

However, news reports or none, good ones or poor ones, hereafter women in California are to have full suffrage, legislatures will pass laws subject to popular veto, they may be overridden by popular initiative when they refuse to pass laws the people want, and judges will go into partnership with corporations at the peril of their office. This is revolution. But it is a republican, democratic, beneficent and characteristically American type of revolution.

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### The Judicial Recall.

California's adoption of the Recall, judges included, is an interesting commentary upon President Taft's recent veto of the judicial Recall in the Arizona Constitution. The Recall receives the largest vote and scores the largest majority of all the questions on which the people of the Golden State voted. If moral principle, or any large political or judicial principle, had been involved in Mr. Taft's Arizona veto, this rebuke from the people of California, whether right or not, could and should be regarded as an instance in which a President had courageously done what he believed to be the right thing regardless of public opinion. But Mr. Taft voiced nothing more at the very best than the prejudice of a profession which has never as a whole been distinguished for sympathy with popular government. Every political argument tells against him on this question. Every argument growing out of the necessities of the time and circumstances tells against him. Every argument for the right of a new State to come into the Union with its own fundamental law, if republican in form, tells against him. The only arguments in his favor are those that appeal most strongly to the plutocracy that elected him, that has promised to elect him again if he is "good," and that looks upon judges as its most useful class of upper-grade clerks. The people of California have spoken on this subject as doubtless the people of other States will speak when their time comes, and they have put Mr. Taft to the bad, where, from any but a plutocratic point of view he rightly belongs.

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### Democracy in Massachusetts.

When hostile Boston newspapers announced George Fred Williams's return to active participation in politics, they possibly did not realize the pleasure they gave to genuine democrats of both parties, alike in Massachusetts and in many other States. But they gave it nevertheless. Were it not that Governor Foss is a pretty advanced Demo-

crat of the democratic kind, one might infer Williams's active participation merely from the Foss platform and without the help of Boston papers. It has the ring of Bryanism in it—of the Bryanism that rallied the Democratic party from its disaster of 1894 under Cleveland's leadership, to begin a warfare against plutocracy in 1896 which has got nearer its object with every campaign and every defeat. Plutocracy is now making a last stand—it looks like its last one—around Taft in the Republican party, and around Harmon in the Democratic party against the prospect of La Follette's defeating Taft for the Republican nomination.

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That Massachusetts platform has in it such solid democratic planks as these:

Before our institutions lies a jungle of privilege, obstructing the highways of freedom. To clear away this jungle is the work of Democracy. A century of experience has proven that it is Privilege which, with its bosses, lobbies and corruption, has weakened our institutions. Legislatures, yielding to the demands of organized greed, have failed in their service to the people. As with their Constitution, so with their laws, the people now demand an account at the ballot box. Hence our party now again pledges itself to secure a Constitutional amendment for Direct Legislation, known as the Initiative and Referendum, giving to the people, on proper petition, power at the polls to veto objectionable legislation and to propose and enact measures which legislatures refuse.

We believe that the time has come for a full investigation of taxation by a board which cannot be influenced by those who pervert the present laws, and that cities and towns should be required for its information to tabulate separately the valuations of land, of improvements, of chattels, of intangible personalty, to the end that the people may intelligently review the existing system and consider its amendment or displacement.

We believe that the question of equal suffrage should be submitted to the vote of the people. We believe that cities are entitled to frame and amend their own charters, and that their administration should be free from State interference. We believe, however, that the State and cities and towns should co-operate in forming comprehensive, scientific plans for development and beautifications of our municipalities.

The spirit of the platform is summed up in this closing appeal to democrats of both parties to enlist for the struggle against Privilege:

We do not underestimate the power of this system when at bay; its treasury is unlimited, it distrusts the people and popular government; it purchases the highest talent, masters of eloquence defend it; ambition seeks its rewards, social, political and financial; its punishments are terrible, it controls industrial armies and the wealth of the Republic; its leaders possess fortunes unmatched in the his-

tory of the world; it reaches into press, pulpits and universities; it towers above the laws and governments; it has neither conscience nor patriotism; money is its god, greed its religion, force its argument, monopoly its weapon and humanity its victim.

