
NEWS NARRATIVE

The figures in brackets at the ends of paragraphs refer to volumes and pages of *The Public* for earlier information on the same subject.

Week ending Tuesday, July 4, 1911.

Ohio Constitutional Convention.

The Progressive Constitutional League of Ohio met at Toledo on the 2d. Herbert Bigelow of Cincinnati was elected secretary, and the president, Brand Whitlock (Mayor of Toledo), delivered an address in which he enumerated and explained reforms that should be recognized favorably by the Constitutional convention of Ohio, to be elected next fall, and to convene early in the year. Chief among these reforms, as he is reported in the news dispatches, are the Initiative, Referendum, Recall, and home rule for cities, including the right of municipal ownership of all public utilities, the right to levy and collect their own local taxes, and a clause by which the people retain to themselves the power of legislating directly when their representatives stop representing them and begin to represent privileged interests. Quoting the dispatches, Mayor Whitlock urges that—

the making of the new constitution is the most important task undertaken by the people of Ohio since the Civil War. They are to live for half a century under the fundamental law to be declared next year; and by it, so far as it bears on human destinies, is their future to be molded. The present Constitution was made in 1852. The mere statement, in the light of all that has happened since then, should be sufficient. For while that Constitution was suited to its day and in great measure met the conditions of its time, one has but to review in memory the stupendous changes that have occurred since then to be brought to a startling realization of the magnitude of the work that confronts the delegates of the people. The Constitution of that day was devised to meet the needs of a population largely agricultural in character, living a comparatively simple and purely individualistic life. But since then there have grown up enormous cities, and a veritable revolution, or, more accurately, an amazing evolution has occurred in industry so that a whole body of new social problems is presented for solution. And not only that, but in this amazing evolution a new power has been developed, a power that is stronger than the Constitution, and therefore stronger than the people. It is an economic power, and the problems that have been presented by and through its development are economic, or principally economic. Thus it has come to pass, that while the political government is what it was under the Constitution, that political government is now nominal only, and not real; the real, the actual government today is economic, and the powers of the nominal political government are so

confined and circumscribed by a Constitution that was made in the face of other conditions, now obsolete, that the nominal government is impotent to deal with the new conditions. The economic government is stronger than the political government; the strength of corporate wealth is greater than the strength of the people. It makes no difference by what name this economic power be called, whether it be called Privilege, or Capitalism, or Landlordism, or the Money Power, or the Corporations, or the Trusts, or the Interests, or the System, or Big Business—the mere name is nothing. Privilege, or by whatever name you choose to call this gigantic force, appreciates the importance of the new Constitution, and it has been busy for a long time, is busy now, and will be busy until the Constitutional convention adjourns, seeing to it that the Constitution is made as nearly as possible a bulwark for its special, private, selfish, anti-social interests. If it is not to win, if it is not to write the new Constitution, all those who believe in the people, those who believe in the public democracy, not only political but industrial, will have to maintain the same solidarity that it maintains. If the people do not act together this fall, then Privilege will write the new Constitution, and it will be a Constitution that will rope and throw and brand the people and deliver them over to Privilege for another half century.

[See current volume, pages 536, 537.]

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Mayor Whitlock's mention of Privilege as having "been busy for a long time," as "busy now," and as likely to "be busy until the Constitutional convention adjourns, seeing to it that the Constitution is made as nearly as possible a bulwark for its special, private, selfish and anti-social interests," evidently alludes to campaign preparations, recently reported from Ohio, of the Ohio State Board of Commerce. This organization, with headquarters at Columbus, is under the immediate personal direction of Allen Ripley Foote (formerly of New York, later of Chicago and now of Ohio), a shrewd political and legislative manager for special privilege interests, whose career in Chicago in connection with the electric power interests was told in an editorial foot note at page 176 of *The Public* of February 24, 1911. Many supporters of Mr. Foote's organization are business men of conservative tendencies and without peculiar interests to serve by legislation, but its principal known supporter in Ohio is Samuel Scovil, the head of electric interests of Cleveland which are dependent upon monopoly legislation. This organization was reported by the *Cleveland Press* of June 28 as having opened a branch office in Cleveland for the purpose of managing the Constitutional campaign in behalf of monopoly interests. The following significant quotation from a printed address issued by Mr. Foote's organization "to all persons, partnerships and corporations doing business in Ohio," is reproduced in the *Press* report as indicative of the

underlying purposes of the movement: "*Do you want to do a profitable business in Ohio without being compelled to evade the provisions of the Constitution?*"

