Representative Northwest senators and the League of Nations

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REPRESENTATIVE NORTHWEST SENATORS
AND THE LEAGUE OF NATIONS

by

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B.A., University of Delaware, 1948

Presented in partial fulfillment
of the requirements for the degree of
Master of Arts

MONTANA STATE UNIVERSITY
1952
This thesis has been approved by the Board of Examiners in partial fulfillment of the requirements for the degree of Master of Arts.

Paul C. Phillips
Chairman of the Board of Examiners

Dean of the Graduate School

Date: June 5, 1952
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CHAPTER I

INTRODUCTION

In the wake of the great war of 1914-1918, there lingered in the minds of the American people that idealistic and crusading spirit which, under the inspiring leadership of Woodrow Wilson, had helped make the United States victorious in battle and which gave impetus to an unprecedented endeavor to make secure the peace which followed. Throughout much of the world at that time there was a strong desire to prevent a repetition of the horror and devastation which the late war had left behind it.

After the United States had entered this war, President Wilson became the ardent and vociferous spokesman for a number of principles which, many hoped, would be the basis for a just and lasting peace. The last of his Famous Fourteen Points was a declaration in favor of a "general association of nations" by which such a peace might be maintained. After the war was over, the fruit of Wilson's labors in this direction was the Covenant of the League of Nations, and from the latter part of 1918 to the presidential election of 1920, the controversy over the Treaty of Versailles with this Covenant attached occupied the uppermost position in American politics.
Because the American people believed that they had fought a war on behalf of a great cause, and because that crusading spirit lingered in their minds for a while thereafter, most of them seemed to favor participation in a system by which such a cause might be realized. This idealism was not to last, but while it lived, no section of the country was entirely immune to its effects.

Membership in the League of Nations, however, entailed a number of responsibilities and obligations which, most likely, many people did not at first take into account. The early enthusiasm over the idea perhaps blinded many people to the reality that, in joining the League of Nations, the United States would have, in some degree, to abandon such deep-rooted traditions as isolation, the Monroe Doctrine, freedom from "entangling alliances," and exemption from an active and positive interest in the affairs of the rest of the world.

But if the majority of the people were not at first aware of the implications of League membership, and if a majority of them showed a real sympathy for the League as Wilson wanted it, this was not the case in the United States Senate. This body, with its strong party allegiances, was divided from the beginning on many issues. During the debates over ratification of this treaty, many of its provisions and implications became the objects of much declamation and dissension. Among other things, it was these differences which divided the Senate into its factions, and it was the
unyielding stand taken by these factions which presented the crucial and unforceable barrier to ratification.

The Senate was divided into three distinct groups. Those who were opposed to American entrance into any kind of league constituted a small but impressive minority, mostly Republicans, and were known as the "irreconcilables" or "bitter enders." They were extreme nationalists and isolationists who firmly believed that the United States should remain free from any "entangling alliances," and that by joining the League of Nations, the United States would lose the very nature of its sovereignty and independence.

The two main factions, however, about whose differences the contest was centered, were the Administration Democrats and the reservationists, both "mild" and "strong". The Administration Democrats were those who generally supported Wilson for unconditional ratification of the treaty, and the reservationists were those senators, practically all Republicans, who felt that reservations of some sort to the Covenant were necessary adequately to protect the vital interests of the United States.

There were some sections of the country whose senators were generally united as representatives of one of these factions in the Senate. This was particularly

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1"Is Wilsonphobia to Defeat the League of Nations?" Current Opinion, LXVI (June, 1919), 344.
true of the South, which was solidly Democratic and de-
cidedly pro-Wilson. Many senators from the Northeast
were among those who represented a strong Republican
opposition to the League of Nations, and party sympathies
also prevailed among Republican senators from the Midwest.
There was one region, however, the far Northwest, extend-
ing from the Red River of the North westward to the Pacific
Ocean, whose senators presented a sharp diversity of
opinion.

The Northwest may be defined as the area which in-
cludes the states of North Dakota, South Dakota, Montana,
Idaho, Wyoming, Washington and Oregon. With the exception
of Oregon, which attained its statehood in 1853, these
states all entered the union at the same time (1889-1890),
and when they drew up their respective constitutions, a
number of common predispositions, economic and political,
produced fundamental similarities in the new state govern-
ments.

