

But neither a rule, Mr. President, nor a Constitution are fetishes, or dead letter; they live, and I think that I have even done ill in comparing the Rule to the sancta sanctorum, because the sancta sanctorum was the place where the ancient law of the Jewish people was guarded, and for having wanted to revive it, an obscure man whom humanity has placed and reverently adores at its altars, was sentenced to suffer the penalty of death that was judged most ignominious. And the rules and the constitutions live also, for a superior spirit animates them, to which I shall confine the few words with which I will claim the attention of the Conference, addressing more especially my friends the honorable delegates from Chili.

What is the spirit of the Rule, gentlemen? We all know it and it has been repeated many times at the meetings of this Assembly: it is the form, it is the rule that serves us to gauge our deliberations toward a goal that we all wish to attain, and that goal is called peace, the concord and collective labor that will realize what we call an ideal, and which all peoples, in one form or other, seek as the supreme aspiration of the human heart, to realize that which is called the greatest welfare possible for the greatest number of men. This, Sir, is the spirit that animates our Rule, and within this spirit of concord, I repeat, I am going to present the question.

When here, Sir, we speak of unanimity, of majority, of minority, of five, of ten, of fifteen delegations, we do not give to these words the same sense as in other parliamentary bodies. There unanimity means that all the representatives of a people are in accord in that the citizens of that country obey the law that from thence may issue: majority means that in this obligatory provision solely are in accord the greater number of the members that form the assembly: here we only use for amplification the words unanimity or majority, because here, Messrs. Delegates, we are not making a work obligatory for anyone, we are doing a work voluntary for all, and when one says yes and the other says no, the one does not obligate with his affirmative vote, nor the other with his negative; he expresses simply his sincere and honest conviction in the sense of welfare, of the felicity of the people which I have the honor to represent in this Conference.

I know, Sir, that notwithstanding the Rules have their hard points, and that within them, if the Honorable Chilian Delegation will not be persuaded by the humble reasonings that I am going to express, its proposition will have to suffer the fate of the proposition made by Colombia, that is, that we discuss it later. This is what I desire to avoid, that we may not arrive at discussion, and in search of clarity in my ideas, permit me to read the proposition, the original of which has been facilitated me by the Chair. It states:

"The Delegation from Chili accepts as its own the project of adhesion to the Conventions of The Hague, subscribed by fifteen delegations and submits it to the consideration of the Conference, to that once approved by the latter, it may be remitted by the Secretary General to the Department of Foreign Affairs of Mexico."

As will be seen, Sir, this proposition contains two parts clearly distinct. "The delegation of Chili accepts as its own the project of adhesion to the Conventions of The Hague, subscribed by fifteen delegations. This is the first.

I lack words, Sir, to properly praise the attitude of the delegation from Chili, for it signifies more than what its appearance would indicate, it means the unanimous adhesion of America to the labor of peace realized in the Congress of The Hague. And this is not frivolous nor insignificant; this means that reply is made not in words more or less pompous, sonorous, and hollow, but with practical and significative facts, that here we are not engaged in a labor of egoism, that here we are not engaged in an exclusive work, as narrow minds beyond the sea believe.

That we here establish the bases of the hegemonic doctrine of the United States upon this continent, is not true. We see how the Delegation of the United States conducts itself, and we note the purposes that they manifest in the Conference: they have initiated the idea that we go to The Hague.

Neither is it true that we are engaged in an egotistical labor for this hemisphere. We accept the most advanced form that has been created in Europe to realize the ideal of peace.

That we seek for the interest and convenience of our peoples is true, because each people has its interests and conveniences peculiar to itself to come to be founded into the universal concert, that advances humanity, but not with egoism, not with reticence, but clearly and openly.

This is, Sir, the signification of the adhesion of America entire to the treaty of the Hague; this is the meaning of the adhesion on the part of the Chilian Delegation, seconded by Equador, because it represents the unanimity of America.

But, gentlemen, one can be little the deed. I know well that impractical spirits, perchance impatient, have asserted here and there that the treaty of The Hague was a failure. In consequence, it might be asked, what do you accomplish by adhering to the treaty of The Hague, that signifies nothing, that has established no foundation for the maintenance of peace? Neither is this true. Those who judge thus, those who depreciate the importance of those treaties, fail to see clearly, due probably to the impatience, that they ought to contain. Human progress, the advancement of humanity is not realized by bounds, it is realized slowly, laboriously, painfully; it is attained with blood, with tears, with sacrifices; and he who forgets this, ignores history and forgets all its antecedents.

