

# A Lawyer Looks at Politics

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**T**HE two great parties which have shared responsibility for governing the American people during their romantic rise to world power, are about to meet in Convention.

Each will frame a platform and name a leader and appeal to be voted into power.

The two Conventions form a study in contrasts.

The Republican Convention stirs no interest, presents no contest, can exercise no originality and will be a mere ratification meeting. It will have little influence upon the election results. Its platform is already written by events, its leader holds over from a day that is passed. It will exhaust political rhetoric for phrases to praise a record it cannot escape, will ratify in word an administration that has never had party support in action and nominate a leader it will not follow and dare not repudiate. Every clash of the sharply opposed groups that divide the party will be suppressed, every underlying conflict of philosophies of government will be smothered. For whatever other points Republican leaders disagree upon they all unite in the doctrine that the Republican party must remain in office.

**T**HE Democratic Convention promises to offer all that the Republican Convention withholds of color and conflict. It cannot avoid being historic. It will influence the next four years of history in spite of itself. It will seize an opportunity to lead the government out of its present confusion, or it will throw away the clearest chance to power in many years.

It is the battle ground of personalities who arouse the deepest hopes, fears and loyalties of the people. It will see the clash of those conflicting interests and opposing philosophies which divide every group into liberal and conservative, radical and reactionary. Any voice may be overruled but none can be suppressed. All of the elements of discontent so completely silenced by administration control of the Republican Convention will be vocal in the Democratic.

That is why our adversaries, who see no benefit to their party from their own Convention, look so hopefully toward ours. That is why Democrats who have no fear of what the Republicans may say or do, look forward with hope but with some anxiety to the gathering of their own clans.



Robert H. Jackson

**P**OLITICAL victory usually goes to the party which impresses the country with its ability to govern. The masses of the people do not understand complicated questions of finance, of foreign relations or of taxation. The daily concerns of the average man prevent him from acquiring the information or devoting much time to analysing such questions. He chooses the party which he thinks knows what to do and knows how to do it. His political principles are in the last analysis the declarations and acts of leaders who have won his confidence.

Will the country feel confidence in the ability of the Democratic groups to run the government after it has witnessed them run their convention? Whatever disadvantages a student of government may see in a convention dominated by a

single administration group, there is no doubt that a cohesive, disciplined and steady convention does give an impression of competence, stability and efficiency.

Days of weary deadlock, bitter divisions over issues improper in politics, dissensions that go to radical, sectional or class roots will, in the public mind, convict the Democratic party of inability to get along with itself and incompetence to govern. The public sees in a convention the party at work. It knows that should the party take over the government, it is likely to be torn by the same controversies and show the same lack of cohesion and discipline that appears in convention. Men are perplexed by problems new in their experience and beyond known formula in their solution. Their confidence in the governing party is weakened. They look hopefully to the party of opposition to show in convention assembled that it knows what to do and knows how to do it. Upon the sanity, wisdom and self restraint of our convention leaders rests serious responsibility for the November results.

**O**NLY the foolhardy among us will believe victory so easy that we can afford to be reckless or indolent. Self confidence is a good party asset but over confidence builds up hopes in June that are dashed in November. Sound political strategy, like good preparation of a lawsuit begins by carefully appraising our weakness as well as our strength and avoids underestimating the prospects and resources of an adversary. Let us look at the campaign with the cold logic a lawyer would use in estimating a lawsuit.

The first unpleasant fact by which we are confronted is that the United States is predominantly Republican. The last 19 elections have 14 times seated Republicans in the White House. In 1928, Mr. Hoover polled about 60% of the popular vote and had a plurality of about 6½ million votes.

Even more impressive are the results of the electoral voting. Republican majorities have been so spread geographically that the electoral college gives them even greater leverage upon the Presidency. Hoover had five times the electoral votes of Smith. Coolidge had almost three times as many as Davis, and Harding three times as many votes as Cox. The conclusion is inevitable that the great prestige with which the Republican party emerged from the Civil War has carried it even in this generation and that the Republican party is dominant in national politics except in some abnormal and rare emergency.

**A**NOTHER important factor for the Convention to consider is that no Democrat has won a national campaign who was not outstanding in intellectual power, tried integrity, proved courage and independence. Samuel J. Tilden, Grover Cleveland and Woodrow Wilson are the only three men who have been able to bring victory to our standards. The political complexion of the country is such that the Democrats cannot win with a colorless or mediocre candidate. The Republicans can win with both a colorless and mediocre candidate and have repeatedly done so. The Republicans can win with any candidate who can poll most of his own party vote. We can only win with a candidate whose personal strength will bring him support over and above our normal party vote. Unfortunately, the Democratic party cannot win the victory for its candidate. The candidate must win a victory for the party. This is an unpleasant fact but it is the only conclusion the evidence will support. It follows that it would be worse than folly for the Democratic Convention to name a "compromise" candidate just because he is colorless or unknown or because his record offends no one, or because he is merely what our newspaper friends call "available."

Hope of Democratic victory, even in this year of favorable prospects, depends largely upon the selection of a candidate who will stand forth as a strong leader with a strength over and above the appeal to his own political partisans. He must be capable of a leadership that is intelligent, courageous and high minded and in default of such a leader we will add another to our already long list of failures.

Overconfident Democrats are apt to overlook that the cry of hard times is not enough to elect a Democratic President. There is a popular belief that difficult economic circumstances turn people against the Government. It is only partly true. Neither Cleveland nor Wilson owed their election to "hard times" while several Democratic candidates who tried to take advantage of hard times have been defeated.

