

that, with the growth in China of really effective government, Japan's vital economic interests can be safeguarded without impairing China's sovereignty.

Four special open conferences on "The Problems of Africa" were conducted at the end of the session by Dr. Raymond L. Buell, of the Foreign Policy Association. These were notable for Dr. Buell's indictment of recent actions by the Firestone Company and the United States Department of State in Liberia. His assertions were vigorously combatted on the spot by Dr. T. Jesse Jones, of the Phelps-Stokes Foundation, and in the public press by the State Department, the President of Liberia, and the Firestone Company.¹

At the close of the session President Garfield, chairman of the Institute, announced that continued financial support had been provided, and that, pending the working out of plans for permanent endowment, the program for next year will be substantially as heretofore. He intimated that some suggestion had been made that the various institutes now in existence coordinate their efforts in bringing speakers from abroad. The feasibility of this suggestion is being studied.

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Reapportionment in California. One of the most perplexing problems facing California today is that of legislative reapportionment. The present constitution provides (Art. IV, Sect. 6) that the state shall be divided into forty senatorial districts and eighty assembly districts "as nearly equal in population as may be and composed of contiguous territory," and that every ten years the legislature, at its first regular session after each national census, shall adjust such districts and reapportion the representation. In other words, the constitution of 1879 makes it mandatory for the legislature to redistrict the state after each federal census. During the past twenty years, however, proper adjustment of legislative representation has been so difficult a problem that the state is still districted on the basis of the 1910 census. The magnitude of the problem is explained partly by the sectional diversities of the state, and partly by the growth of city populations, with the resultant fear in the rural sections of urban domination.

Throughout its history California has been the scene of keen sectional rivalry, and each general state election and each legislative

¹ See pp. 999-1004 below.

session serves but to emphasize this sectional feeling between the northern and the southern parts of the state. At the last election the feeling ran so high as to threaten disruption, and one heard again the burning threats of secession. Southern California is strongly Republican, while northern California sometimes goes Democratic. Southern California opposes legalized horse-racing and legalized gambling on horse races according to what is called "pari-mutuel" wagering, while northern California votes favorably to these practices. Southern California opposes the repeal of the Wright Act, which provides for the enforcement of the Eighteenth Amendment, while northern California favors its repeal. Los Angeles and San Francisco are rivals commercially as well as politically.

The shifting of population that has come with the growth of cities, and especially the unprecedented development of Los Angeles and San Francisco, has intensified sectional differences and thus aggravated the whole problem of reapportionment, until today, if representation were reapportioned according to the constitutional provision of 1879, the political power of the state would be concentrated in the inhabitants of three per cent of the state's area. For today more than one-half of the total population is contained within the counties of Los Angeles, San Francisco, and Alameda. As a result, many feel that the constitutional provision written in 1879, when the concentration of sixty or seventy per cent of the total population of the state in three per cent of its area was not contemplated as a possibility, is no longer applicable; and that population should no longer be the sole basis of representation, but rather some sort of combination of population and territory. The legislature has repeatedly refused to reapportion according to the constitutional provision, since to do so would place a few centers of population in complete control of the process of law-making. Three successive sessions following the 1920 census were deadlocked between conflicting opinions on representation, and every proposal failed.

At the general state election of November 2, 1926, the ballot contained two initiative measures dealing with reapportionment. Proposition Number 20 would have added a section to Article IV of the constitution providing for a reapportionment commission composed of the secretary of state, the attorney-general, and the surveyor-general. Should the legislature fail at the first session after a census to adjust senatorial and assembly districts, the commission was to reapportion

the state; and if the commission should fail to act, the supreme court was to have power by writ of mandamus to compel action.

Proposition Number 28 is commonly spoken of as the "federal plan," because its provisions resemble those of the federal Constitution with respect to representation in the national legislature. The measure would preserve to rural California the control of the senate, while urban California would dominate the assembly. Under this plan the legislature would, following each census, divide the state "into forty senatorial and eighty assembly districts comprising contiguous territory, with assembly districts as equal in population as possible, and no county or city and county containing more than one senatorial district, and no senatorial district comprising more than three counties of small population." It, too, provided for the creation of a reapportionment commission, consisting of the lieutenant-governor, attorney-general, surveyor-general, secretary of state, and superintendent of public instruction, to make reapportionment if the legislature should fail to act. There are fifty-eight counties in the state and forty senators. Under this amendment, the larger counties would each be given one senator; the smaller counties would be grouped; but there would be at least one senator to each three counties. As to how the senatorial districts should be formed, the amendment made no further provision.

The far-reaching effect of these propositions may be illustrated by Los Angeles county, which now has fifteen assemblymen and eight senators. If reapportioned according to population, as provided in the first plan, it would have twenty-one (plus) assemblymen and ten (plus) senators—in other words, one-fourth of the voting strength in both houses. If reapportioned on the basis of the federal plan, it would have twenty-one (plus) assemblymen but only one senator. Or again, take Alameda, Los Angeles, and San Francisco counties, which combined have 200,000 more than half of the population of the state. Reapportioned on the basis of population, they would dominate both houses; but if reapportioned according to the federal plan, they would have only three of the forty senators.

As a result of the state election, the federal plan was adopted by 64,000 majority. However, more than 300,000 voters failed to vote on the question; and though the legislature of 1927 redistricted the state in accordance with the plan (Stats. 1927, ch. 856), a referendum petition prevented the scheme from going into operation unless again adopted by the voters in 1928. For, in July, 1927, Secretary Jordan announced that 77,425 valid signatures had been filed in his office

to refer the plan to the electors, whereas only 57,206 signatures were required. Acting for the farm bureaus and other organizations, and contending that many signatures on the petition had been obtained "fraudulently and illegally," Senator Frank S. Boggs, of Stockton, author of the redistricting law, filed a mandamus suit against the secretary of state to prevent him from certifying as to the sufficiency of the petitions. On May 21, 1928, however, the state supreme court denied the petition; and hence, for a second time, the voters were called upon, at the current November election, to pass upon the question.

Twenty-nine states have already definitely provided against the possibility of virtual disfranchisement of any portion of their area, by setting up a balanced legislature which neither city nor county can dominate. California's decision, under the circumstances described above, has been awaited with an interest not confined to her own bounds.

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