

## **Coding Appendix for “Democratic Contradictions in European Settler Colonies”**

The following provides the codebook and sources to accompany the onset of colonial electoral representation variable used in Paine, Jack. 2019. “Democratic Contradictions in European Settler Colonies.” *World Politics*. It also provides background historical information for sets of similar cases.

### **British Empire**

The most important distinction among British colonies with sizable European populations concerned whether the colony was founded by British settlement or by conquest. “The political traditions of the Commonwealth Caribbean islands reflect the diverse ways in which they were brought into the British Empire and administered, as well as the dominant political views in London at the time of their incorporation. Some of these traditions can still be observed in the operation of contemporary politics in the region. Three patterns emerged: one for colonies settled or acquired before the eighteenth century; another for colonies taken during the Seven Years’ War (1756-63) and ceded by France in 1763; and a third for colonies conquered in the late eighteenth and early nineteenth centuries and ceded by France in the early nineteenth century.”<sup>1</sup> This distinction also applies to North America, with the 13 original U.S. colonies and several Canadian colonies fitting the first pattern, and the Province of Quebec (which also contained Ontario) fitting the second.

“The earliest transatlantic colonies were the achievements of private enterprise, by means of chartered companies, proprietary grants, or independent settlements, and they produced several kinds of colonial government. The principle that settlers carried with them—the right to English law—was asserted in the most memorable clause of the first charter of England’s earliest colony [Virginia]: all settlers and their descendants ‘shall have and enjoy all Liberties, Franchises, and Immunities, within any of our other Dominions, within this our realm of *England*, or any other of our said Dominions’ . . . The colonies differed widely in their institutions, but they were united in this; and the development of their legislatures was unaffected by the process in England which took the majority of them, before the end of the seventeenth century, out of the control of the original companies or proprietors, and made them royal provinces.”<sup>2</sup> The institutions of the “old representative system” included a government, nominated council, and elected assembly.<sup>3</sup> These assemblies held considerable powers and “consciously endeavored to model themselves as closely as possible on the English House of Commons . . . Having exercised widely authority over revenues from their earliest days, colonial legislatures gradually refined and extended that authority over every phase of raising and distributing public revenue. They acquired a large measure of legislative independence by winning control over their procedures and obtaining guarantees of basic English parliamentary privileges, and they extended their power well beyond

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<sup>1</sup> Knight 1989, 23.

<sup>2</sup> Wight 1946, 25-26.

<sup>3</sup> Wight 1946, 27.

that of the House of Commons by gaining extensive authority in handling executive affairs, including the rights to participate in formulating executive policy and to appoint most officials concerned with the collection of provincial revenues and many other executive officers.”<sup>4</sup>

Legally, Britain’s earliest colonies (many of which were founded by chartered companies or as independent settlements and only later became royal provinces) were split into two types: settled, and conquest/ceded. “The settlers who established settled colonies took with them all the rights of British subjects, particularly the right to be granted representative government in the shape a bicameral legislature with a nominated upper house and an elected lower house, on the model of the British Parliament. The inhabitants of ceded colonies had only such rights as the Crown chose to allow them.”<sup>5</sup> The distinction between settled and ceded “was based on the distinction established in *Calvin’s Case* (1609) between the King’s territories inherited by the title of descent and those acquired by rights of conquest.”<sup>6</sup> However, “[i]n the course of the eighteenth century the distinction between the two kinds of colony grew blurred, because it became usual to grant representative government to ceded colonies as well as settled.”<sup>7</sup> In Jamaica, “it was desired to attract settlers; and since they would not have tolerated conditions of less freedom there than they would have had in the older settled colonies, the Crown in 1661 granted English law and a representative assembly. This precedent was followed in the other colonies for the same reason.”<sup>8</sup>

However, although the earliest conquered colonies created representative assemblies, this was largely on the initiative of settlers themselves, as the English Crown often resisted decentralization amid its own struggle with the English Parliament in the 17<sup>th</sup> century. “Throughout the decades between 1660 and 1690, the metropolitan government undertook a variety of measures intended to reduce the colonies to what it called ‘an absolute obedience to the King’s authority . . . . Everywhere in the colonies, these metropolitan intrusions into colonial affairs encountered stiff resistance. In response, provincial assemblies expressed the determination of the property holders they represented to secure both their estates and their claims to an English identity by obtaining metropolitan recognition that, as English people or their descendants, they were entitled to enjoy the same rights and legal protections as English people in the home island . . . . Denying that they could lose any of their inherited rights simply by migrating to America, they pointed out that they had created their own civil governments with the specific purpose of securing those rights for themselves.”<sup>9</sup> Barbados and Jamaica experienced particularly sharp battles with the English Crown, but after 1663 “the Barbadian Assembly became one of the most powerful representative bodies in the American colonies” and exercised “its authority over most aspects of Barbadian life.”<sup>10</sup> Similarly, “Jamaica’s growing public expenses throughout the eighteenth century ensured that the assembly would continue to have extraordinary financial leverage and to exert wide authority over the colony’s internal polity.”<sup>11</sup>

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<sup>4</sup> Greene 2010a, 6-7.

<sup>5</sup> Wight 1952, 5.

<sup>6</sup> Wight 1946, 28.

<sup>7</sup> Wight 1952, 5.

<sup>8</sup> Wight 1946, 28.

<sup>9</sup> Greene 2010b, 54-55.

<sup>10</sup> Greene 2010b, 56.

<sup>11</sup> Greene 2010b, 57.

Despite similarities between settled and conquered colonies, Britain approached non-British Europeans differently than British settlers. The Canada Constitutional Act of 1791 “was the extension for the first time of British constitutional rights to a non-British colonial population . . . In Grenada, in 1763, the old representative system had been granted to a colony of French population, but without the enfranchisement of Roman Catholics; in Quebec, in 1774, civil rights had been guaranteed to Roman Catholics, but without the grant of representative government.”<sup>12</sup>

The following lists the year of first elected representative body in British territories colonized before 1800. An entry below sources the dates of legislative reforms in British Caribbean colonies in the 19<sup>th</sup> century, and a later entry details the year in which these colonies regained (or, in some cases, initially gained) elected representation in the 20<sup>th</sup> century.

- United States<sup>13</sup>
  - Virginia: 1619
  - Massachusetts: 1634
  - Maryland: 1638
  - Connecticut: 1637
  - Rhode Island: 1647
  - New Hampshire: 1680
  - North Carolina: 1665
  - New Jersey: 1668
  - New York: 1683
  - South Carolina: 1671
  - Pennsylvania: 1682
  - Delaware: 1704
  - Georgia: 1751
  - Collectively gained independence in 1783
- Bermuda:<sup>14</sup> 1620
- St. Kitts and Nevis<sup>15</sup>
  - St. Kitts: 1642
  - Nevis: 1658
  - “Presidencies of Nevis and St. Kitts were amalgamated in 1882 by an Act of the General Legislature to whom the Legislative Councils of Nevis and St. Kitts had given the power to legislate for the union.”<sup>16</sup>
- Barbados:<sup>17</sup> 1639
  - “The election of a coloured assemblyman in Barbados in 1843 is perhaps the earliest instance of non-European representation in the West Indies.”<sup>18</sup>
- Antigua and Barbuda

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<sup>12</sup> Wight 1946, 45.

<sup>13</sup> Kammen (1969, 11-12) provides dates for the first 11 colonies. *Encyclopaedia Britannica* entries for Delaware and Georgia, and Georgia General Assembly (n.d.) provide the other years.

<sup>14</sup> Kammen 1969, 11-12.

<sup>15</sup> Kammen 1969, 11-12.

<sup>16</sup> Kelsick 1960, 194.

<sup>17</sup> Kammen 1969, 11-12.

<sup>18</sup> Wight 1946, 75.

- Antigua:<sup>19</sup> 1644
- Barbuda was never a distinct British colony: “In 1685 the Codrington family leased the island of Barbuda from the English crown for the nominal price of ‘one fat pig per year if asked.’ The Codringtons used Barbuda as a source of supplies such as timber, fish, livestock, and slaves—for their sugar plantations and other real estate on Antigua. This lease continued in the Codrington family until 1870. Barbuda legally became part of the Antigua in 1860.”<sup>20</sup>
- Jamaica:<sup>21</sup> 1664
- Canada:<sup>22</sup>
  - Nova Scotia: 1758
  - New Brunswick: 1785
  - Ontario: 1791
  - Quebec: 1791
  - Collectively gained independence in 1867
- Bahamas:<sup>23</sup> 1729
- Trinidad and Tobago<sup>24</sup>
  - Tobago: 1763
  - Trinidad: 1925 (captured and colonized by Britain during French revolutionary wars, see longer entry below for details on elected representation).
  - Notes on union: “By the late nineteenth century, Trinidad and Tobago were no longer profitable colonies because sugar was being produced more cheaply elsewhere. In 1889 the British government united Trinidad and Tobago in an effort to economize on government expenses and to solve the economic problems of the islands. In 1898 Tobago became a ward of Trinidad, thereby losing its local assembly, which was not reinstated until 1980. Subsequently, Britain ruled Trinidad and Tobago as a crown colony until 1956. Between 1889 and 1924, the government of Trinidad and Tobago included, in addition to its governor, a wholly appointed Legislative Council. The first step toward self-government was taken in 1925 when there were limited elections to the Legislative Council and to the governor’s Executive Council.”
- Grenada:<sup>25</sup> 1766
- Dominica:<sup>26</sup> 1771
  - Some details on the increasing power of non-Europeans over time:
    - “[T]he British placed two significant limitations on popular participation. First, free blacks were completely excluded from the electoral process. In addition, government officials had to take an oath in which they repudiated basic tenets of the Roman Catholic faith. This helped create a system of

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<sup>19</sup> Kammen 1969, 11-12.

<sup>20</sup> Sturges-Vera 1989, 432-3.

<sup>21</sup> Kammen 1969, 11-12.

<sup>22</sup> Girard 2010, 169.

<sup>23</sup> Government of the Bahamas 2011.

<sup>24</sup> Years and quote from Meyerson et al. 1989, 167.

<sup>25</sup> Higham 1926, 371.

<sup>26</sup> Martin 1989, 264-266.

government that effectively excluded large numbers of French planters from political participation.”

- “In 1831 the House of Assembly enacted the Brown Privilege Bill, which allowed propertied free blacks to vote and to seek political office. The following year, three blacks were elected to the House of Assembly. By 1838 the House of Assembly had a black majority. Dominica thus became the only British Caribbean colony in the nineteenth century to have a black-controlled legislature.”
  - “Over the next thirty years, black legislators led by Charles Gordon Falconer promoted social welfare measures and were bitterly opposed by those allied with the British absentee owners. In an effort to weaken black control of the legislature, whites formed the Dominican Association for the Reform of Abuses in the Administration of Public Affairs and promoted the merger of the House of Assembly and the Council. In 1863, a year after regaining control of the House of Assembly, a white majority dissolved that body and the Council and established the Legislative Assembly, consisting of nineteen elected members and nine appointees. Further limitations on representative government came in 1865, when membership in the Legislative Assembly was divided evenly between elected and appointed officials. In 1898 the last blow to the representative system occurred when the British established crown colony government.”
- St. Vincent and the Grenadines<sup>27</sup>
    - St. Vincent: 1776
    - Grenadines: The northern section of the Grenadines islands that belong to St. Vincent and the Grenadines were never governed separately from St. Vincent. Britain gained both following the Seven Years’ War, although France maintained control over some of the Grenadines islands for longer.

**General note on Britain’s Crown colony system.** The increasing number of conquest colonies in the British empire by the end of the 18<sup>th</sup> century caused “the transformation of the empire . . . from one peopled almost exclusively by the British race to one with considerable minorities of other European nationalities and an enormous dependent non-European population . . . The subjects in the new colonies were French, Dutch, Spanish or Asiatic, without claim to British institutions or understanding of them, and in some cases potentially hostile.”<sup>28</sup> Within the Crown colony system, the typical legislative evolution was from an appointed advisory council with no legislative power, to a legislative council with an official majority and no elected unofficials, to an official majority with some elected unofficials, to “representative government” (majority of legislative council composed of elected unofficials), and finally to “responsible government” and then independent dominion status. Official members on the legislative council are representatives of the government and are legally bound to vote for the Crown’s preferred policies, whereas unofficial members represent interests in the colony. Therefore, for legislative councils with an official majority, “the legislative council is legislative only formally, for though its consent is necessary to pass legislation and the annual estimates, that consent is assured by the official majority. The capacity

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<sup>27</sup> Cosover 1989, 321-2.

<sup>28</sup> Wight 1946, 47.

of the unofficial members is really advisory. The main function of the council is the ventilation of grievances.”<sup>29</sup> Despite this “advisory” status, legislative councils with *any* elected unofficial members—even if they are minority—still satisfy the definition of an elected representative institutions for the present coding exercise.

***Australia*** (1842). Australia and New Zealand each “represented variants of the Canadian experience. For reasons peculiar to their origins as convict colonies, the Australian colonies were the slowest to follow the Canadian path.” A military government dictated New South Wales without even an appointed advisory council. “As the number of emancipated convicts steadily increased, joined by a few free immigrants, they became a significant settler population, and, like free settlers throughout the empire over the previous two centuries, began by 1819 to press for the extension to Australia of jury-based common law and representative government.” This pressure yielded an appointed legislative council in 1823.<sup>30</sup> Further settler pressure yielded reforms in 1842 that expanded the size of the advisory council and made two-thirds of its members elective. By the end of the 1850s, all six colonies had elected legislative councils and achieved responsible government that was “remarkable for both the breadth of the franchise and the low qualifications for office-holding.”<sup>31</sup>

Year of first legislature in individual colonies:<sup>32</sup>

- New South Wales: 1842
- South Australia: 1850
- Tasmania: 1850
- Victoria: 1850
- Queensland: 1859
- Western Australia: 1867

***South Africa*** (1853). Similar to other British colonies acquired during the French revolutionary/Napoleonic wars, Cape colony was populated by some Dutch settlers and a majority of non-whites. “As had been the case with Quebec after the Seven Years’ War, the British conquerors permitted the Dutch to retain their old legal system” while gradually introducing reforms over time. “Although immigration from Britain was substantial, it was never high enough to produce a settler majority, and, as territorial expansion brought additional indigenous people under British authority, settlers constituted a declining proportion of the total population. This situation made many members of the settler community skeptical about any move toward consensual government, even while many others, resentful of the arbitrary practices of some governors, agitated for representative institutions that would extend to them the traditional British right not to be taxed or governed by laws or ordinances to which they had not consented. The creation in 1834 of a locally nominated council to provide some check on governors was in part a response to this agitation, but it would take another twenty years before the Cape would get its own legislature. London authorities agreed in 1846 that the Cape should have representative

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<sup>29</sup> Wight 1946, 100.

<sup>30</sup> Wight 1946, 67.

<sup>31</sup> Greene 2010a, 19-20.

