

A LEAGUE OF NATIONS

SPEECH

OF

HON. ROBERT L. OWEN

OF OKLAHOMA

IN THE

SENATE OF THE UNITED STATES

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Mr. OWEN. Mr. President, the people of Europe and the people of the world are heartsick. Crêpe hangs on their doors. Men without arms, men without legs, men without eyes, men who are maimed in every conceivable way can be seen everywhere throughout the world as a result of this last great exhibition of human folly and ambition—the world war precipitated by the Hohenzollerns.

The world is anxious to establish world peace, world commerce, world happiness. And every statesman, it seems to me, Mr. President, should feel himself charged with the responsibility of trying constructively to attain this end.

Delegates representing the United States, Great Britain, France, Italy, Japan, Belgium, Brazil, China, Czecho-Slovakia, Greece, Poland, Portugal, Roumania, and Serbia have submitted for the consideration of the world and of the statesmen of the world a report formulating a plan for a league of nations.

No thoughtful man, certainly no thoughtful statesman, acquainted with the fallibility of man would expect that this first formulation of a draft would be absolutely perfect. It is not perfect, but it is a beginning and contains many things of very great value. And it can be perfected so as to completely safeguard the world against war and at the same time completely safeguard the sovereignty and absolute independence of each one of the member nations.

Statesmen anxious to serve the world should deal with this formulated plan in a spirit of helpfulness, of construction rather than in a spirit of tearing down or of destruction: much less should they show an intemperate or an ungenerous attitude in criticizing a document, the importance of which to the preservation of the future liberty and happiness of mankind is so obvious.

Mr. President, modern science, with the mastery of the air, with the submarine, with poisonous gases, with the steel war tank, with the machine gun, with rapid transportation facilities, with tremendous output of war machinery and the munitions of war make it unthinkable that the world will permit itself to be destroyed by a repetition of the recent war, which, if it is to be repeated, will be far more terrible than the last war, and which will break down civilization itself. The men and the women and the children of the world who labor to produce the values of the world are entitled to peace and to happiness, and woe be to those blind statesmen who fail now to safeguard the people of the world in their rights to life, to liberty, and to the pursuit of happiness.

We have already seen the effect in Russia, in Germany, and in Austria of the complete failure of government to protect life, and we have seen the great mass of men moving like a terrible ocean sweeping the Romanoffs to their graves and tearing down the standards of government which have failed the reasonable expectation of the people. It was the blindness and the dullness, it was the stupidity, it was the greed, it was the arrogance of the officials of France that led to the French Revolution. These same forces led to the revolution in Russia and then to the extreme form of political madness—the Bolsheviki movement of a class war—the war against those who have property or education by those who suffer from famine.

The representatives of the belligerent nations are now assembled at Paris conferring with the representatives of nations newly born and to be born, with a view to using the great influence of the belligerent powers in the establishment of self-governing nations, with territories properly delimited and with a view to giving protection to the backward nations occupying colonies and dependencies, such as the ignorant blacks of the German African colonies.

THE TASK IS THERE.

Mr. President, the immediate peace of the world, the cessation and prevention of actual war between the Balkan States, between Bulgaria and Roumania, between Roumania and the Ukraine, between Poland and Prussia, between the various States that are being born and the surrounding States imperatively demand that the conference of the great powers at Paris lay down the terms fixing territorial boundaries and establish the means by which to keep ambitious States from assailing each other and disturbing the peace of the world. They must consider the question of arbitration of international disputes. It was only the power of Germany and her allies which prevented the nations of the world from agreeing at The Hague to international arbitration and international disarmament in 1899 and 1907.

The Paris conference must consider the question of disarmament as a means of protecting the future peace and to prevent Europe again being thrown into an universal war. All the nations of the world are ready to agree to arbitration of international disputes and to disarmament. As far as the United States is concerned the House of Representatives has just voted in favor of reducing our Army to the minimum of domestic protection. We have made treaties with nations all over the world to arbitrate our differences. The people of the United States are in favor of international disarmament. They are in favor of arbitrating differences with other nations, and I say flatly and emphatically that it is better to leave any dispute that might arise between the officials of the United States and the officials of Brazil or Persia or South Africa or Great Britain unsettled, as some of the Revolutionary claims are still unsettled, than to fly to arms and kill millions of men to gratify official impatience, arrogance, or anger.

Mr. President, I have read carefully the so-called "Formulation of a plan for the league of nations." It interposes a number of obstacles to those who might desire to make war.

First. Article 10 pledges all of the member nations "*to respect the territorial integrity and existing political independence*" of

all States members of the league. This is a guaranty of all the nations of the world of the utmost importance. Moreover, article 10 pledges all the nations of the world "to preserve against external aggression the territorial integrity and existing political independence" of all the States members of the league, whether great or small. This is an undertaking of gigantic magnitude and is a positive bond safeguarding the territorial integrity and existing independence of all States. And no war can happen in the future if this pledge is respected either in the first or second of its provisions. If all nations respect the territorial integrity and political independence of other nations, we will have peace, and if any nation have the temerity not to respect this bond and be guilty of external aggression, it will face all the world pledged to oppose it in its aggression. Aggressive war under such a menace is well-nigh inconceivable. Is not this a magnificent barrier against a future ambitious or warlike State?

