

Election of Senators by the People

A Powerful Speech Delivered in the United States

Senate by Senator Robert L. Owen of Oklahoma

On May 30 Senator Robert L. Owen of Oklahoma delivered an address in the United States senate on the subject, "The Election of Senators by Direct Vote of the People and the Necessity for Restoring the Rule of the People."

Following are extracts from Senator Owen's remarkable address:

Mr. President: On the 21st day of May, 1908, in accordance with wishes of the legislature of the state of Oklahoma, expressed by resolution of January 9, 1908, I introduced senate resolution No. 91, providing for the submission of a constitutional amendment for the election of senators by direct vote of the people.

Article 5 of the constitution provides that congress, whenever two-thirds of both houses shall deem it necessary, shall propose amendments to the constitution or, on the application of the legislatures of two-thirds of the several states, shall call a convention for proposing amendments which, in either case, shall be valid when ratified by the legislatures of three-fourths of the several states or by conventions in three-fourths thereof, as the one or other mode of ratification may be proposed by congress.

The reasons why the people wish this proposed reform are thoroughly well understood. First—It will make the senate of the United States more responsive to the wishes of the people of the United States.

Second—It will prevent the corruption of legislatures.

Third—It will prevent the improper use of money in the campaigns before the electorate by men ambitious to obtain a seat in the senate of the United States.

Fourth—It will prevent the disturbance and turmoil of state legislatures and the interferences with state legislation by the violent contests of candidates for a position in the United States senate.

Fifth—It will compel candidates for the United States senate to be subjected to the severe scrutiny of a campaign before the people and compel the selection of the best-fitted men.

Sixth—It will prevent deadlocks, due to political contests in which various states from time to time have been thus left unrepresented.

Seventh—It will popularize government and tend to increase the confidence of the people of the United States in the senate of the United States, which has been to some extent impaired in recent years.

Mr. President, as the state of Idaho points out, and as the state of New Jersey points out, in their resolutions herewith submitted, the house of representatives of the congress of the United States has on four separate occasions passed by a two-thirds vote a resolution proposing an amendment to the constitution providing for the election of United States senators by direct vote of the people.

And the senate has, on each occasion, failed or refused to vote upon such resolution or to submit such constitutional amendment to the several states for their action, as contemplated by the constitution of the United States.

On May 23, 1908, I called attention of the senate to the various resolutions passed by twenty-seven states of the union, and on behalf of the state of Oklahoma, I urged the senate to act.

Over my protest the senate referred this joint resolution 91 to the committee on privileges and elections by a vote of 33 to 20. Thirty republicans and three democrats.

This vote meant the burial of the proposed constitutional amendment. Eight democrats assisted me with a positive vote, and eleven western republicans.

The senator from Michigan (Mr. Burrows), chairman of the committee on privileges and elections, never gave any hearing on this resolution and never reported it, but allowed the Sixtieth congress to expire without taking any action in regard to it, notwithstanding the legislature of the state of Michigan had therefore by joint resolution expressly requested this action.

I can not believe that the senate is conscious of the widespread public demand for the election of senators by direct vote of the people. I therefore submit the following evidence of the action taken by the various states of the union, showing the following thirty-six states to have expressed themselves (in one form or another)

favorably to the election of senators by direct vote of the people, over three-fourths of the states of the union: Alabama, Arkansas, California, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Jersey, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, South Carolina, Tennessee, Texas, Utah, Virginia, Washington, Wisconsin, Wyoming.

The fuller details relative to primary elections will be found in the work "Primary Elections, a Study of the History and Tendencies of Primary Election Legislation," by C. Edward Merriam, associate professor of political science in the University of Chicago, 1908.

The northeastern states alone are moving slowly in the matter—Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, Delaware, Maryland and West Virginia.

In West Virginia they have primaries in almost all of the counties, instructing members of the legislature as to the election of senators.

In Delaware the election of the members of the legislature carries with it an understanding as to the vote of the member on the senatorship.

In Massachusetts the legislature, through the house of representatives, has just passed a resolution favorable to this constitutional amendment.

Maine has recently adopted the initiative and referendum—the people's rule.

It is obvious that in Maine the question of who shall be senator is entering vigorously into the question of the election of members of the legislature, and commitments are demanded of candidates for the legislature; and so in greater or less degree even in some other northeastern states, which are not definitely committed to the election of senators by direct vote of the people, a similar method is followed, which, in effect, operates as an instruction, more or less pronounced, in favor of a candidate for the senate.

In the effort I made to have the amendment to the constitution submitted to the various states on May 23, 1908 (S. J. Res. 91), it was obvious that I had not the sympathy of those who control the senate and no vote from a northeastern state.

