

"Shall the People Rule?"—A Study in Muckraking

Andrew L. Chezem in the Mattoon (Ill.) Commercial-Star: When good wives or thrifty husbandmen have determined at certain seasons of the year to clean the back-lots, stables, chicken-houses and premises, they either do the act themselves or send for a scavenger, and the rake is employed mercilessly, things in general are turned, for the time being, topsyturvy, for then it is, that every rotten thing about the premises is discovered, from the dead rat in the cistern to the fly speck on the window pane, and "muck-raking" is honorable, because, out of this confusion, it is well known, that order, wholesome, clean and sweet, will come; but the lazy, the niggard, the indolent, the stingy, the selfish, the fearful; excuse, shirk, condense, abuse, but nevertheless, all the offensive neglect, which has from contamination spoiled the air, and threatened the life of the entire family, is now doomed.

When it is all over, who will not say: Thank God for the muck-raker?

So, in our political premises, there are those who dwell in the atmosphere of favoritism, supported by the common indulgence of dishonesty, bribery and superinduced deception, who yield to the blubber-eyed blindness of fear and neglect and allow the filth and rubbish to collect, and when anyone comes to disturb their torpid slumbers, by clearing away the filth and rubbish, the excrescence and rot, lest the community suffer, they turn their villifying curses upon their disturbers, and cry "muck-raker!"

They are the ones, who, "serpent-like," pretend that all who make effort to clean up the political premises, are trying to make them disgorge.

On the 28th day of October (as published in recent Sunday papers) our president, Mr. Taft, on his political tour of the west, at Chicago, by a splendid pre-arranged plan, made a talk to the republican lawyers and judges about the "recall of judges" and among other things, said:

"But if you are going to tie him (the judge) down in such a way, so to speak, the reins are thrown on the jury altogether, untutored in the law and not used to the analyzing of evidence, then you may expect that the administration of justice does not have the respect that it ought to have."

"But the reason for that is in the people themselves and in the legislatures that are afraid to trust power to the men you place upon the bench."

That he has "occasion to know something about attacks on public men," but that it comforts him "to look back and see that the 'muck-raker' was just as active in the past as he is today," and "has ever been a burden on mankind."

He pointed to Thomas Jefferson's criticism of the supreme court of the United States, and called him "the most eminent muckraker of that or any other time."

It would be hard to conceive a system, which gives the judges more power than they at present have, unless we should adopt the English system which Taft so proudly praises when he says, "We, perhaps have not as high a standard of judges as they have in England, for instance whence we got our law and procedure, on the whole the record of American judiciary is high, and the defects in the administration of justice are rather to be traced to the weakness of the people in the legislation that they have enacted, lessening the power of the judges than they are to the lack of character and knowledge of law in the judges themselves."

Now the truth is, in 1776, when the people of the colonies threw off the yoke of the "king and parliament" they did not throw off the yoke of the laws and judges, which the "king and parliament had without the consent of the people, imposed upon the colonies. It took a hard struggle for the "muckrakers" to throw off the king, the lords and commons, because the tories assisted the British in opposing them.

The "muckrakers" though they strove hard to do so, were unable to throw off the attendant evils and evil doers, at once and turn the people free to found a new democracy for themselves, based on the sole foundation of human liberty.

I call these patriots who did those things

"muckrakers" because Mr. Taft, our politician president, does so, when he says "Jefferson was the most eminent muckraker," and this, I think, I have the right to conclude, for do we not find the name of Thomas Jefferson signed to the declaration of independence? Besides, do not historians tell us, that Thomas Jefferson penned that immortal declaration? So we, the young men of Illinois, must conclude that Thomas Jefferson and his associates were "muckrakers" and odious to our president, Mr. Taft, and for one, I wonder had Mr. Taft been living in those days, would his name have been with theirs? Ah! my dear young citizens of Illinois, I fear not, for if we take him as an honest man, meaning what he now says, he would most certainly have been with the tories, had he lived then.

Does the following passage from the speech of our president please you, when you compare it with the utterances and life of Thomas Jefferson, and the "muckrakers?" "I have every hope that congress will pass a law to give the court more power to amend the rules of the legal procedure in the federal court, as they have in England and that then with that as a model, everything can be improved the country over."

On March 15, 1789, Thomas Jefferson wrote "The executive power in our government is not the only, perhaps not even the principal object of my solicitude. The tyranny of the legislature is really the danger most to be feared, and will continue to be so for many years to come. The tyranny of the executive power will come in its turn, but at a more distant period." Is not Mr. Taft's Chicago speech evidence of the truth of this prophecy?

When we consider the utterances of President Taft, and his dealings with New Mexico and Arizona, and when we consider the flagrant statement, in connection with the name of Jefferson, that the "muckraker has ever been a burden on mankind" we are driven to look to the declaration of independence, to ascertain whether the evils therein condemned do not tread somewhat upon Mr. Taft's pet projects and political theories, and as a result of our reading we find, that in that declaration of independence, Jefferson and his "co-muckrakers" complain of England's king.

