

Gore's Referendum Amendment

(Extract from speech of Hon. Thomas P. Gore, of Oklahoma, in the senate of the United States, November 5, 1919.)

We have heard a great deal in these latter days about world democracy. We have been assured that the United States entered this mighty conflict in order to "make the world safe for democracy." The purpose, I assume, was to democratize the world. With that purpose, whether real or ideal, I sympathize; it is undoubtedly a consummation most devoutly to be desired. In harmony with that lofty spirit, I propose this amendment in order to democratize war. I propose an advisory vote of the people on the part of nations contemplating war before they take up arms and plunge their people into the whirlpool of butchery and of blood.

Mr. President, this amendment, this plan, is the only way to democratize war and, in my judgment, it is the best way to prevent and minimize war. Perhaps no one indulges the fond hope that war can be entirely eradicated among the children of men; certainly not until further evolution has been realized in the progress of human affairs; but this amendment is in harmony with our professed purpose in entering the war; this amendment is in harmony with the spirit of the times; this amendment is in harmony with the great currents of human affairs; this amendment is in harmony with the genius of our free institutions; it is in harmony with the principles of self-government; it is in harmony with the theory that governments derive their just powers from the consent of the governed; it is in harmony with the high resolve that this Government of the people, by the people, and for the people shall not perish from the earth. This amendment is in harmony with the historic declaration of President Wilson made at Washington's Tomb July 4, 1918.

"The settlement of every question whether of territory, of sovereignty, of economic arrangement, or of political relationship, must be upon the basis of free acceptance of that settlement by the people immediately concerned."

My desire is to exemplify my faith in the capacity of the people to govern themselves not alone in national concerns but in affairs that are international.

Whatever else may be said in behalf of the league of nations, it can not be said that it is entirely democratic in its organization. It lacks the two essential conditions of democracy; The representatives to the league are not chosen by a direct vote of the people, and the representatives are not directly responsible to the body of the people in the constituent nations. It lacks both essentials of democracy—direct choice and direct responsibility. One of these conditions is essential even to the semblance of democracy. Both of these conditions are essential to the substance of democracy.

There is one other feature of the league which is not entirely consonant with democratic principles or democratic institutions. In some measures, at least, legislative, executive, and judicial powers are combined and centralized in the hands of the selfsame set of men. Such a combination of powers, Mr. President, is the source and the sinews of despotism. The separation of these powers is essential to liberty and is indispensable to democracy. In dispensing with this partition of powers we now accept as an article

of faith and as a rule of action a scheme—I may say an experiment—which bears the universal condemnation of all human experience.

Not only that, but as at present constituted the league will be a government of men and not a government of laws. The will of the council, the will of the assembly, so far as I can ascertain, will not be bound by the principles of international law as they have heretofore existed. There is no rule of action prescribed for the guidance of these men; there is no fixed standard to govern their deliberations or their decisions, and, in the absence of law, there can be no such thing as responsible and assured justice. But I waive those considerations.

There is, Mr. President, in the pending treaty the recognition of one democratic principle. The recognition is not theoretical or academic; it is explicit. The treaty proposes to reduce this principle to practice. It proposes to apply this democratic principle in concrete cases for the decision of important issues and determining the fate and allegiance of considerable bodies of people. I refer, Mr. President, to the plebiscite or to the referendum which is to be applied in the Saar Valley and which is also to be applied in Upper Silesia. The treaty undertakes to apply this democratic principle, perhaps, to the one set of circumstances to which it is least applicable. To allow a small body of people occupying a narrow tract of territory to determine the destiny of great States and larger peoples, I am not certain is required by the principle of the plebiscite, and I am not certain that it will contribute to international peace.

I hope that this resort to the plebiscite will be justified by events; but, however, that may be, the point I now make is that the peace commission and the pending peace treaty give distinct and practical recognition to the principle of the referendum or to the principle of the plebiscite.

If the people of the Saar Valley, if the people of Silesia, are to be permitted to decide by an advisory vote under what flag they will live, is it inconsistent to permit them to pass judgment upon the vital issues of peace and war? That is the principle which I invoke.

I should explain that my amendment provides solely for an advisory vote. I do not propose to make this vote conclusive or binding. This distinction rests upon two considerations. Under our Constitution, this league could not provide for a mandatory vote upon the question of peace or war. The power to declare war is vested by our Constitution in the Congress of the United States, and not even the league of nations could divest the Congress of that constitutional power. I do believe, however, that an advisory vote touching the question of peace or war would not be incompatible either with the letter or with the spirit of our constitution. I am certain that it would be compatible with the spirit of our institutions and with the genius of our people.

