

weighty influence in congress to turn against Jackson votes of representatives from states which had supported Jackson in the popular election. Adams thus secured the presidency.

But the issue thus drawn was finally decided in favor of democracy, as it has always been in this country, and Andrew Jackson was elected by the people not for one term but for two, after Adams's single term. A presidential elector is now chosen because he favors a certain candidate, and he would not dare to betray his trust after election by voting for the opposite candidate.

In the beginning of our political history the parties did not adopt platforms, but now for nearly 100 years each party has committed its candidate to a declaration of principles, and these declarations are becoming more and more specific. The late Colonel Roosevelt made a telling indictment against what he called "weasel words"—words put into a platform to suck the meaning out of adjoining words.

A party platform cannot be justified on the aristocratic theory of representative government, because party declarations would sorely hamper an official who deemed it his duty to think for his people; they are welcome only to those who are democratic enough to desire to think with the people.

ANOTHER MILESTONE

3. The substitution of popular election of senators for election by legislatures is another milestone in the march toward more democratic methods. For 103 years after the adoption of our constitution the people tolerated the indirect method of electing senators without a protest that rose to the dignity of a congressional resolution, but in 1892 the national house of representatives cast a two-thirds vote in favor of the submission of an amendment providing for the direct election of United States senators.

It took twenty-one years from that time to secure the reform, the amendment being adopted in 1913. The resolution proposing the amendment passed in the house six times before it passed the senate once, the reason being that the senate contained so many members who knew that they could not be elected by direct vote, and were, therefore, personally opposed to the change.

And, as may be added, that these senators had made the senate the bulwark of predatory wealth, and for nearly a generation had obstructed remedial legislation. The popular election of senators was the gateway to other reforms, and the senate, now as democratic as the house, has, since 1913, made a wonderful record as the champion of reform.

4. The substitution of the primary for the boss-controlled convention is another step in advance. The voter is made secure in his right to control party nominations and to determine party declarations.

5. Popular government won another victory when the appointment of the committees of the house of representatives was taken out of the hands of the speaker and deposited with a committee chosen by the party in congress and responsible to the party.

6. A still further advance was made when the senate reformed its rules so as to permit debate to be closed by a two-thirds vote. And it has another advance to make before its rules will harmonize with our theory of government—namely, the recognition of the right of a majority to force a vote after a reasonable opportunity for discussion.

The above are illustrations of the irresistible trend of public thought toward more and more popular methods of government, but none of these compare in importance with the reforms known as the initiative and referendum. They are, in fact, two reforms, but are so often united in one demand that they are sometimes treated as if they constituted a single reform. I shall treat them as two, because they are entirely distinct one from the other and one is much more important than the other.

EXPLANATION OF INITIATIVE

The initiative is a term used to describe a governmental process by means of which a certain percentage of the people can, by signing a petition, bring a proposition before the voters of a given governmental unit and secure a vote upon it. When the proposition receives a majority of the votes cast it has the same legal force that it would have if enacted by a legislative body. The initiative can be applied in a municipality, in a county, in a state or in the

nation, and it can be used to secure constitutional changes as well as statutes or ordinances.

The idea is not a new one. It has long been employed in such matters as the location of county seats. It is the usual method of securing a vote on a county seat proposition, but its application to legislation and to constitutions is modern. We borrowed it from Switzerland, where it has rendered signal service in safeguarding the principles of popular government.

The referendum is a term which describes the process by which a given percentage of the voters can, by petition, secure a popular vote on an ordinance or statute before such measure goes into effect, a negative vote nullifying the proposed ordinance or statute. The referendum is better understood than the initiative. It has long been employed in the adoption of constitutional amendments.

Our federal constitution provides that amendments shall be submitted to the states for ratification, and nearly all of our state constitutions provide that amendments to such constitutions shall be submitted to the voters for ratification. For a considerable period it has been customary to require a referendum on bond issues, and more recently city ordinances have been made subject to referendum, and the referendum, thus used, has often saved the public from injustice at the hands of city councils corrupted by franchise-seeking corporations.

INITIATIVE MORE IMPORTANT

Of the two, the initiative is the more important, because it can do all the referendum can do and, besides this, can do what the referendum cannot do, namely, initiate legislation. The referendum cannot be invoked until after a legislative body has acted, and therefore it is powerless to compel reforms. The referendum can be used to protect the public from bad laws, but it cannot coerce the legislature into the enactment of good laws.

The initiative, on the other hand, enables the people to pass over the heads of legislatures and secure what they want in spite of legislative inaction or opposition, and, as it can repeal, as well as enact, it has all the force and effect of a referendum, but moves more slowly. That is, a referendum can prevent a law going into effect, while the initiative can repeal it after it goes into effect.

