

# WHITE LAW REID

PROBLEMS OF  
EXPANSION / AS  
CONSIDERED IN PAPERS  
AND ADDRESSES

**Whitelaw Reid**  
**Problems of Expansion.**  
**As Considered in**  
**Papers and Addresses**

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Problems of Expansion / As Considered in Papers and Addresses:*

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# **Whitelaw Reid Problems of Expansion / As Considered in Papers and Addresses**

## **PREFATORY NOTE**

So general have been the expressions as to the value of these scattered papers and addresses that I have thought it a useful service to gather them together from the authorized publications at the time, or, in some cases, from newspaper reports, and (with the consent of the Century Co. and of Mr. John Lane for the copyrighted articles) to embody them consecutively, in the order of their several dates, in this volume.

The article entitled "The Territory with which We are Threatened" was prepared before the appointment of its author as a member of the Commission to negotiate terms of peace with Spain, and published only a few days afterward. This circumstance attracted unusual attention to its views about retaining the territory the country had taken.

As to the attitude of every one else connected officially with the determination of that question there has been, naturally, more

or less diplomatic reserve; but the position of Mr. Reid before he was appointed was thus clearly revealed. When the storm of opposition was apparently reaching its height, in June, 1899, he took occasion to avow explicitly the course it was obvious he must have recommended. In his address at the Seventy-fifth Anniversary of Miami University, referring to some apparently authorized despatches on the subject from Washington, he said: "I readily take the time which hostile critics consider unfavorable, for accepting my own share of responsibility, and for avowing for myself that I declared my belief in the duty and policy of holding the whole Philippine Archipelago in the very first conference of the Commissioners in the President's room at the White House, in advance of any instructions of any sort. If vindication for it be needed, I confidently await the future."

This measure of responsibility for the expansion policy upon which the country is launched has necessarily given special interest to Mr. Reid's subsequent discussions of the various problems it has raised. They have been called for on important occasions both abroad and in all parts of our own country. They have covered many phases of the subject, but have preserved a singular uniformity of purpose and consistency of ideas throughout. They appeared at times when public men often seemed to be groping in the dark on an unknown road, but it is now evident that the road which has been taken is substantially the road they marked out. As a foreign critic said in comment on one of the addresses: "The author is one man who knows what

he thinks about the new policy required by the new situation in which his country is placed, and has the courage and candor to say it."

It has seemed desirable with each paper and address to prefix a brief record of the circumstances under which it was made. A few memoranda which Mr. Reid had prepared to elucidate the text are added, in foot-notes and in the Appendices which include the Resolutions of Congress as to Cuba, the Protocol of Washington, and the text of the Peace of Paris.

*C. C. Buel.*

New Rochelle, New York,  
May 25, 1900.

# I THE TERRITORY WITH WHICH WE ARE THREATENED

This paper first appeared in "The Century Magazine" for September, 1898, for which it was written some time before the author's appointment as a member of the Paris Commission to negotiate the terms of peace with Spain, and, in fact, before hostilities had been suspended or the peace protocol agreed upon in Washington.

## THE TERRITORY WITH WHICH WE ARE THREATENED

Men are everywhere asking what should be our course about the territory conquered in this war. Some inquire merely if it is good policy for the United States to abandon its continental limitations, and extend its rule over semi-tropical countries with mixed populations. Others ask if it would not be the wisest policy to give them away after conquering them, or abandon them. They say it would be ruinous to admit them as States to equal rights with ourselves, and contrary to the Constitution to hold them permanently as Territories. It would be bad policy, they argue, to

lower the standard of our population by taking in hordes of West Indians and Asiatics; bad policy to run any chance of allowing these people to become some day joint arbiters with ourselves of the national destinies; bad policy to abandon the principles of Washington's Farewell Address, to which we have adhered for a century, and involve ourselves in the Eastern question, or in the entanglements of European politics.

The men who raise these questions are sincere and patriotic. They are now all loyally supporting the Government in the prosecution of the war which some of them were active in bringing on, and others to the last deprecated and resisted. Their doubts and difficulties deserve the fairest consideration, and are of pressing importance.

*Duty First, not Policy.*

But is there not another question, more important, which first demands consideration? Have we the right to decide whether we shall hold or abandon the conquered territory, solely, or even mainly as a matter of national policy? Are we not bound by our own acts, and by the responsibility we have voluntarily assumed before Spain, before Europe, and before the civilized world, to consider it first in the light of national duty?

For that consideration it is not needful now to raise the question whether we were in every particular justifiable for our share in the transactions leading to the war. However men's opinions on that point may differ, the Nation is now at war for a good cause, and has in a vigorous prosecution of it the loyal and



zealous support of all good citizens.

The President intervened, with our Army and Navy, under the direct command of Congress, to put down Spanish rule in Cuba, on the distinct ground that it was a rule too bad to be longer endured. Are we not, then, bound in honor and morals to see to it that the government which replaces Spanish rule is better? Are we not morally culpable and disgraced before the civilized world if we leave it as bad or worse? Can any consideration of mere policy, of our own interests, or our own ease and comfort, free us from that solemn responsibility which we have voluntarily assumed, and for which we have lavishly spilled American and Spanish blood?

Most people now realize from what a mistake Congress was kept by the firm attitude of the President in opposing a recognition of the so-called Cuban Republic of Cubitas. It is now generally understood that virtually there was no Cuban Republic, or any Cuban government save that of wandering bands of guerrilla insurgents, probably less numerous and influential than had been represented. There seems reason to believe that however bad Spanish government may have been, the rule of these people, where they had the power, was as bad; and still greater reason to apprehend that if they had full power, their sense of past wrongs and their unrestrained tropical thirst for vengeance might lead to something worse. Is it for that pitiful result that a civilized and Christian people is giving up its sons and pouring out blood and treasure in Cuba?

In commanding the war, Congress pledged us to continue our action until the pacification of the island should be secured. When that happy time has arrived, if it shall then be found that the Cuban insurgents and their late enemies are able to unite in maintaining a settled and peaceable government in Cuba, distinctly free from the faults which now lead the United States to destroy the old one, we shall have discharged our responsibility, and will be at liberty to end our interference. But if not, the responsibility of the United States continues. It is morally bound to secure to Cuba such a government, even if forced by circumstances to furnish it itself.

*The Pledge of Congress.*

At this point, however, we are checked by a reminder of the further action of Congress, "asserting its determination, when the pacification of Cuba has been accomplished, to leave the government and control of the island to its people."

Now, the secondary provisions of any great measure must be construed in the light of its main purpose; and where they conflict, we are led to presume that they would not have been adopted but for ignorance of the actual conditions. Is it not evident that such was the case here? We now know how far Congress was misled as to the organization and power of the alleged Cuban government, the strength of the revolt, and the character of the war the insurgents were waging. We have seen how little dependence could be placed upon the lavish promises of support from great armies of insurgents in the war we

have undertaken; and we are beginning to realize the difference between our idea of a humane and civilized "pacification" and that apparently entertained up to this time by the insurgents. It is certainly true that when the war began neither Congress nor the people of the United States cherished an intention to hold Cuba permanently, or had any further thought than to pacify it and turn it over to its own people. But they must pacify it before they turn it over; and, from present indications, to do that thoroughly may be the work of years. Even then they are still responsible to the world for the establishment of a better government than the one they destroy. If the last state of that island should be worse than the first, the fault and the crime must be solely that of the United States. We were not actually forced to involve ourselves; we might have passed by on the other side. When, instead, we insisted on interfering, we made ourselves responsible for improving the situation; and, no matter what Congress "disclaimed," or what intention it "asserted," we cannot leave Cuba till that is done without national dishonor and blood-guiltiness.

