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American Public Opinion and the League of Nations, 1918-1920

Jay G. Gentry

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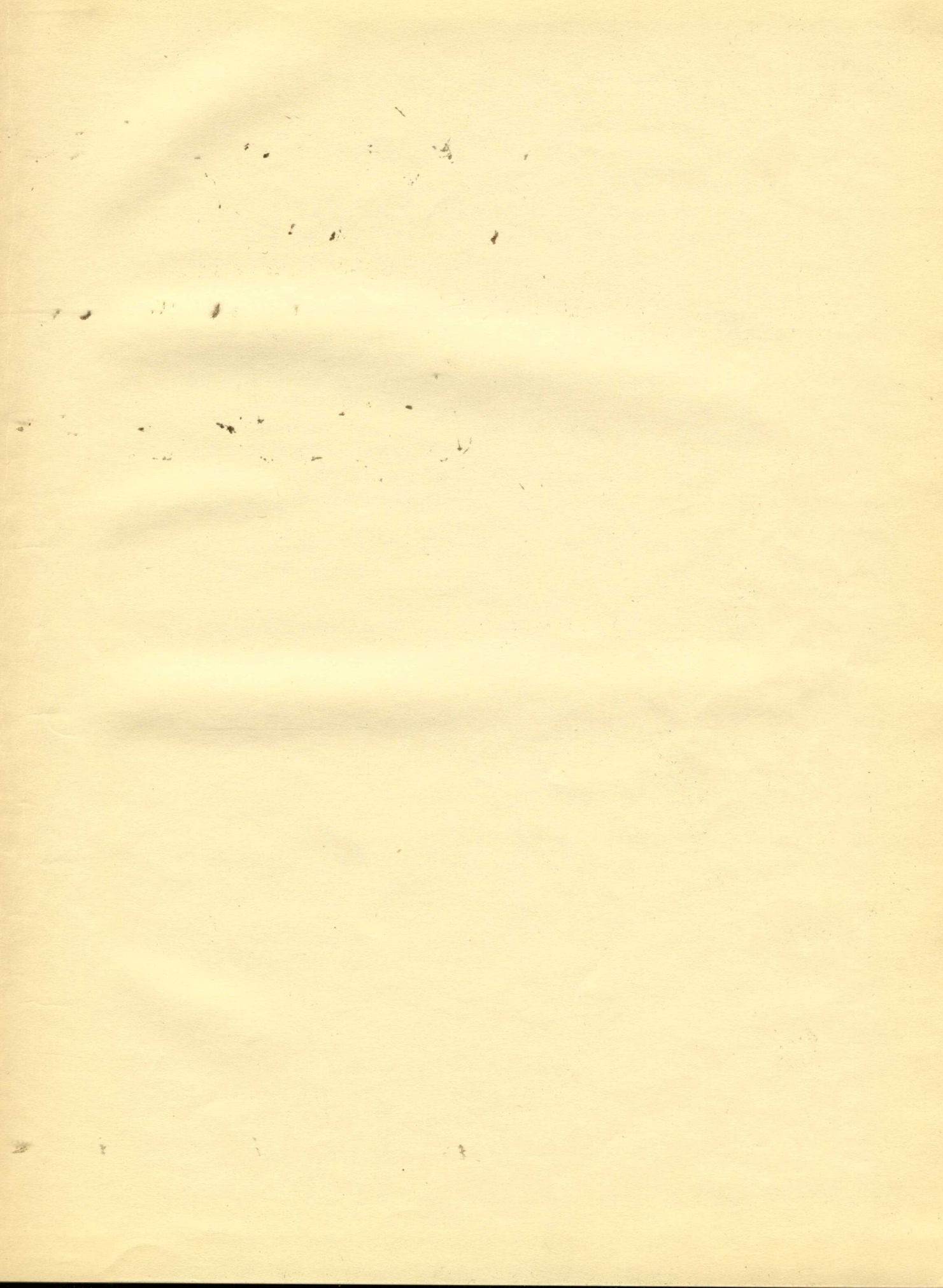
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AMERICAN PUBLIC OPINION AND THE
LEAGUE OF NATIONS,
1918-1920

By
Jay G. Gentry

A Thesis Submitted in Partial Fulfillment
of the Requirements for the Degree
of Master of Arts in History

University of New Mexico

1938

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FALL OF 1941

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This thesis, directed and approved by the candidate's committee, has been accepted by the Graduate Committee of the University of New Mexico in partial fulfillment of the requirements for the degree of

MASTER OF ARTS

H. Hammond
DEAN

May 31, 1938
DATE

Thesis committee

Benjamin Sacks
CHAIRMAN

Dorothy Woodward

J. H. H. H.

This thesis, directed and supervised by the candidate's committee, has been accepted by the Graduate Committee of the University of New Orleans in partial fulfillment of the requirements for the degree of

MASTER OF ARTS

DATE

DATE

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PREFACE

The purpose of this thesis is to trace the character of American public opinion concerning the League of Nations during the period from December, 1918 to March 19, 1920, in which the issue of the League was one of the paramount subjects before the American people. In this connection attention was paid to the nature of the arguments presented, whether they were in favor, against, or only partially for the League, and whether each group remained steadfast to its preliminary view. Further, attention was given to the academic quality of the arguments of each group. The thesis itself has been divided into five main chapters and an introduction. Each chapter's span of time has been determined by official events, both in Paris and in Washington.

The scope of the work was limited to exclude official activities at the Peace Conference and in the Senate, although the Senatorial debates undoubtedly form a segment of public opinion. The contest over the League of Nations in official circles has been treated elsewhere, and the facts about it are matters of general knowledge. Moreover the tenor of public opinion in this period has been touched upon in general terms by several writers, but, in so far as the author has been able to ascertain, no specific treatment of public opinion has been made. Denna F. Fleming most

The purpose of this thesis is to trace the development of American public opinion concerning the League of Nations during the period from 1914 to 1919, in which the issue of the League was one of the dominating issues before the American people. In this connection attention was paid to the nature of the arguments advanced whether they were in favor, against, or only partially for the League, and whether such groups remained steadfast in its preliminary view. Further, attention was given to the relative quality of the arguments of each group. The thesis itself has been divided into five main chapters and an introduction. From chapter's point of view, the thesis is divided by official events, both in Paris and in Washington. The scope of the work was limited to the period of 1914-1919, as the League Conference and in the Senate. Though the fundamental debates undoubtedly were a part of public opinion. The contrast over the League of Nations in official circles has been treated elsewhere, and the League about it are matters of general knowledge. However, the tenor of public opinion in this period has been touched upon in general terms by several writers. Only in so far as the author has been able to ascertain, no group is represented of public opinion has been made. James G. Thompson wrote

nearly approached this in his careful study of the issue in the Senate debates.

The materials used for the study were based upon periodical literature of the period as well as certain newspapers which were available. Resources utilized for the collection of materials were the files found in the University of New Mexico Library and three weeks spent in the Los Angeles Public Library.

In answer to the question on the validity of the conclusions based on these materials, it may be said that it does reveal a cross-section of public opinion in these months, showing the division in thought over the subject. Whether it reveals a typical cross-section is another question. It is not likely, however, that even with a complete examination of every bit of information on public opinion the general story would be materially altered.

The author wishes to acknowledge his appreciation for the generous aid which he received from Dr. Benjamin Sacks of the History Department, without whose constructive suggestions the author would have found the task very difficult indeed. Further, the pleasant cooperation of the Librarians approached has been appreciated.

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CHAPTER I

INTRODUCTION

Although Wilson is often called the "father of the League of Nations," the idea of international comity of course is not new. In the last three centuries alone there are on record several distinct proposals for banding together Western nations to preserve peace. One plan, believed to have been inspired by the Duc de Sully of France, in 1604, and known as The Grand Design, provided for the creation of a federation of European states, under the leadership of a council of seventy, whose decisions in disputes were to be final and upheld, if necessary, by an international police force. William Penn, in 1693, wrote Essay Towards the Present and Future Peace of Europe, in which he advocated a general international parliament with wide powers of arbitration and settlement of disputes. A third scheme, although this by no means exhausts the list, was that embodied in the famous tract issued by Immanuel Kant in 1795, Perpetual Peace.¹ He favored not only the

¹ Beales, A.C.F., The History of Peace (New York: The Dial Press, 1931), Chap. II, pp. 16-41; and Langsam, Walter C., The World Since 1914. (New York: The Macmillan Co., 1933), pp. 134-137.

rise of democracy, but also the idea of a league or federation of all peoples, specifically to exclude rulers from its organization. Greater direction and head to the drive for international arbitration in disputes was definitely the accomplishment of the nineteenth century. Peace societies were formed in the major countries of Europe, international peace congresses were held, and intensive propaganda campaigns were launched, climaxed at the turn of the twentieth century by such notable events as the Hague Conferences.

America was no exception to this campaign of intensive agitation against war and for arbitration. The work of such foundations as those set up by Ginn, The World Peace Foundation, and Carnegie, Endowment for International Peace, bore ample testimony to this fact. It was nor surprising, therefore, that in 1915, as the war settled down to one of attrition, that the pacifist elements in the United States should seek a solution to the difficulties of a war-torn world. Prominent among the societies founded was that of the League to Enforce Peace, in favor of an international court of justice, a council of conciliation, and concerted action against violators not submitting to arbitration.

The entrance of the United States into the war naturally brought the problem closer home. If American democracy were to achieve prosperity, both material and

also of democracy, but also the fact that the
tion of all people, especially as it relates
its organization. Greater knowledge and more
for international relations in general and
the development of the international community.
ations were formed in the major countries of Europe, Asia,
national peace congresses were held, and
peace congresses were held, and in the
conducted entirely by such notable events in the
League.

League was so essential to the cause of
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united, therefore, that in 1918, as the war
to one of the most important elements in the
United States should see a solution to the
of a war-torn world. Movement among the
was that of the League of Nations, the
international order of justice, a council of
and suggested action against violence and
expansion.

The emergence of the United States into the
naturally brought the problem of peace home. It
democracy were to achieve peace, each national and

spiritual, it was felt that it must bend its efforts toward forging instruments of peace which would prevent disturbing wars elsewhere. Woodrow Wilson provided an official leadership for this body of opinion on April 2, 1917, when he declared in his War Address to Congress, "that a steadfast concert for peace can never be maintained except by a partnership of democratic nations."² Even more emphatically, on January 8, 1918, did he proclaim his intention to seek the incorporation in the peace treaty of a constitution for a league of nations. At the joint session of the two houses in which he first propounded his "fourteen points", he proposed as his last and fourteenth principle that "a general association of nations must be formed under specific covenants for the purpose of affording mutual guarantees of political independence and territorial integrity to great and small states alike."³

To promote an active consideration of league plans among other things, Wilson commissioned Colonel Edward House, his personal advisor, to make a study of the various proposals. The latter held conferences with many prominent

² Department of State, Papers Relating to the Foreign Relations of the United States, 1917 (Washington: Government Printing Office, 1931), Supplement 1, pp. 195-205.

³ Department of State, Papers Relating to the Foreign Relations of the United States, 1918 (Washington: Government Printing Office, 1933), Supplement 1, pp. 12-17.

individuals, including former President Taft, Senator Root, and President Lowell of Harvard University. During July, 1918, Wilson requested Colonel House to draft a tentative covenant. The draft which Colonel House presented to Wilson on July 26 was the foundation of the plan that the President took to the peace conference the following December. Both Wilson and House remained very discreet about the plan, not even confiding it to Robert Lansing, secretary of state. Lansing himself admits that he was only "informed" that⁴ Colonel House had prepared such a draft.

Wilson made a few revisions in the House covenant, insisting mainly upon a reduction in the number of articles, and the omission of the Court. Briefly, the document provided for a body of delegates of the signatory powers to be presided over by the minister of foreign affairs in whose country the session was assembled and a secretariat to act as the administrative agency. Upon application any power not a party to the covenant could become a member with all the rights and privileges of the signatory powers by a favorable vote in the Body of Delegates. All members of the League were to agree to settle their disputes by arbitration, the decision of the arbiters to be binding on both sides. As guarantees of their good faith there was to be

individuals, including former President E. A. Tamm, and President Roosevelt at Harvard Law School. In 1935, Wilson testified before the Senate Committee on the Judiciary. The first of his testimony was reported to Wilson on July 28 and the transcription of his testimony was presented to the Senate Committee on the Judiciary. Wilson and House examined their respective records and, not even consulting it to recent history, were able to establish that Wilson himself admits that he was not a traitor. Colonel House had prepared a draft. Wilson made a few revisions to the House document, insisting mainly upon a reference in the matter of treason, and the omission of the word "traitor". Wilson provided for a body of delegates to the assembly to be provided over by the minister of foreign affairs in each country the session was examined and a committee to act as the administrative agency. Wilson suggested that not a party to the government could create a treaty with all the rights and privileges of the government. Wilson's favorable vote in the body of delegates, all members of the League were to agree to assist in the League of Nations. The decision of the League of Nations was to be signed. as guarantees of their faith in the League.

Wilson, Robert, The League of Nations, a personal narrative (Boston: Houghton Mifflin Co., 1919).

inaugurated a program of disarmament, the nationalization of the munitions industry, and a pledge to publish all treaties. As sanctions against violators, the League members were to agree to join in an economic boycott and in military measures. All decisions were to be by majority vote.⁵ While the organs of the League as finally adopted and the basis for membership were quite different, the essence of the League of Nations is certainly discernible in this plan.

Little was done, however, in the succeeding months to arouse discussion of the merits of the proposed covenant. The tenor of Wilson's addresses in these months, to be sure, implied the inclusion of a league as an important part of the peace treaty. But he spoke only in generalities, content apparently, to let the details of his covenant remain a secret. Indications are not lacking that there were some conscious motives for such a course. In a speech of September 27, 1918, which opened the campaign for subscriptions to the fourth Liberty Loan, he declared that "it the League cannot be formed now. If formed now, it would be merely a new alliance confined to the nations associated against a

A copy of Wilson's Covenant may be found in Baker, R.S., Woodrow Wilson and World Settlement (Garden City: Doubleday, Page and Co., 1922), III, pp. 83-93.

common enemy." ⁶ Whatever the reason was, apprehension lest he impose the heavy handicap on a new-born league of being stigmatized as an alliance of victors inspired by war passions to keep the vanquished in shackles after the conflict was over or a desire to concentrate the entire energy of the American nation upon the prosecution of the war, Wilson did not push the league idea.

In this connection there was, furthermore, the dangerous possibility that a discussion on war aims might weaken the effective operation of the Espionage and Sedition Acts by affording an entering wedge for anti-war propaganda. That this was a grievous mistake, if it were true, was the ⁷ opinion of many observers. The Nation declared that, "Mr. Wilson has made the great blunder of allowing his dull and narrow postmaster-general, his narrower attorney-general, and all other agencies under his control, to suppress adequate discussion of the war and peace aims." The New ⁸ Republic believed that, "the result . . . of the sweeping powers given to Messrs. Burleson and Gregory, has been, not to stop discussion but to prevent any adequate contribution

⁶ Department of State, Papers Relating to the Foreign Relations of the United States, 1918, Supplement 1, I, pp. 316-321.

⁷ "The German Collapse," The Nation, 107:502, November 2, 1918.

⁸ "Censorship and the Peace Conference," The New Republic, 17:62, November 16, 1918.

to it by those who favor the President's internationalist policy."

Such actual discussion as there was, however, indicated that American public opinion would be divided in its allegiance to the league idea. Representative of those who favored the proposal was an Outlook editorial to the effect that "we do not think that a League of Nations is to be created now, at the peace table, or after the peace table, for such a League is already in existence. It consists of our twenty-two Allies and ourselves, and is practically and successfully working." Therefore, continued The Outlook, all that was needed was a revision in the leadership from military to civil rule. Justice was its avowed aim, and since this was so, no other nation should be allowed membership which would not solemnly subscribe to its objective and give guarantees of moral capacity to keep their oath. Furthermore, The Outlook continued, to work out the operating details would take magnanimous and sagacious effort. The political questions of membership, of voting, of creating a legislative and judicial organ would require study.⁹ Dewey, contributing editor to The Dial, was more positive that a worthwhile League could be formed, but he cautioned his readers that there were two approaches to a

to it by those who have the right to make the policy."

Such a statement is not only false, but it is also
evident that American public opinion is divided in the
allegiance to the League of Nations. It is not true
that the proposal was an unqualified success. It is
true that we do not think that a League of Nations is
needed now, at the present time, or after the war ends,
for such a League is already in existence. It is
our twenty-two allies and ourselves, and in 1919 we
unsuccessfully worked for a League of Nations.
All that was needed was a League of Nations.
Military to civil war. It is not true that
since 1918 we do not need a League of Nations.
Ship which would not sail. It is not true that
five guarantees of peace are not needed.
Furthermore, the League of Nations, as with the League
the details would be more important and more
The political question of membership in the League
creating a legislative and judicial system.
study. However, considering the League of Nations, we have
positive that a world-wide League could be formed, but
mentioned the League of Nations that would be required to it.

League, one rooted in politics, one in economics. The skeptics, he maintained, thought in terms of the "old military-political system" of alliances, unaware that industrial life and the emergence of the common man demanded a League of Nations, not one which would extend the legal mechanisms of the Hague Tribunal, but one which "grew out of common everyday necessities . . . with respect to food and labor, and which would, once formed, become indispensable." With this beginning, the causes of war could be eliminated and
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 an effective extension of the Hague would be feasible.

Indicative that the path to a league would be far from easy, to a contributor to the North American Review, was the fact that the forces of laissez-faire, imperialism and business greed were strongly opposed. He, however, admitted that there remained hope that these forces might be undermined, for "the scientific world has already shown the way to an intelligent internationalism in science. In the Arts there are no national boundaries. This concept must spread to commerce also, and then to politics; until gradually we approach the ideal--the Parliament of Man, the
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 Federation of the World." To The New Republic, moreover, the forces of business and economics were to become the

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 John Dewey, "The Approach to a League of Nations," The Dial, 65:341-342, November 2, 1918.

11
 Oliver Lodge, "A League of Nations and What it Could Do," The North American Review, 208:665-68, November, 1918.

League, one rooted in politics, one in economics. The
League, he maintained, thought in terms of the world and
party-political system of a nation, whereas the industrial
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of nations, not one which would extend the local movement
of the League Tribunal, but one which "grew out of common
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the arts there are no national boundaries. This concept
must spread to commerce also, and then to politics. It will
gradually be recognized that the League of Nations is not the
Federation of the world." To the New Republic, however,
the forces of business and economic wars to become the

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John Dewey, "The approach to a League of Nations,"
The Dial, 65:341-342, November 2, 1918.
11
Oliver Lodge, "A League of Nations and what it
could do," The North American Review, 1918-19, November,
1918.

possible political opponents of the league. The editor could see portentous signs of opposition in the statement of war aims of Senator Lodge wherein he failed to make mention of any international organization after the war, and in the pronouncements of Senator Lewis that, in his belief, the Republican party would perforce accept isolation, since the Democrats had fastened themselves to an international union. Lewis reasoned, additionally, that the Republican instinct was protectionist anyway, which was nationalistic in its foreign outlook. Therefore, concluded The New Republic, it could be expected that the Republicans would institute a vigorous protectionist policy which would exhibit indifference at first to a league, and later, open hostility.

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"War Aims and Party Politics," The New Republic, 16:122-123, August 31, 1918.

possible political situation in the future.

could not be expected to be a permanent one.

of war and the possibility of a permanent peace.

of any kind of international organization.

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Democracy and the possibility of a permanent peace.

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CHAPTER II

CONSIDERATION OF THE LEAGUE IDEA DECEMBER, 1918, FEBRUARY, 1919

The announcement of the Armistice, the departure of President Wilson for Paris, the accounts of the peace proceedings, and the introduction of the Knox resolution to make peace with Germany immediately set in motion in the United States an intensive discussion of foreign affairs, especially the proposed league of nations. Rapidly political leaders, newspapers and periodicals, league and anti-league societies, and leaders in other walks of life were drawn into the debate. Obviously the decided lack of previous publicity and the absence of any definite document to follow as the basis for an examination of the merits of the league idea produced a literature which showed decided vagueness and almost obscurity in dealing with the subject. Nevertheless, these first few months did disclose that there would be two forces arrayed on opposing sides of the question and that the question would receive both realistic and academic treatment.

To the opponents the entry of the United States into the league was far from the original purpose of the nation in going to war. If the American soldiers had been

fighting for such an objective, they had not been told so at the outset. David Jayne Hill, former ambassador extraordinary to Germany, asserted that they only knew that, "they were fighting the Germans because the Germans were brutalizing mankind, violating international law, and destroying people's homes." The American people went to war for America, for the right of a democracy to pursue its peaceful existence, and not for an international idealistic state.¹ Colonel George Harvey, editor and publisher of The North American Review, called upon the government to collect indemnities from Germany and then withdraw, leaving the Allies to deal with her. America's part in the peace proceedings, therefore, should be confined to righting the wrongs of the war, punishing the wrongdoers, and restoring the pillars of justice, overturned by the enemy, once more to their proper places. If the European countries want a league of nations, Colonel Harvey continued, let them, before adjournment, turn it over to international commissions for investigation and report to the powers for such treaty action as they might desire.²

¹
David Jayne Hill, "The Entente of Free Nations," The North American Review, 209:20, January, 1919.

²
George Harvey, "No League of Nations to Enforce Peace," The North American Review War Weekly, December 28, 1918, No. 52, pp. 2-9, taken from Denna F. Fleming, The United States and The League of Nations, 1918-1920 (New York: G. P. Putnam's Sons, 1932), p. 80.

lighting for such an occasion, and the fact that
as the result, David James Hall, a man of
ordinary to German, a man of the
"they were lighting the lanterns in the
proceeding, waiting in the hall, and the
moving people's houses. The lanterns in the hall
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state." Colonel George H. Hall, a man of the
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words of the past, a man of the past and the future,
the light of justice, a man of the past and the future,
to their proper places, a man of the past and the future,
league of nations, a man of the past and the future,
for the enlightenment, a man of the past and the future,
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The North American Review, a man of the past and the future,
David James Hall, a man of the past and the future,
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United States and the past and the future,
for the enlightenment, a man of the past and the future,

Aside from the fact that America's participation was solely to punish a violator of international law, it was to be questioned whether it was desirable for her to enter into any league. Certainly she would jeopardize the most constructive features of a foreign policy which had taken over a century to develop. Former United States Senator from Indiana, Albert J. Beveridge contended that it would mean of necessity forfeiting the honorable work which had been done under the Monroe Doctrine in assisting neighbors in promoting their welfare and resisting predatory attacks from lawless nations. It was to be doubted if a league so far away would benefit the maintenance of order in Mexico, Cuba, and the Philippines or would ameliorate the condition of their people. It was very probable, furthermore, that our control over Panama would have to be abrogated with dire consequences for our commerce and safety, for the current agitation for international economic supervision would mean that the league would underwrite the internationaliza-
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 tion of canals.

Equally at stake would be the jurisdiction by the United States over several matters of domestic interest to her citizens, if sovereignty were yielded to the league. For an international governmental organization should of

3
 Albert J. Beveridge, "Pitfalls of a 'League of Nations'," The North American Review, 209:310-312, March, 1919.

necessity control within its spheres the destinies and conduct of all nations. If the analogy of the thirteen colonies joining the Union and giving up many of their powers was as correct as some proponents of the league said, Beveridge could scarcely see how America would retain the "right to pass tariff laws or immigration laws" and the right to declare war and control the military and naval forces.⁴ In the case of the tariff, for instance, Hill prophesied that the league might compel the United States "to open her ports on conditions imposed by a supernational control predominantly composed of foreign representatives." That the people of the United States with their high standard of living would suffer by open and unhampered trade went without saying. Thus the league would be one of bondage, an overlord of the world, which would compel service, sacrifices and dispensation of benefits, no matter how much the weaker nations contributed to the benefits.⁵ Indeed, Colonel Harvey saw hidden within Wilson's Society of Nations the "standard of socialistic government." The American people should not submit to the denationalization of their "great" Republic, and should not "yield one jot of their independence or of their sovereignty to Bolshevism."⁶

⁴

Ibid., pp. 305-306.

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D. J. Hill, op. cit., p. 26.

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George Harvey, editor, "The Issue, Socialism Vs. Americanism," The North American Review, 209:295-296, March, 1919.

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Worse yet in the eyes of league opponents was the fact that the United States would become involved in the ugly quarrels of a Europe whose sincerity in obtaining a righteous world was to be questioned. America would necessarily take upon herself the race question, the political jealousies of tortured Europe and the problem of involvement in entangling alliances. The very character of the Versailles proceedings indicated that the United States would be bound in the dark by obligations of an abstract nature. Thus Beveridge prophesied that the projected plan to control the former German colonies as mandates would involve the country in imperial disputes. America would be committed to a "gentlemen's agreement" to see that the division of territorial and governmental changes in Europe, Asia, and Africa was maintained.⁷ That a league, furthermore, might place the United States in the unenviable position of assisting in denying repressed peoples the privilege of revolt against tyranny was foreseen by Borah.⁸ Moreover, in the case of the Russian revolution, Beveridge was of the opinion that if the league had been in existence the United States

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A. J. Beveridge, "Pitfalls of a 'League of Nations'," The North American Review, 209:307, March, 1919.

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William E. Borah, " Militarism in a League of Nations," The Forum, 61:301, March, 1919.

might have been forced to aid the Tsar. To Borah the fruits of such a foreign policy would be to turn the Republic into an armed camp, since the league would have to rest on force, the United States would certainly be expected to raise and to maintain a substantial army and navy, thus grafting upon her military conscription and heavy burdens of taxation in peacetime and the constant threat of war.¹⁰

Even if the league idea were based upon the most altruistic motives, however, its successful operation would still be difficult because of very complicated technical problems. To fix upon an equitable system of membership interposed questions. That the league would have to acknowledge that all states, weak or strong, juristically have rights to existence, defense, and self-determination was the belief of Hill. But, he asserted further, that potentially, culturally, and economically all states were not equal was a truth that could not be denied. Certainly the strong states who would be expected to provide the chief military assistance in the event of aggressive action would try to dominate the weaker and to impose restrictions upon their freedom of conduct.¹¹ Conversely, Beveridge declared that

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A. J. Beveridge, "Pitfalls of a 'League of Nations'," The North American Review, 209:308-309, March, 1919.

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W. E. Borah, "Militarism in a League of Nations," The Forum, 61:297, March, 1919.

11

Hill, "The Entente of Free Nations," The North American Review, 209:24-25, January, 1919.

the smaller nations would not submit pleasantly to any league which tapered down to an alliance of the "big Four." Among the larger nations themselves, moreover, there would be the troublesome problem as to whether their representation should be uniform or arranged upon comparative wealth,¹² population, or cultural advances. The American Review of Reviews cited Senator Lodge's suggestion that, if population were made the basis of representation, then the East, or England with India, could control the league, as evidence¹³ of the difficulty of this problem. Again, another technical barrier would be the determination of who the aggressor would be in the event of a dispute. Beveridge described the Mexican, Spanish-American, Boer, and Russo-Japanese wars as indications of the thorny character of this question, for¹⁴ every participant had potent justifying claims.

While the opponents of a league, therefore, regarded a continuation of America's traditional policy of isolation as the best international course to pursue, they were at the same time willing to concede that America had an obligation to the world to promote peace. But that could be done with-

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A. J. Beveridge, "Pitfalls of a 'League of Nations'," The North American Review, 209:308, March, 1919.

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"The League of Nations," The American Review of Reviews, 59:193-194, February, 1919.

¹⁴

A. J. Beveridge, "Pitfalls of a 'League of Nations'," The North American Review, 309:309-310, March, 1919.

out joining a league, as a moral force for a moral union rather than a legal one. An editorial in The North American Review pointed out that all the leagues in the world would not insure order if the component nations were disorderly. The hope of the world lay more in "the raising and humanizing and ennobling of the standard of individual nations." If nations would strive for ideals of humanity and justice, they would need no league. Let them have brutal and savage propensities and the world would have war, league or no. What was needed was a cooperative popular conscience.¹⁵ In this work Beveridge believed America had a duty. "Her mission was no less than to create a new race on the earth and to present to mankind the example of that happiness and well-being which comes from progressive self-disciplined liberty." An invaluable aid in accomplishing this was the favorable geographical situation of the United States, that of "sitting on the throne of the world" as a distinct, separate, and independent people.¹⁶

Proponents of the league, meanwhile, were none the less articulate. They were very insistent that the United States had entered the war for the primary purpose of making future large scale wars impossible. A Washington Post

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"A League Condemned by Advocacy," The North American Review, 209:158-159, February, 1919.

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A. J. Beveridge, "Pitfalls of a 'League of Nations'," The North American Review, 209:314, March, 1919.

out joining a league, as a moral force for a world union rather than a legal one. An editorial in the New York Times advised against this, but the League of Nations would not have been the same without the moral force of the League. The hope of the world lay now in the rising and humane and spreading of the standard of individual rights. If nations would strive for peace and justice, they would need no League. But then have peace and justice come? The world would have had peace and justice if it had been a cooperative commonwealth. In this world, however, there is a lack of peace and justice. It is not that there is no peace and justice, but that there is no peace and justice for all. The world is not a commonwealth, but a collection of separate, uncoordinated, and uncoordinated people.

The prospect of the future, however, was not the same. They were very anxious that the United States should enter the war for the future of the world. The League of Nations was a failure, and the world was in a state of chaos. The League of Nations was a failure, and the world was in a state of chaos. The League of Nations was a failure, and the world was in a state of chaos.

The League of Nations was a failure, and the world was in a state of chaos. The League of Nations was a failure, and the world was in a state of chaos. The League of Nations was a failure, and the world was in a state of chaos. The League of Nations was a failure, and the world was in a state of chaos. The League of Nations was a failure, and the world was in a state of chaos.

editorial declared that, "from the beginning of America's participation in the conflict by common consent it was understood that once the issues of the war were decided steps would be taken jointly by the Powers to protect against a possible repetition . . ."¹⁷ Latane', noted Latin-American historian, asserted more specifically that the United States had entered the war for the right of independent states to pursue their own careers without fear of intervention, domination, or subjection. If the principle of the Monroe Doctrine was sound, that weaker states should be assisted in obtaining security, the right of self-determination, and self-development, then, furthermore, the League of Nations was equally sound for it was but an extension of the Monroe Doctrine to include small nations throughout the world. The international state had been a lawless one, knowing no controls, and a league was necessary to make it orderly and secure.¹⁸ While it might be humanly impossible to devise a plan which would prevent war under all circumstances, Oscar Straus, former Ambassador to Turkey, felt that the opportunity and occasions for war could be greatly diminished until¹⁹ war was looked upon as something despicable.

