

# AFFAIRS OF THE WORLD

BY WILLIS FLETCHER JOHNSON

WHATEVER may be the ultimate solution of the Irish problem, one striking feature of it is impregnably established for the consideration of the world, which will doubtless have much weight with all impartial observers. That is, the significant part taken by General Smuts. It seems only a few years ago that he was perhaps the most implacable foe of the British Empire then living. To-day he is one of its foremost champions and supporters. Having led and confirmed in loyalty to that Empire the people whom he once led in hostility to it, he has lent his commanding prestige and diplomatic genius to the task of intervening similarly to confirm in imperial loyalty another people, alien to him, whose conflict with Great Britain was ancient before the Boer States were founded. Yet nobody in the world regards him as inconstant or inconsistent. We should search far in the world's history to find a comparable example of courageous and enlightened statesmanship.

The unusual character of the weather during much of this year's spring and summer, coinciding with the appearance of exceptionally large sun spots, has given rise to renewed speculation upon the presumptive relation between the two phenomena, and upon the influence, other than mechanical, of the sun upon human life. It is one of the commonplaces of science that we receive light, heat and power from the sun. But we have now come to realize that solar radiation is much more than mere illumination, and that the much-ridiculed "blue glass" fad of a generation ago was in fact the adumbration of great scientific truths. Every photographer knows the striking difference between red rays and blue rays, in their effect upon various chemicals, and physiologists and therapists are now pretty well agreed that certain rays, notably violet and ultra-violet, have

specific effects upon the nerves and other tissues and organs of the human body. It is rational to suppose, then, that the occurrence of the stupendous phenomena known as sun spots, by materially changing the composition of sunlight and increasing the component proportion of certain actinic or other rays, may powerfully affect human health and life; and that thus instead of being merely the mechanical source of light, heat and power, the sun may be the source of vital influences, making for physical life or death, and even of influences profoundly affecting the mental and moral activities of man. It was not through mere chance and guess-work that "solar myths" were made the basis of so many religious systems and beliefs in ancient times.

No appointment to the Governorship of the Philippines would have commanded or deserved more general or more unqualified approval than that of General Leonard Wood, who in that place will have an opportunity to do a work comparable at once in difficulty and in importance with that which he so successfully performed twenty years ago in Cuba. It will, however, in an essential respect differ from that earlier work, and will resemble rather the doings of Lord Durham in Canada and Lord Cromer in Egypt, with which his Cuban labors have often been compared, not to his discredit. He went to Cuba to prepare that island for the independence which had been irrevocably pledged to it in the very act of war which set it free from Spain. He will go to the Philippines to govern lands to which in that same act of war no promise of independence was made, but which were on the contrary understood to be perpetually brought under the possession and sovereignty of the United States. The same wise, firm, sympathetic statesmanship which triumphed in the one case may well prove equally successful in the other.

The long notorious and unfragrant case of Bergdoll the slacker reveals new elements of the sordid and humiliating at every new step. The worst of it, as revealed by the report of the Congressional investigation, is not that American citizenry should have comprised such a creature as Bergdoll himself, but that a former Acting Judge-Advocate-General and two Colonels of the United

States Army should be not only suspected but officially charged with conspiracy to aid and abet him in his disgraceful crime. It is a reminder that a service generally so true and noble is after all composed of common mortals, not always exempt from the turpitude of an Arnold or a Wilkinson.

The ill fortune which attended the first appearance in this country of the French lawn tennis champion, Mlle. Lenglen, was of course most unwelcome to her countrymen, and has provoked comment upon the extraordinary series of defeats which French contestants have this year suffered. It is recalled that the grand prizes of horse-racing and of motor-cycle racing were won by Britons, that a Belgian bicyclist won the Tour de France, that an Italian won the swimming championship on the Seine, and that Americans won in rifle shooting, in the dog show, and in the prize fight, preceding this latest victory in the tennis courts. Yet is France not without consolation. At least she won the Verdun Handicap and the Grand Prix of the Marne.

