

people any law they really desire and really need and really care to have! How can men complain of the laws which they write themselves, free from corruption, intimidation, force or fraud?

"In like manner, by the referendum, the sovereign people of Arizona can, by petition, suspend the operation of any unjust, corrupt or undesired law passed by the Arizona legislature, which might, perhaps, in these days be subjected to the corrupt persuasion of special interests against the welfare of the people. By the referendum petition, the sovereign people of Arizona can submit to the vote of the people of Arizona, any such law passed by the legislature and put their veto upon it if they like. What stability of government does this assure, when men can prevent the passage of law which they do not like and guarantee themselves, by their own act, immunity from a statute to which they are not willing to yield obedience! Is it not obvious that, with the right to pass the laws they do want and veto the laws they do not want, the people of Arizona have provided for themselves the most stable form of government possible?

"And with the right of recall, what more is to be desired? When the public functionary, who, for any reason, becomes unworthy, corrupt or inefficient, may be recalled? It is not necessary to have proof sufficient to convict him of disloyalty or inefficiency. It is sufficient to provide by the recall for an early ending of his tenure in office.

"Here is the essence of republican government. Here is the means by which the representative is compelled to be in truth a representative of the people, whose paid agent he is, because the people by this process have power to correct his sins of omission, his sins of commission and to replace him with a public servant better qualified as a representative.

"Every canon of common sense justifies the initiative, the referendum and the recall, and every special interest, every corrupt agency of the system will denounce the initiative, the referendum and the recall as revolutionary, as un-republican in form, whatever that means. The fundamental doctrines of democracy will be denounced by the reactionary and the smug conservative as heresies, as vagaries, and by other shallow epithets.

#### THE INITIATIVE

"The first great essential value of the initiative will be found in the ability to pass a thorough-going corrupt practices act over the head of legislatures elected by corrupt practices in states where such legislatures stand as a barrier to honest government.

"The chief agencies of the system are dishonest machine politics, often bi-partisan corrupt practices, the buying of voters, the intimidation of voters, the coercion of voters, false registration of dead men and fictitious persons, stuffing of ballot boxes by clever devices, diverting from the ballot box the honest vote, undue solicitation on election day, undue facilities with automobiles and carriages to bring to the polls the indifferent or ignorant voters, the hiring of such persons on election day for their valuable services in partisan activity—a device for hiring the voter himself and bribing him to vote in the interest of the system or its agents and candidates.

"Look at Adams county, Ohio, with two thousand citizens confessing to the buying of their votes! Look at Danville, Ill!

"Our municipalities have been honey-combed with corruption. Witness the terrific disclosures in San Francisco under Haney; in Denver by Ben Lindsey; St. Louis by Joe Folk, et cetera, ad nauseam. One hundred and sixteen men indicted in Pittsburg for municipal corruption, including the prominent members of the city council, leading bankers and business men. These things have long been sheltered under the corrupt system in vogue in the United States, but under the initiative and referendum a thorough-going corrupt practices act can be passed and maintained which will put an end to municipal thievery, to state rascality and to national corruption.

"And every corrupt interest in the United States will oppose the initiative because it is the most powerful agency for ending the reign of corruption.

#### THE REFERENDUM

"These same interests will equally oppose the referendum, because, by the referendum, the seduction and corruption of the people's legislative agents is easily prevented; because, with the referendum, any corrupt action taken by the people's agents can be vetoed. Even a crook will not buy a franchise of a legislature which

cannot deliver the franchise, and even a corrupt legislator will not sell his act as a legislator when he can find no buyer.

#### RECALL

"And all officials, legislative, executive and judicial, will be more faithful, more diligent, more efficient, when they know that the power of recall—the termination of the tenure of office—is in the hands of the sovereign people, whose paid servants they are.

"The recall has its chief value as an admonition to the public servant that he shall conduct himself with fidelity and efficiency. It has hardly ever been made necessary under the recall to exercise this right. Only in three cases has it occurred in America, and in every instance, because of proof of corruption, and the recall is a milder, speedier, more benign remedy than impeachment. The president of the United States can demand resignations or dismiss incompetent or untrustworthy officials. This is a recall by the executive.

#### THE PEOPLE CONSERVATIVE

"In Oregon, in sixty-four cases submitted by the initiative and referendum, the people have shown themselves conservative. They have made not one single mistake. Their vote in the first thirty-two cases was identical with the professors of the University of Oregon, with one exception, in which the professors voted for woman's suffrage, and the people voted against it.

"Neither private nor corporate properties have been assailed by a single proposal under the initiative and referendum.

"Sixty-four proposals submitted only cost the state \$47,000. It is cheap and educational.

"The grossly ignorant vote has voluntarily eliminated itself, leaving the vote on questions of law, under the initiative and referendum, to be controlled by the more intelligent citizenship of the state—a matter of the greatest importance.

"The body of the citizens being themselves property owners, every man deeply desirous of accumulating property for the comfort, convenience and safety of his family, conserve and defend the rights of property.

