

AMERICA, THE GREAT IMMIGRANT NATION

A Blend of All the Warring Peoples. She Is the Ally of None, but Must Hold the Scales True in the Court of Public Opinion—Naturalized Americans and the Dual Allegiance Which Some of the Military Powers of Europe Claim from Them. Notwithstanding the American Doctrine that Men Belong to Themselves and Not to Kings.

By JAMES MORGAN.

Mr. Morgan today tells of the peculiar relation of the United States to the war as the great neutral ground where all the warring peoples are gathered in a common citizenship and discusses the claims of some of the belligerent Powers to the allegiance of American citizens who have expressly renounced that allegiance.

Another article will be published next Sunday in this series of sketches of the backgrounds and sidelights of the war.

WITH the nations of Europe divided by flaming lines of hate and war, it is not strange that there should be some friction in the United States, where all the warring nationalities touch elbows in streets and shops. The great wonder is to see men, whose brothers in the Old World are at one another's throats, marching shoulder to shoulder in the industrial army of the New World, their children sitting side by side in the schoolroom and playing together in the yard. For nowhere else in these unhappy times do Europeans meet without a blow.

A Nation of Refugees.

The late Eugene Field solemnly assured Mrs. Humphrey Ward that he could not live in a tree. But the rest of the White Americans, before they were caught by Uncle Sam, were denizens of Europe.

No fewer than 20,000,000 of the inhabitants of the United States at the time of the latest Federal census were foreign born—nearly a sixth of the total white population of the country. And of 31,000,000 Caucasians, 22,000,000 were either foreign born or had a foreign-born parent. Thus more than a third are at most only one generation removed from aliens. And doubtless far more than half of the American people cannot trace their lineage for 100 years without crossing the Atlantic.

Most of the new Americans are derived from Germany and the British Isles, the two nations which are the nearest foes in the war, and most of the remainder are from three other belligerent states—Italy, Russia, and Austria. It chances, however, that a large majority of those who came out of the British nation are of Irish blood; that most of the Austro-Hungarian contribution to the population are chiefly Slavs and Magyars, and that nearly all the immigrants from the empire of the Czar are Poles, Jews, Lithuanians and Finns. No love was lost, therefore, when they parted with their sovereigns.

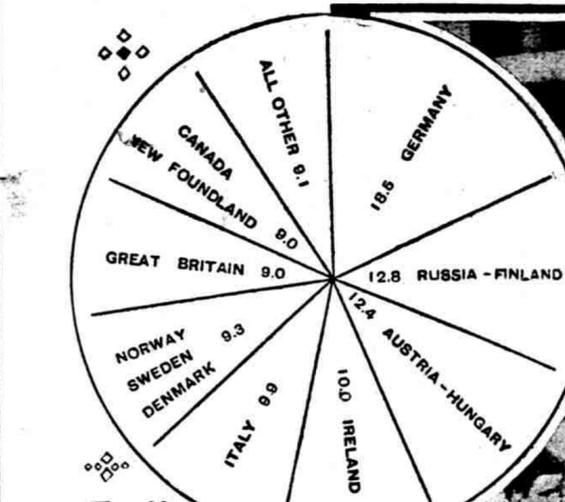
Nor did German immigrants come away from the Fatherland signing a fond farewell to the monarchs and governments of Germany. Quite the contrary. Like the rest of us, English or Irish, Jews or Poles, or whatever we be, they fled to the New World as refugees from the royalty, the politics, the religion or the economics of the Old.

These estrangements are fortunate for the republic. The immigrants because of them were the more willing to cast off their old nationalities, burn their bridges behind them, and put on a new citizenship, free from the ancient and deadly grudges of Europe.

The earliest German immigrants, indeed, the forebears of what are called Pennsylvania Dutch, were anti-militaristic of a downright Quaker type. The next great stream of Germanic immigration took its rise in the revolutionary days of 1848 and 1849, and its gallant leaders were bitter anti-Monarchists. Their Republicanism and their hostility to the Hohenzollern and other German crowns are well reflected on the pages of Carl Schurz's recollections.

The American Verdict on the War.

Americans of German origin, however, do an injustice to their fellow-citizens and to American history when they imagine that those who differ with them are actuated by racial feelings and when they denounce the United States as an ally of England. Surely the republic has not often been suspected of a partiality for that empire from which it seceded in 1776 and upon which again it declared war 100 years ago when Germans and Russians and nearly all the



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nations of Europe were in an alliance under British leadership. It is a fact that in all their wars until now the British have found the weight of public opinion in the United States against them. However earnestly and honestly a government may strive to observe neutrality, public opinion in a democracy insists upon umpiring all quarrels between neighboring nations. But Americans have proved the impartiality of their verdicts. If they are pro-English today, they were pro-Boer yesterday. If they lean toward the side of Russia and Belgium now, they were anti-Russian in the Japanese war and anti-Belgian in the Congo campaign. And if they are pro-French in 1915, they were ardently pro-German in 1904.

