

God Almighty stood around and watched them doing it with approval.

BOOK REVIEWS.

THE REFERENDUM, INITIATIVE AND RECALL IN AMERICA.

There are two classes of political reasoners—those who believe in the purest democracy, and those who for a thousand reasons—or a selected assortment from these thousand—do not.

Now this is not a very original reflection. What may be a more novel suggestion, however, is that one side is no more honest than the other—indeed, the latter division may wish as well to the people as the former—certainly for the most part do. They are not “monarchists.”—for other distinctions than these are essential to monarchy. Many may hold—and do hold—that direct action by the people does not secure the people’s rule so effectually as complex systems of checks and balances, which by restricting hasty and perhaps thoughtless action—though why hasty action on the people’s part should always and of necessity be deemed thoughtless, has never been made quite clear—will result in the more just and stable establishment of the people’s will.

Here at least is an intelligent difference over which no stones need be thrown. But it is at all times amusing to note the assumption of superiority with which the advocates of systems, of checks and balances regard the advocates of pure democracy. The latter are men of no deep learning, we are told, are of superficial accomplishments, unacquainted with history and statecraft—which were our mind in a frivolous mood we should have written *statecraft*—and intellectually belong to the rag-tag and bob-tail element, though possessing some respectabilities like Tom Paine, Thomas Jefferson and Benjamin Franklin, not to mention a few very eminent Frenchmen. All of which is not very enlightening as to the real justification for checks and balances.

A vastly useful book, but one of very evident bias is the occasion of these “few

remarks.” The work is by Ellis Paxson Oberholtzer, Ph. D., and is entitled, *The Referendum, Initiative and Recall in America*, and in a volume of 533 pages, published by Charles Scribner’s Sons, New York City, at \$2.00. It is a new and second edition with supplementary chapters covering the years from 1900 to 1911. We say the book is vastly useful even though written with evident prepossession in favor of the representative system of government and against direct legislation. Such prepossession might be condoned if buttressed by an argument for the democracy of representative government. Broadly speaking, the value of Direct Legislation may be questioned dubiously or with skepticism by the purest democrat. A man who believes in democracy will not deny to the people the right to vote directly on measures, but one may be the ripest sort of democrat and doubt the efficacy of the instrument. He may doubt it indeed, precisely because he does not believe it to be a democratic instrument. He may say that the people are good judges of ethical principles but poor judges of the technical principles of legislation. On this point he may quote Austin, who in his *Jurisprudence* says: “I will venture to affirm that what is commonly called the technical part of legislation is incomparably more difficult than what may be called the ethical. In other words, it is far easier to conceive justly what would be useful law than to construct that same law that it may accomplish the design of the law giver.” For this reason he may refuse to join those who regard this new reform with less qualified approval. Or he may hold that the designs of party government are in this way in danger of being set at naught—that the people may be interested in a cause itself, but cannot be induced in the same degree to interest themselves in the various steps in the progress of that cause.

But the writer of this book, we fear, is not that kind of a democrat. Tom Paine and Benjamin Franklin are names which he holds in somewhat candid contempt. He speaks of the French “economistes” who included the “physiocrats,” as “members of that singular sect which met to-

gether and constructed imaginary wealth out of imaginary land," which, whatever the errors of the physiocrats, is an utterly unfair characterization. He says, commenting upon the words of La Rouchefoucauld, where he says that "in Europe the favorable opinion respecting the democratic constitution of Pennsylvania had been more successful," that La Rouchefoucauld soon after met his death "at the hands of a mob as a result of the success which this opinion had gained in France," a monstrous conclusion of a "consequence" for which prejudice furnishes the only sanction.

The bias of the author, in spite of his scholarship, in spite, too, of the candor which compels him to admit that the Initiative and Referendum are with us as part of the historical development of our governmental system, is shown by this allusion to the "reformer"—(why not be more precise and give him a specific rather than a generic designation?) "The Reformer is without particular interest in the history, or the regular progress out of history, of institutions; his interests incline him to change, often only for the sake of change, and more for the sake of bringing in an era of policies which he conceives will work for the personal advantage of him and members of his social class." The Initiative and Referendum this "reformer" is said to regard as "bludgeons to beat the heads of the slower going parts of the population—the college trained (sic!), the reflecting (because college trained?) *the established, property-holding parts of the nation.*" (The Italics are ours.) There we have it. The prejudice against direct legislation is not that it is historically not well grounded, but that it may work against the established property-holding interests. Will it work against the interests of humanity, of Justice? Mr. Oberholtzer thinks so, perhaps. Why does he not say so, then? Why does he drag in property? Is he sure that the established property-holding parts of the nation ought not to be disturbed—perhaps *disestablished*? Is he sure that what makes against the property-holding parts of the nation is "by that same token" to be condemned?