**A**FTER the Civil War the country experienced much the same inflation and deflation with its financial disasters to all classes of people, that we have experienced during the Hoover administration. But

**The author of this article is a prominent attorney from the western part of the state and presents the present political situation from a judicial viewpoint.**

**Our readers should be interested in what Mr. Jackson has to say, for he treats his subject in a dispassionate but none the less forceful manner.**

the Republican party rode through every election. A serious economic upset occurred in the administration of Theodore Roosevelt, but the Democratic party gained nothing from it. Are our memories so short that we forget the deflation of 1921 and 1922, during the administration of Warren Harding?

The intensity of that depression was described by Herbert C. Hoover, then Secretary of Commerce in the Harding Cabinet in a speech to the Los Angeles Chamber of Commerce, March 21, 1922. He refers to the tremendous inflation" and says that the

***"orgy of speculation in the years 1919 and 1920 has brought our country to the greatest economic crisis we have ever faced in all our history. The year 1921 has been a year of continuous liquidation. We have gone thru the greatest commodity crisis in the history of the United States. We have seen a fall of nearly 50% in the average value of commodities in less than 18 months. That fall represents in consumable commodities alone, nearly thirty billion of dollars and has hit the pocketbook of every man, woman and child in the United States.***

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***We have also a great problem of unemployment. It was supposed that last July, when we reached the point of greatest acuteness of unemployment, it exceeded 6,000,000 of men. This represented over 35% of the actual working population of the United States.***

Did the depression advantage the Democrats? We find that the very next campaign resulted in the election of a Republican by an electoral vote of about three to one.

Undoubtedly the depth and duration of this depression and its lingering into the year of the Presidential election make this crisis more dangerous to the Republican party than those of preceding years. But I do not believe that it makes the Republican case so hopeless that the Democrats can afford to be reckless in the positions which they take or heedless of the lessons of history in the choice of leaders.

The effect of the depression is to deprive the Republican party of a dishonest but effective appeal to the voters to "continue prosperity." When the election has occurred in good times, the appeal to let well enough alone and to not disturb the existing order has some effectiveness. People in good times have closed minds. They do not want to be disturbed. But while good times undoubtedly help to continue the governing party in power, it does not follow that bad times mean a change. Bad times merely means that people become more anxious and more critical and inquire more carefully into concerns of government. They are more critical of the opposition party as well as of the prevailing party. They scrutinize all claims with more care.

The depression will get the Democrats a hearing.

(Continued on page 44)

took all the afternoon as well as the evening and people had no diversion except politics and nothing to read except political tracts.

The extravagant style of platforms is out of keeping with the taste of the times. Their nicely balanced ambiguities do not reach those who can't read and disgust those who can. I have not read a political platform except where circumstances made it an absolute duty, in many years. The platform Committee should have the assistance of competent advertising counsel of national experience. They would probably be told that the platform must not be longer than a half column and that every paragraph added beyond that length will detract thousands of readers. They would probably be told that it should be phrased in such simple English that a child in first year High School could understand each word of it. They would probably be told that the P. T. Barnum Circus advertising which is the style still used by platform makers, is obsolete and that the public are suspicious of extremes of statement and of self praise. Is it too much to hope that the Democratic National Convention will this year issue a platform that the average busy citizen will have time to read, and that will have the simple directness of the common speech of people.

**B**EHIND the carefully set stage of the Republican Convention is so much confusion and dissatisfaction, their President is mocked by so many false prophecies and unkept promises of prosperity that nothing but exceptional blundering by the Democrats can keep them out of power. But the Convention is the supreme opportunity for blundering and we are not inexperienced in the art.

The next four years are years of challenge. The old order must yield to new. The Hoover administration assumed office on the platform that all was well in the best possible of worlds. The next administration will assume power in the conviction that much is wrong in a world whose major problems are still unsolved. Experiment, departure from the established way, struggle for release from the old traditions will be the ruling passion in business and in politics.

Which party is in power will determine the direction towards which the government will move in its efforts to stabilize the economic order. The background of the two parties is their descent, one from Hamiltonianism, the other from Jeffersonian origin. This historical background colors every attitude and modifies every approach to public questions. Those Democrats who look at victory as a serious responsibility for the welfare of a nation, regard it as a primary concern for the future of liberal government that our own economic restoration and the reconstruction of our foreign relations and readjustment of world affairs be guided by the enlightened liberalism of the Wilsonian School rather than by the provincial hatredisms and class favoritism of the Lodge-Harding School in which Hoover earned his degrees in American politics.

Those who see before the Democratic party the opportunity to do the work of the ages, look toward the Convention with anxiety that it shall lay aside the trivial, the personal, the transient and rise to the needs for virile and enlightened leadership that will meet the challenge of this unhappy year.

## A LAWYER LOOKS AT POLITICS

*(Continued from page 7)*

They have the best opportunity to present their claims that has occurred in my generation, but unless they have policies that appeal to the people, presented by a leader of power and stability, there will be no disposition to jump from the frying pan into the fire. It must not be overlooked that while the effect of a depression is to produce a certain annoyance and vexation at those in charge of the Government, it also has a powerful effect in making many people conservative and cautious and fearful of change. Effort to capitalize the discontent in a depression is often offset by a loss from people who do not wish to experiment in times of adversity.

**I**F the platform appeal of the Democratic party is to be heard by the masses of the people, it must pay some heed to the ordinary principles of advertising. A political platform is in the nature of an advertisement. It is useless unless it is read. It is worse than useless if it is read and not understood, and it is distinctly harmful if its reading produces confusion and lack of confidence on the part of the readers. Platform draftsmen have learned no lesson in mass psychology since the pre-Civil War days when sermons were an hour and a half in length, political meetings