Article 11 declares that any war or threat of war is a matter of concern to the league, and the high contracting parties reserve the right to take any action that may be deemed wise and effectual "to safeguard the peace of the nations." In other words, it is the declared intention of all of the nations of the world to take steps to prevent war, and to take these steps in time.

Article 12 pledges every nation that it "will in no case resort to war without previously submitting the question and matters involved either to arbitration or to inquiry by the executive council, and until three months after the award by the arbitrators or a recommendation by the executive council, and that they will not even then resort to war as against a member of the league which complies with the award of the arbitrators or the recommendation of the executive council."

Is not this pledge under article 12, made by all nations to every nation in the world, of great value as a deterrent and obstacle to war?

What official will dare to face the whole world with a breach of article 12?

Article 13 agrees to submit questions to arbitration and carry out in good faith the award.

Is not this agreement with all the nations of the world a most important means of preventing unsettled disputes leading to war?

If this had been the rule of international procedure it would have prevented the last war.

Article 14 provides a permanent court of international justice, which may sit as an arbitration tribunal under article 13.

Under article 15 the members agree to refer to the executive council any dispute likely to lead to rupture which is not submitted to arbitration, and if the council fails to agree, then to publish the arguments for and against by the majority and minority members, and here is also provided an appeal to the larger "body of delegates."

In this way the most troublesome cases would be submitted first to the council and, secondly, to the representatives of all the nations of the world for consideration, so that world opinion can be brought to bear upon the merits of the controversy and time ensue in which world opinion may be formulated and dur-

ing which the litigants may feel the pressure of world opinion before they venture to go to war.

Mr. WILLIAMS. And world prejudice be obviated.

Mr. OWEN. And world prejudice be obviated, as the Senator from Mississippi very properly observes.

Mr. President, the only objection which I have to articles 12, 13, 14, and 15 is that they permit war as a remedy after having provided these means for conciliation and arbitration. In my own opinion, the making of war for the settling of a civil dispute is a heinous crime, and it should be branded by the league of nations and by the opinion of mankind as the highest of all international crimes. Nothing could be more wicked or more dastardly than the organized killing of human beings because of an odious dispute relative to property or relative to some alleged insult. As long as man remains with passion or with defective reason, so long may the world expect that some man will insult another man. And the bigger the fool and the more arrogant the ass, the more likely he is to offer an insult. But those who have brains and self-control should know how to deal with those who lack brains and self-control.

Article 16, Mr. President, provides a world penalty for any member nation that wages war without previously submitting the matter of dispute to arbitration and inquiry and determination. This penalty is that when such an arrogant, warlike nation wages aggressive war in violation of the law laid down by the league, such nation—

“shall thereby, ipso facto, be deemed to have committed an act of war against all of the other members of the league which hereby undertake immediately to subject it to the severance of all trade or financial relations, the prohibition of all intercourse between their nationals and the nationals of the covenant-breaking State, and the prevention of all financial, commercial, or personal intercourse between the nationals of the covenant-breaking State and the nationals of any other State, whether a member of the league or not.”

What official on the face of the earth would dare face this penalty. The penalty should be directed, however, in my judgment, against any nation that invades the territorial integrity of another nation. Official murder by aggressive war of offense should be stopped by the mandate of the people of the world, and officials who violate that mandate should be held personally responsible.

Is it not clear, Mr. President, that the captains of industry and the great financiers of the country whose support is vital to successful war and whose support in Germany was expressly solicited by William II as a primary condition to enable him to wage the late war, would never under such a threat as this dare to support an aggressive war which would of necessity mean the instant paralysis of all their enterprises and their ultimate financial and industrial destruction? And is it possible that any official charged with the authority of declaring war would feel justified in declaring an aggressive war against all the world? The human imagination can not picture such a proposition. Moreover, we must now remember that every military dynasty is gone. Where are the Hapsburgs? Where are the Hohenzollerns? Where are the petty kings of the German States? Where is King Constantine of Greece? Where is the

Romanoff family and the Czar of all the Russias? Where is the Sultan of Turkey? Where the King of Bulgaria? Where is the King of Roumania? Abdicated all, and fled to cover! What real war-making power has any king on the globe? Not one is left.

Mr. WILLIAMS. Mr. President, will the Senator permit me to interrupt him?

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

Mr. OWEN. I yield to the Senator from Mississippi.

Mr. WILLIAMS. I want, in reenforcement of what the Senator has said in the first clause of his last argument, to suggest to his mind this consideration: Why can not we in the treaty of peace take a leaf out of American history? The Senator remembers that the thirteenth amendment to the Constitution declares that no debt made by the Confederacy or by any State forming a member of the Confederacy should be valid or ever paid. That was passed with the idea of discouraging future projects of that sort. Suppose that in the treaty of peace we provided that all debts made by Germany, Austria, Turkey, and Bulgaria for the furtherance of their objects in this war were declared to be nullified and invalid, and that those respective Governments should issue an amount of bonds equal to the amount thereby nullified and rendered invalid, and that the proceeds of those bonds should be devoted to the restoration of Belgium, of northern France, and of Serbia, what would be the effect, I want to ask the Senator?

