

## The Referendum Campaign in Arkansas

Little Rock, Arkansas, September 5.—One of the peculiar things about the situation in Arkansas is, that the amendment was submitted without any prolonged period of education by a league, such as has been formed in other states. As a result the people of the state were not well informed upon the question, and most vital of all, they do not appreciate the opportunity they have, nor do they understand the peril of letting the amendment go back to be tampered with by the legislature, which may be under the control of a thoroughly aroused corporation lobby. The scare concerning the "joker" has had considerable effect, and a good many citizens are likely to vote against it merely on the grounds that it contains a defect, and totally oblivious of the fact that it contains the most vital provision necessary to a direct legislation amendment: viz., the initiative on constitutional amendments. It is to be noted that a good many of the objectors who claim to be red hot Bryan democrats and in favor of the initiative and referendum in statutes are bitterly opposed to the initiative on constitution.

Not being familiar with the movement in other states, it is difficult to get these conservatives, and especially the temperance people who fear that the little towns would be able to defy the state constitution and vote in saloons, to calmly consider the general situation and the wisdom of adopting this amendment and making any desired changes afterwards.

All the old friends of the movement, however, such as the leaders of the Farmers' Union, the trades unions, the old populists, socialists, etc., are standing by the amendment, and Governor Donaghey is doing everything in his power to reassure the people and make our victory complete.

I enclose copy of resolution passed by the State Farmers' Union, on August 2, in their Jonesboro convention, and this has a profound effect in reassuring the farmers and in holding certain politicians in line and in keeping the mouths of others closed, who would like to kill the whole movement. One of the tremendous difficulties we have to meet is that the constitution requires a majority of all votes cast in the election for the adoption of the amendment. The population of Arkansas is so scattered, there are so many who do not take even their weekly papers, that it is indeed very difficult to reach them in an educational campaign, and these voters are likely to neglect the amendment entirely and so be counted against it. Some estimate that at least 50,000 voters will not vote on the amendment. In the total probable vote of 160,000, this would leave 110,000 voting on the amendment, of which over 80,000 must vote in favor to carry it. The strong underground opposition will produce a surprising and large adverse crowd. Unless tremendous efforts are made before election the amendment is not likely to carry, although there are political observers who predict it will carry by a good safe majority. I am not so sanguine as they, however.

I wish to make a strong personal appeal to the readers of The Commoner to go to the polls on election day and solicit votes for the amendment. It is necessary that the voter be instructed exactly how to vote upon the amendment which is, in this state, by scratching out the words "Against Amendment No. 10," and allowing the words "For Amendment No. 10" to stand clear. A large number of votes are likely to be lost because of incorrect marking and I will furnish to all asking me, a copy of the governor's pamphlet with specific instructions in this regard. The pamphlet is enclosed. The editors of the two leading Baptist papers of the state have both fallen into the trap set by the corporation and liquor interests and are calling upon their readers to defeat the amendment on the ground that it is a liquor measure. I enclose one of the editorials and also some other editorials which may be suggestive to you.

GEORGE JUDSON KING.

### WILL MAKE THE CITIZENS SUPREME.

Governor George W. Donaghey says:

"I refer to amendment No. 10, providing for direct legislation by means of the initiative and referendum. I urge the adoption of this amendment because it makes the citizens supreme in matters of legislation, establishes majority rule, and makes all future legislatures servants of the people and not their masters. It gives the people the right to order any law, or proposed law, to a vote at the polls, and the majority either

enacts or rejects. Just as they now vote on amendments to the constitution, the people can, by this means, vote on statute laws whenever they may choose to do so, or whenever the acts of the legislature meet with their disfavor.

"I believe that no man who will examine the facts concerning the workings of the referendum in American states and cities (and he is rash to set up judgment before he investigates these facts), will doubt the wisdom of its adoption at this critical period of our history. The referendum has been tried and has won its case. Its success has once more demonstrated the truth of the maxim that that government is best and safest which is nearest the people and most directly under their control.

"The referendum will drive the selfish schemer, the corrupt briber, and midnight lobbyist from the state capitol, and inaugurate a new era of political purity. It will enable the people to back up the efforts of their real representatives in legislative bodies, and give power to their efforts to promote the common good. No "ring" or "machine" can long endure when the people have the referendum in hand.

"In short, it is genuine democracy, and I am proud to say that the democratic party in Arkansas stands solidly pledged to secure these fundamental rights to our people. Every democrat, who is true to his party platform and trusts the people, will aid in adopting amendment No. 10. Our platform for the year 1908 contained this plank: 'Believing in the people's right to rule, we favor the submission of an amendment to the constitution providing for the initiative and referendum in matters affecting the general interests of the state.'"

### STICK A PIN HERE

All citizens who are in favor of the rule of the people must rally to the support of this amendment. Our danger lies in the fact that we must get a majority of all votes cast in the election, so that every man who forgets to vote for amendment No. 10 is counted against it. If you believe in this reform, and want to help it succeed, stir up your neighbors and get out a full vote.

