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## The League Court

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# THE LEAGUE COURT

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SPEECH  
OF  
HON. JAMES A. REED  
OF MISSOURI

IN THE  
SENATE OF THE UNITED STATES

THURSDAY, MARCH 18, 1926



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# THE LEAGUE COURT

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SPEECH

## HON. JAMES A. REED

OF MISSOURI



SENATE OF THE UNITED STATES

THURSDAY, FEBRUARY 12, 1906

Mr. President, I have the honor to announce to you that the Senate has passed the following resolution:

Resolved, That the Secretary of the Senate be and he is authorized to call a special session of the Senate to be held at the city of St. Louis, Missouri, on the 15th day of March, 1906, at 10 o'clock in the forenoon, for the purpose of considering the bill (H. R. 10000) entitled "An Act to amend the Act approved July 1, 1905, relating to the election of Senators."

The bill in question is a bill to amend the Act approved July 1, 1905, relating to the election of Senators. It is a bill to amend the Act approved July 1, 1905, relating to the election of Senators. It is a bill to amend the Act approved July 1, 1905, relating to the election of Senators.

SPEECH  
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THE WORLD COURT

Mr. REED of Missouri. Mr. President, a telegram has just been received by the press associations, which I think ought to be of interest to the Senate. It reads as follows:

GENEVA, March 18 (by International News Service).—The Council of the League of Nations to-day decided to invite the United States to a conference at Geneva on September 1 to consider the reservations which the United States has suggested regarding her entry into the World Court.

In view of the fact that the American people in two great elections, by majorities of seven or eight million, decided that the United States would have nothing whatever to do with the League of Nations, and utterly, and as they thought finally, repudiated that organization, this telegram is interesting. We are now to be asked to sit down outside of the league and confer with the gentlemen inside of the league with reference to whether we will accept the jurisdiction of the court created, set up, managed, and controlled by the gentlemen inside of the league. It seems to me that we ought to take immediate action on this matter. Is this not a very appropriate time to pass a resolution naming a delegate and to apply cloture to the resolution, so that it can be passed before the American people know anything about it?

Mr. President, this simply illustrates the fact that you can not be half way in a thing and half way out of it; that you either have to join the League of Nations and become an integral part of it, or you must stay out of it completely and absolutely.

Lincoln once declared that a nation can not remain half slave and half free; and I desire, with all respect to the immortal dead, to paraphrase that statement: A nation can not remain half sovereign and half subordinate. We can not preserve our national independence and at the same time subject ourselves to the control of any international body. We can not be a nation completely controlling its affairs and at the same time submit any part of our policies to the domination of any foreign organization.

LEAGUE WILL "CONSIDER" SENATE'S COURT ACTION

We were told that this was a world court. The people of the United States were told that it was a world court. Senators pledged themselves to vote for a world court, some of them before they had ever seen the protocol or had been furnished with a copy of the so-called statute of the court. Senators pledged themselves to vote for this so-called world court without understanding that the very word "protocol" means something pasted in, and that this thing that we call a protocol

was something to be pasted into the League of Nations compact. Senators voted for this so-called World Court, many of whom two days before had not understood that the documents submitted to us had not been submitted by any sovereign nation but by the secretariat of the League of Nations.

My understanding, based entirely upon newspaper accounts, is that when the Secretary of State received the engrossed copy of the proceedings of the Senate he was in doubt where to send it, and, being in doubt, at least some of the press stated that he had sent the document to the various nations composing the organization of the League of Nations and also had sent it to the secretariat, figuring, I take it, that if he did not hit with one barrel he might with the other.

And so, having started out with the idea, as expressed on the floor by many Senators, that we were entering a court that was a world court, that was not in any way tied to the League of Nations, that was completely divorced from it, we are now invited by the League of Nations to sit down with the League of Nations and discuss with this body which we refused to join the question of whether we have adopted proper reservations and have attached proper conditions to our entrance into this court, which is a league court and never was anything but a league court.

Mr. President, just 22 days ago we were rushed into a ratification of the court of the League of Nations. For the second time in a half century cloture was applied. For the first time cloture was applied before the question under consideration had been fully debated. It is true there had been a discussion of the general proposition of the desirability of a world court. There had been some discussion of the relation of the court to the League of Nations. There was no adequate discussion of either of those subjects, and especially was there no adequate discussion of the so-called statute of the court, or of the relation of the court through the covenant to the League of Nations. Neither was there adequate discussion of the inherent power of the members of the league at will to amend the covenant of the league, and thus enlarge or alter the claimed jurisdiction of the court.

A few hours before the forced vote was taken, five so-called additional reservations were introduced which were never really discussed. To all intents and purposes, they were not discussed at all. The reservations were brought forward to steady the supporters of the court, who were in consternation and threatening to desert.

The influence of the White House was exerted to the utmost to hold the staggering column in line. The last hour of the discussion, except seven minutes, was occupied by one Senator in a speech which is its own characterization.

By these means the result was accomplished. Back of this action, and perhaps accounting for it, was a paid propaganda which had been conducted for months. Many Senators, I am informed, had pledged themselves even in advance of this discussion. Many of them at the time their pledges were executed, I repeat, had never read the statute or the protocol of the court. In a vague and indefinite way they were for a world court, and hence appeared willing to accept any kind of a court. They were like people who are hungry and are will-

ing to eat any kind of a meal of victuals. They resemble gentlemen who want a drink and are willing to drink any kind of moonshine that is offered to them, from any kind of a bottle.

Coinciding with these forces were doubtless two other elements—men who were earnest advocates of the League of Nations and who appeared to have regard neither for the decision of the people rendered in two great national elections, nor for the altered condition of the world, who were willing to support entrance into the court because they believed it intrigued us in the meshes of the league, and they therefore supported the measure. I have no doubt that is true of the greater number of men who sit on this side of the Chamber, one of whom, at least, the distinguished Senator from Maryland [Mr. BRUCE], expressly stated that he regarded the court as taking us practically into the league, and that he wanted us to enter the league. Others who had opposed the league, probably because it had been advocated by a Democratic President, now turned tail, and, under the lash of the present Republican President, went to heel and in principle voted for the very proposition they had formerly repudiated.

#### THE AFTERMATH OF GAG RULE

All this occurred but 22 days ago. What sincere and candid man is there who does not now regret our hasty and improvident action? What man is there so blinded by prejudice, so warped by preconceived notions, as not to find in the developments of the past six days an absolute demonstration of the falsity of the claims hitherto advanced by the league and for the league's court? We were told that the league was to be an assembly of brothers, inspired by the spirits of love and charity. What man is now so blind and deaf and prejudiced that he does not understand that the league is an assembly of political representatives of the nations, every man of which is controlled by the interests, the ambitions, the hates, and the fears of his own country?

What man is so dull that he does not know that the spirit is that of the gaming table, where each participant plays a selfish hand, thinking only of the emolument and profit to accrue to his own country? Who is there now that does not know that the great nations are playing the old game of balance of power and seeking to employ the league as an instrumentality through which they shall each realize its separate ambition?

Nay, more! Who does not know that when the Locarno pact, which was written and presented to the world as conclusive evidence that at last the spirit of amity and fairness had come to control the affairs of the great nations was made, there were secret and treacherous understandings substantially to nullify the benefits it was pretended were to be conferred?

What American citizen regrets the fact that our country is not involved in this web of intrigue, the threads of which are selfishness, avarice, hate, ambition, and aggrandizement? Who is there who regrets the fact that as this miserable exhibition of trickery, fraud, sham, and shame has been played out, the United States has occupied a dignified and clean position, outside and beyond the artifices, the fraud, the cajoleries, the

flatteries, the falsehoods, the false pretenses of this once glorified body; proclaimed as the child of Christian civilization, and inspired by the spirit of Jesus Christ?

Mr. President, I shall prove to those who listen—I can prove nothing to those who having eyes refuse to see, and having ears refuse to hear:

1. That the present condition of the league is due to trickery, chicanery, and an absolute breach of faith.

2. That the league itself is an offensive and defensive alliance, seeking to assert the powers of world government, and that it was intended from the first to be controlled by four or five great, ambitious and conquering nations.

3. That the President was in error when he declared that the court was divorced from the league, and I shall show, to the contrary, that the court is an integral part of the league, and completely subservient to its dictates.

