 663.}

The change in 1970 was enormous. In preventing the parties from nominating fewer than two candidates, the new Constitution ensured much more competition within the CV model and gave independent candidates an easier path to being elected. Prior to the change, an independent Democrat in a heavily Republican area had to beat every other Democrat in the primary election, as the party was likely to only nominate one candidate. The part of electorate which tends to vote in primary elections is often more partisan and the turnout is much lower, so efforts by political machines can have more of an effect. Susan Catania, a moderate Republican woman running on Chicago’s South Side, was able to use the post-1970 primary system to be
elected. She had the support of the Independent Voters of Illinois in a race against an entrenched Republican minority candidate, but the IVI had a large number of races they were interested in on the Democratic ticket, so they pushed all their supporters to take Democratic ballots.\textsuperscript{51} Under the old primary system, the Republicans in Catania’s area would have only nominated one person, and with many of her supporters from independents and moderates voting in the other primary, Catania would never have managed to make it to the general election. Instead, as she was running in 1972, “I managed to come in second,” she says, “and that was all I needed.”\textsuperscript{52} Once in the general election it was much easier for her, as a moderate, to get support, as she explains:

“In the fall, IVI’s support was transformed into something, you know, useful…I was permitted to be in there asking for votes along with the Democrats. And we developed a strategy with target precincts where we were going for bullet votes.”\textsuperscript{53}

The change to CV primaries in the 1970 Constitution had the potential to dramatically impact the way the system operated, so whenever possible, data and analysis of CV in later chapters focus on the period after 1970. This allows comparisons between CV and SMDV around the same time period but without the confounding variable that the earlier primary system represents.

**Attempts to End Illinois Cumulative Voting**

In 1910, forty years after cumulative voting was accepted by the people of Illinois, State Senator W. Clyde Jones gave a talk, covered by the Chicago Tribune, calling for an end to the CV system he saw as out of date and saying CV “has lost its


\textsuperscript{52} Catania, interview with Judy Haynes, p. 17

\textsuperscript{53} Ibid.
usefulness and has become a menace rather than a benefit. We must amend the
constitution to remedy this evil."\(^{54}\) While cumulative voting in Illinois would not end
for another seventy years, it did not go unchallenged during that period. There were
many efforts made to eliminate cumulative voting, either as an end in itself or as a
part of larger changes to redistricting or elections, before the Cutback Amendment in
1980 finally succeeded. The main attempts to rethink CV in Illinois were made in the

The 1920-22 Constitutional Convention

Through much of the 1910s, different groups were mobilizing to call for a
new Constitutional Convention, popularly known as a “Con-Con.” Senator Edward
Curtis introduced a resolution to put the question to voters every session from 1909
until 1917, and in 1916, the issue was put in both the Republican and Democratic
party platforms and passed in 1917.\(^ {55}\) Proponents of the call argued that conditions in
Illinois had changed substantially since the 1870 Constitution, so it needed to be
altered to adapt to the situation at the time and begin “preparation for peace” and new
development that was expected at the end of WWI.\(^ {56}\) Another large issue that needed
to be dealt with was redistricting. The population of Chicago was increasing
substantially increasing relative to the rest of the state; in 1870, Cook County
accounted for 13 percent of the population of Illinois, but by 1920, that number had

http://search.proquest.com/docview/173575856?accountid=14963


\(^{56}\) Ibid. p. 74.
reached 47%. In an effort to prevent a weakening of power downstate, the legislature had gone over 18 years since the last redistricting by the time the Convention met.57

Problems with the 1920 Constitutional Convention surfaced immediately. The delegates elected to the Convention were overwhelmingly Republican by a ratio of over 5 to 1 and, because the delegates were elected using the General Assembly districts, not representative of Chicago’s new population strength.58 On top of that, the delegates spent almost three years discussing the new Constitution before asking the voters to approve or reject it, which led to a sense that the Convention was wasting the state’s time and money.

Among the proposals which the Convention presented to voters for their approval in 1922, was an end to the CV system in Illinois.59 In part, the end of cumulative voting was a side-effect of a proposal to deal with the redistricting issue by making the county, rather than the district, the basic unit of representation, such that each county received one legislator in the House. Population differences would be dealt with by increasing the representation of a district by one for every 50,000 inhabitants, but after the first apportionment, no county could lose delegates if it lost population.60 This proposal was exceedingly skewed in favor of continued downstate control of the legislature, regardless of how the population might change, and would have underrepresented Chicago from the very first reapportionment.

Voting on the entire Constitution was very heavy for the time, and voters soundly rejected the entire proposal by a vote of over 921,000 to just over 185,000.

57 Ibid.
58 Ibid. p. 75.
60 Cornelius, A History of Constitution Making in Illinois. p. 84.
Outside Cook County, the proposal was rejected by a 2:1 ratio, but inside Cook County, the proportion of voters rejecting the proposal was a staggering almost 20 to 1.⁶¹ In contrast to the 1870 Constitutional Convention, the Convention of 1920 made no attempt to be bipartisan in structure or final product – in fact, proposed Constitution was nothing but partisan. Voters from both parties in Illinois demonstrated their dislike for partisanship in important documents, such as the Constitution, by the overwhelming majority which voted “no.”

The 1934 Constitutional Convention

In 1934, another attempt was made to call a Constitutional Convention. The supporters of the call did not make clear what they intended to do to fix problems in Illinois’ constitution, as that was the job of the delegates, but the Legislative Reference Bureau published a pamphlet explaining the reasons why people would want to call a convention. Second on the list was that “the state legislature exhibited unequal representation” as there had still been no redistricting since 1901, and fourth was that “minorities were overrepresented in the cumulative voting system for electing members of the House of Representatives.”⁶² Neither of these explicitly calls for the end of cumulative voting and the first point does not mention CV at all, but it was that precise issue that led to the CV-eliminating proposal of the 1920 Con-Con. There is also no simple way to fix overrepresentation of minorities under CV, if that was a in fact a problem, without breaking districts down further so that proportions can become more nuanced (1/5 through 4/5 instead of 1/3 or 2/3), which would just

⁶¹ Ibid. p. 91.
⁶² Ibid, p. 92.
make representation more complicated. The Con-Con of 1934 was clearly ready to challenge CV, if not eliminate it all together.

The plan to call a Constitutional Convention was defeated in the November elections of 1934, not by opposition but rather by apathy. The vote on the proposal to call the convention split into roughly 670,000 for and 575,000 against, which seems to suggest considerable, if not overwhelming, support.63 However, only 43% of voters in the election made any mark at all on the issue of the constitutional convention, which required a majority of total voters to pass.64 Part of the explanation for this was that the question was placed in a separate column on the ballot, making it harder to find. However, the defeat of the measure makes it clear that neither dissatisfaction with cumulative voting nor interest in the other issues brought up by convention advocates generated enough enthusiasm among Illinois voters to convince them to vote at all or to encourage them to find the question on their ballots.

The 1970 Constitutional Convention

The 1968 call for a Constitutional Convention differed from the previous calls in that it was not aimed at fixing a particular issue or set of issues, but was instead a push to comprehensively reexamine the hundred-year-old Constitution.65 Since the call was not aimed at getting rid of cumulative voting changing the process of redistricting, there was no clear mandate from outside the Convention or a solid consensus with the Con-Con on what should be done regarding CV. In order to keep the most controversial issues from derailing all the proposed Constitutional changes,

64 Ibid.
the 1970 Con-Con presented Illinois voters with a Constitution to approve and four other questions to address separately, including the question of whether Illinois should retain CV or switch to SMDV.66

The opponents of the proposed change from cumulative voting to SMDV in 1970 were a diverse group. The politicians and organizations that advised people to vote for CV in the December 15th elections differed in their partisan affiliations, in their races, and in their support for other elements of the new Constitution. Both Mayor Daley, the head of the powerful Chicago Democratic political machine, and Republican Governor Richard Ogilvie supported the retention of cumulative voting races, as did Dan Walker, the Democrat who would beat Ogilvie in the gubernatorial race less than two years after the constitution vote.67 Daley, Walker, and Ogilvie also all supported the full Constitution that the Convention offered. However, a number of organizations which asked voters to reject the new constitution also supported the retention of CV. The NAACP took out an ad in the Chicago Defender, urging voters to “vote NO tomorrow on the 1970 Constitution,” but also including the line “we support continued cumulative voting for multi-member districts, likewise based on our experience.”68 In an editorial calling some Illinois unions’ decision not to support the new Constitution “puzzling and disappointing,” the Chicago Tribune made a point

Display Ad 5 -- No Title. December 14, 1970. Chicago Daily Defender (Daily Edition) (1960-1973), http://www.proquest.com.covers.chipublib.org/ Walker went as far as taking out ad space in Chicago newspapers the day before the election giving his perspective on the Con Con package as a candidate for Governor, even though his views on this issue were in line with those of the Republican incumbent governor.
to note that there was some agreement between the editorial board and the unions in that “labor leaders favor the present system [of CV], and so does the Tribune.”\textsuperscript{69}

These ads and editorials make it clear that support for CV was not simply a partisan or racial issue. Those supporting cumulative voting in Illinois were not even all in agreement on the rest of the questions in the Constitution, yet they came together to support CV.

In the election, voters supported the new Illinois Constitution as a whole, and 56\% of people who voted on the issue of voting systems supported cumulative voting. The vote to retain CV was particularly high in Chicago, where support was strong and where Mayor Daley and the Democratic machine were in a position to get out the vote, particularly as there was lower turnout in the rest of the state.\textsuperscript{70}

\textit{The 1973-74 Petition Drive}

The new Constitution of 1970 opened up a new avenue for changes to the voting system in Illinois. Prior to 1970, the only way to cumulative voting could be changed or eliminated was through the General Assembly putting a Constitutional Convention call on the ballot, the public approving the call, and then the public approving the changes. The 1970 Constitution, duly approved by the voters, changed that process such that “Amendments to the Article on the Legislature, of a structural or procedural nature, may be proposed by petition, with signatures at least equal in number to eight percent of the total vote for Governor in the previous election.”\textsuperscript{71}

This was intended to allow voters to make changes to structures used for electing


\textsuperscript{71} “Sixth Illinois Constitutional Convention Address to the People.” (1970, Nov 22).
General Assembly members without needing the support of Senators or Representatives elected under the system in question.

The first attempt to make use of this new amendment system came from Robert Bergstrom, an attorney who wanted to propose an amendment eliminating cumulative voting. His efforts lasted from 1973-4, but they were ultimately unsuccessful, as he was able to collect fewer than 50,000 signatures – not nearly enough for the amendment to make it to the ballot.\(^72\)

**The 1980 Cutback Amendment**

In 1978, following the November 7 elections but during the lame-duck period before their next terms began, the Illinois legislature voted themselves and other government officials a 40% pay-raise, and then overrode the veto of Governor Thompson.\(^73\) This was particularly galling to the public as the legislators took their entire two year salaries up front, ostensibly so pay increases would not affect them in their current terms.\(^74\) Outrage was immediate, and responses ranged from angry Illinoisans sending tea bags to the GA in a “Tea Party” protest to a White House official describing President Carter as “really ticked off.”\(^75\) Governor Thompson was forced to call a special session of the legislature, and the pay raise was scaled back and set to come in over two years rather than all at once.\(^76\)


\(^74\) This had its own problems, however, as legislators who resigned or took other government jobs had still been able to collect their entire two-year salary first.


\(^76\) Locin, Mitchell, "Mad about Quinn"
Pat Quinn, the populist head of the Coalition for Public Honesty and leader of the tea bag protests (which sent over 32,000 to the governor’s office), teamed up with Bergstrom and the Union League Club to send petitions around the state once again calling for the end of CV.\textsuperscript{77} In May of 1980, the group filed their petitions after having collected over 475,000 signatures. In calling their amendment the “Cutback Amendment,” Quinn and his associates were clear on where they wanted to focus the debate; instead of centering the discussion on the merits of cumulative voting from a minority representation or geographic diversity perspective, the emphasis of the Cutback campaign was saving money and punishing the legislature. Slogans of the movement included “Here’s a chance to abolish the jobs of 59 politicians” and “Save $7 million,” or as former State Senator Dawn Clark Netsch put it “let’s get rid of one third of these miserable legislators, let’s save money, let’s throw the bums out.”\textsuperscript{78}

That is not to say that other arguments were not used by CV opponents. Bergstrom wrote an opinion article for the \textit{Chicago Tribune} in which he laid out two other arguments along with claims about the size and cost of the House, specifically the lack of competitiveness in elections and the complexity of the system.\textsuperscript{79}

On November 4, 1980, the Cutback Amendment received 69\% of the votes of those who responded to the ballot measure, well above the 60\% threshold necessary for success.\textsuperscript{80} Interestingly, only 44\% of voters in the election bothered to vote on the Constitutional Amendment in the first place. Roughly 30\% of those voting in 1980


\textsuperscript{80} Locin, Mitchell. “Mad about Quinn.”
managed finally to do what different organizations had been pushing for unsuccessfully since the early 1900s: get rid of Illinois’ cumulative voting system.