*Egypt and Cuba.*

The situation is curiously like that of England in Egypt. She intervened too, under far less provocation, it must be admitted, and for a cause rather more commercial than humanitarian. But when some thought that her work was ended and that it was time for her to go, Lord Granville, on behalf of Mr. Gladstone's government, addressed the other great European Powers in a

note on the outcome of which Congress might have reflected with profit before framing its resolutions. "Although for the present," he said, "a British force remains in Egypt for the preservation of public tranquillity, Her Majesty's government are desirous of withdrawing it as soon as the state of the country and the organization of proper means for the maintenance of the Khedive's authority will admit of it. In the meantime the position in which Her Majesty's government are placed towards His Highness imposes upon them the duty of giving advice, with the object of securing that the order of things to be established shall be of a satisfactory character and possess the elements of stability and progress." As time went on this declaration did not seem quite explicit enough; and accordingly, just a year later, Lord Granville instructed the present Lord Cromer, then Sir Evelyn Baring, that it should be made clear to the Egyptian ministers and governors of provinces that "the responsibility which for the time rests on England obliges Her Majesty's government to insist on the adoption of the policy which they recommend, and that it will be necessary that those ministers and governors who do not follow this course should cease to hold their offices."

That was in 1884—a year after the defeat of Arabi, and the "pacification." It is now fourteen years later. The English are still there, and the Egyptian ministers and governors now understand quite well that they must cease to hold their offices if they do not adopt the policy recommended by the British diplomatic agent. If it should be found that we cannot with honor and self-respect

begin to abandon our self-imposed task of Cuban "pacification" with any greater speed, the impetuous congressmen, as they read over their own inconsiderate resolutions fourteen years hence, can hide their blushes behind a copy of Lord Granville's letter. They may explain, if they like, with the classical excuse of Benedick, "When I said I would die a bachelor, I did not think I should live till I were married." Or if this seems too frivolous for their serious plight, let them recall the position of Mr. Jefferson, who originally declared that the purchase of foreign territory would make waste paper of the Constitution, and subsequently appealed to Congress for the money to pay for his purchase of Louisiana. When he held such an acquisition unconstitutional, he had not thought he would live to want Louisiana.

As to Cuba, it may be fairly concluded that only these points are actually clear: (1) We had made ourselves in a sense responsible for Spain's rule in that island by our consistent declaration, through three quarters of a century, that no other European nation should replace her—Daniel Webster, as Secretary of State, even seeking to guard her hold as against Great Britain. (2) We are now at war because we say Spanish rule is intolerable; and we cannot withdraw our hand till it is replaced by a rule for which we are willing to be responsible. (3) We are also pledged to remain till the pacification is complete.

*The Conquered Territories.*

In the other territories in question the conditions are different. We are not taking possession of them, as we are of Cuba, with

the avowed purpose of giving them a better government. We are conquering them because we are at war with Spain, which has been holding and governing them very much as she has Cuba; and we must strike Spain wherever and as hard as we can. But it must at once be recognized that as to Porto Rico at least, to hold it would be the natural course and what all the world would expect. Both Cuba and Porto Rico, like Hawaii, are within the acknowledged sphere of our influence, and ours must necessarily be the first voice in deciding their destiny. Our national position with regard to them is historic. It has been officially declared and known to every civilized nation for three quarters of a century. To abandon it now, that we may refuse greatness through a sudden craven fear of being great, would be so astonishing a reversal of a policy steadfastly maintained by the whole line of our responsible statesmen since 1823 as to be grotesque.

John Quincy Adams, writing in April of that year, as Secretary of State, to our Minister to Spain, pointed out that the dominion of Spain upon the American continents, North and South, was irrevocably gone, but warned him that Cuba and Porto Rico still remained nominally dependent upon her, and that she might attempt to transfer them. That could not be permitted, as they were "natural appendages to the North American continent." Subsequent statements turned more upon what Mr. Adams called "the transcendent importance of Cuba to the United States"; but from that day to this I do not recall a line in our state papers to show that the claim of the United States to control the future

of Porto Rico as well as of Cuba was ever waived. As to Cuba, Mr. Adams predicted that within half a century its annexation would be indispensable. "There are laws of political as well as of physical gravitation," he said; and "Cuba, forcibly disjoined from its own unnatural connection with Spain, and incapable of self-support, can gravitate only towards the North American Union, which, by the same law of nature, cannot cast her off from its bosom." If Cuba is incapable of self-support, and could not therefore be left, in the cheerful language of Congress, to her own people, how much less could little Porto Rico stand alone?

There remains the alternative of giving Porto Rico back to Spain at the end of the war. But if we are warranted now in making war because the character of Spanish rule in Cuba was intolerable, how could we justify ourselves in handing back Porto Rico to the same rule, after having once emancipated her from it? The subject need not be pursued. To return Porto Rico to Spain, after she is once in our possession, is as much beyond the power of the President and of Congress as it was to preserve the peace with Spain after the destruction of the *Maine* in the harbor of Havana. From that moment the American people resolved that the flag under which this calamity was possible should disappear forever from the Western hemisphere, and they will sanction no peace that permits it to remain.

The question of the Philippines is different and more difficult. They are not within what the diplomatists of the world would recognize as the legitimate sphere of American influence. Our

relation to them is purely the accident of recent war. We are not in honor bound to hold them, if we can honorably dispose of them. But we know that their grievances differ only in kind, not in degree, from those of Cuba; and having once freed them from the Spanish yoke, we cannot honorably require them to go back under it again. That would be to put us in an attitude of nauseating national hypocrisy; to give the lie to all our professions of humanity in our interference in Cuba, if not also to prove that our real motive was conquest. What humanity forbade us to tolerate in the West Indies, it would not justify us in reëstablishing in the Philippines.

What, then, can we do with them? Shall we trade them for something nearer home? Doubtless that would be permissible, if we were sure of thus securing them a better government than that of Spain, and if it could be done without precipitating fresh international difficulties. But we cannot give them to our friend and their neighbor Japan without instantly provoking the hostility of Russia, which recently interfered to prevent a far smaller Japanese aggrandizement. We cannot give them to Russia without a greater injustice to Japan; or to Germany or to France or to England without raising far more trouble than we allay. England would like us to keep them; the Continental nations would like that better than any other control excepting Spain's or their own; and the Philippines would prefer it to anything save the absolute independence which they are incapable of maintaining. Having been led into their possession by the course



of a war undertaken for the sake of humanity, shall we draw a geographical limit to our humanity, and say we cannot continue to be governed by it in Asiatic waters because it is too much trouble and is too disagreeable—and, besides, there may be no profit in it?

Both war and diplomacy have many surprises; and it is quite possible that some way out of our embarrassing possession may yet be found. The fact is clear that many of our people do not much want it; but if a way of relinquishing it is proposed, the one thing we are bound to insist on is that it shall be consistent with our attitude in the war, and with our honorable obligations to the islands we have conquered and to civilization.

*Fear of them as States.*

The chief aversion to the vast accessions of territory with which we are threatened springs from the fear that ultimately they must be admitted into the Union as States. No public duty is more urgent at this moment than to resist from the very outset the concession of such a possibility. In no circumstances likely to exist within a century should they be admitted as States of the Union. The loose, disunited, and unrelated federation of independent States to which this would inevitably lead, stretching from the Indian Archipelago to the Caribbean Sea, embracing all climes, all religions, all races,—black, yellow, white, and their mixtures,—all conditions, from pagan ignorance and the verge of cannibalism to the best product of centuries of civilization, education, and self-government, all with equal rights in our

Senate and representation according to population in our House, with an equal voice in shaping our national destinies—that would, at least in this stage of the world, be humanitarianism run mad, a degeneration and degradation of the homogeneous, continental Republic of our pride too preposterous for the contemplation of serious and intelligent men. Quite as well might Great Britain now invite the swarming millions of India to send rajas and members of the lower House, in proportion to population, to swamp the Lords and Commons and rule the English people. If it had been supposed that even Hawaii, with its overwhelming preponderance of Kanakas and Asiatics, would become a State, she could not have been annexed. If the territories we are conquering must become States, we might better renounce them at once and place them under the protectorate of some humane and friendly European Power with less nonsense in its blood.