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Leadership in Massachusetts on such a platform puts Governor Foss in the rapidly growing front rank of Progressive leaders in national politics.

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#### Indecent Mail Matter.

Upon the exclusion of the Chicago vice report from the United States mails, much excellent editorial comment has been made. In the larger daily papers, the best editorials on the matter are probably those of the New York World and the Chicago Tribune. So extended and pointed has the comment been, and so absurd was the exclusion of this useful public document, that the Post Office Department has felt obliged to recede from its first position. But under the precedents its first position was right; and regardless of precedent, its later one is monstrously bureaucratic.

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At first, the Postmaster General refused mail facilities to that report. He was right by the precedents. Less objectionable publications—by postoffice tests,—and as useful ones in principle, had been rejected before. Publishers with as good motives as the Chicago Vice Commission had been deprived of mailing facilities for their publications, and been themselves sent to the penitentiary for mailing them. An instance approaching in absurdity the exclusion of the vice report was the exclusion of a decent periodical for quoting, in good faith and for decent controversial use, from an agricultural report of the United States government! But now comes the Postmaster General with “permission,” bureaucratic permission, to mail a certain number of copies of that report, and no more! In other words, taking the matter as it stands, certain persons are “permitted” by the postal bureau to mail a certain number of copies of a book of a kind the mailing of which is denied to all other persons and to these persons also in excess of the specified number of copies of this particular book. In still different words, the mailability of indecent matter—for that is what the bureau adjudges the Chicago vice report to be, and correctly according to its precedents, is made to depend not upon *law*, applicable to all persons and all publications, but upon the *personal* favor of a Department chief!

Would we then exclude that vice report from the mails, or punish the public spirited men who mailed it? By no means. It is a useful and worthy document, and Dean Sumner and his associates are entitled to credit for insisting upon its mailability. The wider its circulation, the more certainly and quickly would the vice that hides in dark places be stamped out. Secrecy helps only those who profit from the vice it veils. What we would do, however, and what The Public has often urged these many years, is to put an end to the postal censorship of unexposed mail matter. It is the business of the Postoffice Department to carry properly wrapped communications, not to pry into their character. This censorship ought to have been abolished long ago. It never should have had a beginning. Unless it is abolished, the transmission of facts and opinions through the mails will depend upon the prejudices, the whims, the political affiliations, the corruption and the favoritism of postal officials. For criminal uses of the mails the regular criminal law is the only recourse at all consistent with a free press. Exclusion by arbitrary orders of a Department, spells censorship in its most dangerous form.\*

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#### Death of Judge Harlan.

At no time in the history of the United States could Judge Harlan have been less safely spared from the Supreme Bench than now. His death leaves to a President who worships judges as deific, who is a class-conscious aristocrat to the last degree, who looks upon plutocracy as a coming aristocracy under the favor of the gods, and who seeks for renomination the support of interests needing a Supreme Court of their own and which never do anything for nothing—it leaves to such a President the power to fill out a plutocratic majority of Supreme Court judges. Already he has appointed four who fit snugly to his own standards, and has raised to the Chief Justiceship a man after the civic heart of Cardinal Gibbons. Judge Harlan's death gives him the chance to appoint his fifth, and five is a majority. But this is all in the day's work. Democracy might have been realized long ago but for the survival in newer forms of the same hostile spirit that has obstructed its development, step by step, year by year, century by century, from the various periods of slavery in property forms to the present period of resistance to it in indirect and more subtle forms. Whatever may result from this untimely death, the memory of Harlan will sur-

\*See The Public, volume xii, page 700; volume xiii, page 1105; current volume, pages 74, 99, 1032.