### OREGON GREETES ARKANSAS

The Portland (Oregon) Journal publishes the subjoined editorial on Arkansas and the proposed amendment No. 10 to be voted on at the coming fall election in this state. In view of the fact that Oregon has fully tested and is well satisfied with the law proposed for Arkansas, the Journal's advice to voters of this state is significant. The Journal says:

"The initiative and referendum is pending for adoption by the voters of Arkansas. It is a measure that if they reject now they will adopt later. It reflects the evolution of enlightened government and in due time will find a place in the policy of most if not all of the states. It is a cure for the evils and abuses of representative legislation.

"The infidelity of the representative has been so many times proven that it can no longer be disputed. The 'Jack pot' legislation of Illinois for which chosen representatives are now being held amenable is not an isolated instance. The bribery charges in the New York legislature and the conviction of Senate Leader Allds is merely one of those that happened to be revealed. Similar instances of legislative betrayal that never came to light and that have happened in many a legislature are a tale that once told, would shock the country.

"There is no infidelity in the collective citizen body. Its judgments are sound and its collective honesty complete. It has a sober sense, rational mental processes and its purposes are exalted. The whole trend of legislation by the electorate is social and economic betterment. If the people are given the means of control, instead of having all controlled by proxy, state government will be swiftly purified.

"It has been so under direct legislation in Oregon, and it will be so in any state that adopts the system.

"More good laws have been passed in Oregon under eight years of direct legislation than were passed in fifty years preceding. The legislature rejected a corporation franchise tax law, and the people at once passed it by the initiative. The legislature rejected a direct primary law, and the people at once adopted it by a vote of more than three and a half to one. The legislature rejected a corrupt practices act, and

at the next election the electorate adopted it by a heavy majority.

"The effect of these and similar instances of rebuke to the legislature is that the representative body has been taught that if it does not legislate wisely and well, the electorate will take the matter into its own hands and the result is a better conducted, more orderly and saner legislative body. The very knowledge that the power of veto and to initiate is in the hands of the electorate and that it will be used in case the legislature is recreant, is the best of all influences as a corrective of the abuses and evils of representative legislation."

### THEY OPPOSE THE PRINCIPLE, TOO

The following letter is taken from the Little Rock, Gazette:

To the Editor of the Gazette: I had not intended to enter the lists in behalf of the initiative and referendum, but there have been so many misrepresentations of the meaning of amendment No. 10 that I can not forbear to say a few words in its behalf. I confess that it is clumsily drawn and that lawyers may find some hidden ambiguities in it, but I consider it a step forward and intend to vote for it.

The warmth with which a man of Judge Rose's age and temperament espouses the cause of the opposition is surprising, but his opinions are weighty and deserve serious consideration. If I saw in the amendment all the dangers which he has found lurking there, I certainly would oppose it.

As to the meaning of the so-called "joker," Judge Rose tells us that it will require only "a majority of the people of any county, town or city to make or unmake law, and to change or abolish the entire constitution so far as that particular county, town or city is concerned, or any part thereof." And then, with dire forebodings of bare possibilities, he tells us that "if riots broke out, and the governor attempted to enforce order, the county or town could, so far as its own inhabitants are concerned, repeal the clauses of the constitution creating the office of governor." He also fears that some town will rid itself of its best citizens by repealing the constitutional guarantee of a jury trial and then put him to death in a summary manner.

Now if all these dangers really lurk in the amendment, I am not sure that we ought not to adopt it in order to proceed without jury trial against the man who got it up. But such an interpretation certainly would be a novelty in American constitutional law, one no set of judges is likely to adopt. Our constitution provides that it can be amended only by a majority vote of the entire state. Amendment No. 10 does not expressly change this requirement. Surely any competent court would say that if it had been the intent of the amendment to alter this requirement along the lines indicated by its opponents, it would have read something like this: "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 independent of the legislative assembly, which laws and amendments shall be binding in and for only such municipality, county or the state, according as proposed and adopted by a particular municipality, county or by the state. Provided that any municipality or county may exempt itself from state laws and any part of the constitution by an affirmative vote to that effect." Such a proposition would indeed be a monstrosity in government and I certainly would vote against it, if ever placed before the people.

Judge Rose and Mr. Norwood both fear the issuance of bonds, the editor of the Gazette fears that the state will be asked to pay its repudiated bonds, and Mr. Norwood fears that the negroes of Chicot county will send their children to the white schools. Such fears are groundless with the possible exception of the repudiated bonds. Be it remembered that the people of the entire state reserve to themselves the power to make laws and that their will will be supreme after the adoption of No. 10, just as it is now. The reservation of this power to the people of the state would be meaningless, if a city or county could straightway nullify for itself any law or amendment adopted by the state. General laws are now applicable to the entire state, unless certain parts are exempted, as in the recent compulsory education law. This exemption was made by the representatives of the entire state. Under No. 10 no power but the entire state could exempt. The present prohibition on bond issues is not repealed by the proposed amendment and no