Mr. OWEN. I think it is a good suggestion as it would help to deter nations from making aggressive war for private objects. It would prove unprofitable under such circumstances.

Mr. WILLIAMS. Moreover, would it not have an effect upon the people who finance wars?

Mr. OWEN. Assuredly.

Mr. WILLIAMS. Hereafter would not bankers who have financed wars say to the country wanting to finance an unjust or aggressive war, "Stop a minute; I must think as to whether or not this war is just, whether it is aggressive or defensive. If it is not just, the example of the American Republic in the thirteenth amendment and the example of the world in this treaty of peace leads me to suppose that I may lose my money." And if bankers are threatened with losing their money, does the Senator think they would finance any unjust war in the world?

Mr. OWEN. It is perfectly practicable to write into this formulated plan the suggestion made by the Senator from Mississippi, and it ought to be done, I think, for it would operate as one of the additional deterrents to war; and what we want to do is to deter war making.

Mr. WILLIAMS. I am not talking about writing it into these 26 articles of the league of nations, but I am talking about writing it into the final articles of peace.

Mr. OWEN. I am agreeable to its being written into both, to apply to Germany now and to apply to any other nation in the future that dares to make aggressive war on mankind. I thank the Senator for his suggestion. I think Senators ought to consider this matter from a constructive standpoint and help to perfect this formulated plan.

Mr. WILLIAMS. I do not propose to put it in this plan, for I think if you go to amending this plan you will have 14 other people to amend it, and you will never get it through; but I am talking about it as a part of the treaty of peace.

Mr. OWEN. Mr. President, the greatest of all democracies, the United States, threw its financial power, its man power, on the side of democracy against autocracy, on the side of right against might, on the side of decency and justice and humanity against those who assaulted the great principles of human life. And autocracy lies in its political grave, never to be resurrected on this earth. Great Britain is a republic, and so are the great dominions speaking the English tongue—Canada, whose border, lying between the United States for 3,000 miles, is undefended except by those who love liberty and justice on both sides of this line; Australia, New Zealand, the South African Union are all republics, and all the colonies and dependencies of Great Britain are in effect republics in greater or less stages of advancement. France and her colonies are republics, Switzerland is a republic. Italy is a republic with a nominal King, who has no power against his parliament or against his people under their structure of government. And so Portugal is a republic, and Spain and Belgium and Holland and Denmark and Norway and Sweden are in substance republics.

Mr. WILLIAMS. They are democracies.

Mr. OWEN. They are democracies. They have the form of kingdoms, but the substance of democracies.

The nations being born in the Balkans and in Russia are being born as republics. And the subject people of Turkey, under the protection of the great democracies of the world, are being brought into being as embryo republics. China is a great republic. Siberia can not be conceived as being anything less than a republic. The Poles, the Jugo-Slavs, and Czecho-Slovakia are avowedly republics. Even Japan under an Emperor is ruled by a body of elders cooperating with the parliament chosen to represent every class of the people, and Japan, when this war broke out, threw herself at once without hesitation on the side of the great democracies of the world. What greater testimony could Japan have given of her attachment to the doctrines of liberty, justice, and civilization and of her hostility to dynastic autocracy? Where is there on earth remaining a military dynastic autocracy that would threaten the future peace of the world?

All the Governments of North and South America, all the Governments of Africa, of Asia, of Europe, of the East Indies, and of the West Indies are republics or under the patronage of republics.

The doctrine that might makes right is dead.

The doctrine of terrorism is dead.

The divine right to rule has gone to hell, whence it came.

The doctrine of liberty, justice, and humanity is triumphant and is writing its Magna Charta to last for all future time.

Let the United States Senate honor itself by lending its very best efforts to perfecting this charter.

Mr. President, what was it that protected the liberties of mankind, that protected civilization, that protected the democracies of the world against the military domination of the Teutonic dynastic autocracies? It was a league of nations in arms

cooperating as one great league of democracy against autocracy. It was a league of nations in arms willing to pay the penalty in gigantic sacrifice of property and of human life; willing to die upon the battle field in joint, concerted, cooperative action to protect liberty and civilization. Gen. Foch, as commander in chief of the armed forces of this great league of nations, directed on the battle line from his headquarters Belgians, English, Scotch, Irish, French, Italians, Greeks, and Americans, and many others, all of them operating in a league to maintain liberty and to protect human life and organized society throughout the world. Shall this lesson bear no fruit? Shall our sons have died in vain who are buried upon the bloody battle fields of Europe?

The world wants peace, justice, and liberty, and has shown itself willing to die for this cause. Do not underestimate the demand, Mr. President. Do not deny or ignore this profound aspiration of the human heart. At Paris are assembled representatives—military, economic, political—of all the great democracies of the world, facing the task of making the world safe against the chaos and disorder of war. The geographical lines of the newborn States must be delimited and agreed upon and authorized. The relations of these nations with each other must be so protected that they do not instantly fly at each others' throats on some mad issue of geographical boundary or fancied interest. There must be established by some power somewhere the relations which shall exist between these nations, between them and the balance of the world. The colonies which the Teutonic dynasty has shown itself unworthy to control must be protected and safeguarded by some definite agreement under some safeguard of administration that will establish and maintain peace and order and good conduct, internal and external. This task of readjustment is now being performed at the peace table at Paris, of necessity, by the very nature of the case. Shall all the delegates be withdrawn from the peace conference and the world left in turmoil with the Bolsheviki in control soon to bring on another world war and drag the people of the United States from their peaceful avocations to the havoc and destruction of war? No, Mr. President; there is a better way. The way of order out of chaos. And the proposed league of nations is wise and sound and just in its fundamental principles. It represents the aspirations of the peoples of the world to safeguard the peace of mankind.