"He has refused to pass other laws for the accommodation of large districts of people, unless those people would relinquish the right of representation in the legislature, a right inestimable to them and formidable to tyrants only."

"He has obstructed the administration of justice by refusing his assent to laws for establishing judiciary powers."

Now if to "establish" includes the creation of primary rules of regulation as to office, duties, term, etc., we are convinced that the people of New Mexico and Arizona have a right to look upon our president, William Howard Taft, as the "muckraker" patriots of the days of the revolution did upon King George.

Were Thomas Jefferson alive, he would come to their rescue, and would fearlessly so brand him, and though death has stilled his tongue, his words preserved in that immortal document and in his other writings, come eloquently forth, to oppose the tyranny and refute the vile slander of the one whose most pleasant duty should be to enlarge the liberties of humanity, rather than to circumscribe them, and who would foster rather than destroy the prompting of every commonwealth, toward absolute independence.

"He has made judges dependent upon his will alone for the tenure of their offices and the amount and payment of their salaries."

The spirit of this condition is not wholly different from that which clouds the office of all our federal judiciary today, when we consider the manner of their appointment, and the apparent manner in which their actions are controlled by administrations, and when we observe their encroachments upon the legislative department, and how obediently they have followed the supreme dictation of the interests of wealth. They mimic the English bench as much as they dare, and Mr. Taft longs to have them given even more power, in order that, as he says, "to amend the rules of legal procedure in the federal court, as they have in England, and with that as a model, everything can be improved the

country over," if this be patriotism, may God protect our flag.

Is it strange that the people should distrust our judiciary; in the light of information which has become so common as to be public or common knowledge, concerning the infamy of some of the federal judiciary right here in our own states, to say nothing of the wrongs which have been charged against the judges of our supreme court of the United States by men whose characters are known to be equally as pure as that of any member thereof?

Hamilton and his aristocratic tory associates wanted to adopt the English system for the federal courts and they did it, over the objections of Jefferson, so the federal court was the result of those who advocated a strong centralized government, and the English court system was adopted as their model, because those promoters of the strong centralized government knew how admirably the court had, for the king, served as impeding and oppressive instruments, against the advocates of free government. But at the time of its adoption into the constitution of 1787, the tories had acknowledged themselves whipped, on the field of battle, they had ceased to murder the patriots in cold blood, as they were wont to do in 1776, at the time Jefferson wrote the declaration of independence and there not being the warm smell of freshly spilled blood on the fields of Lexington and Concord, to arouse the people anew to their rights, the tories then accomplished by the strategy of infamy what they had failed to do, by force on the field of battle.

Article 3 of our constitution, which established the federal court, is not in the ordinances of confederation of 1778 and was only made possible by the influence of organized wealth; of aristocracy, and was opposed by Jefferson the most eminent "muckraker" and champion of human liberty.

By the above article this relic of English tyranny, known as the federal court and the United States supreme court, was fastened upon the American people bringing with it all its horde of blood sucking vassals who do the bidding and who yield to the wishes and interest of corporate wealth and resist and thwart the rights of the people. And this is the yoke which it is the inclination of the people—as you move from the Alleghanies westward—to arise against in proportion as you advance westward, to repudiate and throw off, if we are to believe the words of Mr. Taft's speech and we hope in this particular it is true.

They arise to throw this yoke off by making the offices of all judges elective, instead of appointive and to make all such offices subject to the law of recall.

The people realize in the words of Jefferson the "muckraker," that "all men are created equal; that they are endowed by their Creator with certain inalienable rights, that among these are life, liberty and the pursuit of happiness. That to secure these rights governments are instituted among men deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or abolish it and to institute a new government, laying its foundations on such principles and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness."

Let every man who has his honor left; who bares his head beneath the folds of our flag thank God—that Jefferson the "muckraker," the "friend of human liberty," lived and pronounced for us this right, for without it Mr. Taft and his cohorts would charge us with sedition and treason, under his loved "English laws."

Illinois came into the union through Virginia. Jefferson signed the deed of cessation releasing Illinois from Virginia. It was to him we owe the free qualification of voters in Illinois. To him we owe that the qualification to vote is not measured by the ownership of property. The only qualification being: Are you a citizen, unpolluted by any act of infamy? If so you are equal, and this is what he meant by the term in the declaration of independence, "all men are created equal."

But how does this equality serve us when we are brought before the federal courts, which, in the hands of some appointed judges serve as willing vassals of the aristocracy?

The yearning of President Taft "to have our judiciary modeled after the English system" gives every true American such a thrill of hate for they can hear again the creaking of the rusty hinges of the prison gates of "Old Bailey" or the "tower" where many an American patriot