

1959

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Recommended Citation

Don F. Hadwiger, *Representation in the Missouri General Assembly*, 24 MO. L. REV. (1959)
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REPRESENTATION IN THE MISSOURI GENERAL ASSEMBLY

DON F. HADWIGER*

A paradox in American society may be noted in the status of the contemporary state legislature: the legislative body, traditionally the core of our political system, seems to exist in the minds of today's citizenry either as a vague entity somewhat more distant than the earth satellites, or as a ridiculous assembly which—fortunately—meets infrequently.

The historical concept of the representative assembly as the central mechanism of democratic government is easily illustrated. Colonial patriots pointed to their lack of representation in the British parliament as a principal grievance against the mother country. The ensuing American revolution was significant everywhere for its reliance on the principle that the people and their representatives, rather than the king, are the source of governmental power. Framers of constitutions in all the original states carefully vested the "legislative" power exclusively in a representative assembly where, constitutionally, it still rests today. In the early states, the legislatures were the dominant branch of government. For years Americans received plaudits from those who viewed our system as the spectacularly successful republican (representative) government.

Despite its lofty place in the scheme for American government, the traditional representative assembly imparted little of its luster to contemporary state legislatures. Students of the legislative process refer to the latter as "Houses of Mis-representation." Newspaper editorials, in rare comments on the legislature, often scoff during the session and sigh with relief when it adjourns. The prestige of the individual legislator is low enough that many young lawyers would rather be prosecuting attorney. The daily pay of some lawmakers is just enough for one good meal per day (total pay and allowance in Rhode Island: \$5 per legislative day).¹

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1. COUNCIL OF STATE GOVERNMENTS, *THE BOOK OF THE STATES*, 1958-59, at 36-37 (1958).

The obviously low prestige of the state legislature is a matter for concern, for it reflects a lack of faith in state government at a time when great demands are being made on it. It will be difficult for the national government, strained by its burden of national defense, to continue to supplement or replace inadequate state services. At this critical time the states might be taking a firmer hold on domestic problems, and providing a better example of representative government in operation.

For many who seek a stronger and more active state government, legislative reform appears a first and most necessary step. Consequently, proposals for change in this branch of government will probably receive attention by a Missouri constitutional convention, should one be called as a result of the 1962 referendum.

It is difficult to secure constitutional reform of any sort, but the legislative branch is particularly resistant to change. Perhaps this is because it is most addicted to tradition, and because entrenched interests there have the power to share in and thus to channel or block the procedure for constitutional amendment. It may be due also to the fact that the effects of legislative reform are difficult to predict, and many groups who might benefit from change do not want to speculate at the risk of losing existing privileges. This resistance to change probably accounts in large measure for the deplorable condition of legislatures throughout the United States. But the situation can, presumably, become intolerable, and those who seek reform in 1962 will bank on convincing the voters and convention delegates that this has happened in Missouri.

There are several ways in which our legislature might be improved. It might be made more efficient, by instituting the unicameral system and providing higher pay for legislators. It might be brought closer to the interests and needs of the people through reapportionment.

This Article deals with reapportionment. An attempt is made to evaluate the representation of some groups in the general assembly, and to project the results in the next decade or two of the present system, if continued, as compared with the results of redistributing the seats with more attention to the location of Missouri's population.

It is not easy to evaluate a method for apportioning legislative seats, because there is no commonly accepted standard for doing so. How should legislative seats be apportioned? Our basic democratic principle is that the majority should rule; according to this, apportionment should

be such that a majority in the legislature correctly represents a majority of the people in the state. This principle, however, has rarely been applied in an unqualified manner, either in the United States Congress or in the state legislatures.

Even when the principle of majority rule is embodied in the scheme for apportionment, only geographic majorities are specifically represented. We are represented legally as Greene countians, St. Louisans, or Missourians.

Indirectly, other interests are represented. Some legislators speak rather specifically for special groups—for Republicans, or Catholics, or labor unions, or Negroes, and so on. Since the representatives from certain geographic areas tend continually to characterize one or more of these non-geographic interests, it follows that economic, religious and political groups are very much interested in the delineation and weighting of geographic districts, as the venerable practice of gerrymandering makes evident.

Perhaps the practical way to approach an equitable representation of non-geographical interests is to establish compact districts with nearly equal populations;² that is, to give control of the legislature to the geographical majority of the people.

