

# ‘Superior minds’ and proportional representation: John Stuart Mill’s political elitism, then and now

## “Mentes superiores” y representación proporcional: el elitismo político de John Stuart Mill, entonces y ahora

John Christian Laursen<sup>1</sup>

University of California, Riverside

ORCID: <https://orcid.org/0000-0003-0028-4149>

Shaun Bowler<sup>2</sup>

University of California, Riverside

ORCID: <https://orcid.org/0000-0002-0739-6090>

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### Abstract

There have been at least two general reasons for promotion of proportional representation in elections around the world. John Stuart Mill supported proportional representation in part because he thought it would make possible the election of better educated people to legislative assemblies, which would in turn make for better laws. Carl Andrae promoted it because he needed a method of avoiding the exclusion of minorities from legislative influence, or majority tyranny, in nineteenth century Denmark. In this article we bring out Mill’s elitism, or preference for ‘superior minds’ and better educated people, in contrast to Andrae, who makes no judgment about the superiority of representation that proportional representation will create. In the years since their times, Andrae’s

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<sup>1</sup> ([johnl@ucr.edu](mailto:johnl@ucr.edu)) Información detallada sobre sus publicaciones puede encontrarse en: <https://profiles.ucr.edu/app/home/profile/johnl>

<sup>2</sup> ([shaun.bowler@ucr.edu](mailto:shaun.bowler@ucr.edu)) Información detallada sobre sus publicaciones puede encontrarse en: <https://scholar.google.com/citations?user=S3-MV4YAAAAJ&hl=en>

approach has been relied on much more than Mill's, in part because it is not at all clear that better educated lawmakers make better laws than others, nor how to elect better lawmakers.

**Keywords:** John Stuart Mill, Carl Andrae, proportional representation, elitism, plural voting, political innovation.

## Resumen

Ha habido al menos dos razones generales para la promoción de la representación proporcional en las elecciones en todo el mundo. John Stuart Mill apoyó la representación proporcional en parte porque pensaba que haría posible la elección a las asambleas legislativas de personas más educadas, quienes a su vez elaborarían mejores leyes. Carl Andrae la promovió porque necesitaba un método que evitara que las minorías quedaran excluidas de tener influencia legislativa -es decir, se generara una tiranía de la mayoría- en la Dinamarca del siglo XIX. En este artículo sacamos a relucir el elitismo de Mill, o la preferencia por “mentes superiores” y gente mejor educada, en contraste con Andrae, que no realiza ningún juicio sobre la superioridad de representación que la representación proporcional crearía. En los años subsiguientes se ha confiado mucho más en el enfoque de Andrae que en el de Mill, en parte porque no está claro en absoluto que legisladores más educados elaboren mejores leyes que otras personas, ni cómo elegir a mejores legisladores.

**Palabras-clave:** John Stuart Mill, Carl Andrae, representación proporcional, elitismo, votación múltiple, innovación política.

In 1861 John Stuart Mill described “Personal Representation”, which we now call proportional representation, as “a scheme which has the almost unparalleled merit, of carrying out a great principle of government in a manner approaching to ideal perfection”<sup>3</sup>. This is high praise for a political innovation. When he wrote this, in *Considerations on Representative Government*, he credited the innovation to “a man of great capacity, fitted alike for large general views and for the contrivance of practical details -Mr. Thomas Hare”<sup>4</sup>. A few years later, in the third edition of the work (1865), he amended the claim of innovation to report that a Danish statesman named Carl Andrae had come up with the same innovation a few years earlier, which, he asserted, adds “another

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<sup>3</sup> John Stuart Mill, *Considerations on Representative Government*, in John Stuart Mill, *Three Essays: On Liberty, Representative Government, The Subjection of Women*, ed. R. Wollheim, Oxford, Oxford University Press, 1975, p. 263, 254.

<sup>4</sup> *Ibid.*, p. 254.

to the many examples how the ideas which resolve difficulties arising out of a general situation of the human mind or of society, present themselves, without communication, to several superior minds at once"<sup>5</sup>. Note that a lot of credit is being given to men of great capacity and superior minds. That is a pattern in Mill's work, and we will explore its implications here.

Mill's emphasis on the value of superior minds and other superior qualities of some people can be found throughout his work. It stands in contrast to his egalitarianism, or attempts to spread voting and other rights to more men and to women. This is a tension that is never resolved in his work, and has led to criticism of his ideas as cultural, political, or meritocratic elitism, a general attitude that more influence and power should be granted to those of greater education and knowledge. This attitude is revealed in many of his writings. This article will review some of the elements of this elitism, then focus on its role in Mill's presentation of the Hare/Andrae innovation, and then trace the evolution away from elitism in the adoption of proportional representation in the years since then.

The two men that Mill credited with great capacity and superior minds, Thomas Hare and Carl Andrae, were both important in their day if mostly forgotten now. Born in 1806, Hare was a London lawyer and advocate of political reform, which led him to propose proportional representation as a defense of the rights of electoral minorities. His ideas about numerical sequence of preference voting were first published in 1857 in *A Note to the Machinery of Representation* and repeated in the second edition, titled *The Machinery of Representation* that year<sup>6</sup>. He did not know about the use of the system in Birmingham in 1821, in Adelaide in 1840-43, or Andrae's system at the time he wrote these works<sup>7</sup>. Mill's reference to him made him famous among political reformers.

Andrae was born in 1812, attended a military school, and then was sent to Paris to study mathematics by Frederik VI<sup>8</sup>. Upon his return he worked his way up the military hierarchy and taught at the military academy<sup>9</sup>. In 1848 he was appointed to the Danish Constituent Assembly tasked with writing a new constitution for Denmark and in 1854 became Finance Minister<sup>10</sup>. The main reason he got involved with voting systems was the problem of German-speaking majorities in the Danish crown's dukedoms of Slesvig (Schleswig), Holsten (Holstein), and Lauenburg, who did not allow much voice for the

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<sup>5</sup> Ibid., p. 272.

<sup>6</sup> F. D. Parsons, *Thomas Hare and Political Representation in Victorian Britain*, New York: Palgrave Macmillan, 2009, p. 55.

<sup>7</sup> Ibid. p. 55-56.