<sup>32</sup> Wight 1946, 167.

government on the condition, which would not be applied to the Australian colonies or New Zealand, that any laws it might pass would be nonracial and apply to all equally, and a massive settler protest against admitting transported British criminals into the colony in 1849 hastened Parliament's grant of representative government in 1853."<sup>33</sup>

In contrast to other African colonies, Africans' rights contracted rather than expanded over time. "The Republics of the Transvaal and Orange Free State had never extended the franchise to any but their European population, whereas the Cape, and to a minor extent Natal, had non-Europeans on their electoral roll. The policy which had thus distinguished the Cape from the Voortrekker republics was first embodied in the Fifth Ordinance of 1828, which cancelled all Cape laws differentiating against the Hottentot franchise on equal terms to all male British subjects, taking the ground that 'all Her Majesty's subjects, without distinction of class or colour, should be united by one bond of loyalty and a common interest.' At the time of the adoption of the policy of 1853 the Cape had only a small non-European population, but when its territory was extended by the annexation of lands largely inhabited by Bantu, fears began to be entertained that the electorate would be swamped by the African vote." This led to increased education and property standards for voting. "The National Convention was informed that during the 53 years in which the franchise had been open to the Coloured and African communities, no member of them had ever been elected to the Parliament."<sup>34</sup> Consequently, the Cape's post-1853 representative institutions "provided liberty only to the propertied white minority, which, like its counterparts in the continent and island slave colonies in the Americas, never seriously considered extending that liberty to the indigenous majority. The white property holders quickly turned the Cape Parliament into a bastion of settler privilege, a development that the grant of responsible government in 1872 only consolidated, by freeing the Cape government from any possible check from London."<sup>35</sup> African and Coloured voters retained voting rights within the Cape region after independence in 1910,<sup>36</sup> but lost their votes on the common roll in 1936 and for any non-homeland representatives starting in 1959.<sup>37</sup>

Year of first elected assembly in individual colonies:<sup>38</sup>

- Cape: 1853
- Natal: 1856
- Transvaal: 1906
- Orange: 1907

**Belize** (1854). Coding the onset of British colonial rule over Belize is difficult because although it featured some British settlers since the early 18<sup>th</sup> century, the area was contested with Spain, and throughout the 18<sup>th</sup> century the settlers were not allowed "to build fortifications, establish any form of government, military or civil, or develop plantation agriculture."<sup>39</sup> Spain's attempts to capture the territory ended only in 1798, which I use as the first year of British colonial rule.<sup>40</sup>

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<sup>33</sup> Greene 2010a, 21.

<sup>34</sup> Hailey 1957, 159-160.

<sup>35</sup> Greene 2010a, 21.

<sup>36</sup> Hailey 1957, 161.

<sup>37</sup> Lodge et al. 2002, 292-294.

<sup>38</sup> Wight 1946, 167.

<sup>39</sup> Bolland 1992, 165.

<sup>40</sup> Bolland 1992, 163-6.

“The [constitutional] development of British Honduras is altogether anomalous. Alone of the crown colonies, it developed from the primitive democracy of government by public meeting, with an elected magistracy.<sup>41</sup> In 1786 a superintendent was first appointed by the British government. In 1832 the election of magistrates was abolished, and nomination by the superintendent took its place. In 1840 the magistrates were abolished and an executive council was set up. In 1853 the first legislative assembly was instituted, with 18 elected and 3 nominated members.” The first election occurred in 1854.<sup>42</sup> The colony gained a legislative council in 1870.<sup>43</sup>

*New Zealand* (1854). Comparing New Zealand and Australia’s resemblance to the Canadian path of gaining representative and then responsible government, “[t]he journey to the same destination of New Zealand, which did not become a British colony until 1840, was much more rapid . . . British settlers poured into the new colony in droves during its earliest years. To provide some order over the society they were creating, metropolitan authorities sent a governor from London to establish an interim government composed of himself and an appointed advisory council with temporary law-making powers, and this body presided over the colony until 1853. Already in 1841-42, it issued ordinances to establish courts and ensure that British common law complete with juries would form the foundations of the legal system for the settler populations.” “Settler agitation for self-government was coincident with the first settlement, and metropolitan authorities, with Lord Durham’s report in hand, always expected that New Zealand would proceed rapidly to the creation of consensual governance in the British manner. In 1846, just six years after the initial British settlements, Parliament passed an act providing for the creation of an elected legislature. Colonial authorities managed to delay the implementation of this measure for eight years, during which time New Zealand’s governor and council divided New Zealand into six provinces, each with its own government. Thus, when the measure was finally implemented in 1854, New Zealand had both a general legislature and six provincial legislatures, each of which enjoyed authority over Crown lands in its province and a share of customs revenues. This step, which, like contemporary arrangements adopted for the Australian colonies, included an extremely wide franchise for property-owning males and amply provided New Zealand settlers with representative government of the kind traditionally found throughout the settler empire before 1840, but not with responsible government, which, at metropolitan insistence, came in 1856.”<sup>44</sup>

*Egypt* (1866). “The legal marginalization of the south began when Khedive Ismail decided to establish a modern parliament in 1866. The council was conspicuously dominated by Delta plantation owners, and, moreover its lawmaking agenda functioned mainly to serve their interests. The election law restricted the right to run for seats on Majlis Shura al-Nuwwab, the council, only to males who were able to pay a high land of five hundred piasters or more . . . The formation of this parliament was a significant moment in rise of bourgeois nationalism in the north. Khedive Ismail—an Ottoman, nonnative of his realm—presented and celebrated the council as a great step toward building a modern nation, *watan* or fatherland, similar to European models.” After British

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<sup>41</sup> These elections began in 1738 (Bolland 1992, 164).

<sup>42</sup> Bolland 1992, 170.

<sup>43</sup> Wight 1946, 163.

<sup>44</sup> Greene 2010a, 20-21.

occupation began in 1882, “[Governor] Cromer started by abolishing the old parliament and forming a new one. Taking a radical tone about the new election process, Cromer contended: ‘When we are liberal in Egypt, we do not content ourselves with half measures.’ Two months later, in November 1883, the results of the elections were announced, Cromer’s legal reforms only brought back almost all the members of the previous council to win their very same seats.”<sup>45</sup>

***Constitutional change in the British Caribbean.*** The body of the article discusses the dissolution of British Caribbean legislatures in the mid-19<sup>th</sup> century and the move to Crown colony rule. Although there was some heterogeneity in institutions within the British Caribbean (Belize, Guyana, St. Lucia, Trinidad), most colonies were governed by the “old representative system” through the 1860s. All but the Bahamas, Barbados, and Bermuda abandoned the old representative system by the late 1870s.<sup>46</sup> There were two elements of constitutional change. Jamaica moved directly from the old representative system to a wholly nominated legislature. “Usually, however, the process of alteration from Council and Assembly to single nominated Council was more gradual than it had been in Jamaica. First, perhaps, the Council and Assembly would be merged in one body, as they had been in Dominica in 1863; then the number of elected members would be reduced so as to leave a nominated majority; finally, the elected members would be dispensed with altogether, and the whole legislature would be nominated by the Crown.”<sup>47</sup>

The following lists two years for each colony in the sample that at one point had the old representative system: the year it abandoned the old representative system, and the year it ceased to have any elected representatives:<sup>48</sup>

- Jamaica: 1866, 1866
- Antigua: 1866, 1898
- St. Kitts: 1866, 1878
- Nevis: 1866, 1877
- Dominica: 1863, 1898
- Tobago: 1874, 1877
- Grenada: 1875, 1877
- St. Vincent: 1868, 1877
- Belize: Although British Honduras never had the old representative system, it moved to a fully nominated legislature in 1870

***Tonga*** (1875). Tonga’s reforms in the 19<sup>th</sup> century to create advisory bodies for the king culminated with a new constitution in 1875 that created, among other changes, a legislative assembly.<sup>49</sup> “The electoral history of Tonga begins with the 1875 Constitution. The legislature that it established was elected every five years and included hereditary members, nominated members, and elected members. All nobles were automatically members, and Tongan citizens who were taxpayers aged 21 or over (i.e., all adult males not disqualified by insanity or criminality) elected

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<sup>45</sup> Abul-Magd 2010, 697-8.

<sup>46</sup> Wrong 1923, 77.

<sup>47</sup> Wrong 1923, 77.

<sup>48</sup> Wrong 1923, 80-81.

<sup>49</sup> Campbell 2001, 811-812.

an equal number of representatives.”<sup>50</sup> Notably, Britain never controlled domestic politics in Tonga. “Tonga was never a British colony. In 1900, the King agreed a treaty of friendship with Britain, which gave Britain control of foreign affairs, and kept Tonga free from other predatory powers. The treaty was frequently revised until May 1970, when Tonga became fully independent.”<sup>51</sup>

**Jamaica** (recreated in 1884) and **Mauritius** (1885). “[T]he full concession of colonial demands for representative government would seriously weaken Crown control yet the force of local opinion and the trends elsewhere in the Empire made the complete rejection of such demands difficult if not impossible. This dilemma was raised during the early 1880s in Jamaica and Mauritius, and the Colonial Office tried to meet it by introducing elected members into the Legislative Councils and by relaxing, but not abdicating, official control . . . In Jamaica the agitation against Crown Government came mainly from the sugar interest, backed by the Jewish community of Kingston, and an active and at times virulent press . . . in November 1882 six of the unofficial nominated members of the Jamaica Legislative Council had resigned in protest at the of the official majority to force through a vote for half the damages awarded against the governor, Sir A. Musgrave, in the Florence case; their action had been the signal for widespread agitation in Jamaica against Crown Government culminating in April 1883 in a petition for representative government.”<sup>52</sup>

“After 1884 the actual composition of the council, based on Norman’s proposal, was the governor, four *ex-officio* members, two nominated officials and nine elected members, giving an elected majority of two, which could be reversed by the addition of two officials since the governor had a casting as well as an original vote, though in practice the full reserve of three officials would probably have been called up. The new constitution thus involved three separate concessions, the introduction of elected members into the Legislative Council, the grant of a provisional elected majority, and the veto on financial proposals exercised by any six of the elected members, subject to the over-riding power of the governor.”<sup>53</sup>

“The movement for reform in Mauritius in the early 1880s rested, as in Jamaica, on the leadership of professional, merchant, and planting classes, who exploited grievances against Crown Government, notably the number of posts held by British officials, and who were supported by an active press.”<sup>54</sup> “Although Pope Hennessy attempted to force the hand of the Colonial Office by his open support for the reform movement, there was no disposition in the office to consider the extensive change which the Mauritian reformers pressed, namely a Council of Government composed of one-third officials, one-third nominated unofficials, and one-third elected members . . . Derby, before he left office in June 1885, finally decided on a Council of Government composed of the governor, nine officials, and six elected and three nominated unofficial members, and he extended a veto to the votes of six of the unofficial members in matters ‘of finance or of purely local interest’. The Hon. F. A. Stanley, Derby’s brother and successor as secretary of state, in

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<sup>50</sup> Campbell 2001, 813.

<sup>51</sup> Commonwealth Secretariat 2018.

<sup>52</sup> Will 1966, 694-695.

<sup>53</sup> Will 1966, 699.

<sup>54</sup> Will 1966, 699.

response to pressure from the colony for the representation of all the nine districts in Mauritius, agreed to an enlarged council, comprising the governor, eight *ex-officio* members, nine nominated members of whom at least three were to be unofficials, and ten elected members, Port Louis having two representatives. Since the exact proportion of nominated officials and unofficials was not specified in the letters patent reforming the constitution, it was possible to relax the control of the official majority while retaining, as in Jamaica, the power to reimpose it if necessary.”<sup>55</sup>

Shortly after the reforms, there was a “growing belief that the changes in Jamaica had transferred power to a clique of Kingston lawyers, and in Mauritius to an oligarchy of French creoles; Pearson, reflecting office opinion, wrote of Mauritius in 1889: ‘. . . no one in this Country doubts that the former Constitution was a better one than the present Government by an oligarchy of 4,201 voters.’”<sup>56</sup> These considerations informed the decision not to allow elected representatives in other Caribbean colonies at this time. “Selborne introduced strategic considerations into the discussion of constitutional reform in Trinidad. Chamberlain, on the other hand, restated the dilemma which recurs in Colonial Office minutes after 1880 on constitutional reform in the Crown Colonies: a wide franchise was impossible, a narrow one, leading to an oligarchy, was undesirable. Since constitutional reform in Trinidad was the first such problem he had faced in office, he laid down, characteristically, ‘the general principle’ which would guide him in dealing with such problems. He argued that it was wrong to consider demands from the Crown Colonies for representative government as if they were advanced by ‘a wholly white and British population’; many of the Crown Colonies were largely composed of ‘native non-British races’. ‘In such cases it is really a misuse of terms to talk of Rep[resentative] government. There is no pretence of giving full representation of the alien or black population & the full concession of the demands of the Reformers would only result in transferring the responsibility of administration . . . to a small oligarchy of white settlers.’”<sup>57</sup>

**Guyana** (1892). “[I]n the constitutions of the ‘conquered colonies’ of 1793-1815, there were advisory councils, which in due course branched into executive and legislative,”<sup>58</sup> which included Guyana. “The constitution of the British colony favored the white planters. Planter political power was based in the Court of Policy and the two courts of justice, established in the late 1700s under Dutch rule . . . The Court of Policy and the courts of justice, controlled by the plantation owners, constituted the center of power in British Guiana. The colonists who sat on the Court of Policy and the courts of justice were appointed by the governor from a list of nominees submitted by two electoral colleges. In turn, the seven members of each College of Electors were elected for life by those planters possessing twenty-five or more slaves. Though their power was restricted to nominating colonists to fill vacancies on the three major governmental councils, these electoral colleges provided a setting for political agitation by the planters . . . Other Guianese began to demand a more representative political system in the 1800s. By the late 1880s, pressure from the new Afro-Guyanese middle class was building for constitutional reform. In particular, there were calls to convert the Court of Policy into an assembly with ten elected members, to ease voter qualifications, and to abolish the College of Electors. Reforms were resisted by the planters . . .

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<sup>55</sup> Will 1966, 703-704.

<sup>56</sup> Will 1966, 709.

<sup>57</sup> Will 1966, 714.

<sup>58</sup> Wight 1946, 126.

Constitutional revisions in 1891 incorporated some of the changes demanded by the reformers. The planters lost political influence with the abolition of the College of Electors and the relaxation of voter qualifications. At the same time, the Court of Policy was enlarged to sixteen members; eight of these were to be elected members whose power would be balanced by that of eight appointed members . . . The 1891 revisions were a great disappointment to the colony's reformers. As a result of the election of 1892, the membership of the new Combined Court was almost identical to that of the previous one."<sup>59</sup> Guyana retained its "antique" constitution until an act of Parliament abolished the old constitution and created a legislative council.<sup>60</sup>

**Zimbabwe** (1899). "The aim of Cecil Rhodes had been the early establishment of a system of full Responsible Government, but the Constitution which was granted to Southern Rhodesia by the Order in Council of 1898 provided for a Legislature with a minority of elected members, five of the nine members being elected by registered voters in their territory."<sup>61</sup> This Legislative Council replaced a council with executive and legislative powers in place between 1894 and 1898 that contained only nominated members.<sup>62</sup> Elected members became a majority in 1914, and Southern Rhodesia attained responsible government in 1923.<sup>63</sup> As of the 1950s, "The franchise for the Assembly is open to all British subjects, male and female, including non-Europeans, subject to the possession of certain property and income qualifications . . . In 1953 the number of Europeans registered as voters was 47,533, and there were 535 Asiatic, 535 Coloured, and 429 African voters on the roll."<sup>64</sup>

**Fiji** (1905). "Under British colonial rule a Legislative Council was created comprising, since 1904, ten officials, six elected European members and two appointed Fijian members, selected by the Governor from a list submitted by the Fijian Council of Chiefs. In 1916 an appointed member of the Indian community was added, elected by the Indians since 1929. Suffrage was restricted to British citizens of European or Indian descent with certain additional property or income qualifications and, in the case of Indians, the ability to read and write in English or an Indian language . . . In the course of preparations for independence indigenous Fijians were granted franchise, in 1963, and income and property qualifications were abolished for all other voters. The literacy qualification remained, however."<sup>65</sup>

**India** (1910). The Indian Councils Act of 1861 created an Imperial Legislative Council. The "Indian Councils Act of 1909, also called Morley-Minto Reforms, [was a] series of reform measures enacted in 1909 by the British Parliament, the main component of which directly introduced the elective principle to membership in the imperial and local legislative councils in India . . . the initial electorate base designated by the 1909 act was only a small minority of Indians authorized by property ownership and education." The first elections occurred in 1910.