The movement for a radical revision of the British House of Lords is again to the fore, with a prospect that presently that historic Chamber, to which the Anglo-Saxon world on both sides of the Atlantic owes Magna Charta, will be transformed from an hereditary to an elective basis. The important point in the whole matter is, however, not so much the constitution of the House as the fact that a Second Chamber is to be retained. Indeed, the logic of the change will be that the House of Lords will be confirmed in its status with increased authority. That, from the American and democratic point of view, is sound policy. We have recently had in our own political history an impressive example of the value of a Second Chamber in the National Legislature, and the need and value of such a body are no less in the United Kingdom than in the United States. Never, indeed, was the need of it there greater than at the present time, and never, happily, were the character and ability of that Chamber of the British Parliament higher than at the present time. Indeed, considering the large proportion of its members who have been appointed to it for sheer merit, regardless of birth or wealth, we

may question whether there is another legislative body in the world quite comparable with it; or at least comparable with what it may become through a judicious winnowing of its membership.

The application of our new law for the restriction of immigration has provided another strong argument for the transfer to the other side of the ocean of a large part of the work of the Immigration Bureau. It has long seemed desirable, for many reasons, that the examination of would-be immigrants, as to their physical, mental and moral fitness, should be conducted at the ports of embarkation, rather than at those of entry to this country. It is obvious that in many respects such examination would be more easy and at the same time more effective there than here. Now it also seems desirable that the restriction of numbers should be applied over there rather than here. Recently it was announced that several hundred aliens who had arrived at New York might be forbidden to land, and be sent back to Europe, for the reason that the legal quota of immigrants from their countries had already been filled for the current month. It seems to be a clumsy, costly and unjust system, to let aliens flock hither, only to be turned back again, either because of unfitness or because there are too many of them. It would be cheaper and better for us, and very much better for them, to have them stopped at the ports of embarkation.

The new revenue bill adopted by the House of Representatives is expected to decrease the burden of taxation by about \$800,000,000, to shift much of the remaining burden so as to make it easier to bear, and to provide a revenue of \$3,200,000,000. Such a measure is stupendous; almost comparable with those of our late allies in the Great War. Its satisfactory working and its fulfilment of its expectations must of course be earnestly desired. Unfortunately it is not free from imputations of having in part been inspired by political rather than by purely economic considerations. For some of these there may be some foundation. It would be a miracle if so elaborate a measure, prepared by a political body, were entirely free from such reproach. But it is probable that it is or will be charged with far more political bias than

it really contains. When a writer of national prominence in one of the most widely circulated of periodicals makes the unqualified assertion that all tariff laws are necessarily political and not economic, we need not be surprised at any other stupid brutality of partisan criticism.

The one hundred and fiftieth anniversary of the birth of Scott has provoked not a little discussion of his merits as a novelist, or as a writer of historical romances; and has elicited from various criticasters a flood of flippant flings at the "Great Wizard of the North." It is recalled, too, that Mark Twain, who was assuredly no mere criticaster, in one of his ebullient fantasies suggested that Scott wrote no English that was not slovenly, involved, poor, thin or commonplace, that he showed no real fire, that he had no heroes and heroines who were not cads and "caddesses", that it was "impossible to feel an interest in these bloodless shams, these milk-and-water humbugs", and that no one could now read him and keep respect for him—which for all the world reminds us of Swinburne on Byron, or of G. B. Shaw on Shakespeare. The fact stands, however, that several of Scott's novels rank to-day, as indeed they always have, in the very forefront of the "best sellers", and that many of his characters and incidents have become a part of the intellectual furniture of the race.

The Joint International Commission on the St. Lawrence River improvement scheme reports that at a cost of \$252,000,000 a thirty-foot ship channel can be constructed from the Great Lakes to the Atlantic, from the dams along which 1,464,000 horse power of electrical energy can be developed. Much opposition to the scheme has been aroused and expressed, however, on the ground that such a waterway would divert traffic from the Erie Canal, from the port of New York, and from other ports on our North Atlantic coast. It is possible that it would have such effect. But the proper and most effective opposition to it would be expressed not in mere words but in the enlargement of the Erie Canal to similar proportions and the development along it of a similar volume of energy. It would be discreditable in the extreme, to our own business acumen, for us to refuse to go into

the international project, and yet neglect to execute a similar project of our own, and incidentally to let a million horse-power run to waste while we are burning millions of tons of coal to do work which would actually be better done by waterpower.