<sup>8</sup> Helge Larsen and N. Neergaard. "C. G. Andrae" in *Dansk biografisk Leksikon*, Copenhagen, 2014. <https://biografiskleksikon.lex.dk>

<sup>9</sup> Ibid.

<sup>10</sup> Ibid.

Danish-speaking minority in Slesvig, and who were in turn a minority in the kingdom's general council, where he was Council President in 1856-57<sup>11</sup>. His proportional representation voting scheme was adopted in the Electoral Law for the Danish Federal Legislature [*Rigsraad*] in October 1855 in order to provide the German minority a voice in the federal legislature. Andrae continued in politics with various advisory roles until the Second Schleswig War of 1864 solved the problem by transferring the German provinces to Prussian and Austrian control.

We will now turn to a brief review of Mill's elitism in some of his writings.

### Elitism in *On Liberty*

*On Liberty* of 1859 was not Mill's first major publication, but perhaps his most widely read and most influential, partly because it is not too long and technical. There are important passages in it about "originality", which is "a valuable element in human affairs. There is always need of persons not only to discover new truths" but to "set the example of more enlightened conduct, and better taste and sense in human life"<sup>12</sup>. There is an element of elitism here: not everyone can provide these new truths and enlightened examples: "this benefit is not capable of being rendered by everybody alike"<sup>13</sup>. Mill stresses "the importance of genius"<sup>14</sup>. "Persons of genius, it is true, are, *ex vi termini*, more individual than any other people"<sup>15</sup>. They come up with original ideas, and "all good things that exist are the fruits of originality"<sup>16</sup>. A few years after writing this, when Mill found out about proportional representation, as we have seen, he believed it was both a good thing and an original idea. But in 1859 he believed that "whatever homage may be professed, or even paid, to real or supposed mental superiority, the general tendency of things throughout the world is to render mediocrity the ascendant power"<sup>17</sup>. No government will rise above mediocrity unless the "sovereign Many... let themselves be guided... by the counsels and influence of a more highly gifted and instructed One or Few"<sup>18</sup>.

The foregoing may sound like elitism, and in some sense it surely is, but Mill adds that it is not "only persons of decided mental superiority who have a just claim to carry on their lives in their own way. There is no reason that

<sup>11</sup> Ibid.

<sup>12</sup> John Stuart Mill, 1975, op. cit., p. 79.

<sup>13</sup> Ibid.

<sup>14</sup> Ibid., p. 80.

<sup>15</sup> Ibid.

<sup>16</sup> Ibid., p. 81.

<sup>17</sup> Ibid.

<sup>18</sup> Ibid., p. 82.

all human existence should be constructed on some one or a small number of patterns"<sup>19</sup>. So variety and individuality are prized even if they do not represent superior minds.

Scholars have been divided about whether Mill was an elitist. Shirley Letwin expresses the view that he was. "He meant to secure the leadership of those who knew better", and the moral of much of his writing was "that people like [his wife, Harriet] and Mill did not need rules and conventions"<sup>20</sup>. If "the leadership of the superior few were permitted, all human beings would ultimately become noble", he thought<sup>21</sup>. This reflected a "profound division within Mill": from Bentham he had learned that each person must be free to go his own way, and from his father he had learned "that there were superior beings who should guide the rest"<sup>22</sup>. On the other hand, some have thought that there is no great division here. As Gerardo López Sastre puts it, for Mill "there is no lifestyle that is better than others in general terms", which means that each person is entitled to his or her own lifestyle<sup>23</sup>. In Mill's theory, we have "the right to be artists of ourselves", and "individuality is an element of human wellbeing"<sup>24</sup>. This means that there is no practical implication of superiority. People can do what they want to do, as long as it does not harm others, and the very variety of things they want to do is a merit of liberty.

### **Elitism in *Considerations on Representative Government***

In *Considerations on Representative Government*, first published in 1861, Mill often wrote of the importance of invention and originality, which were an important part of what he considered superior about superior minds<sup>25</sup>. He observed that only "some persons" make exertions "in the direction of good and worthy objects"<sup>26</sup>. Under despotism, "none but persons of already admitted or reputed superiority" are listened to<sup>27</sup>. The "best mental power in the country" is commonly only used by the despot in military affairs<sup>28</sup>. When he gets to the concern for others that is required by communism, he admits that, "not believing in universal selfishness, I have no difficulty in admitting that Communism would even now be practicable among the *élite* of mankind,

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<sup>19</sup> Ibid., p. 83.

<sup>20</sup> Shirley R. Letwin, *The Pursuit of Certainty*, Indianapolis, Liberty Fund, 1988, p. 334.

<sup>21</sup> Ibid., p. 335.

<sup>22</sup> Ibid. P. 335.

<sup>23</sup> Gerardo López Sastre, *John Stuart Mill: El utilitarismo que cambiaría el mundo*, Barcelona: Shackleton Books, 2023, p. 54.

<sup>24</sup> Ibid., p. 55, 57.

<sup>25</sup> John Stuart Mill, 1975, op. cit. p. 161.

<sup>26</sup> Ibid., p. 165.

<sup>27</sup> Ibid., p. 180.

<sup>28</sup> Ibid., p. 181.

and may become so among the rest”<sup>29</sup>. Mill is constantly aware of superior minds and their employment. One of the “dangers incident to a representative democracy... [is] a low grade of intelligence in the representative body and in the popular opinion which controls it”<sup>30</sup>.

Perhaps the most striking example of elitism in Mill’s *Considerations* is his discussion of the reasons for giving people with better education multiple votes. Concerning suffrage, he knows who he thinks should not have the vote: recipients of parish relief, uncertified bankrupts, those who do not pay taxes<sup>31</sup>. People who cannot handle their own lives well should not influence decisions that affect others. But others might deserve more than one vote: those of “individual mental superiority”<sup>32</sup>. An indicator of such superiority might be found in a person’s occupation: employers of labor, foremen, bankers, merchants, manufacturers, the liberal professions, graduates of universities, and those with “satisfactory certificates of having passed through the course of study required by any school at which the higher branches of knowledge are taught” might be taken to deserve plural votes<sup>33</sup>. He insists that “I consider it an absolutely necessary part of the plurality scheme, that it be open to the poorest individual in the community to claim its privileges, if he can prove that, in spite of all difficulties and obstacles, he is, in point of intelligence, entitled to them”<sup>34</sup>. But he also recognizes that plural voting “is not likely to be soon or willingly adopted”<sup>35</sup> and “the time is not come for giving to such plans a practical shape”<sup>36</sup>. But he maintains the principle that “it is hurtful, that the constitution of the country should declare ignorance to be entitled to as much potential power as knowledge”<sup>37</sup>. “The Americans”, he says, “have imprinted strongly on the American mind, that any one man (with a white skin) is as good as any other”, but that “the belief in it... is almost as detrimental to moral and intellectual excellence, as any effect which most forms of government can produce”<sup>38</sup>. This discussion of plural voting reveals a substantial amount of elitism.

