

Oakland Times
May 9, 1896

Direct Legislation Through the Initiative and Referendum

Of the many forms of government, democracy has been, and always will be considered the highest and the best. Next to a democracy, a republican form of government is deemed best, and such is the government, we, of the United States, enjoy.

The difference between a democracy and a republic is DIRECT LEGISLATION.

In a republic the sovereignty lies in the people, but is vested by them in representatives. Hence, they lose the direct exercise thereof. They cannot initiate laws; neither can they veto. They elect their officers for a term of years, and then, no matter how necessary would be the proposal and passage of a certain law, or the repeal of another, they are powerless. They have surrendered their sovereignty. If their representatives are obdurate, they can do nothing; they have no control over them; they cannot discharge them. Their only resource is to endure the evils till the next election, when they may elect new masters, who misbehave as their predecessors have done.

In a democracy where the sovereignty lies in the people and is directly exercised by them, direct legislation, through the initiative and the referendum, is their great executive instrument. Suppose, for example, they were cursed with a CORRUPT LEGISLATURE which, controlled by-rings and syndicates, found their interests to be in contradiction to those of the people. The people wish to have laws passed to remedy certain evils. Their representatives do not act. The people then initiate or propose such bills as they may wish, vote upon them, and they become laws, having been ratified by a majority of the people. Suppose the Federal legislature had passed laws detrimental to the interests of the commonwealth. The people exercise their prerogative granted by the referendum and veto them. In any event, it is the voice, the will of the people, which rules.

The control by the majority is the principle on which our government should rest, but upon which it does not, at present our electoral college does not allow that, and neither does our system of representation. They, a minority, pass and refuse to pass, many bills, which the people, a majority, do not wish, or wish.

Another of the great benefits to be derived from direct legislation, is the overthrow of PARTY POLITICS and partisanship, which are of the worst of the evils we suffer under to-day. Loyalty to the nation is forgotten in the allegiance to party, and the talents of the best of our public men are prostituted to the furtherance of party designs and powers.

To-day our most talented citizens refuse to come forward and enter public life, because there is no opening for such a career save through a party. Such men are crushed out by the professional politicians and office seekers. If we had direct legislation we would choose for our representatives men of ability, principle and unimpeachable integrity. As it is, we choose such as may happen to have their name on a party ticket, no matter how unprincipled and corrupt they

may be. We have but one resource if such a proceeding is distasteful, and that is, not to vote at all, which is certainly unpatriotic. But we do vote, for the man is forgotten for the party.

A good illustration of the beneficial working of direct legislation may be found in THE SILVER QUESTION.

Many of our citizens have reason to believe that great good will accrue from the adoption of a bi-metallic standard. They propose to effect such a standard. Now witness the laborious method by which they have to strive in the endeavor to obtain it. They have to agitate; they hold conventions; they try to get their plank inserted in the platform of some party and failing in this, form a party of their own. Their work has but begun, though it has taken many weary months. Then, year after year, campaign after campaign, they must struggle in the political arena till success crowns their efforts and they have a majority in the House and Senate. Then they adopt the bi-metallic standard. But hold, it is not yet a law, for Mr. President has still to attach his signature. If he is A MONO-METALLIST he refuses. The bill goes back to the House whence it originated, where the same battles must be fought anew, and this time with a handicap, for they needs must have a two-thirds, instead of a simple majority. If they have not got it, they must pocket their disappointment and wait for a change in the administration. And so the years roll by.

If direct legislation had been in vogue, how quick would the matter have been settled! The laborious formation of a party would have been useless, for the people would have initiated it, and, if it pleased the majority, it would have become a law. But if a majority had shown their minds by voting against it, it would have been equally decisive. The majority vote of the people is emphatic.

And surely the people are competent to manage their own affairs. Of a verity, they would be more honest than the classes that at present rule. They will, they must be honest to themselves, for it is to their interests to be so. But it is not so with our representatives. To be true to their own interests they must be false to those of their constituents, for with a lobby backed by THE MONEYED RINGS, corporations and syndicates, emolument is theirs if they will but reciprocate.

It has been objected that the people are incompetent to rule themselves; but Sismonde most truly says, "If pure democracy is a bad form of government, representative democracy cannot be worth more."

What an increased interest in public affairs! What a revival of patriotism! What an awakening would ensue, if direct legislation were adopted! The people, no longer forced to hire servants to do their thinking for them; the people, eager to exercise their sovereignty; the people, glad to escape the bondage of class rule; would spring into the arena, buckle on their armor, and do their own thinking, voting and vetoing. Then would the disenfranchised welcome enfranchisement, while our party tyrants were relegated to obscurity, and the nation, with renewed vigor, resume her triumphant progress. Then would our honest men enter into public life; then would "purity in politics" be not only the watch word, but the accomplished fact; then would truth, justice and equity reign.