The Adoption of the Initiative and Referendum
in Washington

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INTEREST in those twin implements of popular government, the initiative and referendum, has declined during the last score of years. During the progressive decades preceding the first World War their proponents urged their adoption and use with all of the fervor and zeal which usually characterizes reformers who rejoice in the stout belief that they have found a solution for a problem. No less in earnest, conservative forces sought by devious means to stem the demand for direct legislation which, in their opinion, would overthrow our republican system of government and substitute for it pure democracy. In those days we heard much of the initiative and referendum. Now we hear little. This falling off in interest is due, no doubt, to a number of causes, chief among which are probably the unfulfilled hopes of those who promoted the movement for them and the unrealized fears of conservatives and "boss" politicians who opposed their adoption. The decline of interest in direct legislation is, however, only in the discussion of the initiative and referendum as institutions of democracy, not in their actual use. "Die-hards" and "radicals" alike have learned to use them, and one seldom hears raised against them a voice of greater intensity than a futile growl. It seems appropriate, therefore, to study the initiative and referendum in a typical state—in the State of Washington, where they have flourished for thirty years.

Students of history and politics are familiar with the program of the old liberals, the progressives who held the center of the stage in the decade preceding our entry into the first World War. Not the least conspicuous planks in their platform for implementing democracy were the initiative, the "spur in the flanks" of the legislature, and the referendum, the "bit in its mouth." Indeed, to such an extent was reliance placed upon direct legislation, particularly upon the initiative, that some reformers were willing to drop prac-

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1 The writer is indebted to two of his former students, Henry K. Ensley and Harold F. Olsen, for a great deal of the historical material used in this article. In 1938 Ensley wrote a master's thesis entitled "The Operation of the Initiative and Referendum in the State of Washington," and, four years later, Olsen prepared an honors paper entitled "Notes and Additions to the Operation of the Initiative and Referendum in the State of Washington." Olsen brought Ensley's thesis down to date and supplemented it in several other respects, particularly in his elaboration of the campaign for their adoption. The facts stated by these two students have been rechecked and some new ones added.
tically every other project until provisions for direct legislation were incorporated in state constitutions. Thus William Simon U'Ren, famed and hated (by conservatives) as the originator of the "Oregon System," having read a little volume by J. W. Sullivan with the captivating title of *Direct Legislation by the Citizenship through the Initiative and Referendum*, for a time forgot "all about Henry George and the single tax. All these I saw now to be details," he explained. "The one important thing was to restore the law-making power where it belonged—into the hands of the people. Once give us that, we could get anything we wanted—single tax; anything." This was during or soon after the panic of 1893.

Inasmuch as Oregon was one of the first of the states to adopt the direct legislation plan and probably greatly influenced the newer state north of the Columbia, a brief account of the fight which U'Ren and others waged in Oregon is not without some point in an approach to the campaign for direct legislation in Washington. In 1894 U'Ren set about to free Oregon from the domination of special interests (particularly railroads) which held the state in the hollow of their hands through their control over the legislature. He joined the Populist party and persuaded the State Grange, the Oregon Farmers’ Alliance, the Portland Federated Trades, the Portland Central Labor Council, and the Knights of Labor to pool their efforts in a Direct Legislation League. U'Ren accepted the strategic post of secretary of the League. He talked incessantly, quietly, convincingly. He became secretary of the state committee of the Populist party, and he managed to get an initiative and referendum plank in the state platform of that party. As secretary of the Direct Legislation League he attended the state conventions of the other parties, and so effective were his persuasive powers, backed by farm and labor votes, that only the Prohibition party failed to include his plank in its platform.

During the campaign of 1894 U'Ren went about pledging candidates for the legislature to vote for a convention which would, of course, take up the question of the initiative and referendum. When the legislature met in 1895, U'Ren continued his pledging campaign at Salem, and he reported that a clear majority of its members promised him to support the resolution for a convention. Joe Simon, the Republican boss, had a different idea, however, and the legislature turned down by a narrow margin the proposal for a convention. U'Ren published the names of the legislators who had not kept their promise to him and mapped out a new plan. He would drop the plan for a convention and get his constitutional amendment providing for the initiative and referendum. He would himself go to the legislature.