4. That the so-called reservations which we attached afford no protection whatever to the rights or interests of America.

5. That these reservations are necessarily offensive to every South American country, and will provoke ill-feeling against this country, because, sir, when the United States asserts that no question can be considered by the court without the consent of the United States, when we make that reservation in face of the fact that a number of South American countries have already signed treaties to submit all their controversies to the court, in effect we assume the right to say that the court shall be closed in the face of those nations which have thus signed these treaties. We place them in a position of subservience to our will, which will be offensive to the proud Latin-American countries to our south.

#### EUROPEAN DECEPTION AT LOCARNO

The Locarno pact has been heralded to the world as an exemplification of the spirit of the millennium. Nearly everyone has accepted that statement as the truth, and not one man in 50,000 in the United States has ever read the document, and with all the respect in the world for my colleagues upon the floor, I question whether one-third of its membership has ever read the document. I do not complain of lack of intelligence on the part of my associates. I do not complain that they are not patriotic. I do complain of improvident action, taking mere newspaper statements for the verity in regard to the contents of important documents, or taking the flamboyant statements of European statesmen at their full face value. What is the Locarno pact, and how has it been treated and used in the last few days?

The Locarno pact between Germany, Belgium, Great Britain, France, Italy, Poland, and Czechoslovakia, among other things, provided that it ratified and approved the separate treaties between Germany, Belgium, France, Great Britain, and Italy.

It provided for arbitration conventions between Germany and Belgium, Germany and France, Germany and Poland, Germany and Czechoslovakia.

It guaranteed the maintenance of the territorial status quo of the frontiers between Germany, Belgium, and France and in substance bound Germany to accept forever the conditions laid down in the treaty of Versailles with reference to her external and her internal boundaries, if we can use the term "internal

boundaries" to describe the conditions that were attached to certain parts of the German Empire.

There were reservations made as to Belgium and France, and those countries were permitted, as an act of legitimate self-defense, to make war on Germany in case she should violate article 42 or article 43 of the treaty of Versailles, which forbids military movements or fortifications within 50 kilometers of the left bank of the Rhine.

That is to say, the right was reserved to make war without going to any court, without going to any arbitral tribunal, without even going to the Council of the League of Nations. Who was to decide the question whether Germany had violated or had not violated in the absence of those tribunals? Plainly, that question was to be decided by those nations for themselves. They were to act upon their own judgment and upon their own initiative.

There is a provision for arbitration of disputes, or reference to the council or to the court, but it is expressly reserved that the right of legitimate defense includes resistance to and violation of articles 42 and 43 of the treaty of Versailles. There is also the express provision that in case of their violation it shall be regarded as an unprovoked act of aggression. Therefore the way is open to an attack at any time, because all that is necessary is for those countries to claim that there has been a violation. In such case, of course, Germany would claim there had been no violation, and instead of settling that question before the arbiter, the judicial or political tribunal aforesaid, the right is reserved to at once make war.

What are articles 42 and 43? They relate to the conditions of the Versailles treaty, which not only fixed the boundaries of Germany but particularly fixed the boundaries within which Germany can not move a soldier or move a gun or do any other act covered by the broad language of the treaty. Fifty kilometers on the left bank of the Rhine are marked out as a zone into which Germany can not move a troop, a gun, or any ammunition. Let us grant that that is all right, but when the time comes that any of those nations see fit to assert that there has been a violation they have expressly provided that they are not obliged to settle that question before any court or any tribunal, but that they can at once take up arms and call upon the League of Nations to sustain them under article 16 of the covenant of the league.

Mr. President, Germany gave her consent to these seemingly harsh conditions, doubtless relying upon the protestations of amity and good will and the claim that there was a universal desire to wipe out the bitterness that had theretofore existed between the nations, and in consideration of which Germany was to be given a permanent seat on the council of the league. She was to have full fellowship with France, Italy, and Japan. The permanent membership of the league was Great Britain, France, Italy, and Japan, while Germany was to take her seat beside those four great nations and to occupy and possess the important right of being one of the five great nations having a permanent seat upon the council.

It needs no argument to demonstrate, sir, that a permanent seat is of great advantage and weight. Germany was to obtain this fixed status, and her statesmen undoubtedly felt that under



those conditions they would be able to protect the interests of the German people. As she took her seat there she knew, of course, that one of those countries, France, was incensed against her and she had reason to believe that Great Britain, Italy, and Japan were in good faith in their protestations of a desire to receive Germany back into the family of European nations. She had also reason to believe that France would in good faith, if Germany kept her agreement, receive Germany into this little coterie of great nations, which every man of sense knows was intended in the organization of the league practically to dominate that organization. That was the consideration Germany was to receive. Her statesmen undoubtedly felt under those conditions that they would be able to protect the interests of the German people.

But, sir, two things happened. The ink was not dry on the Locarno pact until France and Poland made a separate agreement, an offensive and defensive alliance against Germany, for that is the meaning of the treaty when stripped of all its hypocritical language. It could have been aimed at no other nation than Germany. It was aimed at Germany. To follow the phrase of another, it was a cannon pointed at Germany's heart. At the same time France and Czechoslovakia negotiated an exactly similar treaty, so that the action taken amounts to nothing more or less than an offensive and defensive alliance by three nations against Germany made at the very time that those six nations were sitting down at the table proclaiming that the dawn of a new day had come and that brotherhood and amity and good will were hereafter to control all of their actions toward each other.

It is now openly charged in the press of Europe, it has been charged by European statesmen of high renown, that at the very time the Locarno pact was signed the representatives of Great Britain and perhaps of other countries had secretly agreed with France that at the same time Germany was admitted, France's ally and Germany's enemy, Poland, would be given a permanent seat in the council so as to offset and nullify any influence or vote Germany might acquire.

The press must rely upon the reports of its correspondents, and they in turn must get the best information they can. I do not criticize the press. They have generally been right in these matters. Whether the press is to be trusted or not as to the statements of the fact I have just made, the indubitable truth is that France did demand a seat for Poland and that she was backed in this demand by Mr. Austin Chamberlain.

It can scarcely be doubted that by direction or indirection Mr. Chamberlain had made this pledge to France, and he made it secretly. Also it is manifest that at the very time France was sitting at the table signing the Locarno pact he had in mind a scheme to deprive Germany of the benefits which Germany expected to receive from the Locarno pact by bringing in an enemy of Germany and by giving an additional permanent seat in the council to that enemy, so that always and forever Germany's influence as a permanent member would be entirely different from the influence she had a right to expect when she signed the Locarno pact.

It is impossible to sustain the good faith of that kind of dealing. The incident is a complete demonstration of the

fact that in dealing with these European countries, no matter what instrument they may lay upon the table, they are liable to have secret intrigues which modify, qualify, or destroy the effect of the agreement they have openly signed.

When we entered the war to defend our rights we understood that the nations of Europe had disclosed to us the object of the war and that they would disclose to us thereafter frankly and fully all that concerned the common powers. That was not written in words. It was a conclusion that sprang from the facts and was assumed by the situation.

#### THE WAR AND EUROPEAN DECEPTION

Yet after we got into the war it was disclosed that there were secret treaties affecting the peace settlement, treaties and understandings between Italy and the allied countries other than the United States affecting Fiume and the Adriatic, secret understandings affecting Chinese territory whereby Shantung was to be cut from the heart of China and transferred to Japan, secret treaties between England, France, and Russia involving the Bosphorus and the Dardanelles which would have controlled had the Czarist Government continued in power; and indeterminate agreements or promises affecting the Balkans, affecting Poland, and affecting Greece. So that we now have again a manifestation of the kind of double dealing we can expect in Europe where, as Mr. Wilson said in discussing the Fiume controversy, the old militaristic spirit comes back to control and the old and evil influences are once more dominant. That is not Mr. Wilson's exact language, but that, in my judgment, is a fair statement of it.

Mr. President, I desire to invite the attention of the few Members of the Senate who can still stand it to hear this question discussed, or sit to hear it discussed, to a few other facts in support of the propositions I have just laid down. I propose to undertake to demonstrate that the league itself is an offensive and defensive alliance leveled against the United States of America, and that the court is the absolute feature of that league.