The improvement Mill was always working for was principally intellectual and moral rather than material in character. Scholars disagree about the means by which Mill sought to bring about this improvement and the organization of the society he considered best for giving expression to it. Linda Raeder found

<sup>29</sup> Ibid., p. 187.

<sup>30</sup> Ibid., p. 247.

<sup>31</sup> Ibid., p. 281-282.

<sup>32</sup> Ibid., p. 284.

<sup>33</sup> Ibid., p. 284-285.

<sup>34</sup> Ibid., p. 286.

<sup>35</sup> Ibid., p. 286.

<sup>36</sup> Ibid., p. 285.

<sup>37</sup> Ibid., p. 288.

<sup>38</sup> Ibid., p. 289.

substantial amounts of intellectual and moral elitism in Mill's thought. She argued that Mill wanted to replace Christianity with a non-theological religion developed by intellectual elites<sup>39</sup>. This new orthodoxy would be promoted by people like himself. Raeder refers to this as "breathtaking personal arrogance"<sup>40</sup>. Mill valued liberty not really for its own sake but for the sake of enabling superior minds to develop the norms and beliefs that would govern the social order. The result would be a "religion of humanity" created by those elites.

Camille Dejardin notes that Mill discusses giving multiple votes to the best educated and most intelligent individuals in elections for representatives, and regrets that Mill did not explain how such multiple votes might purify representative bodies of "dishonest and ill-intentioned" representatives but rather took it for granted that the better educated would be less corruptible<sup>41</sup>. He never "provides the criteria of evaluation for the 'moral superiority' that he privileges, implying that it is directly connected to the superior intellectual capacities or to studies, which experience regularly refutes", she observes<sup>42</sup>. She asserts that Mill's Hare program is "bien élitiste [very elitist]", and devotes a chapter to describing his theory as "aristo-démocratique [aristocratic democracy]"<sup>43</sup>. Dejardin thinks Mill is looking for the appropriate place in democratic society for certain forms of meritocratic elitism, intending to free people from "an excessively conformist or rationalist existence"<sup>44</sup>. In a section on "education and elitism", she explains that he thinks educated taste will give people the ability to free themselves from common pleasures and create an educated and intelligent elite whose members would be recognized for their excellence, which would slowly spread to other members of society, particularly in political matters<sup>45</sup>. This is an elitist reading of Mill, and we have seen highly educated people who are conformist, overly rationalist, in no obvious way free of common pleasures, and not recognized for their excellence.

Other recent scholars reject the elitist reading of Mill, insisting that his commitment to individual self-development included average human beings in societies that had attained a certain level of civilization, such as Victorian England. Although they admit his concern to encourage the influence of those with superior abilities and knowledge, they say that Mill saw such influence as contributing to individual growth among all people<sup>46</sup>. Chris Barker brought

<sup>39</sup> Linda Raeder, *John Stuart Mill and the Religion of Humanity*, Columbia, University of Missouri Press, 2002.

<sup>40</sup> Ibid., p. 340.

<sup>41</sup> Camille Dejardin, *John Stuart Mill, libéral utopique. Actualité d'une pensée visionnaire*, Paris, Gallimard, 2022, p. 305.

<sup>42</sup> Ibid.

<sup>43</sup> Ibid., p. 82, 283-312.

<sup>44</sup> Ibid., p. 18.

<sup>45</sup> Ibid., p. 82-89.

<sup>46</sup> Gerardo López Sastre, *John Stuart Mill: El utilitarismo que cambiaría el mundo*, p. 89.



together elements of Mill's thought that he thought illustrated Mill's educational mission of fostering "mental independence"<sup>47</sup>. In his account, this required women's equality in the household, cooperative labor relations between owners/managers and workers, an important but not exclusive role for social scientists in the development of political initiatives, a representative political order which could reconcile both elite competence and mass participation, and a democratic civil religion which would create social unity compatible with individual agency<sup>48</sup>. This is not especially elitist because ordinary people are as much a part of this order as the elites, he argues. But "important roles", "elite competence", and a manipulative civil religion tend in that direction.

Barker also says that he will confront "the charges that Mill defends expertocracy, elitism, and an exclusively secular humanism, and show instead that his theories of scientific association, representative government, and civil religion are driven by a concern for educative liberalism"<sup>49</sup>. But perhaps the latter is elitism in the sense we are using it here. In answer to the charge that this "purported elitism" favors the few, Barker asserts that Mill's "main interest is in combining (by exactly balancing) expert political knowledge, which is often underrepresented in democracies, and popular sovereignty. The means Mill employs is a theory of voting that tries to square the circle of participatory liberty and inclusive equality." This amounts to "'affirmative action' for intellectual elites which may be required in order for a democracy to remain liberal"<sup>50</sup>. Balancing is often a good idea, but it remains elitist in a pejorative sense if the elites are given more weight than others.

### **Elitism in the theory of political innovation in *Considerations on Representative Government***

When Mill came across Thomas Hare's *Treatise on Representation* shortly after it came out in 1859, he added praise for its proposals about proportional representation to two of his shorter works, a pamphlet titled "Thoughts on Parliamentary Reform" and a review article titled "Recent Writers on Reform" (both 1859)<sup>51</sup>. This praise was developed in the first edition of his *Considerations on Representative Government* of 1861. As we saw in the introductory paragraph to this article, Mill credits "great capacity" and "superior minds" with the discovery of proportional representation. This is a theory of innovation

<sup>47</sup> Chris Barker, *Educating Liberty: Democracy and Aristocracy in J. S. Mill's Political Thought*, Rochester, University of Rochester Press, 2018, p. 2.

<sup>48</sup> Ibid.

