

The Oregon Primary Law

By Senator Jonathan Bourne, Jr.

Senator Jonathan Bourne, Jr., has written for the Columbian Magazine an article entitled "Where the People Rule." Following are extracts from that article:

The Oregon legislature consists of ninety members, thirty in the senate and sixty in the house, forty-six making the necessary majority on full attendance for the election of United States senator. Fifty-one members out of ninety of the legislature which elected Senator Chamberlain were subscribers to statement No. 1, making on joint ballot a majority of six out of a total of ninety members. All of these fifty-one members subscribed to statement No. 1 pledge voluntarily, and it was so subscribed to by them from a personal belief in the desirability of the popular election of United States senators and for the purpose of securing for themselves from the electorate preferment in the election to the office sought; the consideration in exchange for such preferment was to be by them, as the legally constituted representatives of the electorate in their behalf, the perfunctory confirmation of the people's selection of United States senator as that choice might be ascertained under the provisions of the same law by which the legislators themselves secured nomination to office.

No oath could be more sacred in honor, no contract more binding, no mutual consideration more definite, than is contained in the statement No. 1 pledge, and no parties to a contract could be of more consequence to government and society than the electorate upon the one side and its servants upon the other.

Under the United States constitution there can be no penalty attached to the law. The legislator breaking his sacred pledge cannot be imprisoned or fined, hence he is doubly bound by honor to redeem his voluntary obligations. Failure to do so would not only brand him as the destroyer of a sacred trust, but as the most contemptible of cowards because legally immune from punishment for his perfidy.

Resuming consideration of the direct primary: The returns from a primary election are canvassed in the same manner as the returns from a general election, and the candidate receiving the highest vote for each office is declared the nominee of his party. Candidates of parties other than those polling twenty-five per cent of the total vote of the state may be nominated without participating in the direct primary, but by means of petition or mass meeting. No candidate nominated otherwise than in direct primary can use either the word "republican" or "democrat" in any form; that is, the nominees of the direct primary are entitled to the party designation in the general election, and no opposition candidate can designate himself as an "independent republican" or "progressive republican," or use any other qualifying term which includes the word "republican" or "democrat." These provisions secure to the nominees of the direct primary the exclusive right to their party designation on the ballot in the general election. Each candidate in the direct primary is entitled to have placed in his petition for nomination a statement containing not to exceed 100 words, and on the ballot in the primary and general election a legend of not more than twelve words specifying any measures or principles he especially advocates.

In my opinion the direct primary is the only practicable method of fully securing to the people their right to choose their public servants.

Under the convention system the members of a party delegate their power of selection of candidates to the members of a convention. To my mind this system is most pernicious, because the party electorate feels that its responsibility ceases with the selection of its convention delegates. Hence the responsibility of citizenship is weakened and shiftlessness encouraged.

As soon as the delegates to the convention are chosen, the power of selection of public servants becomes centralized in a few and opportunity is extended to individuals and interests who wish to use public servants for selfish or ulterior purposes. Influences adverse to the general welfare are immediately brought to bear upon this body of delegates. Factions are created, combinations effected, and party disruption frequently results. Often a convention nominates a man for public office who, prior to the convention,

was never seriously considered as a probable nominee.

In my thirty years' experience in politics quite frequently have I seen this the case. This strengthens my conviction that the prevailing system of convention selections of party candidates is not a representative, but misrepresentative, form of government. The people certainly have no voice in the selection of candidates when their temporary representatives had no idea of making a selection until occurrences transpiring during the convention determine their action.

In most cases where convention nominations are made we can trace back to the political boss and machine the preparation of a slate of delegates. In the selection of the individuals composing the slate the political boss has in mind the perpetuation of his own power, and selects individuals whose interests are identical with his or whom he thinks he can direct and control, though occasionally, if anticipating a struggle, he will select a few men whose standing in the community will bring strength to the slate he has prepared in order to carry out his purposes. Independent men are selected only where it is deemed necessary by the political boss to deceive the public and secure sufficient support from the personal influence of those few selections to carry through the slate made up chiefly of his willing tools. This system prevails not only in selection of delegates to county conventions, but in selection of delegates to congressional, state and national conventions as well. The result is inevitable that the delegates nominate candidates whom the machine and political bosses desire, except in rare cases where a few independent men are able, by presentation of arguments against the qualifications of a machine candidate, to demonstrate to the convention the probability of the defeat of the man slated for the position. Frequently, of course, a case is presented where the boss has made promises to various aspirants for the same office, in which case he excuses himself to the disappointed aspirants by explaining that he was unable to control the convention. Thus mendacity and treachery are fostered by the convention system which by primary system are absolutely eliminated.