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Editorial in the Washington Post, November 15, 1918, taken from Fleming, The United States and the League of Nations, 1918-1920, p. 55.

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John H. Latane', "The League of Nations and the Monroe Doctrine," The World's Work, 37:441, February, 1919.

¹⁹

News item in the New York Times, January 11, 1919, p. 2.

Especially desirable to proponents was a league in the face of the many problems which the peace treaties would leave. William H. Taft, leading figure in the League to Enforce Peace and former President of the United States, warned that it would be necessary to administer and to adjudicate the treaty's detailed provisions so that justice and equity would prevail.²⁰ He reaffirmed this in a Forum article and added that the Allies had created the new nations and were responsible for their success. They should see that the government of these states derived sufficient strength to retain their independence.²¹ The League of Free Nations Association, formed in 1918 to promote public support for the aims of peace enunciated by President Wilson, enumerated such things as the liberation of Belgium, Serbia, and Poland, and even America's own security on land and sea as being dependent on the realization of the general moral aim of a league.²² Only with such a league would it ever be possible, Taft believed, to achieve the security necessary to diminish wars and thereby to encompass disarmament, and in that way provide a boon to emancipation from compulsory military con-

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William Howard Taft, "Framing the League of Nations," Los Angeles Times, January 2, 1919, pt. 2, p. 4.

21

W. H. Taft, "Problems for World Peace," The Forum, 61:54-5, January, 1919.

22

League of Free Nations Association, "Statement of Principles," The Dial, 65:493, November 30, 1918.

Essentially desirable for purposes which are in

the face of the many problems which the nation is facing

would leave William B. Eerly, President of the National

to Eerly's house and former President of the United States

warned that it would be necessary to maintain a

adjustment to the treaty's stipulated provisions so that justice

and equity would prevail. The settlement was in a

article and added that the allies had accepted the new position

and were responsible for their actions. They should see that

the government of these states should not be

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such things as the liberation of peoples, justice, and

and even America's own security on land and sea being

dependent on the realization of the general peace and of

justice. Only with such a peace would it ever be possible

Tell believed, to achieve the necessary progress to

were and thereby to oppose the movement, and in that way

provide a basis for association from which to

William Howard Taft, President of the United States

Los Angeles Times, January 1, 1919

W. B. Eerly, President of the National

January 1, 1919

Principles, The First, Second, and Third

scription and burdensome taxes. To the Philadelphia Inquirer, "to reject the League of Nations idea is to uphold militarism--the continuance of secret alliances; the main-²⁴tenance of vast standing armies."

The argument that all these advantages could better accrue to the United States (as they had in the past) by isolation was not suffered to pass unnoticed. Steam and electricity had erased ocean barriers, industrial life had become closely-knit, and the interdependence of peoples as a consequence thereof, precluded isolation. Newton D. Baker, Secretary of War, in a speech before the New York Chamber of Commerce, declared that while America in 1800 was far dis-²⁵tant from Europe, American in 1914 was not. Latané reminded the public that isolation arose as a policy when Europe was ruled by dynastic or monarchical houses which were so woven with intrigue and obligations that extrication was impossible. In his view, while league participation was a departure from isolation, it was a step in the direction of the fulfillment of the reason for America's previous isolation,²⁶ to stamp out alliances and intrigues. Answering those who per-

23

W. H. Taft, op. cit., 61:58-59.

24

Editorial in the Philadelphia Inquirer, December 18, 1918, taken from Fleming, The United States and the League of Nations, 1918-1920, p. 69.

25

News item in The New York Times, January 5, 1919, p. 12.

26

J. H. Latané, "The League of Nations and the Monroe Doctrine," The World's Work, 37:442, February, 1919.

...and burdensome taxes. ...to reject the League of Nations ...the continuance of ...of vast standing armies. ...The argument that all ...to the United States ...isolation was not ...effectively had ...become closely-knit, and the ...a consequence thereof, ...of war, in a speech before the ...Commerce, declared that while ...East from Europe, American ...and the public that isolation ...was ruled by dynastic or monarchial ...woven with intrigues and ...in his view, while ...separates from isolation, it ...the fulfillment of the ...to stamp out alliances and intrigues.

...J. H. Tate, ...Editorial in the Philadelphia Inquirer, ...1918, taken from ...of Nations, 1918-1920, p. 83.
...News item in The New York Times, January 5, 1918.
...J. H. Tate, "The League of Nations and the ...Doctrine," The World's Work, 25:42, February, 1918.

sisted in identifying the league with that of the Holy Alliance of 1815, Taft pointed out that both in purpose and principle of formation they differed radically. That of today was a democratic union, whereas the Holy Alliance had high sounding declarations but with hidden motives which were very weak. The ashes of the latter, therefore, should²⁷ not be dug up as evidence of the uselessness of a league. As for the imputation that the United States would not secure justice in such a league, Abbot Lawrence Lowell, President of Harvard University, was of the opinion that, even granting the enmity of nations to the United States, the league would think twice before passing a wrong judgment under the glare of full publicity. The other nations themselves might sometime present a case and ask for fair²⁸ and just adjudication.

Neither were the objections to possible losses in sovereignty allowed to escape refutation. Proponents of the league were certain that there would be no interference with internal policies. Where clashes between nations occurred, moreover, to submit to a tribunal no more infringed upon sovereignty than did a court hearing with the liberty of an individual. To Taft the question was purely an academic one,

²⁷

W. H. Taft, "Problems for World Peace," The Forum, 61:53, January, 1919.

²⁸

News item in the New York Times, January 11, 1919, p. 2.

for he believed that the United States had already compromised her war-making powers by entering into foreign treaties²⁹ and so the league could compromise them no further. For instance, the integrity of Cuba and Panama had been guaranteed, thus committing the United States to possible war developments, without violating the constitutional prerogative of Congress to declare war.³⁰ Even more realistic was Latane' who searched the annals of American history to evaluate the right of Congress to declare war. He claimed that the Senate only advises and consents to policies after they have been formulated and that our system of government (fortunately) gave to the President the initiative in all matters of foreign policy. Thus the Senate had no voice in nor was it even consulted [sic] in Washington's or Jefferson's policy of isolation, in the Monroe Doctrine enunciation, and in Hay's open-door declaration. In the case of the Monroe Doctrine, it was not even officially or legislatively considered until Congress had to appropriate a sum for the establishment of a boundary commission.³¹ A Washington Post editorial went further and suggested that even if there was

29

"What the League to Enforce Peace is Doing," The Outlook, 121:299, February 19, 1919.

30

W. H. Taft, "Problems for World Peace," The Forum, 61:58-59, January, 1919.

31

J. H. Latane', "The League of Nations and the Monroe Doctrine," The World's Work, 37:441, February, 1919.

for his belief that the United States and Mexico
need not say anything more by entering into a treaty
and as the issue could compromise American
interests, the integrity of the United States
must, thus constituting the United States
development, without violating the constitutional
rights of Congress to decide and
Latham who asserted the right of Congress to decide
the right of Congress to decide and
the Senate only advised and consented to
have been furnished and that our
(formerly) gave to the President the
matters of foreign policy. The Senate
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aided until Congress had in 1902
establishment of a permanent
editorial went further and suggested that even if

When the United States entered Mexico in 1910.
October, 1910; February 19, 1910.
W. E. Latham, "The Monroe Doctrine for Latin America," The Atlantic
61:52-53, January, 1910.
L. E. Latham, "The Monroe Doctrine for Latin America and the United States," The Atlantic
61:52-53, January, 1910.

any truth in the matter of loss of sovereignty, surely the horrors of the last war should be sufficient to call for a sacrifice of some of it in order to abolish war.³²

Little difficulty was anticipated over the question of membership. The general viewpoint of league advocates was that the defeated nations should not be admitted until they had erased autocracy, imperialism, and might and had introduced democratic and popular government. Thus The Outlook urged that Germany should have no place in the league until she had justified the belief that she was no longer Hun, until she had regained the confidence of other nations.³³ An editorial in The World's Work remarked that it took forty years for Germany to prepare for this assault on humanity and if it took forty years to pay for it, justice would still be in the saddle.³⁴ In more positive fashion Colonel Roosevelt, former President and participant in the Algeciras Conference of 1908, suggested, "that it is well to begin with the League already in existence, the Allies, and then extend it gradually as evidence warrants it."³⁵

32

"The Peace League Launched," The Literary Digest, 60:15, February 8, 1919.

33

"Shall we Punish Germany," The Outlook, 120:420-3, November 13, 1918.

34

"President Wilson's Accomplishments in Europe", The World's Work, 37:367, February, 1919.

35

"The League of Nations," The American Review of Reviews, 59:192, February, 1919.

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33
"The Peace League launched," The Literary Digest,
60:12, February 2, 1913.
34
"Small we English Germany," The Outlook, 1904:33-4,
November 12, 1913.
35
"President Wilson's Insults in Europe,"
The World's Work, 57:1237, February, 1913.
36
"The League of Nations," The National Review of
Reviews, 50:192, February, 1913.

Equally positive was Nicholas Murray Butler, President of Columbia University and trustee for the Carnegie Endowment for International Peace, who advised that the nucleus should be a union of the strong and self-respecting nations. The Allies and Associates should first band together, then invite neutral nations to cooperate, and finally admit recently oppressed peoples when they had satisfactory self-government.³⁶ A few, however, such as ex-Governor Baldwin of Connecticut, could see little hope in the endurance of a league which deliberately excluded any of the great Powers.³⁷

What the machinery of the League should include obviously depended upon the duties which it was given. Because imperialism was regarded as a root cause of the World War, most of the literature espoused international supervision of commerce. Norman Hapgood, President of the League of Free Nations Association, defined the objective as a guarantee of economic equality to the extent of equality of trade conditions,³⁸ and John Dewey, Professor of Philosophy at Chicago, included in his analysis the point that all nations should be given access to raw materials, food, free-

³⁶
 "The League of Nations," The American Review of Reviews, 59:191, February, 1919.

³⁷
 "Support for a League of Nations," The Survey, 41:408, December 28, 1918.

³⁸
 Norman Hapgood, "Reasons for Having a League of Nations," New York Times, January 12, 1919, Sec. 3, p. 3.

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36
"The League of Nations," The American Review of
Reviews, 25:191, February, 1913.
37
"Support for a League of Nations," The Survey,
41:408, December 28, 1913.
38
Norman Hapgood, "Reasons for Having a League of
Nations," New York Times, January 12, 1913, Sec. 2, p. 1.

dom of the seas, and international railways. The League of Free Nations Association emphasized the need to guarantee to landlocked nations access to the sea on equal terms with other nations. Unfair trade practices, too, should be eliminated. No nation should accord a neighbor privileges not accorded to others. Dumping, exploiting, concessions, and preferences should be abolished. Especially to be guarded against was the predatory control by nations of independent peoples. In the case of the new self-governing countries, great care would be needed to prevent the foreign exploitation of their natural resources. Regarded as an excellent step towards the "open door" was the mandate system. By a careful supervision of these colonies, the league could go a long way towards destroying the mad rush for territory. The American Labor Party of New York qualified its approval of these measures upon the adoption of an international labor standard, otherwise the most advanced countries would find themselves at a disadvantage.

Both nationalism and militarism as root causes of the World War also received cognizance in the outline of func-

39

John Dewey, "A League of Nations and Economic Freedom," The Dial, 65:537, December 14, 1918.

40

League of Free Nations Association, "Statement of Principles," The Nation, 107:650-651, November 30, 1918.

41

News item in New York Times, January 13, 1919, p. 6.

etions favored for the league. Most of the disputes over continental territories were nationalistic and should be placed in the league's hands. The New Republic was sure that Alsace, the Rhine, and the Adriatic would disturb France and Italy if these areas were eyed covetously by the world.⁴² To these Dewey added, as necessitating international covenants, the Balkans, Dardanelles, and Poland, favoring specifically for the diverse nationalities of Eastern Europe some form of league government to help minorities.⁴³ In the case of the abolition of the threat of militarism in the settlement of disputes, league proponents felt that the league could assist materially. By promoting among its members the withdrawal of the manufacture of munitions from private hands and by securing an agreement among its members to reduce armaments, the league could diminish both the presence and influence of militarism. The League to Enforce Peace, formed in 1915 to promote arbitration and conciliation in the interests of peace, included in its platform, as another step in the right direction, the prohibition of defensive or offensive alliances by insisting that all treaties be made public.⁴⁴

⁴² "The War Against Peace," The New Republic, 17:241, December 28, 1918.

⁴³ John Dewey, "The Fourteen Points and the League of Nations," The Dial, 65:463-464, November 30, 1918.

⁴⁴ "What the League to Enforce Peace is Doing," The Outlook, 121:298, February 19, 1919.

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The War Against Peace, The New Republic, 19:243,
December 24, 1918.
John Dewey, "The Fourteen Points and the League of
Nations," The Dial, 68:453-454, November 30, 1918.
"That the League to Enforce Peace is Doing," The
Outlook, 121:288, February 18, 1919.

Most of the literature on the topic of the machinery necessary to carry out these duties included, to begin with, some sort of a legislature or representative congress. Its field would comprise the formulation and codification of the rules of international law, the inspection of administrative work, and the consideration of any matter affecting world tranquility. Only in this way could the league serve as the agency whereby amendments and changes could come peacefully. As for the basis of representation of those nations to be admitted, Taft minimized the problem, citing population, power, and responsible character as reasonable approaches.⁴⁵ Hamilton Holt, Vice-Chairman of the League to Enforce Peace, and editor of The Independent, evinced concern, however, over the possibility that the men in the legislature would be responsible only to presidents and premiers, for this would make of the "League of Nations a league of governments rather than a league of peoples." He also urged that precaution be taken to insure the participation and representation of minority groups within the various national boundaries.⁴⁶

45

W. H. Taft, "League of Nations: Functional Divisions Stated," Los Angeles Times, January 5, 1919, pt. 1, p. 2.

46

Hamilton Holt, "The Birth of the League of Nations," The Independent, 97:217, February 15, 1919.

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43
E. H. Carr, "League of Nations: International...
League States," Los Angeles Times, January 2, 1919, p. 1.
44
Hamilton Holt, "The Birth of the League of Nations,"
The Independent, 17:217, February 15, 1919.

Endless in number were the administrative agencies listed to provide the executive work, especially in the field of international commerce. International administrative commissions equipped with adequate power were favored for dealing with such matters as equality of labor standards, regulation of shipping, food, and raw materials, and the distribution of the available credit of the world. Perhaps as representative a list as can be found is that in The World's Work compiled by Houston, member of the Committee on Economic Results of the War, set up under the United States Chamber of Commerce.⁴⁷ Thus an International Shipping Board, such as that used in the war for finding convoys for men and materials could be set up to distribute speedily and effectively the basic raw materials, while an International Raw Materials Board could allocate among nations the resources available. An International Food Board could be created to attend to distress anywhere, for a satisfied people were an aid in preserving peace. To mobilize good will and the principles of brotherhood and fair play, an International Chamber of Commerce could be evolved. Finally, to serve commerce by equalizing credit and money differences, there should be an International Clearing House. In this case, each nation, according to the value and extent of its commerce, would

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Herbert S. Houston, "Doing the World's International Work," The World's Work, 37:438-440, February, 1919.

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Harbison, E. Harbison, "Doing the World's Business",
National Work, The World's Work, 1918.

deposit a proportionate gold supply. Such a board would thus relieve the necessity of transporting gold to pay for purchases. An even better result to flow from such an economic tie-up would be the strong incentive to obey the law and preserve peace, since a nation's deposit would be lost upon international law violation. What agencies there would be for the execution of the other functions of the league was not apparent in the literature at this time.

That a judicial court would be an integral part of the machinery was taken for granted by most writers on the subject. Whether it should be divided for the different handling of justiciable and non-justiciable cases such as those involving the Monroe Doctrine was a question. Franklin Lane, Secretary of the Interior, wanted an International Court of Justice for the former and a commission of Concilia-⁴⁸ tion for the latter. Van Hise, President of the University of Wisconsin, also favored an express stipulation that vot-⁴⁹ ing be by majority decisions, for unanimity would make the achievement of a decision impossible. In discussing the composition of the court, Taft was against making it a representative body. International jurists should compose it, and law and fact should be their sole consideration. To

⁴⁸

News item in New York Times, January 17, 1919, p. 2.

⁴⁹

Dr. Charles R. Van Hise, "Preventing Future Wars," The Forum, 61:82, January, 1919.

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48
News item in New York Times, January 17, 1913.
49
Dr. Charles R. Van Hise, "Preventing Future Wars,"
The Forum, 51:82, January, 1913.

Taft, furthermore, there should be embodied some method to make binding the court's decision, and some sort of force could not be avoided.⁵⁰ Advocated in most the accounts was the use of an economic boycott. An article in The Forum declared that in these days a universal boycott would be tantamount to starvation and all countries would watch their actions carefully to avoid being the offender.⁵¹ Houston said "that isolation in communication, in access to the sea, and from raw material distribution would soon bring a nation to its knees."⁵² Still another favorite weapon proposed by many was the creation of an international force under the control of the league.

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News item in New York Times, February 6, 1919, p.4.

⁵¹

Dr. Charles R. Van Hise, "Preventing Future Wars," The Forum, 61:83, January, 1919.

⁵²

Herbert S. Houston, "Doing the World's International Work," The World's Work, 37:440, February, 1919.

CHAPTER III

THE PRELIMINARY COVENANT MARCH - APRIL, 1919

In February, 1919, the discussion over the advisability of entrance of the United States into a league of nations quite naturally centered about the preliminary draft¹ drawn up at Paris. Attention was focussed upon the covenant and battle lines were drawn during the senatorial debates, the return of Wilson in the interim to the United States with subsequent White House conferences, and the innumerable public debates between leading opponents and proponents such as the famous Lowell-Lodge encounter in Boston. Meanwhile, from the ranks of the press and periodicals there emerged similar debates as certain publications carried pro and con arguments to their readers. George Harvey continued strongly opposed. David Jayne Hill contributed regularly his opposition articles to The North American Review. The Nation's editorials seemed to indicate a growing hostility. Newspaper criticism was not lacking as evidenced from excerpts contained in The Literary Digest, Current Opinion and The Outlook. Less hostile, but perceiving defects in the proposed Covenant, were editorials in The New Republic and The World's Work. The Outlook too was not oblivious to the possible weaknesses. However these journals leaned towards

CHAPTER III

THE PRELIMINARY CONVENTION - 1845

In February, 1845, the Association was first organized.

At the entrance of the United States into a league of nations quite naturally concerned about the preliminary treaty drawn up at Paris. Attention was focused upon the Convention

and battle lines were drawn during the preliminary sessions.

The return of Wilson in the interim to the United States with

subsequent White House conferences, and the subsequent

public debate between leading opponents and supporters

as the famous Lowell-Lodge encounter in Boston. The result

from the ranks of the press and publicists that a certain

stalemate debate as certain publications carried out the

arguments to their readers. George Murray continued to

opposed. David Jayne Hill contributed to the controversy

attention articles to The North American Review. The articles

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paper criticism was not lacking and evidenced from

contained in The Literary Digest, Independent, Union and the

Outlook. Less hostile, but nevertheless critical in the

posed Government, were editorials in The New Republic and

The Fort's Review. The Outlook was not critical to the

possible weakness. However these journals seemed to

acceptance while The New York Times, Los Angeles Times and religious papers apparently also approved. Hamilton Holt carried his pro fight to his readers through the pages of The Independent. Battle lines were indeed being drawn over the league issue.

That the anti-league elements found little in the draft to dispel their original fears and premonitions was soon evident. By entering the league, all the fruits of an independent foreign policy would be lost. Especially was this the case with the maintenance of peace in the Americas under the Monroe Doctrine. For the general intent of Articles X and XV to make any dispute a matter of league concern meant that the United States was accepting world guarantees and we would have to permit intervention in the supervision of the Western Hemisphere. A Los Angeles Times statement expressed the fear that this would actually "jeopardize the security of the United States, if some Japanese should purchase a huge ranch in Mexico and the league refused to re-²view it as involving international matters."

Equally as menacing in the minds of opponents was the probability that America would be embroiled in the selfish motives of the diverse European states. Hill, writing in The North American Review, predicted that Article X would bring a reversion to absolutism and unchangeableness in view

²
News item in Los Angeles Times, April 1, 1919, pt. 1, p. 5.

recognition while the New York Times, Los Angeles Times and
religious papers apparently also approved. Hamilton
carried his own fight for the measure through the House of
Representatives. Hamilton's aims were indeed being carried out
the House of Representatives.

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draft to object to its original purpose and intention was
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meant that the United States was supporting a foreign
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expressed the fear that this would result in a loss of the
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view it as involving international matters.

Finally as recorded in the kind of newspaper the
probability that America would be drawn into the war
motives of the House were far from clear. While waiting in
The North American Review, Hamilton's aim was to
bring a resolution to consider and amend the Monroe Doctrine in view

of its guarantee of the territorial integrity of league members. Certainly there was no machinery provided which would apply the principle of self-determination in the event that internal changes from tyranny were demanded.³ The Literary Digest reported that friends of Ireland saw in the same article more specifically the obligation of the United States to aid England in "holding Ireland in subjugation."⁴ The New York Times in its news items carried the reflection that many regarded Article XXI as allowing England, the "ruler of the waves," to dominate the sea more ruthlessly⁵ than ever in accordance with the right of search. The New York Tribune pointed to the rumors that America was to be given Armenia as a mandate as an indication of the depths to which the nation would become involved. Certainly the idea of being "salaamed to" or considered as an oriental ruler⁶ was distasteful. In general, commentators of this school believed that the Allies wanted a league, if the United States would guarantee to aid them anywhere and everywhere. The covenant was a plan for a league of power and domination

³ David Jayne Hill, "The Debacle of Dogmatism," The North American Review, 209:591-592, May, 1919.

⁴ "The Fear of Article X," The Literary Digest, 61:15, April 12.

⁵ News item in The New York Times, March 4, 1919, p. 9.

⁶ "Uncle Sam as a 'Mandatory' Ruler," The Literary Digest, 61:21, May 3, 1919.

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David Jayne Hill, "The Debate on Dogmatism," The
North American Review, 208:561-562, May, 1919.
 "The Fear of Article X," The Literary Digest, 31:15,
 April 19.
 News item in The New York Times, March 4, 1919, p. 9.
 "Uncle Sam as a 'Mandatory' Ruler," The Literary
Digest, 31:51, May 2, 1919.

with special interests and economic concessions being passed around. With this in mind, the Portland (Maine) Press queried: " . . . it is said to point the way to eternal peace.⁷ Who knows that it does not point the way to perpetual war?" Harvey, in The North American Review, summed up the situation by declaring that we should get nothing but a large share of responsibility in world affairs assisting Great Britain in financing and policing her outlying provinces and in promising security to France.⁸

The Versailles proceedings were pointed to as proof of the fact that the league was interested only to protect special interests. The fact that small nations and minorities were excluded from the deliberations and that secrecy was the order of the day made Hill remark that it may have noble intentions but "the Holy Alliance a hundred years ago⁹ also claimed the noblest intentions." Then there was the strong possibility gleaned by The New Republic from Associated Press accounts that the bitter fight between Italy and Jugo-Slavia over Fiume might obligate the United States to¹⁰ guarantee that boundary line unjustly for Italy. Borah

⁷
"Popular Discussion of the League of Nations," The Outlook, 121:471, March 19, 1919.

⁸
George Harvey, "The Independence of America; Must It be sacrificed to Humanity?" The North American Review, 209: 439, April, 1919.

⁹
D. J. Hill, "The Debacle of Dogmatism," The North American Review, 209:595, May, 1919.

¹⁰
"Defeat Article Ten," The New Republic, 18:263, March 29, 1919.

utilized Paris dispatches about the Franco-English agreement, in which England bound herself, apart from the league, to go to the aid of France in the event of German aggression, as indicating that France was dubious of the league's strength¹¹ to preserve peace.

Even greater emphasis was placed upon the encroachments the league would make upon the sovereign life of the American people. Hill noted that the league lacked a "Bill of Rights, defining the essential and immutable prerogatives of sovereign states, and of any rights as belonging to the people anywhere."¹² Armstrong, a Los Angeles Times correspondent, reported that most of the critics charged that the league assumed such powers as the right to declare war, to raise and support armies and navies, to control foreign¹³ relations and to regulate commerce between the states. The New York Times news agreed that it required no great degree of foresight to see the other signatory powers controlling our army and navy and so weakening it as to make the United States powerless, for instance, in the event of an attack by¹⁴ Mexico. A dispatch to the Los Angeles Times argued that

¹¹

News item in The New York Times, April 21, 1919, p.2.

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D. J. Hill, "The Debacle of Dogmatism," The North American Review, 209:596, May, 1919.

¹³

Robert B. Armstrong, "League Critics Give Views," Los Angeles Times, February 18, 1919, pt. 1, p. 1.

¹⁴

News item in The New York Times, February 16, 1919, p. 1.

the right of the league to consider any dispute meant compulsory arbitration even of questions of a non-justiciable character, such as the exclusion of the Japanese from our high schools and the legality of our immigration laws.¹⁵ The New York Sun questioned whether Article VIII, which urged disarmament within the limits of "national safety," might be construed as limiting the power of Congress to regulate armaments.¹⁶ Using Senator Poindexter's statements as indicative of opposition thought, The Literary Digest referred to his fear that the duty of league members to assist in subduing a recalcitrant aggressor would send American troops everywhere without consulting the nation's wishes. Further, the proposal to set up a permanent Bureau of Labor might mean the right of the league to interject itself in labor problems in the United States.¹⁷ Current Opinion summed up the prophesied consequences in the words of Senator Knox as "seeing everything stripped from our country, making it helpless."¹⁸

In the proposed structure there were likewise the

¹⁵
News item in Los Angeles Times, April 1, 1919, pt. 1, p. 5.

¹⁶
New York Sun, February 15, 1919, taken from Fleming, The United States and the League of Nations, 1918-1920, pp. 119-120.

¹⁷
"Will the Peace League Prevent War," The Literary Digest, 60:11, March 1, 1919.

¹⁸
"Making the League of Nations Into a Political Party Issue," Current Opinion, 66:508, April, 1919.

presaged shortcomings in membership and enforcement power. The membership qualifications were held to involve a decided inequality and European domination of the world. Fourteen nations were to be invited to participate in its formation, chiefly European, and others were to be invited in as signatories, and provision was made for future membership of the defeated states. The Los Angeles Times presented as support of the membership difficulty Senator McCormick's complaint that the United States with ninety-five million people should have only the same vote as Honduras.¹⁹ The fact that dominions and colonies were included in the category of self-governing colonies to be admitted to membership was foreseen by opponents, according to The World's Work, as giving Great Britain five votes in the league and therefore an undue influence.²⁰ The New York Times commended Knox's argument that the exclusion of the defeated powers meant the certain creation of a rival league by them in self-defense.²¹ In the case of the powers given the league to enforce its decisions, much ado was made over their indefiniteness. Since both Articles X and XI said that the executive council of the league was to "recommend" to members their proportionate

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News item in Los Angeles Times, April 1, 1919, pt. 1, p. 5.

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"The Constitution of the League--What it is and What it is Not," The World's Work, 37:605, April, 1919.

²¹

Editorial in The New York Times, March 3, 1919, p. 12.

contribution to armed forces to be used to fulfill the covenants, a Harvey's Weekly editorial declared that "if the recommendation is not favorably received and acted upon,
22
there will be no force at all . . ."

In contrasting fashion, the proponents of the league idea believed that the proposed covenant was an important instrument for the promotion of peace and material welfare. It provided that the nations banded together agree to settle disputes amicably by arbitration, either in courts of arbitration or in councils of mediation and conciliation, with the executive council as a last resort. Nicholas Murray Butler claimed this provision of real bodies for international consultation, findings, and recommendations would
23
make war difficult indeed. Even if the dispute was not settled in the council, The World's Work added, it was required that the council's majority and minority groups publish their findings to the world, thus airing the problem in the light of day. This wait of several months would be valuable, for people's emotions and lust could be calmed during this period. While the league did not make war impossible, therefore, all this discussion would certainly arouse the opinion of mankind against any aggressor and so make the

22

Harvey's Weekly, March 1, 1919, Vol. II, No. 9, p.10, taken from Fleming, The United States and the League of Nations, p. 119.

23

News item in The New York Times, March 3, 1919, p.2.

the latter less willful. To The New Republic additional hope that the covenant would prevent war was found in the pledge of members to institute an economic blockade and non-intercourse.²⁵

An end to war over future disputes, however, was not the only benefit to flow from the adoption of the proposed covenant. It would aid materially in the drafting of the peace treaties, with the incorporation of provisions eradicating current causes of war, by assuring to members that in the future there would be an arbiter to adjust differences impartially. To The New Republic the league was the only means of preventing the settlement from being an "imperialistic peace." For without it nations would insist on economic and frontier guarantees of security. France would want the Rhine, for instance, and in general Europe would revert to her old methods of alliances, secrecy, and hateful suspicion.²⁶ Worse yet, others predicted, if the league were left out, peace would take on a different aspect, as land-grabbing diplomats and imperialists tossed dice for German colonies which, under a league, would become mandatories.²⁷

24

"The Constitution of the League--What it is and What it is not," The World's Work, 37:608-609, April, 1919.

25

"The Constitution of 1919," The New Republic, 18:101, February 22, 1919.

26

"Internationalism: White or Red," The New Republic, 18:266, March 29, 1919.

27

Hamilton Holt, "Peace, Prompt or Permanent," The Independent, 98:84, April 19, 1919.

