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INITIATIVE AND REFERENDUM

In Its Relations to the Political and Physical Health
of the Nation.

ADDRESS

OF

HON. ROBERT L. OWEN

UNITED STATES SENATOR FROM OKLAHOMA.

Under the auspices of the Society for Ethical Culture,
at Carnegie Hall, March 20, 1910.

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A nation is in a condition of good political health when its representatives are the free choice of the people and represent the best ideals of the people in the Legislative, Executive and Judicial Departments of the Government.

When these officials are nominated by corrupt machine methods, are controlled by selfish interests, by mere self-preferment, by bribery, or by other sinister influence, the political health of that nation is bad, and in need of curative process.

Such Government needs restoration to a condition of sound political health where every official shall be responsive to the best ideals of the people.

Where it has free expression the majority of the people will always stand for the principles of righteousness; for honest and economic government; for the control of sordid ambition and avarice; for the abatement of commercial piracy, and for the control of conspiracies in restraint of trade, and for the higher ideals of the enlightened conscience, and for a more equitable distribution of the proceeds of human labor than is possible under a government corrupted and controlled by machine methods.

The political health of the Nation is distinctly bad in many of the States where corrupt machine politics operating as an agent of selfish interests, both political and commercial, has obtained control of party government, nominating machine men committed to selfish interests at the precinct, in county conventions and in State conventions, nominating officials from constable to governor by machine methods.

The people appear to rule through party machinery, but do not rule in fact, because the party machinery is in the hands of corrupt machine men, controlled in the interest of the few and against the interest of the many. The remedy is to restore popular government and to overthrow machine government, and the Initiative and Referendum is the open door by which this can be done, by which it has been gloriously done in Oregon.

Machine control of party government, among other evil results, makes impossible the passage of laws needed for the protection of the physical health of the Nation, notwithstanding the urgent demand of the people expressed

through medical and sanitary associations from the Atlantic to the Pacific for twenty years.

The physical health of the Nation depends upon the prevention of epidemics, upon purity of water supply, upon clean air, pure foods, sanitary conditions, reasonable hours of labor, protection of children and infancy from exposure. The people of the United States lose 600,000 people annually from preventable causes. These lives could be saved by good laws; they are lost because of bad laws. In a letter of Charles A. L. Reed, Chairman of the Legislative Committee of the American Medical Association of March 10th—ten days ago—he said to me:

"Suppose our entire native Army and Navy were swept off of the earth, not once, but three times in a year. Would the Congress do anything about it? There are nearly five millions needlessly ill every year. Suppose that every man, woman and child in all New York, with Boston and Washington added, were similarly stricken, would the Congress inaugurate an inquiry? Our losses from these causes amount to a billion and a half dollars every year."

"Our health agencies are uncorrelated and unorganized. Suppose that our monetary system were looked after by a dozen or more bureaus in almost as many departments and that it were responsible for a billion and a half dollars loss every year, would Congress be disposed to think that there was possible relationship between the lack of organization and the deficit?"

The fact is the United States Government has no organized Department of Public Health, no proper publicity of matters affecting the public health, no proper co-operation with the States.

The annual mortality in the United States is sixteen and five-tenths per thousand, in New Zealand, with no better climate, it is between nine and ten to the thousand, a loss of nearly seven human beings to the thousand for the United States in excess of New Zealand, where they have controlled monopoly and established proper sanitary safeguard. Seven persons to the thousand means in ninety millions of people an annual loss of six hundred and thirty thousand people, whose lives might be saved by proper conduct of Government.

What is the trouble? Have the people never requested any improvement in this respect? O, yes, through all the great societies relating to the health of the people petitions and prayers, and demands, have gone up to Congress and have remained unheeded, unobserved, uncared for, because the members of the House and Senate are three degrees removed from the people under the convention machinery of party-government. This is not true as to all members, but it is true as to the majority. Observe how a precinct delegate is sent by a machine boss on an obscure call, at an unsuitable place packed with his partisans to the county convention, how a county convention of machine delegates from the precinct nominates a machine candidate for the legislature, where the legislature of machine men elects a machine man for the United States Senate. Under the pretext of a necessity for organization, this method has developed. At first, it worked well, but becoming perverted and corrupted it now works injuriously as an agency of selfish interests. The people are beginning to correct these evils of government in various States of the Union by various processes such as demanding the right of direct nomination of candidates through the direct primary, by insisting on publicity of campaign contributions, by forbidding excessive campaign contributions, by demanding the Initiative and Referendum, restoring to the people the right to make their own laws and the right to veto acts of legislature not approved by the people.

