

EDUCATIONAL SERIES

ELECTION OF SENATORS BY THE PEOPLE

Angus McSween, Washington correspondent for the Philadelphia North American sends to his paper this dispatch:

Washington, October 10.—That the legislatures of thirty-one states have adopted resolutions favoring the election of United States senators by a direct vote and calling upon congress to take the necessary steps to amend the constitution, has just been brought to public attention.

The constitution provides that whenever two-thirds of the states shall demand by petition or other action of the legislatures congress shall adopt a resolution providing for a constitutional convention to make such changes in the constitution as will make that instrument accord with the will of the people.

With the action of the Alabama legislature last August, the requisite two-thirds of the states had acted affirmatively upon the question of direct senatorial election, and the most imperative mandate possible under the existing system of government had been issued to the congress.

The situation created is one of interest because it is already known that the congress, controlled by Aldrich and Cannon, will pay no more heed to this mandate than if it had not been issued.

At the same time, another defect in the constitution is brought to light, inasmuch as while congress is commanded to take action in accordance with the demand of two-thirds of the states, there is absolutely no method provided by which congress can be compelled to obey the constitution.

That any effort to get through a resolution in the coming session in compliance with the provision of the constitution will be stifled by Senator Aldrich is already known.

Senator Owen, of Oklahoma, who is now in Washington, brought to the attention of senators during the last session the fact that before the next meeting the requisite number of states would have acted upon the question of electing senators by a direct vote to put the matter squarely up to congress.

He is authority for the statement that both Senators Aldrich and Hale rebuked him for his activity and told him it was a question the majority would deal with in its own time and its own way.

It is Owen's opinion that if a resolution providing for a constitutional convention is offered, it will be referred to a committee and held there.

A technical objection to the action asked for will be that the resolutions adopted by the state legislatures are not uniform in character; some of them demand action by congress, others merely recommend. The situation is one, however, to arouse such general interest in the question involved as may force congress in the near future to take action.

Fourteen years have elapsed since the first state legislature took action on the proposition; since then the states have been acting on an average of two a year, until last August, when the action of the Alabama legislature completed the two-thirds of the total number of states.

These are the states included in the number:

Alabama	Michigan	Oklahoma
Arkansas	Minnesota	Oregon
California	Missouri	Pennsylvania
Colorado	Montana	So. Dakota
Illinois	Nebraska	Tennessee
Indiana	Nevada	Texas
Idaho	New Jersey	Utah
Iowa	No. Carolina	Washington
Kansas	No. Dakota	Wisconsin
Kentucky	Ohio	Wyoming
Louisiana		

Pennsylvania being included in this list Senator Owen, in the last session of the senate, approached Senator Penrose and asked him if he would aid in putting through the resolution providing for the necessary constitutional convention. From nothing Senator Penrose said could Senator Owen obtain the least encouragement for the belief that the Pennsylvania senator will do anything of the kind.

CONGRESS DIRECTED TO ACT

It must be encouraging to democrats to read in papers like the Chicago Record-Herald such editorials as one entitled "The Senate and the People," and appearing in a recent issue of Chicago's great newspaper. The editorial follows:

Now that thirty-one states have petitioned congress to do its share toward amending the federal constitution so as to secure the election of senators by direct vote of the people, the moral power of the desire of two-thirds of the states is upon congress.

The lower house does not need to be urged, for it has four times voted for the submission of such an amendment.

The senate, however, has repeatedly rejected the proposal, and nobody thinks that a "moral power" will have much weight with it.

But there is a constitutional power lurking just behind the moral power. Already twenty-six of the thirty-one states have put their resolutions in constitutional form and made them a formal demand upon congress to call a constitutional convention to prepare the amendment.

When five more put their demands in this form—unless new states have meanwhile been admitted, in which case six demands will be necessary—the senate will be compelled to join with the lower house in acting, or else put itself squarely on record as a willful rebel against the constitution and a contemner of its constitutional obligations.

The issue may be forced sooner than one expects. It may come like a flash at any time when a number of state legislatures are in session. If the five states which have acted informally—Alabama, California, Ohio, North Dakota and Wyoming—act formally the critical moment will have arrived. Or, again, if the five states which have not passed any resolutions, but which, nevertheless, use the direct primary system themselves for senatorial elections, should take formal action for the benefit of their sister states any dilatory action in the other states could be compensated for. These states are Florida, Mississippi, South Carolina, Maryland and Virginia.

