

# ARMED MERCHANT SHIPS

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SPEECH

OF

HON. ROBERT L. OWEN

OF OKLAHOMA

IN THE

SENATE OF THE UNITED STATES

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The Senate had under consideration the bill (H. R. 21052) authorizing the President of the United States to supply merchant ships, the property of citizens of the United States and bearing American registry, with defensive arms, and for other purposes.

Mr. OWEN. Mr. President, it is my purpose to support the request of the President of the United States. I do so in the belief that the great body of the people of the magnificent State of Oklahoma who sent me here desire that I should do so. I do so because I believe a public exigency of the highest importance requires it. I do so trusting in the representation made by the President of the United States in his message to Congress a few days ago. I place the utmost reliance on the words of the President in asking for the means with which to protect our merchant ships. He said:

It is devoutly to be hoped that it will not be necessary to put armed force anywhere into action. The American people do not desire it, and our desire is not different from theirs. I am sure that they will understand the spirit in which I am now acting, the purpose I hold nearest my heart and would wish to exhibit in everything I do. I am anxious that the people of the nations at war also should understand and not mistrust us. I hope—

Says the President—

that I need give no further proofs and assurances than I have already given throughout nearly three years of anxious patience that I am the friend of peace and mean to preserve it for America so long as I am able. I am not now proposing or contemplating war or any steps that need lead to it. I merely request that you will accord me by your own vote and definite bestowal the means and the authority to safeguard in practice the right of a great people who are at peace and who are desirous of exercising none but the rights of peace to follow the pursuits of peace in quietness and good will—rights recognized time out of mind by all the civilized nations of the world. No course of my choosing or of theirs will lead to war. War can come only by the willful acts and aggressions of others.

Mr. President, before this unhappy war arose it was the international law—and I think that neutrals are still compelled under the rules of that international law to regard it now as the international law—that merchant vessels, with or without contraband, had and now have a free right to pass without being subject to destruction without notice through the high seas; that even those ships which carried contraband had and now have a right before being summarily sunk to be visited, to be examined, and an opportunity afforded to the crew of such vessels for safe conduct to port before being sunk.

I am not unaware of the exigencies with which the Imperial German Government is faced. The Imperial German Government can not command the high seas because of an ineffective naval force. The Imperial German Government, feeling keenly the blockade established by the superior naval force of the British Empire, has declared it a necessity of war to disregard the established international code and to carry on a submarine warfare that shall be ruthless, and to sink ships without notice

in a certain zone, armed or unarmed, contraband or not contraband, with or without cargo.

THE INTERNATIONAL LAW OF NEUTRALS.

It was hoped a year ago that the United States had arrived at an adjustment with the Imperial German Government. In my own judgment the reservation of the Imperial German Government that it reserved the right to carry on the submarine warfare without notice to ships, to sink them without notice, was a reservation that was not permissible or recognizable by our Government under the international law governing neutrals as it has been recognized prior to the breaking out of this great controversy in August, 1914. We can not change this law without violating our obligations as neutrals to other belligerents and setting a precedent which may fatally affect our own future. The President of the United States, in charge of the conduct of the foreign affairs of the United States, found himself compelled to deal with the Imperial German Government in numerous cases in which American vessels were sunk in which American citizens lost their lives, and he was compelled, as the Chief Executive of a great neutral power, to declare the duty of the United States and the rights of the United States under international law as it existed. He solemnly declared this law and is compelled by the laws of neutrality to maintain it. The President of the United States was not responsible for the ships owned by individual Americans going from one port to another upon business voyages, which they in the course of commerce had the right under international law to make. It was not contrary to but in accordance with international law that ships should carry munitions no matter if distasteful to any nation affected by it. The unfortunate thing for the German Empire was that because she could not command the seas this law gave an advantage to Great Britain and her allies because they could in greater degree command the seas.

The President was therefore compelled to take his course to defend the rights of the Government of the United States and of her citizens under international law. Having taken this step in pursuance of international law, the question with which he is confronted, as our representative, is, Shall he withdraw from the assertion of the rights of the United States as a great neutral or shall he stand firmly upon those rights, not changing them in the midst of this gigantic conflict, but observe them as he is obliged to do as a neutral? If he tried to change them, he would violate our neutrality with Great Britain and her allies and give them a serious grievance under international law against us. The question then is, when he is in this position under international law, whether the American people will hold up his hands or whether they will not do so.

