

The New Illinois Constitution

By Eneas B. Goodwin

Following is the first of two articles written for the Chicago Legal News by the Rev. Eneas B. Goodwin, pastor of St. Joseph's church. Besides his divinity studies the Doctor is a graduate of the John Marshall Law School, Chicago.

Dr. Goodwin writes of the new constitution, to be voted on by the people of our state this fall, from the viewpoint of the average citizen and not that of a lawyer. His comments and summing up of the situation bear reading.

Copies of the proposed Illinois constitution have been printed in nearly all the newspapers of the state so that it may be assumed that many of the people have some knowledge of that important document. The opinion they may have formed of it can only be conjectured. The number of those who have expressed an opinion is small. Except in the northern parts of the state and there only on particular Articles or sections of Articles expressed opinions were neither enthusiastic nor definite. Throughout the state there appears an attitude of indifference toward the proposed constitution that is disconcerting.

Certainly everyone who is familiar with the present constitution knows that it could be improved by modification of some Articles, or, at least, of sections of Articles. It was not adopted under the illusion that it was so perfect that it would be immutable for all time; it was adopted as the best constitution that could be produced in the year 1870. Indifference, therefore, to the proposed constitution cannot be from the belief that the present one does not need revision.

The indifference is the result of popular dislike of all constitutional revision. Formerly all constitutions were far removed from the popular mind. When considered, they were regarded as documents that, like Magna Charta, were monuments on the road to pure democracy. Their influence on life was not consciously felt. As instruments of restraint on legislative powers they were forgotten in the freedom they preserved. And even when the constitution was a grant of power to a federal government it was long believed to be merely the most admirable instrument ever invented for the purpose of bringing together a free people.

But within the past few years constitutions have ceased to be objects

of historic interest only, and have assumed a more tangible connection with daily actions. Judicial interpretation had been gradually making the Federal Constitution a fact to be considered carefully by certain organizations in the state, but the mass of the people suddenly realized its tremendous power when recent revisions or amendments were felt in the home.

Nearly every one is convicted that the latest federal amendments are beneficial to the country. If they had been enacted as state statutes few would have objection to them. The states have sufficient power to enact and enforce whatever sumptuary laws are necessary for the welfare of their people, and, certainly, the states are the best judges of those who should be accepted as state citizens. But as modifications of a constitution that was never intended to coerce the domestic habits of the people, or to usurp the retained rights of the states, amendments have become in the popular mind portentous indications of more amendments that may work great havoc with personal and state freedom. The origin of the amendments, and the methods used in forcing their adoption by legislatures, were not such as to allay popular fear as to what might be done in the future. The amendments were formulated by a faction, and the representatives of the people were subservient to the faction. That the end justifies the means has been a doctrine reprobated by all honest men; it is a fundamental doctrine of factions. There are, probably, no men dominated by a false idea. From their point of view the idea is true and being true it matters little how it is forced into other men's minds. Nor are they satisfied with mere acceptance of the idea. It must be productive. It is the joy of seeing the public uncomfortable, resentful and unable to release themselves from the consequences of the idea that makes life pleasant for the factionist.

There always have been and there always will be factions. The disturbing thought is not that amendments had been proposed by a faction as that they were enacted by the representative of the people. For many years the representative form of government was believed to be the ideal form. All representatives were not statesmen, some were devoid of every quality that enters into the conception of a statesman, but nearly all were loyal to their party and few were disloyal to the people. Many

of them, undoubtedly, were under the influence of a group, but the group was merely a small number in the party. Such a group is not a faction. It is the necessary, regulating mechanism of a party. Representatives have been kept within party lines by party leaders, and, conceding that party leaders have at times been agents of financial organizations, still the representatives were not mere machines whose only function was to vote as directed. Although elected by their party they generally acted on the principle that they were representatives of all the people.

But that was in the past. Representatives are now almost to a man controlled by groups. The groups are real factions. Party distinctions are of importance only as names on election day. There never was a time in the history of the country when the corridors of Congress were crowded with lobbyists as they are at the present time. Factional onslaughts on legislators formerly were sporadic and of little significance. Now factions conduct their operations as coolly, systematically and carefully as if they were engaged in the manufacture of automobiles. They have adopted and, in efficiency, have surpassed, the methods of the most successful commercial organizations in the country. They are engaged in the most fascinating work that can hold the attention of limited and unscrupulous minds. Their object is to restrain legitimate public freedom.

Representatives have become bewildered and have succumbed. The noise of the factions has frightened them. Nearly all these agents of factions have been trained politically in a school that incapacitated them from standing solidly on their feet under the new and unexpected attack. The attacks they had been accustomed to had been made upon their character as politicians, and as politicians they knew how to defend themselves. But the methods of the factionists confuse them. Instead of being attacked as politicians they are attacked as men with domestic habits and responsibilities. Their dependence is exaggerated. They are threatened with social and financial destruction. And the factions are joyfully doing their destructive work.

