

# La Follette's

## MAGAZINE

**"YE SHALL KNOW THE TRUTH AND THE TRUTH SHALL MAKE YOU FREE"**

VOL. IX. NO. 6

MADISON, WISCONSIN.

JUNE, 1917

### *The Right Of The Citizen To Oppose War And The Right Of Congress To Shape The War Policy*

#### I.

**I**N THESE DAYS whenever an American citizen presumes to question the justification, either in law or morals, of our participation in the European war, he is at once denounced by the war party and the war press as disloyal to the country.

The war party in the United States seeks to justify our entrance into the bloody conflict on the ground that it is in the interest of democracy. But every man and every woman knows that there is a struggle going on to-day in every civilized nation between democracy and autocracy.

Every nation has its war party. It is not the party of democracy. It is the party of autocracy. It seeks to dominate absolutely. It is commercial, imperialistic, ruthless. It tolerates no opposition. It is just as arrogant, just as despotic, in London, or in Washington, as in Berlin. The American Jingo is twin to the German Junker.

In times of peace, the war party insists on making preparation for war. As soon as prepared for war, it insists on making war. If there is no sufficient reason for war, the war party will make war on one pretext, then invent another, possibly more effective pretext after war is on.

Before war is declared the war party assumes the divine right to denounce and silence all opposition to war as unpatriotic and cowardly.

After Congress has been bullied into a declaration of war, the politicians, the press, and the mercenaries of the war party assume authority to deny the right of American citizens to discuss the **NECESSITY** for the war, or the ultimate **OBJECT** and **PURPOSE** of the declaration of war.

To-day secret service men, United States District Attorneys, United States Marshals, United States Court Commissioners and other federal officials are rankly abusing their authority on every hand. People are being unlawfully arrested, thrown into jail, denied the right to employ counsel, or to communicate with their friends, or even to inform their families of their whereabouts; subjected to unlawful search, threatened, intimidated, examined and cross-examined, the most sacred constitutional rights guaranteed to every American citizen are violated in the name of democracy.

It appears to be the purpose of those conducting this procedure, to throw the country into a state of terror, to coerce public opinion, stifle criticism, suppress discussion of the issues of the war and put a quietus on all opposition.

As a climax to all this, President Wilson in his address at Washington, June 14th, gave utterance to this threat:

"Woe be to the man or group of men that seek to stand in our way \* \* \*"

It is time for the American people to assert and maintain their rights.

An American citizen has the right to discuss the issues of this war; one citizen may believe it inevitable, another may think it regrettable, each has the same right to express his opinion. An American citizen may state his opinion that we are not justified in prosecuting this war for the purpose of dictating the form of government which shall be maintained by our enemy—or our ally—and not be subject to punishment at law. He may denounce the policy of sending our boys to die on European battlefields for annexation of territory or the payment of war indemnities or the carrying out of trade agreements, and be within his legal rights. He may express the hope that an early peace may be secured on the terms set forth by the New Russia and by President Wilson in his speech of January 22nd, and he can not be lawfully sent to jail for the expression of his convictions.

#### II.

**IT IS THE CITIZEN'S DUTY** to obey the law until it is repealed or declared unconstitutional. But he has the inalienable right to fight what he deems an obnoxious law or a wrongful public policy, in the courts and at the ballot box.

The citizen who believes the draft law unconstitutional may have the question tried out in the courts or if he thinks it undemocratic and unamerican, he may start a campaign tomorrow for its repeal. He may work with his fellow citizens in petitioning Congress to abolish the draft system and in asking that hereafter the war shall be conducted on the volunteer plan. The citizen should begin to work now for the election of congressmen who represent his views on the war issue. If he would preserve his liberties, his freedom of thought and speech and action, he should not be intimidated by the jeers of the Jingoists and the gibes of the newspapers.

It is the suppressed emotion of the masses that causes revolution.