#### FALSE ISSUES

But first I want to wipe out if I can some false arguments that have been constantly fed to the American people. A lot of people proclaiming themselves the anointed apostles of peace are denouncing all who refuse to accept their views as malicious individuals having a natural affinity for murder and other high crimes and misdemeanors.

Only recently it was, in substance and effect, said again that certain people, including myself, would not get very far opposing this measure until they could bring forward a remedy. Such senseless mouthings have no place in rational debate.

All decent humans would like to see the battle flags permanently furled, the roar of cannon forever stilled. The dispute, therefore, is not between the advocates of war and the advocates of peace. The dispute is between two classes of people, each desiring the peace and prosperity of the world, and let us hope most of them desire especially the peace and prosperity of America.

The one faction declares that the best way to preserve the peace and prosperity of America is, in consonance with the policies of

Washington, to refuse to interfere in the intrigues and wars of Europe and to forbid interference with our policies on this side of the ocean; or stated differently, that America shall stay strictly at home, attend to her own business, and forbid foreign governments to trespass upon our rights. The other faction declares that the best way to keep the peace of America is for our Government to interfere in all of the disputes and wars of the world and to permit foreign governments to thrust themselves into the settlement of such disputes as America may have on her own account. In other words, the best way to keep out of the disputes and wars of the world is to get into all of them.

THE DOCTRINES OF WASHINGTON AND MONROE

Summed up, all these questions resolve themselves into one, namely, Shall we abandon the teachings of Washington and the traditional nationalistic policies of the past for the new-fangled doctrine of internationalism—a poison that is distilling itself through certain channels in America and that is as un-American and as treacherous a doctrine as ever cursed a free people.

Shall we forego the advantages of our peculiar situation? Shall we quit our own to stand upon foreign soil?

Shall we abandon the Monroe doctrine, or at least abandon that important part of the doctrine which was expressed by James Monroe in these words—

In the wars of European powers in matters relating to themselves we have never taken any part nor does it comport with our policy so to do. \* \* \*

\* \* \* To cultivate friendly relations, \* \* \* meeting, in all instances, the just claims of every power; submitting to injuries from none.

The proponents of internationalism, however, declare that these policies did not keep America out of the World War. That is true, but the other side of the shield is that from the birth of this Nation to our entrance into the World War stretches more than 140 years. In all of that period the United States was not drawn into a single trans-Atlantic war, although over 150 wars were waged in various parts of the world. Thirty or forty were of the first magnitude, notably, the Napoleonic conflicts which saturated the Old World with blood from the deserts of Egypt to the steppes of Russia.

During all these cataclysms the United States enjoyed complete immunity. Nay more. We acquired the vast domains of Florida and Louisiana and laid the foundations and built the walls of an impregnable empire in which life, liberty, and property are secure.

But then, sir, the captains of our fate were the profound Jefferson, the wise Madison, the brave Monroe, the heroic Washington—Americans all. They thought only of America. They rendered an undivided allegiance. Their feet were planted on American soil. They did not attempt to straddle the Atlantic Ocean.

But, say the internationalists, "notwithstanding the policies of Washington, we were once in 140 years involved in a conflict between European powers, therefore you must now

abandon his policy of nationalism and accept our doctrine of internationalism."

Say these gentlemen, "we assert"—and all we have ever had is their assertion, not one of them has backed his assertion with any logic or sound reason—"we assert that our internationalism will prevent wars and disasters not only in America but in all the world. Unless, therefore, you can propose an infallible remedy for war, you must accept our nostrum; and, if you do not do it, you had better not open your mouth in this country to utter a protest, for you will meet with condemnation and contempt."

They cry aloud, "What have you to propose?" We answer, "Adherence to the wise policies of Washington, which, it is true, did not infallibly prevent war, but which reduced embroilment in European wars to 1 in 140 years."

We admit that our policy is not infallible; but we assert that it does not follow that we must accept your proposed remedy unless you can propose a new policy which will certainly prevent future wars. We decline a doctrine which assumes that we can keep out of trouble in Europe by engaging in all of the troubles of Europe.

#### THE LEPROSY OF INTERNATIONALISM

Let me illustrate the idiocy of the argument of the proponents of the World Court. Leprosy has existed throughout the ages. It is the "white curse" of the Orient. Our policy has been to guard ourselves against its contamination by keeping away from leprosy-infected districts and colonies, and by guarding our gates against the entrance of its victims. Nevertheless occasionally an individual in the United States is afflicted with the disease. Our policy, therefore, has not been entirely successful.

Suppose now some imbecile were to declare that the way to exterminate leprosy is to turn the lepers loose on the community and for everybody to visit the leper colonies and purify the lepers by fondling their diseased flesh, and we were to reply that we declined the experiment. Would it lie in the mouths of the proponents of the new doctrine, therefore, to declare that we were in favor of leprosy and that we must accept their imbecilic proposition unless we could invent a nostrum absolutely guaranteed to exterminate the dread disease? We would answer that, although the present methods have not entirely wiped out the curse of leprosy, the proposed remedy would contaminate the world; that our people would lie along the highways rotting with the awful disease. We would say that, although we could not produce a perfect remedy, we nevertheless declined to abandon a method which had confined the disease and lessened its ravages for the foolish and deadly scheme proposed.

War is an evil. It has cursed the world through the centuries, but it is brought about by the voluntary actions of nations. Europe and Asia have been its two hotbeds. Their governments and peoples have, for their own reasons, resorted to the force of arms. They still pursue these policies. Even, sir, as I speak the cannon of Spain and of France are hurling their deadly projectiles into the patriotic columns of the Moors, who are defending their fatherland

from invasion and exploitation. They are referred to here as tribes and people with no fixed habitat. That is not true; but it is true that most of them, like Abraham, are following their flocks and their herds from pasture to pasture, and most of them were civilized when our ancestors were wearing the skins of wild beasts. France has no more business in that country and Spain has no more right in that country than any other pair of freebooters have to invade the peaceful valleys of any nation and to rob and despoil them of their homes and their property and their liberty. For my part my sympathies cluster around every bullet that is fired by those people in defense of their native land.

The dictator of Italy is massing armies and invading the Tyrol, or a few days ago was preparing to do so. The latest news is that he is still further increasing his armies. The further news is that he has declared that the legislative bodies now existing shall remain in perpetual session until 1928 or 1929, and that then none but Fascists, those of his own clique and crowd, will be allowed to take seats. This dictator of Italy, who assumes the power of life and death over the people, who attacks them for their religion, is one of the gentlemen whose representative will sit on the World Court to decide the rights of America. There are enough applications for admission to the United States now from this tyrant-cursed country so that if they could all come here we would not be able to absorb them during the next 20 years.

The British sea lord is declaring that England will, by her war fleets, keep the dominance of the seven seas. And, sir, at the Geneva convention one great British statesman, when they were discussing the question of an armed force to support the league, volunteered the statement that Great Britain would be quite willing to take over the policing of the seven seas; that is to say, he wanted the league to grant Great Britain the dominance of those waters that wash every shore of the world. She wanted the right to have her navy in fact what she has always sought to make it, the complete master of the oceans, and thus to become master of the trade and commerce and controller of the destiny of every nation. It was boldly stated at the councils of the league.

France appears holding in an extended hand the hat of the mendicant, unable to pay her international obligations to us; but back of that mendicant stand the serried columns of the greatest army on earth, and her soldiers are embarking to foreign lands to rob foreign peoples of their God-given and inherent rights.

Japan grips in a clutch of steel large portions of China and vast dominions belonging to Russia, and senselessly we conceded to her the dominance over islands in the North Pacific, every one of which in her possession is a menace to the United States, or may be at any moment.

The ingenuity and resources of the nations are strained to the utmost in the production of war planes and submarines, deadly explosives and poison gases. All these preparations are for exploitation, in part to hold the vast territories that were seized at the close of this war, when Great Britain took over at one time a domain greater than the eagles of the Caesars encompassed in the proudest days of Rome's dominance. These

preparations, I repeat, are for exploitation, for the glutting of national ambitions, for the engorgement of the stomach of rapacity; and all of the nations thus arming to the teeth are members of the League of Nations. Substantially all of them are represented by the gowned judges of the court. Such a court, created by such nations, is but an artifice to conceal the deadly purpose of its creators and to lull stupidity into a false sense of security.

