Robert's Rules of Order on Quorum

Article VIII: Vote

16. Voting. If the question is undebatable, or debate has been closed by order of the assembly, the chair, immediately after stating the question, puts it to vote as described under Putting the Question [9], only allowing time for members to rise if they wish to make a motion of higher rank.

If the question is debatable and no one rises to claim the floor, after the question is stated by the chair, he should inquire, "Are you ready for the question?" After a moment's pause, if no one rises, he should put the question to vote. If the question is debated or motions are made, the chair should wait until the debate has apparently ceased, when he should again inquire, "Are you ready for the question?" Having given ample time for any one to rise and claim the floor, and no one having done so, he should put the question to vote and announce the result.

The usual method of taking a vote is viva voce (by the voice). The rules require this method to be used in Congress. In small assemblies the vote is often taken by "show of hands," or by "raising the right hand" as it is also called. The other methods of voting are by rising; by ballot; by roll call, or "yeas and nays," as it is also called; by general consent; and by mail. In voting by any of the first three methods, the affirmative answer aye, or raise the right hand, or rise, as the case may be: then the negative answer no, or raise the right hand, or rise.

The responsibility of announcing, or declaring, the vote rests upon the chair, and he, therefore, has the right to have the vote taken again, by rising, if he is in doubt as to the result, and even to have the vote counted, if necessary. He cannot have the vote taken by ballot or by yeas and nays (roll call) unless it is required by the rules or by a vote of the assembly. But if the viva voce vote does not make him positive as to the result he may at once say, "Those in favor of the motion will rise;" and when they are seated he will continue, "Those opposed will rise." If this does not enable him to determine the vote, he should say, "Those in favor of the motion [or, Those in the affirmative] will rise and stand until counted." He then counts those standing, or directs the secretary to do so, and then says, "Be seated. Those opposed [or, Those in the negative] rise and stand until counted." After both sides are counted the chair announces the result as shown below. In a very large assembly the chair may find it necessary to appoint tellers to count the vote and report to him the numbers. In small assemblies a show of hands may be substituted for a rising vote.

When the vote is taken by voice or show of hands any member has a right to require a division of the assembly [25] by having the affirmative rise and then the negative, so that all may see how members vote. Either before or after a decision any member may call for, or demand, a count, and, if seconded, the chair must put the question on ordering a count. In organizations where it is desired to allow less than a majority vote to order a count or tellers, a special rule should be adopted specifying the necessary vote. Where no rule has been adopted a majority vote is required to order a count, or that the vote be taken by ballot or by yeas and nays (roll call).

Announcing the Vote. When the vote has been taken so that the chair has no doubt as to the result, and no division is called for, or, if so, the assembly has divided, the chair proceeds to announce, or declare the vote thus: "The ayes have it and the resolution is adopted." If he is not very positive, he may say, "The ayes seem to have it," and, if no one says he doubts the vote or calls for a division, after a slight pause he adds, "The ayes have it," etc. If the vote was by show of hands or by rising, it would be announced thus: "The affirmative has it (or, the motion is carried) and the question is laid on the table;" or if there was a count, the vote would be
announced thus: "There are 95 votes in the affirmative, and 99 in the negative, so the amendment is lost, and the question is now on the resolution; are you ready for the question?" In announcing a vote the chair should state first whether the motion is carried or lost; second, what is the effect, or result, of the vote; and third, what is the immediately pending question or business, if there is any. If there is none, he should ask, "What is the further pleasure of the assembly?" One of the most prolific causes of confusion in deliberative assemblies is the neglect of the chair to keep the assembly well informed as to what is the pending business. The habit of announcing the vote by simply saying that the "motion is carried" and then sitting down, cannot be too strongly condemned. Many members may not know what is the effect of the vote, and it is the chair’s duty to inform the assembly what is the result of the motion’s being carried or lost, and what business comes next before the assembly.

When a quorum [64] is present, a majority vote, that is a majority of the votes cast, ignoring blanks, is sufficient for the adoption of any motion that is in order, except those mentioned in 48, which require a two-thirds vote. A plurality never adopts a motion nor elects any one to office, unless by virtue of a special rule previously adopted. On a tie vote the motion is lost, and the chair, if a member of the assembly, may vote to make it a tie unless the vote is by ballot. The chair cannot, however, vote twice, first to make a tie and then give the casting vote. In case of an appeal [21], though the question is, "Shall the decision of the chair stand as the judgment of the assembly?" a tie vote, even though his vote made it a tie, sustains the chair, upon the principle that the decision of the chair can be reversed only by a majority, including the chair if a member of the assembly.

It is a general rule that no one can vote on a question in which he has a direct personal or pecuniary interest. Yet this does not prevent a member from voting for himself for any office or other position, as voting for a delegate or for a member of a committee; nor from voting when other members are included with him in the motion, even though he has a personal or pecuniary interest in the result, as voting on charges preferred against more than one person at a time, or on a resolution to increase the salaries of all the members. If a member could in no case vote on a question affecting himself, it would be impossible for a society to vote to hold a banquet, or for a legislature to vote salaries to members, or for the majority to prevent a small minority from preferring charges against them and suspending or expelling them. By simply including the names of all the members, except those of their own faction, in a resolution preferring charges against them, the minority could get all the power in their own hands, were it not for the fact that in such a case all the members are entitled to vote regardless of their personal interest. A sense of delicacy usually prevents a member from exercising this right of voting in matters affecting himself except where his vote might affect the result. After charges are preferred against a member, and the assembly has ordered him to appear for trial, he is theoretically under arrest, and is deprived of all rights of membership and therefore cannot vote until his case is disposed of.

