

pletely overlooked. From February 3rd to February 26th the President waited to make his request upon Congress, without a doubt fully knowing what steps he wished to pursue. That long delay has not been explained. On February 26th he came before a Senate with a crowded calendar with a demand for quick action. It is a fair assumption that he believed that with the many appropriation bills before it, his request would be granted without debate, especially as he conveyed an assurance that the step offered a solution against war in the full sense.

The House passed the bill with the emasculation of the portentous words "other instrumentalities." The Senate bill still contained that phrase. Some senators desired to avail themselves of their constitutional rights to debate measures submitted to them and decided to give expression to their views in the Senate. Some declined to waive their constitutional right to participate in the war-making power in favor of the President. Others declined to consent to having naval guns and gunners protect munitions of war going to one belligerent. Others still feared the step would lead to war.

All these grounds were honestly taken and in the main well taken. The evidence shows that less than forty-three hours was consumed in the entire debate, and of this time only approximately half was consumed by the opponents of the bill. Hundreds of less important measures coming before the Senate have been debated much longer without public comment. As a matter of fact, Messrs. Stone, O'Gorman and Kenyon are among the very few men in the country who realized the full legal significance of using government arms and gunners to assist in the transportation of munitions of war to one belligerent. Our neutrality proclamations expressly provide that while citizens may carry arms to one of the belligerents on private account they will not receive the protection of the United States against any punishment or forfeiture inflicted by the other belligerent. There is no more deeply rooted principle in international law than that a neutral government shall not convey or assist in transporting munitions of war to either belligerent. The expression "armed neutrality," therefore, when considered as an official safe conduct and protection for munitions of war or contraband of war, becomes an act of war in the full sense, and Germany or any other belligerent must so regard it. The arming of our ships with the power to fire upon submarines is an act of war, as clearly appears from the decision of the Supreme Court of the United States in the case of *Bas v. Tingy* (4 Dallas).

The same principle applies to convoying, for the convoying of ships was expressly permitted only in the case where the convoyed merchantman carried no contraband. Otherwise it was itself an act of war.

If, then, we are to engage in war the people should not be misled by the meaningless phrase "armed neutrality." Nor should the President be permitted to commit the country to war without the issue of peace or war being squarely presented to Congress. On this issue Congress has not yet spoken. Although the Senate rules have now been amended, the President has not availed himself of his power to ask the consent of the Congress to make war, but has decided to act on his own responsibility. The statute of 1819 was limited to an authorization by Congress of defense against

pirates, and the prohibition against firing on public vessels was induced by the knowledge that such an act would be an act of war. The same limitation which then operated on Congress now operates on the President. It is not the statute alone, therefore, which inhibits the President, but the illegality of the President's making war without the consent of Congress.

The arming of our ships with the instruction to fire upon the public vessels of another nation and particularly the use of American guns to assist in conveying munitions of war to one belligerent is an acknowledged violation of neutrality and an act of war. If such a vessel is attacked by a German submarine we cannot plead our righteousness against their illegality as a ground for formal declaration of war. At best our illegality is set off against the German illegality, and we do not come into court with clean hands. Let that issue be squarely presented to the American people and let them decide what our country shall do.

POLONIUS.

[NOTE: An editorial referring to this letter will be found on page 181.—THE EDITORS.]

## CORRESPONDENCE

### Referendum Solely to Keep Out of War

SIR: In an article on Taking the Referendum Seriously in your issue of February 24th, you state the object of those working for the referendum as being one "to direct attention from the threats of Germany to the illiberalism of those who oppose the referendum." In the name of many whom I know personally as working for the referendum, and I feel safe in saying in the name of thousands of others so working, whom I do not know, I wish to state that our object at this time is solely and simply to keep America out of war and its attendant consequences, because we feel that by entering the war she could attain no result for humanity and herself that she cannot better attain by remaining out.

With this object in view I wish to ask you if the fact that the work of obtaining an advisory referendum would require twenty-five days is not a recommendation that Congress be urged to take such a step before declaring war, if the referendum be upon a clear issue of war or peace? Might not the European war of to-day have been avoided if in each of the now belligerent countries a vote of the people, taking twenty-five days, had been granted before the governments had been allowed to declare war?

As a pacifist I have not imagined for a moment that questions of such detail as you, a liberal, suggest under (a) and (b) would be submitted to the people by Congress. But I do suggest that two straightforward questions on this particular issue, such as the following, might be granted a referendum vote and the result give Congress and the President a definite idea as to what the people desire: 1. Do you think that the United States is justified in entering the present European conflict upon any provocation excepting armed invasion of our territory and a declaration of war upon us? 2. Do you favor our delaying demand for reparation for any injury done to America incidental to the present war until the war is over?

There, it seems to me, are two questions to be answered

by yes or no, which would give Congress exact knowledge as to how its constituency wished it to act during the present war, and yet would give it the necessary control over detail as to enable it to carry out those wishes most effectively.