This is not to deny them the freest and most liberal institutions they are capable of sustaining. The people of Sitka and the Aleutian Islands enjoy the blessings of ordered liberty and free institutions, but nobody dreams of admitting them to Statehood. New Mexico has belonged to us for half a century, not only without oppression, but with all the local self-government for which she was prepared; yet, though an integral part of our continent, surrounded by States, and with an adequate population, she is still not admitted to Statehood. Why should not the people on the island of Porto Rico, or even of Cuba,

prosper and be happy for the next century under a rule similar in the main to that under which their kinsmen of New Mexico have prospered for the last half-century?

With some necessary modifications, the territorial form of government which we have tried so successfully from the beginning of the Union is well adapted to the best of such communities. It secures local self-government, equality before the law, upright courts, ample power for order and defense, and such control by Congress as gives security against the mistakes or excesses of people new to the exercise of these rights.

*Will the Constitution Permit Withholding Statehood?*

But such a system, we are told, is contrary to our Constitution and to the spirit of our institutions. Why? We have had just that system ever since the Constitution was framed. It is true that a large part of the territory thus governed has now been admitted into the Union in the form of new States. But it is not true that this was recognized at the beginning as a right, or even generally contemplated as a probability; nor is it true that it has been the purpose or expectation of those who annexed foreign territory to the United States, like the Louisiana or the Gadsden Purchase, that it would all be carved into States. That feature of the marvelous development of the continent has come as a surprise to this generation and the last, and would have been absolutely incredible to the men of Thomas Jefferson's time. Obviously, then, it could not have been the purpose for which, before that date, our territorial system was devised. It is not clear that the

founders of the Government expected even all the territory we possessed at the outset to be made into States. Much of it was supposed to be worthless and uninhabitable. But it is certain that they planned for outside accessions. Even in the Articles of Confederation they provided for the admission of Canada and of British colonies which included Jamaica as well as Nova Scotia. Madison, in referring to this, construes it as meaning that they contemplated only the admission of these colonies as colonies, not the eventual establishment of new States ("Federalist," No. 43). About the same time Hamilton was dwelling on the alarms of those who thought the country already too large, and arguing that great size was a safeguard against ambitious rulers.

Nevertheless, the objectors still argue, the Constitution gives no positive warrant for a permanent territorial policy. But it does! Ordinarily it may be assumed that what the framers of the Constitution immediately proceeded to do under it was intended by them to be warranted by it; and we have seen that they immediately devised and maintained a territorial system for the government of territory which they had no expectation of ever converting into States. The case, however, is even plainer than that. The sole reference in the Constitution to the territories of the United States is in Article IV, Section 3: "The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States." Jefferson revised his first views far enough to find warrant for acquiring territory; but here is explicit,

unmistakable authority conferred for dealing with it, and with other "property," precisely as Congress chooses. The territory was not a present or prospective party in interest in the Union created under this organic act. It was "property," to be disposed of or ruled and regulated as Congress might determine. The inhabitants of the territory were not consulted; there was no provision that they should even be guaranteed a republican form of government like the States; they were secured no right of representation and given no vote. So, too, when it came to acquiring new territory, there was no thought of consulting the inhabitants. Mr. Jefferson did not ask the citizens of Louisiana to consent to their annexation, nor did Mr. Monroe submit such a question to the Spaniards of Florida, nor Mr. Polk to the Mexicans of California, nor Mr. Pierce to the New Mexicans, nor Mr. Johnson to the Russians and Aleuts of Alaska. The power of the Government to deal with territory, foreign or domestic, precisely as it chooses was understood from the beginning to be absolute; and at no stage in our whole history have we hesitated to exercise it. The question of permanently holding the Philippines or any other conquered territory as territory is not, and cannot be made, one of constitutional right; it is one solely of national duty and of national policy.

*Does the Monroe Doctrine Interfere?*

As a last resort, it is maintained that even if the Constitution does not forbid, the Monroe Doctrine does. But the famous declaration of Mr. Monroe on which reliance is placed does

not warrant this conclusion. After holding that "the American continents, by the free and independent condition which they have assumed and maintained, are henceforth not to be considered as subjects for future colonization by any European Power," Mr. Monroe continued: "We should consider any attempt on their part to extend their system to any part of this hemisphere as dangerous to our peace and safety. With the existing colonies or dependencies of any European Power we have not interfered, and shall not interfere." The context makes it clear that this assurance applies solely to the existing colonies and dependencies they still had in this hemisphere; and that even this was qualified by the previous warning that while we took no part "in the wars of European Powers, in matters relating to themselves," we resented injuries and defended our rights. It will thus be seen that Mr. Monroe gave no pledge that we would never interfere with any dependency or colony of European Powers anywhere. He simply declared our general policy not to interfere with existing colonies still remaining to them on our coast, so long as they left the countries alone which had already gained their independence, and so long as they did not injure us or invade our rights. And even this statement of the scope of Mr. Monroe's declaration must be construed in the light of the fact that the same Administration which promulgated the Monroe Doctrine had already issued from the State Department Mr. Adams's prediction, above referred to, that "the annexation of Cuba will yet be found indispensable." Perhaps Mr. Monroe's language

might have been properly understood as a general assurance that we would not meddle in Europe so long as they gave us no further trouble in America; but certainly it did not also abandon to their exclusive jurisdiction Asia and Africa and the islands of the sea.

*The Necessary Outcome.*

The candid conclusions seem inevitable that, not as a matter of policy, but as a necessity of the position in which we find ourselves and as a matter of national duty, we must hold Cuba, at least for a time and till a permanent government is well established for which we can afford to be responsible; we must hold Porto Rico; and we may have to hold the Philippines.

The war is a great sorrow, and to many these results of it will seem still more mournful. They cannot be contemplated with unmixed confidence by any; and to all who think, they must be a source of some grave apprehensions. Plainly, this unwelcome war is leading us by ways we have not trod to an end we cannot surely forecast. On the other hand, there are some good things coming from it that we can already see. It will make an end forever of Spain in this hemisphere. It will certainly secure to Cuba and Porto Rico better government. It will furnish an enormous outlet for the energy of our citizens, and give another example of the rapid development to which our system leads. It has already brought North and South together as nothing could but a foreign war in which both offered their blood for the cause of their reunited country—a result of incalculable advantage both at home and abroad. It has brought England and the United

States together—another result of momentous importance in the progress of civilization and Christianity. Europe will know us better henceforth; even Spain will know us better; and this knowledge should tend powerfully hereafter to keep the peace of the world. The war should abate the swaggering, swash-buckler tendency of many of our public men, since it has shown our incredible unreadiness at the outset for meeting even a third-rate Power; and it must secure us henceforth an army and navy less ridiculously inadequate to our exposure. It insures us a mercantile marine. It insures the Nicaragua Canal, a Pacific cable, great development on our Pacific coast, and the mercantile control of the Pacific Ocean. It imposes new and very serious business on our public men, which ought to dignify and elevate the public service. Finally, it has shown such splendid courage and skill in the Army and Navy, such sympathy at home for our men at the front, and such devoted eagerness, especially among women, to alleviate suffering and humanize the struggle, as to thrill every patriotic heart and make us all prouder than ever of our country and its matchless people.



## II

# WAS IT TOO GOOD A TREATY?

This speech was made at a dinner given in New York by the Lotos Club in honor of Mr. Reid, who had been its president for fourteen years prior to his first diplomatic service abroad in 1889. It was the first public utterance by any one of the Peace Commissioners after the ratification of the Treaty of Paris.

Among the many letters of regret at the dinner, the following, from the Secretary of State and from his predecessor, were given to the public:

*Washington, D.C., February 9, 1899.*

*To John Elderkin, Lotos Club, New York:*

I received your note in due time, and had hoped until now to be able to come and join you in doing honor to my life-long friend, the Hon. Whitelaw Reid; but the pressure of official engagements here has made it impossible for me to do so. I shall be with you in spirit, and shall applaud to the best that can be said in praise of one who, in a life of remarkable variety of achievement, has honored every

position he has held.