If, as I have sound reasons for believing, the great masses of the American people are opposed to fighting an enormously burdensome war, for an indefinite time and indefinite ends, then they must assert themselves and, keeping within their constitutional rights, voice their protests in a way that will show the character and power of their inner convictions and

give momentum and overwhelming strength to the movement for real democracy.

### III.

**IF THE AMERICAN PEOPLE** are to carry on a foreign war, on foreign soil, for foreign ends, they should work for an expression of public opinion that shall influence and compel Congress to exercise its right and discharge its duty in stating the object and defining the policy of the United States in this war.

Congress as well as the people of the United States, entered the war in great confusion of mind and under feverish excitement. The President's leadership was followed blindly in the belief that he had some big unrevealed plan, by which peace with glory that would exalt him before all the world, would be soon achieved.

Gradually, reluctantly, Congress and the country are beginning to perceive that a long and weary and bloody road has been laid out for us.

The sober minded American citizen was dumbfounded when the President in his Red Cross speech, in which he admitted that we had no special grievance of our own, announced his belief that the American people hardly yet realized the sacrifices and sufferings before them; that in comparison with the struggle into which we have now entered the Civil War seemed almost insignificant in its proportions and in its expenditure of treasure and blood.

Then Mr. Hoover was reported as saying in an address on an important occasion that this country faced a war that would probably last from two to five years and only by the most careful measures could the United States give the allies enough foodstuffs to keep them in war with the force demanded to bring victory.

Secretary of War Baker said at this same meeting that every resource of the allies was near exhaustion when the United States entered the war. There is no way to establish permanent peace, he declared, except through exercise of the superior power of the United States.

### IV.

**LITTLE BY LITTLE**, it has been brought home to the American people that we are in this terrific world conflict, not to right our wrongs, not as an AID to the allies, not to SHARE its awful death toll and its fearful tax burden, but to BEAR THE BRUNT of the war, for which we have no special grievance of our own! And this we are to do—as it now develops and is being disclosed—not for a "peace without victory" but for a "peace WITH victory;" that is, we are to fight for peace terms satisfactory to the allies.

Lord Derby said the war will not end until America gets into it as though she were fighting ALONE and that it was likely to last three years yet. And this was the opinion emphatically expressed by the French mission.

Mr. Arthur Balfour, the British Foreign Secretary, was in this country, it is said, longer than any previous person holding that position has been away from London since the Napoleonic wars. He is an accomplished diplomat. He concluded his important and difficult mission with the utmost smoothness and tact. The only impression he left upon the American public, other than that of an agreeable man of culture, was, that he was relying on the United States to prosecute a long hard war. "Five million men! Fight, fight, fight" were the slogans he left for us.

### V.

**ON HIS DEPARTURE** Mr. Balfour was said to have realized the dream of his life—that of "a closer sympathy between the two great branches of the English speaking public."

I have no inside information, but in a work entitled "War and Democracy," published in 1917 by Doubleday Page & Co., Mr. Balfour says:

"If there is to be any effective sanction behind the desire of the English speaking peoples to preserve the world's peace and free development of the nations, THAT

### SANCTION MUST CONSIST LARGELY IN THE POTENTIAL USE OF SEA POWER.

"To me, it seems the lesson to be drawn from history by those who love peace, freedom, and security, IS NOT THAT BRITAIN AND AMERICA SHOULD BE DEPRIVED, OR SHOULD DEPRIVE THEMSELVES OF THE maritime powers they now possess, but that if possible, THOSE POWERS SHOULD BE ORGANIZED IN THE INTERESTS OF AN IDEAL COMMON TO THE TWO STATES, an ideal upon whose progressive realization the happiness and peace of the world must largely depend."

From which diplomatic language it may be fairly inferred that it is Mr. Balfour's best judgment that while heretofore Great Britain has ruled the seas and controlled trade as her own special privilege and prerogative, that now when that supremacy is threatened, it would be well to enter into an agreement according to which, from now on, GREAT BRITAIN AND THE UNITED STATES SHOULD RULE THE SEAS TOGETHER.