A member has the right to change his vote up to the time the vote is finally announced. After that, he can make the change only by permission of the assembly, which may be given by general consent; that is, by no member’s objecting when the chair inquires if any one objects. If objection is made, a motion may be made to grant the permission, which motion is undebatable.

While it is the duty of every member who has an opinion on the question to express it by his vote, yet he cannot be compelled to do so. He may prefer to abstain from voting, though he knows the effect is the same as if he voted on the prevailing side.
Article XI: Miscellaneous

64. A Quorum of an assembly is such a number as must be present in order that business can be legally transacted. The quorum refers to the number present, not to the number voting. The quorum of a mass meeting is the number present at the time, as they constitute the membership at that time. The quorum of a body of delegates, unless the by-laws provide for a smaller quorum, is a majority of the number enrolled as attending the convention, not those appointed. The quorum of any other deliberative assembly with an enrolled membership (unless the by-laws provide for a smaller quorum) is a majority of all the members. In the case, however, of a society, like many religious ones, where there are no annual dues, and where membership is for life (unless it is transferred or the names are struck from the roll by a vote of the society) the register of members is not reliable as a list of the bona fide members of the society, and in many such societies it would be impossible to have present at a business meeting a majority of those enrolled as members. Where such societies have no by-law establishing a quorum, the quorum consists of those who attend the meeting, provided it is either a stated meeting or one that has been properly called.

In all ordinary societies the by-laws should provide for a quorum as large as can be depended upon for being present at all meetings when the weather is not exceptionally bad. In such an assembly the chairman should not take the chair until a quorum is present, or there is no prospect of there being a quorum. The only business that can be transacted in the absence of a quorum is to take measures to obtain a quorum, to fix the time to which to adjourn, and to adjourn, or to take a recess. Unanimous consent cannot be given when a quorum is not present, and a notice given then is not valid. In the case of an annual meeting, where certain business for the year, as the election of officers, must be attended to during the session, the meeting should fix a time for an adjourned meeting and then adjourn.

In an assembly that has the power to compel the attendance of its members, if a quorum is not present at the appointed hour, the chairman should wait a few minutes before taking the chair. In the absence of a quorum such an assembly may order a call of the house [41] and thus compel attendance of absentees, or it may adjourn, providing for an adjourned meeting if it pleases.

In committee of the whole the quorum is the same as in the assembly; if it finds itself without a quorum it can do nothing but rise and report to the assembly, which then adjourns. In any other committee the majority is a quorum, unless the assembly order otherwise, and it must wait for a quorum before proceeding to business. Boards of trustees, managers, directors, etc., are on the same footing as committees as regards a quorum. Their power is delegated to them as a body, and their quorum, or what number shall be present, in order that they may act as a board or committee, cannot be determined by them, unless so provided in the by-laws.

While no question can be decided in the absence of a quorum excepting those mentioned above, a member cannot be interrupted while speaking in order to make the point of no quorum. The debate may continue in the absence of a quorum until some one raises the point while no one is speaking.

While a quorum is competent to transact any business, it is usually not expedient to transact important business unless there is a fair attendance at the meeting, or else previous notice of such action has been given.

Care should be taken in amending the rule providing for a quorum. If the rule is struck out first, then the quorum instantly becomes a majority of all the members, so that in many societies it would be nearly impracticable to secure a quorum to adopt a new rule. The proper way is to amend by striking out certain
words (or the whole rule) and inserting certain other words (or the new rule), which is made and voted on as one question.

NOTE ON QUORUM. -- After all the members of an organization have had reasonable notice of a meeting, and ample opportunity for discussion, if a majority of the total membership of the organization come to a certain decision, that must be accepted as the action or opinion of that body. But, with the exception of a body of delegates, it is seldom that a vote as great as a majority of the total membership of a large voluntary organization can be obtained for anything, and consequently there has been established a common parliamentary law principle, that if a bare majority of the membership is present at a meeting properly called or provided for, a majority vote (which means a majority of those who vote) shall be sufficient to make the act the act of the body, unless it suspends a rule or a right of a member (as the right to introduce questions and the right of free discussion before being required to vote on finally disposing of a question) and that a two-thirds vote shall have the power to suspend these rules and rights. This gives the right to act for the society to about one-fourth of its members in ordinary cases, and to about one-third of its members in case of suspending the rules and certain rights. But it has been found impracticable to accomplish the work of most voluntary societies if no business can be transacted unless a majority of the members is present. In large organizations, meeting weekly or monthly for one or two hours, it is the exception when a majority of the members is present at a meeting, and therefore it has been found necessary to require the presence of only a small percentage of the members to enable the assembly to act for the organization, or, in other words, to establish a small quorum. In legislative bodies in this country, which are composed of members paid for their services, it is determined by the constitutions to be a majority of their members. Congress in 1861 decided this to be a majority of the members chosen. In the English House of Commons it is 40 out of nearly 700, being about 6% of the members, while in the House of Lords the quorum is 3, or about one-half of 1% of the members. Where the quorum is so small it has been found necessary to require notice of all bills, amendments, etc., to be given in advance; and even in Congress, With its large quorum, one day's notice has to be given of any motion to rescind or change any rule or standing order. This principle is a sound one, particularly with societies meeting monthly or weekly for one or two hours, and with small quorums, where frequently the assembly is no adequate representation of the society. The difficulty in such cases may be met in societies adopting this Manual by the proper use of the motion to reconsider and have entered on the minutes as explained in 36:13.