

# *A Journal of Opinion*

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**T**HERE is a catchy reasonableness about the German-American argument that our neutrality is unreal unless we forbid the export of arms. Germany having lost command of the sea, American traffic in war supplies helps the Allies. If the position were reversed, our neutrality would still be impugned, but not by the German-Americans, and we should be written down as the partner of "Teutonic" militarism. Partisans aside, there is, we believe, a growing body of pacifist opinion, represented by men of the ability and character of Dr. Edward Devine, which insists that American manufacturers are "capitalizing carnage," making profits out of murder, and that in decency and in humanity this nation ought to have nothing to do with the European crime. But what would be the consequences of so pure a stand? It would "stop the war," we are told, but where? With Germany in possession of Belgium and the richest part of France. And the lesson to England and France? It would be that militarism pays, that God is on the side of the big ready battalions, that a nation which dreams, plans, and organizes war can impose

bargo would be regarded by the Allies as the most desperate treachery, as an arbitrary reversal of all international law, not in time of peace but in the midst of a terrible crisis. We should by the embargo which Mr. Bartholdt and others propose neutralize at one stroke a large part of British naval superiority; we should be doing as much for Germany as if we established a fairly good blockade in the Atlantic. And if ever we ourselves faced a life-and-death struggle, we should have established a precedent which might prove fatal. The proposal is a piece of thoughtless morality, a bit of good intention with unconsidered consequences. As a method of warring against war it belongs with incantations, spells, and the sacrificing of goats.

WHEN a man like Judge Gary, who is reasonably busy at his own job, devotes his leisure to finding jobs for the unemployed, we cannot withhold from him our acknowledgment of the great public service he is rendering. Let Mr. Gary apply as much skill to these social problems as he has given to building up the United States Steel Corporation, and he will prove a valuable collaborator with the earnest men and women who have long studied this question. But it must not be forgotten that Judge Gary, however excellent his intentions, suffers from the defect that in these matters he belongs to the least enlightened class in the whole community. On the business side, on the side of product and profits, there is no more capable man in the United States; on the social side there is none who more needs enlightenment. Judge Gary believes that "it is admirable and satisfying to save human beings from starvation, or even from the minor discomforts of want," but he also holds that "by diligence and economy, assisted by a general impulse upon the part of those who have work to be done to give it out intelligently, every man whose health is good may become independent." But is Mr. Gary ignorant of industrial accident, industrial disease, low wages, a seven-day week, a ten-hour day, a

trial disabilities? On socialism Mr. Gary's thinking is even more rudimentary. For half a century political economists and writers of all schools have explained in words of one syllable the fundamental principles of this movement, so that to-day the grocer's clerk, who is even less of a socialist than is Mr. Gary, has some inkling of its significance, and knows at least that it is not a proposal "to divide up." Yet listen to Mr. Gary's summary. "No man of means," he says, "would be willing to divide his property with any man who happens to have nothing. That would be socialism."

THE most discouraging part of Judge Gary's long interview on unemployment, which, it should be added, does contain a number of excellent practical suggestions, is the inconspicuous paragraph dealing with trade unions. Mr. Gary dilates upon the mutual confidence which he believes is growing up between employers and workmen, and praises "the employers of the United States" who "are spending millions annually in efforts to improve the conditions of their employees." But all of this is quite consciously utilized as an argument against trade unions. "One of the results of this better feeling," says Judge Gary, "is the steadily decreasing necessity for the maintenance by either side of organizations designed to protect it from unfair treatment on the part of the other." We wonder if even so acute a mind as Judge Gary understands all the implications of such a sentence. What it means is that a workman who honestly and justly believes that he should have higher wages or a shorter work-day or anything else which means a fuller life for him, should appeal not to his fellow workmen, who have the same ideals and the same desires, but to his employer, a man who lives on quite a different scale and who is the very person who must pay out of his own pocket for the better conditions which the workers demand. Does Mr. Gary believe that the wage-earners of this country can trust their whole claim in life to men who may have a financial interest in denying that claim? And if, by sheer power of capital, wage-earners are compelled so to accept terms dictated by employers, benevolent or otherwise, does Mr. Gary believe that such a situation will long be tolerated by an enlightened community?