The Great Migration.

It was said in colonial days that God had sifted a whole nation that he might send choice grain over into the American wilderness. But he was not to stop with one nation. On the contrary, all the nations have been winnowed to seed the virgin fields of the New World. At its birth the republic virtually was of one tongue and of one faith. The people of most of the States had come wholly from the British Isles, and the remainder were from the country whose forebears were from the farther side of the Alps or from beyond the valley of the Rhine.

Many American statesmen in those days, including even the generally far-seeing Washington, dreaded the addition of any new elements to the population. But already the United States was the most seductive advertisement for immigrants that ever has been issued—the Declaration of Independence. The Alien act of 1795 gave evidence of the political attitude in that early time. By its harsh provisions Congress clothed the President with despotic power over foreigners, resident on their respective shores, and gave him without trial or hearing and at his sole discretion to banish any alien whose presence in the country might be objectionable to him. But that law, in violation of American liberty and hospitality, shamed even its Federalist authors, and President John Adams, who had signed it, boasted that he never would execute a single instance of it.

The flow of immigration was hardly more than a trickling brooklet until the thwarted revolutions of 1820 and 1848 in Europe. But after those disastrous years, a flood of immigrants followed the greatest migration on record. In all, more than 20,000,000 immigrants have passed through the open door of the republic since 1820.

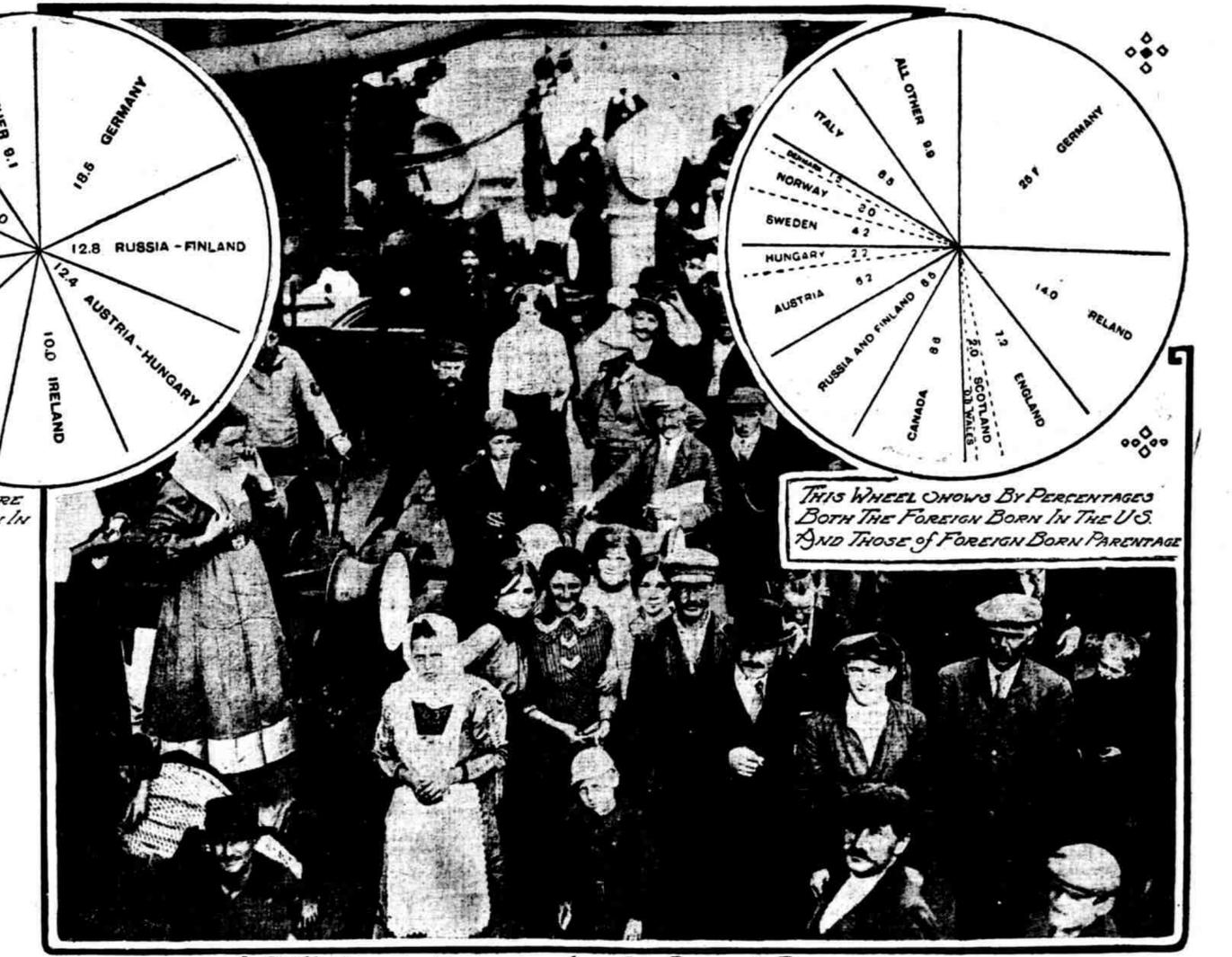
Nor is that flowing tide of humanity remarkable alone for its volume. It is the greatest migration, in length as well as in numbers, that has ever been recorded. Wanderings have the Nations made so long a journey as this.

