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newspaper a description of their alleged desire to get rid of the speaker in order to serve themselves at the next election.

In mimic tones, the North Carolinian charged with hypocrisy those who opposed the speaker. They were really not against Mr. Cannon, he insisted, but they were masquerading before their constituents in order to obtain re-election. Mr. Cannon, he said, was but carrying out the will of the majority and the "near insurgents," in fact, were acting with him, he asserted.

"In murdering Caesar, Brutus promised Rome a better man than Caesar," shouted Mr. Kitchen. "But you only promise a weaker rather than a better man for speaker. For myself, I'd rather see a lion than a jackal in that high place in this house."

WHY GARFIELD LOST OUT

Before the Ballinger investigating committee Special Agent Horace G. Jones, testified that Donald A. McKenzie had told him that he had talked with James A. Garfield, secretary of the interior in the Roosevelt cabinet, and that Mr. Garfield had said that his hostility to the Alaska claims was such that "they brought pressure to bear upon senators and others to prevent his being retained in the cabinet and that was the reason he was not retained by President Taft. They wanted some one in the cabinet who understood the needs of Alaska."

Jones said he and Glavis felt that if McKenzie and other claimants in Alaska had power enough to remove a cabinet officer, they themselves would be removed if their reports "didn't suit."

PINCHOT ON THE STAND

On February 26 Gifford Pinchot appeared before the Ballinger investigating committee. The Associated Press says:

"The dismissed chief forester, before being sworn, dramatically declared that when his story had been told, the country would demand a verdict in 'harmony with the general conviction that the secretary of the interior has been unfaithful both to the public, whose property he has endangered, and to the president, whom he had deceived.'"

On this occasion Mr. Pinchot said: "That Ballinger deceived the president by making an explanation to him that was essentially false; that Ballinger broke the backbone of the conservation movement, which, up to the time of his entry had been progressing splendidly; that Glavis was a hard-working, thoroughly reliable man; that President Taft was misled or mistaken in the conclusions which brought about Glavis' dismissal; that Ballinger is opposed to conservation and should be dismissed."

The Initiative and Referendum in Switzerland

The following article entitled "The Initiative and Referendum in Switzerland" by Theodore Curti, with introduction by George Judson King, field secretary of the Ohio Direct Legislation League, was printed in the October number of the Twentieth Century Magazine:

Note: In order to give the American people through one of its leading magazines a clear and authoritative statement as to the workings of direct legislation in Switzerland, the following paper was especially prepared, at my request, by Theodore Curti, the distinguished Swiss statesman and journalist.

Now that direct legislation through the initiative and referendum is passing from the stage of advocacy by reformers to an active issue in American politics, there naturally develops among thoughtful people, to whom this method of law-making is a new subject of thought, a great interest in the success of the workings of the "experiment" in Switzerland, where it has been most fully utilized. Unfortunately, the bulk of our information comes from non-Swiss investigators—French, English, German, Belgian, American—and conclusions vary with what one were tempted to call the predestined viewpoint of the writers.

It is not a little strange that the most able Swiss writer upon this subject, Theodore Curti, is almost unknown to English and American readers. Yet Curti's great work, *The Referendum: A History of Popular Legislation in Switzerland*, has been translated from the original German into French and Russian, and stands today the most complete and authoritative utterance upon the theory, history and results of direct democracy in the Alpine republic.

While studying the initiative and referendum in Switzerland last summer, I was constantly directed to "see Mr. Curti," by all classes of informers. I was assured that "Curti will know." But Mr. Curti, since retiring from the Swiss federal congress in 1902, has been chief editor of the Frankfurter Zeitung, was a long way off, and was bound to be a very busy man. I went, however, and was well repaid for that long ride to Frankfurt, Germany, because Mr. Curti not only "knew," but I found him vitally interested in the progress of direct legislation the world around. A partial result of the visit is the present article, fresh from his pen, which is a notable contribution to the literature of the subject in hand.