A SIGNIFICANTLY apologetic attitude determined the program of the meeting of the National Popular Government League in Washington. Its president, Senator Owen, discoursed not upon the successes and conquests of direct government, but on the nation-wide attack on its measures

primary?" to which the answer might be given by some sceptic that the great difficulty with the direct primary is the direct primary. Another session was occupied by the far more serious question of how the progressives of all parties can "get together" for the control of the government. The discussion was, of course, carried on by progressive statesmen who had always conspicuously failed to "get together" for the control of the government or for any other supposed political benefit. Indeed, how can you expect progressives to "get together" for such an empty purpose as the control of the government? If they did do so, they would be merely following in the footsteps of the old parties. Republicans and Democrats organize for the control of the government rather than the promotion of a policy, but sincere progressives must always be more vitally interested in the accomplishment of political and social purposes than in the sanctity of partisan bonds. If they are to "get together," their fruitful association must be born of a common impulse, a common program and a common zeal for its realization. What progressives need is to take thought. They will never control the government until they know better how they want to use the control.

ON January first and second of the new year some two hundred teachers of national prominence assembled in New York and organized the "Association of University Professors." Perhaps the most significant act of the new association was to exclude the presidents of colleges and universities from membership in the association. Inasmuch as college presidents are usually promoted professors and figure to the innocent laity as specially distinguished scholars and leaders of thought, the decision of the association to exclude them seems to need some explanation. The reason for this exclusion derives from the very purpose of the new association. To the majority of professors the president figures primarily as the business head of the university—as an educational administrator. Admitting freely the generally cordial relation existing between presidents and faculties, the association decided that the collective purposes and judgments of college and university professors could not obtain free and positive expression unless presidents were excluded. Deans and other officers of administration who do not give a considerable amount of instruction were also generally held to be *personae non gratae*. Thus the work of the association will be to express the interests and ideals of the fraternity of teaching-scholars. In the course of time it will doubtless formulate a code of professional ethics, which

and limits of academic freedom. If the new association performs its work properly, it should help to give increasing dignity and independence to the position of college and university professor. Several of the speakers seemed to be morbidly afraid that the association might be popularly misconceived as a labor union. Almost they did protest too much. A union of professors must differ essentially from a union of wage-earners, but the new association is seeking none the less an object analogous to that of an ordinary union. It is seeking increasing independence for its members by means of organization and community of spirit.

**E**X-SENATOR Bourne of Oregon calls himself a progressive; but like many other progressives, he makes at times the most utterly reactionary proposals. At present he is much exercised by the amount of time and attention which the President and the Senators waste upon the distribution of patronage; and he proposes to relieve them of the burden by imposing on the local electorate the work of choosing their postmasters, collectors of customs, United States attorneys, marshals, land-officers and the like. The proposal has always been popular with "old-fashioned" Jacksonian Democrats. They would have liked eighty years ago to disintegrate the national administration, just as they disintegrated the state administrations, but the Constitution was inflexible and they were obliged to devise the spoils system in order to accomplish a similar result by easier extra-official means. Mr. Bourne pretends to be doing away with the spoils system, but in truth he is seeking to achieve more effectually the object for which the spoils was devised—the object of subordinating Federal officials to local political dictation rather than to that of their official superiors. There is one simple and far less reactionary way of relieving the President and the Senate from the onerous burden of appointing and confirming the higher Federal office-holders. They can be made part of the permanent civil service.

**I**T seems a foregone conclusion that the immigration bill based on the literacy test will soon become law. Even if President Wilson vetoes the measure, a two-thirds vote in House and Senate will doubtless be forthcoming. There is not much enthusiasm for the exclusion of illiterates, since men without education have not proved the least valuable of our immigrants, but Congress and Americans generally desire to lessen the total volume of the inflow, and the literacy test seems on the whole the least undesirable. It is a vast experiment, which will be watched with acute in-

prove eventually to be only the first step in a progressively restrictive policy. Whether we further restrict or not, however, we should not rest content with a purely negative policy, but should work out the larger program of internal immigration, intended to protect and guide the immigrant during his difficult first years in a new country.

**O**NE feature of the Immigration bill, as amended in the Senate, seems to us peculiarly vicious. It is the provision excluding from American shores all future immigrants of African blood. The urgent necessity for such a proposal is not obvious. In 1910 there were only forty thousand foreign born negroes in the United States, of whom less than five hundred had come from Africa. The amendment applies particularly to the few thousand Jamaican negroes who annually arrive in America, and soon find themselves employed as elevator boys in New York apartment houses. These men are for the most part law-abiding, industrious and with a natural courtesy, which is surely not an undesirable importation, and they are the same men upon whom we relied to do the pick and shovel work for the Panama Canal. It would be singularly ungracious to signalize the completion of this great work by gratuitously insulting the men who accomplished it. But there is a wider significance to this proposal. It is a new insult flung at ten million Americans, who because of their color are for the most part voteless and deprived of fundamental civil and political rights.

**M**R. WHITMAN'S first words as Governor implied that state economy means less expenditure. Fortunately at the end of his message he proposes the only method by which "economy" can be made intelligent, and some distinction drawn between good spending and bad spending. The Governor ranges himself beside those who advocate the budget system with executive responsibility for financial policy. If that system is established, future governors in their inaugural addresses will be able to use "figures" as "warnings" without violating common sense.

