

OREGON

The Most Complete Democracy in the World

By FREDERICK C. HOWE in Hampton's Magazine

Continued from Last Issue

The Initiative and Referendum were lost enough, declared the controlled press, but the Recall was intolerable. "It was an insult to officials. Representative government was being emasculated. The official was reduced to an agent; he was prostrate before the passions of the mob."

To this the people of Oregon respond: "Public officials are not principals. They are agents like the president of a railroad, the cashier of a bank, or any other employee, who can be discharged at the discretion of the employer. Why do we speak of 'public servants,' if this is not true? We are merely applying business methods to politics, we are making government really representative."

The Recall, like the Referendum, is a kind of menacing conscience. Its mere existence makes it superfluous. The "interests" will not buy men or legislation which cannot be delivered. That was demonstrated in the Senatorial election.

As soon as the people dropped a hint to their assemblymen that a Recall would be filed on any man who listened to the overtures from the Republican national machine there, was the end of irreverence. There was no further delay, no prolonged deadlock. The will of the people was recorded and George E. Chamberlain was elected in a few minutes' time.

How easy it all is when the machinery is simple!

Popular Government Erected

Stone upon stone the structure of popular government in Oregon has been erected. Each block fits into its neighbor as though he were for the purpose. By the pure Australian ballot, most of the states have only an imitation of the genuine Australian system; the party emblem was abolished, and the voter compelled to make a conscious choice for each separate office to be filled. By direct primaries the boss and the old convention system were thrown on the scrap heap, and candidates for every office, from corner to United States Senator, were compelled to appeal to the people directly.

The Initiative endowed the people with the power of proposing measures, as they have done on forty-nine occasions. It gave them power to amend the constitution of the state, the rock in the path of so much reform. The Referendum gives them co-ordinate power with the governor to veto any act of the Assembly which they do not approve. Lastly, the Recall places in their hands a means of suspending any public servant whom the people have come to distrust.

This is "representative government" as Oregon understands it—representative government in which the people rather than Special Privilege and big business interests do the ruling.

Oregon says our so-called representative government—the sort of "representative government" we have in most of our states—is like a series of hurdles between the people and their goal, hurdles in the form of checks and balances, and a distribution of responsibility among so many persons that the people cannot express their will. Oregon cut a way through the complicated network of delegates, conventions, caucuses, parties, and the separation of powers between the legislative, executive and judicial branches of the government, and gave the people a chance.

They made it all so simple. "What we need," says Oregon, "is not less Democracy, but more Democracy."

New problems arise with each shift of responsibility, but each new problem has been met with resourcefulness and courage. Under the direct primary law, for instance, rich candidates have an advantage. The double campaign for nomination and election is costly. The man with a long purse, or with back-door connections with business interests, can wear out his poorer competitor.

Corrupt Practices Act

To correct this inequality the people demanded a "Corrupt Practices Act" from the Assembly, limiting the amount of

money that may be spent in any campaign and prohibiting its improper use. When the Assembly adjourned without enacting such a bill, the people drafted one for themselves, and they made it drastic. They limited the expenditures of any candidate to twenty-five per cent. of one year's salary from the office he sought. They required statements under oath from all persons or committees spending more than \$50 on an election, and provided for the fullest publicity of all books and expenditures.

Candidates are forbidden to offer anything of value for political support, to solicit contributions from officeholders, or even to use vehicles of any kind to carry voters to the polls. Newspapers running paid political matter are required to mark it "Paid Advertising," while the public service corporations are forbidden to spend any money in elections in which they have any interest.

The penalties are as severe as the limitations. Any candidate convicted of violating the act forfeits his office, while any person doing so is liable to imprisonment, a fine of \$5,000, or both.

The people adopted this measure by a vote of 54,042 to 31,301.

Training People in Lawmaking

It must be interesting to live in Oregon, and to feel that you are your own lawmaker. Certainly a new dignity has come to citizenship, as well as a training in politics, in law, and in public questions. Oregon has made the whole state a university in civics, a university of the most practical kind.

Prior to the primaries, the state distributes to every voter a neatly printed pamphlet setting forth the platform and promises of each candidate, written by himself or his friends. A similar pamphlet is distributed before the election. The cost is paid by candidates at a fixed price per page. By this means the poorest can reach his constituents at a minimum cost.

Laws proposed by initiative and referendum presented a more difficult problem. How could the voter be made familiar with such measures? Oregon solved this problem by publishing a pamphlet, containing the text of the measures proposed, as well as arguments for and against the same, written by men interested in their adoption or defeat.

These pamphlets are distributed to every voter in the state. In addition to the official pamphlet, the state is flooded with other literature, while newspapers discuss pending measures with great seriousness.

For two months Oregon is turned into a university, where every gathering of majories are as tyrannous as minorities, and that while the people may be able to defeat a franchise grab, decide general principles like prohibition, pass on bond issues and the like, they cannot frame laws and should not be trusted with such a dangerous weapon.

Still other critics declare that the people will grow weary of the new toys of Initiative, Referendum and Recall, and will resign their use to the interests that control the politics of other states. In the end the critics contend, these interests will be given an added power by these very toys of Direct Legislation, for they also have the money with which to make them work.

Let us see.

Bourne Advocates Plan

Senator Jonathan Bourne, Jr., whose speech on "Popular versus Delegated Government" in the United States

Senate last May has reached a circulation of 1,650,000 copies, says that in the nature of things the people cannot go wrong.