*Faithfully yours,*

*John Hay.*

*Canton, Ohio, February 8, 1899.*

*To Chester S. Lord, Lotos Club, New York:*

I beg to acknowledge the receipt of your invitation to attend the dinner to be given to the Hon. Whitelaw Reid on the evening of the 11th inst. Nothing would afford me more pleasure than to join the members of the Lotos Club in doing honor to Mr. Reid. It is a source of much regret that circumstances compel me to forego the privilege. His high character and worth, leadership in the best journalism of the day, eminent services, and wide experience long since gave him an honorable place among his contemporaries. The Commission to negotiate the treaty concluded at Paris on December 10 had no more valued member. His fellow-Commissioners were fortunate in being able to avail themselves of Mr. Reid's wide acquaintance with the leading statesmen and diplomats residing in Paris. His presence as a member of the Commission rendered unnecessary any further introduction to those who had known him as our Minister to France. He gave to the work of the Commission in unstinted measure the benefit of his wisdom in council, judgment, and skill in the preparation and presentation of the American case at Paris. Permit me to join you in congratulations and best wishes to Mr. Reid, and to express the hope that there are in store for him many

more years of usefulness and honor.

*Very truly yours,*

*William R. Day.*

## **WAS IT TOO GOOD A TREATY?**

Obviously the present occasion has no narrow or merely personal meaning. It comes to me only because I had the good fortune, through the friendly partiality of the President of the United States, to be associated with a great work in which you took a patriotic interest, and over the ratification of which you use this means of expressing your satisfaction. It was a happy thing for us to be able to bring back peace to our own land, and happier still to find that our treaty is accepted by the Senate and the people as one that guards the honor and protects the interests of the country. Only so should a nation like ours make peace at all.

Come, Peace, not like a mourner bowed  
For honor lost and dear ones wasted,  
But proud, to meet a people proud,  
With eyes that tell of triumph tasted.

I shall make no apology—now that the Senate has unsealed our lips—for speaking briefly of this work just happily completed.

The only complaint one hears about it is that we did our duty too well—that, in fact, we made peace on terms too favorable to our own country. In all the pending discussion there seems to be no other fault found. On no other point is the treaty said by any one to be seriously defective.

It loyally carried out the attitude of Congress as to Cuba. It enforced the renunciation of Spanish sovereignty there, but, in spite of the most earnest Spanish efforts, it refused to accept American sovereignty. It loaded neither ourselves nor the Cubans with the so-called Cuban debts, incurred by Spain in the efforts to subdue them. It involved us in no complications, either in the West Indies or in the East, as to contracts or claims or religious establishments. It dealt liberally with a fallen foe—giving him a generous lump sum that more than covered any legitimate debts or expenditures for pacific improvements; assuming the burden of just claims against him by our own people; carrying back the armies surrendered on the other side of the world at our own cost; returning their arms; even restoring them their artillery, including heavy ordnance in field fortifications, munitions of war, and the very cattle that dragged their caissons. It secured alike for Cubans and Filipinos the release of political prisoners. It scrupulously reserved for Congress the power of determining the political status of the inhabitants of our new possessions. It declared on behalf of the most Protectionist country in the world for the policy of the Open Door within its Asiatic sphere of influence.

With all this the Senate and the country seemed content. But

the treaty refused to return to Spanish rule one foot of territory over which that rule had been broken by the triumphs of our arms.

Were we to be reproached for that? Should the Senate have told us: "You overdid this business; you looked after the interests of your own country too thoroughly. You ought to have abandoned the great archipelago which the fortunes of war had placed at your country's disposal. You are not exactly unfaithful servants; you are too blindly, unswervingly faithful. You haven't seized an opportunity to run away from some distant results of the war into which Congress plunged the country before dreaming how far it might spread. You haven't dodged for us the responsibilities we incurred."

That is true. When Admiral Dewey sank the Spanish fleet, and General Merritt captured the Spanish army that alone maintained the Spanish hold on the Philippines, the Spanish power there was gone; and the civilization and the common sense and the Christianity of the world looked to the power that succeeded it to accept its responsibilities. So we took the Philippines. How could men representing this country, jealous of its honor, or with an adequate comprehension either of its duty or its rights, do otherwise?

A nation at war over a disputed boundary or some other material interest might properly stop when that interest was secured, and give back to the enemy all else that had been taken from him. But this was not a war for any material interest. It was

a war to put down a rule over an alien people, which we declared so barbarous that we could no longer tolerate it. How could we consent to secure peace, after we had broken down this barbarous rule in two archipelagos, by agreeing that one of them should be forced back under it?

There was certainly another alternative. After destroying the only organized government in the archipelago, the only security for life and property, native and foreign, in great commercial centers like Manila, Iloilo, and Cebu, against hordes of uncivilized pagans and Mohammedan Malays, should we then scuttle out and leave them to their fate? A band of old-time Norse pirates, used to swooping down on a capital, capturing its rulers, seizing its treasure, burning the town, abandoning the people to domestic disorder and foreign spoliation, and promptly sailing off for another piratical foray—such a band of pirates might, no doubt, have left Manila to be sacked by the insurgents, while it fled from the Philippines. We did not think a self-respecting, civilized, responsible Christian Power could.

*Indemnity.*

There was another side to it. In a conflict to which fifty years of steadily increasing provocation had driven us we had lost 266 sailors on the *Maine*; had lost at Santiago and elsewhere uncounted victims of Spanish guns and tropical climates; and had spent in this war over \$240,000,000, without counting the pensions that must still accrue under laws existing when it began. Where was the indemnity that, under such circumstances, it is

the duty of the victorious nation to exact, not only in its own interest, but in the interest of a Christian civilization and the tendencies of modern International Law, which require that a nation provoking unjust war shall smart for it, not merely while it lasts, but by paying the cost when it is ended? Spain had no money even to pay her own soldiers. No indemnity was possible, save in territory. Well, we once wanted to buy Cuba, before it had been desolated by twelve years of war and decimated by Weyler; yet our uttermost offer for it, our highest valuation even then, was \$125,000,000—less than half the cost of our war. But now we were precluded from taking Cuba. Porto Rico, immeasurably less important to us, and eight hundred miles farther away from our coast, is only one twelfth the size of Cuba. Were the representatives of the United States, charged with the duty of protecting not only its honor, but its interests, in arranging terms of peace, to content themselves with little Porto Rico, away off a third of the way to Spain, plus the petty reef of Guam, in the middle of the Pacific, as indemnity for an unprovoked war that had cost and was to cost their country \$300,000,000?

*The Trouble they Give—are they Worth it?*

But, some one exclaims, the Philippines are already giving us more trouble than they are worth! It is natural to say so just now, and it is partly true. What they are worth and likely to be worth to this country in the race for commercial supremacy on the Pacific—that is to say, for supremacy in the great development of trade in the Twentieth Century—is a question too large to be so

summarily decided, or to be entered on at the close of a dinner, and under the irritation of a Malay half-breed's folly. But nobody ever doubted that they would give us trouble. That is the price nations must pay for going to war, even in a just cause. I was not one of those who were eager to begin this war with Spain; but I protest against any attempt to evade our just responsibility in the position in which it has left us. We shall have trouble in the Philippines. So we shall have trouble in Cuba and in Porto Rico. If we dawdle, and hesitate, and lead them to think we fear them and fear trouble, our trouble will be great. If, on the other hand, we grasp this nettle danger, if we act promptly, with inexorable vigor and with justice, it may be slight. At any rate, the more serious the crisis the plainer our path. God give us the courage to purify our politics and strengthen our Government to meet these new and grave duties!



# III

## PURPORT OF THE TREATY

This speech was made, two days after the preceding one, on the invitation of the Marquette Club of Chicago, at the dinner of six hundred which it gave in the Auditorium Hotel, February 13, 1899, in honor of Lincoln's birthday.

### PURPORT OF THE TREATY

Beyond the Alleghanies the American voice rings clear and true. It does not sound, here in Chicago, as if you favored the pursuit of partizan aims in great questions of foreign policy, or division among our own people in the face of insurgent guns turned upon our soldiers on the distant fields to which we sent them. We are all here, it would seem, to stand by the peace that has been secured, even if we have to fight for it.

