

DIRECT LEGISLATION IN ARKANSAS

Direct legislation will be voted upon in Arkansas September 12. George Judson King is in Little Rock managing the campaign for the proposed amendment. In a letter addressed to Mr. Bryan, Mr. King says:

"I am sure you will agree that this is an important election for the cause of democracy, not only in Arkansas but throughout the United States, since this is the only state which votes upon the question this year, and if we are defeated it will be trumpeted by the plutocratic press that the tide is turning, etc. Your speech here, I find, had tremendous influence with the legislature and was one of the chief causes of their submitting the question to the people. I am sure, therefore, you will be glad to give your personal help and the assistance of The Commoner in winning the fight here. Our great danger lies in the fact that the people generally know very little about the initiative and referendum, it is being fought by the reactionary politicians and lawyers, and since it requires a majority of all votes cast in the election to pass the amendment, it is very likely to be defeated unless heroic efforts are made between now and September 12 to arouse the people. There has been no work done in the state outside of a few hundred circulars issued by the trades unions, which are very weak here. The press has been silent on the question ever since the amendment was submitted on February 9, 1909, and even the Farmers' Union did nothing until I came here and started them going. I am speaking at their county meetings and summer picnics and just recently I have started a little press bureau to furnish material to the papers of the state, and this is taking very well. A large number of the editors seem willing to publish stuff but they know very little about the question themselves. With these general facts in mind, if you will write me a short letter stating your views upon the subject of the referendum, and urging the people of Arkansas to work heroically for its success, both for their own good and for an inspiration to democratic democrats all over the United States, I will send it out from here to every newspaper in the state. This will give us a tremendous boost and we certainly need it, since there are only eight short weeks left before the election."

Mr. Bryan replied to Mr. King as follows:

"Mr. George J. King, Little Rock, Ark.—My Dear Mr. King: I am glad to know that you are in Arkansas urging the adoption of the initiative and referendum amendment. If I can spare the time for it, I shall come down for two or three days just before the election. I am very much interested in this reform. It is the most democratic reform now before the various states. Its purpose is to give the people control of their own government, and it only needs to be understood to secure an overwhelming majority. 'Let the people rule' is the essence of democracy, and direct legislation gives the best means of insuring the rule of the people. Success to you.

Yours truly,
"W. J. BRYAN."

The following circular is being distributed throughout Arkansas:

THE INITIATIVE AND REFERENDUM

At the general election in Arkansas, to be held this year, an amendment to the constitution will be voted for by the people which, if adopted, will place the government of the state in the control of the people.

This proposed amendment is known as joint resolution No. 1, and passed the senate by a vote of 27 to 1 against, and passed the house by a vote of 78 to 4. As this is an amendment to the constitution it will have to be voted upon for adoption or rejection at the next general election, and on the official ballot will be known as amendment No. 10. Senator E. R. Arnold, of Clark county, introduced this resolution in the senate of 1907, but it was not generally understood, and failed of passage. Shortly after its defeat William J. Bryan delivered an address in Little Rock and forcibly presented the advantages of the initiative and referendum and won for it many supporters who had previously given it but little consideration. At the last legislature Senator Arnold again presented the resolution and championed it in an effective manner. It is to be hoped that the people will adopt this resolution as an amendment to the constitution, as it provides a way for the people to govern themselves. The initiative and referendum together are called direct legislation because, if the government does not act rightly the people can interfere and set it right. With this law the

people are self-governing; without it they are not.

The Initiative—If the people always elected representatives who would carry out their wishes the initiative would not be needed. But sometimes men are elected who do not agree with the majority of the people and, to have their own way, even refuse to consider the wishes of the people. Without the initiative the people can not help themselves, but with it, if a sufficient number petition the legislature to present a certain bill, the legislature must do so.

The Referendum—Sometimes legislative bodies pass bills the people do not approve of. Without the referendum the people have no recourse but submit. With the referendum they can compel the submission of the law to the people, to be approved by them before it becomes operative, just like an appeal from the decision of a chairman to the house. The matter can be placed before the people at a special election, or at the next general election. This would not require many special elections, for legislatures would not pass many laws not favored by the people, with the knowledge that the people would have the power to veto them. This will curtail legislative rascality, for corporations are not apt to spend money to corrupt a legislative body into passing a law when they know it can not deliver the goods, because the people will have a chance to veto the law. Sometimes committees who are opposed to a bill pigeon-hole it or place it so far down the list that the day of adjournment arrives before it can be reached. Sometimes enemies add so many amendments to a bill as to render it useless for the purpose designed. If a bill gets through one house it then has to run the gauntlet of the other. Failure of the two houses to agree leads to a conference that adds to the delay. Even if the bill passes both houses it may be vetoed by the governor, as were the four agricultural school and semi-monthly pay day bills three years ago. If a bill the people favors becomes a law, then it may be knocked out by a decision of the courts.

All of the above obstructions to the will of the people may be avoided by the initiative and referendum, for the law proposed is either enacted or defeated by the people themselves.

