



The Works of Hubert Howe Bancroft, Vol. 36: Popular Tribunals (Classic Reprint)

Hubert Howe Bancroft

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Excerpt from The Works of Hubert Howe Bancroft, Vol. 36: Popular Tribunals

During my researches in Pacific States history, and particularly while tracing the development of Anglo-American communities on the western side of the United States, I fancied I saw unfolding into healthier proportions, under the influence of a purer atmosphere, that sometime dissolute principle of political ethics, the right of the governed at all times to instant and arbitrary control of the government. The right thus claimed was not to be exercised except in cases of emergency, in cases where such interference should be deemed necessary, but it was always existent; and as the people themselves were to determine what should constitute emergency and what necessity, these qualifications were impertinent.

Though liable at times to the grossest abuse, I found this sentiment latent among widely spread and intelligent peoples, but in a form so anomalous that few would then admit to themselves its presence among their convictions. It was a doctrine acted rather than spoken, and existing as yet in practice only, never having through formulas of respectability worked itself out in theory. Yet it was palpably present, more often as a regretted necessity, usually denounced in judicial and political circles, though clearly operating under certain conditions to the welfare of society.

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