The senator from Rhode Island, in answer to the various resolutions passed by the various states, asked the following question of me:

Mr. Aldrich: Does the senator from Oklahoma understand that a senator is bound to vote according to the instructions of his legislature?

While I answered in the negative, nevertheless I do think that when the opinion of the people of a state is thoroughly well made up a senator ought not only to be bound by it, but that he ought to feel glad to carry into effect the will of the people whom he represents, and ought not to set up for himself a knowledge or an understanding greater than that of the people of the entire state who have sent him as their representative. I believe that the will of the people is far more nearly right, in the main, than the will of any individual statesman who is apt to be honored by them with a seat in the senate; that the whole people are more apt to be safe and sane, more apt to be sound and honest than a single individual. At all events I feel not only willing, but I really desire to make effective the will of the people of my state. I believe in popular government, and I believe that the people are more conservative, more "safe and sane," and more nearly apt to do right in the long run than ambitious statesmen temporarily trusted with power.

I now submit, Mr. President, the evidence of the public opinion of the people of the United States as expressed through their legislatures, or by the voluntary act of party regulations in instructing candidates for the legislature on the question of the election of United States senators, or by primary laws as far as they apply.

It will be thus seen that democratic states and republican states alike, west of the Hudson river, have acted favorably in this matter almost without exception. Only eight or nine states have failed to act, and I do not doubt that if the voice of the people of these states of New England, of New York, Maryland and Delaware

could find convenient expression, free from machine politics, every one of them would favor the election of senators by direct vote, and would favor the right of the people to instruct their representatives in congress and in the senate, a right which they enjoyed from the beginning of the American republic down to the days when this right was smothered and destroyed by the convention system of party management.

Not only the states have acted almost unanimously in favor of this right of the people but all the great parties of the country have declared in favor of it, except the republican party, and this party would have declared for it except for the overwhelming influence and domination of machine politics in the management of that party and the prevalence of so-called boss influence. And this is demonstrated by the fact that the large majority of the republican states, by the resolutions or acts of their legislatures, have declared in favor of it.

The democratic party, representing about half of the voters of the United States (6,409,104 voters), in its national platform adopted at Denver, Colo., July 10, 1908, says:

"We favor the election of United States senators by direct vote of the people, and regard this reform as the gateway to other national reforms."

The platform of the independence party, adopted at Chicago, Ill., July 28, 1908, declared for direct nominations generally, and further made the following declaration:

"We advocate the popular election of United States senators and of judges, both state and federal, * * * and any constitutional amendment necessary to these ends."

The platform of the prohibition party, adopted at Columbus, Ohio, July 16, 1908, made the following its chief plank after the prohibition question, to-wit:

"The election of United States senators by direct vote of the people."

The platform of the New York democratic league, adopted at Saratoga, N. Y., September 10, 1909, declares for the—

"Election of United States senators by the direct vote of the people."

The American Federation of Labor, consisting of 118 national and international unions, representing, approximately, 27,000 local unions, four departments, thirty-eight branches, 594 city central unions, and 573 local unions, with an approximately paid membership of 2,000,000 men, representing between eight and ten millions of Americans, with 245 papers, have declared repeatedly in favor of the election of senators by direct vote of the people.

The national grange, comprising the association of farmers in the northeast and in central states, including nearly every farmer in Maine and in the New England states, and in Pennsylvania and Ohio and Michigan, the Society of Equity and the Farmers' Educational and Co-operative Union of the west and south, and altogether representing the organized farmers of the entire United States, have declared in favor of the election of senators by direct vote of the people. In this group of people our census of 1900 disclosed 10,438,219 adult workers.

The state of Iowa in a joint resolution of April 12, 1909, makes the following statement:

"Whereas the failure of congress to submit such amendment to the states has made it clear that the only practicable method of securing submission of such an amendment to the states is through a constitutional convention to be called by congress upon the application of the legislatures of two-thirds of all the states."

And the legislature of Iowa therefore resolved in favor of a constitutional convention because of the neglect and refusal of the senate to perform its obvious duty in the premises.

This expression of the disappointment of Iowa in the senate of the United States is emphasized in a more vigorous manner by the platform of the socialist party adopted at Chicago, Ill., May 13, 1908, which submitted as one of their political demands:

"The abolition of the senate." (Votes, 420,793.)

Mr. President, the senate of the United States is one of the substantial bulwarks of the government against sudden popular passion or hasty generalization of the people. Its strength in this direction is well known to all and needs no commendation by me. Its weakness is in disregarding the matured will of the people of the United States in matters of national importance, obstructing national reform, and being regarded by the people as too greatly influenced by organized special interests against the policies needed and desired by the people.

I think it is no exaggeration to say that nine-tenths of the people of the United States are