

vented and shaped the character in the writing of the play, with collaboration in other parts and in the construction. There have been, we believe, some attempts to produce the play without Frank Bacon in the cast, but it would be an extremely good imitator that could satisfy any one who had enjoyed Bacon's slow drawl, dry humor, cheery optimism, gentle friendliness, and altogether lovable personality. One feels sure that these were qualities of the man as well as of the actor—and those who knew him confirm the impression. His great success followed forty years of hard work as actor and manager. Few actors of our time have given such pleasure to so large a number of people.

ROBIN PLUS DOUGLAS

THERE is always romance in Robin Hood, whether we find him in the old ballads, or Sir Walter's "Ivanhoe," or in the well-known comic opera, or in the remarkable moving picture now being enjoyed by countless thousands. As Douglas Fairbanks plays the rôle, he is part Robin, part Puck, and part "Doug." Robin as thus shown does not quite correspond to the excellent description of him written long since as "the ideal outlaw, courteous, liberal, and reverent." Even in the first part, where Mr. Fairbanks is the chivalrous Earl of Huntington and his agility is for the most part kept under the restraint suited to a champion of the tournament, antics are introduced that are hardly knightly, and this peer of the realm is made to act as if he had never seen a gentle lady before in his life. When he becomes Robin Hood in the forest, he does not act the part; he skips, runs, and jumps it, and always with the engaging grin that gains the affection even of critics. For the skilled and careful work of the actor who lives his part we must look in this film play to Mr. Wallace Beery, who plays the part of Richard the Lion-Hearted, and to Mr. De Grasse, the villainous Prince John. But Douglas is Douglas, and no one at heart wants him to be a great actor.

Dramatically speaking, the play has been constructed with skill; its action carries on; plot and continuity hang together; the spectator does not become listless or uninterested—quite the contrary.

As a brilliant spectacle and as an elaborate attempt to picture twelfth-century people, their costumes, customs, wars, weapons, castles, huts, wealth, poverty, tragedy, and jollity, "Robin Hood" is truly remarkable. The attention to detail is as noteworthy as the setting and the mass movements of soldiers, knights, horses, and crowds. The action is so rapid (often decidedly too

rapid) that one really needs to see the play a second time to recognize in full the interest of the details and to appreciate the magnitude of the care and thought that have been given to the production and the designing of this ambitious and almost stupendous drama.

THE SUPREME COURT AND THE JAPANESE QUESTION

THE opinions recently delivered by the United States Supreme Court through Mr. Justice Sutherland in connection with the question as to whether Japanese aliens in this country may have a right to naturalization have a wide bearing on racial as well as legal questions.

There were two cases, but both practically rested on the same questions. We will briefly state the facts in one case. A young Japanese living in Hawaii applied to the United States District Court for that Territory in 1914 for citizenship in the United States. It is interesting to recall what we said at the time, that this man, by name Takao Ozawa, was so well thought of by the white people in Hawaii that many white professional men and business men contributed to a fund to provide expense money for the testing of his right to naturalization. Ozawa was born in Japan, brought to this country as a boy, lived here twenty years, was a graduate of a California high school, and had three years in the University of California. He was married, his children went to American schools, his family attended American churches, and they all spoke English perfectly. The present decision specifically says, "That he was well qualified by character and education for citizenship is conceded."

The Federal District Court of Hawaii denied his petition, holding that as one born in Japan and being of the Japanese race he was not eligible to naturalization. An appeal was made to a Circuit Court of Appeals. That Court took a course quite correct, although not, we think, very common; that is, it certified three questions, which it sent to the United States Supreme Court, requesting instruction. The present decisions form the reply. The Court, so to speak, boiled down the three questions into two. The first was whether the Naturalization Act (1906) was limited by a certain statute published later. The Court makes it perfectly plain that it is so limited, and it is not necessary here to give the technical reasons. The second question is, in effect, whether Ozawa, the appellant in the principal case, is eligible to naturali-

zation under the Naturalization Act so limited. This the Supreme Court decided in the negative.

As the law stands, the naturalization of aliens is limited to "free white persons and to aliens of African nativity and to persons of African descent." The word "free" has now no significance, as there are no slave whites, and the Court holds that the word "free" means non-slave. Therefore, as regards aliens other than Africans, the whole question is what the word "white" means.

The Supreme Court holds that the words "white person" are synonymous with the words "a person of the Caucasian race." This makes the test in any individual case racial. The Court cites many decisions in former cases to the effect that the words "import a racial and not an individual test" and it agrees with the view as fortified by reason and authority. It points out that a color test is quite impracticable.

Having reached this point, the natural expectation of the reader of the decision is that the Court will proceed to define what is meant by the words "a person of the Caucasian race." It does not, however, find it necessary to do that, because the cases before it were of men belonging to a race admitted to be not Caucasian. The Court does, however, go so far as to recognize that the words indicate "a zone of more or less debatable ground outside of which, upon the one hand, are those clearly eligible, and outside of which, upon the other hand, are those clearly ineligible for citizenship."

Our friends in Japan should bear in mind two things about this decision. One is that the highest American Court is here not establishing a new policy but simply interpreting and applying the existing law. The other is that neither the opinion of the Court nor the law which it interprets implies any idea of racial inferiority or superiority.

The law which the Court interprets is in substance nearly as old as the United States itself. Originally it confined naturalization to free white persons. Eighty years later the statute was changed to permit the naturalization of people of African descent. It is obvious, therefore, that the application of this law to the Japanese is simply carrying out a long-established National policy. It is obvious too that the very phraseology of the law forbids the thought that the naturalization of aliens is determined by a theory of Caucasian superiority, for the simple reason that Africans, who are not Caucasian, are admitted to citizenship.