<sup>49</sup> Ibid., p. 13.

<sup>50</sup> Ibid., p. 14.

<sup>51</sup> John Stuart Mill, *Essays on Politics and Society*, eds. J. Robson and A. Brady, Toronto, University of Toronto Press, 1977, p. 311-339, 341-370.



because it is an explanation of what it takes to come up with new ways of organizing political life. Mill observed that “it is an essential part of democracy that minorities should be adequately represented”, but that division into districts and majority rule always meant that they were not<sup>52</sup>. Mill’s principle was that “real equality of representation is not obtained, unless any set of electors amounting to the average number of a constituency, wherever in the country they happen to reside, have the power of combining with one another to return a representative”<sup>53</sup>. Various alternative voting schemes had been proposed, but none of them had been passed. He reported that “this degree of perfection in representation appeared impracticable, until a man of great capacity, fitted alike for large and general views and for the contrivance of practical details – Mr. Thomas Hare – had proved its possibility” by developing “a scheme which has the almost unparalleled merit, of carrying out a great principle of government in a manner approaching to ideal perfection”<sup>54</sup>. Mill gave Hare credit for solving a general problem of electoral politics, which made him a famous man.

Not only does the inventor of this voting method get credit for having great merit, but the method will help talented and meritorious men get elected, Mill argues. It “affords the best security for the intellectual qualifications desirable in the representatives”<sup>55</sup>. “At present, by universal admission, it is becoming more and more difficult for anyone, who has only talents and character, to gain admission into the House of Commons” and only local influence and money get one in<sup>56</sup>. The ones who should be getting in are “able men of independent thought” who have “by their writings, or their exertions in some field of public usefulness, made themselves known and approved”<sup>57</sup>. In no other way “would Parliament be so certain of containing the very *élite* of the country”<sup>58</sup>. This would “raise the intellectual standard of the House of Commons” and result in the election of “members of a much higher calibre”<sup>59</sup>. As Jenifer Hart puts it, Mill believed that with this method, “Parliament would contain men of superior intellect and character, the very *élite* of the country”<sup>60</sup>. Mill worried that American democracy, by contrast, rejects “the highly cultivated members of the community” who refuse to “become the servile mouthpieces of their inferiors in knowledge”<sup>61</sup>. The “instructed minority” has no chance of getting elected, except under the system of proportional representation<sup>62</sup>. And if they

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<sup>52</sup> John Stuart Mill, 1975, p. 252.

<sup>53</sup> *Ibid.*, p. 254.

<sup>54</sup> *Ibid.*

<sup>55</sup> *Ibid.*, p. 257.

<sup>56</sup> *Ibid.*, p. 257-8.

<sup>57</sup> *Ibid.*, p. 258.

<sup>58</sup> *Ibid.*

<sup>59</sup> *Ibid.*

<sup>60</sup> Jenifer Hart, *Proportional Representation*, Oxford, Clarendon, 1992, p. 43.

<sup>61</sup> *Ibid.*, p. 259.

<sup>62</sup> *Ibid.*, p. 263.

can get elected, “the instructed minority would, in the actual voting, count only for their numbers, but as a moral power they would count for much more, in virtue of their knowledge, and of the influence it would give them over the rest”<sup>63</sup>. Mill is quite explicit about his preference for elites of knowledge, education, and cultivation in politics.

It is worth mentioning that Mill did not favor parties. He thought of voters and candidates as individuals. He believed in majority rule with minority representation, but Jorge Urdáñez has pointed out that this meant “deliberative majorities and minorities, which would reflect in the chamber the result of discussion and debate”, not mere counting of votes<sup>64</sup>. He hoped that “with Hare’s system, morally solid and wise candidates could receive votes from the entire country... [and thus] have a high probability of being elected”<sup>65</sup>. If “honest and intelligent men reached parliament and could be heard, then reason and good sense would prevail”<sup>66</sup>. As Urdáñez argues, he only uses the term “proportional representation” once, preferring “personal representation”, and his theory might better be understood analytically as “quotism”<sup>67</sup>. But the purpose remains the election of elites to Parliament, and this is a sort of elitism.

Then, in the third edition of *Considerations*, in 1865, Mill added a note to his text: “In the interval between the last and present editions of this treatise, it has become known that the experiment here suggested has actually been made on a larger than any municipal or provincial scale, and has been in course of trial for several years. In the Danish Constitution... the equal representation of minorities was provided for on a plan so nearly identical with Mr. Hare’s, as to add another to the many examples how the ideas which resolve difficulties arising out of a general situation of the human mind or of society, present themselves, without communication, to several superior minds at once. This feature of the Danish electoral law has been brought fully and clearly before the British public in an able paper by Mr. Robert Lytton, forming one of the valuable reports by Secretaries of Legation, printed by order to the House of Commons in 1864. Mr. Hare’s plan, which may now also be called M. Andrae’s, has thus advanced from the position of a simple project to that of a realized political fact”<sup>68</sup>. A “man of great capacity” and a “superior mind” shared the credit for the innovation.

Andrae’s method, as enacted in the Electoral Law of 1855, provided that voters list the people they want elected in their order of preference. The number

<sup>63</sup> Ibid.

<sup>64</sup> Jorge Urdáñez, “John Stuart Mill and proportional representation. A misunderstanding”, *Political Science* 71, 2019, p. 165.

<sup>65</sup> Ibid.

<sup>66</sup> Ibid., p. 168.

<sup>67</sup> Ibid., p. 167-168.

<sup>68</sup> Ibid., p. 272.

of ballots is divided by the number of members to be elected, and then the ballots are randomly drawn and the first preference recorded until the number in the quotient just mentioned is reached and then that person is considered elected. After that, ballots with that person as number one choice are counted toward the second choice. The law is ambiguous about whether there can be a third preference, such that if the second choice gets enough votes to be elected, the third choice will be counted<sup>69</sup>. The point is that each seat is filled by no more than the quotient number of votes, and excess votes go to the next choice. This is called proportional representation because each elected representative is elected by the same number of actual voters, so that they may be considered as in proportion to the different preferences in the district.