Mr. Hoover's insistence upon his own conditions under which aid would be sent to the starving Russians, has happily been quite inflexible, as it had need to be. It is one of the most damning indictments of the Soviet system that, having consciously and unquestionably brought upon Russia the most appalling economic disaster in the history of the world, it strove to prevent the giving of relief to the millions threatened with death, unless it were permitted to pervert the beneficent act into propaganda for bolstering up the infamous system which was the cause of all the trouble. History records no more inhuman proposal than that the relief sent to the starving Russians should be distributed on political lines, given to Bolsheviks and withheld from anti-Bolsheviks; unless it was that the food should be given to the strong and well, and withheld from the weak and sick, who should be left to perish as not worth saving. There is encouraging ground for hope that the catastrophe which has befallen Russia will prove to be the inevitable Nemesis of those who have precipitated it, and that with the relief of the famine Sovietism will be overthrown.

## NEW BOOKS REVIEWED

CLERAMBAULT. By Romain Rolland. Translated by Katharine Miller. New York: Henry Holt and Company.

To Romain Rolland, the inflamed patriotism caused, in France and elsewhere, by the Great War is nothing more or less than a terrifying symptom of the submergence of the individual in the herd. Under the influence of the herd spirit, primitive passions take on a false spirituality which leads men to their destruction through a fanatical heroism. In his own poignant fashion, the author describes the inner experiences of Clerambault, idealist, humanitarian, poet, who is swept away in the current of popular hatred of the common enemy, Germany. Clerambault's warlike mood is, however, merely one of the ever-recurring efforts of human nature to escape from its difficulties and limitations by letting itself go in some direction. "This affectionate, tender-hearted man hated, loved to hate." Apparently unable, like so many of us, to face facts dispassionately, and to act or think vigorously without the stimulus of emotion, he could not find a way of resisting brutality without becoming (mentally) brutalized. It is a sad fact that we cannot have fighting—even in a just cause—without hatred. "His intelligence, which had always been thoroughly straightforward, tried now to trick itself secretly, to justify its instincts of hatred by inverted reasoning. He learned to be passionately unjust and false, for he wanted to persuade himself that he could accept the fact of war, and participate in it, without renouncing his pacifism of yesterday, his humanitarianism of the day before, and his constant optimism." All this was the insidious and poisonous effect of the prevalent crowd spirit.

Clerambault, in this aspect, is surely pitiable enough, and it cannot be doubted that the general inference which the author means to have us draw from his plight is correct. The worship of a community is just a perversion of religion, to which certain minds turn in despair of finding God. The community is at least a living reality! But the community is worshipful only when it is right, and it is right only when it embodies the will of God. The community is obviously not the final reality, and the final reality is what we must worship if we worship anything. In this day of mingled realism and humanitarianism, it does not seem in the least clear to many persons that altruism without spirituality is an idle and insipid thing, and that the deification of a half-spiritual, half "real" thing like a nation, a cause, or a society, is a dangerous folly.

At least two profoundly ethical thinkers, while in a measure recognizing and patronizing the popular desire to find God or the Kingdom of Heaven in the

community, have attempted to spiritualize the community-concept. In order to justify his ideal of the "Beloved Community," Josiah Royce was constrained to attempt an interpretation of all reality in terms of some sort of social relationship. Felix Adler, in his system of ethics, makes the *interdependence* of souls the basis of right action. Both these conceptions get rid of the notion of a personal God and substitute a relationship between personalities. Whether either is finally more intelligible than the older religious "mythology," is questionable; but both are comparatively safe, because they recognize a spiritual element in human life. Not so the creeds and social theories which in some form or other idolize the group. Group mysticism as applied to government is obviously dangerous, and, curiously enough, it appears to have misled even those more or less cloistered thinkers who have insisted on finding the origin of poetic inspiration in the "festive throng."

But is individualism (on the other hand) anything more than an extreme protest against the herd instinct? Is it not clear that individualism, even the most sincere and disinterested individualism, may be baneful? The way of salvation discovered by Clerambault is the way of the individual conscience—the way of the Puritans. But, according to the Puritans, conscience was a sure guide to the will of God, and the sole interpreter of the will of God was the conscientious mind of the individual Puritan. The results were not altogether happy. Clerambault's way is different, inasmuch as in temperament he is by no means Puritanical; but his principle is the same. He finds "freedom"—that great good—in preaching his courageous, sincere, pathetic pacifism, and he is made a martyr to his convictions.