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<sup>59</sup> Macdonald 1992, 11-12.

<sup>60</sup> Wight 1946, 81.

<sup>61</sup> Hailey 1957, 282.

<sup>62</sup> Willson et al. 1966, v.

<sup>63</sup> Hailey 1957, 282-3.

<sup>64</sup> Hailey 1957, 283.

<sup>65</sup> Hartmann 2001c, 647.

Although “the Morley-Minto Reforms are a constitutional landmark . . . they did not widen representation, contained no hint of ‘responsible government’ in the parliamentary sense of that term much less of future self-government, and introduced what proved to be the controversial and divisive measure of separate communal electorates.”<sup>66</sup> The next major legislative reform in India occurred in 1919 with the Government of India Act 1919, or the Montagu-Chemsford Reforms, in response to Indian contributions in World War I. Despite continuing to reserve significant powers for British authorities, this reform increased the number of elected Indian seats and expanded the franchise to women, although “property and other qualifications limited the total electorate to less than three percent of the total adult population.”<sup>67</sup>

***Sri Lanka*** (1910). “The elective principle was introduced before independence, when Ceylon was a British colony. In 1910 four of the 21 members of the Legislative Council were elected for the first time.”<sup>68</sup> “Ceylon was granted representative government in 1923, with 12 official members, 2 nominated and 34 elected.”<sup>69</sup>

***Israel*** (1920). “In 1920, Great Britain had been designated by the Supreme Allied Council as the administrating power of Palestine. The mandate came into force on September 29, 1923. During this entire period, until 1947, two Jewish quasi-governments existed co-operatively and interdependently side by side, one for the Jewish community residing in Palestine, and another for the development of the promised Jewish national home. Although the community quasi-government came into existence in 1920, after the first elections had been held in Palestine, its status did not become officially recognized until the mandate authorities enacted the Jewish Community Regulations eight years later. An Elected Assembly (Assefath Hanivcharim), chosen in secret ballot by all Jews over twenty years of age with at least three months residence in Palestine, served as a quasi-parliament in the Jewish community. It met at least once a year.”<sup>70</sup>

***High Commission territories: Botswana*** (1920), ***Swaziland*** (1921), ***Lesotho*** (1960). Britain governed its three High Commission territories differently than others in Africa, showing “marked reluctance to extend jurisdiction over them.”<sup>71</sup> The governance system instead “showed the maximum regard for the customary authority of the Chiefs.”<sup>72</sup> Through the 1950s, these colonies contained up to two types of consolatory institutions to inform proclamations made by the High Commissioner.<sup>73</sup> Each contained a council composed of non-elected African chiefs: the Basuto National Council in Lesotho, the Native Advisory Council in Bechuanaland/Botswana, and the Libandhla in Swaziland.<sup>74</sup> Bechuanaland and Swaziland created elected European Advisory

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<sup>66</sup> Mansingh 1996, 263.

<sup>67</sup> Mansingh 1996, 261.

<sup>68</sup> Wagner 2001, 701.

<sup>69</sup> Wight 1946, 80.

<sup>70</sup> Kraines 1953, 518. This source provides additional details on the other legislature for the global Jewish community.

<sup>71</sup> Hailey 1957, 271.

<sup>72</sup> Hailey 1957, 272.

<sup>73</sup> Hailey 1957, 272-3.

<sup>74</sup> Hailey 1957, 272-3. Haliburton (1977, 17-19) provides additional details on the council in Lesotho, Makgala (2010, 59) and Manungo (1999) on Botswana, and Booth (2000, 144-5) and Stevens (1963, 330) on Swaziland.

Councils in 1920 and 1921, respectively.<sup>75</sup> Following a new constitution in Lesotho in 1960, “The name, Basutoland National Council, was now applied to a legislature of 80 members, of whom 40 were elected from the membership of the district councils, and the other 40 included the 22 principal and ward chiefs, four ex-officio government officers, and 14 nominees of the paramount chiefs . . . This body was basically an interim institution, for certain powers, affecting both internal and external matters, were reserved to the high commissioner.” Following new elections in 1965, “the National Council was transformed into a National Assembly and a Senate.”<sup>76</sup> In Botswana: “A Legislative Council was finally created in 1961. It was composed of ten elected Africans, ten elected Europeans, one elected Asian, ten officials, and a few nominated unofficial members. The ten Europeans were elected directly by European voters organised into ten constituencies, but the ten Africans were chosen by and from the African Council, a somewhat more representative version of the African Advisory Council.”<sup>77</sup> Swaziland gained a Legislative Council in 1964 following a new constitution: “The Legco was to be composed of four officials (*ex officio*) and three members (nominated by HMC), plus 24 elected members. Of the latter, eight were to be Swazi elected under the eye of the *ingwenayama*, eight were to be elected by Europeans, and eight were to be of ‘any race’ elected on a multiracial national roll. Elections for the Legco were held in June 1964.”<sup>78</sup>

Why Botswana and Swaziland—but not Lesotho—gained European Advisory Councils and earlier elected representation appears to stem from differences in European settlement. “Basutoland is to all intents a Native State with practically no settled European community. In Bechuanaland there are European mining interests in the Tati area and the small European community owns farms in the some of the eastern districts . . . Though Europeans still hold a large proportion of the land in Swaziland, a number of the owners are non-resident. The part which Europeans have played in the development of the mining and other enterprises of this Territory undoubtedly gives them a claim to an adequate share in its future government, but such a claim would be of a different order from that on which the European community in the [South African] Union bases its position.”<sup>79</sup>

**Kenya** (1920). An Order in Council in 1906 established a Legislative and Executive council, composed entirely of unelected European officials. “The principle of election was formally accepted by the British government in 1916, and was embodied in an Ordinance of 1919 [Kenya Legislative Council Ordinance no. 22]; the number of elected European members was fixed at eleven, the official membership of the Legislative Council was at the same time increased to preserve the official majority on it. The electoral franchise was confined to British subjects of European descent.”<sup>80</sup> The first election occurred in 1920.<sup>81</sup> Electoral reforms occurred amid European settlers’ demands for self-government and for electoral representation,<sup>82</sup> which affected constitutional evolution and non-European representation and rights throughout the remainder of

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<sup>75</sup> Hailey 1957, 272-3. Colonial Reports (1931, 6-7) and Spence (1964, 224) provide additional details on the European Advisory Council in Botswana, and Stevens (1963, 333) and Booth (2000, 104-5, 247-8) on Swaziland.

<sup>76</sup> Haliburton 1977, 19.

<sup>77</sup> Proctor 1968, 60.

<sup>78</sup> Booth 2000, 143.

<sup>79</sup> Hailey 1957, 274-5.

<sup>80</sup> Hailey 1957, 296.

<sup>81</sup> National Assembly of Kenya 2017, 2.

<sup>82</sup> Hailey 1957, 296.

the colonial period.<sup>83</sup> The first African member joined the Legislative Council in 1944, although this member was appointed rather than elected.<sup>84</sup>

*Iraq* (1923). “During the monarchy [1921-1958], elections to the Constituent Assembly and to Parliament were regulated by the 1920 Law of the Constituent Assembly Elections as well as the Electoral Acts of 1924, 1946, the Electoral Decree of 1952 and the Electoral Law of 1956. Comparable to other regions of the former Ottoman monarchy (e.g., Syria until 1947), Iraqi provisions in 1920, 1924, and 1946 adopted the Ottoman principle of indirect elections in a two-stage procedure. Suffrage was granted to male tax-payers over 21 years (since 1924: 20 years) . . . Secondary voters had to fulfill the legal requirements of a primary elector and, in addition, needed to be 25.”<sup>85</sup> The first election occurred in 1923.<sup>86</sup> Unlike legislatures in British crown colonies, “During the Iraqi monarchy (1921-1958) parliamentary elections were regularly held, but the Parliament had no central role in the political process and the elections were never competitive.”<sup>87</sup>

*Myanmar* (1923). “Under British rule, Burma had considerably less experience with electoral politics than other South Asian colonies. Elections for a legislative body were held since 1923, but under limited franchise depending on property and education. Moreover, these polls took place only on a communal basis with reserved seats for Europeans, Anglo-Indians, Karen, and other social groups.”<sup>88</sup>

*Nigeria* (1923). “A small nominated Legislative Council established in Lagos soon after its annexation in 1862 had a competence which extended only to the Lagos Colony. It continued, however, to exist in a reconstructed form when a larger body, the Nigerian Council, was set up after the amalgamation of Northern and Southern Nigeria in 1913-14. But this larger body was advisory only, and it failed to secure any measure of general interest. There was a growing demand by the more progressive part of the population of Lagos Colony and of the south-eastern provinces for a Legislature which would include an element of the elective principle, and, in spite of the mistrust with which this demand was then viewed by official opinion, a Legislative Council was instituted in 1922 which made some concession to the principle of election. Its competence was confined to the Colony and the Southern Provinces of the Protectorate; the Governor legislated for the Northern Provinces, save in so far as the expenditure of money was concerned. The Legislative Council had a majority of officials, who were 27 in number; the unofficial minority of 19 members comprised four elected members, namely three for Lagos Town and one for Calabar Town . . . The four elected members representing Lagos and Calabar towns were Africans, the first elected Africans in the Legislatures of British Tropical Africa; the great majority of the other 19 nominated

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<sup>83</sup> Hailey 1957, 190-199.

<sup>84</sup> Hailey 1957, 297.

<sup>85</sup> Axtmann 2001, 89.

<sup>86</sup> Axtmann 2001, 86.

<sup>87</sup> Axtmann 2001, 85.

<sup>88</sup> Frasch 2001, 600.

members were likewise Africans.”<sup>89</sup> The first election occurred in 1923.<sup>90</sup> Northern Nigeria gained representation in the legislature in 1946.<sup>91</sup>

***Rest of the British Caribbean:*** *Dominica* (recreated in 1924), *Grenada* (recreated in 1924), *St. Lucia* (1924), *St. Vincent* (recreated in 1924), *Trinidad and Tobago* (1925),<sup>92</sup> *Antigua and Barbuda* (recreated in 1936), *St. Kitts and Nevis* (recreated in 1936). “Popular resentment against Crown colony government increased after 1900, both on Jamaica and Trinidad and on the smaller islands. Its first critics included white and colored professionals—lawyers, merchants, doctors, journalists, and civil servants—in the larger towns. All had attended secondary schools, and some had gone to British universities. They considered themselves more qualified to lead local government than transient British officials. The self-government movement became more vocal during the 1920s, often led by men who had served in the British West India Regiment during World War I. One of its most distinguished early leaders was T. Albert Marryshow (1887-1958) of Grenada. Strongly critical of Crown colony rule and an advocate of federation, he gathered a group of middle-class colored Grenadians who formed the Representative Government Association in 1914. Professional men founded similar associations on most of the smaller islands. All demanded the election of at least some members of the colonial legislative councils and a role in local government for the elected members . . . On the British islands, middle-class professionals and rural laborers could work together because Crown-colony government provided them with a common foe.”<sup>93</sup> “After World War I new manifestations appeared—less articulate but more violent. In 1920 in Grenada there were a series of disturbances—several incendiary fires broke out culminating in a determined effort to destroy the town of St. George’s by fire.”<sup>94</sup> In Trinidad and Tobago, “Worker discontent expressed itself in a rash of strikes in 1919 that coincided with a revival of the TWA.”<sup>95</sup>

“Then followed in 1922 the tour of the West Indies by the Honourable E. F. L. Wood on behalf of the Secretary of State. In his report he recommended semi-representative constitutions for ***Grenada, St. Vincent, St. Lucia*** and ***Dominica***. It had in fact already been decided to grant a semi-representative constitution to Grenada and the effect of the report was to extend this proposal to St. Vincent, St. Lucia and Dominica. The Wood recommendations were implemented in 1924.”<sup>96</sup> The first elections in ***Trinidad and Tobago*** occurred in 1925.<sup>97</sup> “The privilege to elect a minority of the Councils on a restricted franchise was accorded the territories (with the exception of ***Antigua*** and ***St. Kitts***) by 1924. In the two designated exceptions the strong opposition of the large plantation owners and the prominent merchants to the introduction of the elective principle delayed the advent of a minority of elected members to these Councils until 1936.”<sup>98</sup>

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<sup>89</sup> Hailey 1957, 308-9.

<sup>90</sup> Colonial Reports 1924, 6.

<sup>91</sup> Hailey 1957, 309.

<sup>92</sup> Tobago previously experienced electoral representation, but not Trinidad.

<sup>93</sup> Rogozinski 1999, 311-312.

<sup>94</sup> Harris 1960, 155-156.

<sup>95</sup> Ledgister 1998, 97-98.

<sup>96</sup> Harris 1960, 155-156.

<sup>97</sup> Ledgister 1998, 98.

<sup>98</sup> Forbes 1970, 60.

“In the Legislative Councils the ex-officio members were equal in number to the nominated members and elected members combined, and the Governor had a casting vote. The elected members were therefore in a small minority.”<sup>99</sup> “However, popular election of a majority of the membership of the Legislative Councils did not mean a transfer of political responsibility from Whitehall to the local electorates. In point of fact, the constitutional arrangements provided for popular representative legislatures with essentially advisory powers.”<sup>100</sup> To provide a sense of voting qualifications, a source for Dominica mentions: “In order to be elected, people had to possess land or have a certain amount of yearly income. Active suffrage was granted to men over 21 and women over 30 years of age. In addition, suffrage was bound to certain economic conditions of either a minimum income, land ownership, or tax payments.”<sup>101</sup> A source for St. Lucia mentions: “To vote or to be elected depended on strict property or income qualifications, which were reduced somewhat in 1936, when the number of elected members rose to five (out of twelve).”<sup>102</sup> A source for Trinidad and Tobago mentions: “‘fairly high’ property qualifications and literacy were needed for voting.”<sup>103</sup>

In the face of the limited representative gains from the early reforms and the Great Depression in the 1930s, “[d]emonstrations, strikes, and riots were frequent throughout the British Caribbean between 1935 and 1938.”<sup>104</sup> This yielded universal suffrage in Jamaica and Trinidad and Tobago in the 1940s, and in most of the smaller islands in 1951. A source for St. Vincent and Grenadines mentions: “The 1951 constitutional reform introduced universal suffrage and direct election of the majority of the legislative council members, a measure that restricted the political power of the white planter oligarchy.”<sup>105</sup>

First year of universal suffrage:<sup>106</sup>

- Antigua and Barbuda: 1951
- Bahamas: 1967
- Barbados: 1951
- Belize: 1954
- Dominica: 1951
- Grenada: 1951
- Guyana: 1953
- Jamaica: 1944
- St. Kitts and Nevis: 1952
- St. Lucia: 1951
- St. Vincent and the Grenadines: 1951
- Trinidad and Tobago: 1946

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<sup>99</sup> Harris 1960, 156.