Three other cases of uses of proportional representation prior to Andrae and Hare can be used to test Mill's view that it takes a superior mind to come up with valuable innovations, and that when one does another might, too. Thomas Wright Hill used it in the bylaws of the *Society for Literary and Scientific Improvement* of Birmingham in 1821<sup>70</sup>. This has been called the first documented use of the method<sup>71</sup>. Evidence that Hill had a "superior mind" might include that he was involved in education reform with Joseph Priestley, Tom Paine, Maria Edgeworth, and Richard Price<sup>72</sup>. Two more such uses are revealed in Poul Andrae's book in vindication of his father. One is that the City of Adelaide in South Australia instituted proportional representation in 1839 and 1840<sup>73</sup>. This was under the influence of Thomas Wright Hill's son, Rowland Hill. In addition to possibly getting the method from his father, evidence of Rowland Hill's superior mind may be found in the fact that later in life he was made a fellow of the Royal Society and awarded an honorary degree from Oxford<sup>74</sup>. Since Mill participated actively in the activities of the South Australian Association in the 1830's and seriously considered moving there in 1834, it seems strange that he does not mention this use of proportional representation when he gives all of the credit to Hare and Andrae<sup>75</sup>. We know he kept up on Australian affairs, but perhaps for the purposes of his book on

<sup>69</sup> Poul Georg Andrae, *Andrae and his Invention, the Proportional Representation Method*, Philadelphia, Published by the author, 1926.

<sup>70</sup> F. D. Parsons, 2009, op. cit. p. 55-56.

<sup>71</sup> Nicolaus Tideman, *Collective Decisions and Voting: The Potential for Public Choice*, Burlington, Ashgate, 2006, p. 269.

<sup>72</sup> Ruth Watts, "Joseph Priestley and his Influence on Education in Birmingham". *Revolutionary Players*, 2004, <http://www.search.revolutionaryplayers.org.uk/engine/resource/exhibition/standard/default.asp?resource=4276>

<sup>73</sup> Poul Georg Andrae, 1926, op. cit. p. 30, 89. F. D. Parsons, 2009, op. cit. p. 55-56 says it was the years 1840-1843.

<sup>74</sup> Jean Farrugia, *Sir Rowland Hill: Reformer Extraordinary 1795-1879: Some notes on his life and work*, London, National Postal Museum, 1979, p. 18.

<sup>75</sup> Sebastián Cortesi, "Un reformador del mundo: La representación proporcional en la correspondencia de John Stuart Mill (1859-1873)", *Revista de Estudios Políticos* 193, 2021, p. 317-337. Cortesi does not mention Andrae or Denmark.

representative government he focused most of his attention on the theoretical discussions and not so much on the actual practices.

The other is that Andrae, in notes from the years 1859-61 after introducing the method in Denmark, said he found it in the work of a long-forgotten French mathematician who published something on it in 1819-20<sup>76</sup>. Perhaps publishing in mathematical journals counts as a superior mind. Curiously enough, we can find a non-elitist theory in the writings of Carl Andrae, who is quoted in his son's book on his system for the claim that "in matters such as this it holds that if there is in them something real and true, many will get the idea"<sup>77</sup>. He does not add that it is only the superior minds.

Andrae recognized that Hare's discovery of the possibility of proportional representation was independent from his own<sup>78</sup>. His son made the case more than once that although Andrae was the real innovator, he got less credit because he came from a small country<sup>79</sup>. He would not have appreciated that a writer on proportional representation in Western Australia later referred to his father as a "Dutch mathematician and politician"<sup>80</sup>. Nationalism surely plays a role in the history of inventions, with each country trying to take the credit for important inventions. It has also been shown that networks of colleagues and students spread philosophical ideas, so that ideas that are held by widely connected people last longer, independently of philosophical merit<sup>81</sup>. A thinker with networks in the UK will have wider influence than one with networks in Denmark. Since Hare was taken up by Mill in the English-speaking world, it makes sense that his contribution was more widely recognized than Andrae's. Since the first user of the method that we have identified above was limited to the voting method of a private association, and the second one was a municipal election in one of the farthest corners of the British Empire, it is understandable that they did not have the impact that Mill's celebration of Hare did.

## Mill's Later Speeches and Autobiography

In 1865 Mill spoke at a meeting of the National Association for the Promotion of Social Science and the Society for Promoting the Amendment of the Law in support of Hare's proportional representation plan which was published in the *Morning Star*. It would prevent monied "boobies" from being

<sup>76</sup> Poul Georg Andrae, 1926, op. cit. p. 29.

<sup>77</sup> Ibid., p. 28.

<sup>78</sup> Ibid., p. 80, 87.

<sup>79</sup> Ibid., p. 38-42.

<sup>80</sup> Harry Phillips, *Proportional Representation in Western Australia*, Perth: Western Australia Electoral Commission, 2012, p. 4.

<sup>81</sup> Randall Collins, *The Sociology of Philosophies*, Cambridge: Harvard University Press, 1998.

elected and “men of merit” would be elected<sup>82</sup>. In 1867 he delivered a speech in the House of Commons on “Personal Representation” in support of legislation that would have enacted proportional representation. Among arguments for such a method, he points out that “we should not find the rich or the cultivated classes retiring from politics, as we are often told they do in America, because they cannot present themselves to any body of electors with a chance of being returned”<sup>83</sup>. He also pointed out that some of “the foremost public writers and public men in Germany, in France, in Switzerland, in Italy, in our Australian colonies, and in the United States” were adopting the method<sup>84</sup>.

In 1868 he gave a speech on “Proportional Representation and Redistribution” at a conference at the Reform League Rooms<sup>85</sup>. He pointed out that the party leaders “would try to find out good candidates, and it would be in their interest to put on their list... those of men who would recommend themselves by their general character and knowledge of other things”<sup>86</sup>. The emphasis is always on merit, superiority, and knowledge. People who “represent ability and virtue all over the country” will be elected<sup>87</sup>.

In his autobiography of 1873 Mill returned to his recommendation of plural voting for those with “superiority of education” and “superiority of knowledge”, adding that “it has found favour with nobody” and that we still do not know how “the various grades of politically valuable acquirement may be accurately defined and authenticated”<sup>88</sup>. He repeated his praise of “Mr. Hare’s admirable system”, calling it a “great practical and philosophical idea, the greatest improvement of which the system of representative government is susceptible” and a “great discovery, for it is no less, in the political art”<sup>89</sup>. There is high praise here for the method, but no further claims about the superior mind that invented it. There is also no mention of Andrae. Perhaps we can speculate that he did not think a slightly earlier invention of proportional representation in a minor country was worth mentioning if there was enough about the principle of the matter in discussing Hare’s version.