Judson, of Chicago University, writing in The American Review of Reviews, asserted that "one fruitful source of international difficulties in the past has been the existence of considerable areas and populations which have not shared the progressive forces of western civilization. In the past it has been up to individual nations to enter and develop these areas, which brought with it exploitation, rivalry, and ill-feeling. To bring these nations or areas up to a standard comparable to ours, the League of Nations as a trustee would be very effective working through mandates." ²⁸

Regarded as very fundamental was the benefit suggested by Holt that the league was the one big obstacle in the way of Bolshevism and therefore was waited for eagerly ²⁹ by democratic countries. He added, writing in The Independent, that the Bolshevik cloud was rising blacker and heavier. Bolshevism was the price to be paid for repudiation of the covenant. ³⁰ As for the accusation that the draft would be an instrument to perpetuate internal tyranny, The Literary Digest presented the views of the proponents, such as The Boston News Bureau, that Article X should dissipate the fear of the subjugation of Ireland, for it said

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Harry P. Judson, "The League of Nations and Underdeveloped States," The American Review of Reviews, 59:383, April, 1919.

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News item in The New York Times, March 24, 1919, p.4.

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H. Holt, "The League or Bolshevism?" The Independent, 98:3, April 5, 1919.

London, of Chicago University, writing in the American
Review of Reviews, asserted that the historical nature of
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of considerable areas and political considerations not
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develop these areas, which brought with it rivalry,
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as a function would be very effective working through man-
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Regarded as very fundamental was the principle sug-
gested by Holt that the future was the one in which
the way of Bolshevism and therefore was called for a new
by democratic countries. He added, writing in the Inter-
nationalist, that the Bolshevists should be treated as a
heavier. Bolshevism was the right to be treated for revolu-
tion of the movement. As for the movement and the
draft would be an instrument for progressive international harmony.
The Literary Digest presented the views of the movement
such as The Boston News Bureau, that Article X should be
state the fear of the subjugation of Ireland, for it said

Henry F. Johnson, "The League of Nations and the
developed states," The American Review of Reviews, April, 1919.
Have item in The New York Times, March 24, 1919, p. 2.
H. Holt, "The League of Nations," The Literary
Digest, April 5, 1919.

"external aggression" which removed the Irish from its
³¹force. Perhaps no better summary of the situation is to
 be found than that of Holt in The Independent when he said
 that secret treaties and diplomacy, huge armies and navies,
 exploitation, colonial aggression, no freedom of the seas,
 no international waterways, and no equality in obtaining
³²raw materials would raise their ugly heads again.

Apart from the spiritual satisfaction which America
 would obtain in promoting world peace and material well-
 being, there were material benefits which she would reap.
 If the United States wished to preserve her democratic
 institutions, she would have to cooperate to the fullest
 with other democratic nations. Many comments were directed
 against the argument that isolation was the best way to stay
 out of war and to preserve our institutions. The Outlook
 noted that, "isolation may have been an ideal to strive for,
 but the United States has had four wars since independence.
³³Could non-isolation do any worse?" The New Republic
 reminded its readers that our isolation policy had found the
 United States crossing the Atlantic and entering the inter-
 national arena, and for the future, "the Atlantic is no

³¹
 "The Fear of Article X," The Literary Digest, 61:
 15, April 12, 1919.

³²
 H. Holt, "Peace, Prompt or Permanent," The Inde-
 pendent, 98:84, April 19, 1919.

³³
 "Popular Discussion of the League of Nations,"
The Outlook, 121:471, March 19, 1919.

"external aggression" which rendered the situation a
force. Perhaps no better analogy of the situation is to
be found than that of Hitler in the last months when he said
that secret treaties and agreements, like mine and others,
exploitation, calculated aggression, the breaking of the peace,
no international relations, and no equality in standing
new materials would make it impossible to maintain
apart from the original situation which would
would obtain in promoting world peace and stability.
being, there were material benefits which the world
If the United States wished to preserve the world
institutions, she would have to come out for the United
with other democratic nations. Many countries were
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United States crossing the Atlantic and entering the
national arena, and for the future, the United States

13, April 19, 1919.
The Year of Article 1, The League of Nations, 1919.
1. 1919, Peace, Treaty of Versailles, 1919.
gent, 1919, April 18, 1919.
The League of Nations, 1919, April 18, 1919.

longer a sufficient moat to insure America against the con-
 flagration of war." ³⁴ The Congregationalist (Boston) confi-
 dently averred, "we have not the slightest doubt that were
 George Washington or Abraham Lincoln alive to-day, they
 would approve of a League of Nations and of America's taking
 a responsible part in it." ³⁵ The Christian Advocate (New
 York) declared that "there are too many American graves in
 foreign soil for us even to drop back to that pre-war
 isolation . . . The Yankee soldiers died in the faith that
 they were bringing an end, not to one, but to all wars." ³⁶

The New Republic took even a longer-range view of the dan-
 ger of isolation, recording that while America might not
 suffer from war or the Red International as greatly as
 Europe, it would inevitably have to adjust itself to the
 new markets of Europe. For "in the long run we cannot
 quarantine ourselves against the social forces struggling
 for the control of Europe." ³⁷ The Outlook stressed as
 another material advantage the prospect that the greater
 peace which would come with a league would appeal to tax-

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"The Constitution of 1919," The New Republic, 18:
 101, February 22, 1919.

³⁵

"The Church Press on the Peace League," The Literary
 Digest, 60:32, March 8, 1919.

³⁶

"The Church Rebuking Peace League Politics," The
 Literary Digest, 60:32, March 29, 1919.

³⁷

"Internationalism: White or Red," The New Republic,
 18:266, March 29, 1919.

longer a sufficient basis for the League of Nations.

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"The Constitution of 1919." The New Republic, 1919.

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"The Constitution of 1919." The New Republic, 1919.

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"The Constitution of 1919." The New Republic, 1919.

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"The Constitution of 1919." The New Republic, 1919.

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"The Constitution of 1919." The New Republic, 1919.

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"The Constitution of 1919." The New Republic, 1919.

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"The Constitution of 1919." The New Republic, 1919.

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"The Constitution of 1919." The New Republic, 1919.

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"The Constitution of 1919." The New Republic, 1919.

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"The Constitution of 1919." The New Republic, 1919.

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"The Constitution of 1919." The New Republic, 1919.

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"The Constitution of 1919." The New Republic, 1919.

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"The Constitution of 1919." The New Republic, 1919.

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"The Constitution of 1919." The New Republic, 1919.

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"The Constitution of 1919." The New Republic, 1919.

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"The Constitution of 1919." The New Republic, 1919.

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"The Constitution of 1919." The New Republic, 1919.

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"The Constitution of 1919." The New Republic, 1919.

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"The Constitution of 1919." The New Republic, 1919.

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"The Constitution of 1919." The New Republic, 1919.

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"The Constitution of 1919." The New Republic, 1919.

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"The Constitution of 1919." The New Republic, 1919.

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"The Constitution of 1919." The New Republic, 1919.

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"The Constitution of 1919." The New Republic, 1919.

payers burdened by armaments. Perhaps not exactly credit-
 able but nevertheless very pertinent was the assertion of
Current Opinion that a point well worth considering was the
 loans amounting almost to nine and a half billions recently
 made to Europe.³⁹

A target for many rebuttals were the dire conse-
 quences predicted by opponents sure to follow the abrogation
 of the Monroe Doctrine. The claim was made that the league
 strengthened rather than weakened the Monroe Doctrine, in
 the fact that all nations were pledged to protect the ter-
 ritorial and political integrity of all other nations. A
World's Work editorial defined Article X as simply carrying
 the principle of the Monroe Doctrine into the world sphere,
 guaranteeing the South American countries their governments
 and borders even as the United States had done, while remov-
 ing the complaint of South America that the Doctrine in
 reality placed them under the protectorship of the United
 States. Further, the editorial questioned "whether there
 would be such floutings of the Doctrine as in 1862 by France,
 in 1896 by England, and in 1902 by Germany."⁴⁰ Abbot Law-
 rence Lowell, in an address at San Francisco, asked Borah
 how he had voted in the Bryan treaties, and whether he had

39

"Has President Wilson 'Made Good' at the Paris Con-
 ference?" Current Opinion, 66:139, March, 1919.

40

"The Constitution of the League--What it is and
 What it is not," The World's Work, 37:606-607, April, 1919.

tried to except the Monroe Doctrine from them. For it was difficult to see any difference between the Bryan treaties and the league which would require a different application⁴¹ of the Monroe Doctrine. The New Republic pointed out the impossibility of exempting such a regional policy from league jurisdiction. Certainly the league would jeopardize its own integrity, admitting military and naval spheres of influence in opposition to its avowed mutual protection of all states big or small. On the same grounds, it would leave the way open for France to justify the Rhine, for Japan to dominate Asia, for England to rule over the seas, and again there would be a howling pit of petty hatreds and⁴² incriminations in the world.

Likewise, proponents refuted the argument that the American nation would lose control of its sovereign powers. To them it was not true that the United States would lose its right to declare war. A letter written to the editor of The New Republic pointed out that Article XV called for league action, but this came only through "recommendations," and then only if a unanimous vote was obtained in the council. The draft merely provided for arbitration and inquiry by the

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News item in Los Angeles Times, February 21, 1919, pt. 1, p. 2.

⁴²

"Insisting on American Sovereignty," The New Republic, 18:234, March 22, 1919.

which is across the narrow border of the
difficult to see any of these but the
and the lesson which would result a different
of the lesson which. The lesson which
incompleteness of existing such a national
League for Education. Certainly the lesson which
its own interests, maintaining stability and
influence in opposition to the great world
all kinds of people. In the end it will
leave the way open for France to justify the
League as contrasted with the League to
and again there would be a League of Nations
institutions of the world.

However, proposals related the argument that the
American nation would lose control of its foreign policy.
To them it was not true that the United States would lose
the right to decide war. As was written in the
of the League of Nations pointed out that America would
League action, but this was only through
and then only if a unanimous vote was obtained in the
The draft was given for consideration and finally by the

41
New Item in the American Press, February 12, 1919
p. 1, p. 2
42
"Insisting on American Sovereignty", The New York
also, 1919, March 12, 1919.

executive council and all the powers were asked to do was to bind themselves not to resort to war until the decision was rendered.⁴³ Franklin Delano Roosevelt, then Assistant Secretary of the Navy, in an address to the League of Free Nations Association, said that our league representatives surely could be relied upon to exercise "common sense" in requiring us to enter or not into the Balkans or any other state.⁴⁴

With regard to the matter of armaments a writer in The Outlook called attention to the clause which said that the council could only advise what would be reasonable and fair⁴⁵ in the size of a nation's army and navy. Albert Bushnell Hart, Harvard University historian, summed up the extent to which the United States involved sacrifices of sovereignty, by declaring that all America would do was to assume obligations to participate in the executive and financial matters of the league, to refrain from external aggression and to prevent others from the same, to reduce armaments and to⁴⁶ use arbitration and mediation restrictions.

That some sacrifices in sovereignty would be inevitable

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William Hard, "Article Ten of the League," The New Republic, 18:234, March 22, 1919.

44

News item in The New York Times, March 2, 1919, Sec. 2, p. 1.

45

L. F. A., "The League of Nations," The Outlook, 121:554, April 2, 1919.

46

Albert Bushnell Hart, "The League of Nations--What it is and What it is not," The New York Times, February 23, 1919, Sec. 4, p. 1.

executive council and all the members of the council
bind themselves not to reveal the contents of the
council. - President Wilson has been elected
President of the Navy. In the House of Representatives
Association, said that the law is not yet
could be relied upon to ensure common sense in
us to enter or not into the business of the
With regard to the matter of admitting a member in the
Look called attention to the fact that the
council could only advise that would be necessary and
in the case of a nation's navy and navy. - About
Hart, Harvey and his wife, who are the only
which the United States has been involved in
by declaring that all American ships in the
passions to participate in the activities and financial
terms of the law, he said that the council of
to prevent others from the same, to which he
use arbitration and mediation
The same association in the past would be

William H. H. ...
Republic, 1918, ...
have been in the ...
Sec. 2, ...
L. E. ...
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it is and what it is not. The New York Times
1918, Sec. 4, ...

was, however, not denied. The Philadelphia North American believed that the United States would have to be willing to give in a little in the interests of a future life. For it was a question now of sacrificing a bit of sovereignty for international cooperation, or of pursuing a policy of iso-
⁴⁷lation with the everpresent danger of war. To The New York Times, furthermore, if the United States had to give up some of her sovereignty, it should be remembered that the other nations were likewise yielding some of theirs. Thus Japan was giving up her fight to have race equality incorporated, while France was acquiescing in the refusal to institute a huge army and navy. Moreover, any time a principle of international law is upheld by a court, the United States loses a fraction of her sovereignty, such as the right and
⁴⁸use of the blockade in wartime. The Newark Evening News reminded its readers that in reality the Senate has been
⁴⁹continually giving up sovereignty in treaties. As for control over our armaments Lowell cited the fact that we have actually had treaties for one hundred years with Canada
⁵⁰limiting armies, to which may be added the statement in a

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"Popular Discussion of the League of Nations," The Outlook, 121:471, March 19, 1919.

⁴⁸

Editorial in The New York Times, February 23, 1919, Sec. 3, p. 1.

⁴⁹

"Has President Wilson 'Made Good' at the Peace Conference?" Current Opinion, 66:140, March, 1919.

⁵⁰

A. Lawrence Lowell, "The League or Bolshevism," Los Angeles Times, April 6, 1919, pt. 1, p. 2.

World's Work editorial that in 1818 the United States and Great Britain signed a convention for no warships on the Great Lakes and there were no accusations hurled implying loss of sovereignty.⁵¹ To close the brief of this group no better statement perhaps might be given than that in the Duluth Herald, that it should be remembered that the American constitution at the outset like the covenant "was roundly condemned by many statesmen as impracticable, unworkable, and a dangerous invasion of the liberties of the several sovereign colonies."⁵²

At the same time friends of the league were aware that the draft was only a preliminary and must be changed to suit valid criticism. The New Republic warned them that unless they themselves drafted amendments, its enemies would draft amendments more harshly and aimed to emasculate the covenant. Certainly the alterations suggested in the Senate by such members as Lodge, Knox, Cummins and Lenroot could⁵³ only have such an object in view. Holt defined their proposals "as seeming to weaken and destroy the league rather than strengthen it."⁵⁴ Reservations were asked for in the

⁵¹

"The Constitution of the League--What it is and What it is not," The World's Work, 37:607, April, 1919.

⁵²

"Will the Peace League Prevent War?" The Literary Digest, 60:11, March 1, 1919.

⁵³

"Agitation for a League of Nations Without Criticism," The New Republic, 18:200-201, March 15, 1919.

⁵⁴

H. Holt, "The League or Bolshevism?" The Independent, 98:3-4, April 5, 1919.

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right of America to declare war and to join in any boycott, while express exclusion should be made with regard to domestic questions and internal affairs. In the case of America's foreign policy, the Monroe Doctrine should be recognized. One the question of membership The New Republic, however, admitted that Borah's objection to the limitation that every nation in the Body of Delegates would have one vote each, regardless of the population and natural resources at stake, as smacking too much of inequality in policy and administration, had much merit.⁵⁵ The Literary Digest indeed remarked that its straw vote relative to the league indicated that if there had to be some international co-operation the opponents favored a different basis for membership. In general these suggestions ranged from one for an alliance of all free nations to more specific ones of an American and a European league.⁵⁶ James M. Beck, a New York attorney, favored a temporary alliance with England, France and Italy, acknowledging that the United States could not fairly withdraw from Europe until the continent was back on its feet and safely on the road to security, since the United States had seen fit to take sides in the war.⁵⁷

⁵⁵
"Borah The Fable-maker," The New Republic, 18: 131-132, March 1, 1919.

⁵⁶
"Nation-wide Press-Poll on the League of Nations," The Literary Digest, 61:16, April 5, 1919.

⁵⁷
News item in The New York Times, April 3, 1919, p. 7.

To offset these emasculating amendments, the league proponents were energetic in presenting their own. Many criticized the membership clause which provided for a limited number as signatories, leaving the defeated nations only the future prospect of admittance. Such a beginning would give the league the aspect of perpetuating a victorious alliance rather than that of a world group. Lovett, writing in The Dial, was convinced that if the league was to last, it should provide for all nations as members, both enemies and allies.⁵⁸ At a luncheon of the League of Free Nations Association, the sentiment was expressed that Germany and Russia should be admitted, otherwise it meant the denial of democracy, the creation of an opposition league led by Germany, and the acceleration of Bolshevism as a force in Europe. Certainly the exclusion of Germany would be a strong indication that conservatism and predatory capitalism still ruled.⁵⁹ In defense of the right of the dominions of Great Britain to individual membership, however, came a World's Work editorial. It was no more unfair than to allow Ecuador membership, it argued, and if England should choose to make the league her slave, the latter would die as soon as nations felt them-

58

Robert M. Lovett, "The Covenant--And After," The Dial, 66:219, March 8, 1919.

59

News item in The New York Times, March 16, 1919, Sec. 1, p. 4.

To effect these amendments, the House

proposed that the committee be authorized to investigate the
circumstances of the case, and to report thereon to the
House at such time as it may deem proper. The committee
was accordingly appointed, and has since that time been
engaged in its duties. It has held numerous public
hearings, and has received many suggestions from the
public. It has also conducted extensive research into
the various phases of the case, and has prepared a
comprehensive report thereon. This report, which is
now before the House, contains a full and complete
statement of the facts of the case, and of the
various phases thereof. It also contains a full
and complete statement of the committee's findings
thereon, and of its recommendations. The committee
believes that this report will be of great value
to the House, and to the public, and that it will
enable the House to make a full and complete
understanding of the case, and of the various
phases thereof. It also believes that it will
enable the House to make a full and complete
understanding of the committee's findings thereon,
and of its recommendations. The committee believes
that this report will be of great value to the
House, and to the public, and that it will enable
the House to make a full and complete understanding
of the case, and of the various phases thereof.

Respectfully,
J. Edgar Hoover
Director

selves being harmed. To provide a guarantee that to join did not mean necessarily absolute adherence in the event the league became one of aggression, Charles Evans Hughes suggested a better withdrawal or resignation clause, such as an amendment providing for the same upon a written desire⁶¹ after a specific lapse of time. The method of selection of the representatives to the league from each nation did not meet with entire approval. Dr. Richard Roberts, pastor of the Church of Apostles in Brooklyn, noted that governments and not peoples appointed the representatives in the legislature, the Body of Delegates.⁶² The New Republic suggested as possible methods of recording the people's voice in the legislature either direct popular suffrage, legislative balloting, or advisory spokesmen of majority and minority groups⁶³ the world over.

Many changes were voiced as desirable, likewise, in the character of the league's powers. The World's Work believed that it might be desirable in the covenant to specify⁶⁴ that in no way was the Monroe Doctrine modified. Hughes

60

"The Constitution of the League--What it is and What it is not," The World's Work, 37: 606, April, 1919.

61

News item in The New York Times, March 27, 1919, p. 1.

62

Ibid., March 9, 1919, Sec. 2, p. 1.

63

"Agitation for a League of Nations Without Criticism," The New Republic, 18:201, March 15, 1919.

64

"The Constitution of the League--What it is and What it is not," The World's Work, 37:607, April, 1919.

suggested as an amendment which might obviate the objections over possible fruits of the abrogation of the Monroe Doctrine, that no foreign power be permitted to acquire any territory in America by war or purchase.⁶⁵ One solution to controvert objections of Monroe Doctrine adherents, as well as those who feared that American soldiers would be called anywhere was proffered by Frederic R. Conder, attorney, in the New York Evening Post. The world should be zoned in the distribution of protection, giving the United States the task of policing those areas needful of such a system reposing in this hemisphere.⁶⁶ Nicholas Murray Butler had a similar plan, wording his scheme as one of dividing the world into three administrative units, namely, (1) Europe, Africa, Western Asia, (2) the American continents, (3) the Orient. Butler contended that this scheme would allow for variations in international law and action as regards localities and customs.⁶⁷ Much concern was evinced over the possibility that the criticism of Article X as being inimical to the right of self-determination.⁶⁸ An equally definite restriction was

⁶⁵
News item in The New York Times, March 27, 1919,
p. 1.

⁶⁶
"The League of Nations and Its Constitution," The American Review of Reviews, 59:417, April, 1919.

⁶⁷
News item in The New York Times, March 3, 1919,
p. 2.

⁶⁸
William E. Mason, "Flaws in the 'League' Covenant," The Forum, 61:479-480, April, 1919.

suggested as to amendment which might obviate the objections
over possible limits of the protection of the Monroe Doctrine,
that no foreign power be permitted to establish any military
in America by war or purchase. The objection to amendment
objections of Monroe Doctrine inherent, as well as those
who feared that American influence would be called anywhere
was proffered by Frederick S. Conant, attorney, in the New
York Evening Post. The world should be divided in the future
of protection, giving the United States the right of
collecting those areas needed of such a system as to be in
this hemisphere. Nicholas Murray Butler had a similar plan
wording his scheme as one of dividing the world into three
administrative units, namely, (1) Europe, Africa, Asia,
Asia, (2) the American continent, (3) the Pacific. Butler
contended that this scheme would allow for variations in
international law and action as regards localized and con-
tents. Much concern was evinced over the possibility that
the criticism of Article X as being intended to the right of
self-determination. An equally definite restriction was

Have been in The New York Times, March 27, 1919.
p. 1.
"The League of Nations and the Constitution," The
American Review of Politics, 20:119, April, 1919.
Have been in The New York Times, March 2, 1919.
p. 2.
William E. Mason, "Views in the League," Congress,
The Forum, 31:478-480, April, 1919.

asked in The Outlook by one "L.F.A." with regard to such 69
 matters of internal sovereignty as control of immigration.

Proponents of the league were by no means unaware that
 much of the opposition was inspired by partisan tactics.

Current Opinion affirmed "that underlying all the recent dis-
 cussion is the basic fact that a presidential campaign is
 due in a few months and an effective issue must be at hand
 for Republican leaders to batter at the Democratic strong-
 hold." 70
The New Republic declared of the opposition:

Blinded by their bitter personal animosity to
 Mr. Wilson, and betrayed by a not entirely unjusti-
 fiable resentment as to the extent to which he has
 ignored them . . . they will endanger the peace of
 the world and may bring suffering and disaster on
 millions of helpless people. 71

Again The New Republic wrote in another editorial:

Were politics not involved, we should both
 Republicans and Democrats supporting the consti-
 tution of the League and both opposing it, but
 with rather more Republicans for and more Democrats
 against it. But the chances of war placed the
 championship of the League Constitution in the
 hands of Wilson; therefore the Republican leaders
 must fight it. 72

Indeed in yet another article The New Republic offer-

69

L.F.A., "The League of Nations; a Paraphrase and
 an Interpretation," The Outlook, 121:555-556, April 2, 1919.

70

"Making the League of Nations Into a Political
 Party Issue," Current Opinion, 66:205, April, 1919.

71

"The Republican Defeatists," The New Republic, 18:
 160, March 8, 1919.

72

"Why They Fight the League," The New Republic, 18:
 198, March 15, 1919.

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1918, March 12, 1918.

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ed the bold possible imputation of selfish economic motives:

Considerations of political safety appear to dictate not a direct attack upon the League Constitution as a whole, but an attack upon special features, . . . and so lead to rejection of the Covenant . . . Behind their formal argument will lurk certain real desires, the desire to annex Mexico, to seize positions of imperialistic advantage in world trade, to win industrial profits from overgrown armaments.⁷³

To this the New York Evening Post added that perhaps the "munitions makers may be interested in the proposed nation-⁷⁴ wide campaign against the league." As a possible solution the New York Tribune suggested "that Wilson appoint Senators to the Peace Commission and so repair a blunder. Let him summon to Paris representatives of the Senate and loyally accept their assistance in preparing a new instrument and he⁷⁵ may yet gain a great triumph."

Whether the league covenant should be included in the treaty or given separate consideration proved only another subject of strife between the opposing sides. The North American Review revealed the cause to be the fear that if the League of Nations was incorporated with the treaty it

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"The Constitution of 1919," The New Republic, 18: 101-102, February 22, 1919.

⁷⁴

"Will the Senate Defeat the League of Nations?" The Literary Digest, 60:11, March 8, 1919.

⁷⁵

New York Tribune, March 5, 1919, taken from Fleming, The United States and the League of Nations, 1918-1920, p. 194.

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The Literary Digest, 50:11, March 6, 1919.
New York Tribune, March 6, 1919, dated from New York.
The United States and the League of Nations, 1919-1920, 1919.

might result in the Senate "being compelled to ratify his proposition or to assume responsibility for continuance of the war."⁷⁶

The Nation described the object of Wilson "as the familiar trick of the 'rider'," to rush through the League.⁷⁷

Whether James M. Beck had genuinely changed over to the league idea or was merely intent on delaying a consideration, believing that the longer it was kept from such consideration the less would be its chances of adoption, he informed the New York Bar Association at its meeting "that the conference should wait five years before considering a league and should solve only the pressing and practical problems now."⁷⁸

Certainly, declared Lindley M. Garrison, Secretary of War, since it involved a break with the past and the people were evidently not sure of their minds, time⁷⁹ should be taken to give it more thought.

Even within the ranks of the league adherents there was an element that believed the peace and the covenant should be the objects of separate treatment. J. C. Walsh, staff correspondent of the Catholic Weekly of America felt that the

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G. Harvey, "The Independence of America; Must It be Sacrificed To Humanity?" The North American Review, 209: 435, April, 1919.

⁷⁷

"The End and the Means," The Nation, 108:413, March 22, 1919.

⁷⁸

"Has President Wilson 'Made Good' at the Peace Conference?" Current Opinion, 66:139-140, March, 1919.

⁷⁹

News item in The New York Times, March 15, 1919, p. 1.

Conference might only see the League as "a convenient subject to engage conversation, while business of immediate and intimate importance is being dispatched." ⁸⁰ Hill said that the order of peace should be to destroy German militarism, then to circumscribe Germany by independent republics and, after peace, then the Society of Nations could work out a combination to keep the peace. It couldn't be done permanently or constructively during a defensive and self-preserving period as the treaty negotiations. It should be done by deliberation with international law as the basis and the small powers voicing as strenuously as others their ⁸¹ interests and feelings.

Other league advocates, however, were firm in the belief that the league should become an integral, stable part of the treaty to standardize and to equalize the terms of peace along the lines of justice. The Washington Post warned that, "if Europe becomes convinced that the proposed constitution will not be accepted by the United States, Wilson's insistence notwithstanding, they will do their best to sidetrack the proposition or to so modify it as to make its adoption or rejection a matter of no importance." ⁸²

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"The Church Press on the Peace League," The Literary Digest, 60:33, March 8, 1919.

⁸¹

D. J. Hill, "The Debauch of Dogmatism," The North American Review, 209:594, May, 1919.

⁸²

Washington Post, March 5, 1919, taken from Fleming, The United States and the League of Nations, 1918-1920, p. 158.

The New Republic asked Borah if the Monroe Doctrine and Washington's neutrality were "ever submitted to a referendum, or even to a vote of the Senate? Yet they were bold departures. Then why should this be referred to a popular referendum?"⁸³

Holt, in The Independent, assured its readers that, "if peace comes first, there will be no league. And if the league comes eventually, it will come too late. For without the fires of war to warm its blood and build its strength, those who are weary of debate will easily be won back to nationalistic slogans and away from a league."⁸⁴

To the league adherents the important fact was not whether the details were ideal but that a beginning had been made. The league was not the outcome of idealism but of sheer necessity. It could scarcely be denied that to avert another war nations should now unite to recognize the principle of the new public law. It was acknowledged that the league was not perfect, merely the best obtainable in the present condition of opinion. The fact that the covenant now was only a blank check meant that it could be filled out later as experience revealed. The present document, in the eyes of Lovett, writing in The Dial, was only a begin-

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"Borah the Fable-maker," The New Republic, 18:130, March 1, 1919.

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H. Holt, "Peace, Prompt or Permanent," The Independent, 98:84, April 19, 1919.

The New Republic said there is the League of Nations and Washington's neutrality were "even admitted to be a failure" or even to a vote of the Senate. Yet they were only a failure. Then why should this be referred to a regular referendum? Helt, in the Independent, asserted his confidence that "if peace comes first, there will be no League. And if the League comes eventually, it will come too late. For without the fires of war to warm the blood and build the strength, those who are weary of debate will settle for peace back to nationalistic slogans and away from a League." To the League advocates the important fact was not whether the League was ideal but that a League had been made. The League was not the outcome of idealism but of sheer necessity. It could scarcely be denied that to wait another year nations should now unite to recognize the principles of the new public law. It was acknowledged that the League was not perfect, merely the best obtainable in the present condition of opinion. The fact that the covenant now was only a blank check meant that it could be filled out later as experience revealed. The greatest document in the eyes of Lovett, writing in the Dial, was only a beginning.

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"Born the Table-maker," The New Republic, Jan. 1919.
H. Holt, "Peace, Progress or Peril?" The Independent, Jan. 1919.
and, 28:24, April 19, 1919.

ning, "the first dawn of the morning, and that the burden⁸⁵ and heat of the day" were still ahead. The St. Louis Globe Democrat wrote ". . .that it is sufficient for the moment that it is born and no birth of history save one is of greater importance to mankind."⁸⁶ The chief value of the text of the covenant was primarily as a moral force in the machinery of international cooperation which it created and in the habit of mutual consideration it would establish. It gave the world democratic opinion an organ of expression, thus helping to outlaw war, and to solve the exploitation of undeveloped peoples. To The New Republic, "not only their prosperity but their survival now demands a reunion between the old and new world, organized consultation and cooperation, a common body of public law, a common international government and common standards of social well-being."⁸⁷

The viewpoint of the opponents was depicted well by Harvey, who believed that American humanity could best be served as in the past by a free Republic, based on liberty rather than through entrance into a breeder of wars league.

85

R. M. Lovett, "The Covenant--and After," The Dial, 66:220, March 8, 1919.

86

The New York Times, February 15, 1919, taken from Fleming, The United States and the League of Nations, 1918-1920, p. 118.

87

"The Great Debate," The New Republic, 18:166, March 8, 1919.

America had not failed in her duty to the world. By her example alone she had served the world by having shattered "the idols of monarchy and brought them crashing to the ground."

88

G. Harvey, "The Independence of America; Must It be Sacrificed to Humanity?" The North American Review, 209: 444-45, April, 1919.

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J. Harvey, "The International of Women"
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444-45, April, 1918.