Missouri's general assembly does not do this. Although a commission which delineates senatorial districts strives to make them as nearly equal in population as possible,³ the districts in Jackson County are all over one and one-half times the size of the twenty-eighth district in southwest Missouri.⁴ Citizens of St. Louis city would have three additional senate seats if their districts were reduced to the size of the twenty-eighth.⁵

Representation in the house is along county lines, rather than according to population. Each county receives one seat, and an additional forty-two seats are distributed to counties which contain several "ratios" of

2. The principal alternative method, proportional representation, has held little attraction for Americans.

3. Mo. CONST. art. 3, § 7.

4. OFFICIAL MANUAL OF THE STATE OF MISSOURI, 1957-58, at 1135-36, 1330 (1958). The 1950 population of the twenty-eighth district was 87,559. The average population of Jackson County senatorial districts was 135,259.

5. The 1950 population of St. Louis was 856,796. If divided into ten instead of the present seven senatorial districts, the average district would have 85,679, just 1,880 less than the twenty-eighth.

population.⁶ As a result of this scheme, representatives from Boone, Clay, Dunklin, Pemiscot, Jackson, and St. Louis counties each speak for ten times as many constituents as the legislator from Carter County.⁷ In eighteen other counties the people have less than one-fifth the representation that Carter countians are allowed.⁸

This evidence indicates that the geographic areas are not equitably represented in the Missouri general assembly. Is there an equity of non-geographic interests? Presented below are some statistical observations on the frequency with which legislators were identified with non-geographic interests, based on a survey of state senators during a period of twenty years (1937-56 inclusive), and a study of representatives during a period of ten years (1947-56 inclusive).⁹

AGE GROUPS IN THE GENERAL ASSEMBLY

The ages of our elected lawmakers range from the constitutional minimums of twenty-five and thirty to the upper seventies, with an occasional octogenarian. Among those over eighty years of age is senate

AGE IN THE GENERAL ASSEMBLY

Ages	1950 Mo. Population Over 24 yrs.	Senate 1937-46 Both Parties	Senate 1947-56			House 1947-56		
			Both Part.	Dem.	Rep.	Both Part.	Dem.	Rep.
25-29	12					5	6	3
30-39	22	15	13	13	13	18	17	19
40-49	21	34	40	41	39	24	24	24
50-59	19	33	28	23	35	23	25	22
60-69	14	14	14	16	12	22	20	24
70-74	5	3	3	2	1	5	6	4
75 & over	6	1	2	3	0	3	2	3
Total	99	100	100	98	100	100	100	99

Percentage in each category of those who listed age. (Figures rounded to nearest percentage.)

Sources: Biographical information. Official Manuals of the State of Missouri; 2 United States Census of Population: 1950, pt. 25, table 16, at 51 (1952).

6. Mo. CONST. art. 3, § 2.

7. OFFICIAL MANUAL OF THE STATE OF MISSOURI, 1957-58, at 1136-46, 1330 (1958). The 1950 population of Carter County was 4,777. Boone, Clay, Dunklin, and Pemiscot counties, each with one state representative, all had populations in excess of 45,000. The average size of districts in Jackson and St. Louis counties was also in excess of 45,000.

8. These counties are: Butler, Cape Girardeau, Cole, Franklin, Greene, Jasper, Jefferson, Lafayette, Marion, New Madrid, Newton, Nodaway, Pettis, St. Charles, St. Francois, Saline, Scott, and Stoddard.

9. Statistics appearing in the remainder of this Article, unless otherwise noted, are based on information in the biographies of legislators which are found in the OFFICIAL MANUALS OF THE STATE OF MISSOURI. These biographical data, supplied by the legislators themselves, are presumed to be generally accurate; but any incorrect statements or omissions which might have occurred therein are bound to have some effect on the compilations which follow.

patriarch Michael Kinney, who in 1958 completed his forty-sixth year as senator at the age of eighty-three. Oldsters who have served in the house since 1946 include Doctor Luther Green from Ray County, who stayed until he was eighty-three; J. C. Heifner and Harry Denman from St. Francois; Elmer Henderson from Callaway; and Booker Hall Rucker, Sr., from Phelps.

Missouri legislators are older than the average of those Missouri citizens eligible for legislative service. The median age for Missourians over thirty is forty-seven,¹⁰ compared with the median age for senators of fifty years. The median age of representatives is seven years above that of citizens over twenty-five.¹¹ There are proportionately more law-makers in the age group forty to sixty than among the population at large.¹²

Surprisingly, the venerable senators are younger than their counterparts in the house.¹³ Perhaps this is because Senate seats are fewer and more coveted. Younger men will grapple for them, while house seats often go by default to the retired elders.

The membership of the legislative bodies appears to be growing older. This is indicated by a comparison of senate ages in the last two decades. The group serving from 1937-46 were younger than those in the recent decade, in spite of the fact that more young men were available after World War II.

