

Editorial: International Law and Socialist Civilization

A Deming, N.M., correspondent asks testily:

“I see from your paper that you approve Wilson’s policy of leaving American citizens to the tender mercies of Mexican bandits. I suppose that is what you call ‘socialist civilization.’ Thank you.”

We shall not try to peer behind the curtain, discover and uncover the peculiar material interests that prompt our indignant correspondent’s sense of civilization. It is of more importance to consider the principles of international law that the New Mexico Sen. Albert B. Fall proclaimed in the Senate, and which our indignant New Mexico correspondent, probably having inhaled, now exhales.

On July 22, this country’s relations with Mexico being intensely strained, Sen. Fall introduced in the Senate a resolution which purported to lay down the principle that “the constitutional rights of American citizens should go with them throughout the world,” so that the United States government shall give to every American citizen residing in any foreign country full protection “both for himself and his property.”

Here is a pronouncement that flies in the face of the enlightened principles of the law of nations.

International law provides that the citizens of a nation shall not be discriminated against in a foreign country, but shall enjoy there the same civic rights that are enjoyed by the foreign nation’s own citizens, or subjects.

Sen. Fall’s pronouncement sets up a new principle, to wit, that

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the civic rights of a nation's citizens residing in a foreign country shall be determined by the constitutional rights which such citizens are guaranteed in their own country.

The principle is not only new, it is jingoistically insane.

Constitutional rights are not identical in all countries. Constitutional rights register a nation's stage of civilization, together with the nation's climatic disposition and geographic needs. The constitutional rights of the German subject are markedly different from the constitutional rights of the French citizen; again, the constitutional rights of the two are not identical with the constitutional rights of the British subject; the constitutional rights of the three differ in important respects from the constitutional rights of the American citizen; and so on.

It follows that the application in Mexico, for instance, of Sen. Fall's international law principle would be—

Either that there would be as many different civic rights administered in Mexico as there are foreign nations represented by resident citizens and subjects, plus the civic rights of Mexican citizens themselves; and that as many foreign armed forces have the right to invade the country, each with the right simultaneously to enforce, so far as the citizens or subjects of its own country are concerned, the rights that the constitution of their country guarantee both to themselves and their property:

Or, that the privilege shall be enjoyed by, and be enforced in behalf of American citizens only.

The first alternative belongs in bedlam; the second reads itself outside of the code of equity which international law sets up for all nations alike.

The American citizen, like the subject or citizen of any other nation in the sisterhood of nations who chooses to reside in Mexico, or any other country, takes his chances with the civic rights enjoyed by the subjects, or citizens, of the country in which he voluntarily sets up his residence. He throws in his lot with them, suffering when they suffer, enjoying when they enjoy.

So sayeth international law; so sayeth socialist civilization. And

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both languages combine and agree in repudiating the language, as they have left behind them the sentiments, of “fresh kids” and of jingoism.

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