CHAPTER IV

THE REVISED COVENANT MAY TO SEPTEMBER, 1919

In April, 1919, there was published by the Versailles council a revised draft of the league covenant. As a result of the criticisms during the previous months, several¹ changes were made in the new document. The fears for the abrogation of the Monroe Doctrine were answered by a declaration in Article XXI that the covenant would not affect "the validity of international engagements, such as treaties of arbitration or regional understandings like the Monroe Doctrine, for securing the maintenance of peace." The complaint that retirement from the league was impossible in the event that America felt herself entangled in a vicious alliance, was met by a statement in Article I that permitted a member "after two years' notice of its intention so to do," to "withdraw from the League of Nations, provided that all its international obligations and all its obligations under this Covenant shall have been fulfilled at the time of withdrawal." In response to the apprehension that the United States might be compelled to engage in involuntary undertakings, the requirement of an unanimous vote in council

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A copy of the revisions may be found in Appendix II.

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decisions (in which the United States had a permanent seat) was offered as a protection. Other changes included removal of compulsion to accept a mandate, acceptance by a nation of any armament settlement outlined by the Council first before it became binding, and exemption of domestic questions from league jurisdiction.

In general among the papers and periodicals the position taken on the preliminary draft persisted on the revised draft. While George Harvey and David Jayne Hill continued to provide The North American Review with articles which questioned the value of the covenant, another journal, The Nation, joined the opposition. This magazine, further, carried signed anti-league articles. The New York Sun and New York Tribune did not slacken their criticism. The Outlook, too, permitted articles signed by individuals to record disapproval. More moderate in tone, but none the less positive that dangerous weaknesses did exist, were other critics. Charles Evans Hughes, Nicholas Murray Butler, Elihu Root offered suggestive alterations which would eliminate the defects from the American point of view. The New Republic shifted the tenor of its editorial remarks to qualified acceptance. Meanwhile, pro-covenant organs were equally apparent. The New York Times and Los Angeles Times noted its virtues, while The World's Work and The Outlook liked its provisions. Hamilton Holt, in The Independent,

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remained a staunch defender, and William Howard Taft was equally favorable. The revised draft indeed found battle lines persisting over it.

That the second draft still left much to be desired was soon evident. For many it was difficult to see how the United States would be free in the future from foreign interference in internal affairs. A New York Times news item carried the protest that, "immigration was not specifically left up the individual nations and could, if a dispute arose, be taken before the council of nine."² Harvey noted that in the case of the disarmament clause the United States, although having the initial power to accept or to reject limitation of army size, would, once its size had been determined, be unable to increase it except by a unanimous vote in the council. Since Great Britain held the votes of six states and was a naval power opposed to armies, she would block any increase and so remain the mistress of the world and a danger to American security.³

Far from satisfactory was the interpretation given the Monroe Doctrine in Article XXI. The New York Sun complained that the wording made of it an engagement or "regional understanding" which it never was. It would mean that the other nations now would have a voice in interpreting it since it

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News item in The New York Times, April 29, 1919, p.2.

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George Harvey, "America and Humanity," The North American Review, 210:10, July, 1919.

Article I

THE UNITED STATES OF AMERICA

In Article I, Section 1, of the Constitution of the United States, it is declared that "All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives."

It is the policy of the United States to support the principle of self-determination of peoples, and to oppose any attempt to deprive peoples of the opportunity to determine their own destiny. This policy is based on the belief that the right of self-determination is a fundamental principle of justice, and that it is essential to the maintenance of peace and stability in the world. The United States is committed to the principle of self-determination, and it is its policy to support the principle of self-determination of peoples, and to oppose any attempt to deprive peoples of the opportunity to determine their own destiny.

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 she would block any increase and so remain the mistress of
 the world and a danger to American security.
 Far from satisfaction was the interpretation given the
 Monroe Doctrine in Article XII. The New York Sun complained
 that the wording made of it an agreement of "regional under-
 standing" which it never was. It would mean that the other
 nations now would have a voice in interpreting it since it

was placed on an international basis, and as such surrendered both the doctrine and the sovereignty of the United States to foreign powers.⁴ David Jayne Hill insisted that the Monroe Doctrine was "neither a law, nor an engagement, nor a regional understanding, but simply and solely a political policy,"⁵ not of an international nature. Frederick M. Davenport, Professor of Law at Hamilton College and Republican member of the New York Senate, in The Outlook, wrote that the Monroe Doctrine was "a trespass notice warning Europe not to interfere with the developing freedom and nationality of the peoples of the Western Hemisphere."⁶ To the New York Tribune not only was the Article very vague but it was open to the serious charge of being dubious and deceptive,⁷ for it suggested other spheres by its silence. Hill predicted that if the United States accepted Article XXI unchanged, it would be committing itself to all other regional understandings. The acquisition of Shantung by Japan was cited by Hill as just that form of regional understanding.⁸ Thus, in this case, a New Republic editorial

⁴ "Is Wilsonphobia to Defeat the League of Nations?" Current Opinion, 66:346, June, 1919.

⁵ David Jayne Hill, "The President's Challenge to the Senate," The North American Review, 209:747, June, 1919.

⁶ Frederick M. Davenport, "The Senate Should Ratify, With Reservations," The Outlook, 122:427, July 16, 1919.

⁷ "Is Wilsonphobia to Defeat the League of Nations?" Current Opinion, 66:345, June, 1919.

⁸ D. J. Hill, "A League of Insincerity," The North American Review, 210:310, September, 1919.

pointed out, that if China were to object to Japanese aggressiveness in Shantung and appealed to the league for aid,⁹ Japan could invoke Article XXI. The Nation inquired:

Is the burglarious Franco-British Accord of 1917, dividing Russia into spheres of action thus protected? Or Allied spheres of influence in China, or the British sphere of influence in Persia, or the secret treaty for the partition of Turkey?¹⁰

If this interpretation of Article XXI gave European nations an opportunity to continue their old imperialistic ventures, the introduction of the "mandatory" system opened up to European states new fields of economic exploitation. The Nation pointed to the consequence in the case of Egypt which would now continue to be a British protectorate when it was well-prepared to care for its own future. The manner in which the colonies of the Central Powers had been apportioned among the Allies as "trustees" certainly lent color to the imputation that the "mandate" scheme was based on a series of "understandings."¹¹ To The New Republic it seemed especially as if the treaty made the "British Empire supreme in Africa, the Near East, the Mediterranean, and in all the waters of Europe and Asia . . . German commerce

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"The A.B.C. of Alliances; The French Alliance," The New Republic, 19:109-110, May 24, 1919.

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"Fourteen Questions to Mr. Wilson," The Nation, 109:70, July 19, 1919.

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D. J. Hill, "A League of Insincerity," The North American Review, 210:305-306, September, 1919.

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surrenders not to the League but to English industry."

Unless the United States repudiated the "mandate" system and appeared as the opponent of secret treaties, Beryle, writing in The Nation, believed that the league would become the plaything of every special interest abroad and stand forth¹³ as an imperialistic design fostered by arch-politicians. In this connection the Los Angeles Times feared that the International Labor organization would be but a corollary to economic exploitation rather than to the "open door" policy, dragging down American standards of labor to Euro-¹⁴pean levels in order to maintain American commerce.

A very glaring shortcoming in the eyes of many was the failure to alter the character of Article X. By this the United States would still be committed to guaranteeing the territorial integrity and political independence of other states, regardless of the justice involved. Indeed the United States would bind herself to an entangling alliance and a guarantee of aid in the case of dispute. In the face of the nefarious peace terms for continental frontiers, The New Republic regarded the position of the United States as that of maintaining an inequitable status

¹²
"The A.B.C. of Alliances; The French Alliance," The New Republic, 19:108, May 24, 1919.

¹³
A.A. Beryle, Jr., "The Betrayal at Paris," The Nation, 109:170, August 9, 1919.

¹⁴
Editorial in the Los Angeles Times, June 11, 1919, pt. 2, p. 4.

quo, "of stabilizing instability." Defeated states, especially Germany along the Polish frontier, would be cut off permanently from seeking a redress of their grievances. A Nation editorial pointed out that national minorities outside of the newly-created states would have no recourse against maltreatment. The American Defense Society asserted that, "We guarantee Thrace to either Greece or Bulgaria, Fiume to the Croats or Italy, with war inevitably mixed up in our decisions." A news item in the Los Angeles Times carried the statement that, "Irish objectors continued to claim that it would prevent any nation from aiding Ireland to obtain independence." Harvey feared that, "Great Britain would have the right to call upon the United States to join in her war against Ireland. . . . And the United States would be bound to respond . . ." All in all, the New York Tribune found "that Article X involves us in 'exactly fourteen possible wars.'" Besides becoming involved in the various racial and social warfares now raging in Europe, Davenport,

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"The A.B.C. of Alliances; The French Alliance," The New Republic, 19:110, May 24, 1919.

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"Fourteen Questions to Mr. Wilson," The Nation, 109:70, July 19, 1919.

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News item in the New York Times, September 1, 1919, p. 2.

18

News item in the Los Angeles Times, April 28, 1919, pt. 1, p. 1.

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G. Harvey, "America and Humanity," The North American Review, 210:4, July, 1919.

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"Is Wilsonphobia to Defeat the League of Nations?" Current Opinion, 66:345, June, 1919.

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 can Review, 110:4, July, 1919.
 26
 "Is Wilsonhopia to Defeat the League of Nations?"
 Current Opinion, 68:343, June, 1919.

in The Outlook, believed that the United States would have to guarantee that territorial and political disputes did not occur in South America.²¹

Nor did Article XI which was supposed to provide a means by which internal disturbances affecting international peace might be reviewed give any assurance that Article X would not be a reactionary instrument. To The Nation it could actually be equally utilized for evil purposes. Thus the United States could go into Mexico on complaint of disorder, that civil anarchy endangered American border populations, and stay until normalcy was restored, all the while exploiting it economically without violating the covenant.²²

Another challenge to American interests was seen in the structural features of the proposed league. In the case of the council the Big Five would control its destiny, for, as Turner wrote in The Nation, they can never "be ousted from the Council."²³ While the United States would have a permanent seat and the unanimous feature in voting would seem sufficient insurance, George W. Pepper, trustee of the Carnegie Institution, insisted that actually the interests of the United

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F. M. Davenport, "The Senate Should Ratify, With Reservations," The Outlook, 122:426, July 16, 1919.

²²

"The Innocent Abroad," The Nation, 109:273, August 30, 1919.

²³

John K. Turner, "Peace League or War League?" The Nation, 109:140, August 2, 1919.

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W. H. Lawrence, "The Senate should ratify with
reservations," The Outlook, 1919:456, July 15, 1919.
"The Innocent Abroad," The Nation, 1919:110, August
30, 1919.
John K. Turner, "Peace League or War League?" The
Nation, 1919:140, August 2, 1919.

States would be seriously jeopardized. Since the disputants were excluded from the vote, the United States, if she were a party to a dispute, would be at the mercy of the others. Especially dangerous would this be in the event of a British-²⁴ United States dispute. While both would be excluded in the voting, Harvey reminded readers of The North American Review that Britain's control of France, Italy's dependence upon British seapower, and British influence over the smaller states elected to the council would swing any decision in her favor, while to Hill the fact that Great Britain and the United States had many interests in common, and that no danger of a dispute was apparent, could not hide the equally important fact that, "the British Empire has interests and policies which the United States has never shared and has not²⁵ always approved."

The Assembly held a similar fate in store for the American people in the estimation of Pepper. For control through voting qualifications still rested with Europe which supplies the largest number of members. Here likewise, Pepper continued, there would be a predominance of British influence. England in all likelihood would have the votes of those nations which also had seats in the council and

24

George Wharton Pepper, "Wanted: A League of Nations Likely to Promote Peace," Annals of the American Academy of Political and Social Science, 84:210-212, July, 1919.

25

G. Harvey, "American and Humanity," The North American Review, 210:10, July, 1919. D. J. Hill, "The President's Challenge to the Senate," The North American Review, 209:750-751, June, 1919.

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24
 George Wharton Power, "What is a League of
 Nations likely to promote peace?" Annals of the American
 Academy of Political and Social Science, 25:210-212, 1912.
 25
 G. Harvey, "American and Humanity," The North
 American Review, 210:10, July, 1917. G. J. Hill, "The
 League of Nations: A Challenge to the Senate," The North American Review,
 208:750-751, June, 1919.

she would have the additional support of her five self-governing colonies, so that only fourteen more votes would be necessary to control legislation by majority.²⁶ A novel claim was that of Lawrence Y. Sherman, senator from Illinois, that the league would be dominated by the Vatican, as most of the nations would be Catholic. As a rejoinder The Literary Digest noted that both Italy and France were "anti-clerical" and that the other Catholic states ~~were~~^{were} only small nations.²⁷ On the other hand, The New York Times reported that Senator Reed of Missouri believed that the brown and yellow races would dominate the league, that eventually there would be a larger number of them in the league and once united they would secure domination over the white powers.²⁸

If these unpleasant prospects were combined with the conspicuous object of the treaty to punish Germany, just and righteous as that task might be, Hill could see little hope in the future for additional members. Small nations would hesitate to join a victor's league which was only enforcing the terms of a treaty. Certainly small nations near Germany

26

G. W. Pepper, "Wanted: A League of Nations Likely to Promote Peace," Annals of the American Academy of Political and Social Science, 84:211-212, July, 1919.

27

"A Papal Bugaboo in the League," The Literary Digest 62:46, July 5, 1919.

28

News item in The New York Times, May 27, 1919, p.5.

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30
 O. W. Pappert, "Wanted: A League of Nations Likely
 to Promote Peace," Annals of the American Academy of Political
 and Social Science, 84:211-219, July, 1919.
 31
 "A Papal Embassy in the League," The Literary Digest
 62:66, July 6, 1919.
 32
 News item in The New York Times, May 27, 1919, p. 1.

would not dare risk future reprisals by joining a league to²⁹ boycott Germany if she refused to sign the treaty. Again, Borah lamented the fact that no statement was made as to how the representatives were to be appointed. The covenant did not provide for the right of any nation to control the dele-³⁰ gates, thus making the league one of diplomats. In the words of Pepper, the composition and the voting procedure in both the council and the assembly made of the league an³¹ old-fashioned international trust, a mere Holy Alliance.

Moreover, this school of opinion was convinced that this covenant was not a scheme to achieve universal peace but an unholy alliance of a few powerful nations. Hill accused them of attempting to shift the control of treaty enforcement from the Entente Powers to a professed "association" which was merely a small group of great powers. The League constitution, he continued, was the work of politicians, not of jurists, who created an organ of power, not an institution of justice. A super-government of this kind, dictating to the supposedly free nations of the world, was³² to be feared. In no uncertain terms Beryle, in The Nation,

²⁹
D. J. Hill, "Americanizing the Treaty," The North American Review, 210:156, August, 1919.

³⁰
News item in The New York Times, April 15, 1919, p. 2.

³¹
G. W. Pepper, "Wanted: A League of Nations Likely to Promote Peace," Annals of the American Academy of Political and Social Science, 84:208, July, 1919.

³²
News item in the New York Times, April 29, 1919, p. 2.

would not have risked future reversals by joining a league to
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D. J. Hill, "Americanizing the Treaty," The New York
 American Review, 210:156, August, 1919.
 News item in The New York Times, April 15, 1919.

G. W. Pappe, "Ganted: A League of Nations Likely
 to Promote Peace," Annals of the American Academy of Political
 and Social Science, 84:808, July, 1919.
 News item in The New York Times, April 29, 1919.

wrote that the league linked irrevocably to an unjust treaty and would become the agency of hate and suppression, and would condemn Europe to a generation of violence and intrigue.³³

The American people would have welcomed the recognition of an entente of the powerful Allies, James M. Beck, writing in The North American Review, declared, but a misguidance towards an obligatory covenant with underwritings of territorial and political integrity had wrought trouble. In principle at first the majority of the people favored a league. It embodied a high ideal but the concrete plan awakened them to the sacredness of American traditions. Beck believed that not only would the league provoke wars, but would especially strain Anglo-American friendship if the current agitation that the league was of British origin should find bitter proponents in the Senate.³⁴ Hill, in his analysis said, that statesmen, knowing the wiles of European diplomacy had long questioned whether the tree could bring forth new fruit, and therefore had doubted our alliance with them, and at last the truth of imperial and national gain had been exposed. America would be unequally

33

A. A. Berle, Jr., "The Betrayal at Paris," The Nation, 109:170, August 9, 1919.

34

James M. Beck, "A Reply to Lord Robert Cecil," The North American Review, 210:367, July, 1919.

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A. A. Berle, Jr., "The Betrayal at Paris," The Nation, 100:150, August 3, 1912.

James M. Beck, "A Reply to Lord Robert Cecil," The North American Review, 100:307, July, 1912.

yoked to these greedy nations, one against a dozen, fighting for right and justice against gains and power. America ought to advocate international law being upheld and even resort to arms upon a violation of a legal engagement, but to guarantee acquisition and imperialistic aggrandizement was something else again.³⁵ Bullitt, former United States Ambassador to Russia and member of the American peace commission, was quoted by The Nation from a United Press statement that, "it is my conviction that the present League of Nations will be powerless to prevent wars, and the United States will be involved in them by obligations undertaken through the covenant of the league and in a special understanding with France."³⁶ The Kansas City Journal went so far as to accuse Europe with really desiring our credit, our financial aid, our armies, and contributions without which, Hill remarked, Europe could neither police the world nor institute its program.³⁷

Hill regarded the insistence upon the creation of an organ to determine peace in a world constituted as it was as hopeless. Rather narrower fields should be cultivated and the security of the nation upheld against aggressor

35

D. J. Hill, "A League of Insincerity," The North American Review, 210:298-299, September, 1919.

36

"Clearing the Air," The Nation, 108:859, May 31, 1919.

37

"How the Press Answers the President's Plea," The Literary Digest, 62:9, July 19, 1919; D. J. Hill, "The President's Challenge to the Senate," The North American Review, 209:754, June, 1919.

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standing with France." The Nation, New York, May 15, 1919.
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E. J. Hill, "A League of Ineffectiveness," The Nation
American Review, 1919-1920, September, 1919.

"Quoting the Star," The Nation, 1919-1920, May 15, 1919.

"Now the French support the President's plan," The
Lancet, 1919, May 15, 1919. E. J. Hill, The
President's Challenge to the Senate, The North American
Review, 1919-1920, June, 1919.

nations, such as to weaken the Central powers in order to forestall a repetition of their crimes. To propose peace in the general before obtaining it in the concrete was reversing³⁸ the logical order. In another article, Hill inquired:

Is this ^{at times} when . . . American conceptions are triumphing even there [England] for America to enter into an imperial partnership? Confessedly, this League is imperial in its origin [Cecil and Smuts], its nature, and its aims.

Why should the League, if it is to exist, be on the plan of the British Empire, and not on the plan of our American ideals? If we are to get nothing out of this League but ideals, why should we not at least have the ideals?³⁹

Harvey believed that in the past America's greatest contributions had been made alone. By acting as a stabilizing force in the world, ready to lend a helping hand where a hand is necessary, she had freed Cuba, the Philippines, Porto Rico, she had kept South America safe and immune, and she had provided a refuge for oppressed immigrants.⁴⁰

Much of the opposition to the covenant was felt by many to be the result of the manner in which Woodrow Wilson had gone about the task. One Colcord, in The Nation, stated

38

D. J. Hill, "The Debacle of Dogmatism," The North American Review, 209:584-585, May, 1919.

39

D. J. Hill, "Americanizing the Treaty," The North American Review, 210:164, August, 1919.

40

G. Harvey, "America and Humanity," The North American Review, 210:12, July, 1919.

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- 38
 D. J. Hill, "The Debacle of Dogmatism," The Nation
American Review, 20:584-585, May, 1918.
 39
 D. J. Hill, "Americanizing the Treaty," The Nation
American Review, 21:164, August, 1918.
 40
 G. Harvey, "America and Humanity," The Nation
American Review, 21:112, July, 1918.

that the administration had conducted the entire proceedings in secrecy, endeavoring at the same time both to maintain an authority over public opinion and "to cover up its inadequacy and inefficiency."⁴¹ James M. Beck hurled the accusation, that, while Wilson proposed the League at Paris, he "did so without any mandate from the American people and in the teeth of an overwhelming vote last November, with which the American people refused to give a blank power of attorney to President Wilson to carry out his peace policies."⁴² The Nation characterized his usurpation of power and autocratic rule as being as "sinister as and as absolute as any that the Middle Ages ever saw."⁴³ Harvey pointed to Wilson's signature on the treaty: "'Honorable Woodrow Wilson, President of the United States, acting in his own name and by his own proper authority,'" as "either egomania or an unconscious assumption of divine authority."⁴⁴ The real issue, according to Hill, no matter what the popular attitude might have been on the league, was the attempt of the "Executive

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Lincoln Colcord, "Why Wilson Was Defeated at Paris," The Nation, 108:782, May 17, 1919.

⁴²

J. M. Beck, "A Reply to Lord Robert Cecil," The North American Review, 210:35, July, 1919.

⁴³

"An Exhausted Virtue," The Nation, 108:929, June 14, 1919.

to dominate the legislative branch" of government.⁴⁵ That this course, furthermore, had altered materially the character of the covenant was the firm belief of The New Republic which asserted that the result of his lonely fight had been to prevent the democracies from "influencing" the treaty, for he drained them of their reason, sense and hopes by his glorious words.⁴⁶ Walter Lippman, author and former Associate Editor of The New Republic, similarly expressed this sentiment when he wrote that, "Wilson felt that he could depend upon the world community mind to force through his type of peace, acting above the State Department."⁴⁷

Not all those who were critical of the covenant favored a course of narrow opposition. The New Republic liked the suggestion of one group that the objections might be met by interpretative and clarifying modifications. This would hasten ratification of the treaty, avoid recommitment to Paris, and at the same time preserve the better parts while limiting the bad parts. As its contribution The New Republic sponsored the insertion of a definite statement that Article X did not bind the United States to enter into European or African conflicts in the execution of the

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D. J. Hill, "The President's Challenge to the Senate," The North American Review, 209:740, June, 1919.

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"Must?" The New Republic, 19:135, May 31, 1919.

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Walter Lippman, "The Peace Conference," The Yale Review, 8:716, July, 1919.

48

treaty. On the other hand, Pepper urged a specific limit to Article X by definitely obligating the United States to enforce the treaty but not the covenant, "which is blank respecting the obligation, leaving it to the future history of the world to fill in the body of that obligation." Taft, Butler, and Hughes, among others, favored rather that a declaration should be made to the effect that the American people should never be compelled to go to war without authorization first by Congress.

In the case of Article XXI, Thomas R. White, a prominent lawyer in Pennsylvania, asked for an amendment to guarantee not only the territorial but also the political independence of the Americas by reserving the Monroe Doctrine for administration by the United States. Elihu Root, at one time President of the Hague Tribunal of Arbitration, was quoted by Hamilton Holt as approving a reservation that the United States should not be required to submit purely American problems to the decision or recommendation of other powers. Charles Evans Hughes, former Associate Justice of

48

"Must?" The New Republic, 19:135, May 31, 1919.

49

G. W. Pepper, "Wanted: A League of Nations Likely to Promote Peace," Annals of the American Academy of Political and Social Science, 84:213-214, July, 1919.

50

For Taft: News item in the Los Angeles Times, September 2, 1919, pt. 1, p. 1; For Butler: Editorial in the Los Angeles Times, July 12, 1919, pt. 1, p. 3; For Hughes: News item in The New York Times, July 29, 1919, p. 3.

51

Thomas R. White, "The Amended Covenant of the League of Nations," Annals of the American Academy of Political and Social Sciences, 84:188, July, 1919.

52

Hamilton Holt, "Article X--The Soul of the Covenant," The Independent, 99:15, July 5, 1919.

On the other hand, the treaty...
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"Quest" The New Republic, 1913, May 11, 1913.
 48
 U. S. Paper, "Quest": A Inquiry of Nations...
 to promote peace, "Quest" of the American...
 49
 For full: News item in the...
 September 9, 1913, of...
 the Los Angeles Times, July 12, 1913...
 News item in the New York Times, July 22, 1913...
 51
 Thomas R. White, "The United States...
 of Nations," Quest of the American...
 52
 Hamilton Holt, "Article X--The Soul of the Government...
 The Independent, 1913, July 5, 1913.

the United States Supreme Court, recommended that a nation should not be required to become a mandatory without its consent, thereby refuting the all-inclusive imperialism⁵³ under the mandatory system. For the procedure in the council Taft hoped that a clause would be written in keeping the self-governing dominions from the council table while⁵⁴ the mother country possessed a seat. A difference of opinion arose over what should be the character of the withdrawal clause. Hughes believed that the United States should have the right of immediate withdrawal from ensuing but not⁵⁵ prior obligations. Root was convinced that the only way in which the United States could prevent the voting trust in the council and the assembly from involving us in a war was by "the right to secede from the League on two years' notice, whether its international obligations were fulfilled or⁵⁶ not." Taft felt that the best course was to test the fruits of the league by having the clause read that membership involved only a trial of ten years, at the end of which

⁵³

D. J. Hill, "Americanizing the Treaty," The North American Review, 210:171, August, 1919.

⁵⁴

"Mr. Taft, Mr. Hughes, and the League of Nations," The Outlook, 122:530, August 6, 1919.

⁵⁵

News item in The New York Times, July 29, 1919, p. 3.

⁵⁶

H. Holt, "Article X--The Soul of the Covenant," The Independent, 99:15, July 5, 1919.

the United States... should not be... consent, thereby... under the... Council felt... the self-governing... the mother country... opinion arose over... grave... have the right of... prior obligations... which the United States... the Council and the... by "the right to... whether its... not." That... first of the... ship involved only...

53
D. J. Hall, American Review, 1914, p. 100.
54
"Mr. Hall, The Outlook, 1914, p. 100.
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Hall, The Outlook, 1914, p. 100.
56
Hall, The Outlook, 1914, p. 100.
57
Hall, The Outlook, 1914, p. 100.

the privilege of unconditional withdrawal could be
⁵⁷exercised. To Hill, if these alterations were to be
 adopted, they would shift the center of the covenant to the
 member states and away from the council or central control,
 and then the Covenant would assume the form of a "written
 Entente, providing mechanisms for consultation and discussion,"
⁵⁸and the defense of international law.

On the other hand, there were many who felt that the
 revisions had gone too far, leaving the league too weak to
 prevent war. The World's Work lamented the refusal of the
 United States to submit the future of the Monroe Doctrine to
 the league, for now France was asking for added security in
 alliance while Italy and Japan similarly wavered over Fiume
 and Shantung.
⁵⁹The New Republic pointed to the reports of a
 proposed special alliance between the United States, France
 and England against German aggression as a consequence.
⁶⁰Very regrettable in the estimation of Pepper was the failure
 to adopt Root's three amendments for, (1) a High Court; (2)
 obligatory arbitration; (3) and inspection of munition makers.
⁶¹

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"Mr. Taft, Mr. Hughes, and the League of Nations,"
The Outlook, 122, 530, August 6, 1919.

⁵⁸

D. J. Hill, "Americanizing the Treaty," The North
 American Review, 210:170, August, 1919.

⁵⁹

"What is left of the League Covenant?," The World's
 Work, 38:233, July 1919.

⁶⁰

"The A.B.C. of Alliances; The French Alliance," The
 New Republic, 19:108-109, May 24, 1919.

⁶¹

G. W. Pepper, "Wanted: A League of Nations Likely to
 Promote Peace," Annals of the American Academy of Political
 Science, 84:212-213, July, 1919.

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obligatory arbitration; (3) and inspection of munition makers.

Mr. Telf. Mr. Hughes, and the League of Nations,
The Outlook, 122, 520, August 6, 1919.
D. J. Hill, "Amendments to the Treaty," The North
American Review, 210:170, August, 1919.
"What is left of the League Covenant?" The World's
Work, 38:235, July 1919.
"The A.B.C. of Alliances: The French Alliance," The
New Republic, 19:108-109, May 24, 1919.
G. W. Pappe, "Wasabi: A League of Nations likely to
Promote Peace," Annals of the American Academy of Political
Science, 24:212-213, July, 1919.

White was critical of the general statements providing for an international court to be set up in the future. It would be hampered by the absence of any recognition of the binding character of international law and by the fact that states needed only to submit those disputes which were deemed suitable.⁶²

In the center were those who regarded the revised covenant as generally satisfactory. The value of Article X was stressed especially, to preserve smaller nations and to check imperialism. A writer to The New Republic believed that if Article X had existed in 1914 Belgium would not have been overrun.⁶³ Emphasis was made upon the fact that it did not prevent any group from securing redress for internal grievances. William G. McAdoo, former Secretary of the Treasury, declared that Article X "does not permit the League to interfere in any uprisings or disturbances within a state itself."⁶⁴ The New York Evening Post interpreted external aggression as allowing for "peaceful negotiation . . . plebescites . . . domestic revolutions."⁶⁵

⁶²
T. R. White, "The Amended Covenant of the League of Nations," Annals of the American Academy of Political and Social Science, 84:184-185, July, 1919.

⁶³
H. M. Kallen, letter to the Editor, The New Republic, 20:25, August 6, 1919.

⁶⁴
William G. McAdoo, "The League of Nations," The Outlook, 122:368, July 2, 1919.

⁶⁵
"The Root Reservations," The Literary Digest, 62:27, July 5, 1919.

White was critical of the General Assembly's provision for an international court to be set up in the future. It would be hampered by the absence of any recognition of the binding character of international law and by the fact that states needed only to submit those disputes which were deemed suitable.

In the center were those who regarded the revised covenant as generally satisfactory. The value of Article X was stressed especially, so were the smaller nations and the check imposed. A writer to the New Republic believed that if Article X had existed in 1914 Belgium would not have been overrun. Emphasis was made upon the fact that it did not prevent any group from assuming power for internal government. William G. Macdonald, former Secretary of the Treasury, declared that Article X "does not permit the League to interfere in any workings or disturbances within a state itself." The New York Evening Post interpreted external aggression as allowing for "peaceful negotiation . . . domestic revolutions."

- 83
T. E. White, "The Amended Covenant of the League of Nations," Annals of the American Academy of Political and Social Science, 64:185-192, July, 1919.
- 84
H. M. Kallen, letter to the Editor, The New Republic, 30:22, August 2, 1919.
- 85
William G. Macdonald, "The League of Nations," The Outlook, 129:368, July 2, 1919.
- 86
"The Root Reservations," The Literary Digest, 32:27, July 2, 1919.

