Herrin Advises Students to Shy at Political Reform

LAWYER THINKS THE RECALL IS GRAVE MENACE

Promotion of Public Opinion Is of Serious National Importance, He Says

Nation's Salvation Depends on Leadership of the Educated, Attorney Declares

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sense that our minds are, as it were, brought back to the original and first bases of thought, to direct communion with all that is primitive and permanent, and beyond analysis and conjecture.

PUBLIC RESPONSIBILITIES

It is, therefore, with real pleasure that I find myself here today after the lapse of so many eventful years. And mingled with that pleasure is a sense of responsibility and genuine concern as to what I should say on this occasion that might be of value to you. Upon reflection it has seemed to me that I could not better employ this opportunity than to bring home to you, with such emphasis as I can, the truth of a conviction that has more and more gained upon me as the years have gone by. That conviction, briefly put, amounts to this: That upon the educated men and women of this country, and more especially upon the graduates of our colleges and universities, there devolve public duties and civic responsibilities which they may not, without proving recreant to their trust, either ignore or evade. Just what some of these special duties are, it will be the purpose of this address to indicate, but at the outset let me declare my wish to avoid, in what I have to say, any narrow, controversial spirit, and to keep as closely as possible upon ground that is not debatable. At the same time I shall follow my convictions, though they may seem to run counter to certain ideas advanced in the name of reform.

Never in the history of our country has there been greater need for intelligent public leadership than now, and it is my firm opinion that the college or university that makes no attempt to equip its students for such leadership, even though it may turn out competent engineers, expert chemists and skilled lawyers, has failed signally to achieve one of the important ends for which it exists. Every student, no matter what his special "course" may be, whether it be civil or mechanical engineering, or biology, or the humanities—every student should receive instruction in what, for want of a better term, I shall call the philosophy of our political institutions. I would not be understood as implying that our colleges and universities do nothing toward this end. That would not be true. What I am pleading for is that this instruction shall not be limited, as it is at present, to a comparatively few students in institutional history, but that it should be made more general. I emphasize this point because I have seen so many otherwise intelligent men and women who, when it came to a question of grave public policy, were at the mercy of every political charlatan that appeared. Educated and estimable citizens who could not be deceived for a moment by a quack who would offer them some patent nostrum as a cure for all the ills that flesh is heir to, will yet accept without question any political "cure all" that may be offered them. Nowadays most educated people are rightly skeptical concerning short cuts to health, or short cuts to happiness, but offer them a short cut to political perfection and they become credulous almost to the point of superstition.

CHANGES MARKED BY TIME

Now we cannot reasonably expect the great mass of the people to exercise critical judgment in matters in which they have not been trained, but surely the state has a right to expect that its educated men and women shall give it the benefit of their more mature judgment when matters of grave public import are being considered. An active and intelligent interest in public affairs is therefore a duty that one who has profited by a collegiate education can not escape. Nor could any field more interesting or more important challenge his attention. Glance for a moment at some of the interesting aspects presented by this subject. Thirty years ago commerce between the states moved almost entirely without regulation, so far as the national government was concerned. Now we have an elaborate code of laws enacted by the congress of the United States, designed to regulate our interstate commerce and the corporations and individuals engaged therein. Similar laws have been and are being enacted by the different states to govern their local concerns.

The government of our cities and municipalities has given rise to many vexed questions, which are still unsettled; the laws governing the elective franchise have undergone and have yet to undergo many important changes. Upon all these subjects, and many others closely affecting the individual citizen, our laws may be said to be in a formative period, and the questions raised are vital and far reaching, and have necessarily provoked and are provoking much public discussion. We may sum up all this agitation and discussion as an effort to better our government and to remove the evils which have arisen under the laws heretofore existing. No good citizen can fail to be interested in these questions, and I think no one will take issue with me when I say that one of the highest duties resting upon the citizen is to take an active interest in the politics of his country, to do his utmost to secure the best government possible, and especially to oppose any innovations or tendencies which may be inconsistent with the principles of representative government, and upon which its stability and permanency must ultimately depend.

