

however they may differ as to ways and means and political methods.

Fifth—As to the line between what are called natural monopolies and ordinary industries the question is partly answered by the preceding paragraph. There is a general consensus of opinion that natural monopolies should, in any case, be owned by the community.

I find that even in Germany there are degrees among Socialists, some like Bebel and Singer emphasizing the ultimate ends of Socialism, while others led by Bernstein are what might be called progressionists or opportunists—that is, they are willing to take the best they can get to-day and from that vantage ground press on to something better. It is certain that the Socialists of Germany are securing reforms, but so far they are reforms which have either already been secured in other countries or are advocated elsewhere by other parties as well as by the Socialist party.

THE QUESTION OF COMPETITION.

The whole question of Socialism hangs upon the question:

Is competition an evil or a good?

If it is an evil then monopolies are right and we have only to decide whether the monopolies should be owned by the state or by private individuals.

If, on the other hand, competition is a good thing, then it should be restored where it can be restored.

In the case of natural monopolies where it is impossible for competition to exist the government would administer the monopolies, not on the ground that competition is undesirable, but on the ground that in such cases it is impossible.

Those who believe that the right is sure of ultimate triumph will watch the struggle in Germany and profit by the lessons taught.

I am inclined to believe that in Germany political considerations are so mingled with economic theories that it is difficult as yet to know just what proportion of the 3,000,000 Socialist voters believe in "government ownership and operation of all the means of production and distribution."

OLD AGE PENSIONS.

The old age pension act was given as a sop to the Socialists, but it strengthened rather than weakened their contentions and their party.

It remains to be seen whether the new concessions which they seem likely to secure will still further augment their strength.

The Germans are a studious and a thoughtful people, and just now they are absorbed in the consideration of

the aims and methods of the Socialist movement (mingled with a greater or less amount of governmental reform), and the world awaits their verdict with deep interest.

WHAT MIGHT BE DONE FOR CHICAGO.

A portion of an address made at the dinner of the Commercial Club of Chicago, at the Auditorium, February 27, 1904, by Judge Edward F. Dunne.

Gentlemen of the Commercial Club:

You have asked me to address you briefly about the advantages and disadvantages of the proposed Constitutional Amendment permitting a special charter for the city of Chicago.

I am thoroughly familiar with the terms of the proposed Constitutional Amendment, and was a member of the so-called convention which discussed its provisions and finally agreed upon the proposed amendment.

I am heartily in favor of the proposed Constitutional Amendment. I endeavored to have what I believed to be a better and more satisfactory amendment adopted by the so-called convention, but having failed in that I heartily voted for the proposed amendment that we adopted, and took great pleasure in personally urging its adoption upon members of the last legislature in Springfield. I am still heartily in favor of its adoption, and will do everything in my power in my humble way, to have this amendment to the Constitution approved of by the people and incorporated in the Constitution.

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I am clearly of the opinion, however, that a much more simple and a much more thorough Constitutional Amendment could have been devised and recommended by this convention, than that which was recommended. The proposed Constitutional Amendment may answer for present purposes; but the city of Chicago is a rapidly growing community and its needs, necessities and demands will be constantly enlarging and changing, and as the years roll by, in my judgment, it will be found that the proposed Constitutional Amendment will not cover all its necessities and requirements. The city of Chicago has quadrupled in population in the last 24 years, and it is likely to increase that population in the same proportion. It would not surprise me if within 20 years there were 5,000,000 people in the County of Cook, and that this tremendous aggregation of people will be suffering within a few years from legislative evils and burdens not now contemplated and which cannot be foretold or predicted. Because of this fact I believed, as a member of that convention, and now believe, that a more

elastic, comprehensive and far-reaching amendment to the Constitution should have been adopted.

Those being my opinions, I had the honor, in that convention, to propose as a substitute for the amendment finally adopted the following:

Resolved that Art. IV of the Constitution of this State be amended by adding thereto a section to be numbered Sec. 34, which shall read as follows, to-wit:

"The General Assembly shall have power, anything in this Constitution to the contrary notwithstanding, to enact any and all laws which may be requested in writing by the City Council of the city of Chicago, or by ten per cent. of the legal voters of said city, said laws to be applicable only to said city, and to take effect only when approved by a majority of all the legal voters of said city voting thereon at the next municipal election held not less than 30 days after the enactment of said law or laws."

In moving the adoption of the above proposed amendment to the Constitution, I was honestly endeavoring to accomplish the same object aimed at by the other members of that body of gentlemen, to-wit: to give power to the city of Chicago to adopt a charter which would be adequate to its needs and necessities as distinguished from the needs and necessities of the State at large. If my scheme could and would attain that end, it had three advantages over the scheme finally adopted.