Neither has any reproach come from Chicago to the Peace Commissioners because, when intrusted with your interests in a great negotiation in a foreign capital, they made a settlement on terms too favorable to their own country—because in bringing home peace with honor they also brought home more property than some of our people wanted! When that reproach has been urged elsewhere, it has recalled the familiar defense against a

similar complaint in an old political contest. There might, it was said, be some serious disadvantages about a surplus in the national Treasury; but, at any rate, it was easier to deal with a surplus than with a deficit! If we have brought back too much, that is only a question for Congress and our voters. If we had brought back too little, it might have been again a question for the Army and the Navy.

No one of you has ever been heard to find fault with an agent because in making a difficult settlement he got all you wanted, and a free option on something further that everybody else wanted! Do you know of any other civilized nation of the first or even of the second class that wouldn't jump at that option on the Philippines? Ask Russia. Ask Germany. Ask Japan. Ask England or France. Ask little Belgium!<sup>1</sup> And yet, what one of them, unless it be Japan, has any conceivable interest in the Philippines to be compared with that of the mighty Republic which now commands the one side of the Pacific, and, unless this American generation is blinder to opportunity than any of its predecessors, will soon command the other?

Put yourselves for a moment in our place on the Quai d'Orsay. Would you really have had your representatives in Paris, the guardians of your honor in negotiating peace with your enemy, declare that while Spanish rule in the West Indies was so

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<sup>1</sup> At this time it was still a secret that among the many intrigues afoot during the negotiations at Paris was one for the transfer of the Philippines to Belgium. But for the perfectly correct attitude of King Leopold, it might have had a chance to succeed, or at least to make trouble.

barbarous that it was our duty to destroy it, we were now so eager for peace that for its sake we were willing in the East to reëstablish that same barbarous rule? Or would you have had your agents in Paris, the guardians also of your material interests, throw away all chance for indemnity for a war that began with the loss of 266 American sailors on the *Maine*, and had cost your Treasury during the year over \$240,000,000? Would you have had them throw away a magnificent foothold for the trade of the farther East, which the fortune of war had placed in your hand, throw away a whole archipelago of boundless possibilities, economic and strategic, throw away the opportunity of centuries for your country? Would you have had them, on their own responsibility, then and there decide this question for all time, and absolutely refuse to reserve it for the decision of Congress and of the American people, to whom that decision belongs, and who have the right to an opportunity first for its deliberate consideration?

*Some Features in the Treaty.*

Your toast is to the "Achievements of American Diplomacy." Not such were its achievements under your earlier statesmen; not such has been its work under the instructions of your State Department, from John Quincy Adams on down the honored line; and not such the work your representatives brought back to you from Paris.

They were dealing with a nation with whom it has never been easy to make peace, even when war was no longer possible; but

they secured a peace treaty without a word that compromises the honor or endangers the interests of the country.

They scrupulously reserved for your own decision, through your Congress or at the polls, the question of political status and civil rights for the inhabitants of your new possessions.

They resisted adroit Spanish efforts for special privileges and guaranties for their established church, and pledged the United States to absolute freedom in the exercise of their religion for all these recent Spanish subjects—pagan, Mohammedan, Confucian, or Christian.

They maintained, in the face of the most vehement opposition, not merely of Spain, but of well-nigh all Europe, a principle vital to oppressed people struggling for freedom—a principle without which our own freedom could not have been established, and without which any successful revolt against any unjust rule could be made practically impossible. That principle is that, contrary to the prevailing rule and practice in large transfers of sovereignty, debts do not necessarily follow the territory if incurred by the mother country distinctly in efforts to enslave it. Where so incurred, your representatives persistently and successfully maintained that no attempt by the mother country to mortgage to bondholders the revenues of custom-houses or in any way to pledge the future income of the territory could be recognized as a valid or binding security—that the moment the hand of the oppressor relaxed its grasp, his claim on the future revenues of the oppressed territory was gone. It is a doctrine that raised an

outcry in every Continental bourse, and struck terror to every gambling European investor in national loans, floated at usurious profits, to raise funds for unjust wars. But it is right, and one may be proud that the United States stood like a rock, barring any road to peace which led to loading either on the liberated territory or on the people that had freed it the debts incurred in the wars against it. If this is not International Law now, it will be; and the United States will have made it.

But your representatives in Paris placed your country in no tricky attitude of endeavoring either to evade or repudiate just obligations. They recognized the duty of reimbursement for debts legitimately incurred for pacific improvements or otherwise, for the real benefit of the transferred territory. Not till it began to appear that, of the Philippine debt of forty millions Mexican, or a little under twenty millions of our money, a fourth had been transferred direct to aid the war in Cuba, and the rest had probably been spent mainly in the war in Luzon, did your representatives hesitate at its payment; and even then they decided to give a lump sum equal to it, which could serve as a recognition of whatever debts Spain might have incurred in the past for expenditures in that archipelago for the benefit of the people.

They protected what was gained in the war from adroit efforts to put it all at risk again, through an untimely appeal to the noble principle of Arbitration. They held—and I am sure the best friends of the principle will thank them for holding—that

an honest resort to Arbitration must come before war, to avert its horrors, not after war, to escape its consequences.

They were enabled to pledge the most Protectionist country in the world to the liberal and wise policy of the Open Door in the East.

And finally they secured that diplomatic novelty, a treaty in which the acutest senatorial critics have not found a peg on which inadmissible claims against the country may be hung.

*The Material Side of the Business.*

At the same time they neither neglected nor feared the duty of caring for the material interests of their own country;—the duty of grasping the enormous possibilities upon which we had stumbled, for sharing in the awakening and development of the farther East. That way lies now the best hope of American commerce. There you may command a natural rather than an artificial trade—a trade which pushes itself instead of needing to be pushed; a trade with people who can send you things you want and cannot produce, and take from you in return things they want and cannot produce; in other words, a trade largely between different zones, and largely with less advanced peoples, comprising nearly one fourth the population of the globe, whose wants promise to be speedily and enormously developed.

The Atlantic Ocean carries mainly a different trade, with people as advanced as ourselves, who could produce or procure elsewhere much of what they buy from us, while we could produce, if driven to it, most of what we need to buy from them.

It is more or less, therefore, an artificial trade, as well as a trade in which we have lost the first place and will find it difficult to regain. The ocean carriage for the Atlantic is in the hands of our rivals.

The Pacific Ocean, on the contrary, is in our hands now. Practically we own more than half the coast on this side, dominate the rest, and have midway stations in the Sandwich and Aleutian Islands. To extend now the authority of the United States over the great Philippine Archipelago is to fence in the China Sea and secure an almost equally commanding position on the other side of the Pacific—doubling our control of it and of the fabulous trade the Twentieth Century will see it bear. Rightly used, it enables the United States to convert the Pacific Ocean almost into an American lake.

Are we to lose all this through a mushy sentimentality, characteristic neither of practical nor of responsible people—alike un-American and un-Christian, since it would humiliate us by showing lack of nerve to hold what we are entitled to, and incriminate us by entailing endless bloodshed and anarchy on a people whom we have already stripped of the only government they have known for three hundred years, and whom we should thus abandon to civil war and foreign spoliation?

*Bugbears.*

Let us free our minds of some bugbears. One of them is this notion that with the retention of the Philippines our manufacturers will be crushed by the products of cheap Eastern

labor. But it does not abolish our custom-houses, and we can still enforce whatever protection we desire.

Another is that our American workmen will be swamped under the immigration of cheap Eastern labor. But tropical laborers rarely emigrate to colder climates. Few have ever come. If we need a law to keep them out, we can make it.

It is a bugbear that the Filipinos would be citizens of the United States, and would therefore have the same rights of free travel and free entry of their own manufactures with other citizens. The treaty did not make them citizens of the United States at all; and they never will be, unless you neglect your Congress.