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Commenting upon the movement described by it as above, the Press refers to it editorially, under the title of "Gray Wolves of Big Business Are in Full Cry in Ohio," as follows:

Big Business, the Interests or by whatever other name that class of persons in Ohio may be called, who put the rights of property above the rights of people, have been busy for some months past, and are getting busier every day trying to keep out of the new State Constitution every possible progressive idea. Among the most active organizations is the so-called Ohio State Board of Commerce, of which Allen R. Foote of Columbus is president, Samuel Scovil of the Illuminating Co. of Cleveland, one of the executive committee, and O. K. Shimansky, formerly political secretary to Gov. Herrick, publicity manager. This State Board of Commerce boasts of 2,000 members, representing 84 counties of the State. If it has any excuse for existence other than to prevent the common people of the State from getting the kind of laws they want, it has never appeared. Naturally the members of the State Board of Commerce and all others of their ilk view with great alarm the mere possibility that the new Constitution will represent in any way the progressive thought of the State and nation. They are frankly opposed to any Constitution or law or device of government which will disturb their possession of any of the privileges they have or any that they may want to acquire. Under date of June 10 over the signature of Shimansky, the State Board of Commerce has sent a letter to every newspaper editor in the state frankly stating its purpose to get, if possible, a "conservative Constitution for Ohio." Everybody knows what Big Business means by "a conservative Constitution." It means an instrument which cannot by any possibility be used to disturb public service and other corporations in their control of the government; an instrument the spirit and wording of which will encourage the raising of the question of Constitutionality every time a progressive law is passed. The following paragraph of the letter is indicative of the mental attitude of Big Business and the enemies of progress generally in Ohio toward the new Constitution: "In order to provide reliable safeguards in the new Constitution, which will place an effective limit on the power of taxation, avoid unnecessary restrictions upon business enterprise, and continue our stable and successful representative form of government, a wide educational and publicity campaign will be inaugurated." Specifically, what is meant by this is that privilege in Ohio is afraid that the new Constitution makers will incorporate in the fundamental law of the State a provision for the Initiative, Referendum and Recall. That is what is meant by the delicate reference to "our stable and successful representative form of government." You see, Privilege in Ohio as elsewhere knows that so long as the people cling to their fetish of "representative government" without keeping in their own hands the power

to compel honest representation, there can be very little real progress. But the purpose of this editorial is to warn the honestly progressive people of all political parties in the State what is up, rather than to argue Constitutional provisions. The gray wolves of Big Business are in full cry, their avowed purpose being to keep Ohio for another generation as their foraging ground. They are organized under able leadership with unlimited money and a grim determination to throttle the people's will. Their first efforts will be to elect men to the Constitutional convention who will be friendly to Big Business, or at least pliable. The people of Ohio never had a more vital political duty to perform than that of defeating this dark and sinister scheme.

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Reactionaries in Massachusetts.

Out of several Direct Legislative amendments of the Massachusetts Constitution proposed and pending in the legislature, a joint committee of the two Houses, for which Russell D. Crane reported to the lower house, framed and by a vote of 8 to 2 reported one which, while exceedingly conservative in form and in conditions imposed, is sound in principle and would doubtless have been sufficiently effective in operation. [See current volume, page 203, 266.]

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Taking cognizance of the fact that amendments in Massachusetts must be adopted by two successive legislatures and then by the people, this amendment provided (1) that any proposed amendment if not adopted upon its first submission to the legislature, might within 90 days be recommended by popular petition of 75 per cent of the last previous Gubernatorial vote, not more than 20 per cent being residents of the same Congressional district, whereupon the amendment should be submitted to the next legislature as if it had been adopted by the previous one; (2) that upon any proposed amendment not adopted by the second legislature a like petition would be equivalent to such passage and cause its submission to the people; (3) that acts of the legislature (except emergency acts specifically defined in a preamble, separately voted on by a two-thirds record vote) would be subject for sixty days to a Referendum on a 5 per cent petition, not more than 20 per cent of the signers being residents of the same Congressional district; and that (4) the Initiative for statutes should be had upon a like petition as for Referendums, provided that upon such petition the legislature should act, and if it acted adversely the question should go to popular vote.

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When the Crane amendment came before the lower house of the Massachusetts legislature on the 27th, the affirmative vote was 125 and the negative only 75; but as the present Constitution