The question is, are we to sacrifice millions of our young men,—the very promise of the land,—and spend billions and more billions, and pile up the cost of living to the point of starvation, and "fight, fight, fight"—without any special grievance of our own—for objects such as the English Foreign Secretary seems to have in mind and such as the Paris Trade Conference appears carefully to have considered.

Shall the already fearfully overburdened people of the United States conduct a war for ANY objects not openly stated and defined?

### VI.

**THE WORLD** would not be at war to-day except for the survival of the despotism and tyranny which permits governments to conduct foreign affairs in secret and leaves the determination of war and of foreign policies generally to diplomacy.

The usurpation on the part of the executive of the conduct of foreign relations, which results in Congress blindly and ignorantly following the course dictated by the President, instead of itself declaring the war policy, which the best expounders of the Constitution have held that Congress had the right to do, is fundamentally the cause of our being in this war to prolong it; instead of exercising our great power to bring about a just settlement which the people of the United States and of the world are longing for, and have the right to expect.

And so I say if we are not to be dragged through years of war to maintain imperialism and exploitation, the people must unite in a campaign along constitutional lines for the conclusion of the war on a just basis.

### VII.

**AND IT IS TIME** to end the vague and shifting declaration of our plans and purposes, which under President Wilson ranges from resentment to interference with our trade on the high seas, one day to prescribing the form of government for our enemy the next, and finally vaguely extended to making every part of "the world safe for democracy"—excepting our own country.

In the grave matter of determining whether we shall have a drafted or a volunteer army the contradictory plans of the administration have created the greatest confusion in the minds of the millions of young men directly involved, leaving them uncertain as to their future and muddled as to their obligations and duty. The entire nation has been plunged into a needless state of unrest from which it can be extricated only by a clear and definite declaration of war policy.

Our national situation to-day is like it was in 1848, when Lincoln, then a member of the House of Representatives, speaking in opposition to the Mexican War then in progress, de-

scribed President Polk's state of mind as follows:

"All this shows that the President is in nowise satisfied with his own positions. First he takes up one, and in an attempt to argue us into it he argues himself out of it, then seizes another and goes through the same process, and then, confused at being able to think of nothing new, he snatches up the old again, which he has some time before cast off. His mind, taxed beyond its power, is running hither and thither, like some tortured creature on a burning surface, finding no position on which it can settle down and be at ease."

In this same speech Lincoln criticises President Polk because he does not state in his message when he expects the war to terminate. He said:

"At its beginning, General Scott was by this same President driven into disfavor if not disgrace, for intimating that peace could not be conquered in less than three or four months. But now, at the end of twenty months \* \* \* this same President gives a long message, without showing us that as to the end he himself has even an imaginary conception. As I have said, he knows not where he is. He is a bewildered, confounded, and miserably perplexed man. God grant he may be able to show there is not something about his conscience more painful than his mental perplexity."

Writing to a friend who had objected to his opposition to Polk in relation to this power of the President in war, Lincoln said:

"The provision of the Constitution giving the war making power to Congress was dictated, as I understand it, by the following reasons: Kings had always been involving and impoverishing their people in wars, pretending generally, if not always, that the good of the people was the object. This our Convention understood to be the most oppressive of all kingly oppressions, and they resolved to so frame the Constitution that no man should hold the power of bringing this oppression upon us. But your view destroys the whole matter, and places our President where kings have always stood."

### VIII.

**LINCOLN IS NOT** the only high example of American statesmen who opposed their government in war and who consistently continued their opposition after war was declared, denouncing it until it was ended.

On the 6th of November, 1846, at Faneuil Hall, Boston, Daniel Webster denounced the Mexican War. It had been in progress since April 9, 1846, when the first blood was shed, followed by a Declaration by Congress that a state of war existed, which passed on the 11th day of May, 1846.