Conclusion

The success of the Cutback Amendment is important to understand in order to analyze how well cumulative voting worked in Illinois, as it suggests that a large number of voters believed that there were fundamental problems with the system. Pinpointing what those problems were for voters makes it easier to determine whether the issues voters saw with CV were inherent to all cumulative voting, based on the way Illinois implemented the system, or unrelated to the voting system entirely.

In 1970, Illinois citizens voted to continue using cumulative voting to elect members of the House of Representatives and four years later, an attempt to change the voting system failed after proponents could not gather enough signatures to get the question on the ballot. Yet only 6 years after that, the majority of Illinois voters who took a stand on the issue opposed continuing with CV. It is clear that the Cutback Amendment voters had not simply come around to the position that CV opponents like Senator Jones had been advocating since 1910 – that cumulative voting was a system designed for the post-Civil War era which had outlived its purpose.81 If that had been the case, voters would have been just as willing to get rid of the system in 1970 or in 1974 as 1980, which they clearly were not. The main difference in the proposed amendments was that the Cutback Amendment eliminated CV and reduced the size of the House in a way that the 1970 proposal did not. The

other change was the House’s vote to increase their own pay, which clearly generated a lot of popular anger at the government.

Anger at the government or at government corruption alone does not necessarily translate into attacks on the voting system, though. Only a few years before the proposed Constitutional Convention of 1934 (which was advertised among other things as being a way to eliminate cumulative voting), Chicago had an election popularly known as the “Pineapple Primary.” This was not a reference to a vote on fruit, but rather an allusion to the number of hand grenades used by the participants in the 1928 elections. During this one election, over 60 bombs were thrown into polling places and candidates’ homes, and two politicians were shot and killed. The New York Times made clear the extent of the corruption at the polls, writing that “on the eve of tomorrow’s party primary elections reports are in circulation that gangs of armed repeaters—the gunmen type—are prepared to stuff ballot boxes and spread terror among decent citizens and those who oppose their criminal acts.”

Nevertheless, this widespread corruption and anti-government sentiment was not enough to convince people of the need for a new Constitution or the repeal of CV. Most of the people who voted only a few years later did not even mark a preference on the issue of holding a Con-Con, unlike in 1980, when hundreds of thousands signed petitions. It was not just anger at the government or corruption which motivated voters for the Cutback Amendment. Clearly, Quinn and the Union League were much better able to capitalize on popular discontent than Con-Con supporters were in 1934, particularly as the reforms in 1970 meant that the people could put an

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amendment on the ballot themselves, but there was something about the situation in 1980 in particular which led to public discontent turning on the voting system in particular. Cumulative voting had nothing explicitly to do with salaries of legislators.

Cumulative voting, or any system which attempts to provide minorities with adequate representation, is always at risk from the majority as they can, by definition, outvote the biggest beneficiaries of the system. However, CV had managed to resist prior efforts in Illinois to remove it because there was no consistent minority benefitting – both parties were in the minority in different areas of the state, and the structure of the Constitution meant that any group of people of a certain size and cohesion within a district could have a better chance of electing one of their own. During the original adoption of CV and during many of the campaigns to remove it, support for CV was bipartisan and often very diverse in other ways as well, because many groups could use the system to benefit.

The pay increase passed by the 1978 legislators was supported by 110 State Representatives, and benefited every representative who had just been elected. Unlike the anger during the “pineapple primary,” which could be directed at candidates during the election, the pay increase came just after the people voted. Moreover, the beneficiaries of the bill included both minority and majority representatives, as did the pay raise bill itself. When cumulative voting was spared from elimination, it was in part because any group that constituted a minority of even a district or two could be represented in the House. If minority representatives were no better than majority representatives at respecting the interests of the voters (as the bipartisan pay raise seemed to show), then it makes sense that so many voters were comfortable using the
elimination of CV as a way to send a message and “abolish the jobs of 59 legislators” at once.
Chapter 3

The question of how well cumulative voting worked for the people of Illinois is an incredibly complex one. Many of the arguments raised at its inception and around the Cutback Amendment cannot be easily verified and, as with any question of the impacts of a large-scale institution, many other variables confuse the picture. By framing the analysis of CV arguments around the theoretical benefits and drawbacks to different voting systems, it is possible to tease out which elements of cumulative voting worked well in Illinois and which did not.

This chapter examines the representativeness of the cumulative voting system in Illinois as it compares to the current SMDV system. This includes an analysis of who was elected to the Illinois House of Representatives, how the voting system impacted people of minority parties, women, racial and ethnic minority candidates, and the overall turnover of those in power. According to voting theory, representativeness presents a problem for SMDV, and while CV may not be result in a proportional representation of parties, it does much better than either SMDV or PR at representing racial minorities. For the most part, the data in this chapter come from the 78th through 87th Illinois General Assemblies, which met between 1973 and 1992 respectively, and in particular the last two sessions in which cumulative voting was used (the 81st and 82nd) and the first two sessions after the return to SMDV (the 83rd and 84th). By limiting the comparisons this way, it is easier to account the influence of time on the General Assembly. Politics in Illinois are nor static, and the make-up of the General Assembly has changed substantially under both systems, so looking at CV in the 1950s versus SMDV in the 2000s would make it very hard to distinguish the specific effects of the new voting system from the effects of time. Furthermore,
limiting the data to after the 1970 Constitutional Convention makes it easier to judge CV as one consistent system, without having to determine which effects changed due to different primary structures.

**Partisan Minorities**

Understandably, cumulative voting in Illinois was most effective at its main purpose – allowing candidates who represented a minority in their area to win representation in the House. In the first election under CV in 1982, the House went from being sharply divided by geography to having a minority representative in each district but one.\(^{83}\) Both Blaine Moore, who looked at cumulative voting in 1908, and Charles Dunn, who supported elimination of the policy in 1971, agree that the House of Representatives under CV in Illinois better represented the perspectives of the state than the Senate did with single-member districts.\(^{84}\) They show that throughout the period when CV was in operation, the distribution of parties in the House was closer to proportional representation than the distribution of parties in the Senate.\(^{85}\) This suggests that, in the aggregate, whichever party happens to be the minority party at any given time is given better representation by CV than by SMDV. Looking at CV retrospectively in 2001, Kuklinski, Nowlan, and Habel of the Illinois Assembly on Political Representation and Alternative Election Systems (IAPRAES) were able to compare the House itself under the different election systems and found something slightly different. The measure they use is called the seats-to-votes ratio, which calculates how well the overall number of seats a party obtains in an election reflects

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\(^{83}\) Blair, “The Adoption of Cumulative Voting in Illinois.” For a map of the legislative districts directly after CV was instituted, see Appendix B.


\(^{85}\) Ibid.
the proportion of the electorate that voted for that party. A ratio of 1 means that the percent of seats given to each party is exactly equal to the percent of the total votes the party received, while numbers greater than one indicate a disadvantage to Democrats and figures less than one indicate a disadvantage to Republicans. This ratio works well to evaluate CV, even though votes can be split, because it combines the votes each party received – if two Republican voters differed in how they distributed their votes (for instance, one splitting between two candidates and one bullet voting), they both count as 3 Republican votes in terms of the ratio. This means that even if people did not always divide their votes in the best interests of their party, the ratio of total seats to total party votes should still describe the overall proportionality of party representation. The findings of Kuklinski, Nowland and Habel are laid out in the chart below:

<table>
<thead>
<tr>
<th>Year</th>
<th>Statewide SV Ratio</th>
<th>Cook County SV Ratio</th>
<th>Collar Counties SV Ratio</th>
<th>Other Districts SV Ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td>1952</td>
<td>1.037</td>
<td>0.862</td>
<td>0.987</td>
<td>1.141</td>
</tr>
<tr>
<td>1954</td>
<td>1.039</td>
<td>0.906</td>
<td>0.982</td>
<td>1.094</td>
</tr>
<tr>
<td>1956</td>
<td>0.983</td>
<td>0.902</td>
<td>1.003</td>
<td>1.077</td>
</tr>
<tr>
<td>1958</td>
<td>1.076</td>
<td>0.939</td>
<td>1.071</td>
<td>1.097</td>
</tr>
<tr>
<td>1960</td>
<td>1.042</td>
<td>1.009</td>
<td>1.108</td>
<td>1.233</td>
</tr>
<tr>
<td>1962</td>
<td>1.009</td>
<td>0.975</td>
<td>1.078</td>
<td>1.034</td>
</tr>
<tr>
<td>1966</td>
<td>1.061</td>
<td>1.004</td>
<td>1.026</td>
<td>1.146</td>
</tr>
<tr>
<td>1968</td>
<td>1.044</td>
<td>1.057</td>
<td>1.006</td>
<td>1.055</td>
</tr>
<tr>
<td>1970</td>
<td>1.094</td>
<td>1.106</td>
<td>1.103</td>
<td>1.095</td>
</tr>
<tr>
<td>1972</td>
<td>1.000</td>
<td>0.918</td>
<td>1.110</td>
<td>1.090</td>
</tr>
<tr>
<td>1974</td>
<td>1.073</td>
<td>1.127</td>
<td>1.151</td>
<td>0.900</td>
</tr>
<tr>
<td>1976</td>
<td>1.000</td>
<td>1.000</td>
<td>1.120</td>
<td>0.990</td>
</tr>
<tr>
<td>1978</td>
<td>1.042</td>
<td>1.020</td>
<td>1.080</td>
<td>1.090</td>
</tr>
<tr>
<td>1980</td>
<td>1.020</td>
<td>1.020</td>
<td>1.040</td>
<td>1.100</td>
</tr>
<tr>
<td>AVG</td>
<td>1.037</td>
<td>0.989</td>
<td>1.062</td>
<td>1.082</td>
</tr>
<tr>
<td>1982</td>
<td>0.953</td>
<td>0.740</td>
<td>1.300</td>
<td>0.870</td>
</tr>
<tr>
<td>1984</td>
<td>0.878</td>
<td>0.630</td>
<td>1.060</td>
<td>0.990</td>
</tr>
<tr>
<td>1986</td>
<td>0.896</td>
<td>0.680</td>
<td>1.090</td>
<td>0.910</td>
</tr>
<tr>
<td>1988</td>
<td>0.915</td>
<td>0.700</td>
<td>1.180</td>
<td>0.950</td>
</tr>
<tr>
<td>1990</td>
<td>0.830</td>
<td>0.650</td>
<td>1.170</td>
<td>0.760</td>
</tr>
<tr>
<td>1992</td>
<td>0.977</td>
<td>0.800</td>
<td>1.340</td>
<td>0.820</td>
</tr>
<tr>
<td>1994</td>
<td>1.038</td>
<td>0.930</td>
<td>1.150</td>
<td>1.090</td>
</tr>
</tbody>
</table>

87 Ibid.
<table>
<thead>
<tr>
<th>Year</th>
<th>SV Ratio</th>
<th>AV Ratio</th>
<th>Seat Ratio</th>
<th>Ratio Avg</th>
</tr>
</thead>
<tbody>
<tr>
<td>1996</td>
<td>1.021</td>
<td>0.780</td>
<td>1.260</td>
<td>1.070</td>
</tr>
<tr>
<td>1998</td>
<td>1.021</td>
<td>0.840</td>
<td>1.070</td>
<td>1.120</td>
</tr>
<tr>
<td>2000</td>
<td>0.992</td>
<td>0.876</td>
<td>1.130</td>
<td>1.029</td>
</tr>
<tr>
<td>AVG</td>
<td>0.952</td>
<td>0.763</td>
<td>1.175</td>
<td>0.953</td>
</tr>
</tbody>
</table>

The average SV Ratio was closer to one under CV than under SMDV, but by a very small amount. Interestingly, both ratios in the House were smaller than the ratio in the Senate, which averaged to 1.071 over the whole period. However, the fascinating thing in the numbers in the House is the geographic difference. Under CV, there were slight variations between Cook County (Chicago), the Collar Counties (suburban) and the other counties in Illinois (largely rural), but the largest absolute difference from a one-to-one ratio was about 8%. Under SMDV, that is not the case. The average ratio may be near one, but the differences between Chicago and the suburbs are stark. In the city, Republicans got only about 75% of the seats that their vote proportion would suggest they should under SMDV, whereas they received 99% of those seats under CV. In the suburban counties, Democrats received an average of 82.5% of the seats that were proportional to their voting strength using single member districts, but 93.8% using CV. Cumulative voting was able to allow the minority party almost proportional representation in the House, even when the minority party varied by area during the same election.