The legislature of 1897 did not organize a house, to which U'Ren was elected, did not, it was true, refuse to receive or to get his initiative and referendum by ballot. The fact that a United States senator was present at the session and that Roosevelt increased the possibilities of bargaining. In a New York bargain that would include his initiative and referendum would "be held up" the session and no senator was ever likely to get the session transacted. It was now evident that U'Ren would not reckon with.

Interest in the initiative and referendum as a means of converting conservative citizens, like Harvey W. Scott, into Democratic citizens, and associated themselves with the movement. They were at last disrupted by his defeat (1898) for a railroad candidate. He had promised to support the initiative and referendum. "We can't change a moment," U'Ren said to Lincoln Steffens, "but we can change a political method. We have some political methods that will take the democracy out of the parties." These tactics U'Ren had followed two years before. He said: "For years I had seen reformers get results by using our enemies' own methods—to fight our battles. Consequently, U'Ren and his lieutenants, with one great purpose, employed all the methods of skillful politicians. It was not surprising, then, that they proposed a constitutional amendment to the state constitution by the legislature by large majorities. In the history the constitution required that a proposed amendment receive the approval of two successive legislatures before being submitted to the people for their decision. For U'Ren and his Direct Legislation League it was no matter in the issue. They did it by dealing with a series of articles and testimonials on the new legislation. They persuaded prominent citizens to reform to make speeches and give interviews and to participate in the debate. So well was the League's program that nearly all of the politicians were won over to the corporate interests held out against it. Legislation voted for the proposal as a result of trade
providing for the initiative and referendum direct from the legislature. He would himself go to the legislature.

The legislature of 1897 did not organize. The senate did, but the house, to which U'Ren was elected, did not, and the fact that it did not is attributed in large part to the plans of U'Ren. He was there to get his initiative and referendum by bargaining with all comers. The fact that a United States senator was to be chosen enormously increased the possibilities of bargaining. Being unable to strike a bargain that would include his initiative and referendum, U'Ren “held up” the session and no senator was elected nor was any business transacted. It was now evident that U'Ren was a man to be reckoned with.

Interest in the initiative and referendum grew, and prominent conservative citizens, like Harvey W. Scott, editor of the Oregonian, associated themselves with the movement. U'Ren's plans were not at all disrupted by his defeat (1898) for the state senate at the hands of the railroads' candidate. He immediately promised his successful opponent, George C. Brownell, his support for any office to which he might aspire if, as state senator, he would work in good faith for direct legislation. “We can't choose our human instruments,” U'Ren said to Lincoln Steffens, “and we can't change political methods till we have some political tools to do it with.”

These tactics U'Ren had followed two years earlier. At that time he said: “For years I had seen reformers go in and, using reform methods, accomplish nothing .... I now decided to get the reforms by using our enemies' own methods—to fight the devil with fire.” Consequently, U'Ren and his lieutenants, with an eye single to their one great purpose, employed all of the methods known to the most skillful politicians. It was not surprising therefore that in 1899, their proposal for a constitutional amendment passed both houses of the legislature by large majorities. In that period of Oregon’s history the constitution required that a proposed amendment should receive the approval of two successive legislatures before it could be submitted to the people for their decision. It was thus necessary for U'Ren and his Direct Legislation League to sustain public interest in the issue. This they did by dealing out to the voters a series of articles and testimonials on the many virtues of direct legislation. They persuaded prominent citizens who favored the reform to make speeches and give interviews at appropriate times and places. So well was the League's propaganda directed that nearly all of the politicians were won over to their cause. Only the corporate interests held out against it. Legislators who in 1899 had voted for the proposal as a result of trades and bargain and who

8 Lincoln Steffens, Upbuilders (New York, 1909), 316.
9 Hendrick, op. cit., 246.
were sure it would be defeated in the end were amazed to discover that there was no retreat open to them in 1901. The popular demand was unmistakable. U'Ren had taken care of that. The legislature reapproved the proposed amendment with but few dissenting votes. In the election of 1902 the people approved it in the proportion of 11 to 1.\(^5\)