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<sup>82</sup> John Stuart Mill, *Public and Parliamentary Speeches*, eds. J. Robson and B. Kinzer, Toronto, University of Toronto Press, 1988, p. 12.

<sup>83</sup> *Ibid.* p. 183.

<sup>84</sup> *Ibid.* p. 186.

<sup>85</sup> *Ibid.*, p. 239.

<sup>86</sup> *Ibid.*, p. 241.

<sup>87</sup> *Ibid.*, p. 242.

<sup>88</sup> John Stuart Mill, *Autobiography and Literary Essays*, eds. J. Robson and J. Stillinger, Toronto, University of Toronto Press, 1981, p. 261-262.

<sup>89</sup> *Ibid.*, p. 262.

## Arguments for Proportional Representation Since Mill's Time and the Question of Elitism

An English "Proportional Representation Society", eventually renamed "Electoral Reform Society" was founded in 1884 and still exists, lobbying for proportional representation and other reforms. Similar movements began in other countries, such as the Association Réformiste of Geneva, Switzerland, and the Personal Representation Society in New York<sup>90</sup>. The Constitution of the Province of Buenos Aires provided for proportional representation as "the rule in all popular elections"<sup>91</sup>. One author, unaware of the Danish experience, has asserted that in 1899 Belgium became the first country to adopt it at the national level<sup>92</sup>. It is true that Belgium provides a key case within this literature on the early adoption of PR, but it was not the first.<sup>93</sup> In the early 1900's most of Western Europe was added to the list, and after their independence from the Soviet Union in 1989, many Eastern European countries adopted it<sup>94</sup>. Proportional representation in its various forms is now the most common form of electoral system in use in the world today<sup>95</sup>.

Although the method has been a success, it is safe to say that justifications of proportional representation since Mill's time have not focused so much on making possible the representation of superior minds, educated people, and similar elites as Mill hoped it would. Rather, modern discussions of proportional representation have leaned much more to the reasons that motivated Andrae than those that motivated Mill. The literature on why proportional representation was chosen as an electoral system in the late 19<sup>th</sup> and early 20<sup>th</sup> century highlights the importance of how the franchise was expanding at more or less the same time that the electoral system was chosen.<sup>96</sup> This much was similar to Mill: conservative interests had an interest in protecting their own say in the legislatures of the time as the franchise expanded<sup>97</sup>. At least in this first wave of democratization the ques-

<sup>90</sup> Sebastián Cortesi, 2021, op. cit., p. 330, 331.

<sup>91</sup> Ibid., p. 334.

<sup>92</sup> M. Kreuzer, "Historical Knowledge and Quantitative Analysis: The case of the origins of proportional representation", *American Political Science Review*, 104, 2010, p. 380. The rest of this article provides a thoughtful critique of the use of historical evidence in this literature.

<sup>93</sup> See Patrick Emmenegger and André Walter, "When Dominant Parties Adopt Proportional Representation: the mysterious case of Belgium," *European Political Science Review* 11, 2019, p. 433–450.

<sup>94</sup> Sebastián Cortesi, 2021, op. cit., p. 331, 332.

<sup>95</sup> T. Ridley-Castle, "How many countries around the world use proportional representation?" Electoral Reform Society, 2023. <https://www.electoral-reform.org.uk/how-many-countries-around-the-world-use-proportional-representation/>

<sup>96</sup> Concerning the reactions of the British aristocracy to the extension of the franchise, rather than the electoral system, see Samuel Berlinski, Torun Dewan, and Brenda Van Coppenolle, "Franchise Extension and the British Aristocracy", *Legislative Studies Quarterly* 4, 2014, p. 531–558. See also Laura Bronner, "Property and Power: MPs' Assets and Support for Democratization in the 1867 Reform Act", *Legislative Studies Quarterly* 4, 2014, p. 439–466.

<sup>97</sup> Amel Ahmed, *Democracy and the Politics of Electoral System Choice: Engineering Electoral Dominance*, Cambridge, Cambridge University Press, 2013; Ernesto Calvo, "The Competitive Road to Proportional Representation. Partisan Biases and Electoral Regime Change under Increasing Party

tion of which electoral system to adopt was tied to the question of the franchise. Who was voting – or about to be voting – was as important as the way in which the votes were counted. That tie seems to have weakened by the third wave of democratization when it seems to be commonly accepted from the outset that all will be allowed to vote and given an equal vote.

Proportional representation is popular in the more recent waves of democratization not least because it addresses questions of fairness in divided societies by guaranteeing minimum representation for distinct social groups. For precisely this reason proportional representation is often recommended as a constitutional innovation in socially divided societies when it comes time to make choices over electoral systems<sup>98</sup>. Andrae's concerns were not unique to 19<sup>th</sup> Century Denmark and Germany.

Perhaps the biggest exception to the use of the method in ethnically divided societies is India, which is highly diverse and yet only has proportional representation in the upper house of Parliament, the Rajya Sabha, or Council of States. The justification of the method on the grounds of fairness is also seen in less ethnically divided societies. The first past the post system, where the majority can take all of the seats, is notoriously distortive<sup>99</sup> and the electoral history of both the UK and Canada provide striking examples of that distortion. In consequence, modern day reformers in those countries – such as the Electoral Reform Society in the UK – make the case for proportional representation on the basis that distortions in the current system mean that “the issues that are important in Westminster aren't the same as the issues the public feels strongly about” (<https://www.electoral-reform.org.uk/campaigns/electoral-reform/>). Although there are many different flavors of proportional representation in addition to the version promoted by Mill<sup>100</sup>, all share the idea that the size of the group in the legislature should closely reflect the size of that group in society more broadly.

The choice of a proportional electoral system has, then, helped to resolve questions of the fairness of representation. However, Mill's concerns about how to elect 'good' representatives persist. It is not clear whether we have made much headway in solving that problem. For example, a 2023 Pew survey found

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Competition”, *World Politics* 61, 2009, p. 254–95; Carles Boix, “Setting the Rules of the Game: The Choice of Electoral Systems in Advanced Democracies”, *American Political Science Review* 93, 1999, p. 609–624; André Blais, Agnieszka Dobrzynska, and Indridi H. Indridason, “To Adopt or Not to Adopt Proportional Representation: The Politics of Institutional Choice”, *British Journal of Political Science* 35, 2005, p.182–190.