From the days of Jefferson as President, the right of the people to instruct their representatives was freely recognized, but gradually the growth of party nominations by the delegate system took the power out of the hands of the people and put it in the hands of machine men who made a profession of politics

until finally the rule of the people was taken away from them; until the extreme condition of machine rule of party Government has been developed in the United States against which there is now going on a universal protest. The questioning of candidates, the direct primary, publicity of campaign contributions, the Initiative and Referendum, the advisory initiative are being agitated throughout the United States.

The foundation stone of the control of Government by the people will be found in the Initiative and Referendum.

I wish to point out to you the relation between the Initiative and Referendum and the political and physical health of the Nation.

Ben Lindsay, of Denver, a man of great ability, of great patriotism, and of intense activity in the cause of civic righteousness, has recently, in *Everybody's Magazine*, painted a most instructive picture in detail of the triumphant corruption and control of the legislative, executive, and judicial authority of the State of Colorado by corporate rascality. In discussing a remedy he said, in effect: It is useless to talk about controlling the trusts by Government so long as the Government itself is controlled by the trusts.

The political health of the Nation and the physical health of the Nation can not be raised to its highest efficiency until the people of the Nation and of each State in reality and in sober truth actually control their own Government. So long as machine politicians *make the nominations* for both parties, patriotic citizens register their votes for such nominees in vain. They have only a choice of evils. The doctrine of Boss Tweed in New York might be expressed in these words, "let me *select* the candidates, I care not who *elects*." *Selection* is more vital than *election*.

When the insurance companies and the gigantic corporations raise millions of money to corruptly influence the elections; when they use the huge strength of financial authority with its far-reaching power to effect votes in an intensely commercial Nation, you may expect while machine methods prevail that the nominations in both parties, will be favorable to the selfish commercial interests and that such interests will exercise corrupt and sinister influence over those chosen to administer government in the legislative, executive and judicial branches of the Government.

In vain the people demand election of Senators by direct vote; in vain do the people clamor for an abatement of one man power in the House of Representatives; in vain do they seek publicity of campaign contributions; in vain do they demand laws forbidding corrupt practices and other reforms of government. In vain do they demand control of monopoly, reduction of tariff, and lower prices. The people are appealing to the nominees of machine politics committed against them. These nominees are too often political mercenaries playing politics for profit. You can never control commercial conspiracy or ambition by your Government until you have taken your Government out of the hands of commercial conspiracy and out of the hands of purely selfish political ambition.

And how will you do this?

By the Initiative and Referendum.

Has it ever been done? Without the shadow of a doubt; it has been done; it has been excellently well done. Is it difficult to do this? No; it is easy to be done. It only requires that you, the people, shall understand how to do it and have your interest in regaining control of your government maintained with sufficient persistence to change each State constitution that stands in the way. Oregon, Montana, South Dakota, Oklahoma, Missouri, and Maine have already acted and established the Initiative and Referendum. Many other States are actively considering it. Many of the State constitutions have been intentionally made difficult to change by those who, under the plea of conservatism, believe it should

be made difficult for the will of the people to register itself in constitutional forms, for fear, forsooth, the people might on impulse misgovern themselves by passing bad laws.

For fear that some of this great audience may not be familiar with the improved methods of making effective Lincoln's great idea of "A Government of the people by the people, for the people," I wish to explain more clearly the Initiative and Referendum, the Mandatory Primary, the Corrupt Practices Act.

The Initiative means that a small percentage of the voters, usually 8 per cent, can initiate any law they please, and require it to be submitted at the next regular election for a vote of the people of the whole State for their acceptance or rejection. It is sometimes provided that the legislature may submit a competing measure with the measure proposed by initiative petition.

By the initiative, the people of New York State might initiate a mandatory, direct primary law, a corrupt practices act, and compel a vote in spite of the failure of a legislature to pass such a law as the people wanted.

It has been said of the Pennsylvania legislature that in a former time a member of the House arose and said: "I move, if Tom Scott have no further use for the legislature, that it do now adjourn."

A mandatory direct primary puts in the hands of the members of each party the direct power to nominate their own candidates. The power of selection is more important than the power of election. The people elect in vain if corporate power by machine manipulation nominates the candidates in each party or by control of machinery of government can stuff the ballot-box.

The nomination of machine men is absurdly easy. It is done by the convention system. A State convention is called to nominate a Democratic or Republican candidate for Governor, the State Chairman issues the call announcing that each county is entitled to so many delegates; the county delegates to be elected by a county convention; the county convention to be composed of delegates selected at the precinct; the precinct has a machine man or two who controls the local patronage, and has some local advantages—he is the precinct boss; he calls a precinct meeting on short notice, obscure advertisement at an inconvenient place, perhaps a small room over a saloon, packs the meeting with his own henchmen, has a cut and dried program. The meeting immediately nominates a candidate, or candidates to the county convention, their names selected in advance. The candidates are elected immediately, *viva voce*, and the first step has been taken. The county convention composed of such machine delegates, send machine-men chosen in advance or men at all events acceptable to the machine, and the machine delegates to the State convention are thus elected. When the State convention meets, composed of such machine-chosen delegates, what can you expect? Did the people select the precinct delegates? No, certainly not! Did the people select the county delegates? No, certainly not! Did the people select the State delegates? No, certainly not! The people did not *select* the Governor! They only *elected* the choice of a corrupt machine. It is enough to make a patriot weep who understands it thoroughly.

