The New Code

E. H. Decker

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Recommended Citation
Available at: https://uknowledge.uky.edu/klj/vol4/iss5/3

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the General Assembly, and to designate a day prior to the first day of March next succeeding.

VII.

When convened by the writ of the Governor issued in consequence of the failure of one-half the sitting members to receive a vote of approval at an election called by the Governor to be held in December following a regular session in any year, it shall be the duty of the General Assembly to reconsider all enactments made at its last preceding regular session, and any other matters that the Governor shall, by message, submit to them upon the convening of the Assembly.

VIII.

Each session of the General Assembly convened by writ of the Governor issued following an election at which less than one-half of the constituent membership of the House of Representatives received a vote of approval each, shall be deemed and considered to be one called to convene by the Governor on an extraordinary occasion.

LYMAN CHALKLEY.

THE NEW CODE.

"Morality is that science which teaches men their duty and the reason of it."—Paley, Mor. Ph. b. 1, c. 2.

The attitude of our President towards Columbia, his direct and forceful advocacy of a policy calculated to uplift world-politics, strict adherence to a principle long established by justice and God, devotion to duty as he sees that duty, has been assailed by a rabid throng of enthusiasts. Plausible but unreasonable, legal but illogical, their arguments are but cumulative evidences of a world-wide demoralization.

International law has been cited with great "gusto" by the "calamity howlers." England, France, Germany, Russia, Austria, Italy, practically all of the great powers have taken their possessions by right of force. Why, at this late hour, they inquire, does the
United States champion a moral yet illusory right? There is no precedent for same. It is but the policy of a misguided dreamer, an idealist. And, if we are not to depend upon the law of nations, what will be the result? They would have us believe that our country, the handicraft of super-men, great, good and wise patriots, all of them, will emerge from its present tangles an object of ridicule to be scoffed at by the world.

But the ages teach a far different lesson. War upon war has been the result of the present international code. Created and developed by the nations of Europe it has been proved by the great war now raging to be a farce. A code dependent upon a mock sincerity for maintenance and support, with the navy of an England or the army of a Germany to menace it. A confusing one based upon old world heresies, which the two Americas by reason of their infancy, have had little to do in framing. A code fundamentally wrong.

With these indisputable, incontrovertible facts in view, are we, the leading nation of the Western Hemisphere, to fetter ourselves with the shackles of European despotism and militarism, impede not only our own but world-progress by the application of an obsolete system of laws? Are not nations but collections of individuals subject, amenable to the same rules of conduct dictated by an all-wise Creator to men for their observance? Is not the attitude, firm stand for the right by President Wilson, but a rift in the darkness through which glimmering faintly shines the star of hope? Is not this a new era; when people are beginning to see through the haze of tradition and custom surrounding them, when new conditions and necessities demand different laws, when the threshing and winnowing of time shifts the chaff from the seed?

We, of the Western Hemisphere want and must have new laws adapted to our growing needs. Moral laws, consistent with our President's attitude, to be supported, respected and obeyed.

The Columbian and Mexican attitudes, policies and acts of the present Administration all point to one great significant possibility, a federation of American nations for the common good, protection, and the elevation of world-politics. And we, while occupying a commanding, the leading place, will reap, enjoy as much benefit, if not more, from such a combination as our smaller neighbors. Argen-
tina, Brazil, Chili are fast becoming great nations possessing wonderful natural resources, delightful climates, and, contrary to the general belief, good and stable governments. Their futures, by reason of the “Monroe Doctrine,” are indissolubly linked with ours. But are we to arrogate to ourselves by a strict interpretation of that doctrine the right to dictate to and answer for them to the world? Are they not independent states possessing sovereign powers won by the sacrifice of good red blood by real men? Was not their consent at the very first necessary and now their co-operation? Is not this a well recognized principle handed down to us by our Anglo-Saxon ancestors?