The New York Times quoted Senator R. L. Owen as declaring that, "'the friends of Ireland should realize the tremendous influence for right which a democratic league would play . . . They must come to recognize that Ireland will benefit from a League, rather than be persecuted under English domination."⁶⁶ Taft, however, qualified his statement that Article X assured the exclusion of internal revolution within the jurisdiction of the League to the effect that, ". . . though perhaps if a revolution like the Bolsheviki came, and it looked as if it might spread to neighboring countries, then a hand might be taken." That the United States would still be protected, Taft noted in the "necessity for a unanimous⁶⁷ vote."

The goal of Article X was, in the estimation of Thomas R. White, that war would never be used to get "territory or for the destruction of a political entity." It meant that there would be a period of enforced examination of military disputes and delay before commencing hostilities.⁶⁸ McAdoo described the purpose as being the exploration to prevent war by every medium of prevention: arbitration

⁶⁶
News item in The New York Times, September 1, 1919, p. 2.

⁶⁷
William Howard Taft in the Los Angeles Times, September 2, 1919, pt. 1, p. 1.

⁶⁸
T. R. White, "The Amended Covenant of the League of Nations," Annals of the American Academy of Political and Social Science, 84:182, July, 1919.

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 News item in The New York Times, ...
 90
 William Howard Taft in the Los Angeles ...
 September 2, 1918, p. 1, col. 1.
 91
 T. R. White, "The American Covenant of the League of Nations," Annals of the American Academy of Political and Social Science, vol. 18, July, 1918.

to justiciable cases, inquiry into non-justiciable cases and recommendations, final review by the Assembly and Council, and then the elapse of three months before war was declared.⁶⁹ To White such a procedure would give time "for the passions to cool, for the costs to be counted, and for that element of the community opposed to the war to make its influence felt." Quite often this would prevent war, for reexamination generally would clear up misunderstandings and disclose false arguments. Time was a great pacifier as well as a healer.⁷⁰ Again, The World's Work noted another advantage of such a procedure. Publicity would carry disputes into the world view where the united verdict of the people⁷¹ of the world might prevent war.

An analysis of the covenant, furthermore, would disclose that the United States, in the event that there was a violation of Article X, would not be automatically liable to fight. Vice-President Marshall wrote that he could discover "no definite clause that bound the Congress and the United States to guarantee by force of arms the territorial integrity of any people."⁷² Taft asserted that, "It pro-

⁶⁹
W. G. McAdoo, "The League of Nations," The Outlook, 122:369-371, July 2, 1919.

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T. R. White, op. cit., 84:178.

⁷¹
"What is Left of the League Covenant?" The World's Work, 38:234, July, 1919.

⁷²
Thomas R. Marshall, "America, the Nations and the League," Annals of the American Academy of Political and Social Science, 84:197, July, 1919.

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W. E. Moberg, "The League of Nations," The Outlook,
1921:355-371, July 2, 1919.
T. E. White, op. cit., 24:175.
"What is Left of the League Covenant?" The Outlook,
1921:355-371, July, 1919.
Thomas E. Marshall, "America, the Nations and the
League," Annals of the American Academy of Political and
Social Science, 24:175, July, 1919.

posed only joint action by all members of the League on advice from the council which acts only in an advisory capacity and our Congress, therefore, could still refuse." ⁷³

Holt wrote that, if any such war were to start:

. . . then the Council will recommend what action shall be taken. The United States is always to have on the Council one representative who must join in recommending the course to be taken, and, as the Council acts on the principle of unanimity, it is inconceivable that it will recommend that the United States send her troops to any part of the world except where we have a direct interest or our proximity makes us the logical policeman.

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Thus, under the Monroe Doctrine, the United States limited aggression for nearly a century without firing a shot, and Article X simply extended the Doctrine. ⁷⁴

Taft rested his thesis upon the treaty-making power of the United States to voluntarily submit to treaty agreements or "obligations of the covenant." And obligations in ⁷⁵ the covenant were only voluntary agreements. So too, in the estimation of both White and McAdoo, was there only a recommendation of economic and social boycotts and outlawry in the matter of enforcement, leaving to Congress the

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W. H. Taft in the Los Angeles Times, September 2, 1919, pt. 1, p. 1.

⁷⁴

H. Holt, "Article X--The Soul of the Covenant," The Independent, 99:15, July 5, 1919.

⁷⁵

D. J. Hill, "The President's Challenge to the Senate," The North American Review, 209:744, June, 1919.

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73
W. H. Holt in his book League of Nations, September 1919, pp. 1, 2, 3.
74
H. Holt, "Article X--The Soul of the Covenant,"
The Independent, 20:12, July 5, 1919.
75
F. J. Hill, "The President's Challenge to the
Senate," The North American Review, 190:4, June, 1915.

decision as to the course to be followed.

In other respects the revised draft answered specifically most of the criticism levelled during the previous months. Gilbert Murray, professor, writing in The Living Age, praised the work of the League Commission, expressing the sentiment "that it has gone as far as it has dared in each case, stopping just short of the point at which the Powers would refuse to come in."⁷⁶ In the case of the Monroe Doctrine, and article in The World's Work noted that the dubious task of finding a true description has escaped men for one hundred years. This had now been solved, by the Covenant in effect saying, "Whatever the Monroe Doctrine precisely is, we do not venture to say, but whatever it is,⁷⁷ it is excluded from the operations of the Covenant." Holt commended the "mandatory" system, averring that the captured colonies should be cared for in the interest of international good, for the equitable use of all nations, not for a single power to exploit or annex.⁷⁸ An editorial in The World's Work, moreover, extracted from the statement, "that armaments should be restricted only to the lowest point con-

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Gilbert Murray, "Some Remarks on the League," The Living Age, 301:710, June 21, 1919.

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"Meeting the Objections to the League," The World's Work, 38:121, June, 1919.

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H. Holt, "Burning Down the House to Roast the Pig," The Independent, 98:436, June 21, 1919.

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Division and, 201-710, June 21, 1912.

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June 28, 1912, June 21, 1912.

H. Holt, Secretary from the Board of

The Incorporated, 201-710, June 21, 1912.

sistent with national safety," convincing proof that the United States would have sovereignty over its armaments.⁷⁹ Substantiating this brief was the comment of White that, while "the council is to determine what military equipment and armament is fair and reasonable . . . it is not binding upon any state unless and until the state accepts it by its own free will."⁸⁰ Again, The World's Work regarded the specification in Article XV, declaring domestic problems outside league jurisdiction, as concrete evidence that the United States (and Great Britain) need not have any fears on the subject of oriental immigration.⁸¹ Likewise, the right of withdrawal after two years' notice with performance of all obligations was commended by Vice-President Marshall as a satisfactory settlement in that the United States would not be rigidly bound to any iniquitous alliance and that future generations need not be burdened by it.⁸²

The covenant also was praised for other provisions which it included to assist in preventing war in the future and in promoting human welfare in peacetime. White liked the requirement that treaties must be made public. By open-

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The World's Work, op. cit., 38:123.

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T. R. White, "The Amended Covenant of the League of Nations," Annals of the American Academy of Political and Social Science, 84:180, July, 1919.

⁸¹

"Meeting the Objections to the League," The World's Work, 38:122, June, 1919.

⁸²

T. R. Marshall, "America, the Nations and the League," Annals of the American Academy of Political and Social Science, 84:197-198, July, 1919.

ing the latter to scrutiny, it would be difficult to mold treaties into aggressive designs. If the latter were hidden from view, the covenant declared them not to be binding upon the world.⁸³ Both the editor of The World's Work and Holt in The Independent were impressed with the machinery created to carry out many of the provisions in the Paris treaties, such as the supervision of the Saar and Shantung, the protection of the newly-created nations (Poland, Lithuania, and Czechoslovakia among others), the conduct of plebescites for self-determination purposes, and the management of international waterways.⁸⁴ The Outlook regarded Article XIV highly, "which provides for the establishment of an international court."⁸⁵ Equally regarded by McAdoo was the constructive programs outlined in Article XXIII for the abolition of white slavery, disease, opium consumption, and for assistance to backward races.⁸⁶ The Literary Digest indicated that from the opinions sent in there was much favor for the international labor charter and its insertion in the peace treaty.⁸⁷

83

"What is Left of the League Covenant?" The World's Work, 38:233, July, 1919; Holt, "Burning Down the House to Roast the Pig," The Independent, 98:436, June 21, 1919.

84

T. R. White, op. cit., 84:180-181.

85

"The League of Nations Discussion," The Outlook, 122:630, August 27, 1919.

86

W. G. McAdoo, "The League of Nations," The Outlook, 122:371, July 2, 1919.

87

"Labor's Bill of Rights," The Literary Digest, 61:13, May 24, 1919.

Samuel Gompers, President of the American Federation of Labor, hoped that it would operate as a "clearing house," hearing all sides, and then recommending to nations programs for

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labor improvement. John B. Andrews, Secretary of the American Association for Labor Legislation, declared that it would aid America by wiping out the "cheap foreign labor"

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handicap in international trade.

In closing their brief, the proponents of the league pleaded that it be given a trial. They urged that the assumption should be made that the league was made up of reasonable friendly, and fair nations, and that the best the United States could do was to trust in them and risk the hidden dangers. Gompers inquired, "Is it possible in the beginning to expect frail human minds to compromise their many differences and bring to the world a perfect document?" So, too, Gompers reminded the public, had labor unions been greeted in the beginning with denunciations and criticisms,

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and yet survived to improve labor conditions. Senator Hitchcock, writing in the Annals of the American Academy, argued that during all the progress of civilization and the development of national life, the world heretofore had

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Samuel Gompers, "Labor and the League of Nations," The Independent, 99:134, July 26, 1919.

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News item in The New York Times, June 6, 1919, p. 3.

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Samuel Gompers, op. cit., 99:121, July 26, 1919.

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In closing their brief, the proponents of the league pleaded that it be given a trial. They urged that the nation should be made that the league was made up of responsible, friendly, and fair nations, and that the best the United States could do was to trust in them and risk the hidden dangers. Gompers inquired, "Is it possible in the beginning to expect free human minds to comprehend their own difficulties and bring to the world a perfect document?" too, Gompers reminded the public, had labor unions been greeted in the beginning with denunciations and criticism and yet survived to improve labor conditions. Senator Hitchcock, writing in the Annals of the American Academy, argued that during all the progress of civilization and the development of national life, the world has therefore had

Samuel Gompers, "Labor and the League of Nations," The Independent, 28:134, July 26, 1918.

News item in The New York Times, June 4, 1918.
Samuel Gompers, op. cit., 28:131, July 26, 1918.

been organized for war. Now that a solution had been advanced for the prevention of war, surely all its resources, its taxes and its education could be equally utilized in behalf of peace. That the chances of success were promising, Hitchcock continued, could be discerned in the fact that democracies now dominated the world, empires had vanished, and with them conquest.⁹¹ The World's Work remarked that certainly "the mere fact that representatives of forty-five nations are to convene at stated intervals . . . will be an influence for peace."⁹² Somewhat more materialistic, McAdoo could not refrain from adding that America is "the dominant financial power of the world," ready to make foreign investments. A league would make these investments more safe, if they were⁹³ fairly-made and non-exploitive.

Now that the treaty and the covenant were before Congress for consideration, the question of considering them jointly became a burning issue. Reiterated was the accusation by some that Wilson was pinning the league with the treaty in order to place the odium for preventing it upon the Senate. The Chicago Tribune urged that the people be allowed to examine the covenant at more length and to vote upon it

91

Gilbert M. Hitchcock, "In Defense of the League of Nations," Annals of the American Academy of Political and Social Science, 84:201-203, July, 1919.

92

"What is Left of the League Covenant?" The World's Work, 38:233, July, 1919.

93

W. G. McAdoo, "The League of Nations," The Outlook, 122:371, July 2, 1919.

separately. Even if the league covenant were good, it should be reviewed deliberately, for time would not harm a good

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subject. More imperious was The Nation which declared that what Congress should do is pass:

. . . a resolution declaring summarily that the state of war is at an end, demanding the immediate withdrawal and demobilization of all our expeditionary forces, renouncing responsibility for further police duty in Europe, and authorizing the resumption of free commerce.⁹⁵

The New York Times suspicioned that much of the agitation for this course was partisan, an attempt by the Republicans to discredit the work of the President in the eyes of

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the world and the nation. Oscar S. Straus, former ambassador extraordinary to Turkey, warned that if the league is not passed as it now stands, it is lost for good. It would take time, red-tape and antagonisms to refer reservations⁹⁷ amounting to amendments back to Paris for their approval.

McAdoo stressed the fact that the treaty would have no way⁹⁸ of being enforced if the League were taken out. Holt noted that beyond the twenty-six articles of the Covenant itself:

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"Republican Effort to Split the Treaty," The Literary Digest, 61:12, June 21, 1919.

95

"An Exhausted Virtue," The Nation, 108:929, June 14, 1919.

96

Editorial in The New York Times, May 25, 1919, Sec. 3, p. 1.

97

News item in The New York Times, July 25, 1919, p. 1.

98

Ibid., May 27, 1919, p. 5.

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37

"Republican Effort to Split the Treaty," The Nation

NY Herald, 21:12, June 21, 1919.

38

"An Exhausted Virtue," The Nation, 105:223, June

14, 1919.

39

Editorial in The New York Times, May 22, 1919.

Dec. 2, 1919.

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News item in The New York Times, July 28, 1919.

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Idib., May 27, 1919, p. 2.

The League of Nations is referred to by name seventy-one separate times.

The League, for instance, will have full charge and final disposition of the Saar valley; it will control the free city of Danzig; it will supervize the conventions between Germany and Poland and Germany and Austria; . . . it will supervize all treaties between Germany and the Allied Powers, it will have duties to perform in regulating the international traffic of ports, waterways, and railroads. . . 99

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H. Holt, "Burning Down the House to Roast the Pig,"
The Independent, 98:436, June 21, 1919.

The League of Nations...
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Allied Powers...
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corps, railways...

H. Holt, President
The Independent, 33:438, 12:41

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CHAPTER V

THE FIRST SENATORIAL DISCUSSION

In the early fall of 1919 the debate over the Covenant reached its climax when it was handed to the Senate for consideration along with the Versailles treaty, of which it was to be an integral part. This debate became indeed tense when President Wilson left Washington on September 3 for a "swing around the circle", covering the Middle and Far Western states. From then until November 19, 1919, when the Senate gave its verdict, the observations of the previous months crystallized into schools ranging from "rejecters", through "qualifiers", to "ratifiers". The North American Review, with David Jayne Hill as its persistent contributor, continued as a spokesman of the rejecters, with The Nation definitely allied in opposition. The New Republic, although not wholly out of sympathy with the Covenant, disliked many of its features. This position was held, too, by certain newspapers such as the Chicago Tribune. Less determined upon alterations, but not oblivious to defects in the Covenant, was The Outlook. Among ratifiers Hamilton Holt had not deviated from his previous position. The New York Times and The World's Work were favorable to the Covenant

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unamended. Although battle lines in general remained clearly drawn, a note of compromise was apparent among pro-journals.

Those who favored complete rejection of the Covenant stressed during these months the viciousness of the treaty with Germany as disclosing the character of the League into which the United States was invited. In no uncertain terms The Nation pronounced the refusal of the Allies to draw up a peace based on the "fourteen points" as an indication of their moral degradation. The League joined to a treaty which violated almost every dictate of humanity, justice and history, and contrary to racial instincts, was a covenant with future wars, and at this moment, "with death--death in Russia, death in Poland, death in a dozen different places." ¹ Hill, writing in The North American Review, observed that if the "fourteen points" had been compiled with, Germany would have been admitted to the negotiations, and entitled to equal membership in the League, but participation was denied. The Covenant was promulgated by the five Great Powers sitting in secret as a Supreme Council, then interwoven with the treaty, and "covenanted into an alliance between a group of Powers established to enforce the Treaty of Peace. The organ of universal peace

¹
 "A Covenant With Death," The Nation, 109:557, November 1, 1919.

and conciliation has become a confessed instrument of un-
 defined punishment."² More specifically The Nation declared
 that despite Wilson's claim that the League set up a forum
 in which every problem of self-determinism could be dis-
 cussed, the outlook for the various states was dark indeed.
 The Irish question would never be settled by talk. If it
 could, it would have done so long ago. As a forum the
 League project seemed superfluous. Certainly the unsettled
 conditions apparent in Fiume, Hungary and elsewhere occasion-
 ed by the faulty treaty dispositions would be difficult for
 a League to handle, while the imminent danger of a coup in
 Danzig would embarrass it seriously. As for China, the
 chances were slim, in view of the Versailles proceedings,
 that her application for redress in the matter of Shantung
 would be granted.³ To Hill, moreover, the type of peace
 imposed on Germany, which the League was asked to enforce,
 would shelter trouble. Hill wrote:

You cannot expect that eighty million people,
 comprising a great and capable nation, hedged in
 by States less potent in numbers and not more
 capable in military efficiency, will be content to

² David Jayne Hill, "The President's Attack on the
 Senate," The North American Review, 210:587-602, November,
 1919.

³ "A Colossal Humbug," The Nation, 109:424,
 September 27, 1919.

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David Jayne Hill, "The President's Address on the
 Senate," The North American Review, 110:587-592, November,
 1919.
 "A Colonial Handbook," The Nation, 109:144,
 September 27, 1919.

go on, for more than a whole generation, paying heavy indemnities, excluded from every prospect of colonial possession. . . unless they are permanently held down by a superior military force.⁴

The New Republic regarded the League as set up in the Covenant as "an essentially secret committee of five executives," to enforce the conditions created by the peace conference, which left Europe and Asia in turmoil and would continue to do so. For to expect that:

. . . The long and unnecessary blockade, the criminal folly in regard to Russia and Hungary, the unworkable treaty with Germany, the reckless aggrandizement of immature states in Central Europe, the endless intrigue in the Near East, and the crime against China. . .

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would augur for peace was futile.

The League was regarded, furthermore, as weak in power to thwart predatory nations. Hill remarked that, since science had conquered the barriers between nations, they would of necessity have relations, but relations based on law and order, not power. The fundamental issue was the possibility of setting up definite legal principles which eliminated imperialism as a national motive. But, under the League, the great nations would forget principles and be transformed into "industrial and commercial corporations. . . pitted against one another in rivalry to

4

D. J. Hill, "The Nations and the Law," The North American Review, 210:451, October, 1919.

5

"The President With His Finger Crossed," The New Republic 20:136, September 3, 1919.

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D. J. Hill, "The Nations and the Law," The North American Review, 210:451, October, 1919.

"The President With His Finger Crossed," The New Republic 20:138, September 5, 1919.

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possess the wealth of the world." P. Beckwith Davis, writing in The North American Review, said that while the twentieth century had no pirates of the old school to eliminate, there still existed predatory nations which the League was conceived to subvert. It was to be seriously questioned if the League would have any effect on these actively or permissively predatory nations and whether it would encourage or discourage illegal acts.⁷

As an example, Davis continued, suppose that the Mexican leaders expropriated or confiscated the oil lands of foreign investors [a very appropriate supposition in view of current developments in Mexico]. Under Article XVII the League would be presented with a dispute and Mexico would be invited to join in its settlement. While submission to inquiry or arbitration would be required, it was to be noted that the States might take their time to present arguments, while the Council would have six months in which to make a recommendation. If judgment was levied against Mexico and she refused, then the Council would sever trade relations. As for force, the injured nation would have to wait for three months before it could declare

6

D. J. Hill, "The Nations and the Law," The North American Review, 210:439-442, October, 1919.

7

P. Beckwith Davis, "Suppose for Example---," The North American Review, 210:546-551, October, 1919.

war. Perhaps that would calm Mexico but suppose a non-member like Germany should refuse to apply sanctions. Then, the League members and investors would suffer while Mexico and Germany waxed rich. Even if Germany applied the sanctions, the time period elapsing would see Mexico exploit and waste or take the oil in vast quantities. In this eventuality judgment would be of little use.

Or, continued Davis, suppose that the United States accepted the Covenant and a border raid like that on Columbus took place. The United States could not send a Pershing south under Articles XVI and XVII but would have to approach the trouble through the League. While Mexico would be called to answer, no time limit as usual would be set. In the meanwhile the raids might continue and the United States would be helpless to do anything. If Mexico refused to discuss the matter, boycotts could be applied, but they would be difficult to enforce entirely. If Mexico accepted arbitration and judgment went against her, it was doubtful if the long interval of disorder would permit the accumulation of any funds for reparation.

To some opponents, the provision in the Covenant for "mandates" was simply a convenient cloak behind which predatory nations could parcel out German colonies as they saw fit. Alpheus Henry Snow, member of the Executive Council of the American Society of International Law, in The Nation,

questioned the sincerity of Article XXII which provided for "mandates", yet failed to specify how the German colonies were to be distributed. This method of distribution:

. . . was not free or open-minded, being made in pursuance of secret commitments and understandings, and without reference to the full Conference. If the Covenant permits the British Dominions and India to be at the same time members of the League of Nations as independent states, with full voting powers and the power to be mandatories of the League, and at the same time allows them to be parts of the British Empire in subordination to Great Britain, or federal states in a British Commonwealth under Great Britain as presiding and commanding head, the distribution was not impartial; for by it the British Empire received nearly all that there was to be distributed.⁸

To The Nation the best thing to do was to defeat the treaty and to make a separate peace with Germany, excluding punitive indemnities and losses of territory. Then a move should be made for a real democratic union of the peoples of the earth, free from any complications with the existing treaty.⁹ Again, The Nation asserted that, as it was, with Russia excluded and the small States having no voice, the League was thrown into the realms of the fictitious and

8

Alpheus Henry Snow, "The Distribution of the German Colonies," The Nation, 109:530, October 25, 1919.

9

"A Covenant With Death," The Nation, 109:557, November 1, 1919.

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⁸ Alphons Henry Snow, "The Distribution of the German Colonies," The Nation, 102:530, October 23, 1912.
⁹ "A Government With Doubt," The Nation, 102:527, November 1, 1912.

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the improbable.

Among the rejecters, however, were many who believed that no move should be made at any time towards international accords. Their views were well-described by Fernald in The Forum. His thesis was that Americanism was the only national intelligence in the world worth living for and the League's flag imperilled its spirit. Even the consideration that Western civilization would unite in administering a world filled with numerous races was futile in his estimation. Their nationalistic and cultural instincts were too far apart. To bring a white and a yellow man together in a world council was useless in view of the fact that their interests were so extremely divergent. The remarkable success of the United States in building a national sovereignty without let or hindrance, without prying or envious neighbors, could not be improved by a plan to alter these blessings of a situation in any way whatever. Certainly nationality could not survive the grasping deceptions of diplomatic agreements secretly made. And what the League hoped to do was to allow the five big powers to wield the big stick over the smaller, a vain effort to get peace while destroying nationalism. Perhaps in its pre-natal state, the League was intended to be a giant

10
"A Colossal Humbug," The Nation, 109:424,
September 27, 1919.

thing of superhuman wisdom. But it grew up to be an¹¹
overgrown infant of grotesque political anatomy.

Amenders, qualifiers, or reservationists, as they might be called, were equally articulate. They believed it might be possible to save a League for peace by changes to that which emerged from Paris to procure enforcement of an impossible settlement. The Nashua (New Hampshire) Telegraph saw in Wilson's demand for immediate ratification an attempt to cloak the League's ills and errors, making all the more necessary definite¹² alterations. The Wall Street Journal declared that, unless reservations be made, in the future with Wilson and Colonel House dead, no one would be alive to know what actual meaning should be placed on sovereignty rights or¹³ extra-legal entanglements. To The New Republic any particular set of reservations was not so important as were the facts brought to light by investigation and the establishment of legislative criticism. The people had to recognize the force and inevitability of legislative

11

Bert M. Fernald, "Will Nationality Survive," The Forum, 62:459-464, October, 1919.

12

"Hostilities Over the Peace Treaty," The Literary Digest, 62:6, September 20, 1919.

13

Ibid, p. 6.

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 Bert M. Fernald, "Will Nationally Service",
The Forum, 82:487-488, October, 1914.
 12
 "Hostilities Over the Peace Treaty",
Literary Digest, 62:6, September 20, 1914.
 13
Ibid, p. 6.

14 participation. Again, The New Republic asserted that, "until liberalism triumphed, it is unsafe to give power to an international organization whether it called itself a League of Nations or anything else." 15 That Europe would accept any reservations America offered was the opinion of the Chicago Tribune. It continued, since the League needed the United States and the United States did not need the League, we could write our own terms of admission which would be accepted gladly. 16

The New Republic liked particularly the report of the Senate Committee embodying in the main the Lodge reservations because it attempted to cut out both the general American guarantees and the particular duty of administering the treaty with Germany. "In a very exact sense the amendments and reservations dissociate the League of Nations from the treaty with Germany." To follow along the lines of the Senate Report, continued The New Republic, would rejuvenate the League for European peace, not for subjugation of Central Europe. In this manner it could become an agency for world order, not tied to the strings of a bad treaty. Furthermore,

14 "Establishing a Precedent," The New Republic, 20:187, September 20, 1919.

15 "Will the Republicans Save the League?," The New Republic, September 24, 1919.

16 "To Ratify With Reservations," The Literary Digest, 63:15, November 1, 1919.

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"Establishing a Precedent," The New Republic, 20:187, September 20, 1919.

"Will the Republicans Save the League?" The New Republic, September 24, 1919.

"To Ratify With Reservations," The Literary Digest, 63:12, November 1, 1919.

the adoption of such reservations as the Senate favored would hasten the day when a revision of the treaties must appear. If, as critics declared, this would turn the League into a debating society, far better this than an alliance of suppression and selfishness.¹⁷ In another editorial The New Republic asserted that the chief weakness of the Covenant was Article X, for under it the League was bound "to protect its members in their possession of territories acquired no matter how and by a title no matter how valid." For instance, the editor continued, Japan had agreed to return Shantung to China, but, "Until that time has come the League is bound to defend Japan in its present possession." With this the case, the United States ought to be able to make it plain to other nations that she would refuse to guarantee the status quo, unless, as each situation arose, she would voluntarily¹⁸ aid in defense against injustice.

Briefly, the reservations were of two kinds. The Independent, The Outlook, and Current Opinion described

17

"Will the Republicans Save the League?," The New Republic, 20:215-216, September 24, 1919.

18

"No Shirking of Responsibility," The New Republic, 20:162-163, September 10, 1919.

the adoption of such reservations of the League would hasten the day when a revision of the League would appear. If, as critics declared, this would turn the League into a debating society, the League would be an alliance of suppression and self-interest. In an editorial The New Republic asserted that the weakness of the Government was critical, for it was the League was bound "to protect its members in their possession of territories acquired no other than a little no matter how valid." For instance, the League continued, Japan had agreed to return Manchuria to China, but "until that time has come that League is bound to delay Japan in its present possession." With this the United States ought to be able to make it plain to nations that she would refuse to guarantee the League, unless, as each situation arose, she would voluntarily aid in defense against injustice.

Briefly, the reservations were of two kinds. The Independent, The Outlook, and United States suggested

17

"Will the Reservations Save the League?" New Republic, 20:112-113, September 10, 1919.

18

"No Shirk of Responsibility," The New Republic, 20:102-103, September 10, 1919.

the first group as interpretative resolutions. They included the right to withdraw unconditionally on cause, exemption from any obligation under Article X, or from supervising a mandate except by action of Congress, the reservation of domestic questions to national supervision, and self-interpretation of the Monroe Doctrine. As textual amendments there were included the right of the United States to have the same number of votes as the British Empire, the prohibition of the British colonies participating in disputes involving the Empire, the substitution of "China" for "Japan" in the Shantung award, and the disentanglement of the United States from the various international commissions. The Senate Report concluded with the stipulation that these should be accepted by three of the great powers before the treaty ratification became effective.

Ratifiers of the Covenant were no whit less firm in their opposition to any reservations. The Literary Digest listed many pro-league newspapers lambasting the

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Resilients of the Covenant were no less than in their opposition to any reservation. The Digest listed many pro-League newspapers announcing the

10
Hamilton Holt, "Defeat the Reservation," The Independent, 25:441, September 27, 1919; "President Wilson Carries the Treaty to the Senate," United States Outlook, 67:206, October, 1919. "The Peace Treaty in the Senate," The Outlook, 123:77, September 17, 1919.

Lodge reservations as barring America from the League and its framers as practicing international skullduggery and diplomatic false pretense.²⁰ The New York Times editorially agreed with the report issued by Senator M'Cumber that the amendments submitted were "selfish, immoral, and dishonorable" with the purpose, "to isolate the United States from the rest of the world and abandon our Allies."²¹

Some of the proposed changes were regarded clearly as amendments. An Outlook editorial asserted that, any proposition "giving the United States six votes in the League Assembly. . . would mean virtual rejection of the Treaty and the failure at present to establish judicial procedure in international affairs."²² The New Republic observed that the arguments against Great Britain's six votes were weak except in three instances where her six votes might be influential.

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"Hostilities Over the Peace Treaty," The Literary Digest, 62:6, September 20, 1919.

²¹

Editorial in the New York Times, September 16, 1919, p. 14.

²²

"The President, The Senate, and the Peace Treaty," The Outlook, 123:173, October 1, 1919.

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"Hostilities Over the Peace Treaty," The Literary

Digest, 28:6, September 20, 1919.

34

Editorial in the New York Times, September 16,

1919, p. 14.

35

"The President, The Senate, and the Peace Treaty,"

The Outlook, 123:173, October 1, 1919.

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These were: (1) when she was the defendant and twelve votes could prevent the Assembly from taking action; (2) when the entrance of a new member was involved and only sixteen votes were necessary to bar the prospective entrant; and (3) when the Assembly selected four out of the nine members of the Council and Great Britain could exert her influence.²³ On the other hand, the New York Times noted that since voting in the Council had to be unanimous, surely the United States could defend herself there.²⁴ Moreover, The New Republic editorial commented, that as a matter of fact, other blocs were equally to be feared, such as a South America influenced by the United States, or a France with Rumania, Greece, Poland and other Central European nations. As for self-governing dominions, The New Republic continued:

. . .That they are nations no one denies. . .They are certainly not as autonomous as. . .Switzerland; yet they are surely as independent as Panama. . . No part of the Empire ought by its vote to obstruct the action of the League when the Empire itself is a party to the dispute. . .That should

²³ "Six to One," The New Republic, 20:282, October 8, 1919.

