

EDUCATIONAL SERIES

EDUCATIONAL CLUBS

Already educational clubs in line with The Commoner's suggestion are being formed. The following letters received by The Commoner are self-explanatory:

Niagara, North Dakota, February 2, 1909.—The democratic party can get control of the federal government through education, and by having a platform as good as they had in 1908; and of course, by having Mr. Bryan at the head of the ticket. My theory in educating the people would be by organizing a club in every town, meeting once a week, and then discuss different questions of interest, then you would find they would become interested in this work—which is of such great value to them—much quicker than any other way. A good lesson learned is never forgotten. Each reader of this paper should try to organize a club for The Commoner, so as to have it spread widely over the country, and have as many people as possible reap the benefits of this well posted paper. The republican party won this election, through promises, which time will tell, they will not fulfill. Why is it that the republican party did not have any jollifications after the election, as they usually have had?
J. W. BERKHEIMER.

R. F. D. No. 1, Rexburg, Ida., Feb. 1, 1909.—We have organized the Independence Democratic club and intend to follow your course of study. Edward Priest, president; Charles Johnson, first vice president; J. G. Oram, second vice president; S. C. Clay, secretary. Very truly yours,
S. C. CLAY.

Phoenix, Ariz., February 3, 1909.—I believe the study course for The Commoner readers will prove a very valuable method for education. I have just received the issue of January 29, containing the initial article. The subjects suggested therein for discussion are of national importance. Of the questions the initiative and referendum, recall and taxation are of vital importance. But I suggest that the land value tax be added for discussion, since the monopoly of land is the barrier between the master and his industrial slave a land value tax is the means by which that barrier may be removed. The three above mentioned questions must be adopted as the fundamental issues composing the platform of the reform or democratic party, if a democratic party expects to gain control of the federal government.

Respectfully,
W. B. WHITE.

The Initiative and Referendum

DIRECT LEGISLATION

JOHN Z. WHITE IN THE PUBLIC (CHICAGO)

The referendum seems generally to be misunderstood. People apparently believe it to be something strange—a new device, whose merits and demerits are vague and uncertain. In truth it is a plan universally followed in all parliamentary bodies. Without it parliamentary law is impossible. Its absence from legislative assemblies is possible only through the substitution of that meanest and most irritating of all tyrannies, the rule of the gavel.

The referendum and initiative are the means by which self-government is secured by any group of men under any conditions whatsoever. Interference with these is just so much subtracted from the fact of self-government.

In deliberative bodies a chairman is selected to preside. His duty is upon demand to enforce the rules that may be adopted. If any decision rendered by him is thought to be in violation of these rules any member may appeal from such decision to the whole body. This is the referendum. In the absence of this right of appeal the presiding officer practically can do what he pleases.

If a member wishes action on any matter he makes a motion to that effect, and this, on receiving the support of a second member, is placed before the body for consideration and adoption or rejection. This is the initiative. In the absence of this right to "move," members are without power to act.

If the people of a city, state or the nation, are in truth to be self-governing it seems inevitably to follow that they must have at hand the means of making the government do their bidding. The people of the city of Chicago, for instance, voted in favor of public ownership of their street car system, but their board of aldermen were able to thwart the popular desire. The people of Philadelphia, and many other places, have repeatedly found themselves unable to achieve their wish. To many, self-government has for such reason come to be looked upon as an iridescent dream.

This pessimistic view arises from the fact that we are possessed of but part of the necessary machinery of self-government. We are like an engineer who has all essentials save the governor. His engine will "go," but its action is beyond orderly control.

The initiative and referendum, taken altogether, are called direct legislation. That is, just as in any deliberative body, if the usual machinery does not produce desired results, the body can act directly. So, if our city or other government does not act rightly, the body of the people, when possessed of the machinery of

direct legislation, can act, or legislate, directly. Without this power they are not really self-governing.

THE INITIATIVE

It is proposed, therefore, to give to a certain percentage of the qualified voters in any political body the power to prepare and present petitions for proposed laws to the whole body of voters. This is the exact equivalent of a motion in any club or society, save that a considerable number of "seconds" is required. That is, each signer of the petition really "seconds" the motion to adopt the matter proposed in the petition. Such action is the initiative.

It is sometimes said that the people need only to elect officials favorable to desired laws, and that thereby all need for the device known as the initiative will vanish. The fallacy in this position comes from the fact that our officials have many duties. An officer may be highly esteemed and very satisfactory in nearly all relations, but at the same time be quite at variance with the people on some question held by them to be important. Why shall we maintain a system that either deprives us of the efficient officer, or of a measure that we believe to be expedient?