U'Ren and the other aggressive "Leaguers" were ready to use their new weapons. In four successive general elections (1904-1910) sixty-four measures, including constitutional amendments, were submitted to the people of Oregon. A direct primary law, a local option liquor law, a bill prohibiting free passes on railroads, a gross earnings tax on express, telegraph, and telephone companies, a corrupt practices act, an employers' liability law, and twenty-five other constitutional amendments and statutory proposals were approved. Bills and constitutional amendments proposing woman suffrage, the single tax, more pay for legislators, state-wide prohibition, two additional normal schools, and some twenty-five other proposals were rejected. Direct legislation, the cornerstone of the Oregon System, was on the march.\(^6\)

The State of Washington was without doubt influenced by the progressive movement in general and by events in Oregon in particular. Certainly the farm and labor organizations of Washington were not unmindful, and were perhaps a bit envious, of what their brethren were doing in Oregon. Furthermore, Washington had had ample experience with old-time machine politicians who were dominated, often bought, by the railroad companies and other corporate interests. It had been found impossible, for example, to get the legislature to enact a statute creating a railroad commission. It is true that John R. Rogers, the Populist Governor of Washington (1897-1901), constituted a break in the chain of Republican-machine-railroad domination, but Rogers died in 1901, at the beginning of his second term, and the order with which the state was familiar was restored to power. Although popular demand became so strong for it that a railroad commission law was enacted in 1905, it cannot be said that the political conditions about Olympia had been improved. Legislative arrangements continued to be made between legislators and lobbyists over private hotel rooms and United States senators were frequently to be found.

As long ago as 1900, the year following the Oregon legislature first approved a direct legislation law, a number of leaders of the Washington State Republican Party asked candidates for the legislature to pledge to support a constitutional amendment embodying direct legislation. They met with some success, adequate, at least, to win the support of L. C. Craw and Representative T. C. Miles of the Democrats of Whitman County, to introduce their constitutional amendment. Reference to their respective chambers, however, marked the ultimate line of rejection in the usual annual legislative session. Indeed, when the resolution was sent to the state convention official, the results were consistent:

We have no hopes whatever of securing its passage. The railroads have this legislature solidly under control and they will not allow a constitutional amendment to exist. We introduced our bill writes, "Former legislator, now a railroad Lilies compared to this one."

In 1902, at the annual convention of the Grange, the state master was instructed

... to appoint a Grange committee in each county to interview the various legislative candidates and to have them to use their best efforts to get the Grange vote on any bill.\(^7\)

This was the system used in Oregon and other states where the movement had succeeded or was making progress. As a matter of fact, the non-partisan approach of the Oregon Federation of Major Counties had long been the established practice. In 1892 the state master had declared at the annual conference:

George H. Shibley, "Progress of Campaign for Major Counties' Initiative and Referendum, 1892-1903," Political Science Quarterly, XXVI (June, 1903), 648.

\(^5\) This account of the campaign for the initiative and referendum in Oregon is summarized from "William Simon U'Ren, Law-maker, of Oregon," (unpublished MS) by Elizabeth Ann Brown, fellow in the Department of History and Political Science (1940-1941) at the State College of Washington.


\(^7\) Ibid., 684-85.
between legislators and lobbyists over private bars in downtown hotel rooms and United States senators were chosen in similar fashion.

As long ago as 1900, the year following that in which the Oregon legislature first approved a direct legislation amendment, a number of leaders of the Washington State Grange announced that the answer to a machine-controlled legislature lay in the adoption of the initiative and referendum. They followed this up by asking candidates for the legislature to pledge themselves, if elected, to support a constitutional amendment embodying this reform. They met with some success, adequate, at least, to encourage Senator L. C. Craw and Representative T. C. Miles, both farmers and Democrats of Whitman County, to introduce the amendment in their respective chambers. Reference to committees and adverse reports, however, marked the ultimate line of progress in that particular session. Indeed, when the resolution was introduced, a Grange official remarked:

We have no hopes whatever of securing its passage at this session. The railroads have this legislature sold, and nothing of this nature will be allowed to pass. The representative who introduced our bill writes, 'Former legislatures were Calla Lilies compared to this one.'