**T**HREE million dollars a year, it is estimated, are lost to the poor in this country because of the expense and time of ordinary legal action. No one can afford to sue for a small amount, and the poor cannot afford any of the delays incident to litigation. To meet this situation Kansas has put in operation a small Debtors' Court, having jurisdiction for amounts up to twenty dollars. John S. Dawson, attorney-general of the state, conceived the idea, and Judge Nirdlinger first put it into



torneys, no fees and no costs. Only the plaintiff, the defendant and material witnesses can appear before it. Summonses are issued personally, by mail or by telephone. The judge, who is not paid, is appointed by the mayor and council for cities, and by the county court for counties. The court and the defendant determine how and when payments are to be made. The defendant is protected from further legal action as long as he keeps faith. Only the defendant may appeal, and an appeal must be accompanied by a bond to secure costs, double the amount of the judgment and fifteen dollars to pay the plaintiff's lawyer. This attempt is a towering improvement over the courts of justice-of-the-peace, which are often surrounded by a cordon of constables, ambulance-chasers and hangers-on, who plunder under the sanction of petty-minded officialdom. When a washerwoman can with little trouble recover a bill of five dollars from a lawyer, or a waitress be protected against exorbitant fines for accidental dish-breaking, justice has indeed become something tangible for the classes who usually get acquainted with the law only as an instrument in the hands of the powerful. There is little chance of oppression by an unjust judge, for people can revolt much more easily against an individual than against a clumsy and often perverted machinery of "checks and balances." The average man likes a little humanity in his law. The Anglo-Saxon judicial passion for "a government of laws rather than of men" would profit by the infusion of more such Biblical simplicity.

IN 1909 the present German Ambassador appeared before the American Academy of Political and Social Science and delivered a weighty speech on German development. His speech was later honorably entombed in the Academy's distinguished annals. But some ferrety critic whom the war started raking over old bones brings unpleasant tidings from the grave. Whoever wrote the Ambassador's speech, the *New York Nation* finds that the real stuff in it was appropriated, without a syllable of acknowledgment, from W. H. Dawson's admirable work on "The Evolution of Modern Germany"; and there were garnitures from Dr. Rohrbach and Professor Paulsen. Mr. Dawson, distressed over this "wrongful and indefensible" use of his book, makes quite justified reflections on the Ambassador's "literary integrity." A lack of integrity, according to literary standards, this behavior undoubtedly reveals. In fairness to the Ambassador, however, it may be surmised that just as he palmed off this speech on the Academy, so some bright young man in the Embassy may have palmed it off on him. The irony, of course, is that the bright young man, if he is still around

## Colorado and the Nation.

THE Federal troops are about to be withdrawn from Colorado, and in the eye of American public opinion the hideous incident of the Colorado labor war of 1914 will soon be closed. The impression is false. The incident is not closed. No incident can be considered closed which leaves in its train so many serious grievances and such an ominous burden of class provocation. THE NEW REPUBLIC objects to the withdrawal of the Federal troops precisely because it will bestow an appearance of healing upon what is in reality an obnoxious industrial and political sore. Their retention in Colorado would be a poor substitute for some sufficiently radical attempt to appease the grievance; but it would at least have continued to call attention to one of the most sinister and neglected aspects of the whole affair. It would have continued to advertise the practical collapse of the Colorado state government.

Nobody seems to realize that the government of Colorado did collapse; but a candid commentator on the facts cannot escape the conclusion. By calling it a collapse we do not mean merely that the industrial policy of the legislature of Colorado was inadequate and unenlightened. We mean that the government of the state proved unequal to its primary irreducible responsibility of enforcing its laws, of protecting its citizens against systematic violence, and of using the armed forces of the state impartially in the interest of public order and security. The failure of the government of Colorado is not the failure to live up to a high standard such as ought to prevail in a living democracy. It is failure in much the same way that the government of Venezuela has been a failure.

Government in Colorado has failed in something the same way as the government of Venezuela, but not for the same cause. In Colorado there has finally been laid bare the hypocrisy and the menace of one of the oldest and most cherished political practices of the American local democracies—the practice of seeking to escape the penalties of their own legal resolutions by making no sufficient provision for their effective realization. After a law was passed, its administration was usually delegated to groups of officials, who frequently were responsible, not to the electorate of the whole state, but to local communities, and these local communities had no difficulty in emasculating the law by weak, indifferent or frankly hostile execution.

Hypocrisy of this kind did not incur serious practical penalties as long as the county and other local political jurisdictions were not interested in emasculating the more fundamental political objects whose promotion had been confided to the state gov-