"The publicity problem is highly educational and elevates the suffrage.

"But the agencies of the system, and of the gigantic monopolies of the United States, who are concerned in robbing the American people, through the crafty artifice of commercial conspiracy, through the market place, and who are the chief enemies of the rights of property in the hands of the people, they and their agents will all be found denouncing the initiative, the referendum and the recall, because this system will break down the power of covetous commercial monopoly, of commercial conspiracies, and safeguard to the people the values which they create, the property which they possess as a legitimate reward of labor faithfully, patiently and well performed. The great obvious advantages of the initiative and referendum, in addition to these considerations, are:

"First—That it raises the level of intelligence of the electors who, being charged with the duty of direct legislation, direct nomination and direct power in the governing business, will study public questions, consider them personally as an important duty of citizenship, and will thus raise the general intelligence of the state and improve the conscience of the state in considering questions of public policy.

"Second—It is of great value to the representative in stimulating him to the more intelligent, conscientious and efficient performance of duty.

"Third—It removes the representative from suspicion, increases the respect of the public for him, knowing that he is honest and sincere, and it thus promotes the confidence of the people in the integrity, fidelity and efficiency of their government, stimulates their love of country, and promotes their patriotism, upon which the stability of the government must at last repose.

"Fourth—It enables the people to raise issues, unbiased by partisan conflict, discuss them on their merits as economic questions, solving them with wisdom and unperturbed minds, without being torn asunder by partisan conflict or leading men against their will to choose one party platform or another with their many issues, often confused and having no relation one to another.

#### CONSTITUTIONALITY

"It has been urged that the initiative, the referendum and the recall are unconstitutional, because not republican in form, as guaranteed by the constitution of the United States (Article

4, Section 4.) This crafty argument would convert the world 'republican' into representative and make the term representative exclusive, denying to the people any power except through the representative elected for a fixed term and thus converting the servants of the people into rulers of the people. It would deny the people the right of recall, of referendum, of the initiative. This absurd argument is contrary to reason, violative of common sense, in conflict with history. If it be sound, the initiative, the referendum and the recall are not severally possible under the constitution, but if any one of them is recognized by the constitution, this argument fails as a matter of logic, just as it must fail as a matter of common sense and sound reason. Certainly the states which entered the union were republican in form. Certainly they did not question that they were republican in form and yet every one of them, through the referendum, have the writing of their own constitution, reserving in the hands of the people the power to amend or change the constitution itself, much less to write subordinate laws and minor statutes.

"By the town meetings of the north and the county conventions of the south, the right to instruct representatives was a part of the system, in this manner controlling the representatives by instruction and was the power of initiative.

"And the right of recall was recognized as well. In Article 5 of the articles of confederation between the states of New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia, it was expressly provided that the delegates appointed by the state legislatures should meet every year, 'with the power reserved to each state to recall its delegates or any of them at any time within a year, and to send others in their stead for the remainder of the year.'

"And the constitution of the United States, in its preamble, recognizes the sovereignty of the people of the United States in these august terms: 'We, the people of the United States, in order to \* \* \* establish justice \* \* \* promote the general welfare and secure the blessings of liberty \* \* \* establish this constitution for the United States of America.' And Article 1, section 1, provides that: 'All legislative powers herein granted shall be vested in a congress,' etc., thus reserving all legislative powers not 'herein' granted.

"And in Article 9 of the Amendments, it is expressly declared: 'The enumeration in the constitution of certain rights shall not be construed to deny or disparage others retained by the people,' and the 10th Amendment provides: 'The powers not delegated to the United States by the constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.'

"And in this constitution of Arizona the people reserve to themselves, from whom this constitution flows, the right of direct legislation, direct nomination and direct recall.

"As a matter of reason, is it possible they have the right to delegate this power and yet have not the right to reserve it or to exercise it in case of need?

"But Arizona, if admitted at all, is admitted to the union upon the same footing as other states of the union. Shall Arizona be denied admission because of the initiative and referendum; denied entering the union upon an equal footing with the other states, and yet at the same time we find Oklahoma admitted to the union with the initiative and referendum; at the same time with Missouri, and Arkansas, and Montana, and Nevada, and South Dakota, and Oregon, and Maine; all have the initiative and referendum, and fully recognized by congress and by the executive and judicial branches as free and equal states of the union.

"And in California, and in Washington, and in Colorado, and in Wisconsin, and in Nebraska, the initiative and referendum is an assured certainty. Both parties are committed to it, in a number of other states—North Dakota, Kansas, Idaho and Illinois. The democratic party of Ohio and Indiana are committed to it. The governor of Michigan recommends it. The governor of Massachusetts was elected on this issue, and it is a reasonable certainty from the Atlantic to the Pacific, in all of the states of the union.

"I refused, on the floor of the senate, to permit Arizona to be rebuked on account of her progressive constitution, and I was ashamed of New Mexico with her retrogressive