

by the state legislature, on referendum. (So the United States Supreme Court). Third and therefore: there is a conflict between the Constitution of Vermont and the Constitution of the United States—and the Governor's hands are tied. The argument is perfect in all but logic. Undoubtedly there are divergencies between the federal and Vermont Constitutions in method of amendment. But there is no conflict. An amendment to one is not an amendment to the other. The nineteenth article will change the suffrage in Vermont—but not by amendment to the Vermont Constitution. And the provision for ratification by the freemen of the state applies only in alterations of that instrument.

Even if the Governor's propositions did express an antagonism between the state and federal Constitutions his conclusions would still be unconvincing. There would not be a conflict between the two documents because there cannot be a conflict between the federal Constitution and any state Constitution or law. Witness the sixth article of the original Constitution "This Constitution . . . shall be the supreme law of the land, and the judges in every State shall be bound thereby, *anything in the Constitution or laws of any state to the contrary notwithstanding.*" Had Governor Clement missed this paragraph? Or did he hope the suffragists would be ignorant of its provisions?

The tone of the whole proclamation expresses only too clearly the true basis of the Governor's opposition to suffrage. He has not, it appears, a favorable opinion of the intelligence of women. He could not otherwise have presented a so preposterous argument for their conviction. And he could not have garnished it with such astounding obiter dicta. The decision in *Hawke vs. Smith*, he says,

—leaves the people at the mercy of any group of men who may lobby a proposal for a change in the Federal Constitution through Congress and then through the Legislature of the States.

Before such a group the nations of earth would lie defenceless.

As it stands and is interpreted by the Supreme Court today, the Federal Constitution threatens the foundation of free popular government.

Has Governor Clement followed the reports of the Department of Justice? And yet he goes farther. The institution of representative government is even less to him than the Constitution.

If the people of Vermont in accepting a place in the Union of States, inadvertently lost in whole or in part the right of self-government and *conferred it on a Legislature*, there is all the more reason,—etc.

Does the listening candidate hear these utterances? And do they test his patience there in the rocking chair at Marion?

## What Was Gained at Spa?

OPINIONS differ: a great deal was accomplished, or little or nothing, according to the observer's expectations. Those who had expected the settlement of the really big problems, reparations and an economic *modus vivendi* between the late enemies, are naturally disappointed. The conference set a new time limit for German disarmament and revised the coal requirements, fixed in the Treaty. The new requirements are about as much below those of the Treaty as they are above the actual deliveries in recent months. They are not inherently impossible—two millions of tons monthly out of a total output which could be kept at ten millions, if the mines are managed and worked efficiently. For this coal Germany is to receive an allowance on the reparations account determined by the German domestic price, and a premium of five marks gold per ton to be applied to the feeding of the German miners. In addition, the Allies hold themselves ready to advance to Germany credits equal to the difference between the world price of coal and the German domestic price, thus placing Germany in a position to procure considerable quantities of foodstuffs and materials from abroad if she lives up to her agreement. Further, a commission, on which the Germans shall be represented, will oversee the distribution of the coal of Upper Silesia, thus insuring to Germany a share of it whether the plebiscite goes against her or not.

These are material concessions, offset, it is true, by the explicit threat that if Germany falls short in her deliveries the Allies will occupy additional territory, either in the Ruhr mining basin or elsewhere. The concessions are important, but in their substance they represent only a short step in the direction of European reconciliation. Their chief importance lies in the kind of negotiations out of which they resulted.