It is a bugbear that anybody living on territory or other property belonging to the United States must be a citizen. The Constitution says that "persons born or naturalized in the United States are citizens of the United States"; while it adds in the same sentence, "and of the State wherein they reside," showing plainly that the provision was not then meant to include territories.

It is equally a bugbear that the tariff must necessarily be the same over any of the territory or other property of the United States as it is in the Nation itself. The Constitution requires that "all duties, imposts, and excises shall be the same throughout the United States," and while there was an incidental expression from the Supreme Bench in 1820 to the effect that the name United States as here used should include the District of Columbia and other territory, it was no part even then of the decision actually



rendered, and it would be absurd to stretch this mere dictum of three quarters of a century ago, relating then, at any rate, to this continent alone, to carry the Dingley tariff now across to the antipodes.

*Duties of the Hour.*

Brushing aside, then, these bugbears, gentlemen, what are the obvious duties of the hour?

First, hold what you are entitled to. If you are ever to part with it, wait at least till you have examined it and found out that you have no use for it. Before yielding to temporary difficulties at the outset, take time to be quite sure you are ready now to abandon your chance for a commanding position in the trade of China, in the commercial control of the Pacific Ocean, and in the richest commercial development of the approaching century.

Next, resist admission of any of our new possessions as States, or their organization on a plan designed to prepare them for admission. Stand firm for the present American Union of sister States, undiluted by anybody's archipelagos.

Make this fight easiest by making it at the beginning. Resist the first insidious effort to change the character of this Union by leaving the continent. The danger commences with the first extra-continental State. We want no Porto Ricans or Cubans to be sending Senators and Representatives to Washington to help govern the American Continent, any more than we want Kanakas or Tagals or Visayans or Mohammedan Malays. We will do them good and not harm, if we may, all the days of our life; but, please

God, we will not divide this Republic, the heritage of our fathers, among them.

Resist the crazy extension of the doctrine that government derives its just powers from the consent of the governed to an extreme never imagined by the men who framed it, and never for one moment acted upon in their own practice. Why should we force Jefferson's language to a meaning Jefferson himself never gave it in dealing with the people of Louisiana, or Andrew Jackson in dealing with those of South Carolina, or Abraham Lincoln with the seceding States, or any responsible statesman of the country at any period in its history in dealing with Indians or New Mexicans or Californians or Russians? What have the Tagals done for us that we should treat them better and put them on a plane higher than any of these?

And next, resist alike either schemes for purely military governments, or schemes for territorial civil governments, with offices to be filled up, according to the old custom, by "carpet-baggers" from the United States, on an allotment of increased patronage, fairly divided among the "bosses" of the different States. Egypt under Lord Cromer is an object-lesson of what may be done in a more excellent way by men of our race in dealing with such a problem. Better still, and right under our eyes, is the successful solution of the identical problem that confronts us, in the English organization and administration of the federated Malay States on the Malacca Peninsula.

*The Opposition as Old as Webster.*

I wish to speak with respect of the sincere and conscientious opposition to all these conclusions, manifest chiefly in the East and in the Senate; and with especial respect of the eminent statesman who has headed that opposition. No man will question his ability, his moral elevation, or the courage with which he follows his intellectual and moral convictions. But I may be permitted to remind you that the noble State he worthily represents is not now counted for the first time against the interest and the development of the country. In February, 1848, Daniel Webster, speaking for the same great State and in the same high forum, conjured up precisely the same visions of the destruction of the Constitution, and proclaimed the same hostility to new territory. Pardon me while I read you half a dozen sentences, and note how curiously they sound like an echo—or a prophecy—of what we have lately been hearing from the Senate:

Will you take peace without territory and preserve the integrity of the Constitution of the country?... I think I see a course adopted which is likely to turn the Constitution of this land into a deformed monster—into a curse rather than a blessing.... There would not be two hundred families of persons who would emigrate from the United States to New Mexico for agricultural purposes in fifty years.... I have never heard of anything, and I cannot conceive of anything, more absurd and more affrontive of all sober judgment than the cry that we are getting indemnity by the acquisition of New Mexico and California. I hold that they are not worth a dollar!

It was merely that splendid empire in itself, stretching from Los Angeles and San Francisco eastward to Denver, that was thus despised and rejected of Massachusetts. And it was only fifty years ago! With all due respect, a great spokesman of Massachusetts is as liable to mistake in this generation as in the last.

*Lack of Faith in the People.*

It is fair, I think, to say that this whole hesitation over the treaty of peace is absolutely due to lack of faith in our own people, distrust of the methods of administration they may employ in the government of distant possessions, and distrust of their ability to resist the schemes of demagogues for promoting the ultimate admission of Kanaka and Malay and half-breed commonwealths to help govern the continental Republic of our pride, this homogeneous American Union of sovereign States. If there is real reason to fear that the American people cannot restrain themselves from throwing open the doors of their Senate and House of Representatives to such sister States as Luzon, or the Visayas, or the Sandwich Islands, or Porto Rico, or even Cuba, then the sooner we beg some civilized nation, with more common sense and less sentimentality and gush, to take them off our hands the better. If we are unequal to a manly and intelligent discharge of the responsibilities the war has entailed, then let us confess our unworthiness, and beg Japan to assume the duties of a civilized Christian state toward the Philippines, while England can extend the same relief to us in Cuba and Porto Rico. But

having thus ignominiously shirked the position demanded by our belligerency and our success, let us never again presume to take a place among the self-respecting and responsible nations of the earth that can ever lay us liable to another such task. If called to it, let us at the outset admit our unfitness, withdraw within our own borders, and leave these larger duties of the world to less incapable races or less craven rulers.

Far other and brighter are the hopes I have ventured to cherish concerning the course of the American people in this emergency. I have thought there was encouragement for nations as well as for individuals in remembering the sobering and steadying influence of great responsibilities suddenly devolved. When Prince Hal comes to the crown he is apt to abjure Falstaff. When we come to the critical and dangerous work of controlling turbulent semi-tropical dependencies, the agents we choose cannot be the ward heelers of the local bosses. Now, if ever, is the time to rally the brain and conscience of the American people to a real elevation and purification of their Civil Service, to the most exalted standards of public duty, to the most strenuous and united effort of all men of good will to make our Government worthy of the new and great responsibilities which the Providence of God rather than any purpose of man has imposed upon it.

# **IV**

## **THE DUTIES OF PEACE**

A speech made at the dinner given by the Ohio Society in honor of the Peace Commissioners, in the Waldorf-Astoria Hotel, New York, February 25, 1899.

### **THE DUTIES OF PEACE**

You call and I obey. Any call from Ohio, wherever it finds me, is at once a distinction and a duty. But it would be easier to-night and more natural for me to remain silent. I am one of yourselves, the givers of the feast, and the occasion belongs peculiarly to my colleagues on the Peace Commission. I regret that more of them are not here to tell you in person how profoundly we all appreciate the compliment you pay us. Judge Day, after an experience and strain the like of which few Americans of this generation have so suddenly and so successfully met, is seeking to regain his strength at the South; Senator Frye, at the close of an anxious session, finds his responsible duties in Washington too exacting to permit even a day's absence; and Senator Davis, who could not leave the care of the treaty to visit his State even when his own reëlection was pending, has at last snatched the first moment of relief since he was sent to Paris last summer,

to go out to St. Paul and meet the constituents who have in his absence renewed to him the crown of a good and faithful servant.

It is all the more fortunate, therefore, that you are honored by the presence of the patriotic member of the opposition who formed the regulator and balance-wheel of the Commission. When Senator Gray objected, we all reëxamined the processes of our reasoning. When he assented, we knew at once we must be on solid ground and went ahead. It was an expected gratification to have with you also the accomplished secretary and counsel to the Commission, a man as modest and unobtrusive as its president, and, like him, equal to any summons. In his regretted absence, we rejoice to find here the most distinguished military aid ordered to report to the Commission, and the most important witness before it—the Conqueror of Manila.

So much you will permit me to say in my capacity as one of the hosts, rather than as a member of the body to which you pay this gracious compliment.