Most of this vast area was semi-arid, and remained
for many years a sparsely populated and mainly agricultural
region. Moreover, before the turn of the century the
frontier, with its free lands, had disappeared, so that
the chief preoccupations of the settlers thereafter were
directed to such things as reclamation and irrigation, and
to such kindred political movements as the Farmers'
Alliance, Populism, and other endeavors which were peculiar
to an aggressive and discontented agrarian society.
Because of such preoccupations, and because of the remoteness of the area, the people of the Northwest (as well as those of other parts of the west) were generally apathetic to American foreign policy and to what prevailed across the oceans. During the early days of the First World War, therefore, these people were less apprehensive over the outcome of that conflict than were people of other parts of the country. But when the United States entered the war, the Northwest responded, as did the rest of the country, and gave a spirited support to the American cause and to their leader, Woodrow Wilson. And in the immediate aftermath of this conflict, the Northwest shared with the greater part of the nation in the desire to join the League of Nations.

The twelve Northwest senators who participated in this great dispute included several of the most prominent in the nation, both on the Senate floor and in activities outside. But unlike their constituents, who seemed to be more united in their sympathies, each of these men spoke for himself or as a member of one of the contending factions in the Senate.

The irreconcilables, the Republicans who opposed ratification of the treaty, perhaps constituted the most outstanding group among the Northwest senators, for the most famous and the most vociferous of all the members of

2 Senators Kendrick of Wyoming and Chamberlain of Oregon were not active in the League debates.
The Senate was William E. Borah of Idaho. Also included in this group were Miles Poindexter of Washington, who was very prominent in Republican circles, and Asle J. Gronna of North Dakota. These men, including Borah with his thunderous attacks, denounced any international organization which would in any degree obligate this country to commitments with foreign powers, or which would in any way jeopardize America's complete freedom of action in its international relations. To each of them the League of Nations was, for many reasons, an instrument of evil and not of good.

The Administration Democrats, who were the direct opponents of the irreconcilables, included Thomas J. Walsh, a man of high ability, and Henry L. Myers, both of Montana, John F. Nugent of Idaho and Edwin S. Johnson of South Dakota. These senators defended the League of Nations and supported President Wilson in favoring ratification of the Covenant as it stood.

The other groups, all Republicans, were the reservationists. The strong reservationists included Thomas Sterling of South Dakota, Francis E. Warren of Wyoming and Wesley Jones of Washington. The mild reservationists, Charles L. McNery of Oregon and Porter J. McCumber of North Dakota, were both ardent friends of the League and were willing to ratify the treaty with reservations.
of a more innocuous nature.\footnote{Thomas A. Bailey, \textit{Woodrow Wilson and the Great Betrayal} (New York, 1945), 57-58. (hereafter referred to as \textit{The Great Betrayal})}

Discounting the stand taken by the irreconcilables, the debates on the League of Nations centered largely about the question of whether the United States should enter the League with limited obligations, and with a firm hold (by reservations) on all its traditional prerogatives, or whether the United States should accept the restraints and obligations of a world order by ratifying the Covenant which itself sufficiently safeguarded American interests and policies.

The first event of national significance, the implications of which were in part responsible for the eventual defeat of the League, was the Congressional elections of 1918. These elections gave the Republicans a victory in both houses and a majority of two in the Senate.\footnote{Denna Frank Fleming, \textit{The United States and the League of Nations, 1919-1920} (New York, 1932), 51.} Whether this shift in power was due to Wilson’s rash October appeal for a Democratic congress, or to what extent it was a repudiation of Wilson himself, is problematical;\footnote{Bailey, \textit{Woodrow Wilson and the Lost Peace} (New York, 1944), 58-70. (hereafter referred to as \textit{The Lost Peace})} but of some significance, aside from the bitter Republican
reverberations which followed the October appeal, is the fact that these elections were a direct reflection of popular sentiments and predispositions of the time. Though the issues of the coming peace were to be of prime importance for the next seventeen months, it is worth noting that they were contested almost solely around domestic questions—the host of grievances which arose out of the "war-time dictatorship" of the Administration.

There was virtually no issue contested and properly discussed which arose out of the policies that were the cause of our entering the war, of the degree of efficiency with which it was conducted, of the aims announced for the United States by its official spokesmen, or of the effort which the United States was to put forth in the making of a durable peace.

