

nasty without being cheap. Even theorists so favorable to every form of freedom as was John Stuart Mill or Grote, seemed more than half to doubt whether political liberty was not in America purchased at the price of intellectual servility or uniformity, and certainly dwelt at least as strongly on the supposed subjection of Americans to the tyranny of the majority as on their certain exemption from all the more palpable forms of despotism. The ideas of the day were summed up in the constantly expressed determination that the English Constitution should not be "Americanized," and the most telling of the taunts aimed at John Bright was that he wished to introduce into England the habits and institutions of the United States. No doubt Bright himself and the small and then unpopular party which he led eulogized transatlantic republicanism. Even his praise, however, was in one sense negative. What he admired was the absence of evils, or supposed evils, which he saw existing around him. I can still remember the fervent applause with which a meeting of sympathizers with the North hailed his description of a "country where they had no State Church, no hereditary peerage, no emperor, no king." But indomitable as was his bravery in forcing upon the minds of his countrymen the grandeur of the great republic, and keen as was his insight into the moral aspects of the life-and-death struggle between freedom and slavery, it may be doubted whether the specific institutions, the constitutional mechanism, so to speak, of the United States ever excited very keen interest in the mind of John Bright, or received from him very careful examination.

Be this as it may, Bright was in 1860 a prophet, preaching only to the people, who repelled rather than guided the sentiment of average well-to-do Englishmen. The contrast between the current opinions of 1885 and 1860 is as marked as it is striking. Radicalism, as represented by Mr. Chamberlain or Sir Charles Dilke, has ceased to occupy itself deeply with America. A nation whose habits and polity are based upon individual freedom, and whose Constitution guarantees respect for the sanctity of contracts, does not in any sense realize the ideals of statesmen who hope, rightly or not, to accomplish great things for the mass of the people by means of the intervention of the State. It is not for a moment, of course, to be denied that there are many things in American institutions—as, for example, the absence throughout the Union of any State Church, and the establishment of free schools—which command the sympathy of English Radicals. Yet a very slight knowledge of America shows that it is not the land in which Socialism can flourish, and it is not to be expected that men who uphold theories which are more or less Socialistic should look with the same partiality on the United States as was naturally displayed by reformers like Bright and Cobden, who, but for the non-recognition of free-trade doctrines, might consider the Union (when delivered from slavery) to have satisfied the aspirations of the Manchester school. If, however, the United States no longer command the exclusive affection of English Radicals, the institutions of the Union now excite something like hopeless admiration on the part of thoughtful Conservatives. Whoever doubts this should read with care Sir Henry Maine's "Popular Government." He should note, also, the letters on the English Constitution and home rule which appear in the *Times*. Any one who does this will perceive that the current of Conservative speculation has changed its direction, and he may rest well assured that politicians will sooner or later follow the guidance of thinkers. The plain truth is, that educated Englishmen are slowly learning that the American republic affords the best example of a conservative democracy; and now

that England is becoming democratic, respectable Englishmen are beginning to consider whether the Constitution of the United States may not afford means by which, under new democratic forms, may be preserved the political conservatism dear and habitual to the governing classes of England.

A person skilful in drawing out antitheses might easily pen any number of sentences pointing out, in a more or less satirical form, the apparent contradiction between the Conservative sentiment of 1860 and the Conservative sentiment of 1885. But the general course of opinion is, under all apparent inconsistencies, never really self-contradictory. It is easy enough to harmonize the dislike of Americanism which prevailed twenty-five years ago with the Americomania of the present day. As long as it seemed possible to repel the inroads of democracy, English Conservatives naturally opposed all Americanization of the Constitution. Now that a democratic form of government is all but established in England, English Conservatives as naturally turn their eyes toward the United States, to see if they can borrow from the other side of the Atlantic devices for guiding democratic progress in an orderly and conservative direction. That this is the true explanation of the care and sympathy with which the American polity is at this moment investigated by English thinkers, is clear enough to any one who notes the points in your institutions which are singled out by English writers for admiration or respect. The President, they allege, occupies a position far more independent of temporary changes in public opinion than a Prime Minister; the Senate wields powers and exercises an influence never claimed or exerted by the House of Lords. Not the most trifling article in the Constitution of the United States can be changed without the most deliberate assent and the most lengthy consideration on the part of the American people; while it is at any rate conceivable that within a month or two, without any reference to the electors of Great Britain, the English Parliament might dissolve the union with Ireland or turn the United Kingdom into something like a Federal monarchy. The question, in fact, of the day is with many Englishmen rapidly becoming whether expiring Toryism may not, by alterations of the Constitution, be changed into Democratic Conservatism.