"I assert," he said, "that the people not only will not, but cannot, under the initiative and referendum, legislate against the general welfare, and for the following reasons: The motive power of humanity is self-interest, which in the majority of instances descends into selfishness. No two units of society are exactly alike. Consequently when the individual units of society act collectively or as a community, then—because of the difference in the personal equation of these individual units and the resultant difference in the self and generally selfish interests, each interest struggling for supremacy—a friction is developed, general attrition produced and selfish interests must wear themselves away before community action can result. The general welfare is substituted by the community in its collective action in place of the selfish action dominating the individual."

"Not one per cent. of the people care a rap who represents them," says the senator. "And ninety-nine per cent. are interested as to how they are represented. The man with the idea is the leader, so long as his ideas are sound, well developed and presented. I do not know five, no, I do not know any man in Oregon whom I could get to vote for or against a measure because of my personal request. I would not try, but if I have any sound proposition to advance the people will analyze my suggestion and if they approve of it will act favorably, doubtless by thousands."

"Under popular government," he replied, "there can be no boss, no machine, but only intellectual leadership, which is beneficial."

"How about corruption?"

"You can't buy the people to commit suicide," was the sententious response.

Senator Bourne is a political paradox. Born of a very rich New Bedford, Massachusetts, family, he attended Harvard University up to the senior year. Leaving college he started on a trip around the world on a merchant ship. After being wrecked on the Island of Formosa, he beat up and down the Asiatic coast and came in touch with the people of all nations. Landing by chance in Oregon, he adopted it as his home, and took up the practice of law, which he later abandoned for business.

For nearly twenty years he has been in politics, in the Assembly, on the state committees or serving in the ranks. A millionaire mine and mill owner, he has made popular government the passion of his life. To a belief in it he has convinced a dozen members of the United States Senate. Repeatedly he has risked political preferment by following his convictions.

In 1910 he urged that any candidate in Oregon whose adherence to popular government was open to suspicion should be defeated. This was an indirect attack on Jay Bowerman, the Republican candidate for governor, who had been nominated by a convention under the name of "Assembly," in violation of the spirit of the direct primary law. Bowerman was defeated although the balance of the ticket was elected.

Senator Bourne rarely reads the newspapers, never replies to criticism, has been back to his state but twice since his election four years ago, and plans to leave his re-election to the people, confident that if he has served their interests they will appreciate it. Rarely have I known such supreme indifference to what the ordinary man looks upon as the necessary precautions in the game of practical politics.

W. S. U'Ren's Opinion

I asked W. S. U'Ren, the father of the Initiative and Referendum and a kind of democratic Moses, whether popular government had justified his hopes of it.

"We have had Direct Legislation for eight years," he answered. "During that time we have voted on sixty-four

measures and constitutional amendments. Privilege has tried to slip some measure over the plate in every election, but the people have never been deceived. They have never given up a bit of power, but have constantly increased that which they enjoyed; they have never failed to discover a 'joker' in any bill and have resented any suggestion that looked to an abridgment of their powers."

"Some measures failed that I wanted to see adopted, but they were in advance of public opinion. The people always vote against measures they do not understand. They are 'from Missouri.' They have to be 'shown.'"

"In every election the brewers and the prohibitionists have put forward measures. These bills have also been defeated. The people are not willing to follow extremists of any kind. Last year Big Business interests induced the Assembly to pass a resolution calling for a convention to revise the constitution. The people expected this to be a move to get rid of the Initiative and Referendum, the Recall and Statement No. 1. They repudiated the resolution by a vote of 59,974 to 43,143."

People are Sovereign

"Some years ago the Assembly provided for the construction by the state of a postage railway to carry freight around the Cillo Rapids. It was designed to afford water transportation in competition with the railroads. The latter opposed the appropriation and prepared to file a Referendum against it. Then the Portland Chamber of Commerce sent word to the railroads that if they attempted to defeat this measure the Chamber would file a petition for the creation of a railroad commission, which would regulate and control all railway rates and charges. Nothing more was heard of the proposed Referendum."

"The people are sovereign all the time. They can express their will in a variety of ways to the Assembly or to any interest that grows too arrogant. Among the measures voted on in 1910 was one permitting the building of steam railroads by the state or by any local authority."

"The people were tired of the Hill-Harriman railroad monopoly. Harriman had said: 'I have eastern Oregon bottled up and I'll pull the cork when I'm ready.' The railroads refused to develop the country, which was in need of transportation facilities, and the people met this situation by proposing to build the needed railroads themselves."

"As soon as the measure was filed, however, the railroads became active; they laid out new routes so rapidly that the people decided state railroads were not needed and the bill was defeated."

It may be said that Bourne and U'Ren are prejudiced witnesses. Bourne was elected to the Senate by the people, under Statement No. 1, while U'Ren, as the privileged press says, is "a gum-shoe agitator with a muffer around his neck" who is responsible for the Initiative and Referendum, and much of the legislation enacted by means of it.

Results of People's Laws

Still some things are obvious from the internal evidence. We can judge of the wisdom of the people from the measures themselves. In the first place, the laws enacted by Direct Legislation are simple, easily understood and as short as possible.

They are the result of far more discussion than the average measure receives in state assemblies, where more than half the measures are rushed through in the last two or three days of the session, usually under the crack of the whip of the boss and with little or no consideration on the part of the members.

Paradoxical as it may seem, legislation by the people is legislation by experts. That is what Senator Bourne means when he says: "One of the strongest features of popular government is that it provides a limitless field for individual development and the highest individual development acts as a magnet drawing the general electorate to the same plane."

The people's measures are drafted by