In its last analysis our government is essentially a government based upon and controlled by public opinion. It follows, therefore, that:

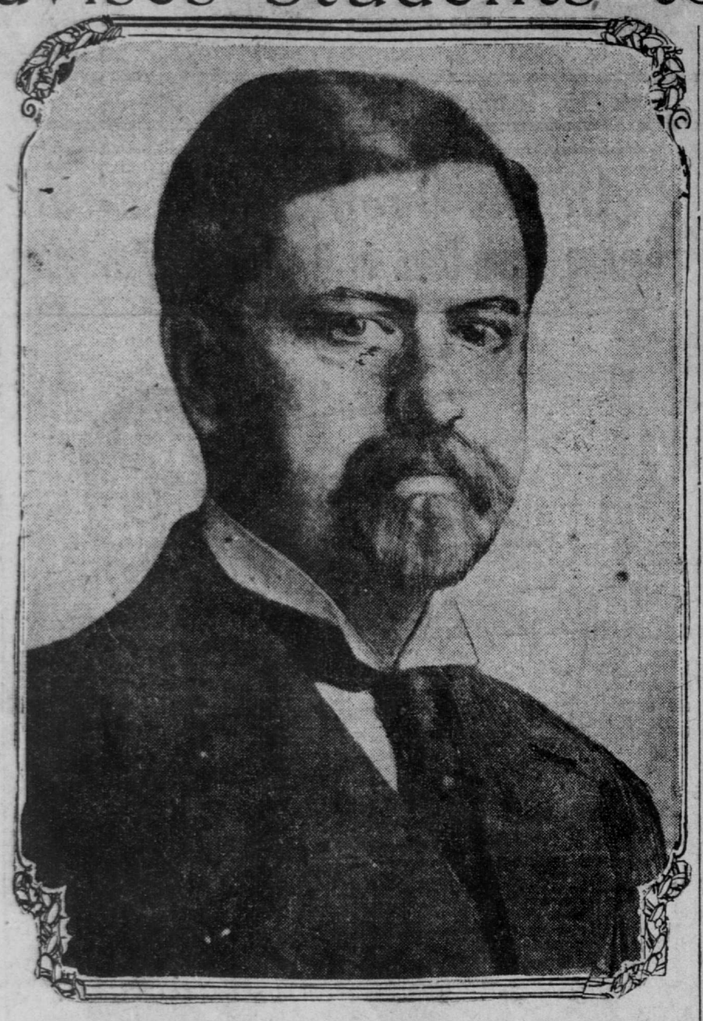
> In proportion as public opinion is wise and enlightened, the government will be enlightened and wise. In other words, the people will always have as good a government as their intelligence and patriotism deserve, and no better. In the long run, government can be made better only by the improvement of the public opinion upon which it rests.

CONSERVATIVE PEOPLE

In his American Commonwealth Mr. Bryce devotes much space to the consideration of public opinion, its nature, its growth and its influence in the evolution of government. In speaking of the national characteristics of our people, he says:

> The Americans are at bottom a conservative people, in virtue both of the deep instinct of their race and of that practical shrewdness which recognizes the value of permanence and solidity in institutions. They are conservative in their fundamental beliefs, in the structure of their government, in their social and domestic usages. They are like a tree whose pendulous shoots quiver and rustle with the slightest breeze, while its roots enfold the rock with a grasp which storms can not loosen.

Mr. Bryce here strikes the keynote of the American character, and indicates the sources of that public opinion which has thus far controlled the destinies of our nation. It was this conservatism which molded and produced the American constitution, which has construed its provisions and formulated the laws which have been enacted and enforced since its creation. To this conservatism, more than to anything else, Mr. Bryce points out, is due the stability of our government and its institutions, and the success which our people have achieved in self-government. It is interesting, therefore, to consider for a moment whether we are in danger of losing this conservatism, whether there are tendencies in present day legislation, or in reforms recently proposed, which may carry us from our moorings to new and strange seas of political experiments and expose us to danger of national shipwreck.



W. F. Herrin as the cartoonist pictured him instructing graduates of the Oregon agricultural college.

As ours is a government controlled by public opinion, it is important to inquire what that opinion is, and how it is formed. Much has been written about public opinion as a governmental and political force, yet we have no generally accepted definition of the term; in fact, it is a thing most elusive and most difficult to define, resembling in this respect some of the great facts and problems of human existence with which we constantly deal, as well as some of the natural forces with which physics is concerned. If we will but reflect a moment, however, we will see that it is the great things of existence that most persistently elude analysis or even description. Who, for instance, has ever given us an adequate definition of life? Yet, almost since the dawn of history, this problem has engaged the most profound intellects, and today we are no nearer the solution than we were centuries ago. But the fact that we can not adequately define life does not make it any the less worth living. And so it is of the phenomena that lie at the threshold of emotional and of religious experience, and of the secret of human personality, and of what we call the national spirit, or the moving impulses of a people. All these are important forces in human life, and determining factors in human development, yet they elude definition.