In another letter I may attempt to give some sort of answer to this inquiry. It is well, however, before considering how far any of the specific institutions of America can be transplanted to England, to weigh carefully a consideration which often apparently escapes the attention of those who propose reforms in our Constitution. The basis of the American polity is general acquiescence in the fundamental principle of democratic government, which, turn the matter as you will, is at bottom nothing more nor less than loyal submission to the will of the majority: the essence of a democracy is the rule of numbers. This rule may be, and, as every man of common sense must confess, often is, unenlightened, dull, and (occasionally) oppressive. But no one is really a democrat who does not hold that on the whole it is best in a given state or nation that the will of the majority should be supreme. Now any man who wishes to develop democratic conservatism must honestly acquiesce in democratic government, and it is open to question whether such acquiescence exists at present among educated Englishmen. Theorists who propose constitutional innovations appear often to aim, though unconsciously, at two different objects. At one moment they propose to check or counterbalance the power possessed under the present Constitution by the majority of the electors. This would certainly appear to be one, at least, of

the ends proposed to themselves by the fanatics or enthusiasts for the representation of minorities. The end proposed may or may not be good, or may or may not be attainable. But it assuredly is an end which cannot be attained without violating the fundamental principle of democratic government. At another moment our innovators propose schemes—such, for example, as changes in the constitution of the House of Lords or as limitations on the absolute sovereignty of Parliament—of which the avowed aim is not to restrain the influence of the majority, but to insure that the will of the majority shall in reality be supreme. This end may or may not be good or attainable, but it is an end perfectly consistent with the fullest belief or acquiescence in the principles of popular government. Now one thing appears to be perfectly certain: the Constitution has become in form, at least, democratic. The majority of the electors are nominally, at any rate, sovereign. Of this power they will not suffer themselves to be deprived by the most artful combinations devised by the most ingenious of doctrinaires; or (if this be not admitted) it is at least certain that whoever attempts to diminish the power of the democracy must do so openly and by appealing to anti-democratic feelings, and a policy of which this is the object receives no countenance from the example, and can derive no benefit from the imitation, of America. It is, however, possible that the English electors may countenance changes of which the true and sole aim is to give full effect to the deliberate will of the people. In considering what changes are calculated to produce this result, instruction of all kinds may be derived from studying the Constitution of the United States. The theorist, however, or statesman who hopes to derive any practical benefit from the transference to England of the safeguards by which American statesmanship has surrounded the action of democratic government, must before all things honestly accept American belief in the rule of the majority. Anglomaniacs have before this led Continental revolutionists to erect unstable and disastrous polities, which have displayed all the forms while omitting the essential spirit of the English Constitution. There is no small risk that Americomania may produce as untoward results in England. The authority of the President, the dignity of the Senate, the limited powers of the houses of Congress, the difficulties in the way of changing constitutional laws—these and other checks placed by the founders of the Union on the hasty action of the American people excite the admiration of conservative theorists. It is not so certain that they admire or share that respect for the popular voice which, for bad or for good, constitutes the essential spirit of American republicanism.

A. V. DICEY.

Correspondence.

REMOVAL OF INDIAN AGENTS.

TO THE EDITOR OF THE NATION:

SIR: I am a sincere admirer of the fearless and uncompromising justice with which President Cleveland has publicly righted certain open wrongs perpetrated upon the Indian. I welcomed the President's inaugural declaration in respect to the Indian, and still believe that it is the expression of his honest purpose and genuine conviction. It is therefore in no partisan or fault-finding spirit that I desire to call attention to what is, in my judgment, a most grave and far-reaching error in the Indian policy of the present Administration. I refer to the sweeping changes which have been and are being made in the Indian service—the great number

of them for purely political reasons. Apart from clerical and other changes in the Indian Office at Washington, about 60 per cent. of the entire number of Indian agents have been removed by the present Administration, and their places filled chiefly, if not wholly, by men of the opposite political party. If these changes meant no more than the minor changes in other branches of the civil service, however we might regret or attack the system which induced them, we could not, perhaps, properly make them a subject of especial complaint. But under our peculiar, and in one sense critical, relations with the Indian, these changes rest upon an entirely different footing. They are not merely an unfortunate incident of the "spoils system": they are a direct and cruel mistake in the management of Indian affairs—an obstacle placed by his guardian in the hard path of the Indian's advancement.

