Public

A National Journal of Fundamental Democracy & A Weekly Narrative of History in the Making

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Vol. XV.

CHICAGO, FRIDAY, APRIL 5, 1912.

No. 731

shed by Louis F. Post Ellsworth Building, 537 South Dearborn Street, Chicago

gle Copy, Five Coats

Yearly Subscription, One Dollar

Entered as Second-Class Matter April 16, 1898, at the Post Office at Chicago, Illinois, under the Act of March 3, 1879.

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EDITORIAL

Bigelow's Triumph in Ohio.

More thoughtful, prudent, successful and conscientious work under adverse conditions and difficult circumstances, was never done than Herbert S. Bigelow's as a member and president of the Constitutional Convention of Ohio. It is a triumphant culmination, lacking now only the popular vote to make it complete, of ten years of truly democratic service by Bigelow in that State: a service which, beginning under the tutelage of Tom L. Johnson and pursued under Johnson's leadership while he lived, has been continued in Johnson's spirit since Johnson's death.



The task has not been easy. Like Johnson, Bigelow has ideals; like Johnson, like all other men with ideals, he yearns to pursue his ideals without turning either to the right or the left; but also like Johnson and all other men with gumption as well as ideals, he realizes that in leading in the common life no one can go straight to his goal. He "who would walk in a straight line," said Macaulay, "may do so in the desert but not on Cheapside." With Bigelow, therefore, as with Johnson, there have been not only enemies to misrepresent his cause, but "middle-of-the-road" friends to question methods, and professed comrades to make flank attacks from ambush. Tom L. Johnson went through it all, and Bigelow could escape none of it when Johnson's mantle in the

Ohio leadership for Direct Legislation fell upon his shoulders and the crisis came.

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But he has apparently come now into a generally recognized and justly earned victory. That some Singletaxers will grieve over the inhibition of Singletax legislation in the compromise amendment for Direct Legislation that Bigelow secured from the Ohio Constitutional Convention is probable, so prone are we all to value cherished names and plans above substance and results. But in truth the enemies of the Singletax have forced into the Ohio Initiative measure what is likely to serve the Singletax cause with excellent effect. If the proposed amendment to the Ohio Constitution had not inhibited the use for Singletax legislation of the legislative Initiative, a Singletax law could be voted on if petitioned for by 4 per cent of the voters; but this would have been useless without many more favorable voters than 4 per cent. The Singletax must have public opinion behind it to be worth while. As it is, the new Constitution can be amended by Initiative so as to strike out the inhibition as soon as public opinion is behind the Singletax; all that will be needed being 8 per cent of the voters to petition for such an amendment. For Bigelow to have opposed that inhibition would have been to jeopardize the Initiative and Referendum, and this without benefiting the Singletax movement. By accepting the inhibition, he disarmed the black horse cavalry of the Ohio State Board of Commerce and its allies, and, defeating them, won his principal present fight. He also thereby allowed them, all unconsciously to themselves (for they were not so very shrewd), to lay a basis for Singletax agitation, out of which an overwhelming Singletax sentiment in Ohio, especially in the farming regions, is almost certain to spring at no distant day.

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This inhibition of the Singletax, written as it is into the Constitution of Ohio, will be a perennial object of public curiosity, wonder, discussion and debate all over the State. It advertises the Singletax better than posters could. Why is the Singletax inhibited? What is the Singletax that it must be inhibited? In whose interest is the Singletax Constitutionally barred? These are types of inquiries that will be discussed wherever and whenever any man, woman or school pupil chooses to raise the question. And then the answers. In the interest of farmers, for instance! But how? When that question once comes under discussion among farmers, it won't be long before they see

into the bunco game of their Big Business protectors. They will speedily realize—for farmers are not the fools their Big Business guardians take them to be—that the Ohio Constitution prohibits their voting to reduce their own taxes.



Considered without reference to inhibitions upon any specific question, the Initiative and Referendum provisions of the proposed new Constitution of Ohio seem to be, on the whole, equal to any and superior to most of those of the other States. The direct Initiative is available for Constitutional amendments on a 12 per cent petition; the indirect Initiative through the legislature (quite as good if not better) is available for Constitutional amendments on an 8 per cent petition; the indirect Initiative is available for all legislation except the Singletax and classifications of property for taxation on a 4 per cent petition; and the Referendum is well secured, as are both the Initiative and Referendum for municipalities. There is no weak point that we detect, unless a Governor's veto of legislation Initiated by the people and adopted by the legislature might be obstructive. It probably would not be so; and even if it were, the defect could be easily cured. The present Constitutional Convention of Ohio has given promise of taking a high place in the history of that State.



The Supreme Court and the Oregon System.

A curious line of comment has followed the Supreme Court's decision in the Oregon Initiative and Referendum case. It proceeds upon the theory that the Court "side-stepped" the question by leaving its decision to Congress. That view is of course without foundation. The decision of the Supreme Court in this case was direct and unqualified. There was no "side-stepping." There was no creation of any new problem for direct legislationists to encounter. If the Court did not decide the question of "republican form of government," it did as it ought to have done. have decided that the Oregon system is unrepublican in form would have been judicial usurpation; to have decided that it is republican in form would have been to assume its right to decide the other By deciding unanimously that the whole problem is not judicial but political, and therefore refusing to pass upon the question of what constitutes republicanism, the Supreme Court took a long stride backward from its old tendencies to usurp legislative power. When it held that the question is one for the legislative department of