

**WHAT SHALL WE DO WITH OUR
DEPENDENCIES? THE ANNUAL
ADDRESS BEFORE THE BAR
ASSOCIATION OF SOUTH CAROLINA,
JANUARY 16, 1903, PP. 1-58**

Published @ 2017 Trieste Publishing Pty Ltd

ISBN 9780649017522

What Shall We Do with Our Dependencies? The Annual Address Before the Bar Association of South Carolina, January 16, 1903, pp. 1-58 by Moorfield Storey

Except for use in any review, the reproduction or utilisation of this work in whole or in part in any form by any electronic, mechanical or other means, now known or hereafter invented, including xerography, photocopying and recording, or in any information storage or retrieval system, is forbidden without the permission of the publisher, Trieste Publishing Pty Ltd, PO Box 1576 Collingwood, Victoria 3066 Australia.

All rights reserved.

Edited by Trieste Publishing Pty Ltd.
Cover @ 2017

This book is sold subject to the condition that it shall not, by way of trade or otherwise, be lent, re-sold, hired out, or otherwise circulated without the publisher's prior consent in any form or binding or cover other than that in which it is published and without a similar condition including this condition being imposed on the subsequent purchaser.

www.triestepublishing.com

MOORFIELD STOREY

**WHAT SHALL WE DO WITH OUR
DEPENDENCIES? THE ANNUAL
ADDRESS BEFORE THE BAR
ASSOCIATION OF SOUTH CAROLINA,
JANUARY 16, 1903, PP. 1-58**

From Bro. W. A. Langdon
Sept. 03

WHAT SHALL WE DO WITH OUR
DEPENDENCIES?

126964

THE ANNUAL ADDRESS BEFORE THE BAR ASSOCIATION
OF SOUTH CAROLINA

DELIVERED IN COLUMBIA JANUARY 16, 1903

BY

MOORFIELD STOREY

BOSTON

GEO. H. ELLIS CO., PRINTERS, 272 CONGRESS STREET

1903

Mr. President and Gentlemen of the South Carolina Bar:

It was with peculiar pleasure that I received the invitation to address you this evening, not only because I felt it to be a high personal compliment, but because it afforded fresh evidence, if such were needed, of how entirely the differences that disturbed us a generation ago have ceased to divide us. When the secretary, the biographer, the disciple of Charles Sumner is called from Massachusetts to address the bar of South Carolina, it cannot be doubted that the cordial relations which formerly existed between our States are completely and, I believe, forever restored. If I can, I would carry you back to-night to those early days when our fathers stood shoulder to shoulder in "the times that tried men's souls," and join with you in renewing their pledge to support those great truths which South Carolina and Massachusetts alike then held to be self-evident.

THE PRESENT POSITION OF OUR DEPENDENCIES.

Our country to-day exercises absolute power over more than ten millions of human beings, — Filipinos, Porto Ricans, and Hawaiians, — twice as many as the whole population of the United States a century ago. Our dominion has been established without consulting them and against such resistance as they could make. They are not American citizens, nor are they likely to become such. They are governed by the President and Congress, but they have no voice in the choice of either. They have no recognized rights under our Constitution; and, if the President by executive order or Congress by statute has granted to them any of the rights secured by the Constitution to all American citizens,

Ms. A. 9. 28. 31 A I A

U
D
T
L
V

they are merely privileges, which may be recalled at pleasure by a new order or a new statute. If the right of trial by jury and the right to bear arms, both of which are denied the Filipinos, are not their constitutional rights, they have no constitutional rights. They have no representation in the Congress which taxes them and controls their destiny. In a word, no part of the government under which they live derives its powers from their consent. They are merely subjects of the United States, as absolutely without political rights as if they were subjects of Spain.

The question which now confronts the American people, never to be settled "till it is settled right," is whether these conditions shall continue. What shall be our permanent policy toward these dependent peoples? No more important question ever engaged our attention; and we should consider it carefully and dispassionately, as Americans, and not as Republicans or Democrats, for we must all suffer alike the consequences of any mistake. It becomes us to study all the ethical and political conditions of our problem, to gather all the light that we can from the experience of others, and not fancy that we have a native genius for governing our fellow-men which has been denied to other nations. We may be sure that the essential qualities and tendencies of human nature are the same, whatever the race to which a man belongs and whatever the color of his skin; and in these qualities lie causes which under like conditions produce like effects, whether the scene be set in Asia, Africa, or Europe, and whether the time be now or two thousand years ago.

Above all, we must dare to look the truth in the face. We gain nothing by deceiving ourselves. We cannot change the facts by refusing to see or hear them, nor will any misrepresentation of ours bend the laws which govern mankind and attach to our actions their inevitable consequences. If we cannot justify what we have done and what we propose, let us at least be brave enough to admit it.

THE OPPOSING THEORIES OF GOVERNMENT.

At the outset of the discussion we are met by two opposing theories. One is that we are a superior people, enjoying the highest civilization known to man; that the inhabitants of our dependencies are our inferiors and unfitted to govern themselves; that, therefore, they have no right to independence, but it is our duty to take absolute control of them, to teach them our language, our religion, our science, and gradually to bring them up as nearly to our level as their capacity will admit, giving them from time to time such rights as we think them fitted to use wisely; that any resistance by them is an unjustifiable insurrection to be sternly repressed; that other civilized nations have thus dealt successfully with inferior races, and that we can succeed as well; and, indeed, that we have already succeeded beyond all reasonable anticipations. This is the position of the President, who in his annual message says, "Of Porto Rico it is only necessary to say that the prosperity of the island and the wisdom with which it has been governed have been such as to make it serve as an example of all that is best in insular administration"; and of the Philippines: "No policy ever entered into by the American people has vindicated itself in a more signal manner than the policy of holding the Philippines. The triumph of our arms—above all, the triumph of our laws and principles—has come sooner than we had any right to expect." How far this is an accurate statement may be considered later. It is sufficient now to say that it is a conclusion reached after a very brief experience.