- 1st. It was more concise and succinct.
- 2nd. It was more simple and easily understood.
- 3rd. It was more comprehensive and elastic.

This was not disputed by any man in that convention, composed, as it was, of the ablest lawyers and shrewdest business men in the city of Chicago. It was assailed by them not on the ground that if passed it would not stand the test of judicial inquiry and examination, but that it was novel and revolutionary. Not a man on the floor of that convention, where were John P. Wilson, Thomas A. Moran, John H. Hamline, John S. Miller, E. Allen Frost, H. C. Mecartney, Walter S. Fisher, J. D. Andrews, and a host of other legal lights, claimed, that if my substitute should be adopted by the people that it would not stand the test of judicial inquiry, or that it could be overturned by a court of last resort. Any objections that could be urged against it in a court can be urged against the proposed Amendment to the Constitution finally adopted; but they are utterly without force as against both.

The only objections urged against the substitute resolution offered by myself were.

- 1st. That it was novel and revolutionary.

2nd. That it would enable the citizens of Chicago, by popular vote, to suspend the habeas corpus act, abolish trial by jury, suppress free speech, and deprive themselves of all the rights secured by the Magna Charta.

As to the first objection, I am free to admit that it is new and revolutionary in Chicago, although I advocated the same proposition over a year before in this city and had the idea very favorably commented upon by so conservative and careful papers as the Chicago Chronicle and Journal.

But that it is new or revolutionary in modern political economy is untrue. The principle therein enunciated has been in practical and successful operation for 30 years last past in the Republic of Switzerland, is binding law upon the citizens of that Republic, and has operated to the entire satisfaction of the 5,000,000 people of the Republic, which, in my opinion, has the purest and most upright Government upon earth. In proof of this statement, let me quote the following:

Theodore Curti, the Swiss historian and statesman, declares:

The wholesome effect the Referendum exerts upon the country cannot be over-estimated. It is a political school for the people; hence an invaluable element of culture. Wherever it is applied all classes of the population take interest and participate in discussions of the question at issue; mutually imparting and receiving valuable economic and political information.

The Referendum has proven itself a potent factor, both to legislation and to the country at large, in this: that it has strengthened the influence of public opinion upon the representative bodies, who are naturally prone to assume powers which ultimately belong to the people, gradually degenerating into a ruling caste, with the result that private interests are promoted while the affairs of the people are neglected or intentionally buried in some committee.

I have been a member of legislative assemblies in Switzerland for the past 17 years, and it is my conviction that the Referendum has not prevented the passage of many beneficial laws that we desired to have enacted; but that it has prevented the committing of many errors, owing to the mere fact that it stood as a warning before us.

Karl Burkli, a well-known Swiss economist, declares:

The smooth working of our federal, cantonal and municipal referendum is a matter of fact, a truth generally acknowledged throughout Switzerland. The Initiative and Referendum are now deeply rooted in the hearts of the Swiss people. There is no party, not even a single statesman, who dares openly oppose it in principle, and yet many of them curse the Institution in the depths of their hearts.

All the divers votings—federal, cantonal, municipal—go on without riot, corruption, disturbance or hindrance whatever, al-

though with great agitation. . . . Our Swiss political trinity—Initiative, Referendum and Proportional Representation—is not only good and holy for hard-working Switzerland, but would be even better for that grand country of North America. It would cure them thoroughly of their leprous representation, both federal and state, and regenerate the misgovernments of their great cities.

Mr. McCrackan, in his interesting history of "The Rise of the Swiss Republic," says:

It will always remain the chief honor and glory of Swiss statesmanship to have discovered the solution of one of the great political problems of the ages—how to enable great masses of people to govern themselves directly. By means of the Referendum and the Initiative this difficulty has been brilliantly overcome. The essence and vital principle of the popular assembly has been rescued from perishing miserably before the exigencies of modern life, and successfully grafted upon the representative system.