In my judgment it would be a great national calamity if the people of the United States and if the Congress of the United States should refuse to hold up the hands of the Chief Executive of this Nation under these painful circumstances. The Imperial German Government has notified the world that all neutral ships of commerce, even if unarmed, free from contraband, loaded with passengers on lawful voyages, innocent of wrongful intent to anyone, will be sunk on the high seas without notice, without a chance for their passengers to escape

with their lives. That Government seems determined to force us to acknowledge her right in the midst of this conflict to change the law of nations and bring us in conflict with her antagonists. In that exigency the President of the United States calls upon Congress and says:

I ask a sufficient credit to enable me to provide adequate means of protection where they are lacking, including adequate insurance against the present war risks.

The question for Congress is, Shall that reasonable request be granted or shall it not?

Mr. President, if prayers or sacrifice could adjust this gigantic conflict in Europe we would all be glad, I think, to make our just contribution to secure peace on that torn and unhappy continent; but this conflict will only terminate by the triumph of the strongest arms. It is a conflict unrelenting, ruthless, carrying on means of destroying human life, gigantic, novel, and of extraordinary efficiency in the engines of destruction.

WE MUST CONSIDER THE FUTURE.

It is well for us, in considering the eventualities that will flow in the immediate future from the triumph of one or the other of these titanic forces to consider what these great powers in conflict stand for in relation to the United States if one or the other be victorious. On the one side I believe are ranged, in many forms, great democracies—Great Britain with her colonies and dependencies, France and Italy and Belgium and their colonies, Russia and her democratic people. On the other side are ranged many military autocracies, those of Germany, of Austria, of Bulgaria, of Turkey, ruling by so-called "divine right" and by organized military power and not "by the consent of the governed," except by the involuntary consent which dare not oppose superior force. On the one side are the ideals of democracy, of the right of the people to rule themselves justly and with liberty under the principle declared by Abraham Lincoln as expressed in his message to Congress, in which he said, "Let us have faith to believe that 'right makes might.'"

And on the other side is the military ideal that "MIGHT MAKES RIGHT."

THE DOCTRINE "MIGHT MAKES RIGHT"?

Mr. President, the doctrine that lies at the base of military autocracy is a fixed ideal of power alone, a permanent ambition to rule by force of the cannon's mouth and machine gun, an ambition long maintained and without the shadow of a doubt as to its significance. I call your attention to the bronze cannon on the north entrance of our War Department Building, a great cannon whose name is "Le Marechal le Duc d'Humieres," cast by the Bourbons nearly two centuries ago, and on its face in three different mottoes is this false doctrine that "might makes right."

At the mouth of the cannon you will find these words: "Le passe par tous"—"the passway through everything"—the cannon's mouth the passway, it may be, through justice and mercy and innocence and righteousness and industry and honor—"Might makes right."

On the base of that cannon you will find the words, "Nec pluribus impar"—"not unequal to many." The cannon commands the people, and is "not unequal to many." It can slay

and dominate and tax millions without the consent of the governed. On the body of that Bourbon cannon you will find the phrase, "Ultima ratio regum"—"the final argument of kings." When the people argue that right is right, they hear the final argument of kings—the cannon's roar—and learn that MIGHT MAKES RIGHT.

Do you think that this is merely a romantic suggestion cast in bronze in honor of le Duc d'Humieres? Not at all. The doctrine of armed power over the people with or without their consent is at the base of the German Empire to-day.

This was the doctrine of Frederick the Great and of his father, the Great Elector, and this is the doctrine of William, the present Emperor.

#### LOCAL DEMOCRACY RULED BY AUTOCRACY.

It is true that after the Franco-Prussian War Bismarck made many concessions to the democratic sentiment of the German people in the management of their local affairs and developed a very high degree of democratic efficiency through various forms of municipal ownership, so that in a city like Munich the people not only controlled, through their own municipal powers, such as city water works, city gas works, electric light, heat, and power plants, city hospitals, city schools, city tramways, but city bakeries, city packing houses, and city breweries.

The industrial conditions of Germany have been wonderfully stimulated by democratic cooperation among the people, stimulated by the Imperial Government, and the Imperial Government has provided many forms of democratic cooperation, such as State insurance against old age, industrial accidents, and diseases, vocational education, rural-credits associations, co-operative marketing and buying, the cartel system, State-owned railroads, telegraphs, telephones, and parcel post, etc.