I have pointed out some of the more important provisions, but there are others which must not be overlooked.

Article 17 takes care of the disputes which might arise between members of the league and those who are not members of the league and imposes suitable penalties if a State not a member of the league disregards the provisions of article 12, forbidding it to make war as a remedy because of a dispute with other nations.

Article 18 authorizes the league to be intrusted with the joint supervision of the trade in arms and ammunition with the countries in which the control of this traffic is necessary and in the common interest.

Article 8 provides for steps to be taken to control the manufacture of munitions by private enterprise, so that private inter-

ests may not be made provocative of war, and this article recognizes the great principle that the maintenance of peace—
 “will require the reduction of national armaments to the lowest point consistent with national safety and enforcement by common action of international obligations, having special regard to the geographical situation and circumstances of each State.”

Is not article 8 of tremendous importance in removing one of the great dangers to war? Do we not all know that the Teutonic dynasty for over 20 years was manufacturing on a gigantic scale the munitions of war and organizing armaments far beyond domestic need with the intent and purpose to assail the liberties of Europe and to dominate the world by military force? And shall we not remove this danger from our future by international agreement? All the nations of the world except the Teutonic allies at The Hague in 1907 were ready to agree to disarmament, but were prevented by the King of Prussia and his allies. Now is the most opportune time to write these safeguards by treaty into the international law by the consent and approval of all nations.

Article 19 provides a reasonable and just method for administering the affairs of subject peoples and developing them into democracies under charters granted from the league to advanced nations qualified by their resources, their experience, their geographical position to undertake this responsibility as mandatories on behalf of the league. And the consent, even in these cases, of the backward peoples is recognized, the proposed formulated plan expressly providing that “the wishes of these communities must be a special consideration in the selection of the mandatory power,” and “the mandatory must be responsible for the administration of the territory, subject to conditions which will guarantee freedom of conscience or religion, subject only to the maintenance of public order and morals, the prohibition of abuses, such as the slave trade, the arms traffic, and the liquor traffic, and the prevention of the establishment of fortifications or military and naval bases, and of military training of the natives for other than police purposes and the defense of territory, and will also secure equal opportunities for the trade and commerce of other members of the league.”

And this provision could be further amended to provide that the bill of rights of civilized States, as far as applicable, should be recognized as a part of the principle of the government of these backward peoples.

I suggest the following amendment to article 19—and I feel entirely at liberty to suggest this amendment; and amendments which are offered or suggested on this floor, I have no doubt, will receive respectful consideration from those who are assembled at Paris, and if they have value I have no doubt that action by our peace commissioners will be taken accordingly: “The mandatory must, as far as practicable, recognize the principles of the bills of rights of civilized States in administering the law in such territories, and the charter to the mandatory shall prescribe these principles.”

Article 20 provides, as a part of the organization of the league, a permanent bureau of labor, with a view of securing and maintaining fair and humane conditions of labor for men,

women, and children by the good offices of the league. Shall we have no means of objecting when the blacks of the Kongo have their hands cut off because they failed to bring in sufficient ivory, as we have seen in the bloody days of the past? They, too, must have justice and liberty, and should be educated and civilized as rapidly as circumstances will permit.

Mr. President, the happiness of mankind absolutely depends on those who labor; they comprise the world, they are the world. Does this mean that the league of nations will interfere with the internal sovereignty of member nations? Not at all. Article 10 and article 26 and other articles protect this vital requirement, and other safeguards can be added. In this matter the league would function with no more authority than that of a bureau of publicity—I speak of the particular organization of a “bureau of labor”—which could appeal to the opinion of mankind for the protection and conservation of human life where it is not adequately safeguarded.

Article 21 provides that the high contracting parties agree that provision shall be made through the instrumentality of the league to secure and maintain freedom of transit and equitable treatment for the commerce of all members.

Is not this decent and just and right? Shall interior nations having no access to the sea be bottled up without the right to ship their goods under bond in transit to the sea? It was this denial of an outlet that has been one of the contributing causes for war in the Balkans.

Why shall not suitable provisions be drawn up by amendments to the plan to secure and maintain these rights?

Mr. KELLOGG. Mr. President, will it interrupt the Senator if I ask him a question?

Mr. OWEN. Not at all.

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

Mr. OWEN. I yield.

Mr. KELLOGG. I understood the Senator to say that the proposed constitution of the league did not interfere with the internal affairs of the various governments. I should like the Senator's opinion as to whether articles 12, 15, and 16 together provide for the arbitration of all questions without distinction, and whether or not disputes as to political questions, such as trade relations with other countries, import duties, and so forth, would come under the provisions of the proposed constitution?

Mr. OWEN. In my judgment, it only relates to those things which are external, because internal affairs are safeguarded by article 10, which guarantees to respect and to preserve the territorial integrity and the existing political independence of every nation.