The Allied statesmen found themselves forced to abandon the position that it was their prerogative to give orders and the Germans to hear and obey, or make show of obeying. The Allies had to recognize that German consent and cooperation were indispensable, if any real progress was to be made. It is true that they did avail themselves of the threat of military intervention to goad the Germans to a more generous consent than could be won from them by argument. But they listened attentively to what the German representatives had to say on the difficulties of extracting more work from the miners by governmental agreements based upon force alone. They took seriously the argument of the German representatives that the present German government could not survive an agreement

too drastic in its terms, too humiliating to the German people. For the first time since the days of war propaganda the Allied statesmen have taken cognizance of the distinction between the German government and the German people, and have admitted the necessity of taking the sentiment of the people into account, in applying the terms of the Treaty. That is a significant gain. Through this breach in the conquerors' will, narrow as it is, one can get a glimpse of a vista of further modifications of the Treaty, leading toward peace.

But let us not fall into the delusion that this progress toward peace is the consequence of natural good will welling up in the breasts of the conquerors who dictated the terms of the Treaty of Versailles. They are moving toward reconciliation with Germany, just as they are moving toward peace with Russia, only because they grow less and less certain that they hold in their hands the means for executing a policy of force. They were able, to be sure, to indulge themselves in the gesture of summoning the French and British generalissimos when the German representatives exhibited too great stubbornness. But they knew, and the Germans knew, that the Allied working masses would not be over-enthusiastic about a new war to compel the underfed and anaemic German miners to deliver a more abundant tribute of coal. Servile coal for Allied capitalism does not look like the summum bonum to Allied labor.

And it is not difficult to see that similar forces will operate to reduce the indemnity to bearable proportions, in the conferences that are to come. The indemnity can be paid only through the products of German labor; and Allied labor will see the analogy to the products of prison labor, if the Allied statesmen press their claims under the Treaty too far. The indemnity will have to be reduced to terms which a representative German government could underwrite, if the Allied governments are to escape the risk of summoning to war peoples that do not feel the validity of the reasons for fighting.

In the last analysis, it is the growing political weakness of war-made governments that gives impulse to the movement toward reconciliation now gaining head in Europe. The governments move reluctantly, but the evolution of events compels them to move. If they could have reinforced their position through the support of America, they would probably be standing stock still. For the American masses are too remote to exert a moderating influence upon the government in its European relations. Our government would be freer than any European government to hold to the letter of the Treaty. That is, perhaps, the real reason why both

Lloyd George and Millerand are urging the desirability of the prompt accession of the United States to the Allied counsels. There will no doubt come a time when the good offices of the United States might make for peace. That time has not come yet. The process of reconciliation is under way, and America cannot afford to run the risk of arresting it.

## Tipping

A CERTAIN natural squeamishness on the subject of bribery in politics and government is much to our credit. A few thousand dollars paid under ambiguous circumstances by an unauthorized subordinate put an end to one of the most promising Presidential booms. The few isolated cases of corruption among minor government officials during the war were visited with the promptest punishment at the hands of indignant juries. Whatever may be our other shortcomings, in governmental matters we are committed in theory against the payment of money to influence a man in the performance of his duty.

A new publication has recently appeared, boldly hazarding the uncertainties of the print paper market, to remind us that outside the field of politics and government, common honesty is not today so prevalent a virtue. The Commercial Bribery and Tipping Review announces itself as A Monthly Periodical Opposed to All Forms of Gratuities, and is already waging a valiant if solitary battle against the forces of corruption in the commercial and personal relations of men. It is trying to do in this country, so we gather from its pages, what the Bribery and Secret Commissions Prevention League, Incorporated, has for over a decade been trying to do in England, to build up in private relations the same ethical standards of honesty that prevail where governmental duties are concerned.

To the uninitiated, all this may seem unreal and extraordinary. Graft, we like to believe, is a peculiarity of politics. We have always been taught to contrast the honesty of private business with the corruption and favoritism of government activity. We have our periodical exposures of graft in government, but graft in commerce and industry never gets into the news. No screaming headlines proclaim that John Smith, vice-president of the X corporation, received a commission for awarding a contract, or that Thomas Jones, a director of the Y corporation, used his influence to get a soft job for his incompetent nephew. No thundering editorials demand that the president of the Z corporation discharge his grafting bookkeeper or forthwith resign.