The ages of legislators tend to vary with the areas from which they come. As an example, about one-half (51 percent) of the representatives from the area north of the Missouri River (excluding Buchanan County) were over fifty-four years of age, while only one-fourth (26 percent) of the St. Louis city house members had passed fifty-four. In general, the elderly persons in the house tend to come from the rural north, perhaps due to the fact that the people have an older average age in that part of the state.¹⁴ The cities and the Ozarks send the youngest delegations.

Age variations along party lines in the house were not significant;

10. 2 UNITED STATES CENSUS OF POPULATION: 1950, pt. 25, table 16, at 51 (1952).

11. *Ibid.*

12. *Ibid.*

13. The median age in the senate during the period 1947-56 was fifty years; that in the house was fifty-one.

14. 2 UNITED STATES CENSUS OF POPULATION: 1950, pt. 25, table 12, at 45-46 (1952).

but senate Republicans have been considerably younger than senate Democrats.

EDUCATION

Missouri's lawmakers had more formal education than the public at large. Nearly three-fourths (72 percent) of the senators and over sixty percent of the representatives serving during the period of 1947-56 had some college training, while only twelve percent of Missourians over twenty-five years of age have attended college.¹⁵ However, while our society is becoming more college-oriented, the number of college-trained senators dropped seven percent in the period of 1947-56 from the earlier decade of 1937-46.

Almost every college in the state can boast of a legislator graduate, although two schools appear to have played a favored role. Missouri University produced sixteen percent of the representatives and twenty-nine percent of the senators serving from 1947-56. Southwest Missouri State College is the alma mater of nine percent of the Republican representatives.

FORMAL EDUCATION IN THE GENERAL ASSEMBLY

	Senate 1937-46			Senate 1947-56			House 1947-56		
	Both Part.	Dem.	Rep.	Both Part.	Dem.	Rep.	Both Part.	Dem.	Rep.
No College Training Indicated:	21	18	26	28	26	29	37	38	36
Public Schools	16	12	26	22	16	29	34	34	34
Parochial Schools	4	6	0	6	11	0	3	4	2
College Training	79	82	74	72	74	71	63	62	64
Missouri University	14	14	13	11	8	15	7	9	6
Missouri Univ. Law	11	10	13	18	24	12	9	9	8
State Teachers Colleges	11	10	13	7	8	6	10	6	14
Out-of-state colleges	12	10	17	11	11	12	7	7	6
Washington Univ. or Law....	3	4	0	4	5	3	4	3	5
Kansas City Univ. or Law ...	5	8	0	7	5	9	2	3	2
St. Louis Univ. or Law	8	8	9	0	0	0	3	5	1
St. Louis City Col. of Law ..	1	0	4	1	3	0	.7	0	2
Benton Law	1	2	0	3	0	6	1	0	2
Lincoln University	0	0	0	0	0	0	.7	1	.5
Westminister	0	0	0	0	0	0	.7	1	.5
Rolla	0	0	0	0	0	0	.2	0	.5
All other private in-state colleges	11	14	4	8	11	6	10	10	11
Business school	1	2	0	1	0	3	8	9	8
Total	100	100	100	100	100	100	100	100	100

Percentage in each category of those who listed educational background, last school attended. (Figures rounded to nearest percentage, except those of less than one percent.)

Sources: Biographical Information, Official Manuals of the State of Missouri.

15. *Id.* table 20, at 54.

SEX

Unless one reconstructs the argument—so distasteful to early Americans—in favor of “virtual” representation, it must be concluded that the fairer sex is underrepresented in the general assembly. The senate has remained a strictly male aggregation during the past twenty years, and the delegation of ladies in the house during the decade 1947-56 was a consistent but meager four persons. Nine women served during this period and they came from every part of the state. Only one of the group, Annie Neel of Randolph, might have been classified as “housewife.” There were four teachers—Georgia Irvine of Audrain, Zania Bowlin of Cass, Icie Pope of Webster, and Lulu Burns of St. Clair. Alice Tanner from Jackson ninth was a billing clerk; Jennie Chinn of Shelby was a farm manager and secretary; Jennie Walsh from St. Louis eighteenth was a beauty operator, and Clara Speer from Jackson seventh was a writer. The distribution along party lines—five Democrats to four Republicans—reflected well the division of party strength in the house.

The scarcity of women in the general assembly provides no cause for rejoicing. The legislative records of these lady lawmakers do not indicate any relative lack of ability or forcefulness, and they do not appear to have been strongly discriminated against by the “majority.” Apparently they held as many important committee assignments as their male counterparts. The ladies seemed to prefer those committees dealing with education and social welfare, although Annie Neel once chaired the mines committee and Jennie Walsh headed municipal corporations during three sessions.