Once there were feudal lords that exploited, robbed, killed those who were not strong and powerful; but one day the weak, the unfortunate congregated, united, comprehended that union is strength and formed the city; and from the shadow of its walls obtained privileges that elevated little by little those formerly feeble to the level of the strong who had once tyrannized over and exploited them. And then, what happened? Not that they disarmed the strong, because to seek to disarm the strong, is going against the laws of human evolution, but that the weak became strong, and they became strong with labor, that constitutes the nerve of all forces, with wealth and material prosperity. And then the weak disappeared and the preponderance of the strong also, because the weak had become strong.

How many centuries were needed for this evolution? Was it consummated in a day, in a year, in a century? No, gentlemen, it was consummated in due course of time, and as I have said, with many sacri-

fices, with many pains, with much blood. Why then, pretend that international societies, constituted by independent personalities, autonomous, obeying laws of their own methods of life, should proceed in another manner? No, Sir, it is not possible; it is necessary to have patience, it is necessary to wait until the weak may grow, until the feeble are fortified; it is necessary to wait until the small become large. How? By the legitimate means within their reach, by labor, by riches, as America is doing, and by virtue of it forms already a unit in the universal concert of all nations, that at the beginning of the century was looked upon as an inappreciable quantity in international society.

This is what it signifies for me, the treaty of The Hague, and this the immense importance of the adhesion of all America, without there lacking a single nation, to what has been done in Europe.

To make more clear the importance of those treaties, it is necessary to consider them, not only in the light of their principles, but we must compare them with recent happenings that we all know.

What a distance, gentlemen, lies between the attitude of the nation that offered the greatest opposition to the adoption of the principles of European pacification. Without going outside of Germany itself, the Honorable Delegates surely know, but permit me to recall to their memory that incident, in which the Society of Peace, if I am not mistaken, of London, wanted to inquire the opinion of the most eminent statesmen as to the possibility of causing war to disappear. Some said that all efforts that tended to that end were noble and elevated; others declared them irrealizable; but there was a German, none other than the Field Marshal Von Moltke, who advanced a step further and said, making an apology for war, that it was necessary, as a selection, that in the life of the peoples that it was necessary that the weak disappear in order to leave place for the better gifted, to the stronger, to the more apt. This hymn to war, this hymn in favor of that calamity that no words can paint, can it be compared to the attitude of the Kaiser who accepts the declarations contained in the treaty of The Hague, in conformity with which the nations of Europe declare and recognize that pacific measures are the best to arrive at a solution of the problem of conflicts between nations? Does there not lie between these two facts an abyss? And this has been realized within a short time. Why should not greater progress be had on the morrow? God grant that in America and especially in this Congress, we may find the road that leads to it.

For these reasons, Sir, I repeat, that words are too weak to sufficiently eulogize the attitude of the Chilian Delegation.

But their proposition has a second part. Not only to adhere here to what has been done by fifteen delegations, but to make it their own, that is to say, to accept it without restrictions, without distinctions, without cavilations of any kind, they propose, gentlemen, that we bring it here to the Conference, that we discuss it here, and that later it go to the Department of Foreign Affairs. On this point, and I trust that my friends of the delegation from Chili will permit me to be very frank in my expression, which I pray of them not to take ill, because they know my intentions, what is proposed? If we are all in conformity, those of us who have signed, in that

we have done so, and those who have not signed, as evidenced by their making it their own, what are we going to add. Gentlemen, it is suggested that we approve it in this Assembly and then send it to the Secretary of Foreign Affairs. Will we have gained by this an atom of prestige? No, gentlemen, we will have sown a germ of discord, because some of us, thinking to make use of a legitimate right, have asked that this document be remitted to the Secretary of Foreign Affairs, and others, whose attitude, I repeat, I can never eulogize sufficiently, oppose it in measure and say: yes, but we must discuss it here, here we must consider it. Have we not all considered it? What are we going to discuss? That it be approved here? Have we not approved it already? I repeat, some of us have done so, others have accepted it as their own. This is, gentlemen, the letter that kills and not the spirit that vivifies.