Mr. Curti's qualifications as a writer upon the referendum may be indicated by a brief account of his career. Born at Rapperswyl, Switzerland, in 1848, he received a university training in medicine and law, but being more interested in social and political problems, began writing for political journals. At the age of twenty-two, we find him war correspondent in Alsace during the Franco-Prussian war, for the same paper he now directs. He was Paris correspondent for the same journal in 1877, during the critical days of the French republic. Returning home in 1879, he became one of the founders of the Zurich Post, a democratic newspaper which has wielded a powerful influence in progressive Swiss politics. Sent to the federal congress from Zurich in 1881, later elected to various posts of responsibility, both legislative and administrative, in the local governments of Zurich and St. Gall, he was again, in 1894, elected to represent St. Gall in the federal congress, where he remained for eight years, resigning in 1902 to accept his present position of director of one of the greatest liberal-democratic newspapers of world-wide circulation, which he conducts with signal ability and success.

In addition to his great history of the Swiss Referendum, Mr. Curti is the author of *The Rights of the Swiss People, A History of Switzerland in the Nineteenth Century*, and several poetic and dramatic works.

A man of scholarly instincts and attainments, of democratic viewpoint, vast knowledge of international affairs, and twenty years' experience in helping form that body of laws and institutions which has placed Switzerland in the vanguard of enlightened nations, it is evident that we have in Mr. Curti a writer quite as capable (to put it with extreme modesty) of understanding what direct legislation means to the political life of his native land as the transient investigator, who, as a usual thing, estimates the value of the new order of things solely upon his own

judgment as to the desirability of certain laws which have been accepted or rejected by the Swiss people.

As will be observed, Mr. Curti has adopted the form of an open letter for his essay. In translating, I have collaborated with Mr. William F. Renz, a capable German scholar. The result has been submitted to Mr. Curti, who responds that "the translation renders my opinions exactly."

GEORGE JUDSON KING.

Dear Mr. King: During your recent investigating trip in Europe, you paid me the honor of a visit, asking my opinion regarding the value of the initiative and referendum as factors in the political progress of Switzerland. You also asked me to answer, in an open letter, some specific questions pertaining to the subject, urging as a reason that my ideas would interest and carry weight with the American people, since I am the author of a book and many articles upon popular legislation in that country. I now take the pleasure of complying with your request.

Naturally I do not care to set myself up as a judge of the affairs of a foreign country, and I shall confine myself to setting forth the value and necessity of the Swiss referendum, particularly as applied to statute law, which institution several American states have added to their constitutions and others are considering.

The similarity of the Swiss and American forms of government makes my task an easy one. The referendum is not a principle which concerns one or two countries only; it concerns all countries. It is a political omen; it signifies a general awakening of the people to their right to build the state. This omen and this awakening has a historic background and will be a vital factor in the future development of the nations of the world. At least I am convinced that this system of law making by the people will follow the world-wide adoption of the English parliamentary system and eventually perfect or replace it.

It is easily understood that the United States should postulate the same democratic principles as Switzerland. Both are republics; both are federal unions; the structure of the Swiss confederation was patterned after the American union. In former years Switzerland was a federation of states. At the time of the French revolution she made a short-lived attempt at unification. Under the protection of Napoleon she became a loosely combined, flexible union, which, after the downfall of the protector, again gave way to a federation of states. In the revolutionary year of 1848, in consequence of a civil war in which the progressive party was victorious, she finally became a union of states—and this time a real one. The champions and founders of this union, more than once in the accomplishment of their task, have been prompted by the example of the United States. They vested the law-making power in an assembly of two houses, one of which represents the people, the other the cantons. The main difference in the structure lies in the executive branch. In America it is placed in a president, elected indirectly by the people, while in Switzerland we have a "Bundesrat," or executive cabinet, composed of seven members, elected by both chambers of the federal congress. In methods of legislation, in civil and religious liberties, the two countries have much in common. They are closely related also in their efforts to achieve popular government, and in the means employed. Many cantons of Switzerland had retained from olden times the "Landsgemeinden," which are legislative assemblies of the whole people similar to the New England "town-meeting." Stimulated by the spread of democratic ideas during the eighteenth century, the next natural step for them was the referendum.

The constitutional referendum was known in America before Switzerland acquired it. Massachusetts and New Hampshire employed it a short time after the Declaration of Independence, but we find it used in Switzerland first in 1802, when a constitution was adopted by a vote of the people. It did not last, however, on account of the unsettled condition of the times. In 1830 the constitutional referendum came to stay, when several cantons revised their constitutions and made it a part thereof. In 1848 it was made a part of the national constitution, which provided further that all cantonal constitutions