<sup>100</sup> Forbes 1970, 61.

<sup>101</sup> Caton 2005, 224.

<sup>102</sup> Hillebrands and Nohlen 2005, 581.

<sup>103</sup> Ledgister 1998, 98.

<sup>104</sup> Rogozinski 1999, 313.

<sup>105</sup> Hillebrands and Trefs 2005, 595.

<sup>106</sup> All years from country-specific chapters in Nohlen 2005.

**Zambia** (1924). Northern Rhodesia gained its first representative body in 1918 in the form of an Advisory Council while under the rule of the British South Africa Company. British rule replaced company rule in 1924, and an order in council that year created the colony's first Legislative Council with nine official and five unofficial elected members.<sup>107</sup> British settlers pushed for a greater degree of responsible government under a similar constitution as Southern Rhodesia's in 1924. Although the number of unofficial members on the Legislative Council increased in 1929, Britain's policy held that "the interests of the African natives must be paramount."<sup>108</sup> Later developments included two appointed Africans to the Legislative Council in 1948,<sup>109</sup> and incorporation into the Central African Federation with Southern Rhodesia and Nyasaland in 1953.

**Sierra Leone** (1924). "In 1811 an unofficial member was appointed to the Governor's Advisory Council, which was replaced in 1863 by a Legislative Council . . . In 1923 the nominated unofficial members of the Legislative Council were increased to five; in the following year provision was made for the inclusion of three elected members from the Colony area, though the electorate numbered only a few hundreds."<sup>110</sup> Although the Colony was small relative to the Protectorate of Sierra Leone, "since 1924 the Legislative Council has legislated both for the Colony and the Protectorate."<sup>111</sup> The first election occurred in 1924.<sup>112</sup> A new constitution in 1951 created a "large African majority" on the Legislative Council.<sup>113</sup>

Sierra Leone had elections at its foundations in the late 18<sup>th</sup> century under company rule, although these were short-lived. Sierra Leone was unique among British colonies as a settler colony primarily of African descendants, founded by private enterprise in 1787. "The British constitution, as far as it is applicable to the circumstances of the place, is of course transferred thither"; the free community, meeting in its common council to elect its officers and vote grants of land, was now subjected to a governor and a council of eight, responsible to the directors of the company . . . these representatives of the settlers came to have a degree of legislative power, putting their proposals before the governor, and voting upon proposals made by him. In 1798 the governor agreed to the creation of two legislative chambers . . . These disappeared, however, after 1800, when a royal charter finally constituted the colony under the control of the company's directors, and reduced the council to two. When in 1897 the company's financial weakness made it impossible for it to carry on, and the colony was transferred to the Crown by act of Parliament, the establishment there of what was now becoming the normal crown colony administration required no change in its institutions. The early constitution of Sierra Leone was a peculiarity rather than a precedent in British colonial government. But it has its importance as the first instance in modern history of a self-governing colonial community of non-European population, where colour was no disqualification and negro freemen were allowed the political and civil rights of Europeans."<sup>114</sup>

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<sup>107</sup> Hailey 1957, 290; Mulford 1967, 6-7.

<sup>108</sup> Mulford 1967, 7.

<sup>109</sup> Mulford 1967, 12.

<sup>110</sup> Hailey 1957, 325.

<sup>111</sup> Hailey 1957, 325.

<sup>112</sup> Wyse 2003, 57.

<sup>113</sup> Hailey 1957, 326.

<sup>114</sup> Wight 1946, 42-43.

**Ghana** (1925). “Executive and Legislative Councils, composed at the outset of officials, were established as early as 1850 . . . [The Legislative Council] received an unofficial African member in 1888. By 1916 there was “growing pressure for a more representative form of Legislature, and it was in answer to this movement that the British Government sanctioned the Constitution of 1925, which embodied a considerable advance in the direction of elected representation. Though by this time the Gold Coast Colony and Ashanti were unified economically and administratively, the Legislative Council still had competence only for the Gold Coast, and Ordinances passed by the Gold Coast Legislature were applied to Ashanti and the Northern Territories by ‘enactment’ by the Governor. The Gold Coast Council now had 15 official and 14 unofficial members; the latter comprised nine elected African members.”<sup>115</sup> The first election occurred in 1925.<sup>116</sup> Later: “In 1944 the British Government accepted proposals for a reformed Constitution, which was now to embrace the representation of Ashanti. The new Constitution, which took effect in 1946, created an African unofficial majority in the Legislature. It now comprised six *ex officio* members and 24 unofficial members of whom 18 were elected . . . The Gold Coast was thus in 1946 the first Colony in tropical Africa to have an elected unofficial majority.”<sup>117</sup>

**Jordan** (1929). “A representative body, the Legislative Assembly, had been created already in 1929, during the British mandate, but eight of its 22 members were appointed and the remaining 14 were elected indirectly.”<sup>118</sup>

**Belize** (recreated in 1936). “Britain ended crown colony rule by meeting middle class demands for a partly elected legislature in 1935, but deployed property restrictions to exclude working men and women—who in Belize had claimed citizen rights—from the franchise.”<sup>119</sup>

**Gambia** (1947). “The Colony, which had been transferred to the Crown in 1821, was declared a separate Colony with its own Legislature in 1888. This body legislated in practice for the Protectorate also, though there was no Protectorate representative on it . . . This system came under review with the revision of the Constitution of 1946, when Gambia was defined as consisting of the Colony and the Protectorate together, and provision was made for representation of the Protectorate on the Legislative Council. The Constitution of 1946 provided for a Legislative Council consisting of the Governor as President, three *ex officio* and three nominated officials, and six nominated unofficial members . . . there was in addition one elected member, who represented the two of Bathurst and Kombo St. Mary Division.”<sup>120</sup> The first election occurred in 1947.<sup>121</sup>

**Seychelles** (1948). “In 1939, the latter set up the Seychelles Taxpayers and Landowners Association (STLA), the first political organization on the islands. Representing a minority in

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<sup>115</sup> Hailey 1957, 316.

<sup>116</sup> Colonial Reports (1927, 9).

<sup>117</sup> Hailey 1957, 318.

<sup>118</sup> Dieterich 2001, 143-4. Jordanian Parliament (2018) states the same year.

<sup>119</sup> Macpherson 2003, 287.

<sup>120</sup> Hailey 1957, 327.

<sup>121</sup> Hughes and Perfect 1989, 551.

control of around 90% of the land, it was characterized by the British governor as ‘the embodiment of every reactionary force in Seychelles.’ When in 1948 elections of four of the twelve representatives on the legislative council were held for the first time [footnote: Eight of the council members were appointed by the British authorities. Only around 2,000 property owners out of a population of 36,000 had the right to vote.], STLA won all seats, an outcome which was to be repeated until popular parties were formed and—in 1967—universal suffrage to a governing council eventually was introduced.”<sup>122</sup>

**Singapore** (1948). Following reconsolidation of British colonialism following Japan’s invasion during World War II, Singapore “became a separate crown colony. The constitutional powers remained in the hands of a governor and an Advisory Council until separate executive and legislative councils were created, in July 1947. According to the relevant legal provisions, six out of the 22 members of the Legislative Council had to be elected by popular vote. Singapore’s first election was held on 20 March 1948.”<sup>123</sup>

**Sudan** (1948). The Advisory Council for the Northern Sudan “was created by the British to provide a channel for the expression of Sudanese opinion. It had only advisory powers, but was a formal step toward self-government. Its first session was in 1944 and its was dissolved with the creation of the Legislative Assembly in 1948.”<sup>124</sup> The Council “included twenty-eight ordinary members, eighteen of whom were selected from the newly created provincial councils, while the other ten were appointed by the Governor-General to reflect a variety of local social interest groups. The Advisory Council, in fact, was more symbolic than representative. True to its name, it was only advisory.”<sup>125</sup> Later, an “elected, representative assembly [was] created after World War II as a part of the process leading up to Sudanese self-rule. It succeeded the Advisory Council for the Northern Sudan. It overcame certain objections to the Council because it contained southern as well as northern representatives and was more fully elective than the Council. The Assembly was created by an Ordinance in 1948 and had limited powers.”<sup>126</sup> Its creation followed from “the Executive Council and Legislative Assembly Ordinance on 3 March 1948. The first Legislative Assembly of Sudan met on 15 December 1948. It was composed of seventy-five members, ten of whom were nominated, the remainder being divided between fifty-two northerners, ten chose by direct elections and forty-two indirectly by provincial electoral colleges; thirteen seats were specifically reserved for southerners . . . the assembly could hardly claim to be a representative body when all of its members were bound by close ties to religious or tribal notables, merchants, or government officials who were leaders of small, elite group masquerading as political parties and dependent for the most part on the patronage of SAR or SAM, whose sectarian interests made a sham of any pretence at parliamentary democracy.”<sup>127</sup>

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<sup>122</sup> Sellstrom 2015, 271.

<sup>123</sup> Rieger 2001, 239.

<sup>124</sup> Fluehr-Lobban et al. 1992, 11.

<sup>125</sup> Collins 2008, 51-2.

<sup>126</sup> Fluehr-Lobban et al. 1992, 124.

<sup>127</sup> Collins 2008, 58.

**Maldives** (1954). “The first changes toward a modern polity were introduced during the reign of Sultan Muhammed Shamsuddin Iskander (1905-1934), who set up a *Majlis* (Legislative Assembly) whose task was the drafting of a new Constitution. The *Majlis* comprised members of the nobility and some government officials. The first Constitution, promulgated on 19 March 1931 and ratified by the Sultan on 22 December 1932, turned the absolutist sultanate into a constitutional and elective one: from then on, the accession to the Sultan’s throne was no longer hereditary, but an appropriate candidate was elected by the *Majlis* and the nobility. Fundamental civil rights and the principles of equality and justice were formally guaranteed by the Constitution. The *Majlis*, previously an advisory council for the Sultan, turned into a cabinet headed by a Prime Minister. The Sultan, however, remained Head of State.”<sup>128</sup> The first mention of elections for the Legislative Assembly is for 1954: “Its directly elected membership increased slightly from 40 in 1954 to 46 in 1968.”<sup>129</sup> An earlier election occurred in 1952: a referendum for whether or not to become a republic, which also yielded the election of Maldives’ first president.<sup>130</sup>

**Malawi** (1955). Nyasaland’s 1907 constitution created a legislative council that contained representatives for European and African interests, but did not contain any elected members until 1955. “In June 1955 a scheme was accepted which provided for a Legislative Council of 23 members, namely, twelve official members including the Governor, six non-African unofficials (shared between Europeans and Asians), and five African unofficials. The scheme had been opposed by Europeans as constituting too rapid an advance, by Asians because they were not prepared to share seats with Europeans, and by the Africans because they claimed parity with the other races. The African members were to be elected by the African Provincial Councils instead of being selected by the Governor from a panel nominated by them; the non-African members were to be elected on a non-African electoral roll, including both Europeans and Asians . . . It was decided that the time was not appropriate for the addition of an African to the Executive Council. It will be seen that the scheme was so framed as to avoid giving actual parity between the non-African and the African sections of the population.”<sup>131</sup>

**Malaysia** (1955). “The first experiences with elections were made in the early 1950s, when several districts of the colony introduced popular elections at the local level for municipal authorities. The first general elections took place in 1955, when Malaya was still under British colonial rule,”<sup>132</sup> to the Federal Legislative Council.<sup>133</sup>

**Uganda** (1958). An Order in Council in 1920 established Executive and Legislative Councils for only unelected European members. Changes in 1934 established parity among Europeans, Asians, and Africans (the unelected unofficial members each). The number of members changed over time, but Africans did not compose a majority until 1961 when elections occurred on a common roll for

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<sup>128</sup> Lehr 200b, 585-6.

<sup>129</sup> Lehr 200b, 588. See also Maloney 1976, 656-7.

<sup>130</sup> Amir 2011, 24.

<sup>131</sup> Hailey 1957, 291-2.

<sup>132</sup> Tan 2001, 146.

<sup>133</sup> Tan 2001, 143.

all seats. Following the crisis with traditional Baganda leaders between 1953 and 1955, an agreement signed with Buganda's kabaka (king) in 1955 yielded a revised legislative council. As of 1957: "The Legislative Council now has 60 members, divided into a Government side containing 30 members and a representative side of equal strength . . . The representative side consists of 18 Africans, six Europeans, and six Asians. Thus of the total of 60 members, 30 are Africans, 21 are Europeans, and nine are Asians. Most of the African representative members are nominated . . . The European and Asian members are nominated by the Governor."<sup>134</sup> The first elections occurred in 1958.<sup>135</sup>

**Tanzania** (1958). Although Tanganyika differed from Britain's other protectorates in Africa because it was legally subject to international supervision as a Mandate territory, "It does not appear that in the case of Tanganyika the form of constitutional development has been seriously affected by the fact that the Territory was administered under the Mandate between the years 1920 and 1946 and under Trusteeship after 1946."<sup>136</sup> It gained a Legislative Council in 1926 without any elected members, and in 1945 added its first African members. The first elections occurred in 1958.<sup>137</sup> After World War II, "when political issues began to occupy a more important place in the Territory, they never provided the same occasion for inter-racial discord as in Kenya . . . In Tanganyika the Europeans formed a far less homogeneous group; they represented a number of different nationalities, and they had not the advantage of occupying a compact block of country such as the Highlands in which most of the Europeans of Kenya were concentrated."<sup>138</sup>

**Solomon Islands.** (1964). As of 1948, "European political activity in the Solomons is formalized through an Advisory Council of nominated official and unofficial members. Although it has met since the war, it is of little significance."<sup>139</sup> "In 1960, the Legislative Council was established to replace the former Advisory Council that had been set up to advise the High Commissioner, who was the British colonial representative in the country. The Legislative Council consisted of 21 members, six of whom were indigenous Solomon Islanders. Two of the Solomon Islanders were included in the eight-member Executive Council. This was the first time that Solomon Islanders participated in the Colonial Government as policy-makers. In 1964, the first direct election was introduced in Honiara to select a representative for the Legislative Council."<sup>140</sup>

**Brunei** (1965). "Similar to British-colonized Arab emirates, the protectorate status mainly affected foreign affairs whereas an indigenous monarch governed internally, although subject to a British Resident. Pressures by a Brunei political party (People's Party of Brunei) and by Britain yielded political reforms as numerous Asian colonies gained independence in the 1950s."<sup>141</sup> "Brunei made its first—and up to now last—experiences with national electoral politics before state

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<sup>134</sup> Hailey 1957, 292-5.

<sup>135</sup> African Elections Database 2011b.

<sup>136</sup> Hailey 1957, 301.

<sup>137</sup> African Elections Database 2011c.

<sup>138</sup> Hailey 1957, 302.

<sup>139</sup> Belshaw 1948, 97.

<sup>140</sup> Kabutaulaka 2008, 105.

