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Direct Legislation

In this issue The Commoner presents a review of the progress made by the popular reform known as the initiative and referendum. It is sometimes called direct legislation, but by whatever name it may be described, it means the bringing of the government nearer to the people—the making of the government more responsive to the will of the people. The initiative, as its name implies, describes the governmental process by which the voters compel the submission of a question upon which they desire to vote; while the referendum, true to its name, describes the machinery by which a measure is referred to the people for their decision. The initiative and referendum do not overthrow representative government, they merely bring the representative under the control of his constituents. The people will not resort to the initiative and referendum so long as the legislators do their duty, and give voice to public sentiment. The initiative and referendum are, as it were, a club held over the representatives to compel them to recognize their responsibility and give expression to the wishes of those who elect them. Representatives will be more apt to vote for needed laws when they know that the people can secure these laws in spite of the legislature, and will secure them; and representatives will be restrained from voting for bad laws when they know that the voters themselves have the right of veto.

It is perfectly natural that sentiment in favor of the initiative and referendum should grow because the masses are democratic by instinct and by education. They may be deceived for a while by the special interests, but they can not be deceived always. As soon as they understand what the initiative and referendum are, and why they are proposed, they at once become advocates of them.

The sentiment in favor of the initiative and referendum is far stronger than any party, and it is not an exaggeration to say that if a vote could be taken among the people of any state, after a thorough discussion of the subject, no other reform now before the country would receive so large a percentage of the total vote.

In Missouri, for instance, the initiative and referendum were adopted by a large majority even though the state went republican, and republican states, like Oregon, South Dakota and Maine have adopted it, as well as a democratic state like Oklahoma. Even in Ohio the friends of the initiative and referendum came within a vote or two of securing the submission of the amendment. While it is impossible to fix with accuracy the date upon which any reform, however meritorious, will be secured, no one who understands the trend of events will doubt that the initiative and referendum will spread until all the states have adopted it. Enough states have already acted favorably to prove that it is not limited by latitude or longitude. Maine in the east, Oregon in the west, South Dakota in the north, Oklahoma in the south and Missouri in the center—these states represent extremes in every sense, and yet they are one in recognizing the strength of the argument in favor of direct legislation.

The recall is in the same line, and yet less attention has been given to it. It is merely a recognition of the fact that the right of the people to be faithfully represented is higher than the right of an unfaithful official to draw a salary for a fixed term. An official is given an office upon the assumption that he is worthy, and to be worthy he must discharge his duties to the satisfaction of those who as voters employ him. It is absurd to say that he ought to have the legal right to draw his salary after he has betrayed those who elected him. The conservatism in the human mind and the sense of justice in the human heart will prevent the improper use of the recall. **The chances are that it will not be used even when it ought to be, rather than that it will be used when it ought not to be. The recall, like the initiative and referendum, recognizes the state as the sovereign and the official as the public servant, bound upon every legal and moral ground to discharge his duties with fidelity and singleness of purpose. If the people have a right to rule, who will dispute the value of such amendments as may be necessary to make that rule effective?**

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A TIMELY REBUKE

The Cincinnati Enquirer contains an item of news which will doubtless interest the readers of The Commoner. In Cincinnati it is the business of the common pleas court to appoint members of the jury commission and, according to custom, if not according to law, the appointments are from both of the leading parties. The court appointed among the jury commission General Michael Ryan, he being appointed as a democrat. Judge Gorman, one of the appointing judges, dissented from the action of his associates in the following words:

"In the matter of the appointment of commissioners of jurors. Gorman, J.: I dissent from the action of my associates in the matter of the appointment of the commissioners of jurors for the following reasons:

"1. I am of the opinion that some of the commissioners now appointed did not, during the year last past, while acting as such commissioners of jurors, perform their whole duty in the manner prescribed by law and, therefore, a reappointment of them is to my mind an approval of their conduct during the past year.