THE COURT IS THE ARM OF THE LEAGUE

Mr. President, the court is the creature of the league. The purposes, powers, and dangers of the creature can not be appreciated without an understanding of the purposes, powers, and dangers of the creator. What is the League of Nations? What is its claimed jurisdiction? What are its policies? To what control is it subject? When we have answered these questions we shall have discovered the real jurisdiction and the real menace of a League of Nations and of its creature, the court.

The league is composed of 55 or 56 nations, embracing every character of race—black, brown, and yellow—every kind of government from dictatorship to democracy; every sort of religion from voodooism to Christianity; every degree of progress from cannibalism to civilization. These 55 nations have formed a combination amounting in fact to a supergovernment. They have created two governing bodies—an assembly, composed of the representatives of all the member nations, and a council, composed of the representatives of 10 of the greater nations. They have declared the purposes and powers of this supergovernment in an instrument by them jointly signed. The league covenant expressly declares:

That the assembly or the council may deal with any matter "affecting the peace of the world." (Art. 4.)

Any matter affecting the peace of the world!

That when there is war, or even threat of war, the league may take any action it sees fit; that any member of the league may invoke the jurisdiction and powers of the league as to—any circumstance whatever \* \* \* which threatens to disturb \* \* \* the good understanding between nations. (Art. 11.)

That if any nonmember state goes to war with a member state, or if two or more nonmember states go to war with each other, without first submitting the dispute to the league, all the members of the league will make war upon and destroy the state going to war; and this is true regardless of the justice of the cause. That is written in article 17; and the man who can read that article and not find that doctrine there is intellectually blind, deaf, and dumb.

In order to enforce this insolent and usurped authority all the members have formed an alliance and have directly agreed to make war upon the states not yielding obedience to their imperious demands. (Art. 16.)

Go and read it. Bear in mind, the United States is not exempt from the pains and penalties of this arrogant and bloody compact. Should we have a dispute with Mexico or any other country which in the opinion of the foreign gentlemen who officer the league threatens to disturb the "good un-

derstanding between nations," the league asserts the right to interfere, and if "war is threatened" these foreign gentlemen may summon the armies and navies of the criminal copartnership to destroy the United States of America. At the Geneva convention this doctrine was baldly and nakedly stated by Benes of Czechoslovakia. It was accepted, and finally failed for lack of the one vote of Great Britain. That vote will come whenever British statesmen, who are wiser than the statesmen of any other country, looking down the course of time, observe that Great Britain's sun will shine brighter because they accept it. This attack upon us under the very terms of the league can be made and must be made unless we humbly accept the decrees of the league and prostrate ourselves to its sovereign commands.

I assert, therefore, that the league is a villainous conspiracy against the liberties of the nations of the world. It impudently asserts a world-wide jurisdiction. It boldly announces its purpose to enforce its pretended authority by "sanctions." But what are sanctions? No criminal ever says, "I murdered a man." He says, "I bumped him off." No thief ever says, "I stole the article and hid it." He says, "I stashed it." And so the language of diplomacy, largely devised along similar lines, uses unusual terms.

But what are "sanctions"? Sanctions, sir, are war. Sanctions are fire and sword, famine and plague, battle fleets of the sea, the atrocity of bursting shell hurled from the skies, the horror of poison gases that creep like innumerable serpents along the surface of the ground to put out the lives of men. Such are the indisputable facts; and if this league covenant had been signed in Europe without having been sugar-coated with the hypocritical pretenses that it was done in the name of humanity, of God, and religion; if the naked fact had been presented to the American people that 55 nations had signed a compact of this kind and proposed to back it with armed force, there is not a county in the United States in which American citizens would not have been drilling within 24 hours.

What is this lethargy that so envelops our souls? What is this fog that so obscures our vision? What has happened to the American people that compacts of this kind can be signed, and we not only sit supinely by, but we find men who would have us enter into this unholy compact and bind our Nation to accept the decrees of foreigners who constitute the membership of the league? And yet there are those who would lull us into a false sense of security by the siren song of universal peace!

That cry, sirs, was heard when the British armies were marching against the Colonies. There were men then who declared there was nothing to fear. There were men then who were talking amity and good will and loyalty to our sovereign, George III. There were men then who would blind the eyes of the American people and stop their ears; but there was one clarion voice that reverberated through the forests of America:

Gentlemen may cry peace, peace, but there is no peace. Why stand we here idle?

Ah, if ever this country needed a Patrick Henry to arouse in it once more the spirit of independence; if ever this country

needed a fagot from the altars of the Revolution to light once again the fires of national patriotism, it is at this hour. As I hear the league's pious protestations for peace, and then read this crimson compact, and witness the preparations of its members for war, there comes to me Tom Moore's description of the Saracen—

One who could pause and kneel unshod  
 In the warm blood his hand had poured  
 To mutter o'er a text to God  
 Engraven on his reeking sword.

I, sirs, am not an advocate of war. I hate and abominate war and all its evil brood. Hence I protest that the individuals who temporarily fill these positions shall not involve the United States in all the disputes of the world; that they shall take no action which will send America's sons to die in foreign lands, in foreign wars, created by foreign nations, and perhaps subject our sons to be under the command of foreign generals.

Hence also I protest that Uncle Sam shall not be soothed to sleep in the lap of an international Delilah, and so, shorn of his locks, awake only when the Philistines are upon him.

Such, sirs, is the League of Nations. Men may deny the truth, as they have denied it on platforms all over this country. Men may seek to cover up the facts, as they have done; but it is time for honesty of speech, for frankness of expression; and it is time for lying to cease.

Such is the League of Nations. What of its agent, the court?

1. There is no such thing as a World Court. There is a league court. It was created under the authority of article 14 of the league compact. The protocol and statute of the court were adopted by the assembly and council of the league and sent out by the secretariat of the league only to members of the league and the states named in the annex. When signed by the several states it is returned to and filed with the secretariat.

3. Its so-called judges are nominated by the members of the league and by the members of the league only, and the members of the league may nominate even though they have not signed the statute of the court. That is statute 5.

4. From the men so nominated the assembly and council of the league elect the judges. They may also increase the number of the judges. That is statutes 1 and 14.

5. Vacancies are certified by the secretariat of the league to the league members. That is statute 18.

6. Salaries, expenses, and pensions for the judges are fixed by the council and assembly and apportioned among the members of the league. That is statutes 32 and 33.

7. Notices of all cases are sent to the members of the league by the secretariat. That is statute 40.

8. Notices of injunctions and mandates which the court directs against any nation to preserve the status quo upon a final settlement are transmitted to the council for such action as it may wish to take.

Is there anybody here who wants to say that when the court writes a decree and sends it to the council, and the council



then is to take whatever action it pleases in the enforcement of that decree, that that court and that council are not Siamese twins, absolutely inseparable? The man who would deny that is not honest with himself, or else he has an intellect that travels in a very different manner from that in which mine travels. Perhaps that will explain some of my peculiar views.

The reasons given by the advisory committee and solemnly recorded in the records of the league are—

That the measures, once they have been suggested by a court of the league, indicate the council of the league as the body most competent to suggest that the measures be carried out which are calculated to insure the effect of the sentences pronounced by the court.

Yet there are men who will say—the President has said—that the league was divorced from the court. I wonder who is advising the President just now.

In plain language, the judges decide and the league enforces. How they enforce is laid down in the league compact, article 16, which provides for the employment of every instrumentality of war, provides for cutting off commerce on the sea, for laying an embargo upon ports, for the employment of every method and means of bloody war, such war as has turned the soils of the world crimson, filled her valleys with bones, and made widows and orphans in every land since time began. What wonder is it that M. Lapradelle, of France, declared in the league:

The court, being the judicial organ of the league, can only be created within the league.

#### THE LEAGUE COURT A FOREIGN TRIBUNAL

Who are the men to whom the propagandists and hired agents of somebody would have us submit the interests of America? Who are the members of this court to whom you rush with the fate of America in your hands?

Max Huber, president, of Switzerland.

Rafael Alamira y Crevea, of Spain.

Charles Andre Weiss, of France.

Dionisio Anzilotti, of Italy.

Antonio Sanchez de Bustamante, of Cuba.

Robert Bannatyne, Viscount Finlay, of Great Britain.

Bernard Cornelius J. Loder, of the Netherlands.