Mr. KELLOGG. Does that include all laws pertaining to our dealings with other countries, such as immigration laws, tariff laws, and trade relations?

Mr. OWEN. The question of immigration and tariffs affects the internal affairs of our own country and concerns our existing political independence, and certain trade relations might do so.

Mr. KELLOGG. Would the proposed constitution prevent us from changing our existing political conditions?

Mr. OWEN. Not at all. I shall deal with that a little later on. I have not quite come to that, but I am going expressly to discuss that and show what my opinion is with regard to it.

Mr. McCUMBER. Mr. President—

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

Mr. OWEN. I yield.

Mr. McCUMBER. I call the Senator's attention to the fact that article 12 does not require the nations to submit every controversy to arbitration—

Mr. OWEN. That is perfectly obvious.

Mr. McCUMBER. But when difficulties arise it simply provides that "they will in no case resort to war without previously submitting the question and matters involved either to arbitration or to inquiry" by the league.

Mr. OWEN. I think that is quite clear.

Mr. KELLOGG. If the Senator from Oklahoma will pardon me, the inquiry is enforced in exactly the same way as the judgment of the arbitration tribunal.

Mr. McCUMBER. I do not agree with the Senator.

Mr. OWEN. Article 22 agrees to place under the control of the league all international bureaus already established by general treaties, if the parties to such treaties consent. What objection could there be to this by consent? Is it not better to have a clearing house between the nations to which all international business may be directed, and where through a common center international relationships may be conveniently adjusted? Having a common center for international business is just as convenient and necessary as having a clearing house for the bankers of New York City, where around a common board they can instantly dispatch their business with each other. Suppose each nation of 50 nations must transact all business by an independent means, then each nation would have to send 50 representatives to 50 nations, making 2,500 representatives altogether, at great expense, great confusion, great delay. But, meeting around a common council table, one representative of each nation would meet one representative from every other nation at a common board, and 50 men would transact the business of 2,500 men.

This is merely common sense and a practice based upon modern science and usage in the business world.

Article 23 provides for publicity of international agreements with the penalty that they shall be void unless registered with the league.

This prevents secret treaties. It makes them void and an act of treachery to all other nations. It is a powerful deterrent.

Article 24 merely provides for the reconsideration of obsolete treaties which might contain some element of danger to the peace of the world. This article is entirely justified, and no man would deny it.

Article 25 provides that the high contracting parties agree that the present proposed covenant is accepted as abrogating all obligations as between themselves inconsistent with the great principles laid down in the proposed agreement to safeguard the peace of the world, and contains an engagement that the member nations will not hereafter enter into any engagements inconsistent with the terms thereof.

Is not this a wise provision of importance in safeguarding the future peace of mankind? And there is imposed the further duty that new powers admitted to the league shall come under the same rules. Is not this common sense, and in the interest of the world?

Article 26 provides that amendments to the covenant of the league shall only take effect when ratified by the States whose representatives compose the executive council and by three-fourths of the States whose representatives compose the body of delegates.

Mr. President, do you not here observe that this gives a veto upon any amendment to this instrument not acceptable to the United States, and gives a like veto to Great Britain and to France and to Italy and to Japan, and is it not obvious that no amendment would therefore be possible to this proposed agreement between the nations except with the approval and consent of the United States?

Is this not a great safeguard against the possibility of anything being written in the relations between the member nations of the league that might at any time be embarrassing to any of the great powers or to the world?

But, Mr. President, a great objection has been made by various honorable and able Senators to the formulated plan on the ground that it was proposed to govern the world by the overlordship of a body of delegates representing the high contracting parties and by an executive council and by a permanent international secretariat.

It has been urged with great eloquence and zeal that article 1 would invade the sovereignty of the United States.

I confess very frankly that article 1 should be left in no obscurity, but it is easy to amend article 1. The interpretation which has been put upon article 1 by its critics could certainly not have been the intention of the representatives of Great Britain and France and Italy and Japan or others of the 14 nations who approve this draft. They certainly had no intention of sacrificing the sovereignty of Great Britain or France or Italy or Japan or Belgium or China or of other members. On the contrary, they have taken great pains in the body of the formulated plan to safeguard the territorial integrity and political independence of all State members of the league as they now exist in article 10, where the members mutually undertake to respect and preserve against external aggression, the territorial integrity, and existing political independence of each other. This is not consistent with the interpretations of article 1, that would permit the body of delegates to invade by statutes any domestic concern of any nation.

The proposal of Lieut. Gen. Smuts, who represents perhaps the best English thought, was as follows:

"Tenth. The constitution of the league will be that of a permanent conference between the governments of the constituent States for the purpose of joint international action in certain defined respects, and will not derogate from the independence of those States. It will consist of a general conference, a council, and courts of arbitration and conciliation.

"Eleventh. The general conference, in which all constituent States will have equal voting power, will meet periodically to

discuss matters submitted to it by the council. These matters will be general measures of international law or arrangements or general proposals for limitation of armaments or for securing world peace, or any other general resolutions, the discussion of which by the conference is desired by the council before they are forwarded for the approval of the constituent governments. Any resolutions passed by the conference will have the effect of recommendations to the national governments and parliaments."