"2. The law provides that not more than two of the commissioners of jurors shall be of the same political party, and I am of the opinion that three of the appointees are of the same political party, and for that reason the letter and spirit of the law have not been complied with."

Judge Gorman was seen regarding his dissenting to the appointment, and admitted that he had reference to General Michael Ryan in his second obection. Of this Judge Gorman said:

"I do not think that General Ryan is a democrat, and, at least, I know that he is not on national issues, and has not been for the past twelve years. He has been an anti-Bryan man, and voted for Roosevelt, I understand, and he also worked and voted for Taft at the last election. I do not consider that he is a democrat, in the sense of the word, though he may claim to be one on local matters."

When Mr. Ryan's attention was called to Judge Gorman's protest, he made the following comment:

"So you want to know what I have to say in answer to that? Well, I will say that I am as good a democrat as Judge Gorman ever was, and, if I am not, then I do not know myself. No, I am not a Bryan democrat, and I have been opposed to Bryan at all times. I am as good a democrat as Judge Gorman ever dared to be, and while I am not a Bryan democrat, I am a Jackson democrat. My whole heart and soul, my faith and everything else, is pinned to democracy, and I defy any one to say that I am not a democrat, simply because I am not a Bryanite. I do not know how Judge Gorman knows about how I voted, and I will repeat that I am as good a democrat as Judge Gorman is."

Judge Gorman's opinion and General Ryan's interview raise an interesting question. Judge Gorman insists that a man who opposes the democratic national ticket ought not to be appointed as a democrat, while General Ryan contends that although he has "been opposed to Bryan at all times" he is "as good a democrat as Judge Gorman ever dared to be." As Mr. Bryan has been the democratic candidate in three national campaigns out of the last four, it is evident that General Ryan has only supported the national ticket once in the last twelve years, if at all.

How is a man's democracy to be determined? Of course, a man can for his own satisfaction call himself a democrat and yet support the republican ticket at every opportunity, but while no one can legally deprive him of the satisfaction he obtains from the use of the party name, he is certainly not entitled to receive the honors that come with party service. A law requiring bi-partisan appointments is a farce if it permits the appointment of men who represent the minority in name only. Let us suppose, for instance, that an election board must by law be composed of representatives of opposite parties. If the appointment is made by an official of the dominant party, and the appointees credited to the minority are in fact supporters of the principles and candidates of the dominant party, nobody would consider it a compliance with the letter of the law and much less with the spirit. The object of minority representation is to have officials who will watch the majority, and there is no watching when all the officials are of one mind and of one political faith, however much they agree in party name.

Since 1896 the democratic party has suffered a great deal by the appointment of so-called democrats on bi-partisan boards, but in nearly every case the so-called democrats are as anti-democratic as their republican associates. The selection of Dickinson and MacVeagh as cabinet officers are illustrations of this. Democrats who bolt their party and lend their influence to the republican party can not speak for or represent loyal democrats.

Judge Gorman has rendered a distinct service in calling attention to these humbug appointments. Where republican officials reward democrats for their apostasy, they not only deprive the democratic party of representation, but make it responsible for the conduct of those who are neither in the party nor of the party.

WHY?

The Sioux City (Iowa) Journal, a republican paper, says: "If the income tax is as popular as some of its adherents would have us believe the name of the president of the United States should be William Jennings Bryan instead of William Howard Taft."

But then Mr. Taft said he favored the income tax and the Sioux City Journal told its readers that the Journal's presidential candidate could be relied upon.

MY REVEILLE

My reveille! It is a thrush—
He sings at morn—
A rhapsody that breaks the hush
When day is born
And there is visible the least
Faint flush low-lying in the east.

The song he sings—ah me, the song!
It is a burst
Of wild, sweet melody and strong—
The morning's first—
A clear, ecstatic roundelay
To waken me—my reveille.

—Clark McAdams in St. Louis Post-Dispatch.