An officer was elected by a majority of two to one, although he declared himself opposed to a policy that the same constituency favored by a vote of three to one. The opposing candidate, meanwhile, had declared in favor of this policy. The explanation is simple. Other issues were, in the opinion of the voters, sufficiently important to force this matter into the background. If possessed of the power to initiate legislation, the voters could have enjoyed the services of the officer they desired, and also secured the adoption of the policy they preferred. They were, in fact, but partly self-governing.

THE REFERENDUM

It is also proposed that the people shall have power, expressed by petition, as explained in the above reference to the initiative, to promptly propose the defeat of acts of legislation deemed by them to be unwise. If a measure has been enacted by the legislature, a petition may be prepared within a stated time (perhaps 90 days) and signed by the given percentage of qualified voters, whereupon it shall be submitted to the people for adoption or rejection. This is exactly equivalent to "an appeal from the chair." The matter may be placed before the people at a special election or at the next general election.

It is sometimes urged that under such a plan the people would be voting all the time and on all manner of questions. In fact, the referendum, where adopted, is seldom resorted to.

Legislators are careful when they know the people can reverse their doings; and, very much more important, lobbyists are not inclined to use their peculiar powers of persuasion on members of legislative bodies when they know there are watchful citizens intent upon the defeat of their nefarious schemes, and with full power to defeat them if the people so will.

Legislators are usually elected for two years, and the people, who are the principals, have no control of their agents save by criminal or impeachment proceedings—and constitutional guarantees, which are subject to court interpretation. Would any rational business man give to an agent or agents complete control—equal to an irrevocable power of attorney—of his establishment for two years? If he continued this practice, with no power save to change his attorney every two years, how long would his establishment continue to be his property?

The referendum will not only cure legislative rascality, but in even greater degree will operate as a preventive. Would a railroad corporation bribe a legislative body to enact injurious monopoly laws if it knew the people would in all probability rescind such act within a few weeks or months? It would not pay. The corporation would merely lose the money spent to secure legislative privileges.

LEGISLATIVE OBSTRUCTION

With the initiative and referendum the will of the people can not be thwarted by indirect methods. In the legislature, "pigeonholing" and obscure amendments frequently divert or even reverse the effect of a law as first introduced. A bill, on being presented to the legislature, is referred to a committee. Unless those interested in its adoption are sufficiently powerful to overcome any opposition that may appear, the bill is never heard of again—it is "pigeonholed." If forced from the committee, and its enemies can not outvote its friends, it may be placed so far down on the list of bills that the day of adjournment arrives before it is acted upon. Failing to stop the bill by these methods, amendments are proposed, and it often happens that a few members are (or profess to be) convinced the amendments are desirable, when in fact they render the whole bill useless.

If the bill finally gets through one house, it must travel the same course in the other. Failure of the two houses to agree often leads to a conference committee from both—with, of course, another opening for clever minds.

After all this the bill may still be vetoed. Later still it must run the gauntlet of the courts. All of these indirect methods of obstruction are avoided by the initiative and referendum. A bill properly signed and filed goes to the people without obstruction. The people either adopt or reject. All opportunity to deceive or poison is eliminated.

Direct legislation is merely the application to our public affairs of those methods that experience has shown best suited to attain the end desired. That end is self-government. Do we want self-government? It sometimes seems problematical. Capable men who oppose direct legislation can explain their attitude only on the ground that the people, in their judgment, are not capable of managing their own affairs. Such men are Tories. They have no proper place in the American scheme of government.

If it be held that we have in fact conducted this government for above a century without direct legislation and that we may safely continue "in the path our fathers trod," we would call attention to the fact that in nothing else are we satisfied with the ways of our fathers. They used the ox cart—we don't. Just as we have improved on our father's mechanical appliances, without violence to the principles of mechanics, so it may be possible to improve on governmental machinery without in any way altering the correct principles of government which we inherit.

The principle of the first locomotive is identical with that of the last. The changes have all been in the elimination of defective methods in detail, to the end that the essential principle involved might be more fully realized. Why is it not the part of wisdom to eliminate like defective details in the machinery of our government?

Again, when we remember that for the first time in history self-government on a large scale is attempted in America is it at all surprising that the machinery first installed is defective in detail? Would it not be profoundly astonishing if that machinery were not defective?

There are two theories of representative government. One is that we elect superior men to legislative office, whose function is to enact laws, for the regulation of our industrial and