John Bassett Moore, of the United States.

Didrik Galtrup Gjedde Nyholm, of Denmark.

Yorozu Oda, of Japan.

Epitacio da Silva Pessoa, of Brazil.

#### DEPUTY JUDGES

Frederick Valdemar Nikolai Beichmann, of Norway.

Mikhailo Jovanovitch, of the Serb-Croat-Slovene State.

Dumitriu Negulescu, of Rumania.

Wang Chung Hui, of China.

[Laughter.]

To these men you propose to submit questions in which America is concerned. A few days ago I read this list of names, and at once offense was taken. It was said I was appealing to a low sentiment when I was asking for consideration of the names. Then it was asserted that there were a large number of men with foreign names, or with peculiar

names, in our country, and that some of them had served in the war. I do not call this list of names to create laughter because of their strangeness to our ears.

I call them to emphasize the fact that they are a body of foreign gentlemen representing foreign nations, many of them representing nations utterly different from ourselves, representing codes of law utterly different from our codes of law, representing systems of religion entirely different from our systems of religion.

Of this group, Charles Andre Weiss and Dionisio Anzilotti represent nations challenging our right to collect honest debts and insisting upon at least partial repudiation.

Yorozu Oda represents Japan, with which country we have an acute controversy regarding immigration; likewise he represents the nation whose spokesman in the league declared that the judges ought to be "deified."

Antonio Sanchez de Bustamante, of Cuba, is the gentleman who overruled the decision of Chief Justice White, declared that that eminent jurist had violated his duty by going beyond the limits of his jurisdiction, and who blandly advised Panama to disregard the judgment rendered by Justice White.

Rafael Altamira y Crevea, of Spain, represents a country which we recently deprived of its colonies and in which distrust, fear, and hatred of the United States is deeply seated.

Robert Bannatyne, Viscount Finlay, represents Great Britain—always devoted to the policy of destroying its great rivals upon sea and land.

John Bassett Moore performs the contemptible office of decoy, placed by foreign nations on the international pond in the hope that American geese may be induced to light.

Which one of you would be willing to submit your own fortune or liberty or life to such a tribunal?

I cast no imputations upon these men. I do not care how exalted they may be in their respective countries; and I respect the countries of the earth. I do not care how earnest they may be in the laws of their lands. They are not bone of our bone; they are not flesh of our flesh; they are not wedded to our systems of law. They do not think as we think.

It is to this body you propose to consign the fate of the United States; or are you playing battledore and shuttlecock with words and setting up a shadow and telling us that shadow will produce peace in the world and stop all wars?

#### THE JURISDICTION OF THE COURT

Mr. President, let us examine the jurisdiction, or claimed jurisdiction, of this court. The court, being the creature of the league, it necessarily follows that the league can confine its jurisdiction and enlarge or contract that jurisdiction. To deny that is to deny the plain rules of common sense and of all experience. This the league may do by the simple process of amending the covenant of the league. Indeed, the league compact has been recently amended in the most important particulars, so as to enlarge and define the jurisdiction of the court. I have not time to go into that to-day, but on an appropriate occasion I shall show exactly how that was accomplished.

Under the covenant and statute as they now exist, the court has jurisdiction, as follows:

1. It is the sole judge of its own jurisdiction (art. 36), and its judgments, not only as to jurisdiction but as to all matters, are final and without appeal (art. 60). That is another one of the statutes many of you gentlemen did not read.

2. It has jurisdiction of all cases referred to it by the parties. Such reference may be, however, by general treaty stipulation. In cases of such treaties the court can exercise a compulsory jurisdiction. (Stat. 36.)

3. It has jurisdiction of all matters specifically provided for in treaties and conventions in force between the members of the league. (Stat. 36.)

4. Any member of the league may force its opponent before the court by refusing to arbitrate, and thus obtain a decision interpreting any treaty, or as to any question of international law, or as to any breach of international obligation, or as to the extent and nature of reparations to be made for such breach.

This is true, because under article 13 of the league covenant as amended all of the members have agreed that such disputes are cognizable by the court unless arbitrated, and, as I have said, arbitration can be prevented by any one nation refusing to arbitrate.

Clearly, therefore, substantially all disputes between France and Germany, or between France and England, or between France and Belgium, will be cognizable by the court as soon as Germany is admitted to the league, and before she is admitted to the league, the league assumes the right to take jurisdiction over nations outside the league, under the articles I have already read. Clearly, also, all other treaty disputes between the 55 members constituting the league are cognizable by the court.

5. A court may give advisory opinions upon any dispute or question referred to it by the council or the assembly. I have shown that the league asserts the right to interfere in any dispute of any character arising in any part of the world, whether between members or nonmembers, which the league thinks will even disturb the good understanding. It follows from what has been said that there is no conceivable question which is not justiciable by the league if it arises (a) between members under a treaty signed by the members; (b) there is no limitation whatever upon the advisory opinions which may be asked by the council, and when such opinions have been asked, or even without them if the league asserts, I repeat, the right under articles 16 and 17 to make war in order to enforce its will.

#### EXCUSES OFFERED BY LEAGUE COURT ADVOCATES

Our opponents present certain objections which, while they interfere with the course of my argument, I will take up at this time. They say, first, that the court is an innocuous body, having no jurisdiction except by consent of the parties, and that it is totally without power to enforce its decrees. Have we not heard that argument on this floor? Did we not hear it about the time we were to have cloture?

I have shown by the records that that argument is not true. I have shown it by literal quotations from the league compact, as amended. If that were true, if this league were an innocuous body without jurisdiction, then the entrance of

the United States into the court would be merely a stupendous fraud, an unspeakable farce. In such case nine judges would be nine judicial ciphers inclosed in a vacuum.

Second. It is claimed that reservation 1, which provides that—

adherence to the court shall not be taken to involve a legal relation on the part of the United States to the League of Nations or the assumption of any obligation by the United States under the treaty of Versailles—

protects the United States. Mr. President, the reservation is purely idiotic, for if a legal relation is in fact established, any declaration that the fact does not exist is utterly futile. So also if no legal relation has been established, any declaration to that effect is mere surplusage. Upon that construction I could pile authorities until even those patient souls who listen to me to-day would abandon the Chamber.

But, sir, the legal relation is in fact established when we take our seat upon the court and participate in its deliberations and join with the other members in the rendition of decisions. A fact can not be expunged by a recitation that it is not to be regarded as a fact. Abe Lincoln once asked a chap, "Suppose I say that a dog's tail is a leg, how many legs will the dog have?" This stupid fellow said, "Five." Abe said, "Oh, no; you can not make a tail a leg by calling it a leg." [Laughter.]

Third, we have provided that—

no advisory opinion shall, without the consent of the United States, be given touching any dispute or question in which the United States has or claims an interest.

Let us examine that a minute. A broad construction of this language results in the court being unable to move in a single important instance without first expressly gaining the permission of the United States, for there is no question great enough to produce war or international strife in which the United States does not have and may not justly claim to have an interest. Such an absurd construction therefore will never be entertained.

It follows that the language will be construed to cover only those disputes in which the United States has a direct and immediate interest, separate and distinct from the general interest which all or a majority of the nations have in the question to be decided. Indeed, I think our interest must be that of a party to the dispute. That, Mr. President, is the construction we follow in every one of our statutes. We provide that a judge must not be interested in a case, and yet we allow him to sit if there is a taxpayer's suit, although he be a taxpayer, because his interest is the interest that the community has in common with him. All judges are interested in law and in order, and if we were to say that that sort of interest disqualifies, no judge could be found to try a case. So in this instance, if we say that the United States can bar any claim in which it has an interest and give it the construction that any interest the United States may have that is not direct can operate as a bar, then we close the door of the court permanently, for we are interested in all of these questions in an

indirect way. With this limited construction of the language, the reservation affords us little or no protection, as I shall proceed to show a little later.

Fourth. It is provided in the reservation that—

the settlement of differences between the United States and any other State can be had only by agreement thereto through general or special treaties concluded between the parties.