The Imperial Government has thus greatly benefited the development of the German people and is entitled justly to very great credit for this service rendered to the people by using the powers of the people in the interest of the people.

This has led to a warm attachment of the people to their Imperial Government, and justly so; it has led to a magnificent development of the German people which is the admiration of all of the lovers of men, but, nevertheless, along with this splendid internal democratic organization there has remained the dominance of the German Empire by Prussia and the dominance of Prussia by the House of Hohenzollern, claiming to rule by *divine right*—the right to rule the people with or without their consent, the right to command the army and the navy, and the Emperor has become surrounded by a tremendous highly organized military power of which he is made, either willingly or unwillingly, the spokesman.

It was this group, I believe, who forced the sword into William's hand and compelled him to sign the order of mobilization the 1st of August, 1914.

#### THE SECRET TREATY OF VERONA—WORLD-WIDE DEMOCRACY THREATENED.

I call your attention again to the secret treaty of Verona, which I had printed in the CONGRESSIONAL RECORD on April 25, 1916, for the purpose of attracting the attention of this country to the policy which lies at the basis of these great contending powers. This treaty, the secret treaty of Verona, was framed by Metternich, of Austria, in 1822, after Napoleon had seized

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the organized powers of democracy and turned them into an engine of monarchy which out-Heroded Herod and was overthrown.

Listen to the philosophy and historical admonition of the secret treaty of Verona:

The undersigned, specially authorized to make some additions to the treaty of the Holy Alliance, after having exchanged their respective credentials, have agreed as follows:

ARTICLE 1. The high contracting powers being convinced that the system of representative government is equally as incompatible with the monarchical principles as the maxim of the sovereignty of the people with the divine right, engage mutually, in the most solemn manner, to use all their efforts to put an end to the system of representative governments, in whatever country it may exist in Europe, and to prevent its being introduced in those countries where it is not yet known.

ART. 2. As it can not be doubted that the liberty of the press is the most powerful means used by the pretended supporters of the rights of nations to the detriment of those of princes, the high contracting parties promise reciprocally to adopt all proper measures to suppress it, not only in their own States but also in the rest of Europe.

The King of Prussia and the Emperor of Austria were the real autocratic monarchs behind this deadly compact to destroy the democracies of the world and establish "world power" for themselves and their allies as the military autocrats of mankind.

Mr. LEWIS. Mr. President, will the Senator permit me to ask him a question?

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Illinois?

Mr. OWEN. I yield to the Senator.

Mr. LEWIS. Would the Senator forgive me for merely calling his attention, in support of his very classic and historic address, to the fact that the very treaty to which he alludes had for its purpose the preventing of Spain and Portugal, which had broken out then into the form of a republic, from emulating the form of this, the United States of America, in both its democracy and republicanism of form, to prevent the spreading of our doctrines to Europe?

Mr. OWEN. Mr. President, this treaty continues, in the fourth article, as follows:

ART. 4. The situation of Spain and Portugal unite unhappily all the circumstances to which this treaty has particular reference. The high contracting parties, in confiding to France the care of putting an end to them, engage to assist her in the manner which may the least compromise them with their own people and the people of France by means of a subsidy on the part of the two empires of 20,000,000 of francs every year from the date of the signature of this treaty to the end of the war.

Spain had established a limited monarchy based on recognition to some degree of the rights of the people. These nations sent armies, under Louis XVIII, into Spain for the purpose of reducing this limited monarchy to an absolute monarchy, *with the same prince on the throne*. The contest was absolute military autocracy against any form of democracy. They sent an army into Italy also—an Austrian army—to reduce a like limited monarchy to an absolute monarchy, the same issue of absolute military autocracy against the principle of democracy, and then they proposed after succeeding in Spain and Italy to send their armies to the Western Hemisphere for the purpose of reducing all revolting colonies of Spain and Portugal, overthrowing western democracy and establishing absolute military autocracy and then it was that Great Britain, the greatest of all democracies, through Canning, the prime minister, notified the Government of the United States of this dangerous purpose, and

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notified the Holy Alliance, so-called, that Great Britain would regard with disfavor any attempt by the Holy Alliance to reduce the revolting colonies of Spain and Portugal in the Western Hemisphere. The matter was considered by Thomas Jefferson, and he regarded it as the most important occurrence that had transpired since the establishment of the United States of America. It led to the doctrine, the so-called Monroe doctrine, in which President Monroe sent a message to Congress in which it was stated that the United States would regard it as an unfriendly act for any European power to attempt to establish its system of government on the Western Hemisphere, and that prevented the Holy Alliance from subjecting the Western Hemisphere to the powers of absolute monarchy which would have destroyed the democracies of the Western Hemisphere at their birth.