In the sphere of physical science we have like difficulties. Who, for example, has ever satisfactorily defined electricity? Yet that does not prevent us from using electricity, nor from recognizing it as one of the greatset physical forces at the disposition of man.

PUBLIC REASONING

Therefore, though we find it difficult or even impossible adequately to define public opinion, that need not blind us to its importance, nor to the tremendous part it plays and has always played in shaping our institutions and in determining the form of our government. Though we may not say precisely what public opinion is, I think we can say with some degree of positiveness what it is not. It is not, and never was, what is said or done by the frenzied mob, and whether the mob is a small, isolated group of men acting under the stress of great excitement, or is an entire community in the passing grip of the mob spirit, our conclusion must be the same, that what is done or prompted by the mob spirit can in no proper sense of the term be said to be a manifestation of public opinion. We may then say that public opinion is the opposite of the spirit which controls the mob or goes with any excitable, passionate action. I would say that the true public opinion of a people is and must be the result of their serious, deliberate thought. Therefore, public opinion, in the sense in which I use the term, is the deliberate and reasoned judgment of the community.

It is a curious but significant fact that our newspapers rarely invoke public opinion except in times of public excitement. They then speak of "public opinion demanding" this or that. They apparently assume that public opinion—the deliberate, reasoned judgment of a community—manifests itself most unmistakably at times of great public excitement. Public passion may show itself at such times, public caprice, public prejudice, perhaps, but not public opinion in the true meaning of that term. We must constantly bear in mind the great difference between public opinion and public clamor, the former a deliberate and reasoned judgment giving expression to the sober second thought of a law abiding community, the latter a momentary or temporary ebullition of passion or excitement, hysterical rather than rational—the one constructive and making for the best and highest interests of the community, the other essentially destructive and transitory, and almost always at variance with the forces that make for permanence and stability.

NATIONAL IMPORTANCE

Obviously, then, the formation and growth of public opinion, of this force so impalpable yet so powerful for good or evil, becomes a matter of grave national importance. People sometimes mistakenly imagine that public opinion is something different from the collective opinion of the individuals who compose the public; they seem to think that they have but little part in its formation and direction, and that the only way to ascertain what it is is to accept what the newspapers say about it. Now this passive attitude of the people in regard to the creation and direction of public opinion often leads to their being deceived as to what it really is, and sometimes permits a small but clamorous minority temporarily to foist its views and policies upon the community.

As a matter of fact the formation and growth of public opinion is an intricate and complicated process. Not only is it difficult at any particular moment to ascertain what it is, but it is slow in manifesting itself. Now this slowness in manifesting itself, far from being a drawback, is a decided advantage. On this point I can not do better than to quote again from Mr. Bryce:

> We must remember, says the author of the American Commonwealth, how much is gained as well as lost by the slow and hesitating working of public opinion in the United States. So tremendous a force would be dangerous if moved rashly. Acting over and gathered from an enormous area, in which there exist many local differences, it needs time, often a long time, to become conscious of the preponderance of one set of tendencies over another. The elements both of local differences and of class difference must be, so to speak, well shaken up together, and each part brought into contact with the rest, before the mixed liquid can produce a precipitate in the form of a practical conclusion.

Bearing this point in mind I would have you notice how wisely planned our political machinery is for giving expression to true public opinion and for preventing public excitement from working the mischief it might otherwise produce. It is not my purpose to review the entire system of checks and balances which is so noteworthy a feature of our system of government, but to direct your attention to the wisdom of having our elections occur at definitely fixed and stated intervals, and of having the tenure of office of our public officials determined by law. I take up this aspect of my subject rather than another because so many of the short cuts to political perfection would in a short time nullify these advantages which make so directly for the stability and permanence of our government.

One of the advantages of having our elections come at fixed and stated intervals is, to quote the words of President Taft, used in a slightly different connection:

> To impose obstructions to sudden emotional movements of the people, not taken with the deliberation necessary to secure wisdom, movements that ought to be delayed and held up until they could pass not only under the observation of Philip drunk, but of Philip sober.

In other words our elections coming at fixed intervals, preceded as they are by campaigns of education and instruction, make it possible for public opinion to crystallize and to separate itself from the hastily formed and ill considered judgments incident to the heat and excitement of nominating conventions.