It is not for me to speak of another figure necessarily missing to-night, though often with you heretofore at these meetings—the member of the Ohio Society who sent us to Paris! A great and shining record already speaks for him. He will be known in our history as the President who freed America from the last trace of Spanish blight; who realized the aspiration of our earlier statesmen, cherished by the leaders of either party through three quarters of a century, for planting the flag both on Cuba and on the Sandwich Islands; more than this, as the President who has

carried that flag half-way round the world and opened the road for the trade of the Nation to follow it.

All this came from simply doing his duty from day to day, as that duty was forced upon him. No other man in the United States held back from war as he did, risking loss of popularity, risking the hostility of Congress, risking the harsh judgment of friends in agonizing for peace. It was no doubt in the spirit of the Prince of Peace, but it was also with the wisdom of Polonius: "Beware of entrance to a quarrel; but, being in, bear it, that the opposer may beware of thee!" Never again will any nation imagine that it can trespass indefinitely against the United States with impunity. Never again will an American war-ship run greater risks in a peaceful harbor than in battle. The world will never again be in doubt whether, when driven to war, we will end it in a gush of sentimentality or a shiver of unmanly apprehension over untried responsibilities, by fleeing from our plain duty, and hastening to give up what we are entitled to, before we have even taken an opportunity to look at it.

*Does Peace Pacify?*

But it must be confessed that "looking at it" during the past week has not been an altogether cheerful occupation. While the aspect of some of these new possessions remains so frowning there are faint hearts ready enough to say that the Peace Commission is in no position to be receiving compliments. Does protection protect? is an old question that used to be thrown in our faces—though I believe even the questioners finally made



up their minds that it did. Does peace pacify? is the question of the hour. Well, as to our original antagonist, historic, courageous Spain, there seems ground to hope and believe and be glad that it does—not merely toward us, but within her own borders. When she jettisoned cargo that had already shifted ruinously, there is reason to think that she averted disaster and saved the ship. Then, as to Porto Rico there is no doubt of peace; and as to Cuba very little—although it would be too much to hope that her twelve years of civil war could be followed by an absolute calm, without disorders.

As to other possessions in the farther East, we may as well recognize at once that we are dealing now with the same sort of clever barbarians as in the earlier days of the Republic, when, on another ocean not then less distant, we were compelled to encounter the Algerine pirates. But there is this difference. Then we merely chastised the Algerines into letting us and our commerce alone. The permanent policing of that coast of the Mediterranean was not imposed upon us by surrounding circumstances, or by any act of ours; it belonged to nearer nations. Now a war we made has broken down the only authority that existed to protect the commerce of the world in one of its greatest Eastern thoroughfares, and to preserve the lives and property of people of all nations resorting to those marts. We broke it down, and we cannot, dare not, display the cowardice and selfishness of failing to replace it. However men may differ as to our future policy in those regions, there can be no difference

as to our present duty. It is as plain as that of putting down a riot in Chicago or New York—all the plainer because, until recently, we have ourselves been taking the very course and doing the very things to encourage the rioters.

*Why Take Sovereignty?*

A distinguished and patriotic citizen said to me the other day, in a Western city: "You might have avoided this trouble in the Senate by refusing title in the Philippines exactly as in Cuba, and simply enforcing renunciation of Spanish sovereignty. Why didn't you do it?" The question is important, and the reason ought to be understood. But at the outset it should be clearly realized that the circumstances which made it possible to take that course as to Cuba were altogether exceptional. For three quarters of a century we had asserted a special interest and right of interference there as against any other nation. The island is directly on our coast, and no one doubted that at least as much order as in the past would be preserved there, even if we had to do it ourselves. There was also the positive action of Congress, which, on the one hand, gave us excuse for refusing a sovereignty our highest legislative authority had disclaimed, and, on the other, formally cast the shield of our responsibility over Cuba when left without a government or a sovereignty. Besides, there was a people there, advanced enough, sufficiently compact and homogeneous in religion, race, and language, sufficiently used already to the methods of government, to warrant our republican claim that the sovereignty was not being left in the air—that it

was only left where, in the last analysis, in a civilized community, it must always reside, in the people themselves.

And yet, under all these conditions, the most difficult task your Peace Commissioners had at Paris was to maintain and defend the demand for a renunciation of sovereignty without anybody's acceptance of the sovereignty thus renounced. International Law has not been so understood abroad; and it may be frankly confessed that the Spanish arguments were learned, acute, sustained by the general judgment of Europe, and not easy to refute.

A similar demand concerning the Philippines neither could nor ought to have been acquiesced in by the civilized world. Here were ten millions of people on a great highway of commerce, of numerous different races, different languages, different religions, some semi-civilized, some barbarous, others mere pagan savages, but without a majority or even a respectable minority of them accustomed to self-government or believed to be capable of it. Sovereignty over such a conglomeration and in such a place could not be left in the air. The civilized world would not recognize its transfer, unless transferred to somebody. Renunciation under such circumstances would have been equivalent in International Law to abandonment, and that would have been equivalent to anarchy and a race for seizure among the nations that could get there quickest.

We could, of course, have refused to accept the obligations of a civilized, responsible nation. After breaking down government

in those commercial centers, we could have refused to set up anything in its stead, and simply washed our hands of the whole business; but to do that would have been to show ourselves more insensible to moral obligations than if we had restored them outright to Spain.

*How to Deal with the Philippines.*

Well, if the elephant must be on our hands, what are we going to do with it? I venture to answer that first we must put down the riot. The lives and property of German and British merchants must be at least as safe in Manila as they were under Spanish rule before we are ready for any other step whatever.

Next, ought we not to try to diagnose our case before we turn every quack doctor among us loose on it—understand what the problem is before beginning heated partizan discussions as to the easiest way of solving it? And next, shall we not probably fare best in the end if we try to profit somewhat by the experience others have had in like cases?

The widest experience has been had by the great nation whose people and institutions are nearest like our own. Illustrations of her successful methods may be found in Egypt and in many British dependencies, but, for our purposes, probably best of all either on the Malay Peninsula or on the north coast of Borneo, where she has had the happiest results in dealing with intractable types of the worst of these same races. Some rules drawn from this experience might be distasteful to people who look upon new possessions as merely so much more government patronage,

and quite repugnant to the noble army of office-seekers; but they surely mark the path of safety.

The first is to meddle at the outset as little as possible with every native custom and institution and even prejudice; the next is to use every existing native agency you can; and the next to employ in the government service just as few Americans as you can, and only of the best. Convince the natives of your irresistible power and your inexorable purpose, then of your desire to be absolutely just, and after that—not before—be as kind as you can. At the outset you will doubtless find your best agents among the trained officers of the Navy and the Army, particularly the former. On the retired list of both, but again particularly of the Navy, ought to be found just the experience in contact with foreign races, the moderation, wide views, justice, rigid method, and inflexible integrity, you need. Later on should come a real civil service, with such pure and efficient administration abroad as might help us ultimately to conclude that we ourselves deserve as well as the heathen, and induce us to set up similar standards for our own service at home. Meantime, if we have taught the heathen largely to govern themselves without being a hindrance and menace to the civilization and the commerce of the world, so much the better. Heaven speed the day! If not, we must even continue to be responsible for them ourselves—a duty we did not seek, but should be ashamed to shirk.

# V

## THE OPEN DOOR

A speech made at the dinner given by the American-Asiatic Association in honor of Rear-Admiral Lord Charles Beresford, at Delmonico's, New York, February 23, 1899.

### THE OPEN DOOR

The hour is late, you have already enjoyed your intellectual feast, you have heard the man you came to hear, and I shall detain you for but a moment. The guest whom we are all here to honor and applaud is returning from a journey designed to promote the safety and extension of his country's trade in the Chinese Orient. He has probably been accustomed to think of us as the most extreme Protectionist nation in the world; and he may have heard at first of our recent acquisition on the China Sea with some apprehension on that very account.