<sup>141</sup> Grotz 2001, 47.

independence. The 1959 Constitution of the British protectorate provided for the establishment of a Legislative Council (LC, *Majlis Masyuarat Megeri*). This body, however, cannot be considered a fully representative organ, since the majority (17) of its 33 seats were either filled by *ex officio* members (8) or appointed by the Sultan (9). The remaining 16 seats were elected indirectly: popular elections were held to four District Councils, which then elected the 16 LC-seats from among their members . . . The British pressure for political reforms urged the Sultan to hold new elections to the Legislative Council in March 1965. This time the LC was to consist of 21 seats: ten of these would be directly elected, six would be *ex officio* members and five appointed by the monarch.”<sup>142</sup>

***Kiribati and Tuvalu.*** (1967). Kiribati and Tuvalu were part of the joint colony Gilbert and Ellice Islands, which split in 1975.<sup>143</sup> “The first general elections were held in 1967 for the colony’s Legislative Council, which subsequently elected a Chief Minister as head of the colony’s administration. By that time the British were preparing their withdrawal from the colony and seeking to gradually transfer the administrative duties to the islanders.”<sup>144</sup>

***Hong Kong*** (1985). “[T]he British administrators introduced electoral reform in Hong Kong when the decolonization period began in 1982. In 1982, the Hong Kong government set up District Boards with directly elected members who would give advice to officials on such district affairs as building traffic lights and repairing roads. When the Sino-British agreement in 1984 guaranteed that Hong Kong will have a ‘high degree of autonomy’ after 1997, the governor, Sir Edward Youde, and the British minister of state responsible for Hong Kong affairs, Richard Luce, reformed the Legco so as to give some substance to the claim of ‘autonomy’ and to prepare for a British withdrawal from Hong Kong by 1997. As the 1984 Green Paper said, the objective of the reform was ‘to develop progressively a system of government the authority for which is firmly rooted in Hong Kong, which is able to represent authoritatively the views of the people of Hong Kong, and which is more accountable to the people of Hong Kong.’”<sup>145</sup> “Since the Sino-British agreement on Hong Kong’s future was initialled in 1984, the British administrators have introduced some electoral reforms to the law-making body, the Legislative Council (Legco). In 1985, some legislators were elected not by citizens in geographical constituencies but by electorates in such functional constituencies as law, commerce and medicine.”<sup>146</sup>

***Bahrain*** (none). “Since the 1920s, elections to municipal councils have been held in some parts of Bahrain. The demands for the establishment of a legislative council, first formulated in 1938, were always rejected by the ruling family. Two elections have taken place since independence: to the Constituent Assembly, in 1972, and to the National Assembly, in 1973 (four-year term).”<sup>147</sup> However, since they occurred post-independence, Bahrain is not coded as having elected

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<sup>142</sup> Grotz 2001, 50.

<sup>143</sup> Somoza 2001b, 823-4.

<sup>144</sup> Somoza 2001a, 673.

<sup>145</sup> Lo 1989, 205-6.

<sup>146</sup> Lo 1989, 204.

<sup>147</sup> Hartmann 2001a, 52.

representation during colonial rule. Bahrain did experience institutional reform prior to independence in 1971, but this did not engender an elected legislature. “The withdrawal of the British forces and Bahrain’s refusal to join the Federation of Arab Emirates were followed by rapid changes which urged the replacement of the colonial power by new institutions in order to enhance legitimacy. In January 1970 a Council of State was established by decree. Composed of 12 appointed members, it enjoyed executive and quasi legislative powers, i.e., it could propose legislation to the ruler. When independence arrived on 16 August 1971 this Council of State acquired the status of a Cabinet, its members became ministers and the President of the Council was declared Prime Minister.”<sup>148</sup>

**Bhutan** (none). As of 2001, “In Bhutan there has been neither a written constitution nor a body of organic laws in the Western sense.”<sup>149</sup> Although the king created a National Assembly in 1953,<sup>150</sup> it was unelected.<sup>151</sup> The first legislative elections occurred after independence in 2008.<sup>152</sup>

**Kuwait** (none). Kuwait experienced two temporary legislative bodies during the colonial era, but the elected legislature lasted less than one year. “[T]he short-lived 1921 Consultative Council composed of twelve appointed merchant nobles, had no legislative power whatsoever.” Later: “In June 1938, a 14-member council was convened, this time elected and vested with legislative powers. While it started out with a progressive stance, this merchant-based *majlis* movement was again doomed to failure in the face of the mounting opposition of the ruling family, the British, and the majority of Kuwaiti society excluded from voting (the poor and less educated, the Shi’ites and the members of certain professions). After less than a year, the Council was dissolved on 7 March 1939.”<sup>153</sup>

**Qatar** (none). “The rulership of the state is hereditary and belongs to the al-Thani family. It has a patriarchal political system, without any democratic representation or direct popular participation in the national government . . . No elections have been held, except for one to a municipal council in March 1999.”<sup>154</sup>

**United Arab Emirates** (none). “No federal or local elections have been held in the United Arab Emirates since its independence. In 1938, a reform movement was initiated by the ruling family in Dubai, which culminated in the establishment of a 15-member Consultative Council in October of the same year. The Council was dissolved a few months later . . . Other institutions with broader representation established in the Trucial States include the 1957 Municipal Council and the 1965 Chamber of Commerce.”<sup>155</sup>

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<sup>148</sup> Hartmann 2001a, 49-50.

<sup>149</sup> Lehr 2001a, 556.

<sup>150</sup> Joseph C. 2006, 1312.

<sup>151</sup> Lehr 2001a, 556-7.

<sup>152</sup> Joseph C. 2008, 29.

<sup>153</sup> Koch 2001a, 155-6.

<sup>154</sup> Wadood 2001, 203.

<sup>155</sup> Koch 2001b, 290.

## Iberian American Empires

Coding no elected colonial legislatures in Spanish and Portuguese America is based on discussions from numerous secondary sources.<sup>156</sup> V-Dem's historical dataset provides a variable for the percentage of the population with legal suffrage (the same variable used in the Africa suffrage figure in the article) dating back to 1789 for these colonies, and records 0% for all years under colonial rule. The body of the article provides additional details on town council elections and on the Spanish empire-wide assembly elections of 1809.

## French Empire

Disaggregating French colonies into five categories accounts for most of the variation in the creation of colonial electoral assemblies: pre-1848 colonies, Algeria, Middle East Mandate states, Associated states, and other post-1848 colonies.<sup>157</sup>

**Pre-1848 colonies.** The first category contains four colonies renamed as Overseas departments following the creation of the French Union in 1946, plus Senegal and Haiti.

- *Guadeloupe, Martinique, Reunion* (1854), *French Guyana* (1878). Although France had earlier granted colonial representation in the French parliament, no colony had a local, colony-wide elected legislature until 1854.<sup>158</sup> Guadeloupe and Martinique gained French parliamentary representation in 1789, which Napoleon abolished (although it is unclear whether these representatives were elected or appointed). Colonies regained this right following the revolution of 1848, but the metropole abolished it again in 1852. "Prince Napoleon had just come to power, and was impatient with local elective institutions."<sup>159</sup> Guadeloupe, Martinique, Reunion gained elected general councils in 1854 with input on the colonial budget,<sup>160</sup> and Guiana (French Guyana) in 1878.<sup>161</sup> "[T]he *conseil general* was the highest institution which the French government of the time could concede to a colony . . . the colonists themselves regarded the *conseil general* as a sort of local parliament."<sup>162</sup> "While elections were not always totally honest, all adult males could vote from 1849 to 1854 and again after 1871."<sup>163</sup>

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<sup>156</sup> Engerman and Sokoloff 2005; Finer 1997, 1383-1394; Hanson 1974; North et al. 2000; Posada-Carbo 1996; Przeworski 2009; Rogozinski 1999; Stein and Stein 1981.

<sup>157</sup> Savary (1952, 260-1) presents a similar typology of French colonies when discussing reforms imposed in 1946 alongside creating the French Union, with two differences. First, he does not discuss the Middle Eastern Mandate territories or Haiti, which gained independence prior to 1946. Second, Savary additionally distinguishes "The Associated Territories [which] are the former mandates of Togoland and the Cameroons, which the Charter of the United Nations has transformed into territories under trusteeship. In actual fact these territories are administered in the same way as the other overseas territories, 'according to French legislation and as an integral part of the French territory'" (261).

<sup>158</sup> Wight (1946, 48-49) discusses political institutions in the 1790s during temporary British occupation.

<sup>159</sup> Idowu 1968, 269.

<sup>160</sup> Idowu 1968, 265; Rogozinski 1999, 212.

<sup>161</sup> Idowu 1968, 268.

<sup>162</sup> Idowu 1968, 265.

<sup>163</sup> Rogozinski 1999, 212.

- *Senegal* (1879). “In agitating for participation in the colony’s affairs, the commercial classes wished to ensure that France treated Senegal in the same way as Guadeloupe, Martinique and Reunion, the oldest and, for a long time, most important of the French colonies.”<sup>164</sup> The commercial classes agitated for a legislature starting around 1869. France resisted because “Senegal was not sufficiently developed to have a *conseil general* . . . the Ministry argued that the number of Europeans in Senegal was too small, and that it would be undesirable if such an important assembly as a *conseil general* should come under the control of non-Europeans.”<sup>165</sup> However, continued pressure along with “new colonial liberalism that had developed in France after the fall of the Second Empire and the establishment of the Third Republic”<sup>166</sup> yielded a general council in 1879 elected by universal male suffrage among the four communes in Senegal to which the reforms applied.<sup>167,168</sup> The *conseil general* transformed into a *conseil colonial* in 1920 when it extended its jurisdiction beyond the four communes in Senegal.<sup>169</sup>
- *Haiti* (none). The aforementioned sources do not mention a local elected assembly for Haiti,<sup>170</sup> which is consistent with Haiti’s independence prior to the dates for the first legislatures in those colonies.

**Algeria** (1898). Algeria had a distinct legal status throughout its history as a French colony because of France’s desire to integrate Algeria with the French metropole, which included a unique distinction as composing *part of the metropole* when the French Union was created in 1946. One important component of Algerian colonization was the large influx of French settlers. French settlers in Algeria, *pieds-noirs*, “were a diverse group. They included social misfits, political rebels exiled to Algeria (after the Revolution of 1848), victims of economic distress (following the phylloxera blight of 1880), and refugees (resulting from the Franco-Prussian war) . . . From 1830 to 1870, the *pieds-noirs* opposed the military administration of Algeria—the ‘rule of the saber.’ After the disastrous Franco-Prussian war, they secured civilian or settler control through the *Delegations financieres*. Historically, *pieds-noirs* stridently opposed threats to their dominant position, such as the Cremieux Decree, the Clemenceau Reforms, the Jonnart Law, and the Blum-Violette legislation, which threatened their dominant position.”<sup>171</sup>

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<sup>164</sup> Idowu 1968, 265.

<sup>165</sup> Idowu 1968, 267.

<sup>166</sup> Idowu 1968, 271.

<sup>167</sup> Idowu 1968, 268, 274. This source also describes changes over time in Senegal’s right to send delegates to the French Parliament.

<sup>168</sup> Although parts of Senegal had earlier elected representation prior to 1879, they were short-lived and only covered individual towns. “The first important elective assemblies ever to be set up in Senegal in the nineteenth century were the *conseil general*, established in St Louis in 1840, and a similar assembly known as the *conseil d’arrondissement*, set up at the same time in Goree. Both councils were abolished by the French Revolution of 1848. Though they were never revived under the Second Empire, their memory lingered on among Senegal’s commercial classes and inspired future agitations for elective institutions” (Idowu 1968, 265).

<sup>169</sup> Hailey 1957, 340.

<sup>170</sup> Rogozinski 1999, 164-168 and Idowu 1968. Idowu 1968, 268 does mention Haitian representation in the French parliament: “The history of colonial representation in the French Parliament dates back to 1789, when some of the colonists of Santo Domingo [Haiti] living in Paris forced their way into the States General and successfully fought for the right to be represented.”

<sup>171</sup> Naylor 2006, 382-3.

Despite containing one of the largest European settler populations in Africa, Algeria followed a distinct representative trajectory than British colonies (the following bolded and italicized passages are for emphasis). “For long, the problem that attracted most attention in Algeria was that of administration . . . In a word, the conflict between assimilation and decentralization in Algeria was the touchstone, the determinant, of the entire colonial system of France in the [1880s and 1890s]. The issue was a simple one at basis. ***There was no question of self-government at all—no thought that the French colonies should follow the English in going from oligarchic to representative and then to responsible government. It was simply whether Algeria should be controlled from Paris and on exclusively French models, or by officials in Algiers and on lines suitable to peculiar local conditions.***” Between 1871 and 1896, even the Governor-General was relatively powerless as Parisian officials made all policy decisions. A decree in 1896 “marked the definite sanctioning of the principle that each colony was an entity, with local interests of its own, independently of those of France—a concept hitherto unknown in French colonization. ***It did not envisage anything in the nature of the English autonomy or self-government: it simply meant the development by French officials as before, but in the new direction of the colony’s own interests.*** It was the recognition, not of self-government, but of decentralization and development along local lines.” Some officials even proposed establishing a representative body with financial rights. “The political advance achieved, the struggle was transferred to the economic sphere, for the Algerian settlers, numbering 200,000 by 1899, were demanding not so much political rights, as some power of financial control. Until 1900, every detail of the Algerian financial system was decided in Paris, and there was no method by which the colonists could even express their views . . . Apart from their three senators and six deputies in the French Parliament, the Algerian settlers were really governed by a bureaucracy and had no rights.”<sup>172</sup>

Violence within Algeria complemented latent settler desire for reforms and shifting metropolitan opinions. In 1898 in Algiers and other towns, a series of anti-Semitic riots occurred “on so extensive a scale as to be almost incipient civil war [which] showed the need, or the absolute necessity, of giving the colonists other interests and other means of expression than racial antipathies. Some concession was inevitable, if civil order was to be maintained in the land.”<sup>173</sup> The new governor appointed in response to these riots “not only quieted the outbursts, but asked the government for the decrees of August 23, 1898, which gave Algeria a sort of constitution. The first decree amplified the powers of the governor-general. The second and more important created a new elective assembly called the Delegations Financieres Algeriennes.”<sup>174</sup>

The *Delegations financieres* “constitutes the central representative body of Algeria [as of 1943]. It was created by a decree of August 23, 1898, as amended, and consists of delegates of the French citizens and subjects in Algeria. A general prerequisite of the franchise is payment of taxes. There are three Delegations: one is elected by the *colons*, the French colonial farmers; the second by the other French citizens who pay personal taxes; the third by Moslem natives.” It can discuss the budget, loans, public works, and other financial and economic measures, but “[n]o political issues

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<sup>172</sup> Roberts 1963[1929], 182-185. Elected representation in the French Parliament originated in 1848 during the Second Republic, was abolished during the Second Empire, and restored with the Third Republic in 1870 (Liebesny 1943, 83).

<sup>173</sup> Roberts 1963[1929], 185.