As to that reservation, it may be said that if the United States asserts such a reserved right for itself it must concede similar rights to all other nations, so that the court in no instance would have jurisdiction, even at the request of its creator, the league, except by mutual consent of the parties. Thus, the court is reduced to the same jurisdictional standard as The Hague court, and becomes a useless and superfluous piece of international machinery. It is merely a fifth wheel for the international cart. Besides, such a doctrine brings the court to be a mere arbitral body to which nations willing to settle can resort, and, as I have said, has practically no advantage over The Hague court. It has numerous disadvantages not attaching to that body and not attaching to the ordinary arbitration. It is not comparable with the established process of arbitration, for arbitral courts can be selected with reference to a particular case, and may be fairly free from prejudice in a special instance, whereas the court is composed of permanent judges, nationals of important countries certain to have interests in the question in controversy.

Fifth, in the debates in the Senate the two leading proponents of the court were forced to admit (a) that they never would consent and that the United States never would consent to submit to the court any great question of international policy or any question vital to the United States; (b) that if the United States claimed such immunity, a similar immunity could and would be claimed by all other nations; (c) that nations only go to war over great questions of national policy or those which vitally affect their interests; (d) having been driven thus far those gentlemen in this Chamber were further compelled to admit and did solemnly admit of record that the league court would not prevent war. Thus they conceded and admitted away the entire arguments advanced by the proponents of the courts. Thus they dispelled the cloud of subterfuge and of sophistry and of falsehood which has been put before the American people, to wit, that they were told that the league court meant peace to the world and the settlement of all great questions by judicial arbitrament. They conceded away the argument advanced by the proponents of the court. Both of those gentlemen denounced as foolish the idea that wars would not recur in the future. The most they claimed for this marvelous court, as it has been presented to the American people by the judicial vanguard of the millennium, was that in some instances it might serve to smooth out the smaller wrinkles, to appease any minor irritation. What a pitiable situation in view of the fact that those gentlemen have themselves helped put forth the propaganda to which I have just referred.

#### THE LEAGUE COURT POWERLESS TO PREVENT WARLIKE PREPARATIONS

While I am on that subject it is said, "Oh, the court is a cooling-off place." How often have we heard that miserable,

silly twaddle about a cooling-off place. These gentlemen talk as though nations went to war like two men with their fists. When somebody calls a man a vile name, he hits him before he has time to think. Not a single war of history ever began that way. Nations go to war over great questions that they have thought of for years. There may be a spark that lights the powder magazine, the spark may be small, but they have been gathering that powder for years and for a purpose. The man who does not know that does not know much of anything.

Let us take the last war. Does anyone suppose anybody acted there without knowing what he was doing? About two hundred years ago the King of Prussia began forming the nucleus of the Prussian Army. He starved himself and his family and dressed like a peasant in order that he might gather silver through means of taxes wrung from the people. Having no place else to store it, he made solid silver balustrades for his palaces. All the people wondered at him wearing wooden shoes and peasant's clothes, and placing silver balustrades in the palaces; but when his son, afterwards Frederick the Great, was called to the bedside of the father just before he expired, he whispered in his ear, "My son, you will go to war with Austria. Then you will melt the silver balustrades into dollars." They had been accumulating through the years. The army had been building, built to carry out a policy of enlargement.

Out of that policy, operated by the King of Prussia nearly two hundred years ago, grew Prussia and from Prussia sprang the great German Empire. The German Empire pursued those policies. She drilled her men; she opened her schools to study every art of war. Chemists were busy night and day devising instrumentalities of destruction.

And England? Was she not acting with full knowledge of those policies? Years before the war she made an offensive and defensive alliance against Germany. She made it secretly. It is contained in two scraps of paper, not even a formal treaty—letters that passed. Two or three years before the war began the minister of the navy prepared for it, as Winston Churchill said in his own book of and concerning himself, preparing for the eventuality. He had placed or prepared to place 16-inch guns on vessels that once were armed with 12 and 14 inch guns. He was in such haste that they took the chance of the guns not working. They mounted the guns and for a year before war was declared the British Navy was mobilized at the point of vantage and practically stripped for action so that it could move upon a few hours' notice.

France was enforcing her universal draft; France was training every one of her gallant sons to be ready for the day; France had the numbers of the automobiles, and knew where she could instantly call them in order to rush her troops to the front. All this was prepared; all this was in readiness for the day when it came, as they all knew it would inevitably come.

England had served notice upon Germany months before the war that she must quit building warships and had told Germany that if she dared pursue that policy, England would build three vessels to her one. If England had told us that, if we had had a real, red-blooded American for President, he would have told England that we would build six vessels for

each of their three, and we would have been getting ready just as those countries were getting ready.

Gentlemen talk about "a place to cool off," as though somebody had sat beside a hot stove and got into a sweat and needed to open a window a little while to cool off. It is part of the Tommy-rot that has been fed to our people—absolute, sheer drivel. The place for nations to cool off is in their council chambers before they get ready to gather the instrumentalities of war. The way for nations to cool off is for them to cultivate the spirit of decency and quit the policy of robbery, for I say to you, Mr. President, that practically every war of modern times can be traced to one thing—the insatiate desire of nations for territory; the ruthless willingness to invade the homelands of other people and to take that which others possess. Sirs, that desire is as rife to-day as it was in the days of Nebuchadnezzar, of Rameses, of Alexander the Great, of Cambyses, of Xerxes, of Darius, of Attila, and all the other monsters who have cursed God's footstool. It is part of the modern foreign policy.

I repeat that Great Britain took as a result of the World War more territory than Rome occupied in the greatest day of her power, and what she did not take, France and Belgium and Italy took. They took that territory by secret treaties which were all made in advance and made Almighty God witness their sacred and holy purpose of loot.

#### SENATE RESERVATIONS DO NOT PROTECT UNITED STATES

Mr. President, I now invite the attention of Senators to the fact that the reservations are wholly ineffectual to prevent the United States from being seriously hampered and perhaps tragically injured by the decisions of the court by our participation therein. It would, sir, require a volume fully to develop this theme. No mind can be projected into the future far enough, no eye can see clearly enough down the course of the years to come, to divine or visualize the particular circumstances that may at any moment confront us. In what I say to-day I shall only refer to two or three very patent conditions which lie immediately across our path.

I assume, sir, now that the individual representing the United States shall take his seat upon the court. What questions may be presented for decision? It is absolutely certain that the court has jurisdiction of all disputes arising under treaties which provide that the disputes under the treaties shall be submitted to the court. That brings in every nation that signed the League of Nations covenant, for under the terms of the covenant they have all agreed to submit their controversies to the court since the league covenant has been amended.

Besides that, 15 separate treaties have been made embracing the express provision that any disputes arising under the treaty shall be submitted to the court. A large number of these 15 nations are South American countries. It follows, therefore, that all the disputes between such South American countries can be brought before the court. The disputes may in a sense be local in their character; yet they may, in the opinion of the United States, impinge upon the Monroe doctrine. We then are placed in this situation: If we take part

in the decisions we must abide by the majority vote of the judges; if we do not take part, the United States is placed in the dilemma of denying to the South American countries the right to submit a question to a court which we have recognized and on which we occupy a seat.

Let me digress for a moment to consider that situation. We take a position upon the court; two South American countries have a dispute, and we veto, or try to veto, the court's passing upon that dispute—the very court on which we have a seat. What will our attitude then be? How will we then appear to the proud countries to our south, when we say to them, "You are so inferior to us that you can not come and present your claims to the very court that we have recognized and on which we have a seat"? Sir, if I were a South American statesman, I would die in my tracks before I ever would vote to allow the United States to enter the court with a reservation that the court could decide no question without the consent of the United States. I would say, "That means that the United States could employ the court at will, if it could control the court so as to gain a decision that suited the United States, and, if the court were not so constituted, she could refuse my country entrance to the court and set up the Monroe doctrine in place of the decision." I would say, "I would never submit to my country being placed in such a humiliating position." Yet that very condition is likely to arise at any moment of time.