These removals stand alone among minor changes, because an efficient Indian agent cannot be replaced as easily as an efficient clerk or accountant. The post of agent is one of singular difficulty. To fill it successfully demands a rare combination of qualities. A good agent must have firmness, courage, patience, sympathy, justice, tact; a knowledge of farming, of accounts, of the especial needs and disposition of the particular Indians committed to him. On the agent may depend not merely the order and progress of his Indians, but often the very lives and property of the adjoining whites. The loss of a capable agent whose experience has peculiarly qualified him for his work, who has won the confidence of the Indians by his personal contact with them, is an unmixed calamity. To check the advance of a tribe in the critical stage of its progress, that some place-hunter may be provided for, is indefensible from every point of view.

Let me anticipate the possible objection that these removals of agents are made for sufficient cause by one word more. While I do not doubt that in some instances this may have been the case, the facts that have come directly to my notice have served to strengthen the reasonable probability that such a general change of agents was largely uncalled for. It is impossible for me here to give instances in detail, but I could cite cases, as that of Major Gasman at Crow Creek and Sioux Brulé agencies, Dakota, where a careful examination of the facts shows conclusively that the removal was for purely political reasons. In Major Gasman's case it is likely to be as unfortunate in its results as it was unnecessary. In another case the new superintendent of an Indian school (who has since filled the places under him with members of his immediate family) announces that he came through "the mutations of politics." Without assuming that President Cleveland is the direct cause of these changes, he is certainly responsible for them. He stands before the country pledged to reform the civil service, and to pursue a just and enlightened Indian policy; in his needless removals in the Indian service he has violated the spirit of his civil-service doctrines, and has sacrificed the good of the Indians to party spirit. This is not the treatment of the Indian that "the conscience of the American people demands." HENRY S. PANCOAST.
PHILADELPHIA.

LAND COMMISSIONER SPARKS.

TO THE EDITOR OF THE NATION:

SIR: Will you allow from the Northwest a word of praise for Land Commissioner Sparks? I do not undertake to defend or condemn his course, but I do wish to state that I am firmly convinced that any Land Commissioner who does his duty faithfully, or tries to do so, will raise

the same howl that we hear against Commissioner Sparks. As I write, there are neighbors on every side of me owning Dakota lands obtained under the Preemption Law, and that without having spent a month at any one time in Dakota. The usual method is to furnish funds to some "dead beat," who complies with the requirements of the law and then transfers the title to his patron.

There may be some innocent sufferers in Dakota at the present time, but it is hard to believe that bona-fide settlers are injured to any great extent by delay in issuing patents. The "dead beat" and his patron have doubtless raised the howl. Moreover, I have lived long enough among the honest, industrious farmers of the Northwest to know that, as a rule, they do not do the howling against a man who is trying to protect them. The people have ample reason to complain, not against Land Commissioner Sparks, but against the railway monopoly which both buys and carries our grain. This complaint becomes louder and louder every year. Let me commend this just cause to the papers and disinterested citizens of the Northwest who desire to protect the farmer. FARMER.

ROCHESTER, MINN., January 12, 1886.

AMERICAN "SOVEREIGNTY."

TO THE EDITOR OF THE NATION:

SIR: In a recent review of Dicey's 'Law of the English Constitution,' you allude to a speculative question, the location of sovereignty in the United States. Permit me to say with more emphasis, what you seem to hint, that, with us, there is no such thing as sovereignty. Waiving Austin's definition so far as he denies to it generally a legal limitation, and admitting that it may exist, as the term is used, even with such limitation, it is sufficient to say that a state or people are sovereign when they have no political superior, have full powers in respect to all subjects of governmental jurisdiction.