<sup>174</sup> Priestley 1938, 137.

may be discussed; decisions taken in such instances are null and void.”<sup>175</sup> Providing additional details: The *Delegations Financieres* “consisted of a colony-wide assembly, divided into three sections, under the control of European settlers (*pied-noirs/colons*). The *Delegations* was a consultative body that principally directed budgetary affairs. It also served as an institutional check protecting colonialist interests and tempering overzealous (or reforming) governors-general. The *Delegations* membership included 24 elected Europeans representing agricultural interests, 24 serving urban interests, and 21 Muslims. The Muslims were either elected by a small electorate (composed of 5,000 voters) or appointed. Furthermore, their voice was muted regarding allocations. . . [T]he *Delegations financieres* exemplified settler political dominance in Algeria.”<sup>176</sup> The 1898 was followed shortly after by “the epoch-marking law of December 19, 1900, giving Algeria (and thus inferentially the other colonies, when they became worthy of it) a complete financial autonomy—a budget of her own and practically a complete control over the so-called ‘optional’ sections.”<sup>177</sup> Writing in the 1930s, “The trend of the action of the Delegations has been more and more toward political action . . . The colonists liked the development immensely, and yearn for further autonomy.”<sup>178</sup> Elections for the assemblies were suspended during Vichy occupation in World War II.<sup>179</sup>

Other earlier political institutions included a *Conseil Municipal* (Municipal Council),<sup>180</sup> the *Conseil Supérieur du Gouvernement* that “constitutes in some respects an upper house of the Algerian legislature,”<sup>181</sup> the *Conseil de Gouvernement* (*Government Council*),<sup>182</sup> and the *Conseil General* (General Council).<sup>183</sup>

***Middle Eastern Mandate territories.*** Following World War I, Britain and France divided up former Ottoman Middle Eastern territories and governed them as League of Nations Mandate territories.

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<sup>175</sup> Liebesny 1943, 80-1.

<sup>176</sup> Naylor 2006, 192.

<sup>177</sup> Roberts 1963[1929], 185-6.

<sup>178</sup> Priestley 1938, 139.

<sup>179</sup> Liebesny 1943, 82.

<sup>180</sup> This was a “local, municipal body in colonial Algeria. Muslims had appointed rather than elected representation and were kept in the minority to ensure *pied-noir* domination. From 1866 to 1874, Muslims accounted for a third of the members but then reduced to a quarter. The Clemenceau reforms restored the one-third representation” (Naylor 2006, 176).

<sup>181</sup> Liebesny 1943, 82. Providing additional details: The *Conseil Supérieur du Gouvernement* was an “Assembly during the colonial period. The *Conseil Supérieur* was originally established in late 1871 and reorganized by decree in 1898. There were 60 members in the assembly—31 elected by the *conseils généraux* and the *Conseil Supérieur*’s sister institution, the *Delegations financieres*, 22 administrators, and seven Muslims (four elected from the Muslim representation on the *Delegations*, and three appointees of the governor-general). The *Conseil*’s principal function was consultative” (Naylor 2006, 177). “The Superior Council is convoked in ordinary session once a year by the Governor General and meets after the session of the Financial Delegations. It has to give its advice on general administrative questions submitted to it by the Governor General. It may also make proposals on administrative matters. All political discussions are forbidden” (Liebesny 1943, 82).

<sup>182</sup> “This Council is an advisory body to the Governor General consisting exclusively of high officials. It was first formed in 1830 after the occupation of Algiers” (Liebesny 1943, 80).

<sup>183</sup> This was a “departmental administrative body in French Algeria. Muslim representatives were eventually appointed to the *conseils*, but had minority representation. The Clemenceau reforms raised the colonized Algerian membership from 18 to 29” (Naylor 2006, 176).

- *Lebanon* (1922). Although elections occurred in some form in Mount Lebanon and surrounding areas (which collectively comprise modern Lebanon) prior to French Mandate rule, the first legislative elections during the Mandate period occurred in 1922.<sup>184</sup> “From 1922 to 1929, elections were held in two stages: the secondary electors were elected by the primary ones by absolute majority. Direct elections based on absolute majority were first introduced in 1934. Universal male suffrage and secret ballot were granted in 1922.”<sup>185</sup>
- *Syria* (1928).
  - “Syria first experienced a constitutional regime when it was still part of the Ottoman Empire from 1876 to 1877 and 1908 to 1918. After World War I, Amir Faysal tried to set up an independent Arab kingdom in Syria, and he handed the Syrian Congress the task of drafting a constitution. A draft was produced, but the Congress’ consideration of it was interrupted by France’s invasion in July 1920. The abortive constitution provided for a monarchy and bicameral legislature. During the French Mandate era, elections to a constituent assembly were held in April 1928. The assembly convened in June and issued a draft constitution by August. This first Syrian constitution provided for a parliamentary republic, equality for members of all religions and religious freedom, and a Muslim president.”<sup>186</sup> The earlier elections held under Ottoman rule do not satisfy the definition of a territory-specific legislature because the legislature governed the entire empire.<sup>187</sup> Furthermore, modern Syria did not exist as a distinct territorial entity under Ottoman rule.<sup>188</sup> The legislature under Faysal’s rule does not qualify because it lasted only slightly over a year.<sup>189</sup>
  - The reforms under French Mandate rule occurred following France’s brutal repression to end the Druze rebellion, or Great Revolt, from 1925 to 1926. “The wave of horror which swept across France and the rest of the civilised world at the news of the bombardment of Damascus led to the prompt recall of the High Commissioner, the late General Sarrail, and to the appointment of one of the most outstanding French politicians, M. de Jouvenel . . . he attended a meeting of the Permanent Mandates Commission, which was examining the Mandatory Power’s report on Syria, and there, in answer to questions, he stated that the aim of French policy in Syria was to conclude a treaty with the Syrian nation which should replace the Mandate, thus following the example set by Great Britain in her dealings with Iraq: an important declaration, as it was the first time in the history of the French Syria that the intention of negotiating a treaty to terminate the Mandate had been openly and authoritatively stated . . . In April 1928, eighteen months after [the arrival of a new High Commissioner], he announced that he was going to hold elections for a constituent assembly, whose main function would be to draw up the organic law. Elections were held in April 1928 and resulted in a sweeping majority for the Nationalist party. The elections were free elections, so far as that is possible under a mandatory regime.”<sup>190</sup>

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<sup>184</sup> Scheffler 2001, 173.

<sup>185</sup> Scheffler 2001, 174.

<sup>186</sup> Commins 1996, 72.

<sup>187</sup> Kayali 1995.

<sup>188</sup> Antonius 1934, 523-8.

<sup>189</sup> Khadduri 1951, 138-9; Commins 1996, 205.

<sup>190</sup> Antonius 1934, 528-9.

*Associated states.* France's Southeast Asian colonies joined the French Union in 1946 as Associated States, and Morocco and Tunisia are classified similarly despite declining to join the French Union.<sup>191</sup> The most important distinction that these colonies held was that France ruled through an indigenous king.<sup>192</sup>

- *Vietnam* (1880).
  - “The most important step in establishing civilian rule was the creation in February 1880 of the Colonial Council of Cochinchina to which were transferred most of the budgetary powers formerly held by the governor. The latter retained only the right to determine and to levy customs and excise, on the grounds that these affected the conduct of diplomatic relations within and without Indochina. But it was still the Colonial Council which determined the amount of taxes to be levied, how they were to be levied, and how they would be spent. Even after Doumer slashed the local budget of Cochinchina by three-fourths, this budgetary power made of the Colonial Council a formidable institution, for Cochinchina provided nearly half of the total budget for the Indochinese Union. The Colonial Council consisted originally of six Frenchmen, six Vietnamese and two civilian members of the Conseil Prive. After the creation of the Saigon Chamber of Commerce and of the Cochinchinese Chamber of Agriculture in 1896 and 1897, one delegate from each of these two bodies was added; both were chosen by the governor. In 1910, two additional French delegates from the two Chambers joined the Colonial Council. Thus, of a total of eighteen seats on the Council, only six were occupied by Vietnamese. The rules governing the selection of French and Vietnamese Colonial Councillors differed widely. The French Councillors were voted into office by universal suffrage of the French electorate. Their Vietnamese counterparts were selected through a two-step process which consisted of a college of electors made up of delegates chosen by the notables of all the villages of Cochinchina. Since village notables were not elected officials, they could hardly be considered representative; nor did they form a large pool of electors or candidates . . . If native representation was limited and ineffective in Cochinchina, the situation was much worse in Tonkin and Annam where the colonial authorities could conveniently hide behind the fiction of native suzerainty . . . In 1914, there were 3000 registered French voters in Cochinchina, three-fourths of whom were employed in the colonial administration.”<sup>193</sup>
  - Vietnam's contributions in World War I and post-war reforms in Algeria increased pressure for at least limited political representation for non-European Vietnamese.<sup>194</sup> Electoral reforms enacted in 1922 granted increased representation: “This decree raised the size of the native electorate from 1,800 to 20,000; although a considerable improvement, it fell far short of massive enfranchisement for the colony's 3 million inhabitants. The Vietnamese were also given more seats on the Council. There were to be 10 instead of 6 native representatives (however, the number of French members was also increased from 12 to 14, thus keeping the majority in French hands). Some of the Vietnamese representatives, were, as

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<sup>191</sup> Savary 1952, 261.

<sup>192</sup> Savary 1952, 258.

<sup>193</sup> Tai 1984, 374-5, 382.

<sup>194</sup> Tai 1984, 385.

before, selected by the authorities, and could be relied on to vote with the colons rather than with their compatriots. The new rules, however, were enough to effect drastic changes in the composition of the Colonial Council and other representative bodies.”<sup>195</sup>

- *Tunisia* (1922). Under Ottoman rule, the Grand Council was a “[l]egislative body instituted in accordance with provision of the Constitution of 1861 (q.v.). The bey’s ministers were responsible to the Grand Council, whose 60 members, a third of them government officials, the monarch himself appointed. With the abrogation of the constitution in 1864, the council ceased to exist. Following World War I, France made several minor concessions in the hope of mollifying nationalist sentiment without seriously weakening its position in the protectorate. One such concession was the creation of a second Grand Council, this one with separate European and Tunisian chambers. The former had 56 members, more than half of whom were elected by the colons themselves; the latter had only 40 members, none of whom were directly elected. Although the makeup of the council, with its disproportionate representation of the colons, angered many Tunisians, restrictions on its legislative capacity rendered it impotent in any case. Nevertheless, the Tunisian section was suspended in 1934, ending any pretense of shared rule until after World War II.”<sup>196</sup> The first year of the second Grand Council was 1922.<sup>197</sup> The first elections for the Tunisian-elected Constituent Assembly occurred in 1956.<sup>198</sup>
- *Cambodia and Laos* (1947). Following reconsolidation of French colonial control in Cambodia following Japan’s invasion during World War II, “the colonial authorities were forced to concede a far larger degree of self-government. In 1946 an elected Constitutional Assembly prepared a democratic constitution providing for a constitutional monarchy with a bicameral Parliament. The Constitution was approved on 16 May 1947,” when the first election occurred.<sup>199</sup> “Male suffrage has been universal, and the principles of direct, equal, and secret elections have been applied immediately with the introduction of national elections in 1946.”<sup>200</sup> Laos experienced reforms along this same timeline.<sup>201</sup>
- *Morocco* (none). The first direct parliamentary elections occurred in 1963, after independence. “Since 1956 King Mohamed V had installed indirectly elected Advisory Councils by law of Dahir 1-56-162, which did not cement an electoral system. Municipal elections in May 1960 were the first elections subject to universal and direct suffrage. Plurality rule in single-member constituencies was applied, an electoral formula which remains unaltered until today. The minimum age for voters was then 21 years; it was reduced to 20 years of age with the reform of electoral laws in 1993. The Constitution of 14 December 1962 provided for a bicameral system with a Chambre de Représentants of 144 seats directly elected for a four-year term. A Chambre des Conseillers of 120 seats was indirectly elected for a six-year term by an electorate consisting of officials at local, province and prefectorial level (for 80 seats) and of corporate organizations (for 40 seats).”<sup>202</sup>

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<sup>195</sup> Tai 1984, 388.

<sup>196</sup> Perkins 1997, 72.

<sup>197</sup> Gallagher 1962, 22.

<sup>198</sup> This is surmised from the discussions in Angrist 1999, 751 and Middle East Institute 1959, 443.

<sup>199</sup> Hartmann 2001b, 53.

<sup>200</sup> Hartmann 2001b, 57.

<sup>201</sup> Hartmann 2001d, 130.

<sup>202</sup> Pereira and Fernandez 1999, 626-7.

**Other French overseas territories.** France categorized its other colonies in 1946 as overseas territories. Although associated reforms created territorial assemblies in each colony, some colonies had experienced prior electoral reforms.

- *Benin, Cote d'Ivoire, Guinea, Mali (1925), Central African Republic, Chad, Congo, Gabon (1937)*
  - Providing background on their governance, “The assumption that local autonomies are not only natural but indeed inevitable has been the constant if not often unconscious postulate of British Colonial policy. This assumption, however, finds no true parallel in French philosophy, and it is accordingly not surprising that the devolution of legislative authority to local Legislatures has been little exemplified in French practice. [footnote: The nearest approach to legislative power in a local Assembly is the right of the Algerian Assembly to apply to Algeria, with or without modification, such French metropolitan legislation as does not apply *proprio motu.*]”<sup>203</sup>
  - Prior to World War II, “[i]n each of the component Territories of French West Africa, except Senegal, the Lieutenant-Governor was assisted by a *Conseil d'Administration*, which he was required to consult regarding the territorial budget and similar administrative matters. In Dahomey, Ivory Coast, French Sudan, and French Guinea, these bodies contained three official members, two French citizens elected by the Chambers of Agriculture and Commerce respectively, and three non-citizens elected by non-citizens . . . This experiment in the creation of an African electorate afterwards formed the basis of the Electoral Law of 1946. The *Conseil d'Administration* in Equatorial Africa had a somewhat similar composition, but the *Conseils* in Niger and Mauretania included, besides official members, only unofficial members nominated by the Lieutenant-Governor. Bodies similar to that in French Equatorial Africa existed in the French Cameroons and Togo.”<sup>204</sup>
  - Regarding specific years coded, “a very limited franchise was introduced in 1925 in Dahomey, Ivory Coast, Guinea, and Mali; and in 1936 in the four colonies of French Equatorial Africa [Central African Republic, Chad, Congo, Gabon].”<sup>205</sup> “In 1936, French Equatorial Africa (FEA)’s governor, Francois Joseph Reste, introduced restricted African participation into FEA’s political institutions by calling elected native representatives to seats at the FEA’s *Conseil d’administration* in Brazzaville, which actually operated as a government council for the entire colony. On 25 October 1936, Reste appointed Sultan Hetman as the Ubangi-Shari acting representative to the council until an election could be held. Reste then ordered the organization and drawing up of a male (aged at least 25) electorate list for each FEA territory, although this first census was restricted to some chiefs, former servicemen, officials, traders (only those affiliated with the *Chambre de commerce*), taxpayers, and those awarded the Legion of Honor or a military medal. With these provisions, the joint Ubangi-Shari-Chad electorate list comprised only

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<sup>203</sup> Hailey 1957, 328-9.

<sup>204</sup> Hailey 1957, 341.

<sup>205</sup> Collier 1982, 35. The French West African countries dated in 1925 correspond with the first year in V-Dem with a strictly positive franchise size. The French Equatorial African countries dated in 1936 depart from the V-Dem year of 1946 for each.