²⁴ Editorial in the New York Times, September 23, 1919, p. 16.

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8, 1919.
 "Six to One," The New Republic, October 24, 1919.
 Editorial in the New York Times, September 23, 1919, p. 12.

somehow be made clear. . . There is something dangerously near to quibbling in most of the discussion.²⁵

In the case of the effort to remove the sanction of Article X, the New York Times declared that in so doing it would legalize aggression and the United States would find it necessary not to make any effort to stop war.²⁶ Holt in The Independent reminded the public that this "would throw the world back to where it was in 1914." For the United States would wait until the emergency arose, and then act or not as she saw fit, not trying to prevent the emergency. The reservation actually repudiated the Boxer or Vera Cruz actions of the President by desiring to limit his initiatory action.²⁷ In this connection, the vigorous opposition of the Irish prompted Senator Robert L. Owens to point out that, "The friends of Irish freedom who would defeat the Treaty for the purpose of freeing Ireland seem to have no adequate conception of the tremendous moral influence for genuine democracy and human liberty which the League would exercise. Ireland cannot

²⁶ Editorial in the New York Times, September 16, 1919, p. 14.

²⁷ H. Holt, "Defeat the Reservations," The Independent, 99:441, September 27, 1919.

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²⁵
Editorial in the New York Times, September 18,
1913, p. 14.
²⁶
H. Holt, "Defeat the Reservations," The
Independent, 93:441, September 27, 1913.

win her freedom by brute force, but through public opinion²⁸ and deliberation she may emerge victorious."

Holt was pronounced in his condemnation of America's right to interpret the Monroe Doctrine. It was a reactionary proposal, denying arbitration in face of the Bryan treaties and placing America in the unsportsmanlike position of refusing to allow the Council to hear all sides of an American dispute. Surely the United States was not now afraid to state before any proper international commission why she believed in the Monroe Doctrine or to refuse to listen to any suggestions other nations might make with respect to it.²⁹

With regard to the proposed Shantung change, a New York Times news story carried a summary of the appeal made by 250 leaders in American life, such as Taft, Lowell, Straus, and various governors. They believed that China would be helped by the League in that, as a member, she had a means of obtaining justice, which she never had before. Let the United States back China's demands in the League. There was no need for the Senate to fight it now. Japan should be

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News item in the New York Times, September 1, 1919, p. 2.

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H. Holt, "Defeat the Reservations," The Independent, 99:442, September 27, 1919.

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checked and only through the League could it be done.

As for the reservation having to do with domestic affairs, Holt commented upon the implications for tariffs. So long as tariffs were individually imposed, and did not discriminate, they were internationally ethical. But once they were transposed into treaties of reciprocity or favored nations agreements, they were international in scope and should be
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liable to League action.

The consequences of pressing such amendments were regarded very seriously. Holt warned that they were designed to reopen old sores, to reopen the treaty, and so aid
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Germany. The New York Globe commented, that if "the United States assumes no obligations, and that we shall have. . . a
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phantom league, or no league at all." An American Bar Association Special Committee went on record against amendments proposed by the United States, for they would lead other nations to introduce them in similar manner, and a

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News item in the New York Times, September 15, 1919, p. 1.

31

H. Holt, "Defeat the Reservations," The Independent, 99:442, September 27, 1919.

32

Ibid., p. 442.

33

"President Wilson Carries the Treaty to the People," Current Opinion, 67:208, October, 1919.

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The soundness of the League's position was further
established very seriously. Holt warned that any tariff
to reason otherwise, to reason the tariff, and so on.
Germany. The New York Times, September 17, 1919.
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33
Holt's item in the New York Times, September 17,
1919, p. 1.
31
H. Holt, "United States Reservations," The Independent,
September 27, 1919.
32
1919, p. 443.
33
"President Wilson's Opinion on the League of Nations,"
Current Opinion, October, 1919.

second conference would likely do no better than the last
³⁴ one. Taft emphasized the fact "that the amendments would
 require resubmission to Paris and Europe, thereby delaying
 the coming of peace."³⁵ The Outlook agreed with this point,
 feeling that amendments would necessitate a new Conference
³⁶ with its heavy expenses and deep intrigue. The New York
Times prophesied that in the event the Covenant did not go
 through, the United States "shall have to be armed to the
 teeth now and forever. . ." For only one more signature
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 two camps would appear, this time with the United States
 against all of Europe. This would force army recruiting and
 armament building with its heavy taxes and inevitability of
³⁷ a future war.

That the Covenant needed alterations was not denied by
 many proponents, but it was felt that they could wait for a

³⁴
 News item in the New York Times, September 5, 1919,
 p. 1.

³⁵
 News item in the Los Angeles Times, October 4,
 1919, pt. 1, p. 2.

³⁶
 "The Peace Treaty in the Senate," The Outlook,
 123:77, September 17, 1919.

³⁷
 "President Wilson Carries the Treaty to the People,"
Current Opinion, 67:209, October, 1919.

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News item in the New York Times, September 5, 1919, p. 1. 34
News item in the Los Angeles Times, October 4, 1919, pt. 1, p. 2. 35
"The Peace Treaty in the Senate," The Outlook, 1919, September 17, 1919. 36
"President Wilson Carries the Treaty to the Senate," Current Opinion, 67:309, October, 1919. 37

future day. A New York Times editorial said that, "it is better to ratify now and amend later when the world has calmed somewhat."³⁸ The American Bar Association Special Committee declared that, "amendments should come later through the process provided for in Article XXVI."³⁹ The Outlook admitted that the set-up might be weak but it might swell to power as did the Constitution and the Supreme Court under John Marshall.⁴⁰ Charles Seymour, Yale professor and member of the peace Commission, wrote in The Yale

Review:

. . . Every one will admit that the League in its present form ought to be amended sooner or later; the Covenant was constructed exactly with a view to such amendment and development. No one can say whether or not the League, even when amended, will work. . . or that it will ensure us absolutely against war. . . there are not many. . . who will not agree with the remark of Venizelos [Greek Statesman]: 'Without a League of Nations, Europe would face the future with despair in its heart'.⁴¹

³⁸

Editorial in the New York Times, September 10, 1919, p. 10.

³⁹

News item in the New York Times, September 5, 1919, p. 1.

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"The President, the Senate, and the Peace Treaty," The Outlook, 123:173, October 1, 1919.

⁴¹

Charles Seymour, "The League of Nations," The Yale Review, 9:43, October, 1919.

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 Committee declared that, "The American Bar Association should come later
 through the process provided for in Article XVII. The
 Outlook admitted that the strike might be a week but it
 might well be worse as the Constitution and the Supreme
 Court under John Marshall. William Howard Taft's proposal
 and support of the Labor Department, which is the only

Review:

Every one will admit that the strike is the
 present form of a business war. It is
 the Government and the courts, which are
 to each side and the other side. It is the
 self-interest of each side that is at stake.
 with the Government. It will be a struggle
 between the Government and the labor union.
 not only with the Government but with the
 States. It is a struggle of the future.
 would face the future with respect to the future.

Editorial in the New York Times, October 1, 1919, p. 10.
 News item in the New York Times, October 1, 1919, p. 1.
 "The President, the Senate, and the House of Representatives,"
 The Outlook, October 1, 1919.
 Charles Seymour, Publishers of the Outlook, 1919.
 Yale Review, 1919, October, 1919.

Again, The Outlook remarked that:

. . .The present plan is far from perfect, but shall we run the risk of continued chaos at home and abroad by refusing to try the rudimentary organization that is presented to us with the hope that another world war or ten years of disputing will give us something better?⁴²

What the ratifiers did feel definitely, however, was that benefits could be experienced by humanity from the presence of a League of Nations. One Dr. Francis, speaking before the Southern California Editorial Association said that, "it is the first time that small nations have been given a chance to gain and assert their independence. In the future even the 'Mad Dog of Berlin' would think twice before warring on forty nations. . .Japan must be checked. Japan was a replica of the German Empire. The treaty would release Japan's stranglehold on China. . .Only through the League can world disarmament be realized."⁴³ Ernst Freund, professor of jurisprudence and Public Law at the University of Chicago, writing in The New Republic, stated that:

The League is partly an achievement and partly a promise. The achievement is the setting up of machinery for the settlement of disputes and for joint action. . .The promise is to be found in the program of action. The larger part of this is negative, the prevention or postponement of

⁴²

"The League of Nations," The Outlook, 123:11, September 3, 1919.

⁴³

News item in the Los Angeles Times, September 23, 1919, pt. 2, p. 1.

wars. . . .The positive program should be the elimination of the causes of war.

Some of these causes, Freund felt, were special privileges, inequality among races, lack of freedom in communication and transit, no equitable treatment of commerce, and the failure to establish "economic reciprocity".⁴⁴ Senator Owen was quoted in the New York Times as saying that:

. . .the League of Nations would prevent future war under the penalty of a world-wide boycott, blockade, and exclusion of its citizens from any intercourse with the citizens of any other nation. No nation will dare, after the League is established, to invade the territorial integrity and existing political independence of any other nation. The League not only proposes peace but it provides the most abundant means and mechanisms by which to accomplish it. . .⁴⁵

Hoover, returning from his mission abroad, was quoted in the New York Times as affirming that, "the League of Nations removes the balance of power theory from the Treaty which was built around it. . .The League, in preventing wars, will be a step in the right direction. . ."⁴⁶

44

Ernst Freund, "The Treaty and International Law," The New Republic, 21:76-77, December 17, 1919.

45

News item in the New York Times, September 2, 1919, p. 3.

46

News item in the New York Times, September 14, 1919, p. 17.

... The positive response should be the
elimination of the causes of war.
Some of these causes, Trevelyan felt, were specific and tangible,
inequality among races, lack of freedom in communication and
transport, no equitable treatment of commerce, and the failure
to establish "economic reciprocity". - Senator Taft
quoted in the New York Times as saying that:

... The League of Nations would prevent future
war under the penalty of a world-wide boycott.
"Boycotts," and expansion of international trade
and intercourse with the elimination of any barrier.
Trevelyan. No nation will dare, after the League
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Hoover, returning from his mission abroad, was quoted in the
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built around it. . . The League, in reversing war, will be
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Brent Brundage, "The Treaty and International Law",
The New Republic, 21:75-77, December 17, 1919.
32
News item in the New York Times, September 2,
1919, p. 3.
42
News item in the New York Times, September 14,
1919, p. 17.

That America would not only profit by the existence of the League but would also be fulfilling its responsibilities in the world was stressed by many. To The World's Work, the United States has a very definite responsibility, under Article XXII, to care for the "backward" country to the south of us, Mexico. Since Mexico had thirteen million pure-blooded Indians out of a population of fifteen million, and her political situation was chaotic, the League would gladly make United States mandatory of the "Indian Republic". The editor continued: "The only solution is to attempt to build up an orderly state and to give the Mexican people a fair chance at life. That is the duty which we shall ultimately be called upon to assume."⁴⁷ Seymour, writing in The Yale Review, declared that, "The United States is needed in the League. We have a vital part to play in the preservation of tranquillity in Europe. We cannot say longer, a plague take all your houses, for it might take the United States, too. If we care to see Europe live peaceably and profitably, then our answer must be yes."⁴⁸ The New York Times believed that, the

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"The United States as Mandatory for Mexico," The World's Work, 38:574, October, 1919.

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C. Seymour, "The League of Nations," The Yale Review, 9:42, October, 1919.

That America would not only profit by the existence of the League but would also be fulfilling its responsibilities in the world was stressed by many. To The World's Work, the United States has a very definite responsibility, under Article XIII, to care for the "backward" country to the south of us, Mexico. Since Mexico had thirteen million pre-blooded Indians out of a population of fifteen million, and her political situation was chaotic, the League would kindly make United States mandatory of the "Indian Republics". The editor continued: "The only solution is to attempt to build up an orderly state and to give the Mexican people a fair chance at life. That is the duty which we shall ultimately be called upon to assume." Seymour, writing in The Yale Review, declared that, "The United States is needed in the League. We have a vital part to play in the preservation of tranquillity in Europe. We cannot say longer, a plague take all your houses, for it might take the United States, too. If we care to see Europe live peacefully and profitably, then our answer must be yes." The New York Times believed that, the

"The United States as Mandatory for Mexico," The World's Work, 38:874, October, 1919.
 C. Seymour, "The League of Nations," The Yale Review, 9:42, October, 1919.

League "is the greatest work of mercy ever undertaken by man. Our whole history, the spirit of our people, predisposed our fellow-men in other lands to the belief that upon a question of that unequalled moment the decision of the United States would not for a single day remain in doubt. Shall we, can we, forfeit their confidence?"⁴⁹ Hoover, speaking to a group of Stanford faculty, students, and townspeople said that, "the United States could either help guide the world to lasting peace or remain aloof and encourage war."⁵⁰ Holt warned his readers that, "the future of America is at stake. Let us support our President in the great fight he is making that the nations in friendly cooperation may work out their common destiny in peace and security. If America now plays her part in this great emprise, our hallowed dead, whose bones mingle with the clay of France, will not have died in vain."⁵¹

⁴⁹ Editorial in the New York Times, September 26, 1919, p. 8.

⁵⁰ News item in the Los Angeles Times, October 3, 1919, pt. 1, p. 1.

⁵¹ H. Holt, "Defeat the Reservations," The Independent, 99:442, September 27, 1919.

League "is the greatest work of man ever achieved by man.
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of Stanford faculty, students, and community leaders,
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bring peace with the city of France, will not have been in
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Editorial in the New York Times, September 23, 1919,
p. 8.
News item in the Los Angeles Times, October 1, 1919,
pt. 1, p. 1.
H. Holt, "Defeat the Reservation," The Independent,
September 27, 1919.

CHAPTER VI

REJECTION OR COMPROMISE

Between November, 1919, the date of the initial defeat, and March, 1920 the lines of battle drawn in the country paralleled closely the official movements in Congress. Through these months the discussion centered about the Senate's consideration of the Covenant with reservations,¹ and President Wilson's insistence upon unconditional acceptance of the document. The debate over details, with few exceptions, broadened into one along general principles. That the controversy had exhausted the public was evident, however, in the diminishing amount of comment upon the matter and the general desire for compromise. David Jayne Hill, nevertheless, remained obdurate in his opposition in the pages of The North American Review. Equally as strong were The Nation's editorials criticizing the Treaty and Covenant, although this journal held hopes for future international cooperation. Among those accounts that expected some form of compromise to be drawn, yet were hopeful that drastic revisions would be included, was The New Republic. Among proponents, too, there existed a general expectation of compromise. The Outlook and Current Opinion

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The reservations which were under consideration are included as Appendix III.

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REJECTION OF COMPROMISE

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were favorable to this course. Another journal, The American Review of Reviews, and the ardent pro-newspaper, The New York Times, seemed also to feel that this procedure was the only one which might save the League. Battle lines existed, but were apparently less distinct.

Perhaps no better summary of the position of the out and out antagonist can be found than that of Hill in The North American Review. To begin with, he asserted that a subordination of the powers of Congress to any form of international control was forbidden by the nature of the Constitution. Even if such subordination were allowed by the Constitution, he continued, it would be inexpedient to enter into any international partnership that would involve the surrender of our national independence. The League as now constituted was a super-government which would obligate the United States, and at the same time deprive the Senate of powers derived from the Constitution. Once the renunciation of these rights had been made, thereafter they could not be resumed and the nation, therefore, no longer would be wholly free. Furthermore, the adherence to the League would mean placing the entire control of foreign policy in executive hands. As Commander-in-Chief, and seeing an emergency, the President could agree to war and so commit Congress perhaps to an undesired war and in that way jeopardize America's security. It was to be seriously doubted if the American people wanted a League which was

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either an automatic super-government or, was so constructed as to change the government of the United States into a² secret executive form of government.

Strong, indeed, was the fear held by opponents that membership in the League would shackle the United States to an agency of power, in which the executive branch dominated the legislative branch. The Nation reminded its readers that ratification would bind the United States to serious, objectionable, and permanent obligations. The editorial continued, summarizing the position of the United States if it were to become a member:

. . . It will have become a member of a League of Nations in which, if the President---not Mr. Wilson only but any future President---so chooses, neither Congress nor the American people will in practice have any more voice than they had in the Peace Conference; in which the United States will have one vote to the British Empire's six; which may at any time involve the United States in war without the consent of Congress or the President and over an issue with which the United States is only remotely concerned; which gives no guarantee of any substantial reduction of armaments below their present size, while at the same time making possible their increase; and of which two great Powers, Germany and Russia, can become members only at the discretion of the League and upon terms which the League imposes.³

² David Jayne Hill, "The Senate's Service to the Nation," The North American Review, 211:1-16, January, 1920.

³ "For Honor and Peace," The Nation, 110:30, January 10, 1920.

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David Jayne Hill, "The Senate's Service to the
Nation," The North American Review, 211:1-12, January, 1920.
"For Honor and Peace," The Nation, 110:30, January
10, 1920.

James M. Beck, writing in The North American Review, likewise, considered the League Covenant as forcing the United States to break with its traditional foreign policy and pledge itself to intervene in questions like Fuime, the Saar, Danzig and Thrace. Such a pledge, Beck continued, would be give without the verdict of the American people (over whether they desired to be so bound.) The President, in going to Paris, assumed the extra-constitutional role of Chief Commissioner, appointed his assistant, Colonel House, to a responsible post, and then, by overlooking the 1918 election results, he negotiated a Covenant of dangerous strength. Fortunately, Beck felt, the Constitution provided that treaty-making rested not alone with the Executive, but with the Senate, a representative legislative body. This constitutional fact permitted the Senate "to defeat the project which, in entire good faith, they regarded as a menace to the best interests of the United States, and indeed of the world, which could only be injured by following this will-of-the-wisp into the morass of disaster in which Civilization now finds itself."⁴

More specifically, Hill picked out as especially dangerous

⁴ James B. Beck, "The League and America's Good Faith," The North American Review, 211:17-26, January, 1920.

Articles X and XI, concerning the defense of existing territorial boundaries and political independence against external aggression, and making any war or threat of war a matter of League concern. They shackled America's future, for member nations were pledged to war if Article X were violated. Upon the threat of war, the Council would have to be called, whose duty it became immediately to fulfil the covenanted obligations and "take action", which was deemed "wise and effectual". If necessary, war would follow. Thus Article X was a surrender to a mechanism and to sanctified boundaries determined outside any principles of right. Even under Wilson's interpretation that Article X prevented only external aggression upon territory, Hill maintained that an invasion was not impossible. In his estimation one nation could attack, denude, murder, and exploit another, and only until the matter was brought up for diplomatic settlement would the obligation begin to operate.⁵

To The Nation, a journal which was not opposed to the idea of international cooperation, one proof that this Covenant would not achieve desirable ends was the character of the structure. The League of Nations was an aggregation of those powers, great and small, which by declaring war against

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D. J. Hill, "The Senate's Service to the Nation," The North American Review, 211:7-13, January, 1920.

Germany or by becoming in other ways directly involved in war, took part in the Peace Conference and accepted the Treaty of Versailles. The late enemy powers were excluded while some twelve important countries were not parties to the peace, the latter comprising two-thirds of the globe and including over seven hundred millions of peoples.

The Nation frankly regarded the outlook as far from bright. What the League seemed to disclose was that a few large and several small nations, bound by commercial ties, had joined together. Moreover, alliances were allowed to exist along with membership, and the treatment of Germany certainly injected no new spirit into the League. Destruction, not⁶ construction, still predominated. On the other hand, Beck in The North American Review, hoped that an alliance might be obtained. He saw as the tragic result of this misguided attempt to create a super-state the destruction for the moment of a successful Allied Entente. He wrote:

. . . When the Armistice was signed the American people had so far abandoned their former policy of so-called 'splendid isolation' that they would have approved and welcomed a recognized entente between Great Britain, France, Italy and the United States. Never was the opportunity more suspicious. Unfortunately, too much was

6

"The United States and the New Europe," The Nation, 110:97, January 24, 1920.

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attempted. It is now obvious that the United States, while willing to be the helpful friend of her sister democracies, was not disposed to be a partner of a large number of nations, some democratic and some autocratic, and with some of whom she had scant sympathy.

Yet Beck had faith that, with the undemocratic League defeated, the entente could be revived, for their relationship would rest upon the fact that, "It is cemented by the blood of those who fell in battle and now sleep in France."⁷

The argument that the League was necessary for the success of the peace treaties was denied by Hill. To argue that the League was essential to their fulfillment was absurd, for justice and force would never ride side by side. Certainly the aims of the two were incompatible. Hill believed that the creation of a super-government was the work of those who desired a League to preserve a punitive peace. If their motives were solely to aid law-abiding nations to strive for peace, only a voluntary association would be needed. Actually the League played a secondary role in the Treaty itself, for it was the Allies and the Associates who acquired the German colonies and imposed the restrictions. It was not the League but militarists from the Allies who fixed German arms and the extent of her factories, commerce, and munitions. If anything, the League had delayed, eclipsed, and obstructed the peace provisions.

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J. N. Beck, "The League and America's Good Faith," The North American Review, 211:28-29, January, 1920.

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but facilitated, corrected, and maintained. It is true, the League
had delayed, collapsed, and threatened the League's existence.

Hill believed that, "During the long discussion in the Senate regarding the ratification of the Peace of Versailles, there has never been a moment when the treaty would not have been promptly ratified had it not been for the presence of the Covenant in the treaty."⁸ In the eyes of The New Republic defeat of the proposal would be advantageous to the United States. For, it continued, "Tied to this Treaty [Versailles], at the mercy of the autocratic Reparations Commission, composed of diplomats who have broken faith, an organization called a League would not only fail to keep the peace, but would discredit for generations the very idea of a League."⁹

Although undecided as to the exact course which should be followed, The Nation was, however, unwilling to shelve entirely the League idea. Wilson should, it declared, be called upon to issue a proclamation bringing the war to an end and negotiate new treaties. In the latter case no attempt should be made to include a League, confining the provisions only to a peace which renounced war indemnities, the expropriation of German private property overseas, and territorial transfers, requiring only the restriction of German

⁸
D. J. Hill, "The Eclipse of Peace," The North American Review, 211:175, February, 1920.

⁹
"The Defeat of the Treaty," The New Republic, 21:372, February 25, 1920.

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D. J. Hill, "The Eclipse of Peace," The North American Review, 21:175, February, 1920.
 "The Defeat of the Treaty," The New Republic, 21:272, February 28, 1920.

armaments. After this was accomplished, The Nation felt that Wilson should urge Congress to join him in asking for changes in the League plan which would make it a fit one for a "democratic nation to join." The United States, in this way, would give proof that it would not withdraw and leave Europe to its fate. The way then would be open for the United States to show and the world to learn that "American isolation" meant no abandonment of international cooperation, no avoidance of international obligations, and no engrossment in selfish or provincial aims.¹⁰ Again, in another editorial in The Nation it was stated that the danger of world chaos, if the United States were to make a separate peace, was not great. Further, if America, prevented by the selfishness and perversity of the Allies from joining them in a treaty with Germany, itself were to conclude a peace which was just, reasonable, and humane, the malevolent work of the Peace Conference would not go long unrevised. In the meantime much good work remained to be done in the world. Trade with Germany could be reopened, France could settle its financial and business crisis, the hungry millions could be fed and clothed, and the hatred of

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"The United States and the New Europe," The Nation, 110:97, January 24, 1920.

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19
"The United States and the New Europe," The ...
110:27, January 24, 1920.

all things German could be somewhat softened.

At the opposite pole were those who lamented the refusal of the Senate to ratify the treaty and approve the Covenant. Wilbur C. Abbott, professor of History, then at Yale, wrote in The Yale Review an article that perhaps struck a representative note. He declared that, ". . . it will be long remembered as a striking and unfortunate instance of invoking constitutional provisions and parliamentary procedure to gain a personal or partisan advantage against what many men regard as the true national interest."¹² The Literary Digest listed many friends of the League who were "saddened" at the loss of hope of future peace and the failure to obtain a medium through which secret alliances and treaties could be publicized.¹³

Many commentators, however, from the camps of both those who had been critical of and favorable toward the League came to advocate some sort of a compromise between the Senate and the President. The Literary Digest, at the end of November, stated that, League friends, "cannot believe that the Senate's rejection is final or that ratification will be very long

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"The Treaty, the Public, and the Powers," The Nation, 109:674, November 29, 1919.

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Wilbur C. Abbott, "Except America!," The Yale Review, 9:403, January, 1920.

13

"The Rejection of the Treaty," The Literary Digest, 63:11-12, November 29, 1919.

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Wilbur C. Abbott, Professor of History, then at Yale, wrote in The Yale Review an article that perhaps struck a responsive note. He declared that "... it will be long remembered as a striking and unfortunate instance of invoking constitutional provisions and parliamentary procedure to gain a personal or partisan advantage against what many men regard as the true national interest." The Literary Digest listed many friends of the League who were "addressed" at the loss of hope of future peace and the failure to obtain a medium through which secret alliances and treaties could be publicized.

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 12
 Wilbur C. Abbott, "Europe America," The Yale Review, 9:402, January, 1920.
 13
 "The Rejection of the Treaty," The Literary Digest, 63:11-12, November 22, 1919.

delayed," if only a compromise could be reached before the
¹⁴ Senate reconvened. The New York Times averred that, "It is
time for the reasonable men on both sides of the Senate
¹⁵ Chamber to assert their control of the Treaty situation. . ."
Representative of gatherings was that held in Cambridge,
Massachusetts, presided over by President-Emeritus, Charles
W. Eliot, of Harvard, which resolved that, "the President and
the Senate by mutual concessions agree upon the speedy rati-
fication of the treaty and the League of Nations Covenant, to
¹⁶ the end that we may have peace and enduring peace." The
New Republic, although somewhat regretfully, forecasted that,
"Possibly, even probably, the Senate when it reassembles in
December, will reach some compromise with the Administration
¹⁷ upon the ratification of the Treaty of Versailles." To
The Outlook, moreover, the deadlock, of necessity, had to be
broken so as to permit Congress to solve numerous domestic
problems, and to bring order out of the chaos which existed

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¹⁴ Ibid., p. 13.

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¹⁵ Editorial in the New York Times, December 26,
1919, p. 10.

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¹⁶ News item in the New York Times, November 30,
1919, p. 3.

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¹⁷ "The Need of a New World Conference," The New
Republic, 21:4, December 3, 1919.

in foreign exchange, commerce, finance and economy. The

Outlook continued:

. . .The executive and the legislative departments are in a sorry mess over the Treaty, but the people have reached a point where they are more interested in getting out of the mess than they are in settling the question as to who is responsible for getting the country into it. Conciliation, compromise, mutual consideration, and reasonable action are what is needed.¹⁸

What the compromise should be troubled observers. Current Opinion observed in the discussion two things which a compromise should include. "One is to insure that Congress instead of the President shall have power to decide all matters that call for action under the League Covenant, and the other is to make sure that certain obligations. . .shall not be construed as legal obligations that leave us no choice of decision after the League shall have spoken."¹⁹ Hill declared that reservations were essential, for they told the world what to expect from the United States, thereby not leaving the nations blind to the facts, and expecting something which in the end they would not receive. Reservations did not in any respect prevent the United States from doing every just or generous act which was contemplated by the Treaty. Their effort was simply to prevent Congress from finding its constitutional prerogatives

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"Ratify the Treaty," The Outlook, 123:534, December 24, 1919.

¹⁹

"The Senate Defeats the Peace Treaty," Current Opinion, 67:274, December, 1919.

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vent Congress from finding the constitutional prerogatives

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"Ratify the Treaty," The Outlook, 1919:222.

December 24, 1919.

is

"The Senate Defeats the Peace Treaty," Current

Opinion, 87:274, December, 1919.

transferred to a super-government or to exclusive control by the executive.²⁰ More definite as to what reservations there should be was The American Review of Reviews which could not see how the proposed reservations of Lodge and the Foreign Relations Committee were a "nullification" of the Treaty. They almost wholly related "to the future functioning of this League," with the exception of the Shantung question.²¹ To The Outlook, hope was found in the Hitchcock substitutes to the Lodge reservations, dealing with the right of withdrawal without obligation, the exclusion of domestic questions, the self-interpretation of the Monroe Doctrine, the elimination of obligations under Article X, and the limitation on the vote of self-governing colonies.²² The New York Times liked these substitutes for they would serve as "a basis for compromise."²³ The St. Louis Post-Dispatch believed that even with Article X eliminated, there was enough good in the Covenant to make it worthwhile. Further,

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D. J. Hill, "The Covenant or the Constitution?," The North American Review, 211:331, March, 1920.

²¹

"The Progress of the World," The American Review of Reviews, 60:557-558, December, 1919.

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"The Status of the Treaty," The Outlook, 124:265, February, 1920.

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Editorial in the New York Times, December 12, 1919, p. 18.

transferred to a super-government or to exclusive control by the executive. More definite as to what reservations there should be was The American Review of Reviews which could not see how the proposed reservations of Lodge and the Senate Relations Committee were a "nullification" of the Treaty. They almost wholly refused "to the future Government of this League," with the exception of the General Assembly. To The Outlook, hope was found in the Roosevelt administration. To the Lodge reservation, dealing with the right of self-drawal without obligation, the exclusion of domestic nations, the self-interpretation of the Monroe Doctrine, and elimination of obligations under Article X, and the right of self-drawal on the vote of self-governing colonies. The Times liked these amendments for they would serve as a basis for compromise. The St. Louis Post-Dispatch believed that even with Article X eliminated, there was enough good in the Covenant to make it worthwhile. Further,

- 50
D. A. Mill, "The Government of the World,"
The North American Review, 211:231, March, 1920.
51
"The Progress of the World," The American Review of Reviews, 20:257-258, December, 1919.
52
"The Status of the Treaty," The Outlook, 122:222, February, 1920.
53
Editorial in the New York Times, December 11, 1919, p. 12.

it asked, "Shall we do nothing to save civilization because we cannot do all we want to do or all the President wants to be done?"²⁴ The New York Globe, which was confident of compromise, expected it to come in two ways:

. . . First, that while we are willing to assume the responsibilities imposed by the League constitution, both our laws and our inclinations require that the final interpretation of these responsibilities be made in each case by the existing Executive and Congress; secondly, that we must be our own judges as to what matters of domestic concern we shall submit to the judgment of the League.²⁵

Equally confident was the New York World, which stated that:

. . . Nobody can object if the Senators write into a resolution of ratification the undisputed fact that this is a government of enumerated powers, with three independent branches; that Congress alone can declare war; that Congress alone can appropriate money, whether for the League of Nations. . . , that the Monroe Doctrine is the Monroe Doctrine, and that the United States has a right to refuse to submit to the jurisdiction of the League of Nations questions which it has heretofore regarded as domestic and relating to internal affairs.²⁶

On the other hand, The American Review of Reviews opposed the reservation against England's six votes, for it was absurd and even trouble-breeding. No harm and actual benefit would accrue from representatives at the League of

²⁴

"The Growing Isolation of President Wilson," Current Opinion, 68:447, April, 1920.

