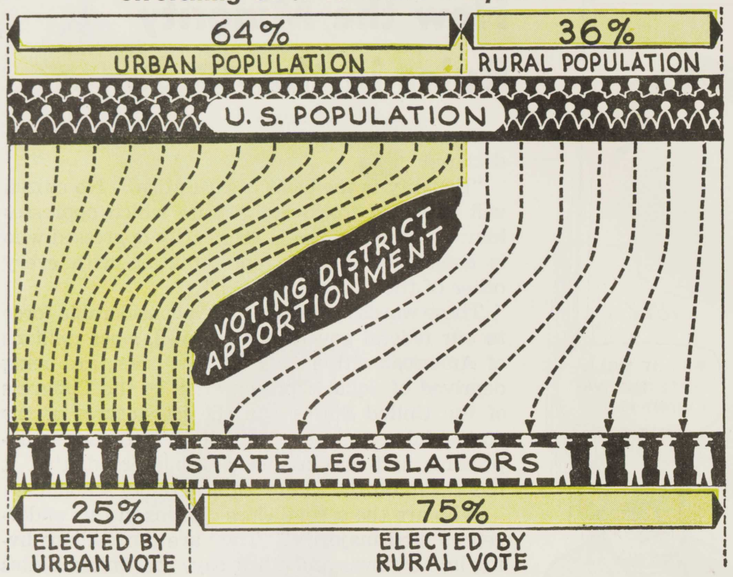
Stretching 36% to Make It Equal 75%



IN STATE LEGISLATURES, 64% of the population from the urban area is represented by 25% of the legislators; 75% of the legislators represent 36% of the population.

In California, Los Angeles County with 40 percent of the population, is entitled to only 2½ percent of the state senators.

In Georgia, the 393,000 people who live in Fulton County (Atlanta) had three representatives in the lower House in 1947; Echols County (population 3,000) had one.

Let a legislator from Oregon speak for himself:

"I represent 81,000 people. A few desks away sits a senator from a realm of sagebrush and mountains and he represents 7,200 people. This is the total population of his district. Any time there is a roll call, regardless of the proposal at issue his vote can cancel mine. The result, of course, is that each resident of this senator's district in the backwoods has 11 times the voice in the state senate of one of my constituents in Portland." [2]

Take a roll call of the 48 state legislatures and you will find minority rule almost everywhere. Study the facts about your own state legislature. Check each representative in the Senate and in the House against the number of people he represents. Prepare to be shocked by what you find. America is predominantly an urban nation—over 95 million people now live in cities and towns—but the minority control over the city-dwelling majority goes far beyond the writing of state laws alone. It touches every level of government—federal, state and local.

We have already seen how the minority-controlled state legislatures influence the composition of the national government through unrestrained power to set up rotten borough federal Congressional districts within the state. But that is not all. The city majorities are even deprived by the legislatures of local self-rule in their own home towns. Not only are municipal governments controlled in their own actions, but the very existence of municipal governments must be authorized by the states from which they derive their power.

According to the U. S. Conference of Mayors, "So detailed is state control of municipal affairs that in a 20-year period, the New York State legislature made 550 amendments in the charter and passed 1,002 special acts relating to New York City alone."

In the Beginning, Just a Little Under-Representation

How, in a great Democratic nation, could such a distortion of government "by the people" come about? And why does this injustice continue to this day?

The answer can be found in the resistance of people and institutions to the changes which the growth of America into an urbanized industrial giant has long made overdue.

When the original 13 states adopted their state constitutions, the 95 percent of the population who lived on isolated farms and in scattered tiny villages were closely tied to their own townships and counties. In that day, it was not surprising that they wanted each township or county to have one representative in the State Legislature. In the majority of states today this form of "area" representation, generally by counties, has become established, at least in the makeup of one of the two Houses of the State Legislature.

Back in 1790 when only 5 percent of the population lived in cities of over 2500, urban areas were so few and their populations were so small, this area form of representation involved only a slight inequity to the city dwellers.