FREED FROM PASSION

It is easy, therefore, to understand that if our elections were not held at stated times fixed by law, but were held instead at indefinite times, according to contingencies which might arise, the result of such elections might easily turn upon the temporary excitement and passions of the people, and it might be impossible in many cases to have a sufficiently long campaign of education by which might be secured the cool, deliberate judgment of the people, freed from passions and prejudice, which often exist temporarily, and which for the time exercise a controlling influence. It has frequently occurred in our national elections that public sentiment at the beginning of a campaign, before the questions at issue have been discussed, was strongly opposed to the verdict given after thorough discussion, and I suppose that no one would contend that the judgment of the people, formed after thorough consideration, should not be preferred to a judgment given without such consideration, or after only a partial or limited consideration.

And I submit that our system of a fixed tenure of office, and of elections held at stated times, is far superior as a means of forming and reaching a sound public opinion than is the English system where a vote in parliament adverse to the government may precipitate a general election at a time when the public mind is exercised by great passion or excitement—a condition certainly not conducive to a sober or even patriotic judgment. There is not one of us who would not mistrust his own judgment formed in passion or excitement. The wise man always sleeps before making up his mind on important matters, and when the whole people, or a community, are to consider and decide important issues, it is more important than in the individual case that the opinion should be freed, as far as possible, from the sway of passion or prejudice.

But let us return a moment to the difficulty of ascertaining public opinion, which is the guide that must ultimately control in all governmental matters.

OPINION AND CLAMOR

I have spoken of the difference between public opinion and public clamor and how careful we should be not to mistake the one for the other. We saw, too, that the newspapers were not always safe guides to follow, for while they reflect public opinion they reflect public clamor also, and frequently confuse the two, and perhaps while I have been speaking some of you have been wondering what test I would lay down by which you might easily and infallibly distinguish the genuine from the spurious. But if such were your expectations I fear I shall be forced to disappoint them. There are no empirical tests which you can apply any more than formulas for success in life, or rules for the certain attainment of happiness. Problems such as we are dealing with today are too wide and too far reaching to be solved in this summary fashion. Yet some solution I must indicate, and if you ask me what that solution is I answer: In education, in the realization of the ideal for which this institution stands. The political salvation of our country today depends upon the leadership of our educated men and women—upon the men and women who have been trained to do their own thinking, and who have been well grounded in the history of their country and in the philosophy of its institutions. The essential part of such education is a thorough understanding of our national history, and an intelligent attachment to the ideals and principles upon which our government is founded.

WOMEN INCLUDED

You will observe that I include woman among those upon whom rest political responsibilities. The fact that women have not generally been granted the suffrage does not absolve them from this public duty. The depositing of a ballot in a ballot box is but an insignificant part of the duties of American citizenship. The creating and fostering of intelligent public opinion is an incomparably more important matter and one in which women may be quite as influential as men, and I have sometimes thought that if those women who have striven to secure the right to vote had but turned their labors toward the formation of a public opinion in furtherance of the aims which they expect to reach through suffrage they would have accomplished and will accomplish in the future much more than could be gained by the mere privilege of voting.

It is not going too far to say that the stability attained by our government thus far has been due in no small measure to the fact that in supreme crises men of responsibility have stood their ground and have done their duty in spite of the clamorous outcry of the multitude and the revilings of an excited press. The men of whom this may be said did their noble part in making and directing sound public opinion. They did not "with ears to the ground" listen for voices that would lead them to popularity. Rather, having conscientious convictions in regard to the course they should pursue, they declared and maintained that course against all clamor and opposition and thus proved that in a popular government based upon public opinion statesmen of the noblest patriotism may exist, and that such a government does not necessarily reduce all men in public life to the level of time serving politicians. On the other hand, it can not be denied that there is a type of man in public life, of small intellectual caliber and narrow outlook, who seeks to advance his selfish interests by a flattering deference to every passing whim of what he considers "the majority." This is the type of man that has led the best informed of our foreign critics to remark that:

> In America the practical statesman is apt to be timid in advocacy as well as infertile in suggestion. He seems to be always listening for the popular voice, always afraid to commit himself to a view which may turn out unpopular. * * * It has been observed that all the subduing power of the popular voice may tell against the appearance of great statesmen by dwarfing aspiring individualities by teaching men to discover and obey the tendencies of their age rather than to rise above them and direct them.
>
> If this happens in America it is not because the American people fail to appreciate and follow and exalt such eminent men as fortune bestows upon it. It has great capacity for loyalty, even for hero worship.

In support of this view he cites instances where the American people have followed with devotion its great men, saying that:

> A kind of dictatorship was yielded to Abraham Lincoln, whose memory is cherished almost like that of Washington himself.