What, to move on to another point,

does the writer by accusing advocates of direct legislation of "lacking respect for the authority of history?" He has shown us repeatedly in these pages that there has scarcely been a period in the history of our country when direct legislation, or direct action by the people, was not part of the practice of government. They are seemingly the legitimate fruits of our political development. What is this "authority of history" to which repeated reference is made? We are assured by many implications that those who have not the knowledge of it are as ignorant as Paine and Franklin. Then why not tell us what it is. If history has spoken so "authoritatively" she must have spoken loudly and clearly. If Mr. Oberholtzer has overheard her, and it would not trouble him too much to make revelation of the soliloquy, if it were really a soliloquy, let him repeat the words—if they were words—that fell from the lips of the muse. We will judge then how "authoritative" they are when we hear them. But really, we cannot take Mr. Oberholtzer's word for it, in the absence of direct testimony. If our author has evidence at first hand let him repeat it. The value of such direct testimony is that we cannot then say Mr. Oberholtzer lies, but that history does not say so. And in the absence of such testimony it is not fair to class us with Paine and Franklin merely because we do not believe what we have not heard.

Then, too, we may want to tread the paths "our father" trod, as we are advised on page 453, but again the question arises—*what* paths and *why*? We don't want to tread the paths "our fathers" trod *merely* because they trod them, any more than we want to wear our father's shoes—these at least are worn out, and maybe the paths are, too. But, though this last is a digression which arises from our frivolling mood—did you say, *our* fathers, *Herr* Oberholtzer?

Now a word in final seriousness. This work is a valuable one. None other commands so wide and comprehensive a survey of what has been done in the history of the Referendum, Initiative and Recall in America. And the friends of these meas-

ures, as well as the opponents, will find many ready-made weapons to hand. It is but just to say that the bias, obvious enough in the summing up, has not vitiated what is historical in a work of much excellence and great industry.—JOSEPH DANA MILLER.

AKRON, OHIO.

The Akron Single Tax League continues its regular semi-monthly meetings at its rooms in the Arcade Block. On last Tuesday the address was by Mr. Hosea Paul, of Cleveland. In addition to these evening meetings, the League has instituted a weekly Friday luncheon at the Windsor Hotel. The officers of this live organization are: Albert C. Holloway, President, and W. F. Potting, Secretary.

WASHINGTON, D. C.

Congressman George's bill for the taxation of land values of the District of Columbia was adversely reported by the District Commissioners. The Congress Heights Citizens' Association met and by resolution strongly condemned the commissioners for so reporting before granting the people of the District a hearing. Mr. George has been requested to introduce a measure compelling the commissioners to grant hearings on all legislation affecting the interests of the district before reporting to Congress.

WOMEN'S LINCOLN DINNER.

The Women's Henry George League held their Annual Lincoln Dinner at the Cafe Boulevard on Lincoln's birthday, February 12. Mrs. E. M. Murray, President of the League, presided ably and introduced the speakers with quotations from the poems of Edwin Markham, who was present.

The topic for the evening was "The New Morality," which was treated by speakers in its various phases. Miss Grace Isabel Colbron, the opening speaker, explained

that the "New Morality" was the morality of public and human service, rather than the old ideals of morality which were those of creed and personal service. Bishop Williams, of Michigan, followed Miss Colbron enlarging on this same view, saying that the new morality was the older Christian morality put into actual practice. Among the other speakers were Dr. W. E. du Bois, editor of the *Crisis*, Miss Rose Schniederman of the Women's Trade Union League, Mr. John S. Crosby and Miss Charlotte Schetter. The dinner was attended by about 150.

SOME explain Germany's success by the word "regulation." It is far more than that; it is "team play." This implies a common mind at work on common problems. Germany is not so much a nation of thinkers as a nation thinking.—L. M. POWERS in *Twentieth Century Magazine*.

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