Furthermore, contrary to some claims, CV did not result in an overrepresentation of minorities to the detriment of majority rule. Dunn quotes another author addressing this problem, who writes:

“"The unique cumulative voting system in Illinois gives the Chicago delegation in the Illinois House a bipartisan character, e.g., 36 percent of the Chicago seats are held by Republicans - the overwhelming Democracy of Chicago
notwithstanding. In short, a Trojan Horse born of a proportional representation scheme tends to split the Chicago delegation on roll calls at Springfield.”

The data make it clear that under CV, Republicans were represented almost exactly proportionally despite being a minority in Chicago and Democrats were slightly underrepresented in the rest of Illinois, where they are a minority. There is no evidence of an overrepresented minority in Chicago hiding in plain sight or attacking from within, as seems to be suggested by a “Trojan Horse.” In fact, in trying to fix this problem, SMDV instead merely fails to represent the diversity of opinion within Chicago by substantially under-representing Republicans.

The Chicago Tribune, as part of an editorial opposing cumulative voting in 1972, called into question the ability of the CV system to do what the editorial board believed it was designed for, namely “to restrict any political party to no more than two of any districts three seats.”

The Tribune pointed to seven candidates in Chicago who failed to qualify for the Democratic ballot or lost in the primary and decided to run as independents in the hope that they would force out the Republican minority representative. While that was possible under CV, even if all seven had won their elections, there would still have been 52 districts in which the minority party had a say in CV that it would not have had under SMDV. Furthermore, there was only independent candidate who appears to have been successful in the last years of CV in taking an entire district for one party: Taylor Pouncey, an Independent who represented the 26th district from 1979-1982 and served along with two Democrats.

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88 Frost, On Derge’s Metropolitan and Outstate Legislative Delegation, in Dunn, “Cumulative Voting Problems In Illinois Legislative Elections.”
from the district. Pouncey, though officially not a member of either party, had
previously worked for the 16th Ward Democratic organization in Chicago and was
likely doing just what the Tribune so derided. Pouncey is only one representative,
though, and so the Tribune is arguing for replacing a system that gives almost every
district some minority representation with one that gives no minority representation
because there are a few instances in which CV does not quite live up to expectations.

Cumulative voting did an exceptional job of providing space for the minority party to be elected in (nearly) every district in Illinois and producing a nearly proportional outcome while keeping geographic constituencies.

Third Parties

Blaine Moore, in his analysis of cumulative voting in 1919, found that while the numbers of Democrats and Republicans elected in Illinois were roughly proportional to their vote totals, the representation of third parties was not.91 In the early years of CV, there were a number of ‘minor’ parties – neither Democrats nor Republicans. These parties occasionally won a few seats as minorities in a district, but their overall vote percentage often was much larger than their share of the representation. In the 1906 elections, for instance, the three largest ‘minor’ parties (Prohibitionist, Socialist and Labor) combined for a 15% of the total vote (though not necessarily 15 percent of the voters) and only managed to secure 3 out of 153 seats in the House.92 This occurred because the system in Illinois shared the districts between three State Representatives, requiring that each one get the support of a third of the voters (and convince them to bullet vote) plus one in order to be guaranteed a seat. It

92 Ibid.
is possible, depending on how others vote, to win with fewer voters, but parties which typically received 10 – 15% of the vote in plurality elections had difficulties being elected in the House under CV. In the later years of CV, the only non-Republican or Democrat in the House of Representatives was Representative Pouncey, whose status as an independent is questionable, as discussed above.

Single member districts are not particularly welcoming to third parties, either, however. It takes even more of the vote in a district to get a seat under SMDV, so the system Illinois put in place after the end of cumulative voting failed to address any of the problems that third parties were having. In fact, even though the only independent under CV had serious ties to the Democratic Party, cumulative voting still surpassed SMDV in Illinois in terms of third party representation, as no third party members replaced Taylor Pouncey or were elected in another district following the Cutback Amendment.93

**Women and Racial Minorities**

As cumulative voting was instituted in Illinois in 1870, the idea that it could help support the candidacies of women or racial, rather than partisan, minorities was not considered by the politicians of the time. Later officials and researchers did look into how CV impacted minority groups other than partisan ones, but came to startlingly contradictory conclusions about how much cumulative voting helped reduce the common under-representation of these groups. Jackson and Prozesky, researchers from Southern Illinois University, writing primarily about redistricting, claim that the cumulative voting system “also led to the election of more women and more minority candidates in some districts than would have probably been the case

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without this particular electoral device.”94 Jeff Ladd, a Republican activist and lawyer claims that “[CV] lent itself uniquely to the addition of minorities…whether they were African American or Hispanic or women - whatever. It was a great opportunity for them to get involved in the process.”95 Kuklinski, Nowland and Habel, however, give a cursory look at how women and minorities fared under CV and conclude that “in reality, neither cumulative nor plurality voting has produced Illinois state legislatures that mirror the racial, ethnic, and gender composition of the population.”96 While records of the House of Representatives show no significant differences in the percentages of women and minorities elected before and after the introduction of single-member districts, cumulative voting did benefit both women and black representatives somewhat, though in very different ways.

The argument underlying claims about electing representatives of demographic minorities is often applied to both racial minorities and women. Cumulative voting allows people to be elected by a smaller number of people who are willing to give more support, so marginalized groups (regardless of the specific group in question) can elect representatives without having to convince the majority of voters, who may be less willing to vote for minorities. No one among the Southern Illinois University researchers or on the Illinois Assembly on Political Representation & Alternative Electoral Systems or PR and CV supporters at FairVote, regardless of their conclusions, make a large distinction between the ways cumulative voting impacted women and the ways that it impacted ethnic and racial minorities. While

women and racial minorities are grouped together in theory, the effects the cumulative voting system had on the representation of each group in Illinois were very different.

*Impacts of CV on Women*

The end of cumulative voting did not lead to a drop in the representation of women in the Illinois House, although that alone does not mean that cumulative voting had no benefit for women relative to single-member-districts. Between the 82nd and 83rd General Assemblies (the last to be elected under CV and the first to be elected under SMDV), there was a decrease in the absolute number of women serving in the House but the percentage of women went up slightly, from 15.8% to almost 17%, because the House as a whole lost 59 seats.\(^\text{97}\) This indicates that there was no large change in the representation of women in the House after CV ended, and indeed the number of women holding seats remained relatively steady, at 20 or 21 out of 118, until the 1992 elections, when 30 women were elected.\(^\text{98}\) Currently, under the single-member plurality system, Illinois ranks 7th among the states in terms of representation of women in the General Assembly, with 31.1% of state senators and representatives being women.\(^\text{99}\) Looking just at the representation of women in the House of Representatives, the numbers do not seem to indicate any advantage to women running under CV, but that is not the full story.


\(^\text{99}\) Illinois General Assembly. LRU. “Illinois Women in Congress and the General Assembly.”
Cumulative voting could facilitate a greater representation of women without necessarily demonstrating it with a large drop in representation after CV ended. In fact, of the 20 women still in the House of Representatives after the Cutback Amendment (down from 28), only four of them were newly elected – 16 had first run for and attained their offices under CV.\textsuperscript{100} After five elections under the SMDV system, 7 of the 20 women in the House had still been first elected using cumulative voting.\textsuperscript{101} Cumulative voting may have made it easier for these women to run for the first time, after which they enjoyed an incumbency advantage regardless of the voting system. To make judging the effects of CV through women’s representation in the House more difficult, the conditions for women candidates were not static in the years around which CV ended. Comparing women’s representation in 1977 (with CV) to their representation in 1987 (under SMDV) is slightly disingenuous, as women’s representation in government was changing throughout the country at the time. Overall, it is not clear whether the fact that roughly the same proportion of women were elected under CV and SMDV means that cumulative voting did not help women get elected or whether it means that it did help women get elected who managed to stay in office after the end of the system.

In order to mitigate the confounding variables of time and incumbency, the impacts of CV on women can also be judged by comparing the Illinois House with contemporaneous bodies such as the Illinois Senate or other states’ Houses of Representatives. These comparisons show advantages to cumulative voting over single-member-district voting in representing women, but on the whole, they are

\textsuperscript{101} Illinois Secretary of State. \textit{Illinois Blue Book}, 1973-1992
rather slight. The tables below show the number and percentage of women in the Illinois House of Representatives and State Senate and the overall percent of women serving in the states bordering Illinois.¹⁰²

<table>
<thead>
<tr>
<th>Women</th>
<th>In the Senate</th>
<th>In the House</th>
<th>Neighboring States</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
<td>Percent</td>
<td>Number</td>
</tr>
<tr>
<td>1977</td>
<td>3</td>
<td>5.08%</td>
<td>18</td>
</tr>
<tr>
<td>1979</td>
<td>4</td>
<td>6.78%</td>
<td>23</td>
</tr>
<tr>
<td>1981</td>
<td>4</td>
<td>6.78%</td>
<td>28</td>
</tr>
<tr>
<td>1983</td>
<td>8</td>
<td>13.56%</td>
<td>20</td>
</tr>
<tr>
<td>1985</td>
<td>10</td>
<td>16.95%</td>
<td>20</td>
</tr>
<tr>
<td>1987</td>
<td>12</td>
<td>20.34%</td>
<td>20</td>
</tr>
</tbody>
</table>

Towards the end of the cumulative voting period in Illinois, there was a large difference between the representation of women in the House and in the Senate. The proportion of women serving in the House was about double the proportion in the Senate in 1977 and 1979, and even larger in 1981. This is not necessarily due to cumulative voting alone, as the Senate is considered the higher of the two bodies and many Senators begin by running for the House (very few people do this in the reverse – getting a Senate seat then later running for the House). Thus, it would make sense

¹⁰² These states are Indiana, Iowa, Missouri, Wisconsin and Kentucky. The rationale for using neighboring states was to get a sense of how states without CV were performing with respect to women represented in state government without adding too many variables with respect to location and politics. A comparison with the national average, or states like Massachusetts or Texas would add many new variables that might be able to explain any differences better than the voting systems do. The neighboring states were also picked and used as one amalgamation to give a sample of the geographic region without having to attempt to pinpoint which state most resembled Illinois without CV – a process that is incredibly complex and not particularly objective, as there will always be a choice of which qualities to privilege in making comparisons (i.e., in deciding whether it is more important that a state have a similar population, a similar urban-rural ratio, a similar demographic breakdown, or something else).

¹⁰³ Data compiled from Illinois Secretary of State. *Illinois Blue Book*. Years 1973-1992; from Illinois General Assembly. LRU, “Illinois Women in Congress and the General Assembly”; and from Rutgers Center for American Women in Politics, “Facts on Women in State Legislatures,” (2012). There are some discrepancies in the numbers given by the official Blue Books and researchers’ information. When possible they were clarified by outside sources, but when they were not, this data uses to the Blue Book information. Many of the discrepancies likely occurred because of people entering and leaving the House outside of the normal cycle and being replaced. The numbers in question were never more than 1 person apart between the sources.
for women, who were for the most part just entering politics at this level, to be better represented in the lower house. The comparison with other states bears this out, as there is a clear distinction between the numbers of women in the House and Senate even without CV which mirrors that in Illinois. The gap in between the proportion of women in the Senate and House is slightly bigger in Illinois than in the neighboring states, though, particularly in the early years. The comparison between Illinois and its bordering states also shows that before the change to SMDV, Illinois had a slightly larger advantage over its neighbors in terms of women elected. In 1981, Illinois had 25% more women serving in the house than its bordering states did, but in 1983, that dropped to only 12% more. Both of these statistical differences are hard to judge, as they are either small or partially explained by other variables, but together they make it clear that there was some benefit to women in the Illinois House of Representatives under CV relative to women in the Illinois Senate or in other states’ Houses. This also lends credence to the idea that the increase in representation of women in the House after the adoption of single member districts had more to do with incumbency or timing than with the voting system.

Counter-intuitively, it is the Senate which saw the most dramatic shift in the representation of women after the end of cumulative voting, not the House, where the change actually occurred. There were no changes to the Senate voting system, yet the number of women in the Senate doubled and then continued to rise – far outpacing both the percentages in other states and the percent of women in the House. This makes it a little harder to argue that it is inherently more difficult for women to get elected to the Illinois Senate than the House, as there were a number of years (from
1987 – 1993) in which the representation of women was higher in the Senate, making it more likely that the initial strength of women in the House as opposed to the Senate was due to CV. It also demonstrates one of the biggest benefits to women that the CV system in Illinois provided. Of the four new female senators elected in 1983, three of them were former House members who did not run for their seats again after the Cutback Amendment and redistricting.\textsuperscript{104} Both new senators in 1985 came out of the House. The benefit CV had here was not just in the way people voted, but in the fact that the House was so comparatively large (three times the size of the Senate rather than two). This meant that the absolute number of women in the House was larger, so even with the same proportion of women in the legislature, there were more well-qualified female State Representatives who could later run for other offices.