If a constitutional convention is assembled under the call of the states it is probable that it will feel free to go ahead and present amendments of any nature whatsoever. The senate will want a convention of that kind even less than it wants the particular amendment for changing the manner of its members' election. Consequently there is reason to believe that when the leaders of the senate see that a call for a convention is on the point of success—in other words, when two or three or four more states have formally made the demand—they will yield and let the desired amendment go to the people without a convention.

PEOPLE'S COMMAND TO THE SENATE

Paradoxical as it may seem, when unfaithful public servants apparently are most successful in their disobedience of law and the public will, they are doing more to hasten the day of legislation that will guard all the stronger the rights of the people.

This is the real meaning of the fact announced for the first time by the North American yesterday, that the legislatures of thirty-one states—the required two-thirds—have adopted resolutions favoring the election of United States senators by a direct vote and calling upon congress to take the necessary steps to amend the constitution.

We think that this news startled most readers. We have no doubt that the majority of citizens, at first blush, felt alarm at this unsuspected progress of radical sentiment in other trans-Mississippi states and those of the south, concerning which too many easterners have no knowledge, but just an uneasy feeling that they are sections crudely devoted to demagoguery and dangerous revolutionary theorizing.

It should, we think, give all pause for thought when they note that included in the states formally recorded by their legislatures as demand-

ing this radical departure are Pennsylvania and New Jersey.

This demand is not the creation of demagogues or revolutionaries. All citizens who so believe are short-sighted and in error. It is the work of Aldrich and Hale and Gallinger and Smoot and Penrose and Lorimer and their kind, who, in the present, are sent to Washington to misrepresent their states by grace of corrupt or incompetent legislatures, that register the will not of the people, but of utterly vicious state and city machines.

It is part of the legacy of the past which a careless people permitted to be shaped by Quay and Gorman and Foraker and Platt and the other soiled senators of their sort.

The wrongdoers have done what wrongdoers always do. In excess of evil they have opened the people's eyes to evils to which they had been blind. And so, as ever, the world moves forward, helped to the ultimate good by dint of the temporarily successful and therefore disheartening efforts of the forces most eager to retard progress.

We are not prepared to say that this extreme change in our electoral system would be the right, immediate remedy. We regard it merely as a sign of the times, scarcely calling for discussion, that would be only academic as long as Cannonism and Aldrichism dominate the national congress.

For this expression of the will of two-thirds of the states will not reach further than the pigeonhole of the desk of some committee chairman.

The smoothly phrased, plausible excuse of devotion to such rigid adherence to the letter of the law as to defeat its spirit has been somewhat overworked since last March. But it is due to be lugged out once more.

The constitution declares that "on the application of the legislatures of two-thirds of the several states" congress shall adopt a resolution providing for a constitutional convention to make such changes in the constitution as will make that instrument accord with the will of the people.

But the constitution provides no way to compel congress to put into effect the will of the people so long as the people fail to send to congress only such men as are honestly desirous of doing the people's will.

So there will be elaborate explaining that the action of some of the legislatures did not constitute an "application," but amounted only to a "statement" or a "declaration." And, therefore, in their reverence for the law the honorable senators and representatives will feel bound to conclude that no message fit for their consideration has been sent to Washington by those various states.

But what these men can not check is the knowledge that this discussion will impart to the people of that wise provision of the constitution that causes favorable action of a state upon a proposed constitutional amendment to stand for all time.

There is just one job too big for all the predatory powers combined—the control of every state in the union every year.

One by one, this year, next year or a dozen years hence, the distant and diversified communities that compose America will align themselves for the right and the general good. This gradual action toward a concerted protest against the unfaith of past and present senators is just a warning and a certain sign that the American spirit moves forward always.—Editorial in Philadelphia North American, Rep.

PLEDGE THE LEGISLATORS

The states of Kentucky, Maryland, Massachusetts, Mississippi, New Jersey, New York, Rhode Island, South Carolina and Virginia will hold legislative sessions next winter. Every candidate for the legislature in these states should be publicly pledged to vote for the ratification of the income tax amendment to the federal constitution.

Don't vote for any candidate who refuses to publish such a promise. Now is the time to strike. Non-partisan clubs should be organized in every doubtful state so that the whole strength of the income tax sentiment may be brought to bear on the legislature. There is no partisanship among the tax dodgers—they act together and there should be no partisanship among those who want justice in taxation. The question is now up to the people—let the people do their part.