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Letters of Sanford B. Dole and John W. Burgess

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Letters of Sanford B. Dole and John W. Burgess

Introduction

The letters here published represent all of the correspondence between Sanford B. Dole, the leader of the Hawaiian revolution of 1893, and Professor John William Burgess, dean of the faculty of political science in Columbia University, which has been preserved in the manuscript collection of the Columbia University Library. For permission to publish these letters I am indebted to Mr. Milton Halsey Thomas, Curator of Columbiana.

Sanford Dole, the leader of the provisional government which came to power in Hawaii after the deposition of Queen Liliuokalani in January, 1893, had refused in December to permit the reinstatement of the queen. Hope of joining the United States had been dashed by President Cleveland's refusal to ratify the treaty of annexation; the provisional government, therefore, decided to call a constitutional convention to lay the ground-work for a republican government. These letters record Dole's request for advice from Professor Burgess, and the suggestions which Burgess thought appropriate to the situation in Hawaii.

HENRY MILLER MADDEN

Columbia University

[*Dole to Burgess*]

Honolulu 26 March 1894

PROF. JOHN W. BURGESS

DEAR SIR: In the 2nd vol. of your book on Political Science and Constitutional Law, on page 39, you say "it seems to me that that form (the form of

the future) will be a republic with centralized legislation and federalized administration. Its executive will be independent in tenure, and will exercise a veto power, a military power and an ordinance power active enough and strong enough to defend his constitutional prerogatives and initiate and direct the measures of administration. But he will be bound to keep his cabinet of advisers in political accord with the lower house of the legislature" &c.¹

I wish to ask you in such a case, if the tendency would not be to weaken the executive and transfer the real power to the Cabinet, or to its leader, who would become the leader of the party in power? I infer from other passages that such a cabinet should be members of the legislature (pp 118-119). Would not the tendency above mentioned be inevitable in such circumstances?

We are at work upon a new republican constitution and your book has been of great help to me. If you can give me light on the point mentioned and upon any other points that may suggest themselves to you I shall be your debtor.

I pray that you will pardon this request, and if it is not convenient for you to notice it I trust that you will not incommode yourself.

I am very sincerely yours

SANFORD B. DOLE

[*Dole to Burgess*]

Honolulu 31 March 1894

PROF. JOHN W. BURGESS

DEAR SIR: I wrote a few days ago asking you for an opinion on a certain point, and now I wish to trouble you still further if it is convenient for you to give your attention to our questions.

In drafting a new constitution the plan of an upper and lower house of the legislature will be adopted. Under the monarchy there were two classes of legislators who sat together and who were elected by voters having different qualifications. There are many natives and Portuguese who had had the vote hitherto, who are comparatively ignorant of the principles of government, and whose vote from its numerical strength as well as from the ignorance referred to will be a menace to good government.

It is proposed to make easy conditions for voting for members of the lower house, but to make difficult ones for the voting privilege for the upper house, such as educational and property qualifications, and to give the upper house the right with the lower to introduce money bills.

This plan will raise considerable opposition and will result probably in some permanent discontent, but those who insist on it say that it is the only plan by which the government can be kept out of the control of the irresponsible element,

¹ John W. Burgess, *Political Science and Comparative Constitutional Law* (Boston, 1890-91), II, 39. The passage quoted reads correctly: "It seems to me, however, that that form will be a republic. . ."

and consequently of the professional politicians. We can probably carry this feature in the constitutional if we decide upon it.

I wish to ask you if there is any alternative to this proposition? We have no subordinate governments. The town meeting, county or state governments do not exist in our system. We have election districts each of which elects one representative. Would the following plan be safe? Both houses numbering eighteen members each. The lower house to be divided into electoral divisions of three members in each, which shall every two years elect one third of the upper house, each division electing one member thereof; the members of the upper house to serve six years. The upper house to elect the President.

Asking your indulgence for these inroads upon your time, I remain very sincerely yours,

SANFORD B. DOLE

[At head of letter on page 1] Our election for the Constitutional Convention is May 2nd. and the Convention will probably follow in two or three weeks.