The reason underlying the law as it has stood for generations on the statute-books is to be found in the feeling that

the differences between certain races are so pronounced that it is better to keep those races separated. These differences exist between the white and black races; but these races cannot be kept separate in America by any naturalization law because of the existence here as native Americans of millions of blacks. These two races, however, can be kept separate from other races by laws which will discourage, if not wholly prevent, the permanent residence here of large numbers of other races, and among these laws are of course laws regulating immigration and naturalization.

The question whether the American people will abandon their aversion to race mixture is for the present at least academic. There is no prospect of any change in their point of view on this subject. If anything appears to be certain, it is the determination of the American people to prevent the settlement here of masses of people of the yellow or the brown race. They have shown that determination by acts excluding the immigration of Asiatic peoples.

The question, however, still remains whether it is wise to exclude from citizenship those Asiatics who have been admitted. The children of these Asiatics born on American soil are American citizens by right of birth. Is it wise to have these American citizens brought up by parents who can never hope to be Americans themselves and who are forced to have, therefore, an alien loyalty? Is it wise, moreover, to have communities composed of people whom the law treats as hopelessly foreign? It is one thing to undertake to keep out those whom the Nation feels it cannot assimilate in mass; it is quite another thing to undertake to render those whom the Nation admits unassimilable.

The law is now unmistakable in excluding Japanese from naturalization. If there is to be any change, it will have to be made by Congress.

Fortunately, it does not appear that this question, so far as the Japanese are concerned, is likely in the near future to prove perplexing. If, as the Federal Government assumes, the "Gentlemen's Agreement" reinforced by the present Immigration Law is preventing the incoming of Japanese as permanent residents, the question of the citizenship of those who are here will in the course of a generation or so gradually settle itself. Children born in this country will automatically be citizens, and when the older generation passes the people here of Japanese origin will have no occasion to apply for citizenship papers. Japan as a nation can have no interest in the naturalization question, for she can hardly with reason urge the aliena-

tion of her own subjects. Moreover, Japan herself makes the naturalization of foreigners in Japan very difficult. The question is complicated by the problem of dual allegiance, on the principle established and observed that "once a Japanese is always a Japanese."

The United States and Japan can respect each other in no better way than by each respecting the other's rights to define its own citizenship.

THE GREAT FAILURE OF LA FOLLETTE

ROBERT MARION LA FOLLETTE is generally accepted as a leader among liberals. He would be so classed in any country. It is as a liberal that he has impressed his own State of Wisconsin. He more than any other individual is regarded as responsible for the body of legislation in which Wisconsin has been in advance of many, if not most, of the other States of the Union. It is as a liberal that he has impressed the Senate. Indeed, there he is regarded as among the most extreme of the liberals.

If liberalism is defined, as it has been in a book by one of the most self-conscious liberals, Harold Stearns, as "hatred of compulsion," Mr. La Follette can hardly be regarded as any more liberal than others who affect to believe in liberalism; for among the doctrines which La Follette advocates are few which do not involve the exercise of governmental compulsion, and particularly the compulsive power of taxation.

It is the authority to be exercised by Mr. La Follette in the Senate by virtue of his position on committees dealing with taxation and finance, as described by Mr. Barry in an article on another page of this issue, which gives the more conservative Senators concern.

If Mr. La Follette were simply a radical leader as pictured by Mr. Barry, conservatives as well as liberals might welcome his rise to new power. America needs spokesmen for radical opinion as well as conservative; perhaps it needs radical leaders more than conservative leaders because of the natural conservatism of the people and of their institutions. Mr. La Follette, however, has never commanded the confidence or secured the support of the great mass of progressive citizens.

The reason is not because these people of naturally liberal mind differ with Mr. La Follette in opinion; it is because they distrust his judgment and understanding.

For the distrust of Mr. La Follette which has persisted for many years he himself has given good cause. And in no time of his career did he furnish

more occasion for such distrust than in the period of National crisis preceding and during the war.

It is said on Mr. La Follette's behalf that his course was directed by his conscience. If Mr. La Follette followed his conscience when he denounced, not the men who blew up the Lusitania, but the people who were blown up; if he followed his conscience when he used his influence to weaken resistance to the aggressive designs of Germany; if he followed his conscience when he permitted appeals to an American electorate to be made on the ground of the interests of alien states without denouncing such appeals; if he followed his conscience when he allied himself with those in Wisconsin who have made service to the country in time of war a political liability, then Mr. La Follette's conscience is an unsafe guide.

There were Tories in the time of the Revolution who were conscientious; but the American people did not pick from among them the political leaders for the newly born Republic. There were advocates of disunion and slavery in the North during the Civil War who were conscientious, but the Nation did not pick from among them the leaders to guide it toward union and freedom. Mr. La Follette has placed himself among those who in times of National crisis have failed the Nation in true leadership because they have failed in clear vision.

POETIC PULMOTORS

A PROSPECTUS for a new poetry magazine drifted into The Outlook office the other day. The burden of its song is to be found in the following statement:

The poetry revival of recent years has done much towards stimulating an interest in the art. This interest, however, has hardly been general, for the revival, it is now evident, was chiefly among the poets and *literati*. As a result, a large number of lovers and patrons of the other arts who should have been reached (and who, it was supposed, had been reached) still remain untouched by the movement.

The analysis of the situation seems to be correct, although the remedy proposed, the establishing of another poetry magazine, hardly seems to us adequate. Poetry, by right of its origin and inheritance, deserves to be as popular and as widely appreciated as music. Indeed, it might well find a larger audience, for the printed poem can reach many places where even the phonograph record is barred because of expense.

Perhaps modern poets themselves are to be blamed somewhat for the lack of general interest in their work. Too