There is one other practical reason for providing for an advisory rather than for a conclusive and binding referendum. I think that an advisory vote is in the interest of peace. It is conservative in its character and tendencies. Let me illustrate what I mean.

Suppose that a nation contemplating war should take a vote upon that issue. Suppose that the war party should prevail by a majority of only 1,000 in a vast vote. If the vote were mandatory, if it were final and conclusive, the nation would thereupon find itself in a state of war. It could not retrace its steps, notwithstanding the even division of sentiment among its people. On the other hand if the

vote were advisory and only advisory, the authority charged with the power to declare war, finding sentiment so evenly divided, might still find ways and means to keep the peace, and to avert the impending calamities of war. For this reason, I submit that an advisory vote would contribute more to the maintenance of peace than would a mandatory vote upon the issue.

The object of my amendment is, I repeat, to democratize war. In view of the recognition of the plebiscite in this treaty, there can be no objection founded upon principle to the application of the principle of the plebiscite to the issues of peace and war. My purpose is to permit the people who are to bear the burdens of war to have at least an advisory vote as to the desirability of a proposed war. I wish to let the boys who are to bleed and die, I wish to let the fathers and mothers of the boys who are to bleed and die, have the privilege of at least an advisory vote as to the indispensable necessity of a proposed war.

In view of the recognition by the treaty of the principle of the plebiscite, there can be only one argument against this proposed amendment. That is the ancient, the undemocratic, the autocratic argument that the people are not qualified to pronounce judgment upon the issue of peace and war. It is the autocratic, it is the undemocratic, contention that the people do not understand the finesse of foreign diplomacy, that the people do not understand the profound principles of international jurisprudence, that the people do not understand the mysteries of higher statecraft; it is the old contention that the people do not understand their own vital interests, the contention that the people do not understand and can not preserve their own national honor; it is the old contention that the people are not capable of self-government.

"SMOKING OUT" CANDIDATES

Robert J. Bender, in Washington staff correspondence, says: Presidential candidates are being subjected to the tortures of the inquisition. Aspirants in both parties are called upon to give direct answers on two of the most delicate questions before the public—prohibition enforcement and America's foreign policy.

Candidates don't particularly relish demands for direct answers on most questions. But the Anti-Saloon league wants to learn the attitude of every candidate on the subject of strict application of the Volstead "dry" enforcement law—that is, every candidate whose views

are not definitely known, and its is assumed that this includes all but William Jennings Bryan.

The questions propounded by the league are substantially as follows: "Do you believe in carrying out the provisions of prohibition as adopted by congress?"

"Do you favor the passage of additional legislation if such is found necessary for effective enforcement of prohibition?"

"Are you opposed to legislation which would weaken or repeal existing legislation for prohibition?"

Then on the other hand, there is now being prepared for general circulation throughout the country the following "wet" pledge, not only for the possible signature of candidates, but the public as a whole:

"Believing that the constitutional amendment passed by congress and ratified by a majority of the states is an infringement upon my personal liberties, I hereby pledge myself to vote against any candidate for political office who favors its enforcement."

Then there is another question. Senator Borah has just placed Gov. Frank O. Lowden in the witness chair to answer the following:

"Do you believe that the time has come when we should abandon the policy of no entangling alliances, no partnerships with European powers, and enter into alliances of understandings with European powers?"

This question is designed to "smoke out" Lowden—and it will be put up also to Gen. Wood and other candidates whose position has not been set forth on the league of nations, which Borah bitterly opposes.

PROFITS OF NEW YORK BANKS

A New York dispatch, dated Dec. 29, says: A computation just made by the Financial Age shows clearly the reason why Wall Street was able to give such generous bonuses to its employes this year. The figures reveal some of the leading bank profits for the year as follows:

Chase National Bank\$7,510,000
Bank of Commerce 7,369,000
First National 7,175,000
National City 5,396,000
National Park 4,771,000
Mechanics and Metals	... 2,265,000
Irving National 1,761,000
Liberty National 1,682,000
American Exchange Nat'l.	1,239,000

The National Park Bank earned 95 per cent on its capital; the Seaboard, 83 per cent; the Hanover, 75 per cent; the Harriman, 43 per cent, and the Gotham, 43 per cent.

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