

# The Public

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

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## EDITORIAL

### Enemies He Is Making.

Roosevelt is sure enough making a very choice collection of very valuable enemies.

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### President Taft's Double Weakness.

A weaker man than Mr. Taft has probably not been President since James Buchanan; and his "spoils" letter, in the name of Secretary Norton, but with the President's sanction, is evidence of it.

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That letter is a naïve confession of irresponsible weakness. It confesses, first, that President Taft dispenses patronage as party spoils; second, that he has been dispensing patronage as faction spoils, in an effort to defeat the Insurgents; third, that the triumph nevertheless of the Insurgents has frightened him into overtures looking to their getting a fair party share of spoils in the future; fourth, that he does not realize the lack of principle here involved; and, fifth, that he is, as the New York Sun might have described him in the days of Dana—and did describe Hancock—"a good man weighing two hundred and fifty pounds."

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### Direct Legislation in Oregon.

When such papers as the Oregonian of Portland, and its understudies elsewhere, including the New York Times (p. 698), are fostering ignorance of

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the experience in that State with direct legislation, designing to create prejudice against it among the thoughtless, a letter such as this from William R. King, associate justice of the Supreme Court of Oregon, makes an instructive supplement to Senator Bourne's speech (pp. 616, 843). Judge King writes:

We deem the Initiative and Referendum amendment to the Constitution of this State a success. Some criticism arises, bearing on the fact that the people are compelled to vote upon a large number of measures. For example, at the next election the number is something like forty. But this criticism is not meritorious. Before election a pamphlet is sent out by and at the expense of the State to every voter, which contains a copy of all the proposed measures. The voters as a rule look it over and are thereby prepared to vote intelligently on election day. The laws passed thus far will compare favorably, if not more than favorably, with legislative enactments.

Another benefit derived from this system of legislation is that it makes the legislature more prudent and cautious. The members realize that if they do not pass a bill demanded by the people, the people will do so (with a vengeance), and as a result such measures as the legislature thinks the people demand are, as a rule, enacted. The same effect is derived from the fact that they know if certain measures are passed the people will invoke the Referendum. These two features are perhaps the greatest benefits derived from the direct system of law making, and we anticipate that it is only a question of time when but very few if any measures will be submitted to a vote of the people direct, for the reason that the legislature, knowing this power to be in the hands of the people, will, in order to avoid expense and delay, comply with their wishes.

The principle recognized by the Initiative and Referendum is without question the settled policy of this State. Many recognize that it may be improved upon. Some think the number of petitioners is too few, while others are inclined to favor the Nevada system, to the effect, as I understand it, that a measure must first be submitted to the legislature, and if rejected, then to the people. Personally I am inclined to believe that our system could be improved upon by increasing the number of petitioners required to initiate a bill to 10 per cent, and those invoking the Referendum to 15 per cent of the voting population.

That letter will prepare the reader to consider this misleading editorial statement of the New York Times of August 22, which it bases upon a quotation from the Oregonian:

Here is one of the amendments to the Constitution of Oregon on which, along with thirty-one other propositions, the voters are expected to express their desires by a simple "Yes" or "No."

For an amendment to Article IV, Constitution of Oregon, increasing initiative, referendum, and recall powers of the people; restricting use of emergency clause and

veto power on State and municipal legislation; requiring proportional election of members of the Legislative Assembly from the State at large, annual sessions and increasing members' salaries and terms of office; providing for elections of Speaker of House and President of Senate outside of members; restricting corporate franchises to twenty years; providing \$10 penalty for unexcused absences from any roll-call, and changing the form of oath of office to provide against so-called Legislative log-rolling.

The mere reading of this list of matters bunched in a single amendment is enough to make an ordinary man's head swim, and the more he knows about the complex subjects involved the harder it would be for him to embody his judgment in the affirmative or the negative.

Well may any one ask, as a startled reader of the New York Times asks us, if it is "possible that the Oregon plan works out in this absurd fashion." No, it is not possible—at least not true. Filterings from the Oregonian through the New York Times regarding the Oregon plan are useless for all purposes of information. The Oregonian would like to abolish the plan because it interferes with the Interests in Oregon; the Times opposes its extension to the other States because it would interfere with the Interests everywhere. And that is "the milk in the cocoanut."