May one have the hardihood to question, with Mark Twain, whether what we call conscience is a really comprehensive guide? What conscience says has to be filtered through the mind, and the mind is fallible. This is true of conscience in the most abstract sense of the word. What we *mean* by conscience may often be merely the demand to know what is absolutely right in order that we may be quite happy. Thus Clerambault seems never to doubt that there must, in the nature of things, be some course of action which will enable him to be at peace and to think well of himself in the midst of the most trying situations, the most heart-rending perplexities. Naturally he assumes that felicity is to be found through expressing and acting out his sincerest beliefs—those beliefs which it is most painful for him to check.

It may be suggested, nevertheless, that every person, however conscientious, is responsible for his own thinking. Sincerity does not excuse loose thinking except upon the assumption that a person does not know his thinking to be bad and cannot make it better. Whether this assumption is ever justified is doubtful. Conscientious behavior may not always make a man happy, but at least it saves him from the worst unhappiness and keeps fresh within him the hope of final happiness. Just so, conscientious thinking may not result in conclusions the rightness of which satisfies the soul, but it can preserve us from the worst errors even if the resulting action be tame and unheroic or merely

conventional. One cannot help thinking that it may be only a higher kind of selfishness to want to feel "free" or "saved" or wholly at peace in a wicked world. It is a commonplace that the sincere fanatic may be more dangerous than the knave, and it remains true, as Socrates said, that the wisest man is he who knows that he knows nothing.

But it is not only the herd-spirit that M. Rolland dislikes. A grave danger, he thinks, lurks in our worship of abstract ideas. "Humanity does not dare to massacre itself from interested motives. It is not proud of its interests, but it does pride itself upon its ideas, which are a thousand times more deadly. Man sees his own superiority in his ideas, and will fight for them; but herein I perceive his folly, for this warlike idealism is a disease peculiar to him, and its effects are similar to those of alcoholism; they add enormously to wickedness and criminality. This sort of intoxication deteriorates the brain, filling it with hallucinations, to which the living are sacrificed."

Very true, if we mean by *justice*, for example, something absolute—"Justice" with a capital letter. It is true that the question, What is just? does not always answer itself; that the pursuit of the absolute ideal of justice may result in a kind of fanaticism—an unwillingness to compromise, even in the smallest particular, which is sometimes as deadly as hypocrisy. But does this show that *relative* justice is not to be maintained? Does it show, for example, that France ought to have submitted to German aggression?

It seems scarcely credible that M. Rolland's eloquent and searching study of the human heart in war-time is intended as an attack upon so vulnerable an idol as Militarism or Jingoism. If it has any larger significance, it is as a defence of pacifism. In this view, one cannot acquit M. Rolland of over-emphasizing half truths. This does not alter the fact that, as a novelist, he has depicted an individual soul struggle with a sympathy and with a ruthless penetration that hardly another modern writer could match. Who but Romain Rolland could have brought to light so gently yet so unsparingly the pitiable truth about those who, having given son or husband or brother to their country, cannot bear to have the idol of Country scratched, lest the sacrifice of their loved ones should seem to have been in vain? On the whole there is more real heart-stuff if not more mind-stuff in M. Rolland's book than in *Mr. Britling Sees it Through*.

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MEN AND MANNER IN PARLIAMENT. By Sir Henry Lucy. New York: E. P. Dutton and Company.

It is a noteworthy and pleasing circumstance, of which both author and publisher naturally make much, that Sir Henry Lucy's comments on men in Parliament, originally published nearly half a century ago, gave Woodrow Wilson, then a student in Princeton University, his "first serious stimulus to political thought and investigation." This statement may, however, prove a trifle misleading so far as the generality of readers are concerned. One can

conceive that a mind predestined for politics might absorb with avidity Sir Henry's Parliamentary personalities, finding in their very atmosphere a subtle stimulus. But when we are told that Sir Henry's resurrected book influenced Woodrow Wilson, we naturally think of Wilson the historian, Wilson the President, Wilson the defender of the League of Nations. Such a man, one supposes, would have been most affected by profound discussions of political philosophy; and the point is that this is just what Sir Henry's book is not. The title is accurately descriptive. It is not a discussion of principles, measures, or methods, but purely of men and manners.

Really, the book is not even, as one might suppose from a superficial description, a series of character studies. It is both less and more than this. Its unusual value lies in this: that it is in its final effect a portrait of Parliament rather than of men in Parliament. Its interest lies in the true Parliamentary and political flavor of the scenes and persons it portrays: the zest of the game is in it, and it is written by a connoisseur of things Parliamentary.