It sometimes happens that even the machine men are compelled, in order to abate suspicion, and to elect the State ticket to nominate a man absolutely above suspicion, but if they do, you can depend upon it that his power for public service is sufficiently handicapped by his environment that he can not accomplish much substantial constructive service. It has been interesting to observe Governor Hughes of New York trying to establish one of the ten Commandments, a Direct Primary, in vain. Has not this audience intelligence enough to know why? It is because the right of the people to directly nominate, by a direct primary, the right of the people to select, means the people's rule and the overthrow of one of the agencies of organized commercialism, and of organized political

ambition. The machine politicians fatten on the public treasury, on official favoritism, on State franchises, on municipal contracts.

We do not need the present exposures at Albany as evidence of what it means. Everybody knows who is not imbecile.

We do not need Tom Platt's alleged contribution of \$300,000 to the Harrison campaign as evidence, nor did we need the exposures of the insurance companies by Governor Hughes to tell us what this grossly corrupt system means. We all know.

There is no intelligent man in the country who does not know enough of the evils of machine politics to agree that the time has come in the United States for the correction of these evils in both parties and to restore to the people of this country the right to directly nominate their own political servants by direct primary, the right to initiate their own laws by the initiative petition and the right of veto of any act of their servants in the legislature by the Referendum.

The Referendum provides that when the legislature passes an act not acceptable to the people of the State, a petition within ninety days after the passage of the Act, signed by five per cent of the voters, will operate to suspend the law until the next regular election, at which the people will vote upon the law whether it shall become a Statute or whether it shall not. Is it possible that any man of sound mind and good character will say that a hundred men in the legislature shall pass an act and make it effective over the people of the State against the direct vote of a million men! The right of the people to veto an Act of Legislature by the Referendum is as self-evident as my right to veto the act of my servant, who proposes to commit me to an offensive proposition. The Americans are still a free people, in theory at least, and the general establishment of the Initiative and Referendum is of the highest importance for the preservation of that freedom and the full enjoyment of their liberties.

The Referendum will rarely be used, because it will rarely happen that the American traction company will buy franchises worth forty millions from the local legislature or city council for eight hundred and thirty-seven dollars when both the rascal legislator and the traction company know that a Referendum vote will veto their rascality. No money in advance will be paid on such a transaction, with the power of the Referendum hanging over it like the Sword of Damocles. With the Initiative in force a Corrupt Practices Act and a pure ballot can be secured. Oregon has the best Corrupt Practices Act in the United States. There a candidate for the Senate is limited to an expense of ten per cent of one year's salary as the maximum expense of making his campaign, and so with other State officials. Every dollar of expenditure must be set forth under oath, to include every person who directly or indirectly expends any money in the interest of such candidate.

The Secretary of State mails each voter in the State a small pamphlet in which the claims for and against each candidate for nomination is set forth. A like pamphlet is issued before the election; a like pamphlet covers the merits and demerits of every measure initiated by the Initiative, or opposed by the Referendum. The candidates pay a hundred dollars a page and are limited to four pages.

No solicitation or bringing of voters to the polls is allowed on election day. The election is as peaceful and as honest as a Sunday School. I wish we might say as much of New York or of Philadelphia or Boston.

Under the Initiative and Referendum the Oregon Legislature tries to meet the will of the people. They are not subject to temptation by every corruption or ambition. . . If they fail to pass the laws the people want the people pass their own laws with the Initiative.

If they pass a law the people don't want, the people veto it through the use

of the Referendum. This system of Government is called the People's Rule, and what citizen, when he understands it, will vote against the Initiative and Referendum; will vote against his own right to rule his own State by his own vote; will vote to deny himself the right to select and nominate the standard bearer of his own party?

Is it difficult to establish this system? Not at all. In the last few years, since the matter is understood, it has been adopted by Oregon, South Dakota, and Maine, by Oklahoma, Montana, and Missouri, and is being actively pushed in a large number of other States, and will be adopted throughout the United States in a very few years. The agency by which it is accomplished is another device of good government, called "The Questioning of Candidates." This is most conveniently done by the organization of a legislative committee representing large groups of voters. For instance, the National Grange, the American Federation of Labor, the Initiative and Referendum Leagues. Each organization appoints its chairman of a legislative committee, and all the chairmen sign a common letter addressed to each candidate of all parties, demanding a plain answer in a given number of days of the question: "Will you, if elected, use your full influence to establish the Initiative and Referendum?" If he fail to answer in two weeks his failure is advertised as opposition and general advertisement given of his position, and all those favoring the Initiative and Referendum vote and work to defeat such candidate.