Cities did have representation, however, and in the second House they usually had the full number to which their population entitled them. This second House, like the House of Representatives of the federal government, was often set up to reflect "people" rather than territories, like townships or counties. Under most state Constitutions seats in this second House were to be "apportioned" at regular intervals — usually every 10 years—so that shifts in population within the state would be taken into account.

As the Constitutions of the 48 states were written, a pattern of legislative representation, somewhat like our federal system, emerged with one House based on area, the other on population. While in some states the system varies substantially from this pattern—and in detail no two state systems are alike—both area and population representation became characteristic of most state legislatures.

Today: A Mockery of Democracy

But America would not stand still. The age of the frontier and the flintlock, and a nation predominantly made up of farmers, passed away. America's millions began to move to the cities and today a majority of us live there.

But the system by which state legislatures are elected has virtually remained the same.

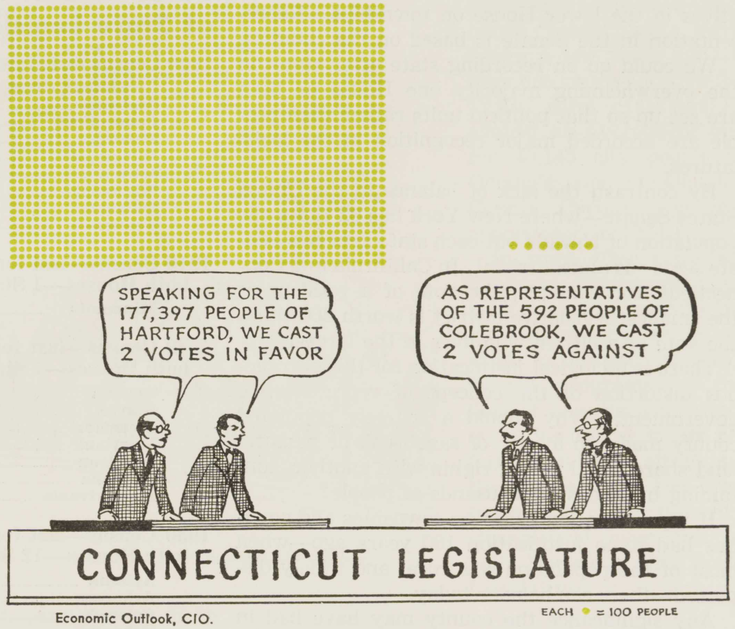
Look at what this means:

In state after state "area" representation based on townships or counties has made a mockery of representative government.

Although some states have modified their Constitutions and now allow large counties two, three, or a few more additional senators (or combine two or three of the smallest counties into one senatorial district), the frustration of equality of representation continues.

Baltimore, with 47 percent of the population of Maryland, has 6 out of 29 Representatives in its Upper House. In New York and Pennsylvania, city representation in the Senate is limited to a fixed percentage of the total membership, regardless of population growth.

One of Many Examples



Economic Outlook, CIO.

In Montana, Silver Bow County (Butte) with a population of 48,422 has one Senator; Petroleum County with 1,026 has one.

In California the 4,125,146 people who live in Los Angeles County elect one State Senator. The 13,568 people who live in the three counties constituting the smallest senatorial district also elect one.

Some state Constitutions even freeze unequal representation into the structures of *both* Houses of the legislature. Neither is set up to reflect the "respective numbers" in the population as our Federal constitution sets forth for the U. S. House of Representatives.

For example, Rhode Island allows a maximum of 6 Senators from any city and a minimum of one representative from any city or town but none to have more than one-fourth of the total.

No Texas county can have more than one Senator and not more than seven representatives, except that one additional is allowed for each 100,000 over 700,000.

Wyoming allows at least one seat to each county in both Houses, regardless of size.

Delaware froze its division of representatives and Senators among the various sections of the state in its Constitution of 1897 and hasn't changed it since.

[2] "Our Rotten Borough Legislatures" by Richard L. Neuberger, *The Survey*, February 1950.