Viewed from this aspect, I beg of my honorable colleagues and friends of the Chilian delegation to consider their proposition; and although my petition may not be authorized, I beg of them to kindly withdraw the second part of their proposition, and to say openly and simply: the labor of the fifteen delegations is that of all America, because it is ours also.

I hope the Honorable Delegates will pardon me, if abandoning simple language somewhat, I have given way before this spectacle for me so grandiose, the adhesion of America to the treaty of The Hague. I am aware, gentlemen, that there is one conception of diplomacy, in conformity with which it is a cold science, egotistic, of interest, and in accord with which its priests, the diplomats, ought to be like those personages that in the inferno of Dante lived within ice. I cannot conceive, Messrs. Delegates, that diplomacy, nor any great work of diplomacy, can be like a game of chess, wherein the board is the world and the pieces are the nations thereof.

I cannot conceive, gentlemen, that ought can be made great, or elevated, if to the dictates of intelligence are not intermingled some pure promptings of the heart; this may be delusion, and I ask pardon of the Conference, but I can imagine no other way to do great works. It is said that International Law rests upon a formidable tripod, represented by a cruiser at sea, by guns on land and gold everywhere.

I do not think so, Messrs. Delegates; I think on the contrary, that International Law, that human progress and that all that is grand, has to rest upon three principles: science as guide, for she must illumine the way; force, as a means of realizing science, and force, not in the brutal sense of cannons and cruisers, force in the sense of power in all its forms, in the economic sense that realizes the miracles conceived by science; and all animated by love, affection and disinterested views.

This I address to my honorable colleagues of the Chilian Delegation, beseeching them to kindly withdraw the latter part of their proposition, which only tends to entangle us more in the mazes of the Rules. Let us make grand and noble the labor of the adhesion of the nations of America, of America entire, to the treaties of The Hague.

*His Excellency Mr. Walker Martinez.*—I ought to commence, Mr. President, by congratulating myself upon the fact that this debate has not lapsed a single moment and has been maintained at a level

worthy of the Assembly. It is elevated more yet by the words that we have just heard from our distinguished colleague Hr. Macedo, the same exhortation that he makes us that disregarding the letter of the reglamentary articles, we seek in the concord that has united us and which ought to be the pattern for our acts, the surest solution, encourages me to reply to the petition that His Excellency has just made to the Delegation of Chili. I think, gentlemen, that this new atmosphere with which the honorable representative of Mexico has impregnated the hall, will bring about an accord, because in reality we are in accord.

I commence, Mr. President, by clearing our situation, now that Your Excellency has propounded the question, stating that the debate continue with regard to the conduct of the Chair, words that seem to signify that differences exist between us respecting the attitude of the Chair. I have sufficiently declared, Mr. President, in the words that I uttered in rectifying some assertion of the press, that we do not desire to make of these questions personal matters; I have sufficiently declared that we do not accept the procedure, because if carried to a vote, we could not, as matter of propriety, cast a vote against the Chair. The President may ignore all the articles of the Rules; we must guard the respect due and be resigned. For this reason yesterday I interrogated the President: why are things placed on this plane? Why does not Your Excellency, who is judge, who ought to give way to passion, why, I asked, do you not cut this question?

For this reason, Mr. President, notwithstanding the fact that the Honorable Mr. Macedo has said: «Let us disregard the letter of the Rules,» and despite the fact that he recognized that this was the sancta sanctorum of all the Assemblies, their constitutive base, their organic code, that is called in diverse manners, according to the case, for this reason, Sir, I have wished to withdraw from the question. Moreover, my honorable colleague Mr. Bello Codecido has presented a proposition intended to avoid a vote being taken with regard to the conduct of the Chair.

Now, Sir, there is a project signed by fourteen delegations, and I beg the Honorable President to excuse me in saying fourteen delegations, there being fifteen signatures, for the signature of Mr. Calavis cannot be taken into account here, since the Chair has seen in the office of the Secretary the notification by which said delegate retires. In my opinion, Sir, the delegates here now with power to act are the ones that have the right to make declarations, to send documents to the ball: prior signatures signify nothing. My honorable colleagues, many of them, at least, have represented their respective countries, as diplomatic representatives in other parts, and I ask: Are they going to sign to day, after the conclusion of their mission, a convention with a date posterior to their renouncement? Are the deputies to the parliament going to send under date posterior to their mandate a proposition, and will such proposition be accepted? Undoubtedly not.