An Initiative and Referendum League ought to be established in every precinct, in every county, in every State in the Union, all members belonging to each party having for their object the restoration to the people of the right of self-government through the Initiative and Referendum, thus taking the powers of Government out of the hands of the machine politician, the corrupt self-seeker, and freeing Government from the influence of gross commercialism.

Let this joint legislative committee be organized in every State and address a circular letter to every candidate for office, especially the legislature, the governor, the executive officers, and the judicial officers, and ask them the plain question—

"If elected, will you use your best efforts to establish the Initiative and Referendum and the Direct Primary? Your failure to answer will be taken as a negative."

What will his answer be?

When a man is a candidate running against another candidate, he is in a plastic condition of mind. When he needs votes he is very respectful to the voters. After he is elected, he is often more difficult to talk to.

We are entering upon the new campaign of 1910, and if this proposed plan is actively followed, throughout the States of the Union, as I hope it will be, every candidate for every legislature in the United States will have to meet this issue. Will you, or will you not support the Initiative and Referendum?

When the Initiative and Referendum shall have been established it is the open door to the passage of any law the people have the intelligence and patriotism to devise. The sword of the State will no longer be in the hands of an arrogant, despotic commercialism that is now shaking the foundations of this country and making a spectacle of itself in Philadelphia.

When the people can pass the laws they need, uninterrupted by the corrupting sinister influence of sordid selfishness, it will be possible in this country to prevent the spread of the bubonic plague, which is now making widespread insidious progress on the Pacific Coast, and was not promptly eradicated because of the suppression of the truth by the commercialism of San Francisco and California. We will then be able to pass pure food laws and have those laws executed, which are now almost nullified by commercialism operating through

political agencies. I call as a witness the triumphant success of benzoate of soda over Dr. Wiley's protest.

We can then prevent the deliberate pollution of our streams and water supplies; we can then abate the smoke nuisance; we can then control monopoly and high prices, and we can abate the evils of unrestrained greed, grinding the life out of women and children in sweat-shops, and we can establish sanitary precautions, which shall control in greater degree the charnel houses of tuberculosis, known as lower New York City.

My fellow-citizens, in eight years we have made an annual increase in our appropriations for the Army and Navy over the average of the years just preceding, of over a thousand millions of dollars, our patriotism being played upon in large measure by those concerned in selling us materials of war; and how much have we spent for the National Health? Are we indeed in league with Death, that we spend a thousand millions on an increase in expenditure for war purposes and rely on Nathan Straus to abate the killing of babies with infected milk in New York. The cost of one battleship would build a macadam road of improved construction between the cities of Chicago and New York which would pay a splendid interest on the investment, while a battleship costs eight hundred thousand a year for expenses and goes to the junk-heap in twenty years. The pension roll of the United States of over a hundred and fifty millions a year, which is pointed to as the evidence of patriotism, is in fact the crowning example of the terrible cost of bad government for the reason that three-fourths of the deaths and disabilities afflicting our pensioned soldiers was due to preventable disease and exposure and was not due to the projectiles or missiles of war. Over three-fourths of these deaths and disabilities, due to such disease, were preventable and will be prevented in future under a wise and virtuous administration of government, only possible when the powers of the government are restored to and capable of being exercised by the people themselves. Seventy per cent of our national expenditures are due either to the wars of the past, through the pension roll, of wars in anticipation through the Army, Navy, etc. If we, the people of the United States, follow the great example of the Australian states, adopt the Initiative and Referendum, we can then adopt improved methods of self-government, we can abolish monopolies and commercial oppression, we can then restore the political and physical health of the Nation. Our example will become the standard for the civilized world and will lead to universal peace; will lead to the brotherhood of man; the peaceful federation of the world, where under beneficent law, unwilling and unmerited poverty shall be abolished, every man be fed and clothed in comfort, decently housed, and afforded reasonable recreation for himself and his family; where men may learn under these better conditions to love each other and to know that crime itself is due to poverty, to ignorance, to temptation, to mental or physical defect born of conditions growing out of bad government; then the human race will take care of its criminals and restore them to society by humane treatment; by kind treatment; then society will only find it necessary to restrain those who are imbecile and insane, among whom should be classed the perverted and habitual criminal. There is an abundance in this world to supply all men with every necessity of food, clothing, shelter, leisure, education, and happiness, and to furnish every luxury for those who care to seek it. It remains for the high-minded intelligent patriotism of the people of the United States to set an example to the whole world that shall give our great Republic its place in history as the leader of the world in establishing the divine doctrine of the fatherhood of God and the brotherhood of man.