In our own country there is no such state, no such people. The United States as a body politic—that is, its aggregate people—have supreme jurisdiction as to certain subjects; as to others each State—that is, its several people—is above them. The States individually, that is, their several people, have supreme jurisdiction as to some subjects, while as to others the Federal state, that is, the aggregate people, is above them. These are legal facts of every-day cognizance. So, then, the Federal state and its people—that is, the aggregate people—and also each local State and its people, as to important subjects of governmental jurisdiction have their superior, and hence are not sovereign. If sovereignty ever existed, it has been divided, destroyed, no matter how; it no longer exists, it cannot exist with the irrevocable loss of its necessary powers.

But if this loss is not irrevocable, if either the aggregate people or the several peoples can change their relation, can assume or redistribute powers, then its sovereignty is not destroyed. A state which has endowed local subdivisions, as counties or cities, with political powers, does not thereby lose its sovereignty, for those powers may be resumed. But were it to part forever with jurisdiction over important classes of subjects, giving it to another body politic without power of recall, its sovereignty is as dead as though it were a conquered state. It may still be called supreme; but only *pro tanto*.

I am aware that a class of thinkers, assuming that sovereignty must exist somewhere in unity, locate it in the aggregate people of the several States, because, by their action, governmental powers may be redistributed or consolidated. I can see no difference between the aggregate peo-

ple of the several States and the aggregate people of the United States; there is no aggregate people except as represented by the Federal authorities, and as so represented they have no such power—they can only initiate changes. The independent action of the people of each State can in no just sense be called the action of the aggregate people—it is not aggregate action of an aggregate body, but several actions of the several bodies.

An act of sovereignty must be sufficient of itself. If the aggregate people, as forming a body politic, a Federal state, could as such people so act as to change the distribution of powers, it might do to call them sovereign so far as sovereignty can exist among men; but it is absurd to say that the independent action of the people of each local State, or of an agreed portion of them, is the action of such aggregate people, although invited by them.

Every people—that is, every organized political society—must be represented by a governmental agency or there is no such people, no such society; and, whatever the mode of deciding a political question, it acts alone through such agency. But the theory supposes that the aggregate people of the several States act, not alone through the Federal agency, the only agency responsible to the Federal people, whether we call them people of the several States or of the United States, but also through the independent agency of the people of each State—that is, through agencies which do not represent them and over which they have no control.

I prefer to say that there can be no sovereignty in the Federal, the aggregate, people, and much less can it be predicated of the several peoples of each State, unless they have power at will to dissolve their Federal relations, which I deny. In my view, sovereignty, as defined by Mr. Austin and his followers, cannot exist among men; and, as defined above, it cannot exist in a Federal state like ours. P. B.

STATE UNIVERSITY, COLUMBIA, MO.

ONE EFFECT OF OUR PENSION SWINDLE.

TO THE EDITOR OF THE NATION:

SIR: A few weeks ago I received by mail the enclosed printed circular and four copies of the enclosed card, addressed to me, as an attorney-at-law. The pen mark was drawn through the word "quietly" on each card, when received, just as you see it. The underscoring in red ink is mine.

That such matter should be sent openly to lawyers throughout the country is a painful indication of the effect upon public morals of reckless pension laws. And that it should be supposed that it could go unrebuked, causes one to blush for his calling, or rather for some who follow it.

The gentlemen who vouch for John Ambler Smith's honesty and trustworthiness ought to know to what use their testimonials are put.

Very truly yours,

N. L. ROBINSON.

CANTON, N. Y., January 16, 1886.

[The card and circular referred to by our correspondent are those of the "Hon." John Ambler Smith (as he is designated in the testimonials appended to his circular), a Washington attorney and prosecutor of all sorts of claims. The amended sentence on the card originally read, "Desertion mark quietly removed." Among his latest sponsors are Senators Blackburn, Hoar, Angus Cameron, Logan, and Allison; and of earlier date Congressmen Kelley, Hawley, Robeson, Proctor Knott, Beck etc.—ED. NATION.]

AN INTERNATIONAL PARCELS POST.

TO THE EDITOR OF THE NATION :

SIR: It is announced that the German Director of Posts has invited our Government to send an officer of the Post-office Department to Germany, to study the advantages that would accrue to us by joining the International Parcels Post.