In 1902, at the annual convention of the Washington State Grange, the state master was instructed...

... to appoint a Grange committee in each county where there is an organized Grange. The duties of said committee shall be to interview the various legislative candidates and to persuade them to use their best efforts, if elected to the legislature, to secure the passage of a bill to amend the state constitution, providing for direct legislation, which shall be submitted to the people, as required by the state constitution.

This was the system used in Oregon and other states in which the movement had succeeded or was making progress. It was highly recommended by George H. Shibley, founder and national chairman of the Non-Partisan Federation for Majority Rule, who was an indefatigable worker for the adoption of the initiative and referendum.

The Grange avoided making a partisan issue of direct legislation. As a matter of fact, the non-partisan approach to all political questions had long been the established practice with the Grange. In 1892 the state master had declared at the annual convention:

7 George H. Shibley, "Progress of Campaign for Majority Rule," Arena, XXIX (June, 1903), 629.

8 Ibid., 634-35.
All that is required is to intelligently and unitedly determine what legislation we need and then elect men to office who will respect and carry out our wishes regardless of party. When we arrive at this state of independent action as farmers, our great class will be fairly represented and command the respect of all other classes.9

In 1903, at the State Grange convention, J. O. Wing, the state master, maintained vigorously that the adoption of the initiative and referendum was not "a partisan question, but is advocated by the best members of all parties."10

In the same address Wing asserted:

I consider at the present time that the amending of our state constitution providing for the initiative and referendum is the most important matter that we have to consider in matter of legislation. . . . It is feared by corrupt politicians, as it is a check on vicious legislation. It is not a new feature in government, being the same principle applied to laws that has always been applied to constitutional amendments.11 We should commence our campaign of education now, and cooperate with all other organizations who are working in favor of this measure.12

Of the resolutions adopted by this convention, No. 1 called for the initiative and referendum. Essentially the same resolution was passed at each succeeding annual convention until the constitutional amendment was adopted.

With the election of C. B. Kegley of Pullman as state master (1905), the Grange campaign for direct legislation received new impetus. Kegley continued as master for twelve years and took an extremely active part in all phases of the campaign to "restore government to the people"—the direct primary, the direct election of senators, the recall, and the initiative and referendum. In 1907 the legislature enacted a direct primary law, and it was believed for a time that the proposed amendment for direct legislation would meet with legislative approval, but it failed to do so. It received the endorsement of the House by a substantial margin.13 The Senate committee on the constitution recommended its passage, but the Senate delayed and finally voted 2 to 1 against submitting the amendment to the people for their action.14 We have no clear reason for the defeat of the measure, but Kegley's explanation is probably not far from correct. In his annual address to the State Grange convention, he said: "It passed the House by a small margin in the Senate after the railroad and milling [lumber] interests had lobbied that they wanted in order to accomplish its failure to pass the measure in the 1909 session.16 That the legislature had less interest in the proposal had shown in the preceding session. Kegley, "saloon power" defeated the proposal in 1905. The Grangers to drive the saloon out of politics and efforts to secure the direct legislation amendment.

Make the passage of a direct legislation bill, than that of any other state, your chief concern. It will be necessary to drop all other matters for the time being. I recommend that you take action on a bill to issue a Grange appeal to have the Grange lead in a new movement of public opinion by the appointment of a member of the legislature in the next session of the legislature. A bill, based on the experience in Oregon, that

One organization which had long been interested and one which Master Kegley no doubt supported were the Washington Federation of Labor. On February 2, 1907, the organization held a conference of western Washington farmers, a few other progressives. All in attendance favored the initiative and referendum. Some were not content to make it the sole issue of those who desired to carry forward a number of progressive political action and those (progressive) who wanted to push the single issue reform program. This latter group was by far the largest, and carried the chief burden of the campaign which ended with success for their efforts to pass a direct initiative and referendum. Charles R. Case was a member of the Grange, attended the State Grange convention in Pullman, and expressed himself as being in the program of that organization and in part of it which related to direct legislation.17

During 1910 the Direct Legislation League functioned under the aggressive leadership of Christy and Charles R. Case, its first secretary, and Charles R. Case, its first president.
not far from correct. In his annual address at the State Grange
convention, he said: “It passed the House and was only defeated
by a small margin in the Senate after the bosses representing the
railroad and milling [lumber] interests had traded away much
that they wanted in order to accomplish its defeat.” He predicted
success for the measure in the 1909 session. It developed, however,
that the legislature had less interest in the proposal in 1909 than it
had shown in the preceding session. Kegley was sure that the
“saloon power” defeated the proposal in 1909, and he urged the
Grangers to drive the saloon out of politics and to redouble their
efforts to secure the direct legislation amendment.