Missouri voters should be interested in the achievements of their few lady lawmakers. It may be possible to draw far more qualified legislators from among the educated and public-spirited women of the state.

RACE

In some border states with large Negro populations and in all the states of the Deep South there are no Negro legislators.¹⁶ In Missouri, no Negroes held senate seats during the period 1937-46, but four house districts—three in St. Louis city and one in Jackson County—consistently

16. According to the respective secretaries of state, no negroes have served since 1946 in the legislatures of Oklahoma, Tennessee, North Carolina, Texas, Louisiana, Arkansas, Virginia, South Carolina, Mississippi, Alabama, Georgia, and Florida.

returned Negroes. However, while Negroes comprised seven and one-half percent of Missouri's population,¹⁷ they held only two and one-half percent of the house seats.

It would appear that the nine Negroes who served in the house from 1947-56 were not considered equal to the whites. As an example, Walter Lay, Negro Democrat from St. Louis eleventh, was not given a chairmanship during his three terms in the house. The committees which were headed by Negroes—elections, public safety, federal relations, criminal justice, and visiting—meet seldom if at all, and ordinarily handle no important bills.

RELIGION

The 1950 United States census did not provide information on religious affiliation, and so it is not possible to evaluate representation for religious groups on the basis of their proportionate strength in the state. The biographical information on legislators serving in the decade 1947-56 provides a basis for some observations; most legislators did list a religious preference.

Religious representation in the two houses is generally similar, with these notable exceptions: (a) virtually all the senators listing a religious

RELIGION IN THE GENERAL ASSEMBLY, 1947-56

	Senate			House		
	Both Part.	Dem.	Rep.	Both Part.	Dem.	Rep.
Baptist	23	30	13	22	25	19
Catholic	21	37	0	16	23	7
Disciples of Christ	19	8	33	14	15	13
Methodist	9	0	22	21	20	22
Presbyterian	14	16	11	8	6	10
Episcopal	7	5	9	2	2	2
Congregational	3	0	7	2	0	3
Lutheran	2	0	4	3	.9	5
"Protestant"	2	3	0	6	6	6
Evangelical and Reformed	0	0	0	4	.9	7
Assembly of God	0	0	0	.6	0	2
Church of Christ	0	0	0	1	.6	2
Christian Science	0	0	0	.6	.3	1
Church of God	0	0	0	.3	0	.7
Other (Jewish, Apostolate, Mormon)	0	0	0	.5	.3	.7
Total	100	99	98	101	100	100.4

Percentage in each category of those who listed a religious preference. (Figures rounded to nearest percentage, except those of less than one percent.)

Source: Biographical information, Official Manuals of the State of Missouri.

17. 2 UNITED STATES CENSUS OF POPULATION: 1950, pt. 25, table 14, at 47 (1952).

preference belonged to one of eight major groups, while a variety of religions were listed by house members; and (b) Methodists were much more evident in the house than in the senate. The Baptists had a plurality in both houses, and the Disciples of Christ, Catholics, and Methodists showed great strength.

A correlation appeared between party and religious preference. Over two-thirds of the Democrats in the senate were either Baptists or Catholics, and there were in this house no Democratic Lutherans, Congregationalists, or Methodists, and no Republican Catholics. The majority of Presbyterians and Episcopalians in both houses were Republicans.

Members of most religious faiths were elected from all areas of the state, although some religious groups were strong in particular localities. As an example, Catholics were selected from all areas except the extreme northwest and the bootheel counties, but more Catholics came from St. Louis County and city than from all the other counties combined.

ORGANIZATION AND SOCIETIES

Since politicians are generally considered gregarious, it is not surprising that most of them hold membership in one or several business, fraternal or patriotic organizations. The fraternal orders are particularly

REPRESENTATION OF ORGANIZATIONS IN THE GENERAL ASSEMBLY, 1947-56

	Senate			House		
	Both Part.	Dem.	Rep.	Both Part.	Dem.	Rep.
Luncheon Clubs	17	16	19	17	17	16
Fraternal	76	74	78	64	70	58
Masons	54	43	67	30	31	30
Knights of Columbus	7	13	0	4	7	1
Odd Fellows	8	12	4	14	14	13
Elks	4	6	3	5	5	5
Others	3	0	4	11	13	9
Patriotic	35	42	27	25	27	23
American Legion	20	19	21	14	15	12
Others	15	23	6	11	12	11
Professional, Economic*	27	39	13	20	20	20
Bar assoc. or leg. frat.	14	17	10	10	9	12
Chamber of Commerce	4	6	3	6	6	6
Labor Union	5	10	0	3	5	.5
Other	3	6	0	.5	.5	1
Number of sessions served	168	90	78	775	402	373

Percentage of legislators in each category. (Figures rounded to nearest percentage, except those of less than one percent.)