Those parts of the book which deal with Gladstone and Disraeli are in a broader sense critical and, if you please, instructive. But it is not here that the real charm lies. Does one weary of the rather slap-dash satirical style in which so many of these sketches are written? Not at all, for it is refreshing and doubtless it is good for the soul to get rid of the idea that political acts are, to quote Colonel Higginson, performed by a number of "dignified machines." Is one disappointed because a good deal of space is given to the analysis of men who in process of time have come to seem, relatively speaking, nobodies? By no means; for political types endure, and it is both gratifying and profitable to know that a man may be quite an egregious ass and a queer stick in several respects and yet at the same time be a respectable character and a useful member of society, as usefulness goes in this world of ours.

But as a result of these frank and unconventional sketches is not one unpleasantly disillusioned about the real character of Parliament and similar deliberative assemblies? It is true that Parliament, as Sir Henry describes it, appears to be made up largely of men seeking to make an impression, of men having an exaggerated self-esteem, of men possessed by fixed ideas. It is also true that the leading characteristic of Parliament as a whole would seem to be its extreme sensitiveness to boredom. But, no; one is not unpleasantly disillusioned. Sir Henry's observations are shrewd and apparently just—true at any rate to human nature. The real Parliament, as he shows it, is ever so much more stimulating a place than any ideal or Utopian assembly. It is a place in which men are tested, find themselves, appear finally in their true colors. It thus has the same sort of interest for us that life has. It is a place where personality counts, and by personality one means the whole man, his physique, his manners, his brains, and his morals. From the standpoint of historical study or literary pleasure it may be difficult to discover a pretext for finding Sir Henry's volume delightful and instructive, but delightful and instructive, too, it will undoubtedly prove to many readers.

WHAT REALLY HAPPENED AT PARIS. Edited by Edward Mandell House, United States Commissioner Plenipotentiary, and Charles Seymour, Litt.D., Professor of History in Yale University. New York: Charles Scribner's Sons.

"We may take the partisan view," writes Isaiah Bowman, in his chapter on Constantinople and the Balkans, "that idealism faded and died, or we may take the view that here and there something was accomplished that was far better than the world had known hitherto." Perhaps the two views are not mutually exclusive. At Paris there was, it is generally felt, a shocking breakdown of idealism, and the world has not altogether recovered from the shock. But what was accomplished may prove of value. The latter, of course, is the view of the highly qualified experts who have contributed to the book, *What Really Happened at Paris*.

These writers naturally emphasize the difficulties inherent in the whole situation. In the opinion of the competent military authorities, it would have been unsafe to postpone the armistice. For all anyone knew in November, 1918, Germany might have held out for months, and continuance of the war might have meant a political revolution in every one of the Allied countries except the United States. The basis of the Peace was therefore virtually what it had to be. When the negotiations began, "each little country that had associated itself with the Allies against the Central Powers, demanded a place for its representatives in a scene adequate in dignity and impressiveness to the World War." Something had to be done for show and for the satisfaction of public opinion. But obviously business could not well be transacted in a huge debating society, and so the Council of Ten was inevitable. Inevitably, too, the Council of Ten was virtually shelved and replaced by the Council of Four. Japan, on account of its practical political importance, had to be given recognition while other Powers were denied it—there was no other way. When the actual question of boundaries came up for discussion, it was found practically impossible to draw these on truly national lines. What are national lines? Political considerations had to weigh with the leaders who necessarily decided the major questions. They decided them in secret, for "an attempt to realize at this time the ideal of 'open covenants openly arrived at' might readily have started another war, and would certainly have delayed interminably the agreement on terms of peace." Secret treaties stood in the way of ideally just solutions, yet something was accomplished in spite of them, largely through the work of President Wilson. All in all, it proved virtually impossible "to make a clear-cut distinction between what is right from the standpoint of ethnography, nationalistic sentiment, and abstract justice, and what is fair from the standpoint of economic advantage." As a result there were arbitrary decisions and unsatisfactory compromises—no end of them.

But it is unfair to suppose that no question was thoroughly sifted. The numerous special commissions of well-trusted experts labored hard, and much of their thought was embodied fully in the treaty. In dealing with this phase of the story, the authors have shown excellent good sense, and they have pro-

duced a book that is informing, non-controversial, and well proportioned. They have told enough to convince, enough to disillusion, not enough to confuse. As might be expected, they stress the thought that under the circumstances no inconsiderable results were accomplished. If there is on the part of experts actually engaged in the work of peace-making a certain disposition to see results as large because their labors were large, nothing of this appears in their statements of facts.