Make the passage of a direct legislation bill [he advised], better
than that of any other state, your chief concern even if it should
be necessary to drop all other matters for the time being to
attend to it. I recommend that you take action at this session
with a view to issuing a Grange appeal to the people, and to
have the Grange lead in a new movement to consolidate all
interests throughout the state in a campaign to secure the enact­
ment in the next legislature of the very best direct legislation
bill, based on the experience in Oregon, that can be framed.

One organization which had long been interested in direct legis­
lation and one which Master Kegley no doubt had in mind was the
Washington Federation of Labor. On February 12, 1910,
J. H. T. Smith, formerly state lecturer for the Grange, assembled in Seattle
a conference of western Washington farmers, trade unionists, and
a few other progressives. All in attendance favored direct legislation,
but some were not content to make it the sole issue. Consequently,
those who desired to carry forward a number of issues formed the
Progressive Political Alliance and those (probably the most real­
istic) who wanted to push the single issue formed the Direct Legis­
lation League. This latter group was by far the most aggressive
and carried the chief burden of the campaign during the year
which ended with success for their efforts. In 1910 President
Charles R. Case of the Washington Federation of Labor, himself
a member of the Grange, attended the State Grange convention
in Pullman, and expressed himself as being in entire accord with
the program of that organization and in particular with that part
of it which related to direct legislation.

During 1910 the Direct Legislation League functioned energeti­
cally under the aggressive leadership of Christopher W. Horr, its
executive secretary, and Charles R. Case, its treasurer. The officers

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15 Proceedings, 19th Annual Session, 1907, pp. 22-23.
of the League donated their services, and money was raised to pay for postage, printing, and secretarial help. Miss Adele M. Fielde, of Seattle, contributed 20,000 pamphlets which she had edited; Walter M. Thornton, of Everett, 10,000 copies of a booklet he had prepared; Senator Jonathan Bourne (Oregon), 50,000 copies of an address he had delivered on "Popular Government" in the United States Senate; and William S. U'Ren, "the Law-Maker of Oregon," contributed articles and advice. Within its own organization and under the leadership of the politically-minded state master, C. B. Kegley, the Grange continued its campaign of pledging legislative candidates and educating the public. The Farmers' Union, a kind of business organization among farmers and not without political power, was also active.

In the fall of 1910, Senator Bourne came to Washington to assist in the program of education. At Hoquiam, according to the Tacoma Daily Ledger, he maintained that direct legislation was a cure both for discontent and anarchy. The Ledger, unfriendly to the reform, resorted to tactics commonly employed when there are no arguments or when they are so well known that repetition is useless.

Sister Oregon hasn't much anarchy [said the Ledger], but as for the grouch, we haven't noticed any particular gratifying convalescence since she adopted the initiative and referendum. Oregonites are paying just as much for bacon as they did before and their shoe expense is higher than ever. It costs sole leather to keep running to and from elections.

Although it may be true that in 1910 there was no general popular demand for the initiative and referendum, the action of the Republican state convention in refusing to endorse them is no proof of the absence of such demand. At that time the Republican party was carrying the state by large majorities, and its leadership was complacent, dictatorial, and unaware of impending disaster for the party. The rank and file of convention delegates enjoy what amounts to anonymity in conventions so controlled, and, in this particular instance, they were doubtless convinced that they had more to hope for by obeying their party leaders than they had to fear from rejecting the demands of the farmer and the laborer. At any rate, there were only a few public men of prominence in the state (President Case said only two) who now came out publicly to express their opposition to direct legislation.