Source: Biographical information, *Official Manuals of the State of Missouri*.

*The figures for this category are open to serious question, because many legislators apparently failed to list their professional and economic affiliations.

well-represented in both houses of the general assembly. Three-fourths of the senators during the period 1947-56 belonged to a fraternal organization, as did a large majority of the house members. The assertion that membership in a Masonic order is an asset to a person with political aspirations receives support in the fact that about two-thirds (64 percent) of the non-Catholic senators were Masons. Senate membership in fraternal orders was confined pretty much to a "big four"—Masons, Odd Fellows, Elks, and Knights of Columbus. In the house, a number of other orders were well represented.

Only about one-fourth of the legislators were members of a partiotic or veteran's organization.

Since relatively few legislators were businessmen, perhaps it is not surprising that membership in luncheon clubs was small.

There appeared to be no geographic "areas of strength" for any organization except for the Knights of Columbus. Members of this church-associated group came mostly from St. Louis.

OCCUPATION

It is often asserted that the state legislature contains a cross section of the state's population, in the sense that all economic levels are represented within it. It is true that a variety of occupations can be found in the Missouri general assembly; an attempt to group these occupations resulted in a listing of forty-three different classifications. The task of categorizing all jobs into a few groups was a difficult one, which demanded the rather unorthodox categories shown in the table.

Although the occupations were widely varied, the professional groups which, according to the 1950 United States census, comprise only about eight percent of Missouri's working population were dominant in the senate and held over one-third of the house seats during 1947-56. Insurance and real estate people were also much more in evidence in the legislature than they were as a part of the Missouri labor force.

By far the largest professional group were the lawyers, who constituted fifty-three percent of the membership of the senate during the past decade, and twenty percent of the house. This predominance of lawyers, characteristic in legislative assemblies, has long been a subject of controversy. The lawyer-legislator has been criticized as being too conservative, and too susceptible to pressure from his clients. On the

other hand, it has been pointed out that his familiarity with the law and legal procedure is valuable to the lawmaking body. Some feel that both the majority and minority parties should have one lawyer member on each standing committee, an ideal far from realization in the house where in the sixty-ninth assembly there were sixty-three committees and only thirty-one lawyers; and it will probably not be realized in the future, since a comparison of statistics for the past two decades indicates a decline in the number of lawyer-legislators.

Apparently the metropolitan areas provide a larger-than-average percentage of lawyers in the house. During the period 1947-56 lawyers comprised twenty-eight percent of the house delegations from St. Louis

REPRESENTATION OF OCCUPATIONS IN THE GENERAL ASSEMBLY

	Senate 1937-46			Senate 1947-56			House 1947-56			1950 Mo. Population (% of Total Working Fce.)
	Both Part.	Dem.	Rep.	Both Part.	Dem.	Rep.	Both Part.	Dem.	Rep.	
Professional	64	63	70	60	54	68	35	30	39	8
Lawyer	54	52	59	53	52	53	20	19	21	.4
Minister	0	0	0	0	0	0	3	4	3	.4
Teacher	2	.8	4	.5	1	0	3	1	5	
Doctor	0	0	0	0	0	0	2	2	1	
Executive	0	0	0	0	0	0	3	3	3	
Newspaperman	8	8	7	3	0	7	2	.5	3	
Other	0	2	0	4	1	8	2	1	3	
Financial	14	11	20	14	20	7	16	14	18	
Insurance	7	7	7	5	8	3	9	8	10	} .9
Real Estate	3	2	4	7	9	4	3	2	4	
Banker	2	0	9	0	0	0	1	1	.8	
Investment	0	0	0	1	2	0	1	1	.8	
Other	1	2	0	.5	1	0	2	2	3	
Salaried	1	.8	2	10	13	7	3	5	1	
Bank Cashier	.6	0	2	3	0	7	1	2	0	
Accountant	0	0	0	0	0	0	1	1	1	
Union Org. Empl.	.6	.8	0	5	10	0	.4	.8	0	
Other	0	0	0	2	3	0	0	0	0	
Proprietor	7	10	0	5	7	4	15	18	12	
Auto Dealer	2	2	0	0	0	0	2	3	1	
Other	5	8	0	5	7	4	13	15	11	
Wage Earners	4	4	4	2	0	5	9	10	7	
Railroad Employee	0	0	0	0	0	0	2	3	.2	
Barber	0	0	0	0	0	0	2	1	3	
Other	4	4	4	2	0	5	5	6	4	
Gov't Employee	0	0	0	0	0	0	3	4	3	
Farmer-Dairy-Stockman	9	11	4	8	7	9	17	16	19	16
Student	0	0	0	0	0	0	1	2	0	
Total	99	99.8	100	99	101	100	99	99	99	

Percentage in each category of those who listed an occupation. (Figures rounded to nearest percentage, except those of less than one percent.)