²⁵

"How to Save the Treaty," The Literary Digest, 63:14, December 6, 1919.

²⁶

Ibid., p. 14.

English-speaking countries. As for the reservation dealing with Shantung, it implied bad faith on Japan's part and promoted antagonisms.²⁷ The New York Times added that, ". . . the Shantung reservation is worded in such a way as to affront Japan."²⁸

In the face of the apparent deadlock between the official organs of government, much discussion was aroused over the possibility of settling the whole question by a popular referendum [which Wilson himself favored], or as the main campaign issue in the election of 1920. The ardent supporters of the League opposed such a course as injecting into the political arena a matter which was not of a partisan character. Taft reflected this opinion when he said that, ". . .there is no reason for it [as a campaign issue], since the public has been behind the League since its inception. . . . To make the League an issue would be beclouding the people's honest views over the League. It would inject politics into the proceedings."²⁹ As a proponent of reservations, The American Review of Reviews, believed that, "The party that arrogantly forces continuation of the present deadlock, with a view to mixing

²⁷
 "The Progress of the World," The American Review of Reviews, 60:561, December, 1919.

²⁸
 Editorial in the New York Times, December 2, 1919, p. 12.

²⁹
 W. H. Taft in the Los Angeles Times, November 30, 1919, pt. 1, p. 2.

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the treaty up in the campaign of 1920, will go down to the defeat that it will thus have merited."³⁰ To The New Republic, the injection of the issue into the campaign would destroy the case for the integrity of internationalism. The New Republic said:

It is of the utmost importance that when the American people are asked to decide whether they will enter an organized society of nations on the same terms as the major European and Asiatic nations, they be not asked to adhere to a League which merely perpetuates the defects of the former Balance or Concert of Europe.³¹

Hill, as a rejecter, considered Wilson's effort to carry the treaty into the campaign as extra-constitutional, anti-constitutional, and legally futile. Hill wrote:

When, therefore, President Wilson, having personally negotiated a treaty involving a reversal of the traditional policies of the United States, extending far beyond the usual conditions of making peace, and even setting up a mechanism of super-government capable of acting with and upon sovereign States in a manner which subordinates the constitutional powers of Congress, and having failed to obtain the consent of the Senate for its ratification, appeals to the electorate as a means of enforcing acceptance of the treaty, he is proposing a course of action which is extra-constitutional, anti-constitutional, and legally futile. It is extra-constitutional, because the 'great and solemn referendum' to which he makes appeal is nowhere provided for in the constitution of the United States; it is anti-constitutional, because it is a resort to a procedure which sets aside the explicit

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"The Progress of the World," The American Review of Reviews, 60:547, December, 1919.

31

"The Need of a New World Conference," The New Republic, 21:5, December 3, 1919.

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assentance of the treaty, he is proposing a course
of action which is extra-constitutional, anti-
national, and legally faulty. It is extra-
constitutional, because the 'treaty' and solemn
reference to which he makes appeal is not
provided for in the constitution of the United
States; it is anti-constitutional, because it is
a resort to a procedure which runs counter to the

30
"The Progress of the World," The American Review
of Reviews, 23:247, December, 1912.
31
"The Need of a New World Conference," The New
Republic, 21:8, December 2, 1912.

and final constitutional authority for making treaties; and it is futile, because a popular vote on the subject, if favorable to the ratification of the Covenant of the League of Nations, would have no binding legal force without a formal amendment to the Constitution.³²

The Nation also regarded the injection of the issue into the campaign in February as inadvisable. It felt that, although "It is easy to affirm in March what the compelling subject of discussion will be in September and October," events and political developments "have a bad habit of paying as little attention to the fiats of politicians as the ocean tide to King Canute." Boredom, financial and economic stress, the high cost of living, unemployment, and the "red" scare might overwhelm the Treaty and relegate it to a minor role by election day.³³

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D. J. Hill, "Autocracy by Plebiscite," The North American Review, 211:460, April, 1920.

33

"The Treaty in the Campaign," The Nation, 110:322, March 13, 1920.

and final constitutional authority for making treaties; and it is little, because a popular vote on the subject, it favorable to the ratification of the Government of the League of Nations, would have no binding legal force without a formal amendment to the Constitution.

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B. J. Hill, "Assessment by Politicians," The Nation, American Review, 211:400, April, 1920.
 "The Treaty in the Campaign," The Nation, 110:322, March 12, 1920.

CHAPTER VII

CONCLUSION

In retrospect, it is well to note again the threads which guided public discussion in America on the subject of a league of nations. In the few months before the Allied nations convened at Paris, the very idea of a league provided the material for debate. Then, during the period from February, 1919 to September, 1919, the analysis was centered upon the preliminary and revised drafts, both the work of the special committee set up by the Paris Council to frame a covenant. Finally, from September, 1919, to March, 1920, public attention was focussed on the senatorial treatment of the league document when the peace treaty with Germany, in which it was included, was presented for approval.

Throughout these fifteen months it is interesting to observe what specific commentators reflected the different schools of opinion. Steadfast in their belief that only evil could come to America from attachment to a league were The Nation and The North American Review. Firm in their conviction that only good could come to America from attachment to a league were such periodicals as The Outlook, The World's Work, and The Independent, such newspapers as the New York Times, and the Los Angeles Times, and such individuals as

CONCLUSION

In retrospect, it is well to note again the largely which guided public discussion in America on the subject of a league of nations. In the few months before the Allied nations convened at Paris, the very idea of a league provided the material for debate. Then, during the period February, 1919 to September, 1919, the analysis was conducted upon the preliminary and revised drafts, both the work of the special committee set up by the Paris Council to draw a covenant. Finally, from September, 1919, to March, 1920, public attention was focused on the somewhat amended of the league document when the peace treaty with Germany, in which it was included, was presented for approval. Throughout these fifteen months it is interesting to observe that specific commentators reflected the different schools of opinion. Standfast in their belief that only a league could come to America from attachment to a league were the Nation and The North American Review. Firm in their conviction that only good could come to America from attachment to a league were such periodicals as The Outlook, The American, Fort, and The Independent, such newspapers as the New York Times, and the Los Angeles Times, and such individuals as

William H. Taft, and A. Lawrence Lowell. Between these two extremes, however, were those who were willing to accept a compromise in the form of amendments, qualifications or reservations. Then there were those, like the editors of The New Republic, Charles E. Hughes, Elihu Root, and Nicholas M. Butler, who questioned some features of the covenant but who were, in the end, willing to try the experiment if certain dangers were removed. Enthusiastic supporters at the outset, such as Current Opinion, The American Review of Reviews and Walter Lippmann agreed in the end to weaken the structure in order to secure the support of less friendly elements, hoping in the long run that the league would prove such a huge success that the desired powers would be accorded to it.

As for the central issues which provided the main content of the debate, the material would indicate that, of the twenty-six articles, six caused the greatest strife. In these were found the seeds of an alliance which jeopardized the fruits of American independence and sovereignty over its own affairs. Over Article I, dealing with withdrawal, the fear that the League might be one of the predatory victors raised the question as to whether the United States would be able to withdraw at any time unconditionally. Very heated was the controversy over Article X in which there was seen the possibility that the United States would be bound to defend the territorial integrity and political independence of other nations at all times, even

William R. Taft, and A. Lawrence Lowell. Between these two extremes, however, were those who were willing to accept a compromise in the form of amendments, qualifications or reservations. Then there were those, like the editors of The New Republic, Charles E. Hughes, Ellen Hoel, and Nicholas M. Butler, who questioned some features of the covenant but who were, in the end, willing to try the experiment if certain dangers were removed. Antisemitic supporters of the covenant such as Samuel Gompers, The American Review of Reviews and Walter Lippmann agreed in the end to weaken the structure in order to secure the support of less friendly elements, hoping in the long run that the league would prove such a huge success that the desired powers would be accorded to it. As for the central league which provided the main content of the debate, the material would indicate that, of the twenty-six articles, six cannot be regarded as vital. In these were found the seeds of an alliance which jeopardized the fruits of American independence and sovereignty over its own affairs. Over Article I, dealing with withdrawal, the fear that the League might be one of the predatory victors raised the question as to whether the United States would be able to withdraw at any time unconditionally. Very heated was the controversy over Article X in which there was seen the possibility that the United States would be bound to defend the territorial integrity and political independence of other nations at all times, even

if it involved a denial of justice. Similarly, Article XI was questioned as likely to involve the United States in a war at any time, for the league made a threat of war a subject for its consideration. Article XV produced the demand that a specific statement be made excluding domestic issues from the province of the league. The provision in Article XVI for the application of an economic boycott against a violator inspired the apprehension that the United States would be obligated to cooperate in such sanctions even at the risk of hampering its foreign trade. Lastly, Article XXI, which excluded "regional understandings" like the Monroe Doctrine from the League, was regarded doubtfully as safeguarding the benefits of the Doctrine.

Aside from these controversial points in the covenant itself, there developed other points of contention. The attitude of Wilson towards the Senate and his executive pre-emption of powers came in for bitter criticism. The matter of the covenant being an integral part of the treaty, raised the issue as to whether the two should be separated to allow the United States to make a peace without a league, each side imputing unworthy tactical motives to the other.

The above resume concludes a discussion of the important objectives which this paper sought to reach, what schools of opinion there were and what was the content material of the

it is involved a denial of justice. Similarly, Article XI was questioned as likely to involve the United States in a war at any time, for the League made a threat of war if necessary for its consideration. Article IV provided for the League to make a specific statement as to whether or not it was in a position to provide for the application of an economic boycott against a violator. The provision in Article IV implied the apprehension that the United States might be obligated to cooperate in such a boycott even at the risk of hampering its foreign trade. Lastly, Article XV, which included "regional understandings" like the Monroe Doctrine, was regarded as a hindrance to the League, as regarded definitely as undermining the doctrine of the Monroe Doctrine.

Aside from these controversial points in the Covenant itself, there developed other points of controversy. The attitude of Wilson towards the League and his executive action of powers came in for bitter criticism. The action of the covenant being an integral part of the treaty, raised the issue as to whether the two should be separated to allow the United States to make a peace without a League, with the League being a separate treaty. The League was regarded as a separate treaty, and the League was regarded as a separate treaty.

The above resume concludes a discussion of the League of Nations. It is hoped that this paper might be read, and would be of opinion that it was and what was the content material of the

arguments which were presented. As a last consideration, the question of the quality of the arguments arises. Apparently most commentators were familiar with the details of the traditional policies of America and imbued with a desire to see that they were not undermined. That the quality of the arguments seemed to indicate that some critics were filled with the idealism of democratic principles would be hard to deny. At the same time it would be equally fruitless to deny that many were guided only by the selfish interests of the United States. The fact that opponents centered their words upon the extent to which America would sacrifice certain sovereign and traditional privileges lends color to the conclusion that many were thinking of America first and the world second. That proponents defended the security of America under a league similarly seems to indicate that the United States figured predominantly in their thinking, although, at times, certain advocates did carry their arguments to the point that the world as a whole would be benefited by the scheme.

arguments which were presented. At a later date, however, the question of the quality of the arguments which were presented most commentators were familiar with the details of the traditional policies of America and indeed with the fact that they were not understood. That the quality of the arguments seemed to indicate that some criticism was being made with the idealism of democratic principles would be hard to deny. At the same time it would be equally difficult to deny that many were guided only by the selfish interests of the United States. The fact that opponents of American policy were upon the extent to which American policy seemed to be in line with traditional principles of international law and the fact that many were thinking of America first and last world second. That proponents defended the security of America under a regime which was so much more than the United States figured predominantly in their thinking. At times, certain advocates did carry their arguments to the point that the world as a whole would be benefited by the scheme.

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APPENDIX

APPENDIX I.

Text of the Covenant as adopted at the Plenary Session of February 14 and taken by President Wilson to America (printed).¹

COVENANT.

PREAMBLE.

In order to promote international cooperation and to secure international peace and security by the acceptance of obligations not to resort to war, by the prescription of open, just and honourable relations between nations, by the firm establishment of the understandings of international law as the actual rule of conduct among governments, and by the maintenance of justice and a scrupulous respect for all treaty obligations in the dealings of organized peoples with one another, the Powers signatory to this Covenant adopt this constitution of the League of Nations.

ARTICLE I. The action of the High Contracting Parties under the terms of this Covenant shall be effected through the instrumentality of meetings of a Body of Delegates representing the High Contracting Parties, of meetings at more frequent intervals of an Executive Council, and of a permanent international Secretariat to be established at the Seat of the League.

ARTICLE II. Meetings of the Body of Delegates shall be held at stated intervals and from time to time as occasion may require for the purpose of dealing with matters within the sphere of action of the League. Meetings of the Body of Delegates shall be held at the Seat of the League or at such other place as may be found convenient and shall consist of representatives of the High Contracting Parties. Each of the High Contracting Parties shall have one vote

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From Ray Stannard Baker, Woodrow Wilson and World Settlement, (London: William Heinemann, 1922), pp. 163-173.

ARTICLE I

Text of the Covenant as adopted at the Plenary Session of February 16 and taken by President Wilson to London (printed).

COVENANT

PREAMBLE

In order to promote international cooperation and to secure international peace and stability by the adoption of obligations not to resort to war, by the prohibition of means that have been recognized as essential for the maintenance of the understanding of international law and the actual rule of conduct among governments, and by the maintenance of justice and a permanent system for all treaty obligations in the dealing of organized peoples with one another, the Powers signatory to this Covenant agree that this connection of the League of Nations.

ARTICLE I. The action of the High Contracting Parties under the terms of this Covenant shall be effected through the instrumentality of meetings of a body of delegates representing the High Contracting Parties, or through a more frequent interval of an Executive Council, and of a permanent international secretariat to be established at the seat of the League.

ARTICLE II. Meetings of the body of delegates shall be held at stated intervals and from time to time as circumstances may require for the purpose of dealing with matters within the sphere of action of the League. Meetings of the body of delegates shall be held at the seat of the League or at such other place as may be found convenient and shall consist of representatives of the High Contracting Parties. Each of the High Contracting Parties shall have one vote.

From the Secretariat, London, 1919, pp. 103-104.
 (London: William Heinemann, 1919, pp. 103-104.)

but may have not more than three representatives.

ARTICLE III. The Executive Council shall consist of representatives of the United States of America, the British Empire, France, Italy, and Japan, together with representatives of four other States, members of the League. The selection of these four States shall be made by the Body of Delegates on such principles and in such manner as they think fit. Pending the appointment of these representatives of the other States, representatives shall be members of the Executive Council.

Meetings of the Council shall be held from time to time as occasion may require and at least once a year at whatever place may be decided on, or failing any such decision at the Seat of the League, and any matter within the sphere of action of the League or affecting the peace of the world may be dealt with at such meetings.

Invitations shall be sent to any Power to attend a meeting of the Council at which matters directly affecting its interests are to be discussed and no decision taken at any meeting will be binding on such Power unless so invited.

ARTICLE IV. All matters of procedure at meetings of the Body of Delegates or the Executive Council including the appointment of Committees to investigate particular matters shall be regulated by the Body of Delegates of the Executive Council and may be decided by a majority of the States represented at the meeting.

The first meeting of the Body of Delegates and of the Executive Council shall be summoned by the President of the United States of America.

ARTICLE V. The permanent Secretariat of the League shall be established at which shall constitute such secretaries and staff as may be required, under the general direction and control of a Secretary-General of the League, who shall be chosen by the Executive Council; the Secretariat shall be appointed by the Secretary-General subject to confirmation by the Executive Council.

The Secretary-General shall act in that capacity at all meetings of the Body of Delegates or of the Executive Council.

The expenses of the Secretariat shall be borne by the States members of the League in accordance with the apportionment of the expenses of the International Bureau of the Universal Postal Union.

ARTICLE VI. Representatives of the High Contracting Parties and officials of the League when engaged on the business of the League shall enjoy diplomatic privileges and

but may have not more than three representatives.

ARTICLE III. The Executive Council shall consist of representatives of the United States of America, the British Empire, France, Italy, and Japan, together with representatives of four other States, members of the League. The selection of these four States shall be made by the Body of Delegates on each principle and in such manner as they think fit. Pending the appointment of these representatives of the other States, shall be members of the Executive Council.

Meetings of the Council shall be held from time to time on occasions any representative and at least once a year at whatever place may be decided on, or failing any such decision at the seat of the League, and any matter within the sphere of action of the League or affecting the peace of the world may be dealt with at such meetings. Invitations shall be sent to any Power so invited a meeting of the Council at which matters directly affecting the interests are to be discussed and no invitation shall be refused. Meetings will be binding on each Power unless so invited.

ARTICLE IV. All matters of procedure at meetings of the Body of Delegates or the Executive Council including the appointment of Committees to investigate particular matters shall be regulated by the Body of Delegates of the League Council and may be decided by a majority of the Council. The first meeting of the Body of Delegates and of the Executive Council shall be convened by the President of the United States of America.

ARTICLE V. The permanent Secretariat of the League shall be established as follows: which shall consist of a Secretary-General and staff as may be required, under the general direction and control of a Secretary-General of the League, who shall be chosen by the Executive Council; the Secretariat shall be appointed by the Secretary-General subject to confirmation by the Executive Council. The Secretary-General shall act in that capacity at all meetings of the Body of Delegates or of the Executive Council. The expenses of the Secretariat shall be borne by the States members of the League in accordance with the proportion of the expenses of the International Bureau of the Universal Postal Union.

ARTICLE VI. Representatives of the High Contracting Parties and officials of the League shall enjoy diplomatic privileges and

immunities, and the buildings occupied by the League or its officials or by representatives attending its meetings shall enjoy the benefits of extraterritoriality.

ARTICLE VII. Admission to the League of States not signatories to the Covenant and not named in the Protocol hereto as States to be invited to adhere to the Covenant requires the assent of not less than two-thirds of the States represented in the Body of Delegates, and shall be limited to fully self-governing countries including Dominions and Colonies.

No State shall be admitted to the League unless it is able to give effective guarantees of its sincere intention to observe its international obligations, and unless it shall conform to such principles as may be prescribed by the League in regard to its naval and military forces and armaments.

ARTICLE VIII. The High Contracting Parties recognize the principle that the maintenance of peace will require the reduction of national armaments to the lowest point consistent with national safety and the enforcement by common action of international obligations, having special regard to the geographical situation and circumstances of each State; and the Executive Council shall formulate plans for effecting such reduction. The Executive Council shall also determine for the consideration and action of the several governments what military equipment and armament is fair and reasonable in proportion to the scale of forces laid down in the programme of disarmament; and these limits, when adopted, shall not be exceeded without the permission of the Executive Council.

The High Contracting Parties agree that the manufacture by private enterprise of munitions and implements of war lends itself to grave objections, and direct the Executive Council to advise how the evil effects attendant upon such manufacture can be prevented, due regard being had to the necessities of those countries which are not able to manufacture for themselves the munitions and implements of war necessary for their safety.

The High Contracting Parties undertake in no way to conceal from each other the condition of such of their industries as are capable of being adapted to war-like purposes or the scale of their armaments and agree that there shall be full and frank interchange of information as to their military and naval programmes.

ARTICLE IX. A permanent Commission shall be constituted to advise the League on the execution of the provisions of Article VIII and on military and naval questions generally.

ARTICLE X. The High Contracting Parties undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all

States members of the League. In case of any such aggression or in case of any threat of danger of such aggression the Executive Council shall advise upon the means by which this obligation shall be fulfilled.

ARTICLE XI. Any war or threat of war, whether immediately affecting any of the High Contracting Parties or not, is hereby declared a matter of concern to the League, and the High Contracting Parties reserve the right to take any action that may be deemed wise and effectual to safe guard the peace of nations.

It is hereby also declared and agreed to be the friendly right of each of the High Contracting Parties to draw the attention of the Body of Delegates or of the Executive Council to any circumstances affecting international intercourse which threaten to disturb international peace or the good understanding between nations upon which peace depends.

ARTICLE XII. The High Contracting Parties agree that should disputes arise between them which cannot be adjusted by the ordinary processes of diplomacy, they will in no case resort to war without previously submitting the questions and matters involved either to arbitration or to inquiry by the Executive Council and until three months after the award by the arbitrators or a recommendation by the Executive Council; and that they will not even then resort to war as against a member of the League which complies with the award of the arbitrators or the recommendation of the Executive Council.

In any case under this Article, the award of the arbitrators shall be made within a reasonable time, and the recommendation of the Executive Council shall be made within six months after the submission of the dispute.

ARTICLE XIII. The High Contracting Parties agree that whenever any dispute or difficulty shall arise between them which they recognize to be suitable for submission to arbitration and which cannot be satisfactorily settled by diplomacy, they will submit the whole subject matter to arbitration. For this purpose the Court of arbitration to which the case is referred shall be the court agreed on by the parties or stipulated in any Convention existing between them. The High Contracting Parties agree that they will carry out in full good faith any award that may be rendered. In the event of any failure to carry out the award, the Executive Council shall propose what steps can best be taken to give effect thereto.

ARTICLE XIV. The Executive Council shall formulate plans for the establishment of a Permanent Court of International Justice and this Court shall, when established, be competent to hear and determine any matter which the parties recognize as suitable for submission to it for arbitration under the foregoing Article.

ARTICLE XV. If there should arise between States members of the League any dispute likely to lead to a rupture, which is not submitted to arbitration as above, the High Contracting Parties agree that they will refer the matter to the Executive Council; either party to the dispute may give notice of the existence of the dispute to the Secretary-General, who will make all necessary arrangements for a full investigation and consideration thereof. For this purpose the parties agree to communicate to the Secretary-General, as promptly as possible, statements for their case with all the relevant facts and papers, and the Executive Council may forthwith direct the publication thereof.

Where the efforts of the Council lead to the settlement of the dispute, a statement shall be published indicating the nature of the dispute and the terms of settlement, together with such explanations as may be appropriate. If the dispute has not been settled, a report by the Council shall be published, setting forth with all necessary facts and explanations the recommendation which the Council think just and proper for the settlement of the dispute. If the report is unanimously agreed to by the members of the Council other than the parties to the dispute, the High Contracting Parties agree that they will not go to war with any party which complies with the recommendation and that, if any party shall refuse so to comply, the Council shall propose the measures necessary to give effect to the recommendation. If no such unanimous report can be made, it shall be the duty of the majority and the privilege of the minority to issue statements indicating what they believe to be the facts and containing the recommendations which they consider to be just and proper.

The Executive Council may in any case under this Article refer the dispute to the Body of Delegates. The dispute shall be so referred at the request of either party to the dispute, provided that such request must be made within fourteen days after the submission of the dispute. In any case referred to the Body of Delegates all the provisions of this Article and of Article XII relating to the action and powers of the Executive Council shall apply to the action and powers of the Body of Delegates.

ARTICLE XVI. Should any of the High Contracting Parties break or disregard its covenants under Article XII, it shall thereby ipso facto be deemed to have committed an act of war against all the other members of the League, which hereby undertake immediately to subject it to the severance of all trade or financial relations, the prohibition of all intercourse between their nationals and the nationals of the covenant-breaking State, and the prevention of all financial, commercial, or personal intercourse between the nationals of the covenant-breaking State and the nationals of any other

State, whether a member of the League or not.

The High Contracting Parties agree, further, that they will mutually support one another in the financial and economic measures which are taken under this Article, in order to minimize the loss and inconvenience resulting from the above measures, and that they will mutually support one another in resisting any special measures aimed at one of their number by the covenant-breaking State, and that they will afford passage through their territory to the forces of any of the High Contracting Parties who are cooperating to protect the covenants of the League.

ARTICLE XVII. In the event of disputes between one State member of the League and another State which is not a member of the League, or between States not members of the League, the High Contracting Parties agree that the State or States not members of the League shall be invited to accept the obligations of membership in the League for the purposes of such dispute, upon such conditions as the Executive Council may deem just, and upon acceptance of any such invitation, the above provisions shall be applied with such modifications as may be deemed necessary by the League.

Upon such invitation being given the Executive Council shall immediately institute an inquiry into the circumstances and merits of the dispute and recommend such action as may seem best and most effectual in the circumstances.

In the event of a Power so invited refusing to accept the obligations of membership in the League for the purposes of such dispute, and taking any action against a State member of the League which in the case of a State member of the League would constitute a breach of Article XII, the provisions of Article XVI shall be applicable as against the State taking such action.

If both parties to the dispute when so invited refuse to accept the obligations of membership in the League for the purposes of such dispute, the Executive Council may take such action and make such recommendations as will prevent hostilities and will result in the settlement of the dispute.

ARTICLE XVIII. The High Contracting Parties agree that the League shall be entrusted with the general supervision of the trade in arms and ammunition with the countries in which the control of this traffic is necessary in the common interest.

ARTICLE XIX. To those colonies and territories which as a consequence of the late war have ceased to be under the sovereignty of the States which formerly governed them and

which are inhabited by peoples not yet able to stand by themselves under the strenuous conditions of the modern world, there should be applied the principle that the well-being and development of such peoples form a sacred trust of civilization and that securities for the performance of this trust should be embodied in the constitution of the League.

The best method of giving practical effect to this principle is that the tutelage of such peoples should be entrusted to advanced nations who by reason of their resources, their experience or their geographical position, can best undertake this responsibility, and that this tutelage should be exercised by them as mandataries on behalf of the League.

The character of the mandate must differ according to the stage of the development of the people, the geographical situation of the territory, its economic conditions, and other similar circumstances.

Certain communities formerly belonging to the Turkish Empire have reached a stage of development where their existence as independent nations can be provisionally recognized subject to the rendering of administrative advice and assistance by a mandatory power until such time as they are able to stand alone. The wishes of these communities must be a principal consideration in the selection of the mandatory power.

Other peoples, especially those of Central Africa, are at such a stage that the mandatory must be responsible for the administration of the territory subject to conditions which will guarantee freedom of conscience or religion, subject only to the maintenance of public order and morals, the prohibition of abuses such as the slave trade, the arms traffic, and the liquor traffic, and the prevention of the establishment of fortifications or military and naval bases and of military training of the natives for other than police purposes and the defense of territory, and will also secure equal opportunities for the trade and commerce of other members of the League.

There are territories, such as Southwest Africa and certain of the South Pacific Islands, which, owing to the sparseness of their population, or their small size, or their remoteness from the centres of civilization, or their geographical contiguity to the mandatory state, and other circumstances, can be best administered under the laws of the mandatory state as integral portions thereof, subject to the safeguards above-mentioned in the interests of the indigenous population.

In every case of mandate, the mandatory state shall render to the League an annual report in reference to the territory committed to its charge.

The degree of authority, control, or administration to be exercised by the mandatory State shall if not previously

agreed upon by the High Contracting Parties in each case be explicitly defined by the Executive Council in a special act or Charter.

The High Contracting Parties further agree to establish at the seat of the League a Mandatory Commission to receive and examine the annual reports of the Mandatory Powers, and to assist the League in ensuring the observance of the terms of all Mandates.

ARTICLE XX. The High Contracting Parties will endeavor to secure and maintain fair and humane conditions of labor for men, women, and children both in their own countries and in all countries to which their commercial and industrial relations extend; and to that end agree to establish as part of the organization of the League a permanent Bureau of Labor.

ARTICLE XXI. The High Contracting Parties agree that provisions shall be made through the instrumentality of the League to secure and maintain freedom of transit and equitable treatment for the commerce of all States members of the League, having in mind, among other things, special arrangements with regard to the necessities of the regions devastated during the war of 1914-1918.

ARTICLE XXII. The High Contracting Parties agree to place under the control of the League all international bureaus already established by general treaties if the parties to such treaties consent. Furthermore, they agree that all such international bureaus to be constituted in future shall be placed under the control of the League.

ARTICLE XXIII. The High Contracting Parties agree that every treaty or international engagement entered into hereafter by any State member of the League, shall be forthwith registered with the Secretary-General and as soon as possible published by him, and that no such treaty or international engagement shall be binding until so registered.

ARTICLE XXIV. It shall be the right of the Body of Delegates from time to time to advise the reconsideration by States members of the League, of treaties which have become inapplicable, and of international conditions, of which the continuance may endanger the peace of the world.

ARTICLE XXV. The High Contracting Parties severally agree that the present Covenant is accepted as abrogating all obligations inter se which are inconsistent with the terms thereof, and solemnly engage that they will not hereafter enter into any engagements inconsistent with the terms thereof.

agreed upon by the High Contracting Parties in each case to be explicitly defined by the Executive Council in a special act or Charter.

The High Contracting Parties further agree to establish at the seat of the League a Mandatory Commission to receive and examine the annual reports of the Mandatory Powers, and to assist the League in ensuring the observance of the terms of all Mandates.

ARTICLE XX. The High Contracting Parties will endeavor to secure and maintain fair and humane conditions of labor for men, women, and children both in their own countries and in all countries to which their commercial and industrial relations extend; and to that end agree to establish as part of the organization of the League a permanent Bureau of Labor.

ARTICLE XXI. The High Contracting Parties agree that provisions shall be made through the instrumentality of the League to secure and maintain freedom of transit and communication for the commerce of all States members of the League, having in mind, among other things, special arrangements with regard to the necessities of the regions devastated during the war of 1914-1918.

ARTICLE XXII. The High Contracting Parties agree to place under the control of the League all international waters already established by general treaties of the League to such extent as may be necessary. Furthermore, they agree that all such international waters to be controlled in future shall be placed under the control of the League.

ARTICLE XXIII. The High Contracting Parties agree that every treaty or international engagement entered into hereafter by any State member of the League, shall be forthwith registered with the Secretary-General and as soon as possible published by him, and that no such treaty or international engagement shall be binding until so registered.