Regarding the "furious campaign" which you feel would be carried on by those "for and against," I can conceive of nothing more wholesome at this time, nothing which would more instantly clear the atmosphere of uncertainty and hesitancy, than for the American people to be faced by a direct question of war or peace. Personally, I can conceive of nothing which could be less conducive to a sane settlement of things than the present situation in which exist a hundred kinds of pacifism, and a hundred kinds of militarism, each sending forth its propaganda and its questionnaire to confuse the popular mind. What we need imperatively at this time, it seems to me, is a question put to us, as a people, which may be answered by yes or no, and whose answer will denote whether we wish America to enter this war or not. I understand of course that such a question might make it less comfortable for the liberals "who love peace," and "who would wish to call themselves pacifists" than for any one else, as it would take from under their feet the middle ground upon which they now stand, and force them to join either the Roosevelt or the Bryan camp, or else to be silent in a great federal crisis.

And finally as to the referendum being a proposal from "irresponsible minds," "poverty of imagination," and lack of "realistic thinking," there is no way of proving anything either for or against this statement now, but I, for one, am willing to abide by the test of time and perspective upon the issue, as answer to this accusation.

NELL VINCENT.

New York City.

## From the Department of Agriculture

**S**IR: In an article, entitled *Agricultural Mobilization*, in your issue of February 24th, you state:

For a generation our agricultural output has failed to keep pace with the growth of population. . . .

Unless we prepare against it, the disparity between agricultural production and the demand for food will become increasingly acute.

I am afraid that, in common with many others, *The New Republic* has been misled or misinformed about the present state of agricultural production in the United States. We are in no real danger from low output; rather the danger comes from bad marketing and inefficient distribution. Secretary Houston's last annual report presents statistics of our food supply covering sixteen years and leading to the conclusion:

" . . . that, notwithstanding the very rapid increase in population, the production per capita of the commodities indicated, with the exception of meats and dairy products, has remained approximately the same or has increased. . . . With all the agencies now available for improving agriculture there is ground for optimism as to the ability of the nation not only to supply itself with food, but increasingly to meet the needs of the world."

With much of what you say regarding agricultural mobilization I am in hearty agreement—but trust this

already sufficiently complicated issue will not be clouded by a misunderstanding of the facts. Our problem of food preparedness is not essentially a problem of adding to our national supply. It is a problem of seeing to it that our national food supply shall be so marketed that the poor and unfortunate shall not be exploited and starved by disloyal food speculators. With almost no exceptions that cannot be taken care of easily, the United States, so far as quantity is concerned, is in an extremely enviable position.

CARL VROOMAN,  
Assistant Secretary.

Department of Agriculture,  
Washington, D. C.

[NOTE: We submit that Secretary Houston's exceptions—meat and dairy products—are most important exceptions, and that however large our supply may be at the moment, we shall not be in a position properly to distribute it or to guard against its future depletion unless our agricultural census is up to date and we are in a position properly to mobilize our resources. The real danger, it seems to us, is that the derangements of a bad system will be overlooked in an agitation solely directed against speculators.—THE EDITORS.]

## Prefers Maritime Anarchy

**S**IR: Your article entitled *Justification* in the issue of February 10th says, in effect, that the United States is justified in entering the war aggressively on the side of the Allies in order that undiminished control of the seas may be preserved for Great Britain; that, inasmuch as the United States has profited hitherto by this control, it is against our interests for the control to be in other hands.

The fact that a despotism has been exercised benevolently towards us makes it none the less a despotism. Nor does it carry with it any promise that the benevolent attitude will be maintained.

If, as you state, one may hope that after the war "conflicting national interests can be adjusted and a body of international right defined, accepted and applied," why, in heaven's name, should we take this opportunity further to intrench Great Britain in her absolute sea control? For if Great Britain comes out of the war with this control intact, nothing on earth is going to persuade her to give it up. She will still continue to wield it—benevolently perhaps—but none the less despotically; for on her sea power depends, in her mind, her very existence—existence which had been endangered by Germany's dispute of it.

Wresting this power from her does not automatically deliver it into the hands of Germany. It creates maritime anarchy for a moment, perhaps; but it is easier to rebuild from anarchy something nearer to our hearts' desire than achieve the same result when the result runs counter to self-interest—self-interest which has become all the more certain of itself.

It is distasteful for us to believe that the United States must depend for important privileges on the goodwill of any nation, no matter how kindly that nation may be disposed. If Great Britain's grip can be loosened and all nations step in and demand a copartnership on the high seas, this difficulty will be obviated. Certainly, chances for future war will be materially decreased.

MERRILL ROGERS.

New York City.

## After the Play

WALTER BAGEHOT'S English Constitution is admired for many reasons. I like it because in certain spots it is so candidly sordid. Bagehot really cared for the ruling class and he took pains to speak to it in terms that were almost Germanly frank. An "ignorant multitude" had received the franchise in 1867, and Bagehot warned the House of Lords that he was exceedingly afraid of that ignorant multitude. He did not disguise his policy about it. "I wish to have as great and as compact a power as possible to resist it." And he urged the organization of that power in a passage so packed with worldly wisdom that it deserves to be memorized by every aërial youth.