Sources: Official Manuals of the State of Missouri; 2 United States Census of Population: 1950, pt. 25, tables 28 & 73, at 58 & 210-12 (1952).

city, and forty-seven percent of the St. Louis County group, as compared with the statewide average of twenty percent; on the other hand, only twenty-nine percent of the senators from these urban areas were lawyers, compared with the fifty-three percent state average.

REPRESENTATION OF POLITICAL PARTIES

In many states, party representation in the legislature is at obvious variance with the relative popularity of the political parties as demonstrated in statewide elections. In some cases, a major party may have only a fractional delegation in the legislature, although its candidates are regularly successful in capturing congressional seats and elective executive positions.¹⁸

In Missouri, party strength in the legislature is roughly similar to party strength as exhibited in the results of statewide elections. Since 1939, candidates from both parties have captured the executive offices and some congressional seats, although the Democratic Party has been most consistently victorious. The latter party has usually controlled both houses of the general assembly, but the Republicans have controlled three of the ten general assemblies serving from 1939 through 1958. A split between the two houses along party lines occurred only once—in the sixty-seventh general assembly (1953-54) when the Republicans held a majority in the house and the Democrats controlled the senate.

There are at least two ways in which to measure the party's strength in the legislature against its statewide popularity. One is in a comparison of the party's success in winning the governorship with its success in capturing majorities in the general assembly; the other is in a comparison of the average strength of the party in the legislature and its average majority in the statewide elections. Either measure indicates that party strength in the Missouri general assembly closely approximates the strength of the party in statewide contests. One method gives a slight advantage in the legislature to the Republicans; the other gives an edge to the Democrats.

18. SCAMMON, *AMERICA VOTES* 158 (1956). In the state of Michigan, for example, voters have elected a Democrat to the governor's office since 1948, but the legislature has remained solidly Republican during that time. In 1955-56, 68 percent of the Michigan state senators and 53 percent of the state representatives were Republicans, although the Democratic incumbent for governor had received 56 percent of the state wide vote in 1954.

The first method—a comparison of party frequency in the executive and legislative branches—indicates a slight advantage for the Republicans in the general assembly. Since only one Republican has served as chief executive since 1940, it might be said that the governor's office has been Republican twenty-two percent of the time, while the legislature has been held by that party during thirty-three percent of the time. The Republican governor faced one Democratic legislature, while Democratic executives had to deal with two Republican assemblies and one which was divided.

An examination of election statistics, however, gives evidence that the Democrats have a slightly larger edge within the lawmaking body than they do at the statewide polls. The average Democratic majorities in statewide elections from and including 1940 through 1956 were as follows: for governor, five percent; for United States senator, four percent; for United States president, five percent. But the average Democratic majority in the house during this time was six percent, and in the senate, a whopping fourteen percent.

The two major parties have geographic centers of strength from which their legislators are drawn. If one considers as one-party counties those in which the major party wins practically all the elections for national, state, and county offices, then about fifty-five percent of Missouri counties are one-party.¹⁹ The ratio of Democratic to Republican one-party counties is about four to three. Actually, the majority of voters in most counties and in most of the legislative districts of the metropolitan areas show a consistent partiality toward one of the two major parties.

On the basis of a survey of the geographic source of Democratic seats in the house over the past ten years, one can generalize that this party's rural strength has come predominantly from the area east of a line drawn north and south through the state an equal distance from each boundary line. Rural Republican representatives have come mostly from the counties west of this line. Notable exceptions in this east-west pattern of rural party strength are a block of five Democratic counties²⁰ just above Jackson County and a tier of six Republican counties²¹ west of

19. KARSCH, *ESSENTIALS OF MISSOURI GOVERNMENT* 17 (5th ed. 1957).

20. The five Democratic counties above Jackson are Clinton, Platte, Ray, Clay, and Buchanan. Other western counties which have been represented mainly by Democrats include Gentry, Nodaway, and Saline.

21. The tier of Republican counties includes St. Charles, Franklin, Warren, Gasconade, Osage, and Montgomery. Other eastern counties which have been represented mainly by Republicans are Putnam, Adair, Macon, Washington, Perry, Madison, and Bollinger.

St. Louis County along the Missouri River.