Under the convention system the nominee realizes that his nomination is due chiefly, if not entirely, to the boss. With this knowledge naturally goes a feeling of obligation, so that the nominee, when elected, is desirous, whenever possible, of acceding to the wishes of the man to whom his nomination is due. Thus the efficiency and independence of the public servant is seriously affected and his duty to the public in many cases completely annihilated.

How different in its operation is the direct primary! The man who seeks a nomination under the direct primary system must present before the members of his party the policies and principles by which he will be governed if nominated and elected. He must submit to them his past record in public and private life. Promises made to political bosses or machine managers will have no beneficial influence in determining the result, and therefore the candidate is not tempted to place himself under obligations to any interests adverse to those of the general public. The members of a party have it within their power to determine which of the candidates best represents their ideas and wishes. After they have made their selections the candidates of opposing parties must stand before the people at the general election, when a choice will be made between them. A public servant thus chosen owes his election to no faction, machine or boss, but to the members of his party and the electorate of his state or district. He is accountable to them alone for his conduct in office, and has, therefore, every incentive to render the best possible public service. How different in all essentials from the position of the candidate who has received his nomination at the hands of a convention controlled by a political machine!

The great masses of the people are not only intelligent, but honest. They have no selfish interests to serve and ask nothing of their public officials but faithful and efficient service. Only the very few have interests adverse to those of the general welfare. The people, therefore, act only for public good when they choose between candidates for the nomination or candidates for election.

The direct primary encourages the people of the country to study public questions and to observe and pass judgment upon the acts of their public officials. This, in itself, tends very strongly to the building up of a better citizenship. Honest selections mean honest government and better public servants.

TWO SYSTEMS

It is a question for us now not of founding a new party, but of the preservation of the ideals of the old party. Not the formation of a new government but the purification of a nation's life; not the conquest of foreign foes but the subjection of those within. The capacity of a people for self-government is not to be proven by the glitter of wealth, nor bravery on battlefields, nor by the extent of a nation's dominion, but by the happiness and welfare of the average man. The dangers of today are not from without, but from within. Selfishness, greed, avarice, privilege, the decay of public virtue, those who would subvert the public functions of government to sordid uses—these are the enemies we have to fear. There can be no peace between these enemies and the people's safety. We cannot avoid the conflict with them without being recreant as democrats and traitors to our better natures. It is not enough for us to rest upon the splendid history of the democratic party, there must be hopes and aspirations for the future as well as history and records of the past. No man, no nation, no party, can stand still. We must progress or decay, we must grow better or we will grow worse.

Standpat republicanism says to a man, "Come with us and we will give you a high tariff enabling you to make money at the expense of your fellowmen. Come with us and we will give you a subsidy or bounty affording you an advantage over others." Progressive democracy says, "Come with us. We cannot offer you any advantage over others, but we can promise that no one else shall have an advantage over you." The one appeals to avarice and greed; the other appeals to manhood and conscience. One stands for the selfish riches of the few; the other for the welfare of all. True democracy cannot give a privilege enabling you to rob others, but it can deny others the privilege of robbing you. It would confer upon you the right to the rewards of labor in proportion to your industry and intelligence and it would give all others the same opportunities. This is the doctrine of the common good—the religion of democracy.—Joseph W. Folk, in The Commoner, January 20, 1911.

PROGRESSIVE "THUNDER"

Chelan, Wash., January 25, 1911.—I see in the Seattle Times of 23d inst., that the republicans in Washington, D. C., have formed a progressive league, organized to establish popular government, and that many of the republican senators and representatives, together with several governors, have signed the roll.

I write this to find out if our old friend, W. J. Bryan, has lost any powder, or have any of his magazines been blown up lately. For certainly this organization is letting his thunder roll from one end of the earth to the other, and appear to think they are the inventors of the idea of popular government. They have breathed so much of his smoke and listened to so much of his thunder that they are sure unadulterated, dyed-in-the-wool, pure and simple democrats, but are too proud to change the name of their party, and as republican sounds better to them than democrat, they want to retain their maiden name, but don't object to being married to the democrats. Just like many of our suffragettes, who have expressed themselves that they are not averse to getting married, but now as we have a right to vote, the man I marry must take my name, instead of me taking his, for we are it now.

However, we are pleased to see so many of the leading republicans drinking the democratic milk, and we hope by 1912, they will vote for the principle regardless of name, and that we may in the near future have a popular government in fact. We do not care so much for the name so long as the principle is right. So let us pat them on the back, and tell them to let the thunder roll, as W. J. Bryan has lots of powder to make more if they need it.

Yours for success,
W. J. LONG.