Traditionally underrepresented groups benefited from the larger House of Representatives because they were able to have more people elected in total (even if it still was not proportional to population) who could prove themselves able to serve as representatives and take advantage of incumbency and name-recognition to run for other offices. For groups like women in particular, who often had trouble being elected because of a perception that they would not be as capable in office as men, being able to elect a greater number of women to prove that expectation wrong is valuable. Jeff Ladd claims that “in the early days, [cumulative voting] gave women an opportunity to get involved in politics.”\textsuperscript{105} Some of this advantage was demonstrated by larger percentages of women in the House than the Senate, and some

\textsuperscript{105} Jeff Ladd in FairVote. “Documentary on Cumulative Voting in Illinois.”
in the slightly larger percentages of women elected in Illinois, but a part of that opportunity came just because there were more seats available in total.

**Impacts of CV on Racial Minorities**

As with the representation of women in the Illinois House of Representatives, the proportion of black representatives did not change greatly when the voting system changed, yet there were a few other ways in which cumulative voting affected black representation. From 1981 to 1983, the number of black representatives in the House went from 15 to 14 as the total number of representatives dropped, making the percentage of black House members skyrocket – from 8.5% to 23.7%. Incumbency also played a smaller part in the retention of black representatives than it did for women; five of the representatives in the 83rd General Assembly (after CV ended) were new; the other nine were first elected under CV. Pat Quinn cites the fact that representation of minorities went up after CV as part of his argument that the Cutback Amendment was right for Illinois. He argues that the reason for this increase was that “the cumulative voting system before the Cutback Amendment permitted many white Republican legislators to win a House seat with less than ten percent of the vote in districts that were predominantly African-American.” This is true – in the 82nd General Assembly, there were two House districts in which it was the case that two of the representatives were black and one was white (districts 21 and 22). However, at the same time, there were four districts in which the reverse was true and one black

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106 Data compiled from Illinois Secretary of State. *Illinois Blue Book*. 1973-1992. Other numbers look slightly different because, as with the data on women, some counts of representatives include those who leave mid-session and are replaced – this count looks at each district’s primary representative for the period in question, as recorded by the Illinois Blue Books.


representative served alongside two white representatives. The overall proportions of
districts in which blacks were represented at all did not go up in the same way that
the proportion of black members did, but instead it stayed almost exactly the same.\textsuperscript{109}
This suggests that at least one part of Quinn’s analysis was incorrect. While there
may have been a few districts where a white minority elected a white representative,
it does not explain the jump in the proportion of black representatives in the House.

One alternative rationale might be that the redistricting process in 1981 favored the
creation of strong Democratic districts, as the Democratic Party’s map was adopted.
The vast majority of the black representatives in 1981 were Democrats, and those
who were not were the minority representatives from their districts (this was not the
case for women, who were split between parties), so it would make sense that the
Democratic map in 1981 would want to keep as many districts as possible in the
hands of black Democratic incumbents or within majority black areas. SMDV
districts can do this in a way CV cannot, though the Democratic map at the time was
selected over the Republican map through random chance (see the section on
Gerrymandering in Chapter 4). After adopting the Republican map 10 years later,
representation of blacks in the House changed little, dropping from 14 to 13 seats;
when Democrats once again drew the map in 2001, the number of black
representatives jumped from 15 to 19 in one term.\textsuperscript{110} While SMDV allows the
creation of maps fairer to the representation of minorities, it all depends on who

\textsuperscript{109} Illinois Secretary of State. \textit{Illinois Blue Book}. It dropped very slightly, but not significantly.
\textsuperscript{110} Illinois General Assembly. Legislative Research Unit (LRU). “African American Legislators in Illinois
http://www.ilga.gov/commission/lru/BlackLegislators.pdf
draws the maps, whereas redrawing districts has much less of an impact on representation under CV.\textsuperscript{111}

While the proportion of black representatives in the House increased after the adoption of SMDV, the partisan diversity of those members decreased. In the last two sessions of cumulative voting, two of the black members were Republicans, and one was an Independent (although he had associations with the Democratic Party, Taylor Pouncey ran as an Independent in the 26\textsuperscript{th} district and won his seat). In the two sessions after the introduction of SMDV, all of the black representatives were strictly Democratic. J. Glenn Schneider, a Democratic representative from the majority-Republican 41\textsuperscript{st} district, explained that “in my experience, and this is kind of a charged statement, but [black Republicans were often] co-opted by the Democrats. So in the House, you often had black Republicans voting with the Democrats, especially on crucial votes.”\textsuperscript{112} However, he also pointed out that even if black Republicans from Chicago often crossed the aisle to vote (the impacts of CV on bipartisan cooperation will be discussed more in the following chapter), cumulative voting “gave black Republicans a chance to articulate a different point of view.”\textsuperscript{113} Furthermore, even though they were likely to vote with the Democrats, the black Republican representatives still caucused with the Republican Party. This allowed a greater diversity in both parties in the House, which did not occur after SMDV was instituted. The few black Republican representatives there were in Illinois were elected in districts with three black representatives, where the population was very racially homogenous, and were always the partisan minority representative. That is,

\textsuperscript{111} This is addressed further in Chapter 4.
\textsuperscript{112} J. Glenn Schneider, personal interview with author, Naperville, Il. January, 2012.
\textsuperscript{113} J. Glenn Schneider, personal interview with author.
they were always in districts which elected two Democrats and one Independent or Republican, so after CV ended, the districts all elected Democrats alone.\textsuperscript{114}

While the overall numbers of black representatives elected in Illinois does not show much benefit from cumulative voting, for some representatives, CV defined their campaigns and had a huge impact on their ability to be elected at all. The first black legislator in the General Assembly, John W. E. Thomas, was elected to the House of Representatives in 1876 under CV and would not have been elected without it. The city of Chicago, which included Thomas’s district, was only 1.2\% black at the time, and while it was concentrated in the second district, the black population was not nearly large enough for Thomas to be elected just by that group.\textsuperscript{115} Thomas was instead selected by the Republican committee to be a candidate for the House, but he was the second candidate of two. The white Republicans were willing to nominate a black man, but they would not do so instead of having any white representation. In allowing majority parties to choose two candidates, CV made it easier for black candidates to be nominated at all before there were primaries, before the civil rights movement and before the black population of Chicago was large enough to have a strong voting presence. Much later, Emil Jones, the only black representative from the 28\textsuperscript{th} district, was also helped by CV, explaining that “When I first got elected in 1972, the district in which I was elected was a district which comprised only about 20\% African-American constituencies. So, what I did was, I organized the African-American community and had them bullet vote for me, and by bullet voting, I got

three votes from most of the residents in the African-American community."  

Even though the numbers do not appear to show that CV was useful to electing blacks representatives, Jones based his campaign around an appeal to use CV to elect a minority and was successful. This strategy could not have worked in a single-member district. In fact, after the Cutback Amendment, Jones did not seek re-election to the House, choosing instead to run for the state Senate in a different district, which he won.

This analysis has focused only on black representatives when dealing with how well racial minorities were represented by cumulative voting because under CV black representatives were the only racial minority representatives elected. The first Hispanic representative in the Illinois House, Joe Berrios, was elected in 1982, the first election to use SMDV. This speaks more to the time than the voting system, however, as in the 1980 census only 5.6% of Illinois residents listed themselves as Hispanic. Cumulative voting may have also been a factor in some races where candidates from different white ethnic groups were running, because it can be used as a tool by any group that has a minority share of the population. For instance, in the 80th General Assembly, the state Senator for the 19th district was Polish, and two of the representatives were Italian and Ukrainian. It is entirely possible that these representatives could have relied on ethnic communities to bullet vote for them, but

meaningful data on the election of different ethnic groups who identify as white is hard to find as census data does not differentiate between them.

**Conclusion – Women and Racial Minorities**

The experiences of women and black representatives under CV and SMDV in Illinois were very different in large part due to geography. Racial differences are often accompanied by geographical separation in a way that gender differences are not. This fundamental difference helps explain why the effects of cumulative voting are so varied between the groups when the same theoretical issues apply. It is possible to create districts specifically so that they contain a majority of a racial or ethnic group that is a minority overall, but there is no way to draw a district particularly targeting female voters. When the redistricting for SMDV occurred, the Democrats leading the redistricting created districts that would allow for more black representatives, but it also would have been possible to divide the districts so that they were majority white. In fact, that is exactly what happened recently in Texas with Hispanic districts, to the point that the Justice Department and Supreme Court have gotten involved in trying to determine what makes a fair map and who has the authority to create them. Cumulative voting does not make it necessarily easier to give representation to minorities – with well created districts, that can happen in SMDV as well. However, CV does not rely on the districting and makes it much harder to draw groups out of representation.

For women, who represent a largely consistent proportion of the population over the whole state, the problem is not making sure they are represented in areas

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where they are a minority. Instead, the issue has historically been getting women to run and convincing majorities that they are capable of serving in office. Cumulative voting did appear to help provide an opportunity for more women to run by having more seats and requiring fewer barriers – a women could be elected by a smaller group of dedicated voters, meaning that in her first election, a female candidate could avoid having to convince the majority that she was capable and might instead get a chance to prove it. This is supported by the fact that after CV, women’s involvement in the House stayed largely the same because of incumbents who had already proved themselves to their districts.

Overall, the impacts of cumulative voting on racial minorities and women in Illinois were smaller than much of the theory would have anticipated, in large part due to the timing of the end of cumulative voting. Writing in 2001, Quinn touts the fact that “the Illinois House in the past 18 years has had more women, African Americans, and Hispanics elected than before 1982.”  

This is true, but House Majority Leader Barbara Flynn Currie, who was first elected under cumulative voting in 1978, gives a different reason for the change, explaining that “I think we did our best work in terms of women after the end of cumulative voting rather than during. I think that was also the case [for racial minorities].”  

While both women and blacks had the right to serve in the Illinois General Assembly through much of the cumulative voting era, the big pushes to increase the representation of both often happened after SMDV was reinstated. This can be seen in the numbers of minorities in the Senate. Quinn emphasizes the fact that no Hispanic representatives were

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elected under CV, yet the Senate had no Hispanic members either at the time of CV, which suggests that the problem was one of population size and voting strength at the time rather than the voting system.\textsuperscript{122} The numbers of female and black state senators also rose steadily in the years after CV ended, which implies that the proportions of minority groups in the House should have been increasing also, regardless of the change in voting system.\textsuperscript{123} However, this does not mean that returning to cumulative voting in Illinois would not have any or much effect on the representation of women and minorities. The Illinois Assembly on Political Representation recognized the issue of timing, and concluded that while CV had not been able to create a House that fully mirrored the population,

“By all accounts, group identity and consciousness have grown during the last two decades. Women, more than ever before, identify with women’s issues, blacks and other ethnic groups with minority issues. This implies that bloc voting might be more prevalent than it was in earlier years if members of the various groups felt they could rally successfully around a candidate. Such a feeling of efficacy is far more likely under cumulative than plurality voting.”\textsuperscript{124}

The effects that CV had in Illinois on representation of minorities and women were beneficial, but small on the whole. However, there is a possibility for CV to help more with representing minorities as more areas in Illinois, particularly Chicago neighborhoods and near-suburbs, diversify.

**Turnover**

Finally, in looking at who was elected to the House of Representatives in Illinois under cumulative voting, the issue of turnover is also important. If a voting

system creates high barriers to entry for candidates by giving incumbents a larger
advantage, it can make it hard for the governing body to react to demographic shifts
and can also entrench representatives, which increases the possibility of corruption.
On the other hand, if there is no stability in the system, short-term changes can cause
huge landslide elections, bringing in a large number of inexperienced representatives,
or creating huge majorities that do not need to negotiate or compromise to institute
huge changes (and often, therefore, make it easier for them to stay in power).

Cumulative voting has the potential to keep representatives in their seats for a
long time, because if someone has the unequivocal support of only a third of the
population, they can never be forced out. Dawn Clark Netsch, who opposed
cumulative voting during the 1970 Constitutional Convention, explained that CV
“froze in a lot of people who had absolutely no business being in the legislature. The
most notorious of course was the so-called West Side Bloc, who were the mob
people, and they were there, basically locked in by the cumulative voting.”125 This
possibility for entrenchment is still there in SMDV districts, but a candidate needs to
be able to hold onto the support of over 50% of the voters rather than only a third.
Proponents of the Cutback Amendment argued that this difference (between the
numbers of voters a representative needed to convince to stay in power) would
increase accountability of representatives and increase electoral competition, both of

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125 Dawn Clark Netsch, personal interview with author, telephone interview. Netsch is not alone in
seeing the West Side Bloc as a problem in the legislature. The connections between the legislators
serving Chicago’s West Side and the mob were well known. In 1949, they represented the last six
votes Gov. Adlai Stevenson needed to put a Constitutional Convention measure on the ballot, and
offered to vote with him in exchange for the governor backing off bills proposed by the Chicago Crime
which implied that there would be higher turnover under SMDV. However, cumulative voting also makes it easier for new entrants into politics, because the candidates do not need to win the plurality of the vote. Emil Jones’ explanation of his campaign strategy makes it clear that newcomers need to mobilize far fewer people in order to force out at least one of the current representatives. Based on the direct experience of legislators, CV both helped some incumbents to retain their seats and made it easier for challengers to win seats, so the issue becomes whether it benefited one group more than the other on the whole and whether the claims of competitiveness under SMDV were true in Illinois.

