

**SPEECH OF HON. PHILANDER
CHASE KNOX IN THE UNITED
STATES SENATE, MARCH 1, 1919.
CONSTITUTION OF LEAGUE OF
NATIONS**

Published @ 2017 Trieste Publishing Pty Ltd

ISBN 9780649234035

Speech of Hon. Philander Chase Knox in the United States Senate, March 1, 1919. Constitution of league of nations by Philander Chase Knox

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PHILANDER CHASE KNOX

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SPEECH

of

OF

HON. PHILANDER CHASE KNOX

IN THE

UNITED STATES SENATE

MARCH 1, 1919

**CONSTITUTION OF LEAGUE
OF NATIONS**



WASHINGTON
GOVERNMENT PRINTING OFFICE
1919

107883

SPEECH
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HON. PHILANDER CHASE KNOX.

CONSTITUTION OF LEAGUE OF NATIONS.

Mr. KNOX. Mr. President, the Official Bulletin—printed daily under the order of the President of the United States—has published, under date of Friday, February 14, 1919, and under the title “Text of covenant on league of nations,” the report of the peace conference commission on the league of nations. The document was read to the plenary session by the President, chairman of this particular commission, who accompanied his reading with comments. This document and the league plan which it outlines, in so far as they can be understood, may include so much that is strange to our traditional foreign policy, contrary to our fundamental principles of international intercourse and conduct, destructive of treaty rights, indispensable to the safety of ourselves and other nations of this hemisphere, and so much that would require—before and in order that it could become operative—such basic changes in our Constitution to enable us to make the necessary surrender of high sovereign rights on which our great liberties rest, that not only the Senate, which in due time may be called upon to advise and consent to the ratification of the plan, but the entire Congress and the whole people of the United States must give thereto the fullest and most mature, careful, and calm consideration. The

submission of this plan for adoption will constitute for our people far and away the greatest and most important matter placed before them since the Nation was founded. We are now invited to assist in forming and become a part of the united States of the world.

As I have already stated, the document which we have before us is, in its present form, merely the report of a commission; it has been laid on the conference table at plenary session, from which, as Mr. Clemenceau has assured the members, it may be removed for debate, amendment, and adoption or rejection. In view of these facts, we might well forego its discussion until the conference in plenary session has adopted it, except that the report itself has acquired for this Nation a peculiar significance by reason of the fact that the President presided over the body which drafted it; that he participated in the proceedings incident to the drafting; that as president of the commission he read the report submitting it to the plenary session of the conference; that he indorsed the document and thereby committed himself as National Executive to it; and that he has officially assured, in his cable to the members of the Foreign Relations Committees of the two Houses of Congress, that there are good reasons even for the verbiage of the document, crude as that is.

By way of clearing the ground and that no doubt may exist as to my own personal attitude on war and the pacific settlement of international disputes, I crave indulgence at this point for a few words of explanation in order that such negative conclusions as I may reach shall not be charged to unfriendliness or bias. I may, in the first place, observe that I am, and always have been, against war and all its attendant woe, misery, horrors, and crime. In common with all Christians, I can not and would not

do otherwise than condemn it in terms as extravagant as language can frame.

Feeling thus, I shall at any and all times do my utmost to bring into the world a reign of law, of order, and of universal peace. No man dreams loftier or feels more intensely than I on these matters. I realize, moreover, that with nations as with individuals sacrifice brings growth, moral and spiritual, and, further, that when all is said and done the moral and the spiritual things are all that are worth while in life, national and individual. I am willing, therefore, personally to sacrifice, and to see my country sacrifice, the utmost possible to the establishment of peace and righteousness in the world. But my country's sacrifice counts for so much in the world that, since mere sacrifice itself availeth little, I wish to make sure before placing our national offering on the altar that, when the fire is kindled and the offering is burned, we shall have measurably and proportionately advanced the cause of human liberty and happiness. It is in this spirit that I approach the discussion of the present project.