VON BERNHARDI.

Mr. President, in October, 1911, there was published a work of profound significance by Gen. Friederich von Bernhardt, translated by Allan H. Powles, entitled "Germany and the next war." I think it is generally understood and conceded that Gen. von Bernhardt represents the view of the military powers of Germany, that he may be fairly called a spokesman for that group, and for that philosophy, if we may call it philosophy. Let me read just a few words from Gen. von Bernhardt. He said that "A rude shock was needed to *awaken* the German people," to *awaken* the *warlike instincts* of the German people, and *compel* them to show their military strength. He speaks of them as "a peace-loving, almost too peace-loving, nation." He speaks of the good-natured character of the German people, and with that I agree, but he says that it is necessary *to move them to war*. He says:

I must try to prove that war is not merely a necessary element in the life of nations but an indispensable factor of culture in which a true civilized nation finds the highest expression of strength and vitality.

He says further:

Our people must learn to see that the maintenance of peace never can or may be the goal of a policy. The policy of a great State has positive aims. It will endeavor to attain this by pacific measures so long as that is possible *and profitable*.

He says further:

The inevitableness, the idealism, and the blessing of war as an indispensable and stimulating law of development must be repeatedly emphasized. The apostles of the peace idea must be confronted with Goethe's manly words:

"Dreams of a peaceful day?  
Let him dream who may!  
'War' is our rallying cry,  
Onward to victory!"

Mr. President, he says:

The Great Elector laid the foundations of Prussia's power by successful and deliberately incurred wars. Frederick the Great followed the example of his glorious ancestors. He noticed how his State occupied an untenable middle position between the petty States and the great powers, and showed his determination to give a definite character (*decider cet être*) to his anomalous existence; it had become essential to enlarge the territory of the State and *carryer la figure de la Prusse*, if Prussia wished to be independent and to bear with honor the great name of KINGDOM. The King made allowance for this political necessity and took the bold determination of challenging Austria to fight. *None of the wars which he fought had been*

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*forced upon him; none of them did he postpone as long as possible. He had always determined to be the aggressor—*

Frederick the Great had always determined to be the aggressor, and he still is the idealized leader of the military group that now controls the German and the Austrian Empires, and we were given a testimonial of this idealism by the United States being presented by Wilhelm recently with a figure of Frederick the Great, which stands in front of our War College.

*He had always determined to be the aggressor, to anticipate his opponents, and to secure for himself favorable prospects of success.*

Mr. President, this book glorifies war. It has a chapter entitled "World power or downfall," and the outline of the next war is indicated, the forces that will take part in it, the part that must be played by the German Empire.

There is a wide distinction between the German people and their autocratic leadership that has led them to ruinous war.

Mr. President, I can hardly say whether I feel a keener sympathy for the unhappy people of Germany or the distressed people of France and Great Britain. The German people are by nature, outside the military autocrats, peace loving, good natured, lovable—the people of France and of Great Britain are by nature even more peace loving and lovable and are moved by a magnificent patriotism and spirit of joyful self-sacrifice and enthusiasm—but when Wilhelm gives the order for mobilization and for war the people of both countries are thrown into a frenzy of war, and the insane passion of war finds expression in unnumbered excesses and violence beyond all belief. When the order of mobilization was given by the Emperor of Germany it mattered not how peace loving or good natured or lovable the people were; they had no choice whatever but to respond to the battle cry. The German citizen had no choice but death except to march to the trenches under the command of this military autocracy, and, Mr. President, if this military autocracy wins in this war, if this military autocracy by virtue of this war can dominate the democracies of France and Italy and Great Britain and Europe, it will become, indeed, the "world power," idealized and prayed for by the military autocracy, and our country, from a peaceful, industrial, happy democracy, where liberty is idealized, may by military force be driven to become a part of a great military machine, controlled by the same forces which are in control now of the central Empires. Mr. President, if war does come by virtue of our sustaining our neutral rights, I shall be reconciled in the belief that at least the United States has at last thrown her great powers on the side of democracy, on the side of liberty and justice and mercy and humanity, on the side of the doctrine that "right makes might" and against the infinitely pernicious doctrine that "*might makes right.*"

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