Dunn shares Netsch’s belief that CV helped unscrupulous or bad representatives hold onto their seats. Among other arguments, he stresses that the shift to single-member districts would improve the ability of the people to hold their representatives accountable by making it easier to unseat them. He writes, “without question, tenure may be an asset if properly balanced with an infusion of new representatives. On the other hand, …if cumulative voting insulates incumbents from competition, the system is of dubious value.”

In fact, there was significantly more turnover in the House under cumulative voting than there was after it ended. Of the 177 representatives elected in 1972 under cumulative voting, only 31% of them were still in office after the 1980 elections (8 years and 4 cumulative voting elections afterwards). Of the 118 representatives elected the first year under single-member-district plurality voting, roughly 50% of

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126 Kuklinski, Nowlan, and Habel, “Voting for the Illinois House.”
129 Ibid. p. 652.
them were still in office after 8 years.\textsuperscript{131} The eight year time frame allows a look at the number of representatives who stay in office over a longer period of time than just one or two sessions, but also avoids dealing with problems of redistricting (which happened between the two periods being compared), which can dramatically change the composition of the General Assembly regardless of the voting system.\textsuperscript{132} These data show that CV clearly benefited those entering the system more than the incumbents. While some representatives found it easier to stay in place in a cumulative voting system, overall, the system lent itself well to bringing new people into the process. This is significantly different than the system that Dunn described, in which supporters of CV even praised the system for keeping experienced members in place in Illinois longer than other systems did.\textsuperscript{133} One of the main differences between the time of his writing and the Cutback Amendment was the change in the primary system which prevented the minority party from only nominating one representative. Having at least two candidates from each party running increased the competitiveness of elections, which could have contributed to the greater turnover.

Charles Dunn’s argument that CV insulated incumbents through lack of competition does not hold up to the reality of what happened in Illinois, particularly comparing the last years of CV (under the new primary rules) to SMDV. Cumulative voting did insulate the House, but for the most part it insulated the parties by preventing huge landslides, rather than insulating individuals. As all of the members of the House are up for re-election every two years, the House is susceptible to big

\textsuperscript{131} Ibid.
\textsuperscript{132} This year, for instance, as Rep. Currie explains, “there is a lot of turnover, a lot of people are retiring and I think that has a lot to do with the fact that it is a reapportionment year.” Currie, telephone interview with author.
landslide wins. These can be caused by events outside the specific state politics, like one party being much more energized about their presidential candidate or a scandal involving a national party leader, and can lead to bodies with a large number of inexperienced representatives. Former Rep. Harold Katz explains that “There's no question but that learning from your colleagues who are more experienced is the best way to learn [about how to do things in the legislature],” and huge landslides are not conducive to building a well-functioning House.\(^{134}\) Cumulative voting in Illinois managed to prevent huge landslides, as Joseph Lundy, one of two Democrats in the 11\(^{th}\) district, explains in a response to a *Chicago Tribune* editorial. In 1973, he writes “you note that “landslide elections” are rarely reflected in the Illinois House. This is true, and a good thing, too! … Why should a Harold Katz be sacrificed because George McGovern is unpopular, or an Art Telscer because Richard Nixon may have countenanced the Watergate horrors?”\(^{135}\) In Illinois’ cumulative voting system, one election was not able to effectively erase one party’s voice in the House unless their share of the electorate throughout the state suddenly dropped below 25 or 30%. The space for a minority representative in each district prevented either party from have less than a third of the seats except in what would have been truly extreme circumstances.

The second part of Dunn’s argument, that there would be more competition with SMDV, has also not been experienced in Illinois. After the change requiring


parties to put up at least two candidates, there was always at least some competition under a cumulative voting structure. Since then, the amount of competition has noticeably decreased in House races. Kuklinski, Nowland and Habel include a telling chart in their findings, showing the percent of House races between 1952 and 2000 in which there was no competition in either the primary or the general election. These represent elections in which the public literally had no say in the result.

The numbers near zero represent the change preventing parties from only running one candidate in the General Election if others were available. Clearly, the competition for seats dropped sharply after the Cutback Amendment. This may not be entirely due to SMDV, as the number of uncontested races in the Senate rose over this time as well.\(^{137}\) However, even if other factors impacted the number of uncontested races in the House and the Senate, both use SMDV districts – if the House still used CV with its final provisions, it would be nearly impossible to see this number of elections left uncontested. Though these data end in 2000, the lack of contested state elections

\(^{136}\) Kuklinski, Nowland and Habel “Voting for the Illinois House,” p. 54.

\(^{137}\) Ibid. p. 55.
continues. In the 2010 General Election, 43 House races were completely uncontested, while in two others the only opposition candidate received less than 1% of the vote, for a total of 38% or races uncontested; of the 21 Senate races in the election, six, or 28%, were uncontested. Dunn’s hope that single member districts would increase competition has not been realized in Illinois.

Using CV, Illinois had higher turnover of members of the House and more competition during elections than it did using single member districts, but the composition of the House was also protected from wild swings in partisanship from one election to the next. Glenn Schneider claimed that it allowed Illinois to “have it both ways,” with some experienced representatives along with “new blood.” Even though a few entrenched representatives may have used the system to their advantage, which happens in any voting structure, CV has shown to be better than SMDV at promoting turnover and competition.

Conclusion

The representativeness of cumulative voting in Illinois did not operate according quite according to the theoretical version of the system. Illinois’ cumulative voting system was much better than anticipated at representing partisan minorities, almost to the point of being completely proportional, and was able to do so in all the different geographical areas of the state. In fact, CV in Illinois was in many ways more representative than even PR would have been because it gave proportional representation to minorities as well as geographic constituencies. However, CV was not as successful as anticipated in representing other demographic groups. Women’s

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139 Schneider, personal interview with author.
representation in the House barely changed after CV ended in Illinois, and the proportion of black members of the House actually increased. While the system did have benefits for both groups, including getting more women into public office and generating partisan diversity among black representatives, they were not nearly as clear as the theory suggested. Finally, CV in Illinois was able to encourage turnover and new voices without the threat of huge landslide elections. While the system was in no way perfect, it functioned better than SMDV did in promoting diversity and change in who was elected to the House of Representatives.
Chapter 4

“The House under cumulative voting was a very exciting place. It seemed to be the center of activity in Springfield. There were all different sorts of sources of power and interest. It was like a symphony really, with not just two instruments playing, but a number of different instruments going at all times.”

- Representative Harold Katz (D)\textsuperscript{140}

“Cumulative voting is confusing, causes votes to be lost, creates intra-party divisiveness, and denies the voters a clear-cut opportunity in electing state representatives.”

- Representative Eugene Schlickman (R)\textsuperscript{141}

Cumulative voting in Illinois affected so much more than just who was elected to the House of Representatives. Both Schlickman and Katz are speaking here to the broader question of how the House of Representatives functioned and how people related to the system, both vital issues in understanding the overall success of cumulative voting in Illinois. These issues fall under the broad theoretical categories of the quality of the legislative body, constituent-representative relationships and the complexity of the voting system. This chapter investigates how these three issues played out in Illinois under cumulative voting as compared to single-member-district voting. Theoretically, cumulative voting could have some benefits relative to SMDV in these categories, but it depends on how the system is structured and whether people know how to use it.

Quality of the Legislative Body

Party Unity

\textsuperscript{140} Harold Katz, interview in FairVote. “Documentary on Cumulative Voting in Illinois.” Video.
One of the main arguments leveled against cumulative voting is that it undermines party unity. This happens in multiple ways; cumulative voting allows less mainstream candidates to win with a smaller base of support, forces candidates of the same party to run against each other in the primary and the general elections, and sometimes supports collusion between candidates of different parties in order to elect a specific slate. All of these lead to political parties that are more divided, which was indeed the case in Illinois while it used CV. Interestingly, at the beginning of CV in Illinois, it greatly increased the power of the political organization, as there were no primaries, so majority parties could nominate two candidates and minority parties only one, and all be assured of their candidates’ victories. After primaries were introduced, though, and as more independent candidates were elected without party support, the power of the party as an institution was negatively impacted by CV. The real questions regarding cumulative voting in Illinois are whether the other effects CV had on the relationship within and between parties were enough to justify the divisiveness and whether single-member districts dealt with issues of party unity in a better way. In fact, the lack of party unity in Illinois was tied to the inclusion of new perspectives within the parties and more bipartisan cooperation, both benefiting the state, while SMDV increased party unity to the extent that the Speaker has been able to exercise incredible amounts of control over the process.

In Illinois, cumulative voting divided the parties both through the electoral process and through the power of small factions within the House of Representatives. Particularly after the requirement that parties run at least two representatives in the general election to facilitate competition, candidates from the same party were forced

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to run against each other through the whole election. Under SMDV, candidates of the
same party clash in the primaries, but during the general election, the party comes
together and argues against the opposing party. In CV, that was not always the case.
For example, in a majority-Democratic district, the Republican candidates would run
against each other in the primaries, but then the two winners would be fighting
against primarily against each other again in the general election for the bullet votes
of the Republican minority in the district. This removes the part of the process where
parties can build unity, and instead could lead to increased divisiveness.
Representative Currie recalls that “my sense was that tensions between… party
members come election time tended to be somewhat more noticeable than they would
be in an ordinary primary. I don’t mean to say that there never was a unity in purpose
or campaign plan, but there often was tension because it often might be that one of
them was going to win and the other was not.”143 While the tensions increased when
two candidates were fighting each other, the “unity in campaign plans” that Rep.
Currie referred to could also cause problems of their own. In his defense of the
Cutback Amendment, Pat Quinn describes the “collusion” that he sees as endemic to
the CV system:

Incumbent representatives under cumulative voting would regularly recruit
straw candidates who would deliberately fail to run an active general election
campaign and thus allow their “running mate” to win-re-election with ease. In
other cases, running mates of the same party would sabotage each other in the
general election by urging their supporters to “bullet” (cast all three votes for
one candidate) and deny their “running mate” any votes at all.144

Tactics like these do not often translate to being able to work well as a party within
the House, particularly if they fail, as two candidates who essentially ran against each

143 Currie, telephone interview with author.
144 Quinn, “The Cutback Amendment and Future Reforms,” p. 68
other are unlikely to want to work together. Once in the House, there were other problems with party unity as well. Cumulative voting allowed independent representatives to more easily break into the mainstream parties with a small but dedicated support base.\footnote{Netsch, interview with author.} This meant that there were a large number of people within each party who did not always agree with the main party positions, making it much more difficult to have a cohesive and unified group of legislators.

Cumulative voting in Illinois undermined the ability of the parties to function as unified groups. However, it did bring other perspectives to the caucuses which were valuable in their own right. As an alternative to CV, single member districts helped form cohesive parties in the House, but also increased the power of the Speaker of the House (which caused strife with other party leaders) and reduced the amount of bipartisan cooperation in the House.

\textit{New Perspectives}

Joseph Medill intended for the cumulative voting system in Illinois to give voice to minorities in different parts of the state, but also to introduce new perspectives to the parties themselves. In this respect, cumulative voting was an unqualified success. The increased geographical distribution of Democrats and Republicans, as evidenced by the close-to-proportional representation of both parties throughout the state, brought many representatives with different views to the caucus.