*United States a Free-Trade Country.*

Now, there are two facts that might be somewhat suggestive to any who take that view. One is that, though we may be "enraged Protectionists," as our French friends occasionally call us, we have rarely sought to extend the protective system where we had

nothing and could develop nothing to protect. The other is that we are also the greatest free-trade country in the world. Nowhere else on the globe does absolute free trade prevail over so wide, rich, and continuous an expanse of territory, with such variety and volume of production and manufacture; and nowhere have its beneficent results been more conspicuous. From the Golden Gate your guest has crossed a continent teeming with population and manufactures without encountering a custom-house. If he had come back from China the other way, from Suez to London, he would have passed a dozen!

When your Peace Commissioners were brought face to face with the retention of the Philippines, they were at liberty to consider the question it raised for immediate action in the light of both sides of the national practice. Here was an archipelago practically without manufactures to protect, or need for protection to develop manufactures; and here were swarming populations with whom trade was sure to increase and ramify, in proportion to its freedom from obstructions. Thus it came about that your Commissioners were led to a view which to many has seemed a new departure, and were finally enabled to preface an offer to Spain with the remark that it was the policy of the United States to maintain in the Philippines an open door to the world's commerce. Great Protectionist leader as the President is and long has been, he sanctioned the declaration; and Protectionist as is the Senate, it ratified the pledge.

*The Open Door.*

Under treaty guaranty Spain is now entitled to the Open Door in the Philippines for ten years. Under the most favored nation clause, what is thus secured to Spain would not be easily refused, even if any one desired it, to any other nation; and the door that stands open there for the next ten years will by that time have such a rising tide of trade pouring through it from the awakening East that no man thenceforward can ever close it.

There are two ways of dealing with the trade of a distant dependency. You may give such advantage to your own people as practically to exclude everybody else. That was the Spanish way. That is the French way. Neither nation has grown rich of late on its colonial extensions. Again, you may impose such import or export duties as will raise the revenue needed for the government of the territory, to be paid by all comers at its ports on a basis of absolute equality. In some places that is the British way. Henceforth, in the Philippines, that is the United States way. The Dingley tariff is not to be transferred to the antipodes.

Protectionists or Free-traders, I believe we may all rejoice in this as best for the Philippines and best for ourselves. I venture to think that we may rejoice over it, too, with your distinguished guest. It enables Great Britain and the United States to preserve a common interest and present a common front in the enormous commercial development in the East that must attend the awakening of the Chinese Colossus; and whenever and wherever Great Britain and the United States stand together, the peace and the civilization of the world will be the better for it.



# **VI**

## **SOME CONSEQUENCES OF THE TREATY OF PARIS**

This discussion of the advances in International Law and changes in national policy traceable to the negotiations that ended in the Peace of Paris, was written in March, for the first number of "The Anglo-Saxon Review" (then announced for May), which appeared in June, 1899.

### **SOME CONSEQUENCES OF THE TREATY OF PARIS**

In 1823 Thomas Jefferson, writing from the retirement of Monticello to James Monroe, then President of the United States, said:

Great Britain is the nation which can do us the most harm of any one on all the earth, and with her on our side we need not fear the world. With her, then, we should most sedulously cherish a cordial friendship, and nothing would tend more to knit our affections than to be fighting once more, side by side, in the same cause.

As these lines are written,<sup>2</sup> the thing which Jefferson looked forward to has, in a small way, come to pass. For the first time under government orders since British regulars and the militia of the American colonies fought Indians on Lake Champlain and the French in Canada, the Briton and the American have been fighting side by side, and again against savages. In a larger sense, too, they are at last embarked side by side in the Eastern duty, devolved on each, of "bearing the white man's burden." It seems natural, now, to count on such a friendly British interest in present American problems as may make welcome a brief statement of some things that were settled by the late Peace of Paris, and some that were unsettled.

Whether treaties really settle International Law is itself an unsettled point. English and American writers incline to give them less weight in that regard than is the habit of the great Continental authorities. But it is reasonable to think that some of the points insisted upon by the United States in the Treaty of Paris will be precedents as weighty, henceforth, in international policy as they are now novel to international practice. If not International Law yet, they probably will be; and it is confidently assumed that they will command the concurrence of the British government and people, as well as of the most intelligent and dispassionate judgment on the Continent.

*When Arbitration is Inadmissible.*

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<sup>2</sup> The request of the editor for the preparation of this article was received just after the British and American forces had their conflict with the natives in Samoa.

The distinct and prompt refusal by the American Commissioners to submit questions at issue between them and their Spanish colleagues to arbitration marks a limit to the application of that principle in international controversy which even its friends will be apt hereafter to welcome. No civilized nation is more thoroughly committed to the policy of international arbitration than the United States. The Spanish Commissioners were able to reinforce their appeal for it by striking citations from the American record: the declaration of the Senate of Massachusetts, as early as 1835, in favor of an international court for the peaceful settlement of all disputes between nations; the action of the Senate of the United States in 1853, favoring a clause in all future treaties with foreign countries whereby difficulties that could not be settled by diplomacy should be referred to arbitrators; the concurrence of the two Houses, twenty years later, in reaffirming this principle; and at last their joint resolution, in 1888, requesting the President to secure agreements to that end with all nations with whom he maintained diplomatic intercourse.

But the American Commissioners at once made it clear that the rational place for arbitration is as a substitute for war, not as a second remedy, to which the contestant may still have a right to resort after having exhausted the first. In the absence of the desired obligation to arbitrate, the dissatisfied nation, according to the American theory, may have, after diplomacy has completely failed, a choice of remedies, but not a double

remedy. It may choose arbitration, or it may choose war; but the American Commissioners flatly refused to let it choose war, and then, after defeat, claim still the right to call in arbitrators and put again at risk before them the verdict of war. Arbitration comes before war, they insisted, to avert its horrors; not after war, to afford the defeated party a chance yet to escape its consequences.

The principle thus stated is thought self-evidently sound and just. Americans were surprised to find how completely it was overlooked in the contemporaneous European discussion—how general was the sympathy with the Spanish request for arbitration, and how naïf the apparently genuine surprise at the instant and unqualified refusal to consider it. Even English voices joined in the chorus of encouraging approval that, from every quarter in Europe, greeted the formal Spanish appeal for an opportunity to try over in another forum the questions they had already submitted to the arbitrament of arms. The more clearly the American view is now recognized and accepted, the greater must be the tendency in the future to seek arbitration at the outset. To refuse arbitration when only sought at the end of war, and as a means of escaping its consequences, is certainly to stimulate efforts for averting war at the beginning of difficulties by means of arbitration. The refusal prevents such degradation of a noble reform to an ignoble end as would make arbitration the refuge, not of those who wish to avoid war, but only of those who have preferred war and been beaten at it. The American precedent should thus become a powerful influence

for promoting the cause of genuine international arbitration, and so for the preservation of peace between nations.

*Does Debt Follow Sovereignty?*

Equally unexpected and important to the development of ordered liberty and good government in the world was the American refusal to accept any responsibility, for themselves or for the Cubans, on account of the so-called Cuban debt. The principle asserted from the outset by the American Commissioners, and finally maintained, in negotiating the Peace of Paris, was that a national debt incurred in efforts to subdue a colony, even if called a colonial debt, or secured by a pledge of colonial revenues, cannot be attached in the nature of a mortgage to the territory of that colony, so that when the colony gains its independence it may still be held for the cost of the unsuccessful efforts to keep it in subjection.

The first intimations that no part of the so-called Cuban debt would either be assumed by the United States or transferred with the territory to the Cubans, were met with an outcry from every bourse in Europe. Bankers, investors, and the financial world in general had taken it for granted that bonds which had been regularly issued by the Power exercising sovereignty over the territory, and which specifically pledged the revenues of custom-houses in that territory for the payment of the interest and ultimately of the principal, must be recognized. Not to do it, they said, would be bald, unblushing repudiation—a thing least to be looked for or tolerated in a nation of spotless credit and great

wealth, which in past times of trial had made many sacrifices to preserve its financial honor untarnished.

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