A Mayflower Sails Every Day.

Once a dock loafer in Old Plymouth pointed out to me the spot last tread by the Pilgrim Fathers, before sailing away to plant a new Plymouth. But it is even more impressive, in the course of old world journeyings, to see a group of latter-day pilgrims setting out upon the same voyage.

I recollect one soft spring morning in Sicily, when my train, which was following the ivory white shore of the blue Ionian Sea from Taormina to Messina, paused at a station where all the people of the countryside had gathered to say farewell to a little band of neighbors leaving for America. Mothers and grandmothers, sisters, and sweethearts were sobbing at the parting and silent tears stood on the cheeks of the old men. That living picture was far more affecting than the painted representation of the embarkation at Delfthaven, in 1620, which the visitor to the Capitol at Washington sees on the wall of the rotunda. For a Mayflower sails every day.

Again I have seen amid the Lebanon Mountains, the entire population of a valley pouring down to the railway station to bid Godspeed to a company of Syrian pilgrims bound for the New World. When the train bore them away toward the port of Beirut, many of



A 20th CENTURY MAYFLOWER AND ITS BAND OF PILGRIMS.

these left behind knelt by the track in prayer, but in their eagerness to follow the fortunes of the emigrants to the promised land, a crowd of envious young men obstinately clung to the running boards of the cars until the locomotive stopped and the Sultan's soldiery drove them back.

A New Problem.

With the rise of the republic as a great immigrant nation such a world never had known, a new problem in international law was presented. This problem still waits for a full solution and it may become acute before the present year is over. Until the French revolution men were, in a sense, real estate or movable property and attached to the soil on which they happened to be. The peasant or artisan almost invariably followed the soil, and the European continent could not move from one village to the next without the permission of the government. This is the rule in Russia even today, and there still may see the people anxiously clutching their permits as they run about from policeman to policeman. Only sixty years ago, before the emancipation of the serfs, a Russian landlord was rated by the number of "souls" on his estate.

Wherever the French Revolution destroyed feudalism and serfage, however, the people were left free to come and go. But until the exodus to America, the first great free migration, men still belonged to their kings and could not lawfully change their nationality. Not until "Once a subject, always a subject," was the ancient and universal rule. And John Marshall upheld that dogma, the chief justice of the United States speaking of nations holding "titles" to persons. Joseph Story also handed down from the same bench the opinion that men could not "without the consent of their government" leave their allegiance and become aliens." And Chancellor Kent added his authority to the same side of the question.

The Open Door of the Republic. Every step forward has to be taken in defiance of precedent and against the opposition of the nation. In the sanction of judges was the compact in the cabin of the Mayflower drawn, the Declaration of Independence proclaimed or the Emancipation Proclamation issued.

The American people chose to give the immigrant the benefit of the more generous law of Moses. "The stranger that dwelleth with you shall be unto you as one born among you and thou shalt love him as thyself, for ye were strangers in the land of Egypt." Accordingly, they opened wide the door of the republic to welcome the newcomers into the family of freedom. Since the first session of the First Congress in 1790, full and equal citizenship has been freely offered to the foreign born, and ever since 1862 a residence of only five years has been required of applicants for naturalization.