Of the five counties and St. Louis city having more than one representative in the house, only two—Jasper and Buchanan—are overwhelmingly one-party. During the period 1947-56, the Democrats gained ninety-five percent of Buchanan County's seats in the house, while Republicans captured an equal percentage of those in Jasper County. The percentage ratios of Democrats to Republicans from the other metropolitan areas were as follows: St. Louis, 79-21; St. Louis County, 28-72; Jackson County, 69-31; and Greene County, 33-67.

RURAL AND URBAN REPRESENTATION

A factor which, on many important issues, is more significant than party attachment is the division of legislators along rural vs. urban lines. In Missouri, as in many other states, the differences between urban and rural legislators are often as significant as the differences between Republicans and Democrats.²² Thus an examination of representation in the general assembly should include an evaluation of the relative influence of rural and metropolitan voters.

The disparity between population and representation is such that the majority of the people are represented by a minority in the general assembly, or in other words, a minority of rural voters elect a majority of the state legislators. In 1950, the five largest counties and St. Louis city contained about fifty-two percent of Missouri's population,²³ and held just about half of the seats in the Senate.²⁴ However, they elected only thirty-one percent of the House members.

On the other hand, the seventy-nine least populated counties (which have a statistical majority in the house) contained only twenty-four percent of the people of Missouri.²⁵

22. One of a number of sharp urban-rural splits in the house of representatives during the regular session of the 69th assembly (1957) occurred on Senate Bill No. 31, which would have authorized the park board to construct facilities in some state parks. Rural legislators opposed this, and amended the bill to provide that each construction project must be approved by the general assembly. Thus amended, Senate Bill No. 31 passed. But of the thirty-six legislators who voted "no" on the vote for final passage, twenty-nine (80 percent) were from the seventy-nine least populated counties.

23. These counties are St. Louis, Jackson, Greene, Buchanan, and Jasper.

24. If one includes the thirty-second district, in which Jasper is the dominant county, the number of "urban" districts is seventeen, exactly half of the Senate seats.

25. 2 UNITED STATES CENSUS OF POPULATION: 1950, pt. 25, table 6, at 13 (1952).

Since there are criteria other than population on which a concept of representation might be based, perhaps it is relevant to compare the economic productivity of the seventy-nine rural counties holding this legislative majority with that of the rest of the state. Fifty-four percent of the agricultural production as of 1954 originated in these lesser populated counties.²⁶ However, they were responsible for only six percent of the state's manufactures, and altogether contributed less than one-sixth (16 percent) of the state's total economic product.²⁷

Party strength in these seventy-nine rural counties if measured by the relative number with one-party dominance, is in favor of the Republicans. The Republican Party captures most county offices in forty counties and the Democrats hold most county offices in twenty-seven of these counties.²⁸ Thirty-three of the seventy-nine counties have sent only Republicans to the house during the decade 1947-56, while the number of counties with exclusively Democratic representation was just nineteen.

To gain a sharper image of the rural "majority", it might be helpful to examine the political and social character of the twenty-five least populated Missouri counties. These counties, each with fewer than ten thousand inhabitants, are characterized by political rigidity; in twenty of them, a single political party kept the house seat during the decade 1947-56. Eleven of these one-party counties were Republican and nine were Democratic.

The people in these twenty-five counties had less formal education than urban Missourians. The median of school years completed by persons twenty-five years of age or older in these counties is one year below that for the population in the five largest counties and St. Louis city.²⁹

In these twenty-five least populated counties the people are older than the average in the state. The 1950 United States census indicated a median age for these counties of 35.8 years, as compared with 32.6 years

26. RAND McNALLY COMMERCIAL ATLAS 256-59 (88th ed. 1957).

27. *Ibid.*

28. KARSCH, ESSENTIALS OF MISSOURI GOVERNMENT 18 (5th ed. 1957). This total includes counties classified "D2" and "R2".

29. 2 UNITED STATES CENSUS OF POPULATION: 1950, pt. 25, table 12, at 45-46 (1952). No exact comparative figures can be arrived at from the data provided in this table (median of years completed for each county). For data comparing the educational levels of "urban," "rural nonfarm," and "rural farm" persons, see *id.* table 20, at 53-54.

for the state.³⁰ The higher age in the rural counties may be presumed to indicate a trend of relatively decreasing population and relatively decreasing economic productivity in these areas. It is expected that the 1960 United States census will reveal a much larger disparity in population and productivity between the lesser populated counties and the rest of the state than was indicated in this report.