That my proposed amendment would enable the citizens of Chicago to suspend the habeas corpus act, abolish trial by jury, and deprive themselves of all the rights which man holds dear, is true, if not restrained by the Federal Constitution. It would do more. It would enable them, if not restrained by the Federal Constitution, to reestablish slavery and bring back the feudal system. Is this an argument or a bogey? Was there ever an instance in history of a man, a family, a community, or a nation giving up and surrendering that which was dearest to them? What have men been struggling for during the long, dark, dreary centuries? For light, life and freedom. You can trust the great body of the people at all times to preserve their lives, their liberties, and the pursuit of happiness. There is not an instance in history where a people, by popular vote, ever surrendered the right of trial by jury, the rights secured by the writ of habeas corpus, the right of free speech, a free press, or any other right which is secured by the common law. Tyrannical rulers in the past and tyrannical judges in recent times have deprived men of these rights. The people never rob themselves of these inestimable rights. In framing constitutions the people have always reserved these rights to themselves. Now, what are constitutions? Creatures created by the people. The people are the creators of constitutions. The constitutions are the creations of the people.

The purpose and reason for the making of a constitution is to place limitations upon the powers of the law-makers chosen by the people in a representative form of government, and to reserve to the great body of the people certain rights which they will not trust their

chosen representatives to legislate upon or barter away. A constitution is a limitation upon the powers of the legislature; not a limitation upon the right of the people themselves to make laws. The right of the people to legislate for themselves in a true republic, such as is the United States of America, is fundamental, absolute, plenary and unlimited.

Certain forms and methods of ascertaining and expressing the will of the people may have to be complied with under existing laws and constitutions, adopted because of the impossibility of assembling together all of the people in one mighty body. But when these forms are complied with, the will of the people is ascertained, it is plenary, absolute and supreme. They can make and unmake constitutions, and annul all laws, fundamental and legislative. The whole fabric of the American government is based upon the theory that the people themselves are the source and origin of all law, constitutional and legislative.

The Initiative and Referendum simply recognize this fundamental principle of a republican form of government—that the people are the ultimate law-making power—and provide a simple, easy and convenient method of enabling the people who are the source and origin of all the law-making power to legislate directly for themselves upon questions of great public interest.

In offering to the convention my substitute resolution, I merely suggested a simple method to the people of Chicago of exercising that inherent right of legislating directly for themselves. Why should it not have been given them? The citizens of each State in the Union have the right to make and unmake their Constitutions, or, if they should so elect, to make laws by the process of the initiative and referendum not in conflict with the Federal Constitution. Why not give to the city of Chicago the same right?

The city of Chicago has a population of 2,000,000 souls. Great cities need laws specially adapted to great, crowded, congested communities which would be useless, irksome, or it might be dangerous to rural communities. Even if this were not so, a city of 2,000,000 inhabitants might be given as much law-making power as a State of like population.

According to the federal census of 1900, there were 31 out of the 45 States in the Union which have a population less than that of the city of Chicago.

If the lesser population of these States are given plenary law-making power—within the limits of the Federal

Constitution—why should not Chicago be given the same right?

Why should this overgrown and still rapidly-growing giant be kept in the swaddling clothes of an infant? The proposed Constitutional Amendment adopted by the so-called convention would give it a suit of clothes fitted for its present size. The initiative and referendum would give it a suit for present use and an unexhaustible supply of cloth for use in its future growth and development.

Every law demanded by the requirements and necessities of a great city from year to year, which might be presented to the Legislature by the City Council, or by ten per cent. of Chicago's voters could, not necessarily would, be passed by the Legislature, and if adopted and approved by the citizens of Chicago by popular vote, would become a law impregnable against attack in the courts. Why should not this be the situation in a great city in a Republic based upon popular suffrage?

In these latter days the delusion seems to have gone abroad that Constitutions and Legislatures are the masters, instead of being the servants of the people. Powerful interests seem to be instilling this poisonous delusion into the minds of the people. Lest we forget that the people are the source and creators of all Constitutions and of all laws, let us go back and consult the greatest, highest and broadest Statesman of our country. Walker's American Law declares:

The representatives, to whom authority is delegated, are the servants of their masters, of their constituents, whose will it is their office to execute.

Daniel Webster declared:

The sovereignty of government is an idea belonging to the other side of the Atlantic. No such thing is known in North America; with us all power is with the people. They alone are sovereign, and they erect what government they please.

George Washington declared:

The powers under the Constitution will always be with the people. It is temporarily intrusted to their representatives—their servants; they are no more than the creatures of the people.

James Madison more emphatically declares:

The Federal and State Governments are, in fact, but different agents and trusts of the people, instituted with different powers. The ultimate authority resides with the people alone.

Judge Parsons, of Massachusetts, in the ratifying convention of the State, characterized the Federal Government as:

A Government to be administered for the common good by the servants of the people vested with delegated powers.

Alexander Hamilton, in the ratifying

convention of New York, while arguing in favor of the Constitution's adoption, said:

What is the structure of the government? The people govern.