It cannot be said that *What Really Happened at Paris* is an optimistic book. It is simply a statement of facts, embodying a common-sense view of the treaty. It is not an enlightening book in the sense that it anticipates or tries to anticipate the verdicts of history. There is in it no criticism of peoples, very little criticism of the leaders. All this is as it should be, for it enables the book to perform its true function—not that of enabling the man in the street to make head or tail of the peace problems, for that neither he nor his intellectual superiors can really do, but that of steadying public opinion and abashing hasty and over-confident criticism. Sometime, we feel, we must have the whole philosophy of the Peace—not yet. Meanwhile *What Really Happened at Paris* is perhaps as good a book as could be written on the subject. The names of its authors—including such names as Hoover, Lamont, Scott, Young, Mayo, and Bliss—are guarantees of knowledge, honesty, and sanity.

## LETTERS TO THE EDITOR

### M. BRIAND AND FREEMASONS

SIR:

In the September issue of *THE NORTH AMERICAN REVIEW* Stéphane Lauzanne writes: "There is something unheard of for a Government, composed sometimes of atheists or freemasons, to decide whether the merits of a priest do or do not fit him to become a bishop."

The impression conveyed by this sentence is as misleading as it is untrue. No atheist can be a freemason, and history does not furnish an instance when freemasons have ever attempted or desired "to decide whether the merits of a priest do or do not fit him to become a bishop." Freemasonry is too big a thing to concern itself with the promotions of politicians and ecclesiastics.

F. A. HALLENBECK.

Norfolk, Virginia.

[It is quite inconceivable that either M. Briand, who made the remark quoted, or M. Lauzanne, who reported it, or yet this *REVIEW*, which published it, had any thought of conveying the impression which our correspondent has strangely derived from it. Atheists and freemasons were mentioned not for identification with each other, but for contrast, as representing two opposite extremes of non-Catholicism. Precisely so in the very next sentence M. Briand spoke of "a Protestant or a freethinker," with no thought of suggesting that the two are the same. If we spoke of "summer or winter," would our correspondent think that we meant that they were one and the same season? —EDITOR.]

### CANADA'S IMMIGRATION POLICY

SIR:

Mr. Hall's article in a recent number of the *REVIEW* will, I am sure, appeal to Canadians who are interested in the building up of their own country, one of the most important and vital factors of which is a sane immigration policy. You have your difficulties in this connection, as we in Canada have ours. As Mr. Hall points out, for years your flow of immigration was stimulated by the steamship companies. Nevertheless the immigrants were quite anxious to be so influenced, and gladly availed themselves of the opportunity which was provided by these companies. These latter only thought, and do so still, in terms of dollars and cents.

The same policy was adopted for a number of years by this country, and a

concern was paid \$5 a head for all immigrants. Our population was increased, and the party in power boasted of it. Unfortunately there arose problems that could not be settled in a moment, and these demonstrated the necessity of exercising discrimination, in allowing the entry of those who wish to settle here.

Within the past two or three years, our Immigration Department has formulated what might be termed a "policy." There are no hard and fast rules, and a great deal is left to the discretion of the Minister and his staff of advisers and assistants. While the acts relating to immigration in both countries have certain common features, the form of government does of course influence the nature of the legislation. Our act is by no means as voluminous as yours. Yet it contains all that is required for an effective administration of the law. There is one provision which invests the responsible Minister with very large powers. This is Section 38, in virtue of which what is known as "Orders in Council" may be issued, which are nothing more or less than extra-parliamentary legislation. For instance, an Order in Council was issued on November 29, 1920, whereby immigrants of the mechanic, artisan and labor classes, skilled or unskilled, were compelled to be in possession of \$250 each as a condition of landing in Canada. Under ordinary circumstances, the amount required was only \$25 during the summer months, and \$50 during the winter months. Unemployment still being prevalent, this Order was on March 19 of this year continued indefinitely.