While I am speaking of South American countries let me touch for a moment on Brazil. Brazil vetoed the scheme for the rape of the compact with Germany. Some people say that Brazil was a pawn; that she acted for other nations. So some people say Sweden was a pawn, and she acted for other nations, but, sir, as I turn my eyes across the ocean, I see in Sweden a people of wonderful vitality, of wonderful intellect, and wonderful courage, and I think the good sense of Sweden acted in this case. And as I contemplate the great nation to the south of us, Brazil, and visualize as nearly as I can the wonderful future that lies before her, I think she had a statesman who towered above us, who, looking into the future, truckling to no president, obedient to no propaganda, chained by no cowardly fear of a sentiment created at home when none had the courage to meet that sentiment and destroy it, stood for his country and his country's rights, and I pray God he will still continue so to stand. For my vision of the future is that Europe has a set of interests peculiar to herself, problems of her own, masterful statesmen to meet them; and if they can not meet them, surely we amateurs, 3,000 miles away, who would get lost in a London fog in four minutes and would not know how to find a police station, can not very well advise the great European statesmen.

This miserable conceit of America! I give place to no man in the exaltation of my country. I believe our people in the aggregate are a wonderful people. I think that the future holds in store for them a glorious prospect, but I am not foolish enough to think that we Senators, picked from all trades and professions, called together temporarily, unacquainted with Europe and European affairs, can go over there and solve European problems. I know that the blessed, sweet-faced, saintly old ladies who meet in these clubs can not advise



Chamberlain; they can not advise Benes; they can not advise Briand; they can not advise any of these statesmen how to run their countries. We might just as well understand that there is no monopoly of brains or virtue on this side of the Atlantic Ocean.

I would not want most of these people who want to run the world to manage my backyard. I would not want them to manage my life or tell me how I could live, because then I would have to live just as they do. They have a right to live their way, and I have a right to live my way, but God knows I think my way is the best, or I would live their way. I do not want their advice on how I am to live. So instead of repeating this silly stuff "America has a great duty to the world," would we not better wait until we can take care of our own affairs?

We can not conduct our own business here in a businesslike way. We can not keep our own Government pure. The vile and loathsome leprosy of fraud creeps into the very Cabinet of one of our Presidents. An Attorney General declines to answer questions touching his official conduct upon the ground that it would tend to incriminate him and involve others who shall be nameless here. Our public domain is granted away, and we must go into the courts to gain it back. Poverty and privation exist in the very shadows of the palaces of the wealthy. Crime is rampant. Officers of the law, decorated with a badge and armed with bludgeon and revolver, hold up and shoot down citizens upon the highways. One of our own Members is condemned, I fear—I pray not—to the life of an invalid by the wild shot of a wild man turned loose with a certificate as an officer. The doors of homes are battered down by irresponsible villains. Men soaked with whisky go out upon the highway and stop citizens as they pursue their course of duty or go to their places of business or their homes. Assaults are perpetrated upon women. Education is in a shameful condition, some of the States having illiteracy mounting to an alarming degree. And yet, in the face of these conditions, we propose that we shall sit here, without any knowledge of the facts, and regulate Europe.

Why, if we went over there we would be in worse shape than any innocent old farmer who comes to town for the first time in his life, who gets acquainted with a gentleman who knew him and all his relatives, and buys a gold brick in the next 30 minutes. We have been gold-bricked once, sir, in the city of Washington, when we destroyed our chance to have a great navy and control the seas. We are to-day in a position where we can not meet on equal terms the fleets of Great Britain, and will even be at a disadvantage, in my opinion, in a contest with Japan.

We have some tasks of our own. Let us get out of our heads the idea either that God Almighty appointed us to run the world—it is a mistake—or that we would have sense enough to run it if God had appointed us, unless He had given us a new set of brains.

Mr. President, that is a slight digression. I want to return now to these illustrations.

All of these disputes under the Versailles treaty, under these other treaties, under any treaty that may be made, go before

the court. The court is as inseparable from the league as the Supreme Court of the United States is inseparable from the scheme of the Federal Government. Indeed, the relation between the court and the league is much more intimate than that between the Supreme Court of the United States and the other branches of the Government of the United States, because in many instances the council of the league and the court have concurrent jurisdiction over the same subjects, and can be considering them at the same time.

ONCE IN, THE UNITED STATES CAN NOT ESCAPE RESPONSIBILITY

Mr. President, once we have accepted a seat upon the bench we can not escape responsibility. We immediately begin, through our representative, to intermeddle in all of the conflicts of the whole world. We take part in the decisions, and if we exercise the power we must accept the responsibility.

Let us see how far that responsibility extends.

A dispute of a grave character arises, threatening war. It is submitted to the court. We sit in the case. We join in the decision. One of the nations refuses to obey. Immediately the council, under the provisions of the amended covenant, takes action to put down the offending party. Under the authority of article 16 it calls upon all the league members to contribute men, money, and arms. Is there anyone so foolish as to think that the United States will not be requested to contribute its quota?

Having entered into this scheme for the preservation of the peace of the world by joining the court, have we not morally bound ourselves to stand by the decision we helped to make? Is there, sirs, any obligation resting upon a nation except a moral obligation? Treaties are only moral obligations, for there is no authority to enforce them unless it be this new supergovernment of the world. Are we not just as much bound as though we had agreed in advance to furnish our share of the international posse comitatus?

What is the United States to say? Is it to appear with the contemptible plea, "We entered into your scheme for compelling the peace of the world; we took part in the execution of that scheme up to the point where money had to be contributed or blood had to be shed; and now we will turn our backs upon our associates and flee like cowards from the field"?

America never will do that. When she has a population capable of doing that, then the stars will have faded from the flag, its red stripes will have disappeared, and the white banner of cowardice will float over the land to which Washington and his soldiers fought to give birth.

Again, regardless of the reservations, the statute of the court affords us little if any protection. First, the league covenant is really the constitution of the court. Get that into your minds, please. The league covenant is the constitution of the league and the court. It can be amended, I repeat, at any time by the league members; and they have amended it, placing among the questions that are to be decided by this court questions which Mr. Wilson expressly reserved from decision.

Under the covenant the court was created. The jurisdiction of the court has been extended, as I have said, over cases previously subject to arbitration. The league covenant can be

further amended at any time by the members of the league, and upon such amendments we have no vote, because we are not members of the league.

IT WILL BE TOO LATE TO WITHDRAW

It will be replied that in this case, if unsatisfactory, we can withdraw. That is to say, the gentleman sitting on a keg of powder blandly explains that he is going to get off as soon as something happens. When something has happened it is too late to withdraw.

We entered the World War because Germany had warned us off the seas and had sunk some of our vessels. That was the reason. That is the reason solemnly written in the records; and yet, almost the hour after we had entered it for those reasons, we were told that we were to democratize the world, and we were told that we were to establish the liberty of small peoples. We were told that we were general crusaders everywhere; and yet the fact was we were none of those things. If we had been starting out to democratize the world, we would not have enlisted three or four kings as our side partners in the enterprise of destroying monarchies and setting up republics. If we had started out to establish the liberties of small nations, we would not have united our arms with the nation whose chief historian boasts that England has always been the great conquering nation, for we would have had to lop off India; we would have had to break the chains of Egypt; we would have had to cut the shackles from the limbs of more than 150,000,000 people who are held in subjection by British bayonets and kept from freedom by British machine guns.

We would not have gone into partnership with France. I hardly think we would have gone into partnership with Belgium, for I remember that it is only a few years since one of the horrors of the world was the condition of the natives in the Kongo, a Belgian Province, where it was said they were treated with an atrocity indescribable and unbelievable. We would not have formed a partnership with Italy as a kingdom or Italy held in subjection by a dictator.

But we went into the World War; and I remember that as I sat in my seat there sat beside me a great Senator from a Southern State, a man of fine intellect. When the British delegation came to this Chamber and asked us to send troops across the seas, and send them quickly, this Senator said to me: "My God! are we to send our boys across the sea? I never would have voted for war if I had thought we would come to that." He had hugged to his breast the delusion that many then entertained that the mere declaration of war by America would stop the war. That sort of foolish stuff had been talked to our country until many wise men believed it.

We went across. Our troops fought gallantly and well. We loaned these nations ten thousand millions of dollars. We did not wait even to conform to the statute and take from them their bonds in the form provided by the law. We took their note of hand, their obligation that they would thereafter give their bond. We poured our treasure into their lap. We sent the boys from our homes across the sea to defend their cities, and to die upon their soil. Yet they charged us for the very land on which our troops stood when they beat back the German Army in its almost triumphant movement toward

Paris. They rendered bills to us for a bridge which an American Artillery officer blew up because German troops were moving across to attack the American Army.