Chief Justice Marshall, while emphatically speaking of the people's control over their representatives, declared:

Who gave may take back.

The experience of the last 30 or 40 years that we have had with corrupt and profligate legislators and common councils has forced upon reflecting citizens the conviction that a check upon legislative corruption and profligacy is absolutely necessary. The people are the only superior power who can apply this check, and this check can be applied only by the Initiative and Referendum.

It has abolished corruption, profligacy and plunder of the people's rights in Switzerland. Why should it not do so in Chicago? Under such a system the lobbyist would be abolished and the wealthy corruptionists would disappear forever.

The only objection that can be urged against it is that it will interfere with the wholesale traffic in franchises and debauchery of its representatives, which has prevailed too long and too injuriously to the interests of the people of this community.

BOOKS

A FOURTH OF JULY ORATION.

"The Principles of the Founders," Edwin D. Mead's oration before the city government and citizens of Boston, at Faneuil Hall, July 4, 1903 (Boston: American Unitarian Association), is an inspiration from Lowell's thought in answering Guizot when the latter asked how long the American Republic would endure: "So long as the ideas of the men who founded it continue dominant."

Mr. Mead is always eloquent with the eloquence of democratic thought elegantly and simply expressed, and this Independence Day oration is no exception. It is a fine example of what a Fourth of July address at the present time ought to be.

One thing upon which Mr. Mead dwells needs special emphasis in the common thought. This is the relation of war to poetry, and its bearing upon American history. "'Cursed is the war no poet sings!' is the fine authoritative line of one of our Boston poets," says Mr. Mead; "and however much subsidizing passion still divides us, we shall all soon, I think, rejoice together that, although the Revolution and the Civil War hold so great and sacred place in our literature, there is no single reputable song there which celebrates the conquest of Mexico or the conquest of Luzon."

Allied in thought is Mr. Mead's view of the possible righteousness of war. As a peace man, distinctively and aggressively, his choice of and comment upon the following extract from Emerson have especial value. We quote from the oration: "There have been righteous and necessary wars. 'The cause of peace,' said Emerson, 'is not the cause of cowardice. If peace is sought to be defended or preserved for the safety of the luxurious and the timid, it is a sham, and the peace will be base; war is better. If peace is to be maintained, it must be by brave men, who have come up to the same height as the hero, but who have gone one step beyond the hero!' Howells has told us that there are greater words than patriotism, and among them are civilization and humanity. So there are greater words than peace, and among them are justice and honor."

In our view of the matter that sentiment is absolutely sound in principle, notwithstanding that it is often distorted by the selfish who confuse justice with "destiny" and honor with "glory."

BOOKS RECEIVED.

—"The Ethics of Literature." By John A. Kersey. New York: Twentieth Century Press, 17 E. Sixteenth St. Price, \$1.50. To be reviewed.

PAMPHLETS.

"Abraham Lincoln's Democracy" is a pamphlet reprint of the contribution made to the Lincoln birthday number of the Johnstown (Pa.) Democrat, by John R. Dunlap, of New York, editor and proprietor of the Engineering Magazine, and author of "Jeffersonian Democracy." It is especially interesting for the light it throws upon Lincoln's views on the question of tariff protection.

"The American Guild" is a pamphlet by Thomas M. Butler (Thos. M. Butler, Box 1093 Chicago; price, 15 cents) in exposition and advocacy of a constitutional amendment empowering Congress to "organize into guilds the various trades, professions or pursuits, and to grant to each guild, respectively, sole and exclusive control of all the matters designated in its charter," etc., etc. The scheme might be a satire on socialism, but it isn't; and it is too much like a nightmare to be called a dream.

PERIODICALS.

John Dewitt Warner's discussion, in the Ethical Record for March, of the subject of municipal socialism and home rule, is strong in argument and surprising in the high repute of the heretofore unquoted authorities it cites in support of both tendencies.

The German letter in the March Atlantic from William C. Dreher, presents a thoughtful and interesting summary of large affairs in Germany during the year just closed. It is especially enlightening on the relations of Socialism to German politics. Race factions in labor unions, by Wm. Z. Ripley, and "Books Unread," by Thomas Wentworth Higginson, are among the other noteworthy contributions to this issue.

The Nation's unfriendly reviewer of Mayor McClellan's new book, "The Oligarchy of Venice," says: "It seems never to have occurred to him that forms of government are not inevitably good or bad." We may agree with the reviewer that no form of government is inevitably good, but it is to be hoped that Mr. McClellan's readers will go with him in believing that any form of oligarchy is in-