In July, 1910, C. C. Gose, of Walla Walla, president of the State Bar Association, in addressing that organization at its annual convention in Bellingham, expressed his misgivings in these words:

19 Tacoma Daily Ledger, October 24, 1910.

Throughout our state today many people advocate a return to the initiative and referendum in legislation. We are willing to yield their representative form of government to see, or imagine they see, evils existing under our system, but in a radical revolution toward a cure of these evils, not in radical actions and conditions other than those to which we are accustomed, and has in every instance proven fruitless.

About the same time that Mr. Gose was giving expression to his opinion of the initiative and referendum, the Farmers' Union was using language more picturesque but not less true in addressing a crowd at a pioneers' picnic in Franklin County:

There are those who advocate a return to the initiative and referendum, and outgrow as it emerged from barbarism. . . .

President Charles R. Case, of the State Federation of Labor, quoted this statement, commented, "Oh, you cannot say it is said to the governor's credit that he had a thorough knowledge of political foresight to know that the next legislative session would be the direct legislation amendment to the people."

In January, 1911, the annual convention of the Washington State Federation of Labor was held in Olympia, and there the members hoped that its voice might be heard. . . .

21 Ibid.
22 Ibid.
Throughout our state today many people are crying out for the initiative and referendum in legislation.... The people are willing to yield their representative form of government. They see, or imagine they see, evils existing under our present system, and look for a cure of these evils, not in a wise reform of the system, but in a radical revolution toward a system which has been often tried under far more advantageous circumstances and conditions other than those to which they are now to be applied, and has in every instance proven a failure.

About the same time that Mr. Gose was giving the Bar Association his opinion of the initiative and referendum, Governor Hay was using language more picturesque but no more scientific in addressing a crowd at a pioneers’ picnic in Tacoma. Said the Governor:

There are those who advocate a return to a system that a race outgrew as it emerged from barbarism.... They would have us who are in the midst of a highly organized civilization, full of distractions and requiring the closest application of time and talent to a wide variety of interests, attempt to govern ourselves with a system that met the needs of a simple, pastoral, and barbaric age.

President Charles R. Case, of the State Federation of Labor, who quoted this statement, commented, “Oh, you barbarians!” But let it be said to the governor’s credit that he had a sufficient degree of political foresight to know that the next legislature would submit the direct legislation amendment to the people, and he so advised Master Kegley.

In January, 1911, the annual convention of the State Federation of Labor was held in Olympia, and there is no doubt that its members hoped that its voice might be heard by the legislature, which was just beginning its session. The labor convention soon adjourned, but its leaders remained in Olympia, and with representatives of the Grange, the Farmers’ Union, and the Direct Legislation League formed a Temporary Joint Legislative Committee to lobby for the initiative and referendum and other popular government measures. The guiding hand of this group was President Case of the Federation of Labor, a veteran of ripe experience in dealing with legislatures. The Joint Committee met each evening in the rooms of the Federation of Labor to report progress and lay new plans of action. In reviewing the accomplishments of the Joint

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21 Ibid.
22 Ibid.
Committee, President Case gave to it, perhaps without much exaggeration, the credit for securing the passage of the direct legislation amendment.

House Bill 153 was sponsored by Govnor Teats (Pierce), Hugh C. Todd (Whitman), and others. As the committee on constitutional revision to which it was referred seemed reluctant to make a report, the lobbyist for direct legislation persuaded a majority of the membership of the House to sign a petition demanding a report. At the same time the members signed this petition, they pledged themselves to vote for the bill "without any amendments, except those agreeable to its authors." On February 9, in compliance with the demand of the petitioners, the committee made its report. A majority of the committee recommended passage with twenty amendments, for the most part in the nature of weakening deletions, and a minority recommended passage without amendment. On February 14 the House adopted the minority report by a vote of 49 to 42, a vote which probably represented the actual opinion of the House, and which revealed that seventeen members did not keep the pledge they had made before the election of 1910 to support an effective direct election amendment. Immediately there were various proposals of amendments which would have greatly impaired the value of the measure. All of these were voted down. Then the House voted for final passage, 79 to 12. The number of band-wagon votes was, therefore, about 30.