<sup>98</sup> A. Lijphart, “Constitutional Design for Divided Societies”, *Journal of Democracy* 15, 2004, p. 96–109; A. Reynolds and B. Reilly, B., *Electoral Systems and Conflict in Divided Societies* (Vol. 2), National Academies Press, 1999; and for a detailed study of electoral arrangements in divided societies, see D. Lublin, *Minority Rules: Electoral Systems, Decentralization, and Ethnoregional Party Success*, Oxford, Oxford University Press, 2014.

<sup>99</sup> Elisabeth Carter, D. M. Farrell, and G. Loomes, *Electoral Systems: A Global Perspective*, London, Bloomsbury Publishing, 2024.

<sup>100</sup> Ibid.



widespread popular discontent with politicians in 21 of 24 nations surveyed<sup>101</sup>. Modern politics, then, suggests that members of the public share Mill's concerns about having 'good' representation, even if they do not necessarily share his confidence that people with higher educational credentials will always make good representatives. On that issue, and despite Mill's hopes, Musa Al-Gharbi reviewed several studies and reports that "highly educated, intelligent, or rhetorically skilled" people are "less likely than most others to revise their beliefs or adjust their positions when confronted with evidence or arguments that contradict their preferred narratives" and "highly educated political leaders perform no better than less educated ones, and may even be a bit worse in some respects"<sup>102</sup>. Academic success and book-learning intelligence are not necessarily accompanied by ethical and political uprightness<sup>103</sup>.

Fearon's work represents the canonical modern statement of the problem in which voters can either seek to choose a 'good' representative in prospect or may, in retrospect, at least punish bad ones who may somehow have got elected<sup>104</sup>. There is some evidence in support of voters taking this retrospective approach – of punishing poor quality representatives. When the economy is bad or when there are large scandals committed by those in office, then incumbents tend to do worse in elections. But it is apparent that voters can rationalize information in a way that suits their biases: a 5% unemployment rate may be "good" when my party is in office but "bad" when others are in power<sup>105</sup>. More generally, while there is some evidence in support of poorly performing politicians being defeated – the "rascals" are voted out – it is not clear that voters are good at systematically weeding out poorly performing politicians even in retrospect.<sup>106</sup>

It is even less clear that we (as voters) are good at choosing good representatives in the first place. For example, studies have begun to look at whether it is possible to at least predict who will be the most active and energetic legislators. Will it be the case, for example, that the candidates who work hardest at election time in their campaign will also be the ones who will be most active

<sup>101</sup> Pew Research Center, March, 2024, "What Can Improve Democracy?" <https://www.pewresearch.org/global/2024/03/13/what-can-improve-democracy/>

<sup>102</sup> Musa Al-Garbi, *We Have Never Been Woke: The Cultural Contradictions of a New Elite*, Princeton, Princeton University Press, 2024, p. 200.

<sup>103</sup> Eric Schwitzgebel and Joshua Rust, "The Moral Behavior of Ethicists: Peer Opinion", *Mind* 118, 2009, p. 1043-1059. Schwitzgebel and his colleagues have published several more articles that undermine any assumptions that elite philosophers are more moral than ordinary people.

<sup>104</sup> J. D. Fearon, "Electoral accountability and the control of politicians: selecting good types versus sanctioning poor performance", in S. C. Przeworski, B. Stokes, and B. Manin, eds., *Democracy, Accountability, and Representation*, Cambridge, Cambridge University Press, 1999, pp. 55-97.

<sup>105</sup> C. Wlezien, M. Franklin, and D. Twiggs, D., "Economic perceptions and vote choice: Disentangling the endogeneity", *Political Behavior* 19, 1997, p.7-17.

<sup>106</sup> Achen, C.H. and Bartels, L.M., 2017. *Democracy for realists: Why elections do not produce responsive government*, Princeton, Princeton University Press.

in the legislature? The answer seems to be “no”<sup>107</sup>. Candidates who work hard at election time are not especially hard-working legislators. They may work very hard to get elected but then, once elected, they may not work harder than anyone else. This means that Mill's concern for having “quality” candidates (assuming we can agree on some attributes of quality like knowledge, being hardworking, having integrity etc.) remains a live one. It is not clear whether elections of any kind at all provide a good mechanism which allows us to choose good people to be our elected representatives.

This, in turn, raises the questions that preoccupied Mill about the role of elites in elections. There are, even today, residual and fragmentary examples of elections where elites that maybe Mill would recognize as elite are privileged. In elections to the Irish Senate university graduates get a special vote as is the case for the Rwandan Senate. University seats lasted in the U.K. Parliament until the mid-20<sup>th</sup> Century when they were abolished. The last was the seat for Queen's University Belfast in the Parliament of Northern Ireland, which was abolished in 1968. In local elections in New Zealand and New South Wales property owners can also vote where they own property, not just where they live. Similarly, in condominium housing associations in the U.S. it is typically owners – and not rental tenants – who are allowed to vote in and stand for election to the condo board which governs that development.

There are, however, few examples of this kind of electoral arrangement in which certain people are given more votes than others. We have seen attempts to restrict the franchise, i.e. take away the vote from others. Historical examples would be restricting the franchise to white voters in the US or Rhodesia/South Africa, presumably on some theory that non-whites were not qualified to vote.<sup>108</sup>

There are, as noted, many different ways to implement proportional systems. A common way to do so is that voters cast votes for political parties and it is the party's share of votes which determines the share of seats in the legislature. While this produces proportional i.e. fair outcomes, it does not allow voters a say over individual candidates and so gives considerable power to political parties, not voters, to choose who the representative will be. Party bosses can simply put their preferred candidates at the top of the party list and so ensure the election of candidates preferred by the party. Party elites do not always choose people who are active and energetic legislators<sup>109</sup>. There is no evidence that they choose the most intelligent, wise, and moral candidates.

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<sup>107</sup> S. Bowler, McElroy, G. and Müller, S., “Campaigns and the selection of policy-seeking representatives”, *Legislative Studies Quarterly* 45, 2022, p.397-431.