After the most mature deliberation it is possible for me to give, I am convinced that you may place the case as high as you will, yet you can not in the present state of society spell out an attainable end which would justify the destruction of our great country and Government—the greatest democracy of all recorded time. Our liberties, our free institutions, our civilization, traditions, and ideals are all worth all we have ever given to get them and all we could possibly give, even to the point of extermination, to preserve them. Conjure in your mind, if you can, a world without the Declaration of Independence, without our Constitution and free institutions, without our proc-

clamations of emancipation of races and of nations, without this Nation itself, which all these things have builded and made mighty, and then tell me, I challenge you, what is in that now put before us which would fill in terms of blessing—not to ourselves but to the world—the gap caused by their blotting out. The world has nothing more precious for man to-day and for the myriad generations yet unborn than our own great Government, institutions, and people—a people which, without the obligation of treaty or alliance, without thought of gain, and with only the thought of protecting eternal right, put on the full accouterment of war and went to battle that the inalienable human rights of life, liberty, and the pursuit of happiness might still have a dwelling place among men, “that government of the people, by the people, and for the people might not perish from the earth.”

Holding our Government and its institutions in this fervent reverence, and profoundly averse to war for its own sake, I must for myself demand that any plan proposed shall, to secure my support, meet these simple and reasonable tests:

Do its provisions abolish war and make it hereafter impossible? For I would be willing we should go far and risk much to accomplish this. Do its provisions strike down our Constitution or destroy our sovereignty or threaten our national independence and life? For if the plan proposed does these things, then it must receive the condemnation of every loyal citizen. And I tell you here in all soberness that these matters must be approached by all of us in a spirit of candid fairness, without cavil, bias, or partisanship, for our fate and the fate of the world, if this matter go certainly forward, waits upon our decision. And one word further, let me say, if we are to go forward with this plan it must be whole-heartedly and with absolute

good faith. Neither we nor those who represent us in the league bodies must trifle with our sacred plighted word. For weal or for woe we must stand by our covenant. We must never leave in our history the taint of the "scrap of paper."

Having thus made my explanation, I proceed to the plan itself, which I shall discuss without heat or color and with such judicial calm and fairness as I am able to bring to my command.

Any definite and precise examination or criticism of the covenant is made immeasurably difficult because of the looseness of expression which characterizes the document throughout; and, while I shall not take your time to discover mere matters of verbiage, there are two such matters to which I invite your attention, because they relate to matters more or less basic. The first is the language of article 1, which provides that "the action of the high contracting parties * * * shall be effected through the instrumentality of meeting of a body of delegates." This, as a matter either of language or of logic, is sheer nonsense, and yet this article purports to lay down one of the fundamental precepts of the plan. One is tempted to believe on casual reading that this is mere infelicity of expression and that, after all, the meaning may be plain; but further study raises a serious doubt, because it is not at all clear whether the document sets up one or two operating entities for its enforcement, as the following extracts will show:

Article 1 prescribed that "the action of the high contracting parties under the terms of this covenant shall be effected through the instrumentality of meeting of a body of delegates representing the high contracting parties," and not of the league.

Article 11 declares that any war or threat of war is a matter of concern to the league, and that "the high contracting parties reserve the right to take any action that may be deemed wise and effectual to safeguard the peace of nations." Assuming the language is carefully chosen, it is obvious that it is quite impossible for the league itself, which is the creature of the high contracting parties, to reserve a right against the parties creating it, and yet it is quite intelligible and accurate to say that the high contracting parties who create the league reserve a right as against the league itself.

Again, in the last paragraph of article 19 the high contracting parties "agree to establish" a mandatory commission, which shall, *inter alia*, "assist the league in insuring the observance of the terms of all mandates."

Article 15 provides that in case a dispute "between States, members of the league," has not been submitted to arbitration under article 13, and possibly 12, then "the high contracting parties agree that they will refer the matter to the executive council," but "either party to the dispute may give notice of the existence of the dispute to the secretary general" of the league.

Under article 18 "the high contracting parties agree that the league shall be intrusted with general supervision of the trade in arms and ammunitions," and so forth. It would be absurd here to substitute "league" for "high contracting parties," so that the sentence would read, "The league agrees that the league shall be intrusted," and so forth.

Again, in article 21, "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