For a century and a quarter now the United States has acted on the conviction that men carry their sovereignty under their hats. But the nations of Europe, which a few generations ago were denying their subjects even the privilege of choosing for themselves where they should live and what they should do for a living, have continued to assert that men have no natural right to choose their nationality and pass from one sovereignty to another. When a man stands at the bar of an American Naturalization Court, he is called upon expressly to renounce all allegiance to his native country. But the Old World insists that he cannot make such a renunciation, that allegiance is perpetual, a yoke that cannot be thrown off at will and from which a person can be released only by the consent of his original sovereign.

The merry crew of the Pinarof had no warrant in English practice for singing. He might have been a Russian, A French, or Turk, or Proussian, or perhaps Irish— But in spite of all translations To belong to other Nations He remains an Englishman.

Certainly when England was impressing sailors on American boats, she did not concede that an Englishman, whatever the territory, might belong to another nation. On the contrary, she held that "once an Englishman, always an Englishman," and she entirely ignored the American naturalization of any one born in the British Isles.

The American Doctrine.

Many years afterward, when James Buchanan was Secretary of State in the Polk administration, he assailed that ancient rule and asserted for the first time the right of men to change their citizenship. In 1850, Secretary Buchanan announced that a naturalized citizen was entitled to the same protection as a native, and again in 1851 in a letter of instruction to George Bancroft, the Minister of the United States at London, he served notice upon the world that the republic expected foreign governments to receive and treat all American citizens alike.

This new principle of self-expatriation, however, was not so boldly affirmed again until ten years later, when Buchanan himself was President. The German kingdom of Hanover having forced into its army a native Hanoverian, notwithstanding his American naturalization, the administration at Washington declared that "the moment a foreigner becomes naturalized, his allegiance to his native country is severed forever. He experiences a new political birth. . . . Should he return to his native country he returns as an American citizen and in no other character. In order to entrap his original government to punish him for an offense this must have been committed while he was a subject and owed allegiance to that government."

Although the Kingdom of Hanover repudiated this American view as contrary to international law, it released the young man from military service. And Buchanan, in his next annual message to Congress, reiterated the opinion that "our government is bound to protect the rights of our naturalized citizens everywhere to the same extent as though they had drawn their first breath in this country."

The Right of Expatriation.

Naturally the government at Washington let the issue rest while the civil war engaged its energies. Not long after the return of peace, the question was brought to the front by the Fenian movement, when two citizens of Irish birth, Warren and Costello, who embarked aboard the brigantine Jacmel, on a raid of the coast of Ireland, were captured by the British.

Under an old British law that has since been repealed an alien charged with crime was entitled to be tried by a jury half British and half foreign. But this mixed jury was denied to Warren and Costello on the ground that they were born in Ireland, and therefore still were British subjects.

Their conviction of treason felony at Dublin aroused the naturalized Irish in the United States, and at public meetings all over the country the demand was made that the government should insist upon the prisoners receiving the benefit of their American citizenship. The House of Representatives, under the leadership of the late William E. Channing Robinson, of New York, passed a resolution requesting the release of the unlawfully convicted men and "their return to the flag with such ceremonies as are appropriate to the occasion." The ceremony was omitted, but the men were set free.

Congress determined to challenge the dogma of perpetual allegiance with a formal declaration of the American doctrine of expatriation. As the bill passed the House in 1868 asserted that "the right of expatriation" was "a natural and inherent right of all people" and it provided that whenever a naturalized citizen should be arrested by a foreign government on the ground that he still owed allegiance to the country of his birth, the President should arrest and detain any subject of that government found within the jurisdiction of the United States. But the Senate very properly refused to sanction that absurd and unjust retaliation. Instead, it made an amendment, which directed the President to use all means not amounting to acts of war to obtain the release of a prisoner so detained in a foreign land.

Although that has been the law of the United States for 47 years, it must be said that the Government has done little to vindicate and enforce it. A few months before the act was passed, George Bancroft, who had received at London in 1848 Secretary Buchanan's vigorous instructions on the subject and who was now Minister at Berlin, succeeded in making a liberal naturalization treaty with the North German confederation, that wary, while troubled in the favor of Bismarck, generally recognized the American position and it remains a binding obligation upon the German Empire.

Great Britain also consented, in 1870, to make a treaty which places British born citizens of the United States upon an equal footing with native Americans, Austria, Belgium, Denmark, Sweden and Norway gave like pledges. But in the more than 40 years which have followed those successful negotiations, no other European Government has given its assent to the principle.

Under Which Flags?

With the rise of the system of universal conscription the military nations of Europe have grown increasingly averse to parting with the allegiance of their subjects. The statesmen of those powers, with eyes in the backs of their heads, were little troubled to see millions of men withdrawn from their industrial forces and enrolled in Uncle Sam's army of labor by its victorious campaign of conquest. But they were alarmed by the loss of so many from their martial army and they have resented American naturalization as a shield from military service.