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Article IV of the Constitution of Oregon, which the Times mentions in the foregoing extract, is the Article defining legislative powers. It is entitled "Legislative Authority." The proposed amendment is a substitute for the whole of that Article; and while it embodies new provisions, it retains much of the original. This is in conformity with the usual procedure whenever and wherever constitutional amendments modifying an existing Article are submitted to popular referendum. The title of the proposed amendment, as stated on the Initiative petition in Oregon, is not as the Times seems to state it, but is in these words:

The Legislative Assembly: A Constitutional amendment to provide a plan for the election of members of the Legislative Assembly by proportional representation, increase the people's Initiative and Referendum powers, prevent logrolling and abuse of the emergency clause, and generally to provide for such organization of the Legislative Assembly as will fairly represent the people of Oregon and obtain efficient performance of legislative duties.

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After quoting the Oregonian's misleading statement, the Times asserts that "the mere reading of this list of matters bunched in a single amendment is enough to make an ordinary man's head swim." That depends much on the specific gravity of the head. The full text of the proposed amendment

the title of which we have quoted—of the substitute, that is, for the present Article IV,—is sent to every registered voter in Oregon well in advance of the election; and any man of ordinary intelligence can read that text in half an hour and understand its provisions. If he does not like them or any of them, he may vote against the amendment. It is true that he must accept or reject it as it stands. But that was true of the original Constitution of Oregon when it was voted on. The people had to accept or reject the whole document, with its very much greater number and complexity of subjects. And has not that been true also of the constitutions of every other State, unless as in some States—and as the Oregonian, the Times and other reactionaries would doubtless like for all States—they were validated by autocratic constitutional conventions over the people's heads?

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#### Tainted News from Topeka.

In an editorial last week on the "Constitutionality of Direct Legislation" (p. 869) we mentioned an absurd pronouncement of one "Justice Knowlton" of "the Kansas Supreme Court," whom a Topeka news dispatch of August 25 quoted against "William Allen White's plan" for the Initiative and Referendum in Kansas. We are now informed by Mr. White that "there is no Justice Knowlton in Kansas, or any other judge with a name like it;" but that there is "a machine press bureau in Topeka, which makes a business of sending out all sorts of stuff to discredit all progressive movements in Kansas." These machine press bureaus are not confined to Topeka. Their trails cover the land. In one way and another, and in one place or another, they are all the time as busy as bees manufacturing tainted news, of which the Topeka dispatch in question is an instance. That dispatch is probably on its rounds yet in the newspapers of the country. Somebody is paid for this extensive and expensive service to the Interests, of course; and equally of course somebody does the paying. A California town contemplating municipal ownership has recently been victimized by one of these tainted news factories. Whether the local paper that featured its serial "epitaphs" was victimized or is a victimizer, we are not yet sure; but of the victimization we are sure, and shall have something to say about it anon.

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#### Prostitutional Legislation in New York.

If Dr. Maude Glasgow is right in her recollection that Mr. Roosevelt, when Commissioner of Police

of New York, ordered that men as well as women be arrested when houses of ill fame were raided by the police, Mr. Roosevelt deserves the commendation she gave him in her speech on the 15th at a Madison Square meeting that had been called to protest against the Page law of New York, which subjects women of dissolute life, or so accused (p. 855), to a species of degradation that not only humiliates them but so brands them as to make escape from that life except by death virtually impossible. All the speakers at that meeting were women, most of them were physicians, and one, the chairman of the meeting—Dr. Anna Daniels—is a physician peculiarly qualified, by professional service at the Woman's Infirmary, to criticize such a law. Dr. Jane D. Berry of the Woman's Prison Association denounced this law, characterized by others as the "infamous Page law," as impotent for its ostensible purpose of preventing the spread of sexual disease. The frightful pressure upon ill-paid working girls, tending to lead and then drive them into a dissolute life, was described by Miss Margerie Johnson, a settlement worker; and some speeches urged woman's suffrage as a means of securing protection and of preventing sex discrimination in penal laws. The position of those public-spirited women regarding that law, is sound in public policy and in morals. The law as it is reported deserves all the denunciation that can be given it. The question of one of the speakers, "Do you men who have daughters as well as sons want to see these poor girls tortured while the men who are responsible for their fall go free?" must drive the merits of the issue home to every thinking man. The Rev. Anna Shaw exposes the vicious character of the law when she says: "If there existed on the part of the framers of this disgraceful bill an honest intention to mitigate the horrible results of the social evil, would their conception of its regulation be limited to women only?" Laws like this one are startling commentaries upon all those anti-suffrage arguments which assume that enfranchised men as a class protect unenfranchised women as a class.

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#### Social Surplusage and Individual Earnings.

For several weeks the Chicago Tribune has been singularly direct, clear and sound in many of its editorial utterances. Yet the history of that paper is such that there is much wondering as to when the clamp will be applied. Here is an example:

Ask most men what they mean by "earn" and they will first be irritated at being asked to define such a