1,723 registered voters. On 3 October 1937, Ubangians and Chadians voted for the first time to elect a representative to the Conseil d'administration, and Sultan Ourada from Wadai was elected over Sultan Hetman. On 21 August 1938, Ubangians voted for the first time separate from Chad voters to elect a representative to the Conseil d'administration.<sup>206</sup> Therefore, I use the year 1925 for the four French West African colonies mentioned, 1937 for each French Equatorial African colonies.

- *Cameroon* (1946), *Djibouti* (1946), *French Polynesia* (1946), *Madagascar* (1946), *Mauritania* (1946), *Niger* (1946), *Togo* (1946), *Comoros* (1947), *Burkina Faso* (1948), *Vanuatu* (1957).
  - “Since the Second World War some not inconsiderable developments have taken place in French territories in the direction of greater political as opposed to merely administrative autonomy, but the theory remains that all legislation formally emanates from France.”<sup>207</sup> The conference held at Brazzaville in 1944 declared itself in favour of the creation in all the African Territories of local Assemblies composed partly of Europeans and partly of Africans, elected so far as possible but, where election was difficult, representative of the traditional African elite. The Constitution of 1946 provided for the creation in each Territory of elected Assemblies,<sup>208</sup> which contained elected officials.<sup>209</sup>
  - “The circumstances of the war and the essential part played by the overseas countries in the resistance movement, led Free France to revise its traditional colonial policy. This change was inspired on one hand by the exigencies of international agreements (Atlantic Charter, August 14, 1941; Charter of the United Nations, June 26, 1945), and on the other hand, by the necessity of responding to the aspirations of the colonial peoples on whom the resistance movement had depended.”<sup>210</sup> However, despite these reforms, the powers of these new territorial assemblies was still circumscribed relative to legislatures in British colonies.<sup>211</sup>
  - The following excerpts substantiate coding all additional French territories (with two exceptions) as having their first elections in 1946.<sup>212</sup> “Only after 1946, and the constitution of Fourth Republic, did France establish local assemblies throughout the empire. In most colonies, however, Europeans and indigenes constituted separate electoral colleges. Representatives of the Europeans were far more numerous than warranted by their proportion in total populations and, in any case, the assemblies’ powers were strictly limited in a political system which eschewed

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<sup>206</sup> Bradshaw and Fandos-Rius 2016, 247. Unfortunately, of the *Historical Dictionaries* on the eight colonies mentioned in this paragraph, only the cited one (for the Central African Republic) has details about elections under for the *Conseil d'Administration*. None of the others have informative entries for “elections;” “conseil d'administration;” or the governor mentioned in this paragraph, Francois Joseph Reste; nor did searching each dictionary for either “elect” or “election” yield any information. Nor do other sources on the French empire discuss the *Conseil d'Administration*: Aldrich (1996), Aldrich and Connell (1992), Thompson and Adloff (1960, 37-42).

<sup>207</sup> Hailey 1957, 328-9.

<sup>208</sup> Hailey 1957, 341.

<sup>209</sup> Hailey 1957, 331-3.

<sup>210</sup> Savary 1952, 259.

<sup>211</sup> Hailey 1957, 342-4.

<sup>212</sup> For discussions of elections for individual General Councils in 1946 see, for example, Idrissa and Decalo (2012, 138) for Niger and Pazzanita (2008, 131-132) for Mauritania.

colonial self-government.”<sup>213</sup> “Since 1946, however, the DOM-TOMs have elected *deputés* and senators to the French parliament, as well as representative to their own local assemblies, and elections have been carried out with the same universal franchise as that of the metropole [fn.: Melanesians did not, however, gain the vote until the late 1950s].”<sup>214</sup>

- The only exceptions are:
  - Comoros was separated from Madagascar in 1947.
  - Burkina Faso was separated from Cote d’Ivoire in 1948.
  - Vanuatu (New Hebrides) was jointly governed by Britain and France.<sup>215</sup> The first elections for any colony-wide body occurred in 1957, whereas the first legislative elections occurred in 1975. “Franchise was introduced under Condominium administration with the establishment of a partly elected consultative Council in 1957. Out of twenty members, ten were *ni-Vanuatu*, four of them elected, and six appointed by French and British authorities. Regular elections with general suffrage were introduced in 1975 to elect the first legislative body of New Hebrides, the Representative Assembly, which was conferred the power to recommend regulations to the Resident Commissioners. Out of 42 seats in the Representative Assembly, 29 were distributed through popular elections . . . Every man or woman 21 years or older, who had resided in New Hebrides for at least three years preceding the poll and were registered as voters, had the right to vote.”<sup>216</sup> Movement to the Representative Assembly responded to “continuous and growing demands for autonomy.”<sup>217</sup>
- Another important set of reforms, which generated universal suffrage but do not affect the present coding of onset of elected representation, occurred in 1956. In 1956, the French parliament passed the *loi cadre*. Writing at the time of the reforms: “it will create Territorial Assemblies which will have much the same powers in internal affairs as the Legislatures in the British Colonies. It also provides that the chief organs of policy, the Executive Councils, will be responsible to the Assemblies. The Assemblies will be elected by universal suffrage on a single ‘electoral college.’ It has been claimed in France, and with some justice, that the enactment of this law may initiate a new phase in French Colonial policy.”<sup>218</sup>

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<sup>213</sup> Aldrich 1996, 215.

<sup>214</sup> Aldrich and Connell 1992, 282.

<sup>215</sup> Aldrich and Connell 1992, 69-71 explicitly discuss the evolution of election in New Hebrides as distinct from other French colonies.

<sup>216</sup> Stover 2001, 836.

<sup>217</sup> Stover 2001, 833-4.

<sup>218</sup> Hailey 1957, 343-4.

## 20<sup>th</sup> Century Portuguese Empire

Portuguese colonial rule was highly centralized. A series of colonial acts in the 20<sup>th</sup> century, starting in 1930 under Prime Minister Salazar, provided the “fundamental law” of the Portuguese Empire.<sup>219</sup> Reforms in the 1950s yielded elected Legislative Councils in *Angola* and *Mozambique* starting in 1956, the two major Portuguese colonies with the largest overall populations and largest European populations. “Effect was given in the autumn of 1955 to the new Organic Law of the Overseas Provinces which provided for the constitution of Legislative Councils in Angola and Mozambique. Guinea and Sao Tome will not for the present have Legislative Councils. In Angola the Council will have 18 elected and eight nominated members, while the figures for Mozambique are 16 and eight . . . The elected members [in Angola] are: one each from Portuguese citizens, trade corporations, and workmens’ corporations; two each from (1) moral and cultural organizations, (2) public administration; and eleven by direct vote from the electoral districts of Angola. The same applies to Mozambique, except that there are only nine electoral districts sending one member each. The functions of the Legislative Councils are confined to the expression of opinion on legislative decrees and on such subjects as the Minister and the Governor-General may submit to them. Measures which will increase expenditures are expressly excluded.”<sup>220</sup> Providing additional detail: “A legislative council was established in 1956 to assist the governor but not to approve laws—a function reserved to the governor and the Colonial Ministry. The council was made up of 29 members, 18 chosen by corporate interests (including *regulos*) and selected individuals who paid taxes in the amount of at least 15,000 *escudos*, and nine chosen from registered voters in each district. A permanent economic and social council also assisted the governor-general in financial, economic, and social matters.”<sup>221</sup>

Further reforms occurred in the early 1970s following the transition from Salazar to Prime Minister Caetano, who aimed to implement decentralization and gradual liberalization reforms.<sup>222</sup> A 1973 law created elected Legislative Assemblies in each colony, which in Angola and Mozambique replaced the earlier Legislative Councils. “[T]he Legislative Assemblies had more and more powers than the previous Legislative Councils, in the sense that they could make domestic laws for each territory, approve its budget and levy taxes.”<sup>223</sup> “Under the Organic Law, the legislative assemblies of Angola and Mozambique would have 53 and 50 members respectively; that of the *Cape Verde* Islands 21; those of *Guinea[-Bissau]* and the *Sao Tome and Principe* Islands 17 and 16 representatives respectively; that of *[East] Timor* 20 members; and that of *Macao* 13 members, one of whom would be specially entrusted with the interests of the Chinese community and would be appointed by the Governor. In the elections in most of the overseas territories, less than half the members of each legislative assembly were elected by direct suffrage—e.g. five out of 17 in Guinea and 20 out of 50 in Mozambique, but 32 out of 58 in Angola—the remainder being elected by ‘interest groups,’ such as the public services, moral and religious groups and corporative bodies. Elections to the consultative councils took place by the method of direct suffrage within economic and social groups. Candidates, of whatever colour or race, had to be

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<sup>219</sup> Pimenta 2016, 19.

<sup>220</sup> Hailey 1957, 355.

<sup>221</sup> Azevedo et al. 2003, 3.

<sup>222</sup> Pimenta (2016, 12-17) provides background information on broader conditions within Portugal and within the colonies concurrent with the planned colonial reforms.

<sup>223</sup> Pimenta 2016, 20.

been Portuguese citizens, be able to read and write Portuguese, and have resided for more than three years in the territory in question. [As party politics are excluded by the Portuguese Constitution, the great majority of candidates were those put forward by the National Popular Action movement (the government party), although civic associations were also permitted to run candidates]. The franchise qualifications were basically an ability to read and write Portuguese, with automatic registration for civil servants (who were not, however, permitted to stand for election).”<sup>224</sup> “The voting requirements were restricted theoretically to those who could read and write, which excluded the majority of the population. In Angola, the electoral body had grown from 183,883 voters in 1969 to 627,942 in 1973, i.e. an increase of 300%. White voters accounted for about a third of the electorate, while the remaining two-thirds were made up of mestizos and blacks. This African majority reveals the strengthening of non-white middle classes in the mid-century years of Portuguese colonial rule.”<sup>225</sup>

The first elections in each territory occurred in March of 1973.<sup>226</sup> “As a result of the elections the racial composition of the new legislative assembly in Angola was 29 Whites and 24 Blacks, while in Mozambique the new 50-member legislative assembly included 18 members “of African origin”, three Coloureds, one Chinese, one Goan and three Indians.”<sup>227</sup>

## Belgian Empire

**Rwanda, Burundi** (1953), **Democratic Republic of Congo** (1960). “In 1952, for the first time, the decision was made to introduce a glimmer of democracy in the sphere of native administration [in Rwanda and Burundi]. On July 14, 1952, a decree was issued providing for the establishment of representative organs at each level of the administrative pyramid,” including for a *conseils superieurs du pays* for a colony-wide council.<sup>228</sup> The first elections occurred in 1953.<sup>229</sup> However, “the powers devolved upon the councils remained strictly advisory,”<sup>230</sup> and “electoral choice was limited to ‘suitable candidates’ nominated by chiefs and subchiefs.”<sup>231</sup> Therefore, although universal male suffrage was introduced in 1956, Tutsis dominated the assembly in both countries despite being a small minority in each.<sup>232</sup> A Belgian declaration in 1959 committed to political reforms including “legislative powers were to be gradually devolved upon the Conseils de Pays,”<sup>233</sup> yielding legislative elections in 1961 in each colony (amid mass violence in Rwanda).<sup>234</sup>

Reform in the Belgian Congo lagged behind: “in the mid-’fifties the more politically conscious of the Congolese *evolues* readily cited the example of Ruanda-Urundi as a justification of their claims

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<sup>224</sup> Keesing 1973, 25948.

<sup>225</sup> Pimenta 2016, 21.

<sup>226</sup> Keesing 1973, 25948.

<sup>227</sup> Keesing 1973, 25948.

<sup>228</sup> Lemarchand 1970, 81.

<sup>229</sup> Lemarchand 1970, 82.

<sup>230</sup> Lemarchand 1970, 81.

<sup>231</sup> Mamdani 2001, 115.

<sup>232</sup> Lemarchand 1970, 82.

<sup>233</sup> Lemarchand 1970, 84.

<sup>234</sup> Lemarchand 1970, 84.

for constitutional advance.”<sup>235</sup> The first elections in the Belgian Congo occurred in 1957 with a large franchise,<sup>236</sup> although these elections were not colony-wide: “the only significant reform of 1957 was the introduction of a timid measure of local government in the rural areas and of a slightly bolder version of this plan in the three major cities of Leopoldville, Elisabethville, and Jadotville.”<sup>237</sup> Amid Belgian discussions of further electoral reform, violence in the capital of Leopoldville in 1959 quickened the pace of reforms. “The administration was shocked to find how helpless it was before a mass movement of this nature . . . Few of the Europeans living in the interior” preferred a military solution,<sup>238</sup> and Belgium granted legislative elections in May 1960 before independence in June 1960. “The first elections to the National Assembly subject to universal suffrage in May 1960 were held on the basis of the *Loi Fondamentale*, which was passed by the Belgian Parliament on 19 May 1960. Only male Congolese aged at least 21 years, and citizens of Ruanda-Urundi living more than six years in the country had the right to vote. Belgians living in Congo, who had participated in the first local elections in 1957 and 1959 were excluded from suffrage.”<sup>239</sup>

## Dutch Empire

**Suriname** (1866). “The first constitutional change after slavery [which the Netherlands abolished in 1863] was the *regeringsreglement* (administrative regulation) of 1865 which came into force in the following year. The new charter established a Colonial States (*Koloniale Staten*) of thirteen members, nine elected and four appointed by the governor. The franchise was limited to male property-tax payers. The States had limited powers because the government of Surinam required regular subventions from the Netherlands. The increase in formal autonomy after 1866 was offset by the control exercised by the Dutch government over the colony’s purse strings. The charter was revised in 1901, reducing the political rights granted in 1865, and strengthening the power of the Governor. In compensation the States became a wholly elected body. This was followed in 1905 by a reform of considerable significance: candidates for the States had to be nominated before elections; this increased interest in elections.”<sup>240</sup>

**Indonesia** (1917). The Netherlands created a *Volksraad* in 1916 that contained 18 (out of 39) members to be elected by indirect suffrage. This was “a purely consultative and advisory body.”<sup>241</sup> “With the exception of the provisional fixing of the budget, the Volksraad [NB: this translates to “Assembly” in English according to Google translator] was given only mandatory powers. The Governor-General was left free to consult the Volksraad on any subject he might desire, while the Crown was given the power to prescribe consultation with respect to any measure it should deem desirable. For the rest, the Volksraad could express opinions, question and petition the Netherlands Government, and conduct enquiries (without, however, having the power of compelling

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<sup>235</sup> Lemarchand 1970, 85.

<sup>236</sup> Bustin 1963, 47.

<sup>237</sup> Bustin 1963, 51.

<sup>238</sup> Young 1965, 161.

<sup>239</sup> Schmidt and Stroux 1999, 284.

<sup>240</sup> Ledgister 1998, 138-9.