The Senate amended the direct legislation proposal as approved by the House by changing the percentage of voters required to sign initiative petitions from 8 to 10 and referendum petitions from 5 to 6; by reducing from four to two years the time during which the legislature was to be prohibited from amending or repealing an act initiated by the people; and by the proviso that no initiative or referendum should be effective unless at least one-third of the voters participating in a general election voted on the measure or measures submitted at that election. One amendment, which failed of adoption by just one vote and which would have reduced the direct legislation system to a nullity, read as follows: The initiative or referendum "petition shall be placed on file for signature in the office of the county auditor of each county in this state and in no other place, and any qualified elector may affix his signature on said petition at said county auditor's office . . . . The vote on this proposal, 18 for and 19 against, revealed the vote of the minority report had revealed them in the House on submitting the direct legislation amendment people was 32 for and 7 against, indicating the senators were band-wagoners. The Temple Committee, considering that the amendment did no material damage to the measure, asked the House to accede to the Senate amendment; the direct legislation amendment was thus the verdict in November, 1912.

An analysis of the legislative vote on direct legislation might be made from the House vote on the minority amendment on constitutional revision and from the Senate vote. Fishback's emasculating amendment which would impair the signatures of initiative or referendum petitions was the county auditor and affix their signatures in the auditor or his deputy. Legislators who voted in the House and against the Fishback amendment were those who genuinely favored direct legislation. The minority report in the House were carried by the rural counties and 15 members from the three counties of Pierce, and Spokane). The 42 votes against the amendment were generally voted 18 for and 26 against, which was decisive for or against the farmer delegation. The strength of farm sent may be indicated by the fact that the two largest farmer groups, passed the legislation. It was approved by the farmers of the election of 1912.

23 Review of Legislative Proceedings of Session of 1911 by Joint Legislative Committee of Direct Legislation League of Washington, State Federation of Labor, Farmers' Union, and State Grange on Laws and Measures of Importance to All (report prepared by Charles R. Case, Secretary-Treasurer of the Committee), p. 5.
24 House Journal, 1911, pp. 344-45 (vote on minority report), 349 (vote on final passage).
The vote on this proposal, 18 for and 19 against, revealed the friends and foes of direct legislation as the vote on the adoption of the minority report had revealed them in the House. The final vote in the Senate on submitting the direct legislation proposal to the people was 32 for and 7 against, indicating that some 10 or 11 senators were band-wagoners. The Temporary Joint Legislative Committee, considering that the amendments adopted by the Senate did no material damage to the measure, advised their friends in the House to accede to the Senate amendments. This was done, and the direct legislation amendment was thus certified for the popular verdict in November, 1912.

An analysis of the legislative vote on direct legislation can best be made from the House vote on the minority report of its committee on constitutional revision and from the Senate vote on Senator H. O. Fishback’s emasculating amendment which would have required all signers of initiative or referendum petitions to go to the office of a county auditor and affix their signatures in the presence of the auditor or his deputy. Legislators who voted for the minority report in the House and against the Fishback amendment in the Senate were those who genuinely favored direct legislation. The 49 votes for the minority report in the House were cast by 34 members from rural counties and 15 members from the three urban counties (King, Pierce, and Spokane). The 42 votes against the report were cast by 22 rural county members and 18 urban county members. In other words, rural members favored the measure in the proportion of 3 to 2 and the city members opposed it, 6 to 5. Members listed as farmers supported the bill by a vote of 12 to 2. Lawyers (many of them from small towns) were 16 for and 8 against. Merchants and businessmen generally voted 18 for and 26 against. The only group, therefore, which was decidedly for or against the measure was the farmer delegation. The strength of farm sentiment for the measure may be indicated by the fact that the two bankers and the one capitalist in the legislature, all from rural counties, unanimously supported direct legislation.