Barbara Flynn Currie, a Democratic representative from Chicago, described what she found valuable in the system, saying:

\begin{quote}
We had some republicans from Chicago representing territory that was pretty much democratic, but they – those Republicans – were able to bring to the Republican caucus a perspective on the importance of mass transit in the city
\end{quote}
of Chicago or the importance of subsidized housing in the city of Chicago. I think that’s exactly what Medill had in mind – that there would be kind of a cross-pollination and at the same time the more liberal democrats would hear from democrats in more Republican, conservative, suburban territory about the way people felt about the way we were spending money … I think it hits home in a more concrete way when you’re hearing from people who share your partisanship, but who also reflect different values and perspectives.146

Her statement is particularly important, as she was one of the Chicago Democrats whose voices would likely have been heard regardless of the system – in fact, she is still in the House today. That she found CV to be useful in letting her hear from other Democrats shows that the benefits of CV were not just for minority representatives, but for the others in the House as well. Bernard Epton, the Republican representative from the same Chicago district as Currie, brought up some of the same issues when he was interviewed in 1986, saying “I could talk to a Republican from southern Illinois and tell him about the problems with city schools. There were people in both parties to speak on behalf of the cities. But now, what stake does the GOP have in mass transportation issues?”147

Many people have tried to argue that this geographic diversity is a good thing, but that cumulative voting is no longer necessary to create it in Illinois. Charles Dunn claims that “recent studies of Illinois voting patterns indicate that intense political polarization between Chicago and Downstate no longer exists.”148 It is true that some of the downstate representatives after CV ended were Democrats, but there is, however, still a huge split between Cook County (Chicago) and the collar counties in the suburbs, as Kuklinski, Nowland and Habel’s study on seats-to-votes ratios demonstrates. Also, while some downstate House members are Democrats, the state

146 Currie, interview with author.
still has “intense political polarization.” Dunn cites a study of presidential voting in Illinois to demonstrate the lack of geographical divisions remaining, but looking at recent maps of Illinois voting in statewide elections tells a different story. In the 2010 elections in Illinois, two large statewide offices were contested: the Governor and one US Senator. The following maps show the election results by county in Illinois for those races (blue for Democratic, red for Republican):\(^{149}\)

![Governor map](image1)

![Senator map](image2)

The Democratic candidate won the race for Governor even though he carried only three counties, while the Democratic Senate candidate won the exact same three counties and lost the election. The population in Chicago is incredibly large and Democratic relative to the rest of the state, causing maps like this where Republicans win almost every county but the Democratic candidate can still win the whole state. Dunn’s view that intense political polarization has been left behind in Chicago is too

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optimistic. These maps show that geographical divisions are alive and well in Illinois, something which cumulative voting could help offset.

Party Leadership

“Whenever Gov. Pat Quinn finds himself frustrated by our intractably partisan state legislature or needs to prostrate and humble himself before the iron whim of House Speaker Mike Madigan to gain Democratic support,” wrote Don Rose, a political consultant for both parties, in a Chicago Tribune article in 2010, “in a major way he has only himself to blame.” Rose speaks to one of the problems of SMDV which has arisen since the end of cumulative voting: the consolidation of the power of the Majority Leader. This issue is the opposite side of cumulative voting’s tendency toward conflict within the party – under SMDV in Illinois, the parties are much more likely to vote as a bloc, giving enormous influence to party leaders.

Both Glenn Schneider and Dawn Clark Netsch remember the leverage independent members of the House used to hold in the caucus, even over the leadership. Schnieder recalls that:

When the Democrats took control in 1975, I didn’t like the candidate running for speaker…the Democrats were supporting an old time Democrat, and I was a little uncomfortable with him being speaker…I started with 10 or 12 people and added them to my cause…there were other candidates running who split the vote, so we started picking off the other candidates. We set a record 95 votes before we got a speaker and my candidate won – that was an independent movement – we were bucking the machine.”

Not only were there enough non-machine votes in the House to win a leadership battle, but the fact that it took negotiations over 95 ballots to get there shows that

151 Schneider, personal interview with author.
smaller groups of legislators were able to exercise leverage when they felt strongly about something. Netsch, who served in the State Senate as a relatively independent voice in the Democratic Party, contrasts the experience in the House and Senate during CV, saying:

I remember once, when I was in the legislature...one of my group, who were sort of independent Democrats in the Senate,...on some issue that was important to the regular democrats, was being beaten up and intimidated and everything else [in the Senate], and the leader [of the House], who was part of the democratic establishment, said to him, “you mean you guys in the Senate can never stray or you get punished? We have all these sort of independent types over here and we let them do what they want to do. We tell them what is important to us, but...we let them work on the things that are their own agenda.” At that time, that was absolutely impossible in the Senate. So even when the house was still basically controlled by the regular Democrats, they opened up enough to allow those who were not part of their structure to present their issues and go their own way.¹⁵² [emphasis added]

This position on the part of the leadership was presumably because of the leverage that Schneider and other “independent types” held under CV by being able to team up with either other anti-establishment Democrats or independent Republicans. Netsch originally supported the end of cumulative voting during the 1970 Constitutional Convention, but after being elected to the State Senate and seeing the differences between the houses, she changed her mind, thinking that CV “provided an opportunity for challenging the status quo and the establishment in a way that was healthy.”¹⁵³

Interestingly, Charles Dunn would have seen the stories Schneider and Netsch related as further arguments for getting rid of cumulative voting. He advocated single-member-districts in 1970 in part because he believed that cumulative voting was not doing enough to strengthen party leadership. He wrote that “consistently

¹⁵² Netsch, telephone interview with author.
¹⁵³ Ibid.
narrow divisions in representation between the two parties often mean that power in the House of Representatives flows to small factions and away from party leadership… the power of small factions in a party to thwart the majority and to weaken party leadership is enhanced.” As laid out above, he believed that one of the biggest problems caused by CV was intra-party division, so the strong party leadership that came out of SMDV appealed to him. The stories that so inspired Schneider and Netsch to support CV demonstrate precisely one of the biggest problems Dunn had with the system.

The increased power of the party leadership is easily visible in post-cumulative voting Illinois. Michael Madigan has been the Speaker of the House in every legislative session since 1983, except during the 89th General Assembly, when the Republicans had a majority. Madigan is also serving as the Chairman of the Illinois Democratic Party. House Majority Leader Barbara Flynn Currie explains that “there’s no question there was less control in the leaders in each caucus in the old system than there seems to be in the new.” Madigan has been able to exercise incredible control over the Democratic caucus in the House during his tenure as Speaker. On May 17th, 1989, he introduced a temporary 18 percent income tax increase and got committee approval and House passage of the bill within six hours using only Democratic votes. He was able to control press leaks out of the House long enough that Illinois Governor Thompson, himself a supporter of a tax increase,

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155 Currie, telephone interview with author. She believed it was likely due to CV, but could not be completely sure that other variables did not also affect the power of the leadership.
learned about Madigan’s move by reading about in the papers after it passed.\textsuperscript{157} Rick Pearson, writing for \textit{Illinois Issues}, clearly explains why it is that the end of CV led to such power in the hands of the leadership:

\begin{quote}
“[SMDV] made rank-and-file legislators more dependent upon leadership and more subject to its dictates on important votes. Lawmakers were faced with one-on-one challenges for re-election and a leader who could draw their district boundaries, sponsor their candidacies, raise cash to run their campaigns…The ability of legislators to form rogue coalitions of interests that cross party or regional lines was curtailed. Madigan, no longer vulnerable to the whims of free-lancing legislators, was better able to isolate those who posed a threat to his leadership.”\textsuperscript{158}
\end{quote}

While people who appreciated CV’s openness to opinions outside those of the main parties’ leaders understandably believe that the current situation is a problem, even Dunn’s hopes for SMDV were not particularly well realized after the Cutback Amendment. Party leadership is much more powerful within the House of Representatives, but there are still intra-party struggles occurring in Illinois, particularly in the Democratic Party. As Rose alluded to in the \textit{Tribune}, Speaker Madigan and Pat Quinn, the current governor of Illinois, are often at odds with each other. Rose goes so far as to talk about how Quinn needs to “prostrate and humble himself” in order to work with Madigan, a situation that is entirely at odds with the idea of party unity.\textsuperscript{159} During budget debates in 2007, while Quinn was the Lieutenant Governor under Rod Blagojevich, the Democratic leaders of the House, the Senate and the state of Illinois were all fighting with each other. According to Christopher Wills of the Associated Press, “Senate President Emil Jones, also a Chicago Democrat, barred a member of his leadership team from strategy sessions out of fear

\textsuperscript{157} Pearson, “What is Mike Madigan Up to?” p. 14.
\textsuperscript{158} Ibid. p. 13.
\textsuperscript{159} Rose, “The Cutback Cuts Back.”
that he was leaking information to the opposition -- not Republicans but House Speaker Madigan.”¹⁶⁰ Democratic Representative John Fritchey is quoted as saying, “it’s gotten to the point with party infighting and clan rivalries that we're making the Iraqi parliament look good.”¹⁶¹ Blagojevich and Madigan had an even more strained personal relationship. Under oath at his corruption trial, Blagojevich took pride in saying “I was an activist governor who went around the legislature,” and mentioned that he considered appointing Lisa Madigan (Michael Madigan’s daughter) to Barack Obama’s former US Senate seat in order to placate the Speaker.¹⁶² “Her father was my nemesis,” he told the courtroom.¹⁶³ This is clearly not an example of the strong and unified parties that Dunn felt would come from SMDV; in fact, the relationships of top Democrats under the current structure seem much more vitriolic in recent years than they do in the anecdotes Schneider and Netsch remember from their times in the General Assembly, when the party did not always agree but could accept that there were multiple legitimate perspectives without referring to other Democrats as “the opposition” or a “nemesis.”

Bipartisanship

Of course, voting in the House does not need to be entirely dependent on a strong caucus. One of the theoretical reasons that more independent legislators had leverage over party leaders under cumulative voting was their ability to work with

¹⁶¹ Wills, “Illinois Democrats Turn on Each Other.”
¹⁶² Rod Blagojevich federal corruption trial, (Chicago Il; June 2011). Quotations are from personal notes of the author, who was in the courtroom for several days of the trial.
¹⁶³ Ibid. To be fair, Blagojevich finished talking about Madigan by saying “I really admire Mike Madigan as a father,” and after an objection to that comment was sustained, he argued that “I know...I want to say something nice about him, Judge.”
each other, including across party lines. “As a minority representative,” Glenn Schneider recalls, “it was easier to get balance in co-signers [to a bill], with rural Democrats or urban Republicans. It is harder to be bipartisan now.”164

Under cumulative voting, more bipartisan legislation was proposed, and many of the people who were involved in reaching across the aisle were independent of the party machines and would have struggled to be elected in SMDV districts. Looking specifically at the 80th and 84th General Assemblies (1977-8 and 1985-6), it is possible to get a sense of how willing representatives were to work with each other under each voting system. These years serve as good points of comparison because they are not in two completely different eras, but are far enough apart so that there was some turnover – if the representatives were almost all the same it would not be a useful comparison. The sample for this comparison consisted of 275 proposed bills in each General Assembly that were first read at about the same point during each session. The differences between the Houses were stark. In 1978, 25.5% of the total bills proposed were bipartisan, and of the bills with more than one sponsor or co-signer (the only ones that could actually be bipartisan), about 65% of them were supported by at least one Democrat and one Republican. Less than 15% of the bills sampled in 1986 at were bipartisan, and just about 33% of the ones supported by more than one representative had bipartisan support.165 This differential is very important, as it shows a fundamental shift in the operations of the House. During CV, two thirds of bills proposed by multiple members were bipartisan; afterwards, that is cut in half, and only one third are proposed by a bipartisan group of representatives.

164 Schneider, personal interview with author.
Determining bipartisanship this way is useful in getting a sense of the amount of cooperation between the parties, but it ignores a few key variables. A more thorough investigation of exactly what bipartisanship meant in the context of CV as opposed to SMDV could look at all of the bills proposed in the House, rather than relatively small samples, but it would still not necessarily have determined how bipartisan bills were. Bills proposed by a group from one party and one representative from the other are different than bills proposed by roughly equal-sized groups from each party. Less controversial bills are also likely to get large amounts of bipartisan support, but are not usually very important. Finally, certain representatives signing on to different bills gives them more weight – if a Republican who focused on education co-sponsored a Democratic education bill, it would be very different than if a Republican who sat on the Aging or Insurance Committees did.\(^{166}\) All these factors make it almost impossible to get a true sense of how useful bipartisanship was for the House by just looking at bills proposed, but the fact that members worked across party lines more with CV is clear, regardless of what the bills were that they worked on.

While the numbers alone are not enough to claim a causal link between CV and bipartisanship, examining the legislators who signed onto bipartisan bills does show that cumulative voting as a system furthered bipartisanship by helping people get elected who were more likely to work across the aisle. The 72 bipartisan bills from the 1978 sample vary greatly and were proposed by many different representatives; the five legislators who were involved in proposing or sponsoring the

\(^{166}\) Schneider, personal interview with author.
greatest number of bipartisan bills all signed onto more than 10 of the 72.\textsuperscript{167} Of these five representatives, three were independents or minority representatives in their districts and one co-signed all of his bipartisan bills with the minority representative in his district. The five representatives were Arthur Telcser (R), Thaddeus Lechowicz (D), James Houlihan (D), William Marovitz (D), and Woods Bowman (D).\textsuperscript{168} Telcser, who signed onto more bipartisan legislation in this period than anyone else, was a Republican minority representative in the majority-Democratic 12\textsuperscript{th} district. In his \textit{Chicago Tribune} obituary, Telcser is remembered as “one of the last liberal lakefront Republicans in the legislature,” who, “despite his liberal philosophy that sometimes led to clashes with Republican conservatives, …was a skilled practitioner in the art of compromise.”\textsuperscript{169} James Houlihan was not representing the minority party in his district, but he was an independent Democrat. Former Senator Dawn Clark Netsch named Houlihan specifically among other independents when explaining that CV “did make it possible for independents to break through… That would not have been possible without cumulative voting.”\textsuperscript{170} Woods Bowman was also an independent Chicago Democrat, not affiliated with the powerful Chicago political machine.\textsuperscript{171} Interestingly, Marovitz was not a particularly independent Democrat but represented the same district as Telcser. Every bipartisan bill that Marovitz had a part in proposing was one that Telcser was a part of as well. Glenn Schneider said that as a

\textsuperscript{170} Netsch, telephone interview with author.
minority representative, he “absolutely had a relationship with the Republican
representatives from [his district].” \(^{172}\) Perhaps Telcser and Marovitz were also able to
work together better because of their shared constituency. The final representative
who was most involved in bipartisan legislation was Thaddeus Lechowicz, who was a
former Democratic precinct captain and assistant minority leader, and thus a more
mainstream Democrat.