<sup>241</sup> Nieuwenhuysen 1961, 53.

witnesses).” The author concludes: “such a small body of electors in what was in any case not a legislative organ, can scarcely be described as a start on the road of political education or the path of granting self-government to a people who, since the beginning of the century at least, had been enlivened by an increasingly virulent nationalism which demanded self-determination.”<sup>242</sup> The first elections occurred in 1917.<sup>243</sup> As of 1939, Indonesians were still asking for a “Parliament, instead of a *Volksraad*, in which each political group would have representatives.”<sup>244</sup>

*Netherlands Antilles* (1936). “Not until 1936 were Suriname and the Netherlands Antilles given new statutory regulations in which the measure of internal autonomy was generally broadened (again eleven years after this had happened in the East Indies in 1925). For the first time in history, a largely elected local Council was founded in the Antilles, the ‘Staten of Curaçao’; in reality, no more than approximately five per cent of the local population became enfranchised . . . Moreover, under the 1936 regulations, the Governor was in no way answerable to the local Councils; his powers to override this body in special cases had in fact been widened.”<sup>245</sup>

## U.S. Empire

*Philippines* (1907). The history of the Philippine legislative system began with the unicameral *Malolos* Congress, during the short-lived Philippine Republic of 1898-1899, soon replaced by American rule. An appointed all-American Philippine Commission was established in 1901, evolving into a predominantly elected Filipino-controlled legislature, and finally extended to a bicameral system by the Jones Act of 1916.<sup>246</sup> “The first widespread electoral exercise to national institutions took place under American tutelage in 1907. On instructions of US President Wilson under the Philippine Commission passed an electoral law (Act No. 1582).”<sup>247</sup>

*U.S. Virgin Islands* (1936). Prior to 1936, the governor held “all military, civil, and judicial power” in the U.S. Virgin Islands, although there do appear to be limited elections held before this date.<sup>248</sup> Providing background information: “In 1917 the United States purchased the three islands for \$25 million and the Virgin Islands became an unincorporated territory of the United States. The treaty of cession promised U.S. citizenship to the inhabitants, except for those who chose to retain Danish citizenship. An act in 1927 granted U.S. citizenship to most of the Virgin Islanders, and another in 1932 provided that all natives of the Virgin Islands who on the date of the act were residing in the continental United States or any of its insular possessions or territories were U.S. citizens. The transition was accomplished smoothly by retaining the organization of the Danish government and its legal code. All military, civil, and judicial power was invested in a governor appointed by the president of the United States. Administration was the responsibility of the U.S.

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<sup>242</sup> Nieuwenhuysen 1961, 52.

<sup>243</sup> Schmutzer 1977, 52.

<sup>244</sup> Nieuwenhuysen 1961, 56.

<sup>245</sup> Oostindie and Klinkers 2003, 61.

<sup>246</sup> Hartmann et al. 2001, 185.

<sup>247</sup> Hartmann et al. 2001, 188.

<sup>248</sup> *Encyclopaedia Britannica* entry for Virgin Islands.

Navy Department from 1917 until 1931, when jurisdiction was transferred to the Department of the Interior. The Organic Act of 1936, enacted by the U.S. Congress for the establishment of congressional government, provided for two municipal councils, one for St. Thomas and St. John, the other for St. Croix, and a council for the whole territory.”<sup>249</sup>

Providing more information on the 1936 reforms: “Since the enactment of the Organic Act of the Virgin Islands in 1936, the people of the islands have been progressing rapidly towards political maturity. Before the passage of the Organic Act the people were stifled from expressing their opinions on public affairs and in selecting their legislative representatives due to income and property qualifications for voting. Before the passage of the Organic Act too, the municipal councils of the Virgin Islands were composed partly of elected members and partly of members appointed by the Government. The chief contribution of the Organic Act to political progress in the islands has been through the establishment of universal suffrage and the creation of wholly elected legislatures. Since 1938 the islanders are eligible to vote on being able to read and write the English language. Virgin Islanders are citizens of the United States. They have a Bill of Rights which includes the basic provisions of the Bill of Rights of the United States Constitution. They have legislatures which are vested with broad legislative powers. They do not yet elect their own governor, nor do they have the privilege of voting for the President and Vice President of the United States. In 1936 there were only 1,489 voters in the Virgin Islands. With the first general election held under the liberal provisions of the Organic Act in 1938 the number of voters was considerably increased. In 1948 there were 5,509 registered voters in the islands, and every election year the number is increasing.”<sup>250</sup>

Later developments include: “A Revised Organic Act adopted in 1954 created a central government and abolished the independent municipal councils, authorized distinct executive, legislative, and judicial branches, and provided for a substantial degree of self-government. In 1968 an act was approved, which took effect in 1970, legalizing the popular election of the islands’ governor and lieutenant governor for four-year terms.”<sup>251</sup>

**Guam** (1968). “A 1968 amendment to the Organic Act provides for the popular election of a governor and lieutenant governor to four-year terms. All persons age 18 years or older are permitted to vote. The legislature is a unicameral body with 15 senators directly elected at large for a term of two years. Guam also elects a delegate to the U.S. House of Representatives for a term of two years; that delegate has limited voting rights that exclude the ability to vote on the final passage of legislation.”<sup>252</sup>

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<sup>249</sup> *Encyclopaedia Britannica* entry for Virgin Islands.

<sup>250</sup> de Castro 1950, 205.

<sup>251</sup> *Encyclopaedia Britannica* entry for Virgin Islands.

<sup>252</sup> *Encyclopaedia Britannica* entry for Guam.

## Italian Empire

**Eritrea** (1952). The Eritrean Assembly was “[t]he legislative body of the autonomous Eritrean government under the Ethio-Eritrean Federation. The Assembly came into existence under United Nations (UN) supervision through a series of elections in March 1952, which chose representatives for a constitutional assembly. Only the cities of Asmara and Massawa had direct, secret elections, whereas the rural areas chose their representatives through electoral colleges of local notables. The elections were held under a British Administrative Electoral Proclamation (121), which remained the basis for electing the Assembly throughout its existence, as the Ethiopians blocked ratification of the organic Electoral Law envisioned by the UN.”<sup>253</sup>

**Somalia** (1956). Italian Somaliland became a United Nations trusteeship after World War II, under continued Italian control. “[I]n 1956 the country inaugurated its first native self-governing authority, the *Governo della Somalo* (Somali Government), with an elected parliament or *Assemblea Legislativa*.”<sup>254</sup> “The legislature has its origins in the elections of 1956 and was composed of 60 elected Somali *deputati* (deputies) and 10 nominated representatives of the foreign residents of Italian, Arab, Indian, and Pakistani extraction.”<sup>255</sup> In 1960, Italian Somaliland combined with British Somaliland to gain independence as Somalia. British Somaliland did not previously experience elections: “in the spring of 1960, the Protectorate went to the polls in Somaliland’s first contested election.”<sup>256</sup>

**Libya** (none). No colony-wide elections occurred during colonial rule. “It was only after World War I that self-rule was introduced in any degree. In June 1919 the Italian Government enacted an Organic Law in Tripolitania whereby an Italian wali was appointed to administer the civil and military affairs of the territory, assisted by an elected local council. A similar law was enacted in Cyrenaica in October of the same year. But with the advent of Fascism in 1922 and the accompanying rise of a spirit of colonialism, the Italian attempt to introduce parliamentary life into Libya collapsed. Military dictatorship prevailed for a quarter of a century.”<sup>257</sup> Britain and France occupied Libya in 1943, after which the United Nations dictated the pace of reforms. A National Assembly convened in the first time in 1950, by contained only nominated members.<sup>258</sup> Part of the independence agreement entailed creating an elected Parliament, but the first elections occurred in 1952, after independence in 1951.<sup>259</sup>

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<sup>253</sup> Connell and Killion, 104. Also see pgs. 298-9.

<sup>254</sup> Mukhtar 2003, 125.

<sup>255</sup> Mukhtar 2003, 42.

<sup>256</sup> Millman 2014, 278.

<sup>257</sup> Khalidi 1952, 221.

<sup>258</sup> Khalidi 1952, 223.

<sup>259</sup> Khalidi 1952, 227.

## Other colonies

*Equatorial Guinea* (1968). Spanish colony. The first elections to the National Assembly occurred in September 1968, one month before independence.<sup>260</sup>

*Namibia* (1926). South African colony. A former German colony governed by martial law,<sup>261</sup> South-West Africa became a League of Nations Mandate territory under South African control starting in 1920. Proclamation No. 1 of 1921 created an Advisory Council with only nominated members. “The main recommendation of the Commission appointed to inquire into the future form of government in South-West Africa was that the existing form of government outlined in the interim report and adopted by Proclamation I of 1921 should be succeeded without any intermediate phase by the form of government prevailing in the four provinces of the Union . . . thought it desirable that it should not do so until the population included at least 10,000 adult male British subjects of European descent. The recommendation of the Commission and a growing demand among the white population of the mandated territory for a greater measure of self-government have been met by the South-west African Constitution Act 2 of 1925, which has been made possible by the acceptance of British nationality by 3,220 of the 3,474 German nationals domiciled in the territory.”<sup>262</sup> This new constitution created a legislative assembly that “consisted of twelve elected and six nominated members. All adults of European origin who were British subjects had a vote for the election of the twelve members.”<sup>263</sup> The first election for the legislature occurred in 1926.<sup>264</sup>

*Nauru* (1951). Australian colony. “Nauru has an unusual colonial history, being first annexed by Germany in 1888, before being captured by Australian forces during the First World War in 1914. A League of Nations mandate granted in 1920 named Australia, New Zealand, and the United Kingdom as co-trustees. In 1947, following its attack by Japanese forces in the Second World War, the island was placed under United Nations Trusteeship, with Australia as the administering power (on behalf of the other co-trustees).”<sup>265</sup>

Although there are mentions of elections before 1951, this is the first year with concrete evidence of elections for a territory-wide body. Earlier, but after World War II: “World views on government may have changed but the Nauruan Council of Chiefs continued to function as it had in 1928. The chiefs were elected and held life tenure of office unless removed by the council. The council could only advise the Administrator on Nauruan matters; and the Administrator was not obliged to take its advice. The Nauruans, with their new desire for advancement, were very

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<sup>260</sup> Fleischhacker 1999, 353, 356.

<sup>261</sup> Lazar 1972, 15.

<sup>262</sup> Emmett 1927, 121.

<sup>263</sup> Hailey 1957, 269. Also see Lazar 1972, 16-17.

<sup>264</sup> African Elections Database 2011a.

<sup>265</sup> Reilly and Gratschew 2001, 697.

dissatisfied with their lack of political power and in an unusually sophisticated way embroiled the Trusteeship Council in their dissatisfaction.”<sup>266</sup>

“The first of the regular triennial United Nations Visiting Missions to inspect Nauru arrived in late April 1950 for a ten-day visit. It recommended to the Trusteeship Council that the Council of Chiefs should be given increased responsibility, especially in legislation and in power to vote appropriations from the budget and the Nauru Royalty Trust Fund but not to deal with legislation affecting the Chinese and European communities on the island. A Trusteeship Council recommendation to this effect was accepted in part by the Administering Authority, and as a result on 20 August 1951 the Nauru Local Government Council Ordinance was enacted which gave local government powers to a new Local Government Council.”<sup>267</sup>

“The Nauru Local Government Council Ordinance failed to provide Nauruans with any real political power, for its omissions were more notable than its provisions . . . The forcing of this ordinance on the Administering Authority by the Nauruan and Trusteeship Council pressure was a hollow victory, for the Administrator still controlled the new council completely, but the Nauruans felt that at least it was a step in the right direction and the electoral provisions were an improvement on those for the now abolished Council of Chiefs. A comparison of the political situation in the New Zealand Trust Territory of Western Samoa at this time illuminated the differences between the New Zealand Labour Government’s and the Australian Liberal Government’s attitudes to preparing their respective territories for ultimate independence. In 1948, the Western Samoan Legislative Council had been replaced by a Council of State and a Legislative Assembly with a majority of unofficial members and the Administrator had been replaced by a High Commissioner. This allowed the Samoan people to have virtual self-government, while the Australian Government would only concede to Nauruans an emasculated form of local government.”<sup>268</sup>

“The first elections for the Nauru Local Government Council were held on 15 December 1951. The fourteen traditional districts of Nauru were divided into eight electoral areas of which seven voted for one councilor and one voted for two councilors. Universal suffrage was observed and any voter could become a candidate. Prison sentence was the only bar to voting and elections were to be held four-yearly. There were twenty-one nominations and 655 votes were cast of which only 23 were informal.”<sup>269</sup> Nauru became self-governing in 1966.<sup>270</sup>

**Papua New Guinea** (1951). Australian colony. Britain colonized British New Guinea in 1883, and granted control to Australia in 1902 (renamed the Territory of Papua). Germany colonized the separate colony of New Guinea in 1884, which it held until after World War I when it became a Mandate territory under Australian administration. “The constitutional arrangements made for the colony of British New Guinea in 1888 provided for advisory Elective and Legislative Councils . . . After the colony had been transferred to the infant Commonwealth of Australia and re-named

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<sup>266</sup> Viviani 1970, 93-4.

<sup>267</sup> Viviani 1970, 96.

<sup>268</sup> Viviani 1970, 104-5.

<sup>269</sup> Viviani 1970, 105.

<sup>270</sup> Reilly and Gratschew 2001, 697.

Papua, the Papua Act of 1905 created a new Legislative Council in which the six official Members of the Executive Council sat with three nominated non-official Members. The Act provided that once the ‘white population’ of Papua exceeded 2,000, an additional non-official Member per thousand residents should be nominated up to a maximum of twelve. The European population in vain sought the introduction of elected Members in 1909, 1911, and 1913. On the last occasion the Lieutenant-Governor, Hubert Murray, told the Council (*P.L.C.D.*, 13 August 1913): ‘I can find no instance of elective representation in a Crown Colony where the European population is so scanty and the native population so large as in Papua.’ . . . In the Mandated Territory of New Guinea a proper Legislative Council was not introduced until 1933, but by then the larger white population permitted a somewhat more advanced model than Papua possessed at that time” albeit with no elected members. “The Papua-New Guinea Provisional Administration Act of 1945 provided for civil administration of the two Territories on a combined basis for the first time, but did not make provision for a Legislative Council. This was remedied by the Papua and New Guinea Act of 1949, which completed the work of unification by creating a common legislative structure. The composition of the Legislative Council marked a substantial advance over the pre-war legislatures. Although an official majority was retained with sixteen official Members against twelve non-official Members, there were now three Members elected by the European population and three indigenes nominated to represent the native population . . . Its greatly enlarged membership gave a far more parliamentary tone to Legislative Council business.”<sup>271</sup> The first elections occurred in 1951, when the Legislative Council first met.<sup>272</sup>

**Samoa** (none). New Zealand colony. Samoa’s constitution of 1873 created a bicameral Parliament, but both only included representation for and elections by chiefs (or *matai*): both comprised “high ranking *matai* who were chosen by their fellow *matai* in traditional territorial constituencies. Elections to both chambers involved discussion among *matai* until unanimity was reached on their choice of candidate. Among the criteria considered in the selection process were traditional influence and rank. Since 1875 the *matai* also formally appointed a King . . . During the 1954 Constitutional Convention, whose membership comprised Samoan *matai* and various representatives of associational groups, the delegates decided to continue with an electoral system where only *matai* could stand as candidates and vote in parliamentary elections. It was argued that since families elected their *matai* through internal discussions, the *matai* system of parliamentary elections would secure popular participation and uphold Samoan values and philosophy.”<sup>273</sup>

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<sup>271</sup> Hughes 1965, 8-9.

<sup>272</sup> Hasluck 1976, 37-42. The last two pages provide additional discussions of the debates regarding who was eligible for the European franchise.

<sup>273</sup> So’o 2001, 779-780.

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