CONCLUSION

Rapid and significant changes are occurring in Missouri's economic, demographic, and political structure. The 1960 census will certainly reveal a very different distribution of population than that existing in 1950. It will indicate dispersions and concentrations of ethnic and racial groups; it will for example, record a leap in the Negro populations of Kansas City and St. Louis. The number of high school and college graduates will be proportionately larger. There will be fewer farmers, more industrial workers and professional people. Economic reports now document the obvious shifts in both location and types of economic production in Missouri.³¹

These changes represent trends, which will probably continue unabated throughout the next decade. Because of them the apportionment of house seats, though defensible when it was set up in 1945, was obsolete five years later. Framers of the 1945 constitution, in which the system is embodied, had their eyes on the 1940 census reports, which recorded a back-to-the-farm movement, and a near majority of rural Missourians. But the 1950 census reports, utilized in this study, showed that the growing metropolitan population, which then constituted the majority, had only half the number of house seats that it deserved. At the present time, perhaps, urban voters are given as few as one-fourth the seats they merit; unless a new scheme for apportionment

30. 2 UNITED STATES CENSUS OF POPULATION: 1950, pt. 25, table 12, at 45-46 (1952). The figure for the twenty-five counties is the median of county medians.

31. As examples, farmers as a proportion of the Missouri labor force dropped 25 percent (16.6 percent to 12.6 percent) between 1940 and 1950, 2 UNITED STATES CENSUS OF POPULATION: 1950, pt. 25, table 29, at 59 (1952), while the number of industrial employees in the Kansas City area rose 46 percent (from seventy-nine thousand to one hundred fifteen thousand) between 1947 and 1954, 3 UNITED STATES CENSUS OF MANUFACTURES: 1954, table 3, at 124-4 (1957). The value of annual Missouri manufactures rose 68 percent between 1947 and 1954, while the value of annual Missouri farm production increased only 26 percent between 1945 and 1954. STATISTICAL ABSTRACT OF THE UNITED STATES, Nos. 709 & 1029, at 649 & 944 (70th ed. 1949); STATISTICAL ABSTRACT OF THE UNITED STATES, Nos. 794 & 1016, at 628 & 792 (78th ed. 1957).

is put in effect before 1970, a scattering of rural voters will elect a controlling majority in the house.

In this event, the groups whose governmental needs are most significant will receive little sympathy in the house. These will include the young people, who will be needing more and better facilities for education and employment; they will be underrepresented in the present scheme as the population of rural Missouri grows older. Missouri Negroes, most of whom live in expanding urban ghettos,³² will be developing a greater political awareness and a growing list of social and economic demands; but they will be neglected by the rural legislature. Of course industrial workers and the urban population in general will be discriminated against.

A further prediction appears justified. If, as seems likely, the ponderous governmental needs of the above mentioned groups are ignored by the general assembly, these needs will be satisfied at another level of government. Political decisions bestowing and administering the new services will be made by other governmental entities, and the state legislature will sink further into obscurity.

It may be concluded that reapportionment should be accomplished, in fairness to the groups discussed, and in order to preserve the prestige and constitutional prerogatives of the state legislature and government. It has been noted that this particular kind of reform is difficult to achieve. Opposition to reapportionment comes naturally from those groups—most of them entrenched in the present general assembly—who would lose strength as a result of a redistribution of seats. There may be others opposing changes, however, not because they anticipate a loss of influence, but because they just do not know what to expect and prefer not to gamble. Perhaps this is true of many for whom political party ties are significant. Both Republicans and Democrats may hesitate to gamble on reapportionment.

How would reapportionment affect party strength in the general assembly? This important question can be considered only with reference to specific plans for distributing seats, and even then answers would be highly speculative. There is no reason to assume that an increase in

32. 2 UNITED STATES CENSUS OF POPULATION: 1950, pt. 25, table 14, at 47 (1952).

urban representation would inevitably benefit either party. In the 1958 elections, the Democrats won most of the house seats in the five largest counties and St. Louis city; but twelve years ago the Republicans captured two-thirds of those same urban seats. Party fortunes apparently ebb and flow in the metropolitan areas. Over the decade 1947-56, Buchanan countians voted Democratic, and a large majority of legislators elected from St. Louis city and Kansas City were Democrats. On the other hand, Joplin (which in the 1960 census reports may be considered the center of a new metropolitan area) was predominantly Republican. Legislators from Springfield, where the population has nearly doubled in the last decade, were Republican more often than they were Democratic. And representatives from the blossoming urban areas in St. Louis County were mostly Republican.

Regardless how the position of the political parties might be affected by reapportionment, politics would be livelier as a result of increased urban representation because of the fact that there are relatively more two-party districts in the urban areas. Believers in the two-party system might herald this as a sign of healthier politics and better legislators.

Perhaps there is ground for some optimism on the matter of reapportionment. Missouri has pioneered new ideas in the judiciary, the state administration, and in state-local relations. It seems unlikely that a state which sports a tradition of leadership in other areas of government will allow the organization of the legislative branch to remain conspicuously outdated.