

A SHORT POLITICAL CREED

EDITORIAL BY THEODORE ROOSEVELT

A GOOD friend of mine who has been asked many questions about the political philosophy which I endeavored to interpret and formulate in my Columbus speech has put those questions in the form of a short catechism ; and in answering them I have endeavored to outline the philosophy.

What is the aim for which political Progressives are striving ?

The promotion of genuine popular government in America, the defense of human rights, and the establishment of social and industrial justice, so that every force in the community may be directed towards securing for the average man and average woman a higher and better and fuller life in the things of the body no less than those of the mind and soul.

Do you believe that the pursuit of this aim requires the adoption of new and radical principles ?

No. I believe it requires a new and radical application of the old principles of justice and common honesty, which are as eternal as life itself. New methods and new machinery are needed for carrying these principles into our National existence ; and also a broader sympathy, so that our justice may be generous and human, and not merely legalistic.

Do you believe in a short ballot ?

I do. I consider it one of the most impor-

tant methods to be adopted. By the " short ballot " I mean the principle of electing few men to important offices and making more administrative offices appointive. This is the method that is pursued in our Federal Government. The people have nothing whatever to fear from giving any public servant power so long as they retain their own power to hold him accountable to them. You will get best service where you elect only a few men, each of whom has his definite duties and responsibilities, and is obliged to work in the open so that the people know who he is and what he does.

Do you believe in direct primaries ?

I do. In the State the primary should be of the simplest form (consistent with preventing fraud) that will enable each individual voter to act directly on the nomination of elective officers ; in the Nation Presidential primaries should be so framed that the voters may choose their delegates to the National conventions, and at the same time express their *preference* for nominees for the Presidency. At the present moment our political machines are using their power to defraud the people out of their right to make nominations.

Do you believe in the election of United States Senators by the people ?

I do. I think the people are just as competent to elect United States Senators directly as they are to elect Governors or

representatives in Congress or State Legislatures.

Do you believe in the initiative or referendum?

Yes, under certain definite limitations. Action by the initiative or referendum ought *not* to be the normal way of legislation; I think the Legislature should be given an entirely free hand. But I believe the people should have the power to reverse or supplement the work of the Legislature, *whenever it becomes necessary.*

Do you believe in the recall?

I believe the people should be provided with the means of recalling or un-electing important elective administrative officers, to be used only when there is a widespread and genuine public feeling for such a recall among a majority of the voters. I believe that there is scant necessity for using it in connection with short-term elective officers.

Do you believe in the recall of judges?

I believe that the evils which have led to the very widespread proposal to apply the recall to judges are very real. I see no reason why the people, if they are competent to elect judges, are not also competent to un-elect them. I think the judiciary should be made clearly to understand that they represent justice for the whole people. Personally, and having in view the success of the Massachusetts system, I am at present inclined to believe that judges should be appointive. Then we can apply the principle of the recall to the appointive power. In addition, I would have the appointive judges removable; and, in feeling our way to the proper solution, I would try having this done by a majority vote of the two houses of the Legislature, as may now be done under the Massachusetts law, whenever the people through their representatives feel that the needs of the people require such removal. But this is merely my preference; and, moreover, my prime concern is with the end, not the means. I wish to see good judges put on the bench and bad ones taken off it. Any system which in its actual workings accomplishes these two ends is a good system. I do not wish to use the recall if it is possible to avoid doing so; but I would far rather have recourse to the recall than continue the present system, which provides an impeachment remedy that in practice never works, and provides no efficient way whatever for overruling judicial misconstruction of the Constitution.

Do you believe in the "review of judicial decisions" by State courts, and what do you mean by it?

I do. What I mean may be fully expressed by the phrase, "The right of the people to review certain judicial decisions which nullify laws demanded by the people in the exercise of the police or general welfare power on the ground that these laws are unconstitutional." This would amount to a simpler method of construing or amending the judicial interpretation of the Constitution wherever such interpretation becomes clearly adverse to human rights. I believe, as I have said over and over again, that when the highest court of a State differs from the Legislature of that State on the question of the constitutionality of a law vitally affecting the conditions of life and labor among wage-earners, the people should have the right to determine in an election whether the Constitution which they have framed was meant by them to permit such a law. This method cannot apply to questions as to the Federal Constitution; I have made this distinction clear in my Columbus speech. The jurisdiction of the United States Supreme Court concerning the Federal Constitution must remain supreme over the whole people. The Constitutions of the separate States are in daily process of making by the people of those States, and I would therefore vest in the people of each State the final authority as to what their State Constitution should be. I would *not* make the people the final judge in legal questions between individuals, but I *would* make the people the final umpire in such a conflict as that above outlined between the Legislature and the judiciary in any given State.

The personal differences between some of my opponents and myself are only incidents of a fundamental difference of view. My opponents believe, as many of the founders of our Government believed, that the people as a whole have neither the capacity nor the training to decide questions of broad governmental policy. Many of our fathers thought that the people could not be trusted to elect Presidents or Senators and therefore devised the Electoral College, which we have abandoned, and the legislative method of electing Senators, which we are abandoning. My opponents think that a special class, the legal class, is the proper one finally to determine questions of basic political philosophy; I believe that the ultimate authority rests in the people and must be exercised by the people.

This of course does not mean that the people should not employ experts to do their work for them. For instance, having selected the President, the voters should give him full executive power; but if the voters decide that they want a parcels post, they should expect him to make, with loyalty to their decision, the best parcels post that can be made; and they will not expect him to decide for them as to whether they are to have a parcels post or not. In law, having framed the Constitution and the statutes, they should choose the best judge that they can to carry out the provisions of the Constitution and the statutes; but if they decide that they want a Workmen's Compensation Act, they ought to expect the judge to administer such an Act, and not to determine whether a Workmen's Compensation Act is good for them or not. It is none of the judge's busi-

ness to say whether the people ought to wish and to have such an Act; it is the people's business, and only theirs. If the people decide (as the Canadians have decided) that it is a true function of government to formulate and regulate the relations of organized capital and organized labor, including wages, hours, and conditions of work, they will not expect the judges—and the judges must not expect—to decide that this is not a true function of government; and if the judges endeavor to assert their view as opposed to the people's view, the people ought in legal fashion to tell them they are mistaken, and, if the judges persist, remove them and get judges who will administer the law based upon the theory of government which the people in the exercise of their sober and deliberate judgment have decided to be good. }