I am right then in saying that only the ones here congregated at this moment have the right of mandate: the delegates from Venezuela has no mandate, for on the 31st. of December he renounced it. Official communications that I have an official communications in hands of the Chair accredited the fact. Let

us not say then fifteen signatures, for there are but fourteen in this project.

But, returning to the invocation made by the Honorable Mr. Macedo, and putting aside this reglamentary question, because we cannot give a vote that implies a censure to the Chair, or anything that may hurt the country that has extended us hospitality, but we ought to act as gentleman, and as gentleman we do act, for when one offers us his hand we have to correspond in the same manner; returning to the question, I would ask Mr. Macedo, why not limit ourselves to the motion of Mr. Bello Codecido that unites the generous aspirations of all? Has Mr. Macedo not made us, with a brilliancy of word that I can never equal, a sketch of that grand work of the Congress of The Hague? Do we not see, as he has just declared, with the prevision of a man of state, that humanity cannot progress by bound? Then, if humanity cannot advance by bounds, it is necessary that these things come logically and slowly.

In international question, His Excellency has said, the majority cannot be imposed upon the minority, a picture that I cannot reproduce, a graphic picture, a picture that we have recognized as true, all of us who have signed the documents presented to the Chair asking for adhesion to The Hague. His Excellency stated: Why not grasp this grand thought in America, why should not this entire continent adhere to the Treaties of The Hague? And what do we ask, Messrs. Delegates? What does Chili ask from this Assembly? Does she not ask that it pronounce for regular means and, using the powers that she has, realize the purpose that caused us to be convoked in Mexico, proclaiming the said adhesion? What do we ask? To vote for the ample adhesion to The Hague. What have fourteen delegations done outside of the Conference? Sign a protocol asking for adhesion to The Hague. Where exists our difference? We all accept the same thing, only some sign in the Secretary's office, and others ask, Sir, that the Assembly frankly pronounce itself.

This is a grandiose adhesion, remarked Mr. Macedo, and concludes by asking us to withdraw our proposition. Mr. Macedo also speaks to us in this manner: «with a frank adhesion to The Hague, we will have proved the fact that America cares to do a grand work; let us put aside hollow words.» Well what do I ask for?

Let us put aside hollow statements, without object, signatures that conduce to no practical result and let us come to this Assembly convoked to deal with this question, and let us vote all say frankly: we want adhesion to The Hague; let us vote adhesion to The Hague. If the thought is grand, if we are all interested in that the Second Pan-American Conference produce results, why should we not want to insert this page in the history of the Assembly, to which we all desire to give prestige? Why should we consign in papers, outside of this hall, what ought to be the most glorious page of the Assembly?

What then does Mr. Macedo ask us to withdraw. One might say that there were disquisitions, that there were reservations, perchance votes that impede this Assembly from pronouncing itself. But if all have pronounced themselves, if there is a protocol signed, in which all recognize the adhesion to The Hague, this being the unanimous adhesion of America; if the two signatures lacking accept this thought; if Ecuador and Chili want this adhesion, considered

as grand and generous, and we consecrate it as a grand resolution of the Assembly, are we not going further than those who want this proposal be declared shamefully in one of the halls of this Congress, passing solely thought the President as intermediary, to the Minister of Foreign Affairs? If it were a question of a project in minority, of a project that does not respond to the general aspirations of the Assembly, if it were question in which were consigned the individual manifestations of the representatives signing it, we would have nothing to say; but as it is one involving an idea that we all entertain, of a thought common to us all, we have desired to give it greater effect, greater vigor, and for this reason we have made it a question and have said: since it is submitted to us, let us be permitted to give to it the solemnity that documents lacks.

And now, Honorable Mr. Macedo, now that we are in the most complete accord, allow me to return the petition: will it not be more just that we seek greater solemnity for this thought, and ask those who content themselves with less, now that we are in accord, that they be the ones to accede and let us vote by unanimity this resolution?