<sup>108</sup> A current example of franchise restrictions might be that of requirements for mental competence in order to vote. Many polities have such restrictions which are becoming especially relevant in aging societies. Such restrictions can be applied unequally and unfairly.

<sup>109</sup> Thomas Däubler and Lukáš Linek, “Party selectors, voters, and the choice of productive representatives under different types of list proportional representation”, *European Journal of Political Economy* 85, 2024, <https://doi.org/10.1016/j.ejpolco.2024.102618>

A variant of proportional representation known as Open List allows voters to cast a ballot for individual candidates within party blocs<sup>110</sup>, and Mill's and Andrae's Single Transferable Vote allows voters the most say over individual candidates allowing them to rank some candidates higher than others even if they come from different parties. In principle, then, the specific system advocated by Mill, the Single Transferable Vote, combines both proportionality and fairness (Andrae's main concerns) while also allowing voters to choose individual candidates.

For Mill these candidates would, presumably, be elite candidates who possess attributes such as education, probity, or diligence. Such advantages of combining fairness and choice mean that - as a system - the Single Transferable Vote is praised by many political scientists<sup>111</sup> and reformers. For example, Britain's Electoral Reform Society is explicit: "We want to see the Single Transferable Vote, a fairer, more proportional voting system that makes seats match votes - and means no one's voice is ignored" ( <https://www.electoral-reform.org.uk/campaigns/electoral-reform/>).

In the current period, the system is used for national elections in Australia (for the Senate), Ireland, Malta and for some local elections in Scotland and New Zealand (for example). Ireland and Australia are perhaps the two best known examples of Single Transferable Vote in use in national elections. As with all electoral institutions so, too, with this method, the details of implementation matter. In Australia the system is implemented in a way in which party bosses still have a great deal of say over the nomination of candidates and especially over which candidates are likely to be elected. The number of candidates running may be very large and the ballot allows for voters to vote for a "party ticket"<sup>112</sup>. In this way, Single Transferable Vote can be seen to operate in ways similar to closed list proportional representation. Even under Single Transferable Vote, then, there can be a strong role for "elites". But those elites may mean party elites and party bosses. These are, presumably, not necessarily the people Mill would term "superior minds" and "great capacities".

The Irish implementation of Single Transferable Vote is more porous in terms of nomination of candidates. But even here parties spend a lot of time recruiting local "notables" (such as sports figures) and the candidates themselves spend a lot of time cultivating a "personal vote" rather than devoting time to

<sup>110</sup> Alan Wall, "Open List Proportional Representation: The Good, the Bad and the Ugly", IDEA 2021, <https://doi.org/10.31752/idea.2021.55>

<sup>111</sup> S. Bowler and B. Grofman, B. eds., *Elections in Australia, Ireland, and Malta under the Single Transferable Vote: Reflections on an embedded institution*, Ann Arbor, University of Michigan Press, 2000; S. Bowler, D. Farrell, and R. T. Pettitt, "Expert opinion on electoral systems: So which electoral system is 'best'?" *Journal of Elections, Public Opinion & Parties*, 15, 2005, pp.3-19.

<sup>112</sup> More technically, rather than rank ordering the list of candidates themselves, voters can vote "above the line", meaning that they give permission for their preference ranking to follow the party ranking of candidates.

statesmanship or thoughtful consideration of policy<sup>113</sup>. It seems unlikely that Mill would recognize this conduct as likely to mean the election of people with the intellectual qualifications desirable in the representatives.

## Conclusion

It should not be surprising to discover that Mill was an elitist. Elitism is a common element of the thought of political philosophers, perhaps because they belong to a certain elite: the intellectual class. Other philosophers from Plato to Hegel to philosophers of recent years have certainly been as elitist as Mill, but we are not prepared to provide comparisons here.<sup>114</sup> If elitism is a moral failing, it is a common moral failing. Andrae, on the other hand, was perhaps less of a philosopher and more of a statesman and mathematician, looking to solve practical political problems. He may have avoided elitism on the basis of experiences that indicated that the best politicians were not necessarily the best educated, and in any case his only goal was to provide representation in proportion to different populations.

We can say here that electoral history and electoral reform have been kinder to Andrae's emphasis on fairness of representation of voices than to Mill's emphasis on choosing really superior candidates. We know how to distribute voting outcomes more fairly among divided voters, as Andrae wanted, but Mill's question persists: how *can* we ensure the election of good representatives? In part this is because Mill's answer to his own question -that the Single Transferable Vote will ensure good representatives- has not proved foolproof. Whether the Single Transferable Vote, or indeed any electoral system at all, can ensure the election of a good government is, then, much more open to question than whether it will produce a "fair" one in the sense of proportional representation. One reason for this is that the qualities that make for a "good" candidate, or at least one who wins elections, seem to be quite different than the qualities or skills which make for a good leader or good representative. We may even agree with Mill on many or even most of the qualities that a good or wise representative should possess, but it may be the case that elections are simply too blunt an instrument to sort out the wise from what Mill called the "boobies".

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<sup>113</sup> R. Carty, *Party and Parish Pump: electoral politics in Ireland*, Wilfrid Laurier University Press, 1981.

<sup>114</sup> But see J. C. Laursen, "Son los cosmopolitas ilustrados elitistas? Reflexiones sobre la República de las Letras de Pierre Bayle" in *Cosmopolitismo y nacionalismo: De la ilustración al mundo contemporáneo*, eds. Gerardo López Sastre and Vicente Sanfélix Vidarte, Valencia, Publicaciones de la Universitat de València, 2010, 15-32.

To put it another way, if Mill had a check list of what a good representative would be we would probably agree with a many of his preferences, and thus agree that we need an “elite” of high-quality representatives. The problem is that elections do not always seem to be good at identifying who is a good leader as opposed to who is a good candidate. That is not entirely because voters are easily fooled but because candidates who win elections may often just be very good at fooling people.

In the final analysis, Andrae and the other preceding inventors of proportional representation gave us a good voting system without asking too many questions about the quality of the representatives who would be chosen to represent minorities. John Stuart Mill should be given credit for asking a good question, the additional question about how good those representatives would be. Even if the answer he gave may not be perfect, we at least have a good start if we are asking good questions. In asking how to choose the high-quality representatives that we need, Mill asked a good one.

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