

One remark about sovereignty. It is said that we part with our sovereignty when we promise to make war, promise to go into a boycott, promise to limit our army. Well, I venture to dispute that proposition. Of course the making of war is an evidence of sovereignty. Of course the making of a law is. But to promise to do one thing which does not sum up the faculties of sovereignty—to do one thing in the future—is not to part with sovereignty. The truth is that a sovereign that cannot agree with other nations to do something is not a sovereign at all. It is a nation that ought to go into a guardianship. (Applause). A minor who cannot contract a debt that will bind him is not ordinarily regarded as of full power. Now I do not mean to say that you might not promise to do so many things that you really do interfere with and obstruct your sovereignty. If the promise covers a great many subjects, then it becomes a matter of degree. But all nations promise to do things. All nations must promise to do things, in order that there shall be any international relations at all.

Take the analogy of a free man. Does he lose his liberty when he promises to render service of a month or a year to another? He binds himself. The law will not specifically enforce it. One element of sovereignty is power to break a contract as well as to make it. Now you cannot enforce a year's contract of service against a free man. I do not mean that there are not some exceptions in this respect, but generally in law a man who makes a contract of service can break it and your only remedy is damages. If you could keep him going by force for a year, you have transgressed the line that ordinarily determines freedom and liberty and you have introduced an element of slavery. Certainly we have said so in our country, under the thirteenth amendment, that where you have a statute by which you can compel a man and punish him for not performing his contract of service, you have violated the thirteenth amendment against slavery. And so a sovereign may make a contract to do what its sovereignty enables it to break. It is a little like foreordination and free will. The power to do right or to do wrong is the element of sovereignty, as it is the element of liberty, and creates responsibility and the sense of it. It is not correct, therefore, to say that this takes away our sovereignty because we agree to do something in the future with reference to war, with reference to armament.

Then it is said it changes our form of government. Why? It is said the power to make war is vested by the constitution in Congress; Congress may declare war, Congress may carry it on; therefore, when the treaty-making power agrees that the Government shall make war, it is taking away the power of Congress to determine in its discretion, when the occasion arises, whether that war shall be made.