

which I belong has acted during the whole of my public life. The United States are a nation composed of forty-five states—in the language of a great statesman and chief justice, “an indestructible union of indestructible states.” To the people who compose that union belongs sovereignty in amplest measure. That sovereignty they may exercise to such extent and through such agencies as may seem to them good. Or they may refuse to commit any part of it to any agency whatever. Or they may determine that it shall never be used for purposes which they think unfit.

They have not deposited all sovereignty anywhere, and have authorized no agent of theirs to exercise in their behalf all sovereignty, unlimited, unchecked, and uncontrolled.

Part of this sovereignty is vested in and belongs to the nation as a unit, and may be exercised by national agencies exclusively. Part of this sovereignty, is vested in and belongs to the states as units, and may be exercised by their agencies exclusively. Part of this sovereignty, though exercised by other sovereigns, the people have not delegated to the government of the United States as a unit, and have prohibited it to the states. That part is reserved to the people by the express terms of the constitution, because they do not think fit that it shall be exercised at all.

The power to conquer alien peoples and hold them in subjugation is nowhere implied as necessary for the accomplishment of the purposes declared by the constitution. It is clearly shown to be one that ought not to be exercised by anybody—one that the framers of the constitution thought ought not to be exercised by anybody—(1.) Because it is immoral and wicked in itself. (2.) Because it is expressly denied in the Declaration of Independence, the greatest interpreter and expounder of the meaning of the constitution, which owes its origin to the same generation and largely to the same men. (3.) It is affirmed that it is immoral and unfit to be exercised by anybody—in numerous instances by contemporary state constitutions and the contemporary writers and authorities on public law, who expressed the opinion of the American people in that generation who adopted the constitution as well as of the men who framed it.

Now, Mr. President, there are senators here yet hesitating as to what their action may be in the future, who will tell you that they loathe and hate this doctrine that we may buy nations at wholesale; that we may acquire imperial powers or imperial regions by conquest; that we may make vassal states and subject peoples without constitutional restraint, and against their will, and without any restraint but our own discretion.

Now, I appeal to those gentlemen whenever and wherever they may be

called to act to answer to themselves as the one great proposition, the greatest question that has ever been or ever will be put to them in their lives, the question, not of a year or of a congress, not of a generation, not of a century, but a question pertaining rather to the great period of a national life, I might almost say to the great eternity of national life, whether—even if that action be permitted or not by the letter of the constitution—it be not repugnant to its form and spirit. Will they commit themselves in principle and in doctrine to such a policy, and then say that they will consider hereafter the question of how they will act under it?

Mr. Hoar said that Louis Napoleon proclaimed at the opening of the French Assembly in 1854 that the time of conquest was passed, never to return, but that he forgot what he had said when he saw his opportunity in Mexico; the sure and terrible fate of destiny overtook him in the midst of his pride and power.

“Our commissioners,” said Mr. Hoar, “came back from Paris bringing with them the cast-off clothing of this pinch-beck Napoleon, and ask us, who have seen his fate, to discard for them the spotless robes in which our fathers arrayed the beautiful genius of America.”

The senator continued:

A year ago last December the president of the United States sent a message to congress. In that message he said: “I speak not of forcible annexation, because that is not to be thought of, and under our code of morality that would be criminal aggression.” “The time of conquest is past,” said Louis Napoleon. Ah, Mr. President, President McKinley but repeated Louis Napoleon, though in a louder and clearer voice. “The time of conquest is past,” said the French emperor. It is not by extending the boundaries of its territory that a nation can henceforward be honored and powerful, but by placing itself at the head of generous ideas and spreading everywhere the empire of right and justice.” President McKinley, when he spoke, was not thinking even of honor or of power, inspiring and alluring as are honor and power. He placed himself and placed the American people on the stern, enduring, and perpetual rock of righteousness; that forcible annexation is not to be thought of, under our code of morality; that would be criminal aggression. Who shall haul him down? Who shall haul down the code? Who shall haul down the president?

There are other things found in this declaration which the senator from Connecticut wishes I understood as the fathers did, which I commend to his most respectful attention. In enumerating the wrongs inflicted upon this people by George III., the declaration

says that he “refused to pass laws for the accommodation of large districts of people unless those people would relinquish the right of representation in the legislature, a right inestimable to them and formidable to tyrants only.” And now, my honorable friend says that the same men who set their hands to that declaration, and pledged their lives, fortunes, and sacred honor to its support, proceeded twelve years after to establish a government, on which they conferred the power exercised by George III., to destroy the right of representation in the legislature, to govern a people without it, and to forever extinguish and trample out that inestimable right, formidable to tyrants only. And not only that, but he is about, as I understand him, to proceed to vote to do it.

Further, our fathers in their terrible arraignment and indictment of the king for using these sovereign powers, which the senator now claims belong to and are to be used by the president and congress of the United States says, that the king had “made judges dependent on his will alone for the tenure of their offices and the amount and payment of their salaries;” and yet he proposes to make judges for twelve million people dependent on the will of the president only for their tenure of office, and on the will of congress alone for the amount and payment of their salaries.

Further, they said that King George had “kept among us in times of peace standing armies,” and “quartered large bodies of armed troops among us without the consent of our legislatures.” I suppose somewhere in this capitol men are at work today in devising ways and means for a permanent standing army to be kept in these islands, east and west, without the consent of anybody there. They said King George had combined with others to subject us to jurisdiction foreign to our constitution and not acknowledged by our laws, giving his assent to their acts of pretended legislation for quartering large bodies of armed troops among us; for imposing taxes on us without our consent; for depriving us in many cases of the benefits of trial by jury; for altering fundamentally the forms of our government; for declaring themselves invested with power to legislate for us in all cases whatsoever.

The declaration of independence declares that whenever any form of government becomes destructive of the ends therein stated, it is the right of the people to alter or abolish it, and to institute new government, laying its foundation on such principles, and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness. But the senator from Connecticut thinks we have the constitutional right ourselves to institute a new government for that people, laying its foundation on such principles and organizing its powers in such form as shall seem to us most likely to effect our