That was Gen. Smuts's idea. That idea is prevalent all over Great Britain. That is the general conception of the authority to be granted to these delegates who would meet around a council table, representing the nations of the world.

It will here be observed that Gen. Smuts only proposed that the resolutions passed by the conference would have the effect of recommendations to the national governments and parliaments—nothing more. It is perfectly easy to amend article 1 by inserting the following words:

"THE BODY OF DELEGATES AND THE EXECUTIVE COUNCIL SHALL HAVE NO AUTHORITY TO MAKE LAWS, BUT MAY PROPOSE INTERNATIONAL RESOLUTIONS TO BE SUBMITTED TO THE MEMBER NATIONS FOR CONSIDERATION. AND WHEN SUCH RESOLUTIONS HAVE BEEN RATIFIED BY ALL THE STATES WHOSE REPRESENTATIVES COMPOSE THE EXECUTIVE COUNCIL AND BY THREE-FOURTHS OF THE STATES WHOSE REPRESENTATIVES COMPOSE THE BODY OF DELEGATES SHALL HAVE THE EFFECT OF INTERNATIONAL LAW."

This is the method proposed in article 26 for amendments to the formulated plan. Any amendment must, under article 26, have the approval of the United States before it can be amended.

Mr. President, the peace of the world is too important, the future happiness and security of our people is too important, that we should fail at this wonderfully auspicious time to adopt a plan which will safeguard the future of the world.

I am quite willing to agree, and determined as well, that no obscurity whatever should be permitted in the proposed plan, because it is one of the frailties of human nature to have powers construed into a constitution by those who are charged with the duty of its administration, and therefore it is of special importance to put in negative proposals, such as our forefathers inserted in the Constitution of the United States.

We should insert in the proposed formulated plan that "NOTHING CONTAINED IN THE INSTRUMENT ITSELF SHOULD BE CONSTRUED AS GRANTING ANY RIGHTS TO THE LEAGUE OVER THE INTERNAL AFFAIRS OF MEMBER NATIONS, BUT THAT EVERY MEMBER NATION SHOULD BE RECOGNIZED AS HAVING COMPLETE RIGHT OVER ITS EMIGRATION AND IMMIGRATION, ITS IMPORTS AND EXPORTS, AND ALL ITS DOMESTIC AFFAIRS WITHOUT ANY INTERFERENCE WHATEVER BY THE LEAGUE."

Mr. KELLOGG. Mr. President—

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

Mr. OWEN. I yield.

Mr. KELLOGG. That is exactly what I had in mind. As Senators seem to disagree as to the meaning of sections 12, 15, and 16, it does seem to me that it should be made plain, so that no political question can be raised.

Mr. OWEN. I agree with the Senator that an instrument of such importance as this should be made absolutely plain; and, frankly, I should not feel justified in supporting an instrument of this magnitude and this importance unless it were made plain, and I think the Senate of the United States are in a position to make it plain. They have the capacity; they ought to have the will. As far as I am concerned, I shall stand firmly for seeing that this instrument shall be free from any ambiguity whatever.

It is not necessary for the league to interfere with the internal affairs of any member nation. I am sure that Great Britain and France and Italy and Japan do not contemplate granting this right to the league of nations.

Mr. FRANCE. Mr. President—

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

Mr. OWEN. I yield to the Senator.

Mr. FRANCE. I am very much interested in what the Senator is saying. Would he care to define what he means by "internal affairs"? Would he consider a question arising between Great Britain and one of her colonies—Ireland, for example—as being an internal affair, or not?

Mr. OWEN. I would. We can not at this time and in this way undertake to settle the disputes between member nations and the component parts of member nations, unless we want to tear asunder the whole procedure. We can not undertake that. We can not go into it. You might as well undertake to deal between the United States and Texas as a part of this proposal.

It is easy enough to have an amendment that the league of nations shall not exercise any powers except those that are expressly granted to the league. But the great principles of international law which are laid down in this formulated plan are vital to our own future and to the peace of the world, and I venture to express the hope that the Senate of the United States will consider this matter constructively, with a view to perfecting the plan rather than with a view to confusing counsel and exciting suspicion and arousing the hostility of our people on the theory that this instrument is full of pitfalls and dangerous. We assuredly have the wisdom to analyze the formulated plan and to point out how it may be improved and made free from any objection, and this ought to be done.

I do not care, Mr. President, to repeat the arguments which have already been presented with such force upon the floor relative to the views of our revered first President in his Farewell Address. I am altogether in accord with the principles expressed in the Farewell Address of Washington. But the day of American isolation has long since ended. Our interests are bound up in the welfare and happiness of mankind. We are no longer isolated. A submarine could come up the Potomac River and blow down the Capitol of the United States, it could drop a gas bomb in the Senate that would smother the most glorious declamation and the most magnificent oratory. We are not isolated; we can never be isolated. We are face to face with the duty and the task of using the influence of this great Nation to bring about the security and peace of the world.

Our people realized this when they determined that the time had come for us to engage in suppressing the military autocracy of the Teutonic allies, and we have just completed that task at a stupendous cost in treasure and in human life. We can not afford to have another world war. The interests of the American people demand peace, security, stability, in order that they may enjoy the rights guaranteed by our Constitution of life, liberty, and the pursuit of happiness.