A very rigid discrimination is at present being exercised by the Immigration Department of this country. I think that the average Canadian would agree with Mr. Hall in his statement, that due allowance must be made for racial differences. Both the United States and Canada must endeavor, in pursuance of a sound immigration policy, to admit or give the preference to the races that will rapidly assimilate and become part of their respective peoples. The recent war demonstrated in Canada, at any rate, that those who jumped to its defense were men of the same stock who built up and made the United States what it is to-day.

One of the greatest perils confronting the United States, and Canada for that matter, is in the segregation of the foreign elements, that become the prey of the agitators and the unscrupulous politicians. These little colonies become hot-beds of sedition and discontent. It is impossible for those who belong to such groups or colonies properly to appreciate democratic institutions.

From what I have personally heard and seen of the enforcement of our own immigration laws, I have come to the conclusion that it depends not so much upon the law itself, as the tact, ability, patriotism and discretion of those who administer it. Canada is fortunate in having an immigration staff that possesses all these qualifications. The whole question of immigration was recently debated at great length in the House of Commons, and the Act was amended in several particulars, but its general principle remained untouched. Notwithstanding the criticisms directed at the Department, it came out with

flying colors, and will continue the work it has done, which in the language of an American official is to hand-pick its immigrants.

BERNARD ROSE.

Montreal, Canada.

### TRADE REPRESENTATIVES IN GOVERNMENT

SIR:

Mr. George Sabine's recent article on "What is the Matter with Representative Government?" develops his thesis thoroughly, but fails of remedial suggestion.

This same subject has provided me many an hour's thought and the best answer I have found is to legalize this lobby form of government by creating a body composed of men frankly representing the trades. In this way our representatives would actually get some idea of the desirability or effect of proposed legislation.

I believe also that such a body could go a long way toward industrial peace. At first it would be best if such a body had no voting power. When I speak of representatives of the trades, I mean all in each trade, employers and employees.

H. L. HEPBURN.

Bloomfield, New Jersey.

### THE COURT AND THE PEOPLE

SIR:

In the September issue of *THE NORTH AMERICAN REVIEW*, in an editorial relating to the appointment of Ex-President Taft as Chief Justice of the Supreme Court, occur these words at the close: . . . "Yet we can recall no other Chief Justice who was so likely to apply the rules of reason and common sense to questions of legal interpretation, or to take into account the intent and the desires of the people."

*THE NORTH AMERICAN REVIEW* is a great magazine, and justly wields a wide influence, and it is unfortunate that it should by inference promulgate the doctrine that the Supreme Court, or its Chief Justice, could be influenced in the decision of a legal question by the "intent and the desires of the people." I am willing to admit that Justices of the Supreme Court may, and not infrequently do, in judicial decisions, take into account the intent of the law-making body; but it cannot be too often, nor too emphatically, declared, that in our system of government the "people" are not a law-making body.

When I write the word "people" I, of course, refer to the "people" of the United States.

In some states—Oklahoma for instance—the people have partial law-making power, by process of initiation, but the people of the United States have never asserted such power.

The first Article of our Constitution recites that "All legislative powers herein granted shall be vested in a Congress," etc. These legislative powers of the Congress have at various times been enlarged, but never resumed by the people. So, it can be distinctly and definitely declared that the people of the United States have no law-making power of which the Supreme Court can take judicial notice.

I take it to be a fair presumption, from all the evidence at hand, that the makers of the Constitution in creating a Supreme Court intended placing it in an atmosphere beyond the reach of the waves of public sentiment, or public opinion, if you please.

If not, why were its judges to be appointed by the President and fortified by the advice and consent of the Senate? Why was the tenure of office to continue during the life of the incumbent? All of these things point to a court of law, divorced wholly and entirely from the ever changing currents of public opinion. Our Supreme Court, like Caesar's wife, must forever be beyond suspicion.

H. L. TRISLER.

Oklahoma City, Oklahoma.

[We might take issue with our correspondent as to the law-making powers of the people of the United States. The Constitution was certainly "ordained and established" by them. Its very first Article and first Section, as quoted by our correspondent, is a grant of legislative powers by and from the people to the Congress. But it is not an omnibus grant of all conceivable or of all existing legislative powers, but only of certain specified powers. Obviously, all other legislative powers must have been retained by and must still be retained by the people.

The point of our paragraph was, however, that Chief Justice Taft was likely to be influenced in the making of interpretation not entirely by the apparent prescriptions of statute law but largely by broad and fundamental principles of equity—to regard the spirit as well as the letter of the law.—EDITOR.]