Those who have lived abroad appreciate the great convenience and advantage of the easy transmission of objects from one country to another. We have never been willing to recognize this, but have built a sort of wall between ourselves and Europe by refusing every facility of the sort. To get a small parcel from Europe one must pay, first, an absurdly heavy freight charge to the steamer company, then a remarkable bill to the agents on this side, items of storage and cartage that in proportion to the size and weight of the little parcel are utterly absurd. A \$3.00 charge for "brokerage" follows, and then the duty. This last one expects to pay in any case, but would wish to avoid the others and the interminable delays.

Those who desire this reform should make their wishes heard, or, as abuses are always profitable to somebody, it will have but poor chances of being effected. L.

THE KEILEY BLUNDER.

TO THE EDITOR OF THE NATION :

SIR: The editorial article on "The Keiley Correspondence" in the *Nation* for December 17 is excellent so far as it goes, but it seems to me to leave untouched one very relevant point, which I note, however, without having seen the correspondence itself. I refer to the most important (and not less important because unalleged) reason why Austria could not receive Mr. Keiley. This reason was simply his previous rejection by Italy. The relations between these two Powers, whose frontiers are for so long a distance contiguous, are of a very strained character, notwithstanding the much-talked-of adhesion of Italy to the alliance of the two Emperors, and necessitate a constant exercise of the utmost diplomatic delicacy and tact. Nobody knows this better than the two Governments concerned; but, indeed, the fact is patent to every reader of current history, and ought to be well understood even in the State Department at Washington—our ever-blundering foreign office, into which, in general, only the crudest notions of foreign affairs appear to penetrate. On both sides of the Italo-Austrian border Irredentism still exists, and is continually breaking out in more or less violent eruptions despite the strong repressive measures of the authorities in Rome and Vienna. In the Italian cities the police do not yet succeed in preventing the scratching on the dead walls at night of anti-Austrian *sgraffiti* with the customary explanatory inscriptions, *Viva Oberdank* and *Abasso il colonello austriaco*; and only ten days ago, here in peaceful and moderate Florence, on the anniversary of Oberdank's execution (December 20), an effort to flood the streets and squares with a rabid Austrophobic manifesto was partially successful. As to the other side of the frontier, during some weeks spent the past summer in the Trentino, I heard of not a few arrests of enthusiastic *Italianissimi*, whose desire to sever their present allegiance to Austria had got the better of their prudence; while, at frequent intervals, the newspapers recount some new incident in the unceasing struggle between the Italian Common Council of Trieste and its Austrian superiors, or some new exhibition of Italian sentiment in the other Adriatic possessions of the empire.

Under these difficult circumstances the court of Vienna—unless it wishes to force a conflict with

Italy—could assuredly not afford to receive as United States minister a man whose public utterances concerning Victor Emanuel and Italian unity had been so recently published in the journals of the Peninsula; for though the general good sense of the Italian press leads it to support the national Government in its efforts to restrain the inopportune and embarrassing Irredentist displays, yet it is not difficult to foresee that the reception of Mr. Keiley would have been treated by the soberest publicists as an utterly needless insult to their country. The consequences might, of course, have possibly been very serious to both the neighboring States. Count Kálnoky was certainly right in allowing this consideration to decide his action, although the dignity of the empire would not permit him to allege his real motive to a foreign Government. The Austrian Ministry would perhaps have done better to refrain from giving any reason whatever for the rejection of Mr. Keiley, resting its proceeding solely on the right inherent in every government to receive or to refuse to receive any particular diplomatic agent. On the other hand, no European foreign office would have been so obtuse as to ask for a reason, or so indelicate as to insist on the reception of a minister so evidently not a *persona grata*. In fact, no European Administration would have committed the original blunder of sending a man with such a history to Rome, and none but an American Administration would have made a bad matter infinitely worse by transferring the rejected Virginian to Vienna. E.

FLORENCE, December 30, 1885.

NATURALISM.

TO THE EDITOR OF THE NATION :

SIR: I see that Mr. Brander Matthews objects to my use of the word "naturalism." I care little about the word if the *thing* be understood, but I may say that I used the word because Mr. Stillman had done so. When he speaks of art having "become to some extent naturalistic if not yet realistic," it is evident that by naturalistic he does not mean "ultra-realistic," but rather something between idealistic and realistic, and I tried to show what, in my view, this something is. As far as I know, Ruskin and other English writers use the word in the same sense, and I think we may consider the *English* sense of the word "naturalism" as fixed. If, however, Mr. Matthews or any one else will suggest a better word, I shall be glad to accept it. For my part I should be content to use the simple one, "art."