Mr. President, may I not be permitted to pray that my colleagues shall consider this matter with very great patience, and deliberation, to the end of perfecting this proposal establishment of international law in order that our people may have the peace to which they are so thoroughly entitled? America brought this war to an end, to the imperishable glory of her gallant and intrepid sons, who, over every obstacle of barbed wire, sunken trenches, concealed machine guns, against poisonous gases, against a hurricane of shrapnel, and high explosives, never paused and never failed to advance until the German military commanders collapsed.

The people of Europe and the people of the world owe to America a debt which can never be paid, and America must not depart from her high standards of human service. The time is at hand to establish the conditions which will verify the prophecy of a thousand years of peace. The time has come when there shall be established upon the earth the great principles of liberty, of justice, of humanity, and America should take the leading part in that constructive work. I am one of those who strongly advised the President of the United States to go to Europe in order that the ideals of America might be presented to the European statesmen, whom I knew were embarrassed because of their long and painful experience with militarism. I knew that they could not help thinking in terms of strategic boundaries, in terms of battalions, in terms of armaments, and I am rejoiced that our President was able to favorably influence European opinion, so that we now have laid before us the preliminary formulation of a plan which when perfected will effect and maintain forever the peace of the world. Let America take her place in the front rank in this forever-glorious enterprise.

I ask permission to insert in the RECORD a quotation from Mr. Roosevelt upon this matter, which he made in his Nobel speech, as an exhibit to my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

[From an address on "International Peace" before the Nobel Prize Committee, delivered at Christiania, Norway, May 5, 1910, by Theodore Roosevelt.]

(Italics are inserted to emphasize certain proposals.—R. L. O.)

Now, having freely admitted the limitations to our work and the qualifications to be borne in mind, I feel that I have the right to have my words taken seriously, when I point out where, in my judgment, great advance can be made in the cause of international peace. I speak as a practical man, and whatever I now advocate I actually tried to do when I was for the time being the head of a great Nation, and keenly jealous of its honor and interest. I ask other nations to do only what I should be glad to see my own Nation do.

The advance can be made along several lines. First of all, *there can be treaties of arbitration*. There are, of course, States so backward that a civilized community ought not to enter into an arbitration treaty with them, at least until we have gone much further than at present in securing *some kind of international police action*. But all really

civilized communities should have effective arbitration treaties among themselves. I believe that these treaties can cover almost all questions liable to arise between such nations, if they are drawn with the explicit agreement that each contracting party will *respect the other's territory and its absolute sovereignty within that territory*, and the equally explicit agreement that (aside from the very rare cases where the nation's honor is vitally concerned) *all other possible subjects of controversy will be submitted to arbitration*. Such a treaty would insure peace unless one party deliberately violated it. Of course, as yet there is no adequate safeguard against such deliberate violation, but the establishment of a sufficient number of these treaties would go a long way toward *creating a world opinion* which would finally find expression in the provision of methods to *forbid or punish any such violation*.

Secondly, there is the *further development of The Hague Tribunal, of the work of the conferences and courts at The Hague*. It has been well said that the first Hague conference framed a Magna Charta for the nations; it set before us an ideal which has already to some extent been realized, and toward the full realization of which we can all steadily strive. The second conference made further progress; the third should do yet more. Meanwhile the American Government has more than once tentatively suggested methods for completing the *court of arbitral justice*, constituted at the second Hague conference, and for rendering it effective. It is earnestly to be hoped that the *various Governments of Europe, working with those of America and of Asia*, shall set themselves seriously to the task of *devising some method which shall accomplish this result*. If I may venture the suggestion, it would be well for the statesmen of the world, in planning for the erection of this world court, to study what has been done in the United States by the Supreme Court. I can not help thinking that the Constitution of the United States, notably in the establishment of the Supreme Court and in the methods adopted for securing peace and good relations among and between the different States, offers certain valuable analogies to what should be striven for in order to secure, through The Hague courts and conferences, *a species of world federation for international peace and justice*. There are, of course, fundamental differences between what the United States Constitution does and what we should even attempt at this time to secure at The Hague, but the methods adopted in the American Constitution to prevent hostilities between the States and to secure the supremacy of the Federal court in certain classes of cases, are well worth the study of those who seek at The Hague to obtain the same results on a world scale.

In the third place, *something should be done as soon as possible to check the growth of armaments, especially naval armaments, by international agreement*. No one power could or should act by itself, for it is eminently undesirable, from the standpoint of the peace of righteousness, that a power which really does believe in peace should place itself at the mercy of some rival which may at bottom have no such belief and no intention of acting on it. But, granted sincerity of purpose, *the great powers of the world should find no insurmountable difficulty in reaching an agreement* which would put an end to the present costly and growing extravagance of expenditure on naval armaments. An agreement merely to limit the size of ships would have been very useful a few years ago, and would still be of use, but the agreement should go much further.

