

The New REPUBLIC

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France's Financial Predicament .	<i>E. M. Patterson</i>
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The Week

DURING the past two weeks the administration has taken a great deal of trouble to cultivate friendly relations with the Japanese government and to discourage the noisy propaganda in this country on behalf of additional armaments, directed against Japan. Its energetic demonstrations have had a beneficial effect and have helped to relax a condition of strain which, if it had continued, might have brought unpleasant consequences. We do not for one moment believe that the anti-Japanese Americans who were demanding additional armaments were any but an insignificant proportion of the American people. The state of mind of the United States is at the present time on the whole profoundly pacific. The great majority of Americans do not believe that the way to pre-

serve peace is to act as if war were probable and desirable. But a few military and naval propagandists can with the assistance of the newspapers make a noise as loud as a great host, and unless they are blasted by a forbidding official frown they may well provoke recriminations in Japan and excite the latent truculence which forms such an essential part of our existing moral conventions. An official demonstration against the militant agitation was, consequently, highly desirable and Messrs. Coolidge and Hughes went about it in a thoroughgoing spirit and performed a workmanlike job.

THERE remains, however, much still to be done if the coöperation towards naval disarmament which was started in Washington during the fall of 1922 is to be continued. The Washington agreements constituted a tentative and unstable compromise which unless they are extended and re-enforced cannot even be preserved. They permit a resumption of the old competition in certain important types of vessels and in many of the most effective devices of naval warfare. The time is clearly coming when the revision and improvement of the agreements will demand discussion, and it will be interesting to observe whether Mr. Coolidge will rise to the occasion. If he really wishes to discredit those Americans who are fomenting ill-feeling between this country and Japan, he cannot rest content with his oral and literary attempts to keep the spirit of peace. He will have to take the poison out of their propaganda by doing away, if possible, with the expedients which naval patrioteers can still employ to scare their fellow countrymen and to foment ill-feeling.

ALTHOUGH there have been no flaws in the handling by the Administration of American diplomatic relations with Japan, as much cannot be said of its naval strategy. The proposed manœuvres of the American fleet in the Pacific during the coming spring are shrewdly calculated and no doubt intended to cultivate apprehension and suspicion in Japan and naval vaingloriousness in the United States. In the event of war with Japan the American fleet will not be strong enough to operate in Asiatic waters and the Japanese fleet will not be strong enough to operate in American waters. **The**

its unparalleled opportunities it should be the best compiled book in the world. No expenditure of brains and time and treasure would be disproportionate to secure this result. We might set some such machinery in motion as Mr. H. G. Wells advocates for the making of his proposed Bible of Civilization. It would merely mean an editorial board of two or three hundred of the most brilliant living minds, backed by a fund of thirty or forty million dollars for salaries, printing and propaganda. Bearing in mind the Wellsian warning that the fate of civilization now hangs on the issue of a race between education and catastrophe, we might see whether the most important book in the world could not be made the best book in the world.

ROBERT HAVEN SCHAUFFLER.

A COMMUNICATION

Child Labor and Liberty

SIR: Will you allow me to express my keen interest in the editorial in your issue of December 3, entitled Child Labor, the Home and Liberty, in which you do me the honor of referring to a letter of mine in the New York Times of November 18? The matter, according to your editorial, is quite simple: the proposed Twentieth Amendment does not confer any more power upon Congress than state legislatures now possess; the question, therefore, is a question not of principle but of practice and "the economics of the issue" needs only to be brought to the front in order to refute the "fat business men and windy professors" who now prate about the sacredness of the home.

Thank you for making the whole thing so perfectly plain. Even a windy professor can appreciate the succinctness and lucidity with which you write. The only trouble with your very perspicuous exposition, I am constrained to think, is that it is not true.

"Does any parent in the United States," you ask, "now enjoy discretion beyond the possibility of legislative invasion in disposing of his children's time and labor that it is assured the Child Labor Amendment would destroy?" You answer "No." But the right answer is "Yes." The parents of the United States are now protected from legislative interference by the great "bill-of-rights" provisions in the Constitution of the United States, on the basis of which the Supreme Court invalidated, for example, the Nebraska language law which made literary education a crime. But this new amendment is to form part of the very instrument which contains that bill of rights. Its passage therefore could be held to interpret authoritatively (or set aside to the extent necessary to give effect to its provisions) those previous amendments. No state legislature, for example, now has a right under the Constitution of the United States to prohibit all labor of all persons up to eighteen years of age. Congress, on the other hand, under the distinct provisions of the new amendment would have such a right.

It has been maintained, indeed, by advocates of the amendment that the courts would never interpret it to mean what it says. We regard such an assurance as exceedingly precarious; and even if it were not so precarious, we

have grave misgivings about the notion which it involves as to the function of a court.

But even if we should prove to be wrong at this point, even if it were true that the proposed amendment merely confers upon Congress powers already possessed by the state legislatures, would the question of that transfer of power be, as you represent it, a mere question of detail to be decided by "economic" considerations of efficiency? We think not. Will you permit me to observe that at this point your conception of American institutions differs fundamentally from ours. We hold that the local autonomy of the states, far from being a mere matter of expediency, is at the very foundation of our American freedom. But under the proposed amendment that local autonomy would practically be destroyed. By far the most important half of life would be placed under the control of a centralized bureaucracy . . .

But from one point of view your insistence upon the "economics" of the issue is justified. The approval of the amendment would indeed be economically a very great benefit to one class in the population—namely to the vast army of federal agents and inspectors which any exercise of the powers conferred by the amendment would require. The federal agents would be economically benefited; but American liberty and the sanctity of the American home would be gone.

Finally, may I call attention to a slight inaccuracy in your reference to my letter in The Times. You make my letter refer to a vindication of the sacredness of the home which would be accomplished if the amendment were finally rejected by the states. But what I actually referred to was the vindication which has already been given by the enormous adverse vote in Massachusetts (696,119 to 247,221). There are hardly 696,000 "windy professors" even in a state like Massachusetts, where the proportion of professors to the rest of the population is notoriously high. It is quite possible, on the contrary, that the American people is at last making its voice heard. If so, legislatures may well take heed. The voice of the people, when it is heard with the decisiveness of that Massachusetts vote, is rather a majestic thing.

J. GRESHAM MACHEN.

Princeton, N. J.

Whether or not a State law prohibiting all labor of all children under 18 would be held unconstitutional as conflicting with the implications of the "Bill of Rights" has never been determined, nor it is likely ever to be determined, by the courts. In practice, however, the states have proceeded freely to regulate, limit or prohibit child labor in such form as the legislature deems undesirable, exactly as Congress would do under the proposed amendment. The state thus invades the "sanctity of the home" in the same sense that Congress might invade it. To be logical Professor Machen and men of his way of thinking ought to agitate for an amendment prohibiting state regulation of child labor. They ought to go further and seek to destroy other powers by which the state steps between parent and child, as in compulsory education, compulsory vaccination, restrictions upon child beating, etc. Either children are the parents' private affair, or they are also the public affair of state and nation. If the latter position is accepted, it becomes, not a question of liberty versus government, but one of state versus nation, essentially a question of expediency which cannot be answered in one way in all times and conditions.—THE EDITORS.