

article is a comprehensive and unequivocal condemnation of President McKinley's colonial policy. Recalling our national history of expansion, Mr. Harrison declares that we have now done something out of line with it; not in the fact of expansion, "but in the character of it." Instead of acquiring unpeopled or sparsely peopled and adjacent regions for settlement, we have gone to the antipodes and "have taken over peoples." This he condemns. His argument centers, however, about the question of the legal status of the annexed peoples, who, he says, "have become American—somethings." Are they citizens or subjects? In seeking an answer to this question Mr. Harrison contends that the Paris treaty cannot abrogate the American constitution. It is the supreme law of the land in no other sense than acts of congress are; that is, so far only as it is constitutional. Inasmuch, then, as the constitution declares that "all persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States," the inhabitants of Puerto Rico, for instance, are citizens. The only ground of contention to the contrary is that Puerto Rico is not part of the United States and that point he negatives emphatically. No territory, he argues, can be at once part of the United States and not part of it. It is either one or the other. And being part of it for any constitutional purpose it is so for all. From which it follows not only that the Puerto Ricans are American citizens, but that they are as completely within the protection of the constitution, with reference to equality of tariff taxation as well as to personal rights, as are the citizens of any of the states. Regarding the Philippines, Mr. Harrison leaves a door open on the question of citizenship. The citizenship of the Filipinos depends upon whether we acquired the country. Spain possessed Puerto Rico when she ceded it, but he is not so sure that she possessed the Philippines. If she did not, it might, he hints, be urged

in analogy with a familiar principle of real estate law, that she sold "a lawsuit and not a farm," which "the law counts immoral." Disclaiming any intention to make a legal argument, Mr. Harrison has, nevertheless, made an exceedingly impressive one, yet without departing from his main purpose of considering the matter in a popular way.

In his argument before the supreme court against the colonial policy, Frederic R. Coudert, Jr., made with peculiar distinctness a very vital point of constitutional law. Answering the contention of the administration that this nation is sovereign, capable of exercising the functions of sovereignty that other nations exercise, and therefore capable of setting up subject colonies, Mr. Coudert said:

The American nation is sovereign. It can go where it wishes, act where it wishes, acquire territory where it wishes, treat inhabitants as it wishes, and its powers are only limited by the physical force which may be brought to bear against it by other sovereigns. But the government is not sovereign. The great salient fact, which those who contend for the government's position now do not recognize, is that the people of the United States are sovereign and that the government is not, which is the great fact that distinguishes the constitutional law from that of most of the civilized nations of Europe. It did not make the United States a crippled nation, as the attorney general suggested, but a nation which has permanently protected itself against usurpations by its own agents.

This distinction between the American nation and the American government should never be neglected.

Following the same line of thought Mr. Coudert, with singular brevity, yet with remarkable accuracy and lucidity, set forth the constitutional principle that negatives the whole colonial theory. "The constitution," he said, "is a charter or grant of powers conferred upon the federal government by the people of the United States; and hence the federal government has no existence outside the constitution. It is, therefore, an im-

possibility for the United States to possess territory beyond their constitutional boundaries."

Economic professors who make it their principal function to find or manufacture apologies for plutocracy have at last got so far away from the true causes of hard times, which are obviously the climacterics of an unnatural and unjust distribution of wealth, as to place the responsibility upon the fluctuations of sun spots! This sounds like a joke, but it isn't. It is as serious as the thousand and one other absurdities with which the mumbly-cum-spludge science of economics has patched the brains of the university cult. This particular absurdity is honored with an editorial note in the January issue of the Popular Science Monthly. "There is now reason to believe," says this authority, "that the hypothesis is not a rash guess based on some specious coincidence." It then goes on to explain that two scientists of the name of Lockyer have traced a connection between sun spots and famines. This is most excellent boys' play for the purpose of diverting attention from parasitical industrial systems which produce the phenomena of famine where plenty abounds. But even if it were accepted as being the cause of famines, how could it be adopted as an explanation of periodical hard times? Is not the cult agreed that periodical hard times are due to overproduction? How, then, can they be accounted for by sun spot variations causing underproduction? Can the cult reason that hard times are due to overproduction; that overproduction is equivalent to underproduction; that underproduction is due to "the central points or mean conditions between minima and maxima" of sun spot areas; and that, therefore, hard times are related to fluctuations of the sun spots? Not improbably. Some of its votaries have done worse.

Concrete cases will sometimes carry a principle into minds that are im-