Finally, *it would be a master stroke if those great powers honestly bent on peace would form a league of peace, not only to keep the peace among themselves but to prevent, by force if necessary, its being broken by others*. The supreme difficulty in connection with developing the peace work of The Hague arises from the *lack of any executive power, of any police power, to enforce the decrees of the court*. In any community of any size the authority of the courts rests upon actual or potential force, on the existence of a police, or on the knowledge that the able-bodied men of the country are both ready and willing to see that the decrees of judicial and legislative bodies are put into effect. In new and wild communities where there is violence, an honest man must protect himself, and, until other means of securing his safety are devised, it is both foolish and wicked to persuade him to surrender his arms while the men who are dangerous to the community retain theirs. He should not renounce the right to protect himself by his own efforts until the community is so organized that it can effectively relieve the individual of the duty of putting down violence. So it is with nations. Each nation must keep well prepared to *defend itself until the establishment of some form of international police power, competent and willing to prevent violence as between nations*. As things are now, such power

to command peace throughout the world *could best be assured by some combination between those great nations which sincerely desire peace and have no thought themselves of committing aggressions.* The combination might at first be only to secure peace within certain definite limits and certain definite conditions; but the ruler or statesman who should bring about such a combination would have earned his place in history for all time and his title to the gratitude of all mankind.

Mr. FRANCE. Mr. President, will the Senator yield?

Mr. OWEN. I yield to the Senator.

Mr. FRANCE. I have been very much interested in the address of the Senator, because I know that he entertains some very progressive political views. I desire to ask him one or two questions, for I know that he has given much study to the phraseology of the proposed constitution of the league. Does he apprehend that under the present phraseology we might be called upon to conscript our soldiers for the purpose of fighting Ireland, for example, if Ireland should desire her independence, or of fighting India, if India should desire her independence from the British Empire?

Mr. OWEN. The exact reverse, of course, is true. The conditions which, under the old régime, made subject nations a military asset will no longer exist if the league be established; and nations would not regard subject nations as an asset, but as a liability, where they were discontented.

Mr. FRANCE. I ask that question in view of the statement of the Senator that he thought the language should be made clear, so that it would be apparent always that member nations should not interfere in internal disputes.

Mr. OWEN. There is nothing in this proposed league of nations which would require the United States to furnish her troops on the battle field. It is one thing to have an aggressive nation invading the territorial integrity or political independence of a nation, and by that act, in violation of these terms, making war itself upon all nations. We had war made on us a long time before we yielded to the affront and to the danger which threatened us. A nation can make war under the terms of this constitution without involving us in any degree to furnish any troops. On the contrary, instead of its leading to conscription, Gen. Smuts in his book on the League of Nations argues that conscription is a potent means of promoting war, and he is opposed to conscription.

Mr. FRANCE. Certainly there is great ambiguity in the language when it is susceptible of so many different interpretations.

Mr. OWEN. I think some of the interpretations of the language used are not justified at all by the language itself, but are quite hypercritical and entirely unjustified by anything in the instrument.

Mr. FRANCE. Now, I desire to ask the Senator one more question. What does he consider to be the purpose of this league of nations? Is it merely to secure peace, or is it really to secure justice and the advancement of the welfare of all men, including the advancement of the backward nations of the world?

Mr. OWEN. They are coincident. Justice and peace go hand in hand. You can not have peace if you do not have justice.

Mr. FRANCE. I am very glad the Senator is bringing out that thought—

Mr. OWEN. The Senator himself brought it out.

Mr. FRANCE. Because, according to the idea that I entertain, the two things are not always synonymous. Sometimes there can not be justice if there is to be peace; sometimes justice can not be advanced by peaceable means; and it seems to me it should be clearly stated what the purpose is. If it is merely to be a league of peace for the preservation of the status quo, that is one thing. If it is to be a league which is to express the great cooperative spirit for the advancement of the world and for the uplifting of those peoples of the world who are backward and have been kept down because heretofore there has been exploitation rather than a desire for elevation, then the league is quite a different thing.

Mr. OWEN. Mr. President, so far as Great Britain is concerned, I think, the best evidence that she had tried to give justice to her colonies was shown by the loyalty and zeal of her colonies in coming to her support in this great crisis of the war.

Mr. FRANCE. To try is not enough. To try for justice is not enough. Justice must be accomplished. How about the great country of Africa, composing approximately one-fourth of the earth's land surface? The same heathenism, the same savagery, exist to-day in the heart of Africa as existed when the pyramids were new. A mere good-natured will is not enough. The liberals of the world to-day demand results, and they will have them.

Mr. OWEN. I am pleased to see the Senator's enthusiasm in favor of justice. I am in accord with his desire.

Mr. FRANCE. I believe that the Senator is; but let us keep the great purpose to the front, not merely a stagnant universal passivity but a purpose of progress and advancement. That is what I hope to see come out of this great cooperative movement.

Mr. OWEN. I think great advancement will come from this league, because the principles of justice and right are written in the provisions of the proposed league; and when those principles are made the universal law I have no doubt that they will become more and more potent, and that they will become the universal rule.

Mr. FRANCE. Mr. President, if I am not disturbing the Senator, may I ask him this question: As the Senator from Oklahoma entertains very progressive views, does he not realize that many countries of the world have been in the hands of reactionary ministries who look with suspicion upon any effort to advance and improve the conditions of the backward nations of the world?

Mr. OWEN. Undoubtedly. That is not altogether untrue of the United States.

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