Amendments and statutes passed by such legislatures cannot in any sense be popular. Their beneficial character is impaired by the manner in which they were enacted. Contempt for the legislators passes easily into contempt for the laws. That the

public emphatically disapprove of the subserviency of representatives is evident from the result of recent primary elections. These are indications of a popular determination to remove disloyal members and to elect in their place men who are loyal, independent, and unafraid.

II.

The disconcerting indifference of the majority of the people to the proposed constitution, and their mistrust of constitutional revision, are the results of their belief that some members of the convention were agents of, or subservient to, factions. They were elected in a republican state and nearly all of them were republicans. The Effingham Democrat is not correct, however, in inferring from this that the constitutional convention was a partisan body. A party is not a faction; and members of a party should not be described invidiously as partisans. A partisan as now understood is a factionist. But the Democrat was correct in its statement that all the officers of the convention were selected from members of the republican party, and, says the Rockford Star, the members were mainly politicians. The constitution has a republican tone. It has also a local tone. Cook county had thirty-eight delegates and the rest of the state sixty-eight. But the northern delegates were not as assiduous in attendance as the southern. The attendance of southern delegates at the convention was about twenty-five per cent better than that of the northern. The southerners began, therefore, with a majority, says the Chicago Journal and by reason of their good attendance were able to accomplish the task they had long determined upon. That task was effectively to limit the influence of the principal city of the state. In consequence of sectional influence, says the Macomb Bystander, the constitu-

tion is not the work of broad minded statesmen animated with a desire to prepare a basic law for the need of the whole state, but is a series of bargains and compromises, conflicting interests and localities. As we look over this conglomeration of skilful verbiage, says the Chicago Examiner, with the 233 pieces of legislative detail, it is difficult to avoid the conviction that it was never intended to pass. The Fulton Journal goes so far as to say that, the work the delegates performed was of little value to the state, and the Marshall Herald declares that, the decision reached by the convention is not in accord with the interests of the people, and the money we spent, amounting to \$326,350.00, is wasted.

Some of these opinions may be as factional as anything of which we shall write, but the influence of factions on members of the convention cannot be denied. It explains the comparatively poor attendance of individual delegates at the session. It certainly is extraordinary to find from the record that only four delegates attended all the sessions. The various parts of the proposed constitution were distributed among the delegates interested in them. The constitution as a whole appealed only to the Committee on Phraseology and Style. The result is a document that may be historically interesting in the future.

(Continued on Page 5)

**MOST OF THE PEOPLE
OF THE VILLAGE WILL
BE OBLIGED TO DECORATE
EITHER SOONER OR LATER.
REMEMBER OUR SERVICE WHEN
GIVING YOUR DECORATING CONTRACTS.**

F. C. MOBERG & SON
PAINTERS AND DECORATORS 33 NORTH MAIN STREET
DOWNERS GROVE, ILLINOIS

**Fred D. Heinke
PLUMBING
Steam Heating - Sewer Building
Gas Fitting
Telephone 385**

Auto and Taxi Service RELIABLE GARAGE

Phone 391 for a taxi, twenty-four hours of the day. Careful drivers clean, comfortable cars prompt service and a low charge, are our inducements.

PHONE 391



Ford
THE UNIVERSAL CAR

\$580

Most for Your Money

And remember—the lowest first cost, the lowest upkeep and the highest resale value of any motor car ever built.

No other car of this type is priced so low — no other will give you more real motor car value—more convenience, more comfort, more dependability than a Ford Coupe. Equipped with electric starting and lighting system, demountable rims, extra rim and non-skid tires all around, it makes the ideal enclosed car for business or for pleasure. Reasonably prompt delivery. Terms if desired.

Fleck & Buchholz
PHONE DOWNERS GROVE 371

Who Limited the Farm ?



CONCRETE is not a new material in the erection of farm buildings.

It is indispensable in construction of silos, watering troughs, fence posts, retaining walls, barns and houses.

But—there has been a limitation. Why not concrete walks for the farm. Never thought of it, huh? Well, its being done. Not just a single walk from hitching post to house but walks, approaches and drives—a yard complete.

No matter what you plan building this fall—we want to furnish the materials. Let us help you plan.

LORD LUMBER COMPANY

Resident Member of the Lumberman's Publicity Bureau

Phone Day, 20

Phone after 6 p.m. 142-J



It is our desire to gain an even wider reputation for frank, straightforward dealing; an increased recognition of our great production facilities and our ability to deliver promptly cement in any quantity.

Marquette Cement Manufacturing Co.
Marquette Building, Chicago
Local Distributors
Lord Lumber Co.
Phone 20