Those who oppose direct legislation generally seem to think that the people are not competent to manage their own affairs. Such men have no right in the plan of our government, which was intended by its creators to be government of, for and by the people. The adoption of the initiative and referendum would lead our citizens to take more interest in the laws that govern them and keep themselves better informed as to what is needed, for they will realize that their government is what they make it. Understanding the power that this places in the hands of the people, let us unite in seeing that the amendment to the constitution of the state of Arkansas providing for the initiative and referendum is adopted at the general election, thus giving the people the power to carry their will into effect when legislative bodies refuse or fail to act, and that we may be able to resist legislative action when contrary to the general will.

In connection with this we quote the following from Justice David Brewer, who said: "The two supreme dangers that menace a democratic state are despotism on one hand and mob rule on the other. The more constant and universal the voice of the people makes itself manifest, the nearer do we approach to an ideal government. The initiative and referendum makes public approval the controlling factor of government. The more promptly and the more fully public officers carry into effect such public opinion, the more truly is government of the people realized."

The Initiative and Referendum

The importance of this resolution is so great that we give it in full. It is designed to place the controlling governing power of the state, where it properly belongs—in the hands of the people.

Senate Joint Resolution No. 1

Be it resolved by the senate and house of representatives of the state of Arkansas, a majority of both houses agreeing thereto:

That the following is hereby proposed as an amendment to the constitution of the state of Arkansas, and the same being submitted to the electors of the state for approval or rejection at the next general election for senators and representatives, if a majority of the electors voting at such election adopt such amendment, the same shall become a part of the constitution of the state of Arkansas, to wit:

That section 1 article 5 of the constitution of

the state of Arkansas be amended so as to read as follows:

Section 1. The legislative powers of this state shall be vested in a general assembly, which shall consist of the senate and house of representatives, but the people of each municipality, each county, and of the state, reserve to themselves power to propose laws and amendments to the constitution, and to enact or reject the same at the polls as independent of the legislative assembly, and also reserve power, at their own option, to approve or reject at the polls any act of the legislative assembly. The first power reserved by the people is the initiative, and not more than 8 per cent of the legal voters shall be required to propose any measure by such petition, and every such petition shall include the whole text of any measure so proposed. Initiative petitions shall be filed with the secretary of state not less than four months before the election at which they are to be voted upon.

The second power is a referendum, and it may be ordered (except as to laws necessary for the immediate preservation of the public peace, health or safety), either by the petition signed by 5 per cent of the legal voters, or by the legislative assembly, as other bills are enacted. Referendum petitions shall be filed with the secretary of state not more than ninety days after the final adjournment of the session of the legislative assembly which passed the bill on which the referendum is demanded. The veto power of the governor shall not extend to measures referred to the people. All elections of measures referred to the people of the state shall be had at the biennial regular general elections, except where the legislative assembly shall order a special election. Any measure referred to the people shall take effect and become a law when it is approved by a majority of the votes cast thereon, and not otherwise. The style of all bills shall be "Be it enacted by the people of the State of Arkansas." This section shall not be construed to deprive any member of the legislative assembly of the right to introduce any measure. The whole number of votes cast for the office of governor at the regular election last preceding the filing for any petition for the initiative, or for the referendum, shall be the basis on which the number of legal votes necessary to sign such petition shall be counted. Petitions and orders for the initiative and for the referendum shall be filed with the secretary of state, and in submitting the same to the people he and all other officers shall be guided by the general laws and the acts submitting this amendment, until legislation shall be specially provided therefor.

THE NEBRASKA SENATORSHIP

On July 18 Mr. Bryan gave to Nebraska newspapers the following statement:

"As I expressed gratification when Mr. Hitchcock and Mr. Thompson entered the senatorial race, I shall be excused for congratulating the party and the state upon Mr. Metcalfe's decision to allow his name to go before the voters at the primary. For twenty years he has been the loyal supporter of all of us who have been democratic candidates, and we are indebted to him for yeoman service in many campaigns. He has never received or even asked reward, and it will give a host of democrats real pleasure to aid him at this time. His qualifications for the place will be admitted by all; he understands public questions and the needs of Nebraska; he is fearless and incorruptible, and he is able to present his views in clear language and with persuasive eloquence. He will be a credit to the state and a tower of strength to the entire west.

"But the special advantage of Mr. Metcalfe's candidacy at this time is that he is the most available man for the place. Availability is largely determined by circumstances. Some of my friends were kind enough to favor my nomination, but aside from other reasons given, I felt that, with the liquor question an issue, one could not lead the fight on either side without arousing antagonism which would weaken him for the senatorial race. While Mr. Metcalfe has his opinion, as everyone should have, and states it with candor, I believe he can, under existing conditions, poll a larger per cent of the democratic vote than any other democrat, and I include myself among the others.

"I believe, too, that he can poll more republican votes than any of the rest of us could. He will be as popular with the insurgent republicans as with the democrats. He can defeat Mr. Burkett and give us a reform democrat to work with the progressive democrats and insurgent republicans in the senate."