Many battles had been fought and won and our victorious armies were then in the field on foreign soil.

We had not then fallen upon times when the New Freedom, as interpreted by Woodrow Wilson, made it an act of treason for an American citizen to declare his convictions upon the acts and policies of a federal administration in bringing on and prosecuting a war, after that war had been declared and while it was in progress.

Free speech had not then been suppressed. The right of the people to assemble and state their grievances was still an attribute of American freedom.

The war was on, but Daniel Webster did not hesitate to denounce it. He said:

"The Mexican War is universally odious throughout the United States, and we have yet to find any Sempronius who raises his voice for it."

Webster did not regard it as treasonable, after war HAD BEEN DECLARED, and while our troops were fighting their way toward the

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## Mexican Capital, TO RAISE THE QUESTION AS TO WHETHER THE WAR WAS EITHER JUST OR NECESSARY

He said:

"It is not the habit of the American people, nor natural to their character, to consider the expense of a war which they deem just or necessary; but it is their habit, and belongs to their character, to inquire into the JUSTICE and the necessity of a war in which it is proposed to involve them."

Mr. Webster discussed the Mexican War at Springfield, Mass., September 29, 1847, and again while the war was in progress he hesitated to express his opinion in public language.

"We are," he said, "in my opinion, in a most unnecessary, and therefore a most unjustifiable war. I hope we are nearing the close of it. I attend carefully and anxiously to every rumor and every breeze that brings to us any report that the effusion of blood, caused, in my judgment, by a rash and unjustifiable proceeding on the part of the government may cease."

In the course of this address Webster stated that the law of nations required "THAT THE WAR SHOULD NOT BE WAGED EXCEPT FROM NECESSITY AND FOR JUST AND IMPORTANT RIGHTS OF THE COUNTRY."

"But war does now exist and what is our duty?" asked Webster. Replying to his own question at length he said he hoped the majority in the next House of Representatives would be opposed to war and that while a high and delicate regard must, of course, be had for the honor and credit of the nation, that "if the war should become odious to the people, if they shall disapprove the objects for which it appears to be prosecuted then it will be the bounden duty of their representatives in Congress to demand of the President a full statement of his objects and purposes, and if those purposes shall appear to them not to be founded in the public good, or not consistent with the honor and character of the country, then it shall be their duty to put an end to it, by the exercise of their constitutional authority."

"If Congress," said Webster in the course of this illuminating address, "in whom the war making power is expressly made to reside, is to have no voice in the declaration or continuance of war, if it is not to judge of the beginning or carrying it on,—then we depart at once from the Constitution."

### IX.

HENRY CLAY came from his voluntary retirement, in the seventy-first year of his age, to proclaim to the American public his disapproval of the Mexican War. Before a great concourse of people assembled at Lexington, Kentucky, on the 13th of November, 1847, he characterized it as "an unnatural war."

Every utterance of his noble address is applicable to our national situation in 1917. "Must we blindly continue the conflict," he asked, "without any visible object, or any prospect of a definite termination?" In the course of his argument that Congress must necessarily possess the authority, at any time, to declare for what purposes war shall be further prosecuted, he said:

"If it be contended that war having been once commenced, the President of the

United States may direct it to the accomplishment of any object he pleases, without consulting and without any regard to the will of Congress, the Convention will have utterly failed in guarding the nation against the abuses and ambition of a single individual. Either Congress or the President, must have the right of determining upon the objects for which a War shall be prosecuted. There is no other alternative. If the President possess it and may prosecute it and may prosecute it for the objects against the will of Congress, where is the difference between our Free Government and that of any other nation which may be ruled by an absolute Czar, Emperor or King?"

None other statement by Clay in this address so applicable to our own time.