The 19-to-18 vote by which the Fishback amendment was defeated in the Senate found the rural members divided evenly, 11 to 11, while the urban members broke the tie, 8 voting against the amendment and 7 for it. The lawyers divided their votes evenly, 4 to 4. Businessmen voted 8 for and 9 against. The farmer members

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26 At this same session the recall amendment, supported by the same groups, passed the legislature. It was approved by the voters in the general election of 1912.
stood 3 for and 5 against. Three professional men favored the amendment, and the lone railroad conductor from Spokane opposed it. The division of the vote in the Senate fails to indicate anything of significance, unless it might be said to prove that the Republican machine control extended to a number of rural senators.

The amendment proposed by the legislature did not provide for constitutional amendments by the initiative. Another proposal, House Bill No. 60, provided for that. This measure passed the House easily enough, but it was held up in the Senate. Certain senators, with the active support of Governor Hay, said they could not support the proposal unless it were amended to require that no vote on any initiated constitutional amendment should be effective unless at least 60 per cent of the voters participating in a general election should vote on such amendment. The Joint Committee of farm and labor lobbyists would not accept this 60 per cent requirement, preferring to wait for a favorable time to put through the legislature a proposal which would authorize the amendment of the constitution by the initiative petition, subject to the approval of a majority of the electors, provided that one-third of the electors voted on the question. They are still waiting!

The Temporary Joint Committee was so pleased with its accomplishments in the legislative session of 1911 that, on September 29 of that year, it formed a permanent committee. It stated as its first object "the adoption of the initiative, referendum, and recall amendments now before the people." The campaign of education was continuously waged through the rural weeklies and the agricultural and labor publications. The city newspapers were either noncommittal or opposed to the amendment—probably the latter, but they considered it good policy not to be active in opposition. Occasionally a candidate for public office would laud the initiative and referendum and other machinery of popular government. Seldom, if ever, did a candidate for office voice direct opposition to the amendment, the amendment upon which the voters would register their decision at the same time they would determine the candidate's fate. Naturally enough, interest in the three great national political parties and their presidential candidates somewhat crowded into the background discussion of the pending amendments to the state constitution, but the interested elector knew that these proposals were on the ballot, and he had probably made up his mind about them before the presidential campaign engrossed his attention. The

27 A list of all members of the legislature with their occupational classification is given in the Report of the Joint Legislative Committee, pp. 17-19. (See note 23 for full title of report.)

28 Ibid., 6-7.

29 Ibid., 15.

popular vote on the initiative and referendum have been both disturbing and reassuring to the government—disturbing in that of 331,790 voters, only 154,015 voted on the amendment in that 110,110 voted for and only 43,905 against.:

Looking back over the history of the movement in Washington three general conclusions may be drawn:

First, its progress was part and parcel of a general movement for restoring government to the people. It was, with the recall, the direct election of United States senators, and the initiative and referendum. Less than half of those of voting age voted in the direct primary. Second, there was no general, popular campaign for the initiative and referendum. Less than half of those of voting age voted in the direct primary. Second, there was no general, popular campaign put on by the farm and labor organization for the initiative and referendum. Less than half of those of voting age voted in the direct primary. Second, there was no general, popular campaign put on by the farm and labor organization. The presentation of the issue to their members, their petitions for the initiative, and their lobbying represented many triumphs of pressure politics.

20 Secretary of State, Abstract of Votes, State of Washington, General Election, November 5, 1912, p. 3.
popular vote on the initiative and referendum amendment must have been both disturbing and reassuring to the friends of popular government—disturbing in that of 331,790 voters who went to the polls in November, only 154,015 voted on the amendment; reassuring in that 110,110 voted for and only 43,905 voted against the amendment.\footnote{Secretary of State, Abstract of Votes, State of Washington, General Election, November 5, 1912, p. 3.}

Looking back over the history of the movement for direct legislation in Washington three general conclusions might be drawn. First, its progress was part and parcel of a general reform program for restoring government to the people. It was, and is, associated with the recall, the direct election of United States Senators, and the direct primary. Second, there was no general, popular demand for the initiative and referendum. Less than half of the electors troubled themselves to vote on the question when it was presented to them. Third, it is probably safe to say that the amendment would have been long delayed, probably never adopted, had it not been for the campaign put on by the farm and labor organizations. Their constant presentation of the issue to their members, their pledging of candidates for the legislature, and their lobbying represent one of the many triumphs of pressure politics.