KENYON COX.

NEW YORK, January 12, 1886.

THE NATIONAL MUSEUM.

TO THE EDITOR OF THE NATION :

SIR: In noticing Mr. Ernest Ingersoll's handbook to the National Museum you remark that there is no reference to room, case, or object numbers. As this same comment is often made by visitors, it may be well to say that the rapid accession of material makes it necessary to so frequently alter the arrangement of the various departments as to preclude—at least for the present—the possibility of locating any given object.

A specimen here to-day may be there to-morrow, and it would require a daily edition of a guide-book to keep pace with the changes. During the past year the material on exhibition has increased so much that it has been necessary to wholly or partially change the arrangement of every hall of the Museum.

Very respectfully, L.

WASHINGTON, D. C., January 17, 1886.

"AT ALL" AND "AT-ALL."

TO THE EDITOR OF THE NATION :

SIR: Will you allow me to call the attention of your correspondent "R. L." to a difference in meaning between "at all," pronounced as two words, and "at-all," pronounced as one?

To the question, "Did you shoot at all the targets?" the answer, "I did not shoot at all," implies that the respondent did shoot at some. The answer, "I did not shoot at-all," means that he took no part in the shooting. At least, that distinction would invariably be made in this part of the country.—I am, sir, etc., W. H. B.

BALTIMORE, January 15, 1886.

[We should suppose that the altered inflection would suffice to prevent ambiguity.—ED. NATION.]

Notes.

THE spring announcements of Ticknor & Co., Boston, are very numerous. The following are, we believe, new to these columns: 'The Life and Genius of Goethe,' lectures at the Concord School of Philosophy for 1885, edited by F. B. Sanborn and W. T. Harris; 'Poets and Problems' (Tennyson, Ruskin, and Browning), by Geo. Willis Cooke; 'A Stroll with Keats,' by Frances Clifford Brown, illustrated; 'Indian Summer,' 'Italian Poets,' and 'A Sea Change; or, Love's Stow-away,' a comic opera, by W. D. Howells; 'Songs and Ballads of the Old Plantations,' by "Uncle Remus"; 'Every-Day Religion' and 'Light on the Hidden Way,' by the Rev. Jas. Freeman Clarke; a uniform set, in four volumes, of the works of Mary Clemmer, together with a memorial of her ('An American Woman's Life and Work') by Edmund Hudson; 'The Sphinx's Children and Other People's,' by Rose Terry Cooke; 'The Prelate,' a story of the American colony and native society in Rome, by Isaac Henderson; 'Christian Symbols and Stories of the Saints,' by Clara Erskine Clement and Katherine E. Conway; 'The Olden-Time Series,' gleanings from old Boston and Salem newspapers, by Henry M. Brooks; 'Edge-Tools of Speech,' by Maturin M. Ballou; 'John Bodewin's Testimony,' by Mary Hallock Foote; 'A Romantic Young Lady,' by Robert Grant; 'Two College Girls,' by Helen Dawes Brown; and a new and enlarged Concordance to the Bible, by the Rev. J. B. R. Walker.

Prof. Rudolph Gneist's 'History of the English Constitution,' translated by Philip A. Ashworth, will be shortly published in this country by G. P. Putnam's Sons in two volumes.

The *North American* Publishing Co. have in preparation 'Reminiscences of Abraham Lincoln, by Distinguished Men of his Time,' collected and edited by Allen Thorndike Rice, editor of the *North American Review*. The book will be a portrait gallery, since the several contributors are figured as well as the subject of their reminiscences. It will appear in April.

A "Rainbow Series" of new novels by American and foreign authors is announced by Cassell & Co. The title refers to the tinted covers, and not to the color sensation suggested by the two novels first on the list—'A Crimson Stain,' by Annie Bradshaw, and 'Morgan's Horror,' by Geo. Manville Fenn.

Thomas Whittaker has nearly ready 'Authorship of the Four Gospels,' as viewed by Judge William Marvin from a lawyer's standpoint.

G. P. Putnam's Sons give their imprint for the American market to Leslie Stephen's 'Life of Henry Fawcett,' which we have recently reviewed at length. It is noticeable that an affection of the eyes, before the terrible accident which