

INDEX BUREAU
1797
MAR 27
DEPT. OF STATE

The Japan Daily Mail.

YOKOHAMA, FRIDAY, FEBRUARY 22, 1907.

THE JAPANESE PRESS AND SAN FRANCISCO.

ON the whole the Japanese press seems to be content though not satisfied with the settlement of the San Francisco question. There appears to be a feeling that more has been surrendered than has been acquired. Admission to San Francisco schools for a mere handful of Japanese children is a small matter compared with the exclusion of thousands of Japanese labourers from the United States, which offers a splendid field for their employment. But we do not detect any signs of a disposition to blame Japanese diplomacy. The truth is that Japanese diplomacy is in no sense responsible. What had to be accomplished was the removal of all restrictions upon the attendance of Japanese children at Californian schools. That was the simple problem, and Japan, regarding it as a treaty right that no such restrictions should be imposed, asked for their removal. President ROOSEVELT acquiesced in Japan's interpretation of her rights, and therefore the duty of obtaining respect for them devolved upon him. He did not ask Japan to assist him by offering any *quid pro quo* to San Francisco. From the first he evidently recognised that justice must not be bought. Therefore all the talk about the Japanese Government having conceded this or yielded that was mere baseless rumour. Japan yielded nothing nor conceded anything. She was not required to do. She stated her case and left it confidently in the hands of the American Government. The latter had then to devise machinery for discharging its conventional responsibilities. At first President ROOSEVELT and his advisers relied on the law courts. A treaty being the highest law of the land, the natural assumption was the courts of justice would insist upon respect for the Japanese-American Treaty in preference to any State law such as that set up by San Francisco. Doubtless had the case come up for judicial hearing and had the courts decided in favour of Japan's claim, the San Francisco School Board would have had no choice but to yield. President ROOSEVELT, however, ultimately abandoned that method of solution. It remains still uncertain why he did so, but the probability is that, encountering a very strong current of public opinion in favour of leaving each State absolutely free to manage its own educational affairs according to its own convenience, the PRESIDENT concluded that it would be more expedient to choose some other route to his goal. Another route

presented itself. It was a route absolutely within the power of the United States Government to take without consulting Japan or any one else. That is a point to be carefully noted. There is reserved to the United States Government, according to the explicit terms of the Treaty of 1894, the right to legislate in any manner it deems fitting for the control of labour immigration from Japan. The PRESIDENT exercised that right. Having ascertained that some restriction of labour immigration into California would placate the School Board of San Francisco and procure re-admission for Japanese children into the schools, he asked the Senate and Congress to sanction an amendment of the Immigration Law in the sense of investing him with discretionary power to restrict the incoming of any labourers who might seem undesirable from the point of view of inflicting injury upon labour conditions in the United States. Congress and the Senate agreed and San Francisco was placated. Japanese diplomacy was not engaged in this settlement. The PRESIDENT, as we have said, exercised a right to which, in the face of her Treaty with America, Japan had no competence to object. The whole arrangement, therefore, may be said to have been concluded above Japan's head. Her diplomacy, if it can be supposed to have been exercised at all, was employed solely in preferring a claim on behalf of the children of her nationals in San Francisco. The claim has been satisfied, but as to the method pursued by the American Government in securing satisfaction, Japan has had no voice, not could have had any, seeing that the whole procedure was strictly within the independent competence of the American Government. Doubtless Washington will approach Tokyo with reference to the mode of giving effect to the power vested in the President by the amended law of immigration, but that will be a matter of amity rather than of obligation. We presume that this view of the situation has already become familiar to the Japanese press.