The change from CV to SMDV not only decreased the amount of bipartisan
legislation that was proposed in the House of Representatives, it also decreased the
number of representatives willing to be involved in bipartisan legislation. Neither
Telcser nor Houlihan returned to the General Assembly after the end of cumulative
voting. \(^{173}\) CV helped elect the sorts of representatives who found it easier to work
across the aisle as independents within their parties, but under SMDV it was not so
easy for independent voices to be elected.

*Redistricting and Gerrymandering*

Illinois has a terrible record in terms of drawing redistricting maps that can
generate bipartisan agreement. The worst example of this was in 1964, when there
had been no agreement on how to redraw the district boundaries based on the 1960
census, so every member of the House ran in an enormous at-large race. The physical
ballot was so large that it was termed “the bedsheets ballot.” Rep. Harold Katz was
first elected in 1964 and describes how difficult the process was, saying:

> “On election night, the problems associated with counting ballots were
> herculean. We had no facilities in our precinct for counting ballots with 236
candidates vying for 177 positions… All of our ballots were taken to a high
> school in the area. They set up long tables, at which the judges and election

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\(^{172}\) Schneider, personal interview with author.

officials would try to count these ballots. Well, there was then no mechanical equipment with which to do it. It had to be done by pencil and paper. And the counting went on and on, and on and on. This counting process was going on in central facilities in various parts of the state."174

This inability to decide on a legislative map created an enormous problem for the entire state – a whole new voting and ballot-counting apparatus had to be put in place, and voters had to figure out the best ways to cast 177 votes. Each party fielded a slate of 118 candidates, but many newspapers endorsed or highlighted individual candidates as well, making the whole process even more complex.175 In order to prevent that situation reoccurring, the Constitutional Convention adopted a new procedure. If the General Assembly and Governor were unable to pass a new map, a bipartisan committee of four Democrats and four Republicans would be created to work on redistricting. If the bipartisan committee creating the map could not agree, the Illinois Supreme Court would pick one Democrat and one Republican to be potential tie-breaking votes, and the Secretary of State would choose one of these two at random to add to the committee.176 A random tie-breaking vote was the last resort in the process, as it would lead to one of the parties being able to use the map they want without any bipartisan support. Not surprisingly, given the increasing lack of bipartisan cooperation in Illinois, the 1981, 1991, and 2001 redistricting maps all were decided after a tie-breaking vote was chosen – in 1981, out of a Lincoln-esque stovepipe hat, and in 1991 out of a crystal bowl.177

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175 Ibid, p. 64
176 Jackson, and Prozesky, "Redistricting in Illinois"
One of the theoretical benefits to cumulative voting is that it represents minority groups without having to draw them specific majority-minority districts. If Republicans are assured seats in Chicago even as a minority, they do not have to try to carve out districts where they could win; Democrats would also not need to attempt to use the map to keep a few seats in the Chicago suburbs. This could provide a huge benefit to the state in making the redistricting process less complex and fraught with partisan tensions, and saving the costs incurred by at-large elections or other stop-gap solutions. Even Dunn acknowledged this draw of CV, writing that “another argument cited for cumulative voting is the limitation on the adverse consequences of gerrymandering. Since cumulative voting customarily guarantees each of the two major parties at least one representative per district, the opportunity for one party to gerrymander the other party out of significant representation is reduced.”

In fact, as recently as March 30, 2012, this argument was put forth in terms of benefits to Illinois if the state were to return to some form of cumulative voting. John Anderson, a former US Congressman from Illinois and independent candidate for president, writes in the *Chicago Tribune*:

> “Cumulative voting also makes it easier to balance the goals of fair redistricting and minority voting rights…When going to cumulative voting, racial minorities need not be geographically concentrated to elect representatives. We can broaden fair representation, incentives to vote and voter choice for everyone…Without change, the disturbing reality is that new political maps will have more impact on our representation in 2020 than any votes we cast in upcoming elections.”

That is the main advantage of cumulative voting over SMDV in terms of gerrymandering: it gives voters more of a say in a process that is often created to

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serve the ends of specific groups. It does not, however, change anything about the way the redistricting process happens or the incentives to gerrymander the State Senate districts that were identical to the House districts under CV. The fact that Congressional district boundaries and State Senate boundaries would still be open to reshaping means that it is unlikely CV would be more able to create a bipartisan consensus on this highly partisan issue than it was previously. Illinois’ horrible experiences with *failing to select a map or drawing out of a hat* to determine which side got the tying vote happened under CV in both 1964 and 1981 (the representatives were still elected under CV, but the Cutback Amendment had passed) and for SMDV in 1991 and 2001. Thus, while CV does not prevent redistricting debacles, it limits their influence in the House of Representatives at least, just as the theory suggests.

Size of the House of Representatives

As previously discussed, one of the most important arguments during the debate over the Cutback Amendment was the size of the House of Representatives. In examining what actually changed in the legislature and for people in Illinois after the end of cumulative voting, the size of the House is the most obvious change – the number of representatives dropped from 177 to 118 immediately. One difficulty in analyzing this change is that there is no clear consensus on the ideal size of a representative body. The US House of Representatives has 435 members, who arguably manage to do their work. With 177 members, Illinois’ House of Representatives was 4th largest in the country, behind New Hampshire at 400, Pennsylvania at 203, and Georgia at 180.¹⁸⁰ Legislators differed on their feelings about the larger body, but many felt there was value in having a large group. Former

¹⁸⁰ Kuklinski, Nowland and Habel “Voting for the Illinois House,” p. 61
Representative Schneider remembers that “it could be wild, but I kind of liked that part. It was kind of informal and you get things done.”\textsuperscript{181} Former Republican Representative Pete Peters of Chicago agrees that “the old process was chaotic, but in a creative sense,” but also argues that SMDV has “brought much more stability to the legislative process.”\textsuperscript{182} The smaller size of the legislature has not been particularly useful or specifically problematic in Illinois. Instead, there seem to be benefits to both smaller and larger legislatures.

The shift to a smaller number of representatives did mean a smaller total salary for the members of the general assembly, which was part of the intention of the Cutback Amendment. Fewer legislators clearly means less money paid, but the cost of the salaries of 59 members of the Illinois House of Representatives is minor relative to the budget of the state on the whole. Charles Dunn believed that the change would save approximately $3,535,000 every two years, due to reduced salaries and costs for support services.\textsuperscript{183} Pat Quinn, who led the charge for the Cutback Amendment, claims that in the period between 1982 and 2001, it saved “over $125 million.”\textsuperscript{184} In reality, though, the amount saved is little more than a drop in the bucket in terms of Illinois government spending. Kuklinski, Nowland and Habel of the Illinois Assembly on Political Representation found that “for the fiscal years 1972-81, costs of operating the House, including salaries, averaged 0.08 percent (eight hundredths of one percent) [of total state spending], whereas for the SMDV period—

\textsuperscript{181} Schneider, personal interview with author.
\textsuperscript{182} Kuklinski, Nowland and Habel “Voting for the Illinois House,” p. 60.
\textsuperscript{183} Dunn, “Cumulative Voting Problems In Illinois Legislative Elections,” p. 660
\textsuperscript{184} Quinn, “The Cutback Amendment and Future Reforms,” p. 67.
from fiscal years 1982-2000—the average has been 0.07 percent.”\textsuperscript{185} This is a miniscule change in the budget of an entire state. From the perspective of current and former legislators, the question of whether the Cutback Amendment saved money is an obvious ‘no.’ Both Representative Currie and former State Senator Netsch completely dismiss the idea that there were significant savings to the Cutback Amendment, saying, respectively, “certainly, one of the other arguments was that it would save a lot of money, which clearly it hasn’t,” and “of course, it’s not saved money, it hasn’t made any difference in that respect.”\textsuperscript{186}

The issue of the size of the legislature was clearly important for the voters of Illinois and therefore for understanding the impact of the Cutback Amendment, but it is not vital to examining whether cumulative voting on the whole was better for Illinois than a plurality system. While the Cutback Amendment was framed as ending CV partly in order to reduce the number of representatives, the number could have been lowered without switching voting systems, even though there might have been some difficulties. Abner Mikva, writing in 2001, proposes just that, claiming “If there were any value to reducing the size of the House, it could have been done without switching to single-member districts…we could have created 39 districts with 3 members in each—elected by cumulative voting.”\textsuperscript{187} As the General Assembly was laid out in 1980, there were three state representatives and one state senator in each district. Reducing the number of districts alone would have reduced the number of members in the House, but it would also have made each senator take on a larger

\textsuperscript{185} Kuklinski, Nowlan, Habel, ”Voting for the Illinois House,” p. 62
\textsuperscript{186} Currie, telephone interview with author. Netsch, telephone interview with author.
district with more constituents. The formula of three representatives per district was necessary to make CV have any impact at all, so that could not be lowered to reduce the number of officials. However, districting could also have been changed such that Senate districts and House districts were not the same – the Cutback Amendment did that anyway by splitting the Senate districts into two distinct House districts.

Regardless of the method, reducing the number of people in the House was not contingent on eliminating cumulative voting any more than returning to CV would mandate a larger House. The size of the House is therefore not of paramount concern in considering whether CV was beneficial to Illinois overall and whether it should be reconsidered as a voting method. However, the arguments against a large House are weak. The money saved was negligible, other states manage to operate just fine with large assemblies, and some legislators preferred the informal or slightly wild nature of the larger body when it came to actually getting things done.

**Constituent Services**

The *Chicago Tribune*’s call to end cumulative voting claims that cumulative voting is a problem because it diffuses responsibility to constituents.\(^\text{188}\) That argument rests on the idea that with three representatives for each district, each representative would feel less obligated to represent or provide services to their constituents. In fact, there are a number of ways in which CV helped provide constituent services, and contrary to the assumptions of the *Tribune*, CV did not let representatives put only one-third of the effort into their jobs.

Most obviously, having representatives of different parties in each district meant that almost everyone in the district had someone they supported whom they

could go to if they have a problem. Joseph Lundy, a representative from the 11th
district, recognized this when he wrote a response to the Tribune, pointing out that
“both majority and minority have a politically friendly source of information and
access to state services.” One part of the Tribune’s claim is arguably valid:
constituents do theoretically have more leverage over politicians if they voted for
them and can threaten to remove their support. Under CV, though, constituents are
more likely to be able to find one representative they supported, and the
representatives are more likely to need all their supporters to keep voting for them. If
a representative was elected by one-third of the district through bullet voting, then a
few people who change their minds cost three votes each. While in theory people
have more leverage going to politicians they support, however, ballots are secret for a
reason, and no representative would require a constituent to tell how they voted
before trying to help with whatever problem the constituent had. Therefore, while CV
makes it easier for those who wish to only interact with legislators of their party, in
practice it did not really matter, and in some circumstances CV proved better for
providing constituent services because people could go to representatives of the other
party.

“We had larger districts so we represented more people…but my sense was
that we operated very much then the way we do now in terms of trying to provide
service to constituencies,” Representative Currie explains. “I always felt that people
were comfortable requesting services from whoever they happened to know about or
whoever happened to be closest, not by virtue of party.” However, having

190 Currie, telephone interview with author.
representatives of multiple parties could also be helpful precisely because constituents could go to the representative of a different party. Glenn Schneider served as a Democratic representative in a majority Republican area, and says, “the beauty of that system was that … if someone was a Republican they call me. With Dan Walker [a Democrat] as governor, it was easier for me [to help]” because he had connections to people in the Governor’s office that the Republican representatives from his district did not.\footnote{Schneider, personal interview with author.} This applied to all sorts of constituent services. Schneider still recollects a staunch conservative who wanted a guard-rail put on the road next to his house and came to his Democratic representative because he could not get in touch with the right people to make it happen. Schneider was to call the Transportation Department under a Democratic executive and find the people who could put in safety devices on the roads.