[*Burgess to Dole*]

Columbia College in the City of New York
School of Political Science

April 13/94

HON SANFORD B. DOLE

MY DEAR SIR: Your letter of March 31st is just received. If I understand your situation it is as follows: You have a population of nearly 100,000 persons, of whom about 5,000 are Teutons i.e. Americans, English, Germans and Scandinavians, about 9,000 are Portuguese [*sic*] about 30,000 are Chinese and Japanese, about 8,000 are native born of foreign parents, and the rest are natives.² You have, according to your late constitution, a law of suffrage, which allowed every male adult citizen having a certain slight educational qualification to vote for those members of your late legislative body called "Representatives", and which required of the voters for those members called "Nobles" an additional, property qualification of a substantial sort.

With this situation, I understand your problem to be the construction of a constitution which will place the government in the hands of the Teutons, and preserve it there, at least for the present. I think you can accomplish this with the existing material at your hand provided the Teutons are substantial [*sic*] united in purpose and will act harmoniously.

I would suggest that you establish a legislature of two houses, having the same number of members in each; that the voters for the members of the lower house should have the qualifications which your late constitution required of

² The total population of Hawaii in 1890 was 89,990; "Teutons" numbered 4533, Portuguese 8602, Chinese and Japanese 27,661, naturalized foreigners 7495, Hawaiians and part-Hawaiians 40,622.

voters for that part of your late legislature termed "Representatives["]; and that the voters for the members of the upper house should have the qualifications which your late constitution required of voters for that part of your late legislature termed "Nobles." If it should be deemed desirable to make the legislature still more conservative you can accomplish this by requiring property qualifications and advanced age for membership and electing by general ticket.

I would suggest in the second place, that you establish a strong presidency; that you elect your president by a college of electors, equal, as to numbers, to the membership in the two legislative houses; that one half of these electors should be elected by the voters for the members of the lower house of the legislature, and the other half should be elected by the voters for the upper house of the legislature; and that the presiding officer of the electoral college should be selected by lot from among the members of the college, and should have no vote except in case of a tie.

If it should be deemed desirable to make the electoral college still more conservative, you can accomplish this by requiring property qualifications and advanced age for membership in the college and electing by general ticket.

As I understand your situation my suggestions would not deprive any person or class of persons of any political right enjoyed under your late constitution, but they would rather accord to these persons or classes of persons more political right in that they would be permitted to participate in the election of the president as well as of the legislature. This is always a great advantage to a new government which has followed a revolution. In fact stability for it can scarcely be attained in any other way.

The plan of electing the senate by the lower house and the president by the senate is substantially the Venezuelan [*sic*] system, which has been found to work very badly. I would not advise it in any case, certainly not for the period next succeeding a revolution. It puts too much power in the hands of the lower house of the legislature.

As I wrote you last week, pay great attention to the construction of your judicial system. Appoint your judges for life or during good behavior and administer equal justice to all, and appoint only Teutons to military office.

If I can be of any further service to you, command me.

Yours very truly
J. W. BURGESS

[*Dole to Burgess*]

Honolulu 18 Dec 1894

PROF. JOHN BURGESS

DEAR SIR: I received your kind letter a few weeks ago congratulating me upon our organization of a republican form of government. At the time of the

sitting of our constitutional convention, I mailed you a printed copy of the first draft of the new constitution as submitted to the convention, and later I mailed you a copy of the constitution as finally adopted. I trust that you received both.

I wish to thank you most heartily for the kind assistance you gave me in response to my several letters of enquiry during the time I was at work on the draft of the constitution. Permit me to say that your letters showed a clear knowledge of our peculiar political circumstances.

It is also with great pleasure that I acknowledge the great help your work on the science of government was to me.

I would not have you think that the first draft of our constitution was my sole work. Mr. Thurston³ aided me largely, and our draft was carefully scrutinized by a dozen or more thoughtful men which were called together for that purpose, and who gave many days to it, going over every sentence with great deliberation; and so the draft which was submitted to the constitutional convention, was constructed.

Yours very sincerely
SANFORD B. DOLE

³ Lorrin Andrews Thurston (1858-1931), minister of the interior in the Kingdom of Hawaii 1887-90; member of the House of Nobles, 1892; special commissioner to the United States to negotiate a treaty of annexation, 1893.