"In all countries," Bagehot explained, "new wealth is ready to worship old wealth, if old wealth will only let it, and I need not say that in England new wealth is eager in its worship. Satirist after satirist has told us how quick, how willing, how anxious are the newly-made rich to associate with the ancient rich. Rank probably in no country whatever has so much 'market' value as it has in England just now. Of course there have been many countries in which certain old families, whether rich or poor, were worshipped by whole populations with a more intense and poetic homage; but I doubt if there has ever been any in which all old families and all titled families received more ready observance from those who were their equals, perhaps their superiors, in wealth, their equals in culture, and their inferiors only in descent and rank. The possessors of the 'material' distinctions of life, as a political economist would class them, rush to worship those who possess the immaterial distinctions. *Nothing can be more politically useful than such homage, if it be skilfully used; no folly can be idler than to repel and reject it.*"

The aristocracy ought to be the heads of the plutocracy—that was Walter Bagehot's conviction in the fewest possible words. It is a conviction worth recalling in connection with a new comedy by W. Somerset Maugham, just produced in New York and suitably entitled, *Our Betters*; for Mr. Maugham's inquisition is precisely into the process by which newly-made wealth, so quick and willing and anxious, was to come to associate with rank. It is American plutocracy whose homage Mr. Maugham sees being utilized, but this is a minor and piquant difference, and scarcely affects the exposition of the principle that the eminent Bagehot laid down.

It is some years now since Mr. Roosevelt offered his censure of the American girl who becomes a foreign princess. Mr. Maugham is bitter about this American invasion of the European Vanity Fair, but curiously enough he is much more bitter about the callous English attitude than about the crude American effort to buy a holding in the leisure class. On that nice question as to the briber and the bribed, Mr. Maugham seems to look on the English bribe-taker as the more unworthy and despicable; and every decent American in the play speaks with tears in his voice of "simple, wholesome New York." Lady Grayston, the titled American, who has spent her life making two peers dine where only one dined before, pauses in the adventure long enough to confess that her Amazon victories cost her dear. If the English yield an inch, she declares bitterly, they exact their blood-money. Their basic law is "something for nothing." Mr. Maugham leaves little doubt as to his agreeing with her.

This is an acrid comedy. Mr. Maugham has picked

out a titled American woman of the keen, smart, fast, unscrupulous kind at whose house in Mayfair one meets the male expatriate who is trying to live down his origin; the duchess de Surennes, née Hodgson, Chicago; the princess della Cercola, née Hollis, Boston; and an American capitalistic "man of iron." There is scarcely a single disreputable feature of scum-life that Mr. Maugham does not exhibit among these hyphenated Anglo-Americans. Lady Grayston's husband never appears in the play. She herself lives beyond her means and continually bleeds her friend, the American promoter, working him sensually and sentimentally for the extra money she requires. He considers it a "privilege" to love her, boasts of her egregiously, and calls her "girlie" to his infinite joy. The duchess de Surennes is an eat-and-grow-thin, middle-aged Chicagoan, who has divorced her Gaston and become infatuated with an English weakling, aged 25, a person who pays to her only such respect as is due to one's all too visible means of support. The sad princess has no such foible. She also has divorced her titled husband, but her marriage was a young girl's mistake, and now she is giving to organized charity what was meant for a husband and is only living in London because she found herself treated as an alien on returning to Boston. An impudent Cockney dancing-master is an indulged favorite of this circle, and the only other Englishman is a young English lord who is needed for Lady Grayston's younger sister, a girl who has just made the pilgrimage from Nineteenth street, New York, to Mecca. She has only \$1,000,000, but the lord is not a very expensive lord.

With all these precious Americans on his hands, Mr. Maugham is rather at a loss what to do with them. He has a real perception of the general ugliness and dirtiness of their situation, but has no particularly illustrative incident of it at his command. The poor best he can manage is to have the jealous duchess expose an intrigue. Her lap-dog escapes from the leash. He is trapped in a garden tea-house with his hostess, on the night of the country-house week-end; but the tone of the group is already so low that this is like salting the ocean. The last act shows a group of actors bereaved. It is Lady Grayston's unimportant business to wind up the affairs of the lamented plot; to placate her disillusioned sister and bring round the duchess and win back the man of iron. Too easily does the duchess arrange to marry her lover with a forlorn hope of keeping him, too obviously and cheaply does Lady Grayston persuade her Napoleon of the tram business or jam business or whatever he is that to err is human, to forgive divine. The actors make shame-faced burlesque of it, and the only serious touch is the sister's decision to leave sordid England and return to simple, wholesome New York.

Apart from the appearance of Miss Rose Coghlan, as the duchess; Mr. Ronald Squire as the lap-dog; Miss Crystal Herne as Lady Grayston, Mr. Fritz Williams as the expatriate, Miss Leonore Harris as the princess and Mr. John Flood as the strong American, the comedy adds an interest to present New York productions by reason of its sharp recognition of a genuine theme. Mr. Maugham has the gift of subacid smart talk, and if he had made his story less banal *Our Betters* could have been described as a strong satiric comedy, with a general bias in favor of regarding endowed hyphenate marriage as a subdivision of the white slave traffic not generally recognized.

F. H.