The other theory, until lately maintained by us all, may be stated in the words of Henry Clay, when he was urging the recognition of the South American Republics in 1822:

"But it is sometimes said that they are too ignorant to admit of the existence of free government. . . . I deny the alleged fact of their ignorance. I deny the inference from the fact, if it were a fact, that they want capacity for free government. . . . I contend that it is to arraign the dispositions of the

Almighty to suppose that he has created beings incapable of governing themselves, and to be trampled on by kings. Self-government is the natural government of man, and for proof I refer to the aborigines of our own land."

Lincoln stated the same view thus:—

"No man is good enough to govern another without that other's consent. I say this is the leading principle, the sheet-anchor of American republicanism."

Against the assertion of President Roosevelt touching the results of our short experience, let me set the conclusions of two eminent Englishmen, drawn from a survey of human history.

Said John Stuart Mill, as clear a thinker as England has produced:—

"The government of a people by itself has a meaning and a reality, but such a thing as a government of one people by another does not and cannot exist. One people may keep another as a warren or preserve for its own use, a place to make money in, a human cattle farm, to be worked for the profits of its own inhabitants; but, if the good of the governed is the proper business of a government, it is utterly impossible that a people should directly attend to it." *

The historian Froude said:—

"If there be one lesson which history clearly teaches, it is this, that free nations cannot govern subject provinces. If they are unable or unwilling to admit their dependencies to share their own constitution, the constitution itself will fall in pieces through mere incompetence for its duties."

Or, as Lincoln more briefly taught,—

"Those who deny freedom to others deserve it not for themselves, and under a just God cannot long retain it."

An American may well pause at the threshold of the argument, and ask himself what has happened to his country, that the truths which our fathers held to be self-evident a century and a quarter ago are now denied by their sons; but no righteous cause fears discussion. Of these diametrically opposite views, which is right?

* "Representative Government," p. 326.

THE FOUNDATION OF EACH THEORY.

Let us ask ourselves, in the first place, What principles underlie these opposing theories? Disguise it as we will, the claim of one people that it is superior to and therefore entitled to rule another rests upon no better moral foundation than the heathen maxim, "Might makes right." The ancient traveller Mandeville stated a universal truth when he said, "For fro what partie of the erthe that men duellen, other aboven or beneathen, it semethe alweys to hem that duellen that thei gon more righte than any other folke." History contains no instance of a people admitting its inferiority and yielding on that account to a foreign ruler. Rome conquered Greece, Alaric overran Italy and captured Rome, Constantinople fell before the Turks. The Christian powers of Europe could not wrest the Holy Land from the infidel. Each conqueror felt himself superior to his vanquished foe; but can it be said that the superior civilization triumphed? Switzerland is perhaps the most highly civilized nation in Europe, but its claim to govern any other country on that account would be preposterous. As well look to see the triumphant prize-fighter obey the gentle admonitions of the next clergyman as expect a people to acknowledge itself inferior, and on that account surrender its liberty. The nation that conquers may govern another; but it prevails by its might, not by its right.

On the other hand, the theory that every people has an equal right to govern itself rests upon justice, the only secure foundation for any human institution. A nation which adopts this principle concedes to every other the same rights that it claims for itself. It may advise and help, but not force its advice and help upon an unwilling neighbor by fire and sword. The sun, not the wind, made the traveller take off his cloak. If we believe that Christianity is the highest civilization, can we doubt which rule is most in accord with its spirit?

WHAT ARE INFERIOR RACES?

If we concede that a civilized nation has the right to govern any people who are unfit to govern themselves, who shall decide that such unfitness exists? Can the decision safely be left to the stronger nation? Shall it be made by men who know nothing of the weaker people, who have never visited their country, who do not understand their language, their traditions, their character, or their needs? Shall it be made without hearing their representatives and learning all that they can tell about their countrymen? Can we be sure that the judgment of the strong is not affected by appeals to national vanity, by apostrophes to the flag, by hopes of commercial advantage, by dreams of world power, by the exigencies of party politics, by personal ambitions? If it is made when passions and prejudices are excited by war, is it not likely to be influenced by these? If the strong nation or its rulers consider their own interests, is their judgment to be trusted,—and is it possible that they should not do so? Nations who consent to arbitrate and private litigants seek an impartial tribunal. Is such a tribunal unnecessary when the very existence of a nation is at stake?

By what standards is inferiority to be measured? It is said that an Englishman thinks any one his inferior who does not speak the English language, wear English clothes, eat English food, and belong to the English Church. If a difference in language, raiment, food, and religion constitutes inferiority, the question presents no difficulty. We may learn a profound truth from the history of the word *hostis*, which, originally meaning "stranger," came soon to mean "enemy." Men whom we do not know and whom we cannot understand, we distrust and dislike. They are different, therefore inferior. Rome spoke of "*Graecia mendax*." France denounces "*Perfide Albion*." The Anglo-Saxon insists that the Latin races are habitually false. "The heathen Chinees" despises "the foreign dog" who