It is indeed one of the most hopeful and reassuring signs of our national career that our great presidents have been men who have had to a marked degree the ability to distinguish between public clamor and true public opinion. Washington had this ability in a large measure, and Lincoln, it would seem, had it in even greater measure. To my mind, there is no more striking contrast in American history than that presented by the lives and character of our two greatest statesmen. Yet in at least one important particular their resemblance was notable: they were both too great in inherent nobility of character meanly to surrender to a clamorous press, or to follow in the wake of a passion stirred populace. Yet of no two men in all our history can it be so indisputably affirmed that they more truly represented the enlightened public opinion of their times.

IN TIME OF STRIFE

You will recall that this government had not long been founded when a situation arose that was fraught with the gravest consequences, and which if it had not been promptly and wisely met might have jeopardized the very existence of the republic. In 1793 war broke out between France and England and threatened to involve the United States. All over this country public sentiment was running high in favor of France, and the reasons were obvious. Our country was still smarting from the wounds inflicted by England during the war of independence. It was almost 10 years since Sir Guy Carlton and his English troopers had sailed away, and yet England contemptuously refused to make a treaty with us. Her troops held our frontier forts, our citizens were still unpaid for the slaves and property she had carried off, her ports were closed to our ships, and she was even seeking to drive our flag from the seas.

On the other hand there was France, our generous ally, to whom we were bound by ties of gratitude and by formal treaties. Had she not been the first to recognize our independence? In the dark days of our struggle had she not given us generously of her aid? Had she not sent us ships and troops and money, and helped us in many ways? And now the hour of her struggle was at hand and she turned to us, whom she had so generously befriended, and asked if she might use our ports in which to fit out her privateers. What was our answer to be?

WASHINGTON FIRM

This was the situation as it presented itself to the public generally and to the press. From all over the country went up the impulsive cry, "Let us help France, who was so generous to us." But Washington, with patriotic and clear vision, said, "No, we must not take sides in this quarrel; we must remain neutral, and treat the French and the English alike." Then the storm burst. From every side Washington was assailed with criticism. He was stigmatized as disloyal to a friend, traitorous to an ally and unfaithful to his trust. For the moment he seemed to stand alone. He was denounced in the streets, from the rostrum, in the public prints. His house was surrounded by the multitude from day to day, huzzaing, demanding war against England, cursing Washington, and crying for success to the French.

But Washington was not to be swerved from his purpose. He stood firm against the four winds. He suffered, and suffered keenly, but he remained true to his trust in spite of public clamor, and in the face of strong public disapproval. And history has vindicated him. Even the public opinion of his day approved his action, but this public opinion could not make itself heard until public clamor had subsided and reason had asserted itself. That Washington succeeded in steering clear of the rocks is not to be attributed to the fact that there were no false lights displayed to lure him from his course, for of false lights and of darkened counsel there shall never be a lack.

On Lincoln's administration this was especially true, and the situation was further complicated by the fact that many of his friends and official advisers, whose honesty was beyond question, openly opposed him because their view of the great issues involved was less comprehensive than his. Scarcely a week passed but deputations representing thousands of his countrymen waited upon him to urge him to change his policy so as to make it conform to their views. When it became evident that Lincoln would not permit honest, though misinformed and partial, public sentiment to dictate to him his policy, his motives were fiercely attacked.

"No man," remarks Joseph Choate, "was ever made the subject of such unwarranted abuse, vilification and ridicule as Abraham Lincoln.

And all this at a time when he stood most in need of sympathetic and intelligent support. The attack seemed to culminate when one of the ablest and most influential men of his time suddenly turned against him and smote him with cruel injustice. That man was no other than Horace Greeley, an old friend of the president, the editor of the powerful New York Tribune, and a tremendous force in the shaping and directing of public opinion. At this distance of time it is difficult, if not impossible, for us adequately to realize the widespread sensation that was caused when in the summer of 1862 Horace Greeley addressed to President Lincoln his famous "Prayer of Twenty Millions of People."

CRUEL CRITICISM

It was a move of national significance, and it involved issues of more than passing moment. This "Prayer," which purported to give voice to the sentiment of twenty millions of loyal

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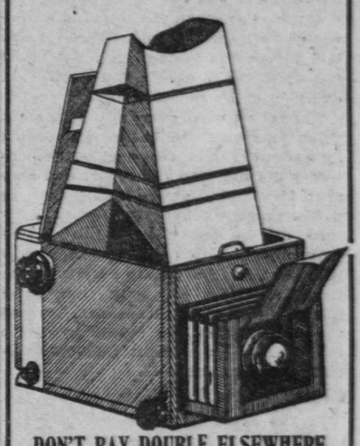

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