In Europe today there is what is called “The Triple Entente” and the “Triple Alliance,” the two warring factions at the present time, with the exception of Italy, which withdrew from the Alliance and cast her lot with the Entente. The United States at present is not allied with a single nation. Suppose a triumphant Germany intoxicated with success and the vision of world-domination, or the Entente, England with her navy, Canada as a base, and France and Russia with their soldiers should declare war upon us or form an alliance with a South American nation in the face of the “Monroe Doctrine.” Would the ultimate result of such a conflict be in doubt? Could we long oppose a formidable array? Would we be obeying that parting injunction of Washington to avoid foreign entanglements? Would the illustrious shades of our venerated dead avail, profit us anything? Is not such a portentous probability sufficient cause for serious thought? And from what nation in our hour of need could we expect help? From England shorn of her possessions? From Russia and France reduced to the status of dependencies? From Germany and Austria, entertaining as they do an unnatural hatred for England? No, for in the present gigantic struggle they will have exhausted their strength. From Japan? Even an alien could not conceive of such an eventuality. To what nation or nations then could we look for help but the South American ones?

The seizure, occupation, evacuation of Vera Cruz was but a demonstration, a proof of sincerity and force. Mexico, even united, could offer but a feeble resistance. Why employ such a large force if not for a purpose? Having proved to our neighbors by this act
that our policy is not one of aggression or expansion, but one of jus-
tice and humanity and by the Pan-American Conferences well meant
intentions we have allayed and are gradually overcoming a suspicious
disturb caused by an arrogant interpretation of the “Monroe Doc-
trine,” which like a smouldering fire fanned by a too hasty and mer-
cenary recognition of Panama, and foreign emissaries, has been
blazing ominously.

The Administration is criticised for not declaring war after what
the humiliated, outraged “Americans” call “The Rape of Belgium.”
They attack the policies of the President, insinuating that same are
visionary, unsuited for existing conditions. “Blustering Bravados,”
they flounder around helplessly in a sea of mud bewailing; bemoan-
ing the fate of the nation, calling the gods to witness the spectacle
of a great, free country being insulted, stunned by His Imperial Ma-
jectory, the German Emperor; that there is not a blot upon their
records, their escutcheons bloodless, their hands stainless, appealing
vaingloriously to the shades of Lincoln, Grant, Garfield and McKin-
ley, forgetting apparently that our impotence, if there be any, could
not have been caused by our President or his associates. Thinking
men will say, however, that logically, legally, morally, the principles
for which Woodrow Wilson stands are right. Then since good,
moral laws are not applicable at present, visionary, he sustains their
contention by advocating a larger and stronger navy and army, and
by, in the absence of sufficient fighting forces, refusing to be lead
into a war, which these critics themselves must admit or retract their
statements, would end in disaster, and by, if he ever entertained any
notion, thought or idea that he has been represented to have, disil-
usioning himself, disregarding, more than likely, the dictates of his
conscience in order to avert a national calamity. To this extent a
nation must be an individual, obeying one of the first laws known to
men, that of self-preservation.

Are our President’s policies those of a misguided dreamer, an
idealist? Is he not but indirectly accomplishing that for which we
live? Protection, betterment, uplifting of self and country and the
elevation of world-politics. Are not his acts reasonable? Do they
not denote a practical understanding of our situation, common sense?
If so, then why beset his path with obstacles? Are political affilia-
tions, party emblems, to interfere with or overcome reason, judgment, conscience, patriotism? Is not this a time for unity, for Americans to be Americans and thank their Creator for the "Schoolmaster?"

E. H. DECKER, Barbourville Bar.

BOOK REVIEW.


The use of problems in connection with text book or casebook is one of the best and most impressive forms of instruction for it stimulates interest and causes the student to read the text or cases more critically. Further, it accomplishes one of the most important aims of legal education, that is, it drills the student in the application of the fundamental principles of the law to the various sets of facts. Thus training the student to reason and analyze, so that when he leaves the law school he will be well trained in the art of analyzing legal propositions; which, after all, is the most important thing. But next we must have authority. The student should be familiarized with the best authorities and how to find these readily.

The author, realizing these needs in the law school, has prepared a most creditable work. It contains practical problem cases and questions. They are supplemented with recent decisions and citations from texts which will give a pointer to authorities both for and against. Some of the problems can be definitely answered, while others are close questions, about which there is a conflict of opinion.

The author suggests the following method as one of the best of many ways this book may be used, and it seems to us a most excellent ideal; that is, "to assign one or more problems to each student every week, requesting a written opinion or brief of two or three pages to be handed in for correction. The student should be required first to analyze out and state the precise issues involved in the problem, taking the facts up step by step. He should next form a provisional hypothesis or theory of the case on principle. He should then proceed to select from the authorities one or more of the cases not di-