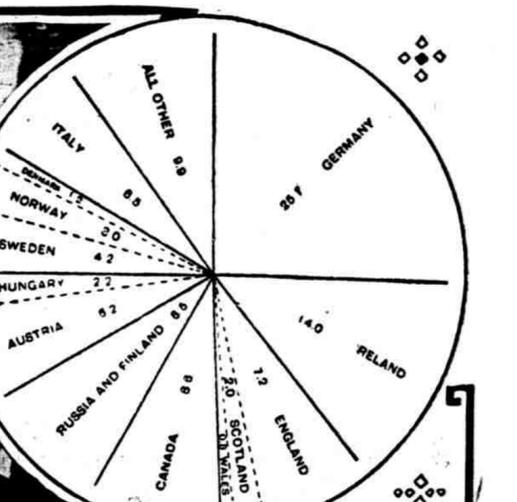
France has forsaken a liberal policy which she had pursued on the subject of expatriation and takes the stand that "Frenchmen naturalized abroad still are bound to serve in her army and its reserve. Italy not only holds the same position, but threatens with the penalties of her law any Italian who, as a soldier of her adopted country, bears arms against his former sovereign.

Happily, a war between Italy and the United States is almost unimaginable. But we may suppose the republic to have the misfortune to be assailed by a European power in which Italy is entangled. If, in such a conflict, a naturalized citizen of Italian birth should volunteer or be drafted in defense of his new country, he would be liable to the penalties of the Italian law.

Turkey is another nation which has abandoned the more friendly attitude of former times. The Sultan now refuses to recognize the right of a subject to renounce his allegiance, and any subject who attempts to return to Turkey as a foreign citizen is excluded from the country.

Russia's Harsh Rule.

Russia also holds all subjects born under the rule of the Czar liable to military duty, and decrees perpetual banishment from their native land for those who



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take an oath of allegiance to another government. Any who come back unauthorized are received and treated as felons. In other words, as all the way back to Rome for their model and insist upon the allegiance of native-born Americans whose fathers were subject to them. There is the case of Ugo de Prato, the son of a naturalized American of Italian birth.

This young man, who was born in Boston, visited his ancestral country as a student and there was forced into the Italian army. Here a citizen who might be President of the United States and yet the King of Italy claims him as a subject. For three Presidents were sons of naturalized citizens, and de Prato is precisely the same kind of American as Jackson, Buchanan or Arthur.

The State Department did ask for the young Bostonian's release, but at the same time it warned those who interceded for him that there was no naturalization treaty with Italy covering such cases. In other words, any redress of this gross injustice must rest upon favor rather than upon right.

An American Without a Country.

A native of Louisiana, the son of a naturalized citizen of French birth, was informed by the French consul at New Orleans that if he went he could lawfully be impressed into the army or even be punished for not having alighted ready for military service in a land which, for all we know, he never had seen. The Louisianaian appealed to the State Department, rightly considering himself as a French citizen, and wishing to know "whether my constitutional privileges as an American citizen follow me wherever I go, with its constitutional guarantee."

Secretary Lansing, in his reply, quoted the fourteenth amendment, which declares that all persons born in the United States are American citizens, and then over against that provision of the national Constitution he set down a provision of the French civil code, which declares that "every person born of a Frenchman in France or abroad" is a French citizen. Whereupon the Secretary coolly informed this native American that "it thus appears that you were born with a dual nationality and the department cannot therefore give you any assurance that you would not be held liable for the performance of military service in France should you voluntarily place yourself within French jurisdiction."

The Secretary, we all know, is much preoccupied these days, and doubtless he did not mean to make so complete an abandonment of the American principle of expatriation. For the Louisianaian was not even born of a Frenchman, but of a naturalized American.

No one would ask the United States to be eager to take up arms against the world in a struggle to establish a practice new to nations. Even Great Britain, which is supposed to convoy with a gunboat every Briton that trots the globe, expressly informs its naturalized subjects that in the absence of a naturalization treaty it will not protect them in the country of their birth. But the American government should not neglect any fair opportunity to commend and uphold before sister nations the American view and to stand at all times for justice and common sense.

For the talk of a dual allegiance and a dual nationality is outworn nonsense. Now, when men have won the right to change their homes they necessarily must have the right to defend their new homes even against their former sovereign. Dual allegiance is a contradiction, and means no allegiance at all. Dual nationality means neither one nationality nor the other and leaves a man without a country. (Copyright, 1915, by James Morgan.)