I have merely stated the principles. It is not worth while to deal at length with the details, as they can safely be left to be decided by those who believe in the principles. The friends of these reforms incline to a small percentage requirement for the petitions, while the opponents usually endeavor to make the percentage as high as possible.

If, for instance, the advocates of the initiative and referendum want these processes invoked upon the petition of 10 per cent of the real voters, the opponents are likely to insist upon 20 or 30 or even 50 per cent. The final decision will be determined by the value which the deciding body places upon the reform and its confidence in the intelligence and patriotism of the people.

ONE DETAIL OF IMPORTANCE

There is one detail that is of very great importance, namely, the vote required for the adoption of the proposition submitted. The friends of the initiative and referendum insist upon the right of the majority voting on the proposition. The opponents of these reforms always demand that the affirmative vote shall constitute a majority, not of the votes cast on the proposition, but of all the votes cast at the election. The reason for this demand is obvious.

A great many voters fail to vote on all propositions submitted or even all the candidates. This is especially true when the ballot is long. It is not unusual for 10 or 15 per cent, or even more, of the voters to fail to vote on the whole ticket, and even a larger per cent may fail to vote on separate propositions. It is obviously unfair for the negative to have the benefit of votes not cast on the proposition.

To illustrate. If the total vote cast at an election is 200,000, the candidates for governor may altogether receive 190,000 and the candidates at the bottom of the ticket a total of 170,000, and 150,000 may vote on a constitutional amendment or a statute submitted by petition under the initiative. The vote on the amendment may be 76,000 for and 74,000 against, a majority of 2,000 for the affirmative. If the law requires only a majority of the votes cast on the proposition, the affirmative wins.

If, however, the law requires a majority of

all the votes cast at the election, the affirmative would fall 24,000 votes short of the necessary majority of all votes cast.

The importance of this difference was illustrated last year in Minnesota, where a prohibition amendment secured a large majority of the votes cast on the proposition, but lacked a few hundred of receiving a majority of all the votes cast at the election, and illustration is made the more appropriate by the fact that about twenty years ago the liquor interests secured an amendment to the constitution of Minnesota requiring a majority of all the votes cast at the election, and thus secured for themselves, without the people knowing the purpose of the amendment, this big advantage over the opponents of the saloon.

If there is any virtue in the doctrine that a majority has a right to rule, it must mean a majority of those who vote on the proposition and not a majority of those who vote on other issues.

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PLUTOCRACY

The initiative and the referendum are in harmony with the principles of popular government. They do not overthrow representative government; they, on the contrary, perfect representative government. They really strengthen representative government by purging it of a defect—the greatest defect it can have—namely, misrepresentation.

The right of the people to act directly cannot be questioned. If they can delegate power to representatives they can reserve the power for their own use—and they should reserve enough power to compel their representatives to actually represent them.

The initiative and referendum do not rest on the theory that the people will make no mistakes, but upon the democratic doctrine that they have a right to make their own mistakes—that no select few have a God-given right to make mistakes for all the rest of the people.

Mistakes will be made under all forms of government, but as the people must suffer for the mistakes they make, they are not as apt to make mistakes as those who find it profitable to make mistakes at the expense of others.

The initiative and the referendum have a far-reaching effect in preventing corruption, because they take away the incentive to corruption by making corruption valueless. The lobbyist will cease to bribe when he can no longer accomplish his purpose, and the legislator will be strengthened to resist the persuasion of the lobbyist when he knows that his constituents can nullify what he does by a referendum and, through the initiative, secure legislation which he tries to deny them.

We ought to have initiative and referendum in every municipality, in every state, and in the nation; and it is the only absolute safeguard for the rule of the people. If it is objected that it might be used to deny to the states equality of representation in the senate, this objection can be met by a provision requiring a majority vote in a majority of the states as well as a majority of the popular vote.

The initiative and referendum are of special importance just now. The ideals of democracy are spreading throughout the world and it is not surprising that peoples freed from tyranny and the limitations placed upon them by arbitrary power are in some instances resorting to violence.

The pendulum swings from despotism on the one hand to license on the other. It is important that this, the greatest of republics, shall set an example and point the way to safety. By making evolution easy and natural we can make revolution impossible and indefensible.

If any attempt violence it may become necessary to visit upon them the extreme penalty of the law—as it is sometimes necessary to amputate a limb to save the body, but it is easier and cheaper to begin earlier and remove the poison from the blood of the body politic.

There is only one way, and that is to let the people have what they want in government. When they can secure at the polls whatever a majority of the people want, there is no excuse for "mob law" and with the initiative and referendum in operation there will be no resort to "mob law" among intelligent people.

In this country we have no hereditary monarch to fear; we have no official who can force his will upon the people; but in some cases the