ARTICLE XXIV. It shall be the right of the Body of Delegates from time to time to revise the constitution by which members of the League, or treaties which have become inapplicable, and of international institutions, at which the circumstances may endanger the peace of the world.

ARTICLE XXV. The High Contracting Parties severally agree that the present Covenant is accepted as expressing all obligations which they are inconsistent with the terms thereof, and solemnly engage that they will not hereafter enter into any engagements inconsistent with the terms thereof.

In case any of the Powers signatory hereto or subsequently admitted to the League shall, before becoming a party to this Covenant, have undertaken any obligations which are inconsistent with the terms of this Covenant, it shall be the duty of such Power to take immediate steps to procure its release from such obligations.

ARTICLE XXVI. Amendments to this Covenant will take effect when ratified by the States whose representatives compose the Executive Council and by three-fourths of the States whose representatives compose the Body of Delegates.

In case any of the powers assigned to the Government shall be exercised by the Executive Council, the Government shall, before exercising such power, have undertaken and accepted the responsibility of such power to the Executive Council, and in such case the Government shall be held responsible to the Executive Council for the exercise of such power.

ARTICLE XXVI. The Executive Council shall be composed of the members of the Senate who are elected by the Senate and by the House of Representatives, and by the President of the Senate.

APPENDIX II.

Final text of the Covenant of the League of Nations as it appears in the Treaty of Versailles.¹

THE COVENANT OF THE LEAGUE OF NATIONS.

PREAMBLE: [This was written in phrasiology similar to the first draft].

ARTICLE I. The original Members of the League of Nations shall be those of the Signatories which are named in the Annex to this Covenant and also such of those other States named in the Annex as shall accede without reservation to this Covenant. Such accession shall be effected by a Declaration deposited with the Secretariat within two months of the coming into force of the Covenant. Notice thereof shall be sent to all other Members of the League.

Any fully self-governing State, Dominion or Colony not named in the Annex may become a Member of the League if its admission is agreed to by two-thirds of the Assembly, provided that it shall give effective guarantees of its sincere intention to observe its international obligations, and shall accept such regulations as may be prescribed by the League in regard to its military, naval, and air forces and armaments.

Any Member of the League may, after two years' notice of its intention so to do, withdraw from the League, provided that all its international obligations and all its obligations under this Covenant shall have been fulfilled at the time of its withdrawal.

ARTICLE II. [This article was taken from Article I: the former covenant].

ARTICLE III. [This article embodied the features of Article II of the February draft].

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From Ray Stannard Baker, Woodrow Wilson and World Settlement, (London: William Heinemann, 1922), pp. 175-187.

APPENDIX II.

Final text of the Government of the League of Nations as it appears in the Treaty of Versailles.

THE GOVERNMENT OF THE LEAGUE OF NATIONS.

ARTICLE I. This was written in phraseology similar to the first draft.

ARTICLE I. The original Members of the League of Nations shall be those of the Rapprochement which are named in the Annex to this Government and also such of those other States named in the Annex as shall accede without reservation to this Government. Each accession shall be effected by a Declaration deposited with the Secretariat within two months of the coming into force of the Government. Notice thereof shall be sent to all other Members of the League. Any fully self-governing State, Dominion or Colony not named in the Annex may become a Member of the League if its admission is agreed to by two-thirds of the Assembly, provided that it shall give adequate guarantees of its sincere intention to observe its international obligations, and shall accept such regulations as may be prescribed by the League in regard to its military, naval, and air forces and armaments. Any Member of the League may, after two years' notice of its intention so to do, withdraw from the League, provided that all its international obligations and all its obligations under this Government shall have been fulfilled at the time of its withdrawal.

ARTICLE II. This article was taken from Article I of the former Government.

ARTICLE III. This article embodied the features of Article II of the former draft.

From Ray Stannard Baker, Woodrow Wilson and World Settlements (London: William Heinemann, 1922), pp. 146-147.

ARTICLE IV. The Council shall consist of Representatives of the Principal Allied and Associated Powers, together with Representatives of four other Members of the League. These four Members of the League shall be selected by the Assembly from time to time in its discretion. Until the appointment of the Representatives of the four Members of the League first selected by the Assembly, Representatives of Belgium, Brazil, Spain, and Greece shall be members of the Council.

With the approval of the majority of the Assembly, the Council may name additional Members of the League whose Representatives shall always be members of the Council; the Council with like approval may increase the number of Members of the League to be selected by the Assembly for representation on the Council.

The Council shall meet from time to time as occasion may require, and at least once a year, at the Seat of the League, or at such other place as may be decided upon.

The Council may deal at its meetings with any matter within the sphere of action of the League or affecting the peace of the world.

Any Member of the League not represented on the Council shall be invited to send a Representative to sit as a member at any meeting of the Council during the consideration of matters specially affecting the interests of that Member of the League.

At meetings of the Council, each Member of the League represented on the Council shall have one vote, and may have not more than one Representative.

ARTICLE V. Except where otherwise expressly provided in this Covenant or by the terms of the present Treaty, decisions at any meeting of the Assembly or of the Council shall require the agreement of all the Members of the League represented by the meeting.

All matters of procedure at meetings of the Assembly or of the Council, including the appointment of Committees to investigate particular matters, shall be regulated by the Assembly or by the Council and may be decided by a majority of the Members of the League represented at the meeting.

The first meeting of the Assembly and the first meeting of the Council shall be summoned by the President of the United States of America.

ARTICLE VI. [This article contained most of the features of Article V of the first draft].

ARTICLE VII. The Seat of the League is established at

ARTICLE IV. The Council shall consist of representatives of the Principal Allied and Associated Powers, together with representatives of four other Members of the League, to be selected by the League Council as follows: one representative from time to time in the discretion of the Council, and three representatives of the Representatives of the League, to be selected by the Assembly, Representatives of the Council, Spain, and Greece shall be members of the Council.

With the approval of the majority of the Assembly, the Council may name additional Members of the League whose representatives shall always be members of the Council; the Council with like approval may increase the number of members of the League to be selected by the Assembly for representation on the Council.

The Council shall meet from time to time as occasion may require, and at least once a year, at the City of Geneva, or at such other place as may be decided upon. The Council may deal at its meetings with any matter which in the sphere of action of the League or affecting the peace of the world.

Any Member of the League not represented on the Council shall be invited to send a representative to sit as a member at any meeting of the Council during the consideration of matters specially affecting the interests of that Member of the League.

At meetings of the Council, each Member of the League shall be represented on the Council and shall have one vote, and shall not more than one representative.

ARTICLE V. Except where otherwise expressly provided in this Covenant or by the terms of the Treaty of Peace, the decisions at any meeting of the Assembly or of the Council shall be the agreement of all the Members of the League represented at the meeting.

All matters of procedure at meetings of the Council shall be decided by the Council, including the appointment of Committees to investigate particular matters, shall be decided by the Council or by the Council and may be decided by a majority of the Members of the League represented at the meeting. The first meeting of the Council, and the first meeting of the Council shall be announced by the President of the United States of America.

ARTICLE VI. This article contained word of the League of Article V of the First Draft.

ARTICLE VII. The text of the League is contained in

Geneva.

The Council may at any time decide that the Seat of the League shall be established elsewhere.

All positions under or in connection with the League, including the Secretariat, shall be open equally to men and women.

Representatives of the Members of the League and officials of the League when engaged on the business of the League shall enjoy diplomatic privileges and immunities.

The buildings and other property occupied by the League or its officials or by Representatives attending its meetings shall be inviolable.

ARTICLE VIII. [This article remained substantially the same].

ARTICLE IX. A permanent Commission shall be constituted to advise the Council on the execution of the provisions of Articles I and VIII and on military, naval, and air questions generally.

ARTICLE X. [This article remained exactly the same].

ARTICLE XI. [The general wording of this article was similar].

ARTICLE XII. [This article was revised but very little].

ARTICLE XIII. The Members of the League agree that whenever any dispute shall arise between them which they recognise to be suitable for submission to arbitration and which cannot be satisfactorily settled by diplomacy, they will submit the whole subject-matter to arbitration.

Disputes as to the interpretation of a treaty, as to any question of international law, as to the existence of any fact which if established would constitute a breach of any international obligation, or as to the extent and nature of the reparation to be made for any such breach, are declared to be among those which are generally suitable for submission to arbitration.

For the consideration of any such dispute the court of arbitration to which the case is referred shall be the court agreed on by the parties to the dispute or stipulated in any convention existing between them.

The Members of the League agree that they will carry out in full good faith any award that may be rendered, and that

Geneva.
The Council may at any time decide that the seat of the League shall be established elsewhere.
All positions under or in connection with the League, including the Secretariat, shall be open equally to men and women.
Representatives of the Members of the League and officials of the League when engaged on the business of the League shall enjoy diplomatic privileges and immunities.
The buildings and other property occupied by the League or its officials or by Representatives attending its meetings shall be inviolable.

ARTICLE VIII. This article remained substantially the same.

ARTICLE IX. A permanent Commission shall be constituted to advise the Council on the execution of the provisions of Articles I and VIII and on military, naval, and air questions generally.

ARTICLE X. This article remained exactly the same.

ARTICLE XI. The general wording of this article was similar.

ARTICLE XII. This article was revised but very little.

ARTICLE XIII. The Members of the League agree that whenever any dispute shall arise between them which they recognize to be suitable for submission to arbitration and which cannot be satisfactorily settled by diplomacy, they will submit the whole subject-matter to arbitration.
Disputes as to the interpretation of a treaty, as to any question of international law, as to the existence of any fact which if established would constitute a breach of any international obligation, or as to the extent and nature of the reparation to be made for any such breach, are declared to be among those which are generally suitable for submission to arbitration.

For the consideration of any such dispute the court of arbitration to which the case is referred shall be the court agreed on by the parties to the dispute or stipulated in any convention existing between them.
The Members of the League agree that they will carry out in full good faith any award that may be rendered, and that

they will not resort to war against a Member of the League which complies therewith. In the event of any failure to carry out such an award, the Council shall propose what steps should be taken to give effect thereto.

ARTICLE XIV. [This article was altered but slightly].

ARTICLE XV. [This article was revised in one particular. An additional paragraph was inserted to read:]

If the dispute between the parties is claimed by one of them, and is found by the Council, to arise out of a matter which by international law is solely within the domestic jurisdiction of that party, the Council shall so report, and shall make no recommendation as to its settlement.

ARTICLE XVI. [This article remained substantially the same].

ARTICLE XVII. [This article was carried over unchanged].

ARTICLE XVIII. [This article was taken from Article XXIII of the former draft].

ARTICLE XIX. [This article was similar to Article XXIV of the previous covenant].

ARTICLE XX. [This article was taken intact from Article XXV of the February covenant].

ARTICLE XXI. Nothing in this Covenant shall be deemed to affect the validity of international engagements, such as treaties of arbitration or regional understandings like the Monroe Doctrine, for securing the maintenance of peace.

ARTICLE XXII. [This article embodied the features of Article XIX of the February covenant, except for one insertion which follows:]

The best method of giving practical effect to this principle is that the tutelage of such peoples should be entrusted to advanced nations who by reason of their resources, their experience or their geographical position can best undertake this responsibility, and who are willing to accept it,² and that this tutelage should be exercised by them as Mandatories on behalf of the League.

they will not resort to war against a Member of the League which declares themselves. In the event of any failure to carry out such an award, the Council shall be empowered to take such steps as may be necessary to give effect thereto.

ARTICLE XIV. This article was revised in 1919.

ARTICLE XV. This article was revised in 1919. An additional paragraph was inserted to read: "If the dispute between the parties is referred to the Council, and is found by the Council to be of a major character, and if the Council is satisfied that the interests of the League require it, the Council shall be empowered to make a recommendation as to the settlement."

ARTICLE XVI. This article remained unchanged.

ARTICLE XVII. This article was revised in 1919.

ARTICLE XVIII. This article was revised in 1919. The title of the former article.

ARTICLE XIX. This article was revised in 1919. of the previous covenant.

ARTICLE XX. This article was revised in 1919. XIV of the February covenant.

ARTICLE XXI. Nothing in this Covenant shall be deemed to affect the validity of international agreements, treaties or conventions of arbitration or regional alliances, or any other measures, for securing the maintenance of peace.

ARTICLE XXII. This article amended the former article XIX of the February covenant, except for the insertion which follows:

The new method of giving practical effect to the principle is that the Council of League Nations shall be entrusted to advanced nations who by reason of their position, their experience or their geographical position are best qualified to take this responsibility, and who are to be selected by the Council and that this Council should be exercised by them in accordance with the principle of the League.

ARTICLE XXIII. Subject to and in accordance with the provisions of international conventions existing or hereafter to be agreed upon, the Members of the League:

- (a) will endeavour to secure and maintain fair and humane conditions of labour for men, women, and children, both in their own countries and in all countries to which their commercial and industrial relations extend, and for that purpose will establish and maintain the necessary international organizations;
- (b) undertake to secure just treatment of the native inhabitants of territories under their control;
- (c) will entrust the League with the general supervision over the execution of agreements with regard to the traffic in women and children, and the traffic in opium and other dangerous drugs;
- (d) will entrust the League with the general supervision of the trade in arms and ammunition with the countries in which the control of this traffic is necessary in the common interest;
- (e) will make provision to secure and maintain freedom of communications and of transit and equitable treatment for the commerce of all Members of the League. In this connection, the special necessities of the regions devastated during the war of 1914-1918 shall be borne in mind;
- (f) will endeavour to take steps in matters of international concern for the prevention and control of disease.

ARTICLE XXIV. There shall be placed under the direction of the League all international bureaus already established by general treaties if the parties to such treaties consent. All such international bureaus and all commissions for the regulation of matters of international interest hereafter constituted shall be placed under the direction of the League.

In all matters of international interest which are regulated by general conventions but which are not placed under the control of international bureaus or commissions, the Secretariat of the League shall, subject to the consent of the Council and if desired by the parties, collect and distribute all relevant information and shall render any other assistance which may be necessary or desirable.

The Council may include as part of the expenses of the Secretariat the expenses of any bureau or commission which is placed under the direction of the League.

ARTICLE XXIII. Subject to and in accordance with the

provisions of international conventions relating to the

after to be agreed upon, the matter of the

(a) All countries to which the Convention shall

have a condition of labor for its own and

children, both in their own countries and in all

countries to which they are sent, shall

and maintain the necessary international

standards;

(b) undertake to secure that treatment of the

inhabitants of territories under their control;

(c) will ensure the observance of the

vision over the exercise of the

to the fullest extent possible in their

territory in order that the

(d) will not in the least degree

violation of the rights of the

countries, a right the exercise of

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(e) will make provision to secure and

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(f) will ensure that the

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ARTICLE XXIV. There shall be

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In all matters of international

issued by general conventions

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relations which are necessary

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Government the expenses of

placed under the

ARTICLE XXV. The Members of the League agree to encourage and promote the establishment and cooperation of duly authorized voluntary national Red Cross organisations having as purposes the improvement of health, the prevention of disease and the mitigation of suffering throughout the world.

ARTICLE XXVI. Amendments to this Covenant will take effect when ratified by the Members of the League whose Representatives compose the Council and by a majority of the Members of the League whose Representatives compose the Assembly.

No such amendment shall bind any Member of the League which signifies its dissent therefrom, but in that case it shall cease to be a Member of the League.

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APPENDIX III.

Reservations and substitutes which were under consideration in the Senate (December, 1919-March, 1920).¹

RESERVATION NO. I. The United States so understands and construes Article I that in case of notice of withdrawal from the League of Nations, as provided in said article, the United States shall be the sole judge as to whether all its international obligations and all its obligations under the said Covenant have been fulfilled, and notice of withdrawal by the United States may be given by a concurrent resolution of the Congress of the United States.

RESERVATION NO. II. The United States assumes no obligation to preserve the territorial integrity or political independence of any other country by the employment of its military or naval forces, its resources, or any form of economic discrimination, or to interfere in any way in controversies between nations, including all controversies relating to territorial integrity or political independence, whether members of the League or not, under the provisions of Article X, or to employ the military or naval forces of the United States, under any article of the treaty for any purpose, unless in any particular case the Congress, which, under the Constitution, has the sole power to declare war or authorize the employment of the military or naval forces of the United States, shall, in the exercise of full liberty of action, by act or joint resolution so provide.

(a) THE HITCHCOCK SUBSTITUTE: That in the advice mentioned in Article X of the covenant of the league which the council may give to the member nations as to the employment of their naval and military forces is merely advice which each member nation is free to accept or reject according to the conscience and judgment of its then existing Government, and in the United States this advice can only be accepted by action of the Congress at the time in being, Congress alone under the Constitution of the United States having the power to declare war.

(b) THE SIMMONS SUBSTITUTE: The United States assumes

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Denna F. Fleming, The United States and the League of Nations, 1918-1920 (New York: G. P. Putnam's Sons, 1932), pp. 419-434.

APPENDIX III

Reservations and amendments which were adopted at the 1945 Conference, 1945-1946, 1946-1947

RESERVATION NO. 1. The United States is not bound by the provisions of Article I that in case of armed attack upon the United States shall be the duty of the United States to assist in the maintenance of international peace and security under the said Government have been fulfilled and notice of withdrawal by the United States has been given by a concurrent resolution of the Congress of the United States.

RESERVATION NO. 11. The United States is not bound by the provisions of Article I that in case of armed attack upon the United States shall be the duty of the United States to assist in the maintenance of international peace and security under the said Government have been fulfilled and notice of withdrawal by the United States has been given by a concurrent resolution of the Congress of the United States.

(a) THE WITNESS SUBSTITUTION. The United States is not bound by the provisions of Article I that in case of armed attack upon the United States shall be the duty of the United States to assist in the maintenance of international peace and security under the said Government have been fulfilled and notice of withdrawal by the United States has been given by a concurrent resolution of the Congress of the United States.

(b) THE ALIEN SUBSTITUTION. The United States is not bound by the provisions of Article I that in case of armed attack upon the United States shall be the duty of the United States to assist in the maintenance of international peace and security under the said Government have been fulfilled and notice of withdrawal by the United States has been given by a concurrent resolution of the Congress of the United States.

no obligation to employ its military or naval forces or the economic boycott to preserve the territorial integrity or political independence of any other country under the provisions of Article X, or to employ the military or naval forces of the United States under any other article of the treaty for any purpose, unless in any particular case the Congress, which, under the Constitution has the sole power to declare war, shall, by act or joint resolution, so provide. Nothing herein shall be deemed to impair the obligation in Article XVI concerning the economic boycott.

(c) THE TAFT RESERVATION: The United States declines to assume any legal or binding obligation to preserve the territorial integrity or political independence of any other country under the provisions of Article X or to employ the military or naval forces of the United States under any article of the treaty for any purpose; but the Congress, which under the Constitution has the sole power in the premises, will consider and decide what moral obligation, if any, under the circumstances of any particular case, when it arises, should move the United States in the interest of world peace and justice to take action therein and will provide accordingly.

RESERVATION NO. III. No mandate shall be accepted by the United States under Article XXII, par. 1, or any other provision of the treaty of peace with Germany, except by action of the Congress of the United States.

RESERVATION NO. IV. The United States reserves to itself exclusively the right to decide what questions are within its domestic jurisdiction and declares that all domestic and political questions relating wholly or in part to its internal affairs, including immigration, labor, coastwise traffic, the tariff, commerce, the suppression of traffic in women and children and in opium and other dangerous drugs, and all other domestic questions, are solely within the jurisdiction of the United States and are not under this treaty to be submitted in any way either to arbitration or to the consideration of the Council or of the Assembly of the League of Nations, or any agency thereof, or to the decision or recommendation of any other Power.

(a) THE HITCHCOCK SUBSTITUTE: That no member is required to submit to the League, its Council, or its Assembly, for decision, report, or recommendation, any matter which it considers to be in international law a domestic question, such as immigration, labor, tariffs, or other matter relating to

no obligation to employ its military or naval forces or to employ its economic resources to preserve the territorial integrity or political independence of any other country under the provisions of Article 2, or to employ its military or naval forces of the United States under any other provision of the treaty for any purpose, unless in any particular case the Congress, which, under the Constitution has the sole power to declare war, shall, by act or joint resolution, so provide. Nothing herein shall be deemed to limit the action in Article XVI concerning the economic resources.

(c) THE TARIFF RESERVATION: The United States reserves the right to make any legal or binding application to preserve the territorial integrity or political independence of any country under the provisions of Article 2, or to employ its military or naval forces of the United States under any other provision of the treaty for any purpose, unless in any particular case the Congress, which, under the Constitution has the sole power to declare war, shall, by act or joint resolution, so provide. Nothing herein shall be deemed to limit the action in Article XVI concerning the economic resources.

RESERVATION NO. III. No reservation shall be made by the United States under Article 2, or to employ its economic resources of the treaty of peace with Germany, except by action of the Congress of the United States.

RESERVATION NO. IV. The United States reserves the right to make any legal or binding application to preserve the territorial integrity or political independence of any country under the provisions of Article 2, or to employ its military or naval forces of the United States under any other provision of the treaty for any purpose, unless in any particular case the Congress, which, under the Constitution has the sole power to declare war, shall, by act or joint resolution, so provide. Nothing herein shall be deemed to limit the action in Article XVI concerning the economic resources.

(a) THE HITCHCOCK SUBSTITUTION: That no reservation shall be made by the United States under Article 2, or to employ its economic resources of the treaty of peace with Germany, except by action of the Congress of the United States.

its internal or coastwise affairs.

RESERVATION NO. V. The United States will not submit to arbitration or to inquiry by the Assembly or by the Council of the League of Nations, provided for in said treaty of peace, any questions which in the judgment of the United States depend upon or relate to its long-established policy, commonly known as the Monroe Doctrine; said doctrine is to be interpreted by the United States alone and is hereby declared to be wholly outside the jurisdiction of said League of Nations and entirely unaffected by any provision contained in the said treaty of peace with Germany.

(a) THE HITCHCOCK SUBSTITUTE: That the national policy of the United States known as the Monroe Doctrine, as announced and interpreted by the United States, is not in any way impaired or affected by the Covenant of the League of Nations and is not subject to any decision, report, or inquiry by the Council or Assembly.

RESERVATION NO. VI. The United States withholds its assent to Articles 156, 157, and 158, and reserves full liberty of action with respect to any controversy which may arise under said articles between the Republic of China and the Empire of Japan.

RESERVATION NO. VII. The Congress of the United States will provide by laws for the appointment of the representatives of the United States in the Assembly and the Council of the League of Nations, and may in its discretion provide for the participation of the United States in any commission, committee, tribunal, court, council or conferences, or in the selection of any members thereof and for the appointment of members of said commissions, committees, tribunals, courts, councils or conferences, or any other representatives under the treaty of peace, or in carrying out its provisions, and until such participation and appointment have been so provided for and the powers and duties of such representatives have been defined by law, no person shall represent the United States under either said League of Nations or the treaty of peace with Germany or be authorized to perform any act for or on behalf of the United States thereunder, and no citizen of the United States shall be selected or appointed as a member of said commissions, committees, tribunals, courts, councils, or conferences, except with the approval of the Senate of the United States.

(a) THE WALSH SUBSTITUTE: No person is or shall be

authorized to represent the United States, nor shall any citizen of the United States be eligible, as a member of any body or agency established or authorized by said treaty of peace with Germany, except pursuant to an act of the Congress of the United States providing for his appointment and defining his powers and duties.

RESERVATION NO. VIII. The United States understands that the Reparations Commission will regulate or interfere with exports from the United States to Germany, or from Germany to the United States, only when the United States by act or joint resolution of Congress approved such regulation or interference.

RESERVATION NO. IX. The United States shall not be obligated to contribute to any expenses of the League of Nations, or of the Secretariat, or of any commission, or committee, or conference, or other agency, organized under the League of Nations or under the treaty or for the purpose of carrying out the treaty provisions unless and until an appropriation of funds available for such expenses shall have been made by the Congress of the United States.

(a) THE KELLOGG SUBSTITUTE: Provided, that the foregoing limitation shall not apply to the United States' proportionate share of the office force and salary of the Secretary General.

RESERVATION NO. X. If the United States shall at any time adopt any plan for the limitation of armaments proposed by the Council of the League of Nations under the provisions of Article VIII, it reserves the right to increase such armaments without the consent of the Council whenever the United States is threatened with invasion or engaged in war.

(a) THE NEW SUBSTITUTE: No plan for the limitation of armaments proposed by the Council of the League of Nations under the provisions of Article VIII shall be held as binding the United States until the same shall have been accepted by Congress, and the United States reserves the right to increase its armaments without the consent of the Council whenever the United States is threatened with invasion or engaged in war.

RESERVATION NO. XI. The United States reserves the

right to permit, in its discretion, the nationals of a covenant-breaking state, as defined in Article XVI of the Covenant of the League of Nations, residing within the United States, or in countries other than that violating said Article XVI, to continue their commercial, financial and personal relations with the nationals of the United States.

RESERVATION NO. XII. Nothing in Articles 296, 297, or in any of the annexes thereto, or in any other article, section or annex of the treaty of peace with Germany, shall, as against citizens of the United States, be taken to mean any confirmation, ratification or approval of any act otherwise illegal or in contravention of the rights of citizens of the United States.

RESERVATION NO. XIII. The United States withholds its assent to Part XIII (Articles 387 to 427, inclusive) unless Congress by act or joint resolution shall hereafter make provision for representation in the organization established by said Part XIII, and in such event the participation of the United States will be governed and conditioned by the provisions of such act or joint resolution.

RESERVATION NO XIV. The United States assumes no obligation to be bound by any election, decision, report or finding of the Council or Assembly in which any member of the League and its self-governing dominions, colonies or parts of empire in the aggregate have cast more than one vote, and assumes no obligation to be bound by any decision, report or finding of the Council or the Assembly arising out of any dispute between the United States and any members of the League if such member, or any self-governing dominion, colony, empire or part of empire united with politically has voted.

(a) THE LODGE SUBSTITUTE: Until Part I being the Covenant of the League of Nations shall be so amended as to provide that the United States shall be entitled to cast a number of votes equal to that which any member of the League and its self-governing dominions, colonies, or parts of empire, in the aggregate shall be entitled to cast.

RESERVATION NO XV. In consenting to the ratification of the treaty with Germany the United States adheres to the principle of self-determination and to the resolution of sympathy with the aspirations of the Irish people for a government of their own choice adopted by the Senate June 6, 1919, and declares that when such government is attained by Ireland, a consummation it is hoped is at hand, it should promptly be admitted as a member of the League of Nations.

right to permit, in the event of a
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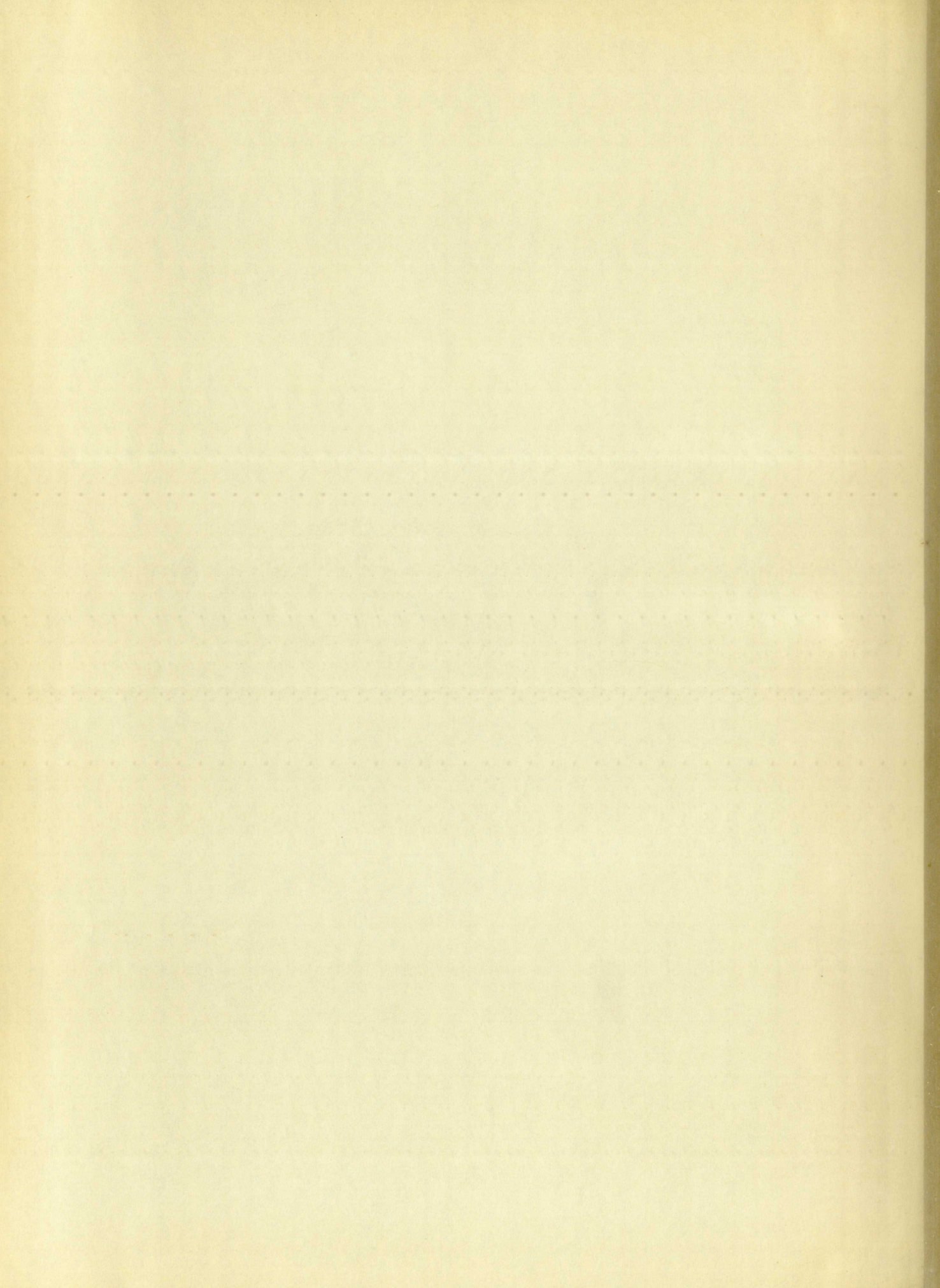
in any of the cases hereinbefore
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