Whether or not constituents prefer to talk to representatives of their own party, CV in Illinois was at least as good at dealing with constituent services as SMDV, and was very likely better because having representatives of different parties gave more leverage to voters, as was suggested by the theoretical model of CV. Cumulative voting in Illinois also had practical advantages to SMDV in terms of providing constituent services that were surprising, as some constituents benefitted from going to the representative they theoretically had less leverage over. Going to a representative of a different party potentially allowed constituents to have access to connections throughout the state that they would not have had access to within their own party.

**Complexity of the System**
The complexity of the cumulative voting structure is often pointed out as one of its greatest faults. The benefits of CV are only experienced at all when people know how to use the system, otherwise one side or another can take all the seats in a district, or lose them, regardless of actual voting strength. Dunn is very clear about how confusing the process can be for voters. First, he quotes a conversation between delegates at the 1970 Constitutional Convention, which runs as follows:

“Delegate Reum: "I would like to ask Delegate Tomei a question. Has there ever occurred any instances where there were fractions used other than 1, 1 ½, and 3, or 1 and 2?"
Delegate Tomei: "Yes, there have. I, myself, have seen them written in on voting machines."”¹⁹²

He also includes a picture of a complex set of tallying instructions, where those counting the votes must separate tallies for one candidate by how many candidates that voter chose in total, in order that the right multiplier be used.¹⁹³ These demonstrate that it may have been complicated for some people to vote and complicated for those who tally votes, but Dunn acknowledges that there have been no studies done on the matter in Illinois.¹⁹⁴ Without studies, complicated counting instructions still seem to be a problem for CV, but the conversation between delegates cannot hold much weight. People remember the things which are different – it is much easier to recall the ballots where people were unable to vote properly than those where they were able, and a few incorrectly filled out ballots are expected in any election. Also, not every marking on a ballot is the case of a confused voter. In a sample of fewer than 150 ballots cast in the Illinois Primary of March 20, 2012, at least four voters wrote in unofficial write in candidates, which had to be ignored

¹⁹³ Ibid. p. 657.
¹⁹⁴ Ibid.
(including the memorable “my cat”), and one voter who was informed that she had voted for two candidates in one race chose to let it go rather than take a replacement ballot.\textsuperscript{195} All of these people had ballots in which their votes in a race would go uncounted, but they all appear to have known and accepted that fact. Using remembered ballot errors alone to judge the success of an entire system is not a valid method of evaluation.

Determining whether people in Illinois understood how to use cumulative voting is a difficult task. There is no way to evaluate election results in order to get a sense of who knew how the process worked, as there might be for another system. If voters had three votes that they could distribute among up to three distinct representatives, \textit{without} combining them, then looking at the number of total votes in that race as compared to the total number of voters could give a sense of how many people might have been confused (if not all votes were used). However, under CV, a vote for only one candidate may represent a confused voter who did not recognize that they had three votes, or it may be someone intending to bullet vote. Either way, their vote would be counted as a three votes regardless of whether they realized that.

While no studies were done in Illinois on voter understanding, a survey was conducted by Cole, Taebel and Engstrom regarding the issue in Alamogordo, New Mexico. In July 1987, the city of Alamogordo used CV to elect part of its city council in the first public election to use the system after Illinois switched to SMDV.\textsuperscript{196} During that election, exit surveys were given to voters and filled out by a third of

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\textsuperscript{195} Poll watching by author in the 35\textsuperscript{th} Ward, Chicago. Illinois Primary Elections, March 20, 2012.
\end{flushright}
them asking questions including “did you know that you could cast all three of your votes for the same candidate?” and “compared with other local elections in which you have voted, did you find this system any more difficult to understand?” The results of this survey are incredibly encouraging for cumulative voting proponents – 95% of voters knew they had three votes to use and only 13% thought that the cumulative voting system was any more difficult to understand. This strongly challenges Dunn’s belief that voters have difficulty with systems other than SMDV, and provides real data to show it.

The Alamogordo study can give a sense of how easy CV is to understand, but there are some key differences between the experience there and the one in Illinois. It is easier to get voting information out to all of the residents of a city than to everyone living throughout a state, including both urban and rural voters. However, Illinois also had several advantages over Alamogordo in terms of voter understanding of CV. The survey was conducted in the first CV election in Alamogordo, while in Illinois the system had been operational for over 100 years by the end, so people had much more time to get used to it and many had grown up with CV for House races. “My own experience was that people were pretty comfortable with [the voting process],” explained Barbara Flynn Currie, who was elected twice under CV and is still in the House of Representatives, “once you voted once or twice you knew how to do it. While it’s a complicated system to explain I think voters on the ground were pretty

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197 Ibid. p. 193. The sample was not random as it was subject to whether the voters chose to respond – however, the candidates were supported by the respondents in almost entirely the same proportions as they were in the final vote totals, meaning that one group was not less likely to answer the survey.

comfortable with their options and with how they do things.” Candidates for office in Illinois also had time to get used to the system and to craft their advertising to explain to the public how to vote. Glenn Schneider, as a minority representative, included written statements with his campaign literature encouraging Democrats in the majority-Republican 41st district to cast all of their three votes for him. Having had years to get used to cumulative voting, it does not make sense that Illinois voters would be any less comfortable with CV than Alamogordo voters were in their first election.

While it is impossible to know for sure how well Illinois voters understood the cumulative voting system, there is no evidence that significant numbers of them were confused by the process and strong evidence that people have understood a cumulative voting system elsewhere. As for the difficulty of counting ballots that Dunn brings up, Illinois now has electronic ballot-counting machines (and a few electronic voting machines), which would make the issue irrelevant with the right programming.

Conclusion

Both bipartisanship and powerful party structures are advocated as a means of creating a functional and effective government. In Illinois, the ways in which cumulative voting and single-member-district voting operated exemplify the tensions between these two models. In Illinois, CV made the House function by being open to debate between different ideologies and views, both within the party caucuses and between the parties, while SMDV has for the most part been able to get things done.

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199 Currie, telephone interview with author.
200 Schneider, personal interview with author.
through strong party structures whose leaders have the power to reward and punish members for their loyalty. However, powerful party structures in Illinois have led to years of strife between top party leaders, negating the main appeal of party unity within the House. After the Cutback Amendment, single member districts in Illinois have combined the worst qualities of both strong House leadership (conflict between different leaders) and of party unity (no diversity or independent voices). While CV was not perfect in balancing diversity with party unity, often sacrificing intra-party unity for diverse caucuses and bipartisan cooperation, it maintained the balance between the two in Illinois much better than SMDV has. Moreover, the benefits of CV include its attempt to appeal to broader swaths of people through discussion and compromise, and while that may sometimes lack the effectiveness of party unity in getting bills passed, discussion and compromise are valuable on their own in a state with the divisions that Illinois still has.

While the size of the House was one of the most used arguments for the Cutback Amendment, the actual impacts of reducing the House to 118 (in and of itself) have been negligible, both in terms of how well it works and how much money was saved. Furthermore, the size of the House has no necessary relationship to the voting method. Also negligible are the impacts of having a more complex voting system – it seems clear that voters can figure out how to vote correctly to a large enough extent that it should not be a primary concern.

If Illinois were to return to cumulative voting, it would reduce the power of the leadership in the House and perhaps open it up to more debate within the party and more bipartisan cooperation. It would also give less power to the House by
making redistricting less important in determining who wins elections for the House. Finally, it would allow constituents more choices of which representatives to appeal to, and allow even people in very Democratic areas access to Republicans or vice versa through their minority representatives. While these changes are once again smaller than the idealized CV system would suggest, in the aggregate they would do much to change the way Illinois’ House of Representatives operates for the better.
Conclusion

In many ways cumulative voting in Illinois lived up to the theoretical promise of a model partway between proportional and plurality voting systems that could get the best of both worlds. In fact, in some areas, it even exceeded theoretical expectations. However, there are a number of ways in which CV in Illinois, as a practical system, did not manage to quite live up to the ideal model. On the whole, though, CV was a valuable system for Illinois voters and legislators, and it would be beneficial to the state government as a whole if it was revived.

On the issue of a balance between proportional representation of political parties and representation of geographic communities, cumulative voting in Illinois excelled. The system led to almost exactly proportional outcomes for the Democrats and Republicans in Illinois, regardless of where in the state they were voting, yet still kept geographic districts in place such that every voter had several representatives for his or her area. CV also exceeded either SMDV or PR in giving constituents access to representatives they had either leverage over (as a supporter) or representatives who could help them by working through other party connections. Finally, CV was able to balance the positives of experience in the legislature with the negatives of entrenched politicians somewhat better than SMDV can. CV moderates the effects of landslide elections, yet had higher turnover over a long period than SMDV did.

Cumulative voting in Illinois did not manage to find a precise balance between party unity and healthy intra-party debate, but it still did significantly better than SMDV has in Illinois. Cumulative voting sacrificed some party unity in order to have bipartisan cooperation and intra-party diversity, while SMDV did the opposite and lost some bipartisan cooperation and ideological diversity in favor of strong party
leadership. In consolidating power, however, SMDV also made it even more difficult to have unity among different party leaders, which undermined the whole purpose of getting rid of the ideological diversity of CV.

On issues of representing ethnic and racial minorities and women, cumulative voting was surprisingly less successful overall than SMDV has been. There are a number of reasons why those numbers are skewed due to time and incumbency, but the theory predicted that CV would be substantially better able to represent racial minorities and women than it was. The experience of some individual black legislators makes it clear that CV can make it easier for racial minorities to be elected, but it is not assured. On the other hand, due to gerrymandering of districts, it is also possible but not necessary for SMDV to be particularly beneficial to racial and ethnic minorities. In terms of the election of women, CV and SMDV are also nearly equal, though there is slightly more evidence that CV was beneficial to women than that it benefitted racial minorities.

The issues that proponents of the Cutback Amendment stressed, and those which appear to have convinced voters to eliminate cumulative voting in Illinois politics, were not impacted very much at all by the switch from cumulative voting to single-member-districts. Particularly after the salary increase of 1978, money was one of the major concerns of the electorate, as evidenced by the name of the Amendment alone, yet the change in overall spending on the legislature was negligible, even after eliminating the salaries and other costs associated with 59 legislators. There was a change to the size of the House, but people who served there found the smaller size to have a mixed effect: calming things down, but eliminating some of the creativity that
came out of a more chaotic environment. Finally, the complexity of the system, which was often brought up as a reason to replace it, was not shown to have much of an impact on whether people are able to vote and understand the system.

On balance, the benefits of CV were much greater than its drawbacks in Illinois, particularly when compared to the current SMDV election system. The people of Illinois would no doubt benefit from a return to electing the House of Representatives using cumulative voting. That return would not even need to increase the size of the House – cumulative voting could be accomplished in a house of any size with the right districting.

Politically, however, the situation in Illinois is not very conducive to reviving cumulative voting in the House. As is always the case for major changes to election systems, those currently in office were mostly elected under the current plurality system and thus unlikely to want to change it. House members would also be less likely to support the bill if the House was going to stay the same size; in a larger House that used CV, many of the current legislators would be able to keep their seats, while in a House of the same size, representatives who currently have little competition might find their seats at risk. The House also becomes less likely to support a change as time passes and fewer and fewer of the representatives remember the system at all. Finally, and probably most importantly, any attempt to change the voting system in Illinois now would have to contend with Governor Pat Quinn, who got his start in Illinois politics campaigning for reforms that included eliminating CV. While it is possible to amend the Constitution without the support of the governor through a ballot initiative like the Cutback Amendment, it would be very difficult.
The arguments in favor of cumulative voting are much more technical and intricate than “Save Money!” and “Throw 59 of the Bums Out!” Making the case for CV in Illinois and making them while the sitting governor is staunchly opposed and has a bully pulpit seems like it would be next to impossible. Moreover, while changing from CV to single-member districts was not a terribly difficult switch to make in practice, as voters already used plurality voting methods to elect every other office on the ballot, changing the system the other way would be more difficult. Younger voters who have had no experience with cumulative voting would have to learn how to use the system and older voters would have to get used to it again.

It seems unlikely that cumulative voting will return to Illinois particularly soon, though it would be quite beneficial to the people if it did. CV as a system, though, would not just be helpful to implement in the case of Illinois. Yes, the stark geographical differences between the city, suburbs and downstate make Illinois a good location for cumulative voting, but it could also be useful, and perhaps easier to implement, in other areas. Hopefully, the lessons learned from Illinois’ experience with CV can help convince other cities or states that SMDV is not the only option and likely not the best one available.
Appendix A: 201

Congressional District 17

Congressional District 4:

Appendix B: 202

TWENTY-EIGHTH GENERAL ASSEMBLY

Party composition by districts of members of the Illinois House of Representatives, 1873-1874.
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