The war ended. Were we able to get our boys home at once? Not so. They said, "Keep at least enough to help us hold the territory we have taken from Germany." So we kept them there and quartered them beside the black troops which had been put in to control the German people. I do not remember how long it was afterwards before our boys returned, although I offered the resolution myself to demand that the President call those troops home, but it seems to me it was a year and a half, but at last we got our troops back.

Then what? Then, sir, we were met with the outrageous statement that we had not done our share in the war; that in some way or other it was our duty to have anticipated the war, to have had our troops already in Europe to fight the battles of France and of England and of Belgium, not our own; and that having failed to do that, we ought to forgive the debt they had contracted, the debt that went for clothes for their soldiers, for shoes for their soldiers, for powder and shell for their soldiers, for food for their people, their armies, and their civilians; that they did not owe us anything, and that we ought to forgive them. They are over here to-day substantially repudiating their debt. When our boys went over they met them at the docks. "Vive les Americains!" was upon every lip, and there were kisses for every American boy, but now curses and imprecations. The name of America is hissed in every theater of France. Officially, diplomatically, we are still pleasant and agreeable, but deep-seated hate exists among the masses of the people toward the fathers and mothers of the American boys whose blood enriched the soil of France with the holiest tide ever poured from human hearts.

With all this before us, we propose to do what? To enter a court that decides cases by a majority of votes, and we will have 1 vote out of 9. There will be eight foreigners, everyone of whom loves his own country, everyone of whom would send his boy to die to-morrow in a war against America, everyone of whom responds to the impulses of a life that is rooted, through its ancestry, deep in the soil and history of his land, everyone of whom will sit there on that court to guard the interests of his own country. We propose to submit America's interests to such a tribunal.

#### JAPAN AND THE MONROE DOCTRINE

What cases can arise? I say the reservations do not prevent this sort of case arising: Japan makes a treaty with Mexico. Under that treaty Mexico grants to Japan the right to have her war fleet in Magdalena Bay, and we protest. Where shall we protest? Shall we go to this court? If we do, we acknowledge its jurisdiction. When we have entered that court, acknowledging its jurisdiction, we have gone into a court from whose decision, by express terms, there is no appeal. We plead the Monroe doctrine; and they say to us, "The Monroe doctrine? What is it? Where is it written in international law? Where is it recognized in international law? Per contra, it has been universally repudiated as a part of international law, and there was a fellow named REED over there in the Senate, who, when you were debating your reservations, asked you expressly to

provide that the Monroe doctrine should be admitted as a principle of international law, and you would not put it in. Now, how are you going to plead the Monroe doctrine?"

Then they proceed to decide the case on international law, and what is the decision? That Japan is a sovereign country; that Mexico is a sovereign country; and that one sovereign country, under every principle of international law, has the right to cede its territory to another sovereign country. Are we saved in a case of that kind? We are not, sir. We are entangled and humiliated.

Extend the illustration, if you please. Haiti, this country which our marines now hold in a condition of semipeace, is a member of the League of Nations, and if we entered the league to-morrow Haiti would have just as big a vote as we would have. Suppose Haiti were to make a treaty with Great Britain, conceding Great Britain rights in the harbors of Haiti, from which the British fleet could in a few hours' time attack our coasts. Suppose Haiti and England have a dispute, or suppose they fix up a moot case and take it to the League of Nations, England claiming that she has certain indestructible rights in those waters under a treaty. Suppose we sit on the court, and the case comes there. What are we to say? A sovereign nation granted to another sovereign nation rights in the waters of one of those nations. Then we say, "The Monroe doctrine!" Ah, but there is no Monroe doctrine that is a principle of international law, and the decision goes against Haiti, and the British fleet moves into those waters. Then we assert the Monroe doctrine, and what happens? We have to assert the Monroe doctrine against the decision of a court which we recognized and on which we had a judge. What else happens? The court decides against us. Fifty-five nations that have signed the compact of the League of Nations have solemnly agreed to make common cause against us with fire and sword, with shell, with airplane, with poison gas, with all the hell of war.

THE LEAGUE OF NATIONS IS AN OFFENSIVE AND DEFENSIVE ALLIANCE

Somebody says, might they not do that now? I grant you that. The League of Nations is to-day a great menace. It is an offensive and defensive alliance. It does repudiate the Monroe doctrine, and if Great Britain or any other nation—I am not singling out Great Britain invidiously, let it be understood—if Great Britain or any other nation were to seek rights which violate the principles of the Monroe doctrine, all this great combination of power, this trust of arms, might hurl itself upon us, but at least we could say, "We have never acknowledged your authority. We have not bound ourselves to the conditions of your compact. We stand where we have always stood, upon our rights as a great and puissant power, charged with the duty of the protection of this hemisphere. By the living God, we will protect it to the end." We will be entangled in none of their infamies. We will have proved the way twice over.

I stand here as James Monroe stood when he faced the Holy Alliance, with all its power and prestige, with only a little scattered population of frontiersmen and a few men in a few small towns to back him, and declared to all the world,

"You shall not conquer, subjugate, and enslave any of the nations of this hemisphere."

Mr. President, it is hard to preserve the mask of hypocrisy far enough. "Though the mills of the gods grind slowly, yet they grind exceeding fine." At last the selfish individual must expose his purpose. The seeker after power must display his object. The trickster will eventually make a mistake, and so the truth comes out. It came out at Geneva in the last four or five days. There was no good faith there. I do not speak in defense of the German people. If the same thing had been done to any other nation, I would have equally spoken. I am employing these facts because they tell the story and that only. When the nations met at Geneva good faith required that they should meet with clean hands and receive Germany as a permanent member of the council. That had been the condition of the pact. But they had been playing a game behind the curtain. Their real purpose had been concealed. They wanted to bring Germany in and at the same time they wanted to fix Germany so that she would have no influence when she was in. I care nothing, I repeat, for the question so far as it concerns the German Nation, but I care everything for it because it exposes chicanery, trickery, fraud. It demonstrates that once more in Europe there is the old battle for the supremacy of the great powers. There is the question of the balance of power. There is the same situation that has existed in the past, and for that I say, in God's good name let America keep free from such things as that. Let us stand aloof. Let us pursue the course of the past, and that is not a selfish course, for the example of America has broken the chains of other peoples. By example we have led them where by power we could not have forced them.

#### THE EXAMPLE OF AMERICAN LIBERTY

It was the spark that came from the flintlock of Washington's soldiers that lighted the fires of the French revolution. It was from the fires of the French revolution that the night of bigotry and intolerance and tyranny of all the world was gradually illumined. The English commons rose, and by peaceful means destroyed the prerogatives of the Crown and established the right of the masses of the people, until to-day an Englishman can stand before all the world and declare himself a free man.

This spirit of liberty that was born anew here in America has entered into the hearts of the people of all nations. It is felt in Egypt where the brown hordes are seething with the desire to obtain their independence. It is felt in China, whose dead charnel house seems to be bringing forth the living spirit of a race of men who may yet reassert themselves upon this earth.

It is felt in farthest India, where men willing to take the hand loom in order to keep their oppressors at bay, that trade will not be cut off. It is felt there where the brown hordes stood outside the prison in which the English incarcerated the great patriot who taught his people the horrid doctrine that they had the right to weave their own clothes in their own homes as their fathers and mothers had done. It is felt in all of Europe where tyranny has relaxed its grip. And so as we look back over the years that have gone, the recent century

and a little more of time, the Bourbons have toppled from their bloody throne and France has risen upon the ruins of that tyranny and erected a republic.

It is felt in Germany where the Hohenzollerns have relaxed their grip of steel so long fastened upon the throats of the people. It is felt in Russia where the iron thralldom of the Romanoffs has been broken and the royal family exterminated, a cruelty we all deplore, but nevertheless as we deplore it let us think of "bloody Sunday" when the Czar turned the machine guns upon 30,000 men, women, and children, who, headed by a priest, were presenting a petition for redress.

It is felt around the world, and all of this because America established the fact that men were capable of self-government. So if we will but proceed down the path of the centuries, holding aloft the torch of freedom, inviting other nations to profit by our example, we can bless the world; but if once we join with those in power and authority to force our way, force our policies upon any nation, then America's name will become anathema, and curses of hate will follow where blessings now are bestowed, and America will lose her proud position in the vanguard of the march of civilization.

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