"Here, fellow-citizens, I might pause, having indicated a mode by which the nation, through its accredited and legitimate representatives in Congress, can account for what purposes and objects this war shall be longer prosecuted, and can thus let the whole people of the United States know for what end their blood is to be further shed, and their treasure further expended, instead of the knowledge of it being locked up and concealed in the bosom of one man. We should no longer perceive the objects of the War varying, from time to time, according to the changing opinion of the Chief Magistrate charged with its prosecution. But I do not think it right to stop here. IT IS THE PRIVILEGE OF THE PEOPLE IN THEIR PRIMARY ASSEMBLIES, AND OF EVERY PRIVATE MAN, HOWEVER HUMBLE TO EXPRESS AN OPINION IN REGARD TO THE PURPOSES FOR WHICH THE WAR SHOULD BE CONTINUED; AND SUCH AN EXPRESSION WILL RECEIVE JUST SO MUCH CONSIDERATION AND CONSEQUENCE AS IT IS ENTITLED TO, AND NO MORE."

Charles Sumner also opposed the Mexican War with his power and eloquence and appealed to his fellow countrymen to work for its early conclusion.

### X.

LINCOLN, WEBSTER, CLAY, SUMNER—what a galaxy of names in American history! They all believed and asserted and advocated in the midst of war, that it was the right—the constitutional right—and the patriotic duty of American citizens, after the declaration of war, as well as before the declaration of war, and while the war was in progress, to discuss the issues of the war and to criticize the policies employed in its prosecution and to work for the election of representatives opposed to prolonging war.

The right of Lincoln, Webster, Clay, Sumner to oppose the Mexican War, criticize its conduct, advocate its conclusion, is exactly the same right and privilege as that possessed by each and every American citizen in our land to-day in respect to the war in which we are now engaged. Their arguments as to the power of Congress to shape the war policy and their opposition the usurpation of power on the part of the Executive are potent so long as the Constitution remains the law of the land.

English history offers no less illustrious examples of opposition to war in which the country is engaged. John Bright consistently fought the Crimean War with all the power of his great personality and noble mind. Lloyd George won fame for his aggressive stand against the Boer War. Every American school boy knows how Pitt and Fox and Burke opposed the war against the American colonies.

### XI.

THE DUKE OF GRAFTON, in the House of Lords, October 26, 1775, speaking against voting thanks to British officers and soldiers, after the battles of Lexington and Bunker Hill, declared:

"I pledge myself to your lordships and my country that if necessity should require it, and my health otherwise permit it, I mean to come down to this House in a litter, in order to express my full and hearty disapproval of the measures now pursued and as I understand from the noble lords in office, meant to be pursued."

On this same occasion, Mr. Fox said:

"I could not consent to the bloody consequences of so silly a contest, about so silly an object, conducted in the silliest manner that history or observation had ever furnished an instance of, and from which we are likely to derive poverty, misery, disgrace, defeat and ruin."

Lord Chatham, November 18, 1777 spoke as follows regarding the war between England and the American Colonies:

"I would sell my shirt off my back to assist in proper measures, properly and wisely conducted; but I would not part with a single shilling to the present ministers. Their plans are founded in destruction and disgrace. It is, my lords, a ruinous and destructive war; it is full of danger; it teems with disgrace, and must end in ruin. \* \* \* If I were an American as I am an Englishman, while a foreign troop was landed in my country I never would lay down my arms!—Never!—Never!—Never!"

### XII.

THESE ARE BUT A FEW of the many statesmen and eminent publicists whose strong declarations I shall later cite as examples and precedents of the right of free American citizens freely to express their opposition to war and of the right and duty of the law making body to shape the war policy.

In conclusion let me repeat what I have already suggested that American citizens have the right to begin a campaign tomorrow to elect United States Senators and Members of the House of Representatives who will represent them in securing the repeal of obnoxious laws, in declaring the definite objects for which this war is prosecuted and the conditions upon which it can be terminated at an early hour with honor and credit to the nation.

God reigns and constitutional rights will be maintained. This is still the Government of the People.

*Robert M. La Follette*