A certain frigidty has been spoken about in diplomacy. But gentleman, the time has already passed in which it was discussed if Nazario deceived more or less than some of his colleagues. This is past and gone, above all in America, where diplomacy has not the extent of the florentine epoch. Diplomacy has frankness for all sides and to-day all nations proclaim principles. And when the principles are unanimously proclaimed, can there be diplomatic coldness in proposing to one of those principles, when for this purpose we have come here? The call to cordiality that the Honorable Mr. Macedo has made, has obliged us to rise in order to ask, not that the motion of Mr. Bello be discussed, but that adhesion to the principles of The Hague be expressed by acclamation.

Now will the Honorable Mr. Macedo permit me to adduce an incontestable argument? I pray His Excellency to consider the situation of the Delegates from Chili. It is asked that a document signed by the majority of the Delegates to this Congress pass to the Department of Foreign Affairs, but without the Assembly receiving it, and solely by the intermediary of the ruling of the President. We cannot lend ourselves to this, because we have powers, as all have, absolutely limited. We are plenipotentiaries ad hoc in this Assembly; all of the Governments of America named their representatives, in order that they might come to discuss and seek and accord and to sign the resolutions that there might be agreed upon, and how are we going to sign outside of the Conference, if for such procedure we have no power? I am going to read to the Honorable Mr. Macedo the power that accredits me before this Assembly:

«Anibal Zañartu, Vicepresident of the Republic of Chili, to all whom these presents shall come, greeting:

«Whereas I deem it convenient that the Republic be represented at the International American Conference to be held in the City of Mexico, in October next; «Therefore, considering that Mr. Joaquin Walker Martinez, Envoy Extraordinary and Minister Plenipotentiary of Chili in the United States of America, concur the necessary intelligence, zeal, and other abilities, I have decided to accredit him as Envoy Extraordinary and Minister Plenipotentiary

*ad hoc* to the above mentioned Conference, with full and absolute powers to agree with the other Plenipotentiaries there assembled, on such matters as may be considered will tend to insure the purposes of the Conference.

«Whatsoever the said Mr. Joaquin Walker Martinez should stipulate and sign with said Plenipotentiaries, I hereby promise to approve and ratify in due form, and fully comply with it, after the corresponding sanction of the National Congress.

In virtue whereof, I have caused these presents to be issued, signed by me, sealed with the Grand Seal of the Republic and countersigned by the undersigned Minister of State for the Department for Foreign Affairs.—Issued at Santiago de Chili, this thirteenth day of September, 1901.—(Signed). *Anibal Zañartu.*—*Luis M. Rodriguez.*

If I have powers *ad hoc*, if my colleagues obtain with the indication that we have presented that the Assembly vote for adhesion to the Treaties of The Hague, we may sign it at this moment, and my government will be obliged to recognize it, since it compromises itself to ratify all that we may do here. Can we, gentlemen, with these conditions, cease to make use of our right, which is the same as that held by the other delegates, that is even greater than that of many of them, since there are representatives that have not this amplitude that we have, and wo notwithstanding appear as signing this document?

If this is our situation, if we are plenipotentiaries, or better said, diplomats in this Assembly, can we begin by eluding the form that ought to give seriousness to our acts. I would like to have some one interrupt me and tell me how we can elude the fulfillment of our instructions and falsify our personality by doing badly outside this hall what we might do well within it. If this is the position of the delegates from Chili, as also that of the delegate from Ecuador, how can Mr. Macedo ask, in the name of cordiality, that we sign outside of this hall, that we should not insist on our proposition? Is it not true that it is more logical that we say in the name of what is correct: come let us vote within the Assembly what the Assembly necessarily has to agree upon? For our later justification, since we may lose this battle, for perhaps what the President has done will be approved, for we will not vote against his ruling; to justify ourselves before those who may study later the annals of the Congress and the conduct of the representatives of the Republic of Chili, I ask that the power that accredits me before this Assembly be included integrally, not in the minutes, in order not to trouble the secretaries, but in the stenographical notes of the session.

But I believe yet that in the name of the concord to which Mr. Macedo has invited us to partake, all of the representatives will respond to the call that has been made, I believe yet that we will not sally from this place offering the sad spectacle that all the employes of America were in unison on a proposition and yet could not reach an accord in common. It would be sad, indeed, gentlemen, it would be an act of disprestige for this Assembly that proposition like adhesion to The Hague, that has been favored unanimously by the delegations (for even we who object to this redaction are still in accord in it and have abandoned our own,) should not be sustained by unanimity.

In the minutes of our proceedings the truth must