In the Northwest, for example, the Nonpartisan League was a strong force behind state and national politics. This was a farmers' organization whose chief complaint was that the farmer had been slighted in the distribution of the high profits which others had made after the outbreak of the war in Europe. Four of the

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7Howland, 239-40, 245.

8Ibid., 245.

9Ibid., 241.

northwest senators who were elected or reelected in 1918 were involved in issues in which the Nonpartisan League was interested, and three of them received the direct support of that organization. In South Dakota, Thomas Sterling, Republican, was elected with League support, and in Idaho, Senators Nugent and Borah, Democrat and Republican respectively, were both supported by the Nonpartisan League. In Montana, Thomas J. Walsh, Democrat, defended the domestic policies of Woodrow Wilson and defeated both the Republican and Nonpartisan candidates.11

The restiveness and general discontent manifested at this time is one indication that, in spite of the later mass enthusiasm over the League of Nations, American foreign policy was not to be the consuming interest of the people. The implication is that even though many of the senators elected at this time were to become very active in the debates over the League of Nations, their attitudes on such subjects were not considered by the voters on election day.12

The conduct of the President himself in the ensuing weeks also had a bearing on the events which were to come. A week after the Armistice, Wilson announced that he intended personally to attend the peace conference. This

11 Howland, 244. For a campaign speech of Walsh, wherein he supports Wilson's policies, see Daily Missoulian, November 3, 1918.

12 Howland, 239, 294. See also Bailey, The Lost Peace, 65.
unprecedented step was greeted with all kinds of condemnations mainly by partisan Republicans. For many reasons it was contended that Wilson's place was at home. The Republicans, for one thing, felt that the President had no business speaking for the nation after he had been repudiated at the polls. 13

Also, many resented the hand-picked delegation which Wilson chose to take with him. Many also were unimpressed by the calibre of this group. Republicans particularly, accused Wilson of wanting "rubber stamps" or "yes men", and they were further infuriated because there were no important representatives of their own party on this delegation. Then too, the Senate, which was to prove very jealous of its prerogatives, was unwisely neglected by Wilson when he deemed it improper to give that body some representation at the conference. 14

The President departed for France early in December, 1918, and while he was there, another shortcoming served to irritate sensibilities at home. The first of his Fourteen Points had promised "open covenants of peace openly arrived at..." But the closed-door diplomacy which marked the sessions of the conference was a direct violation of this doctrine, and the result was that Wilson's enemies in the Senate had additional grounds for com-

13 Bailey, The Lost Peace, 71-78.
14 Ibid., 87-104; Howland, 247-50.
The first draft of the Covenant was published in American newspapers on February 15, 1919, while Wilson was still at Paris. He had requested that the Senate suspend any action until he returned, but the Senate refused this request with a vengeance, and Senator Poindexter of Washington announced publicly that he would make the first attack on the covenant. On the 19th of that month the onslaught began, led, as expected, by Poindexter, and over the days that followed, many more castigations were hurled at the League, including one by Borah.

In the meantime, senatorial opponents of the League, operating outside the chamber, decided that strong measures had to be taken as a positive indication that the Covenant as it stood could not be accepted. On March 3, at the instance of Senator Henry Cabot Lodge of Massachusetts, Republican leader in the Senate and chairman of the Foreign Relations Committee, a resolution was drafted which has since been known as the Round Robin. It was signed, by March 4, by thirty-nine Republican senators, including

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16Fleming, 118. See for example, Daily Missoulian, February 15, 1919.

17Daily Missoulian, February 18, 1919.

18Fleming, 121-52.
from the Northwest, Gronna, Sterling, Borah, Warren and Miles Poindexter. This resolution stated, first, that the signatories (sufficient in number to block ratification) could not accept the Covenant in the form in which it was then proposed. Moreover, it continued, if a resolution were introduced which provided for the early conclusion of the peace and a later consideration of a league of nations, they would vote for that resolution.

The purpose of the Round Robin, as explained by Lodge, was to remind the American people, and especially the statesmen of Europe, that even though the President had negotiated the Treaty of Versailles, the United States was by no means bound by his actions. It was to be made clear that the United States Senate and that body alone was responsible for the ratification of any treaty. Moreover, he continued, Europe should realize, in view of the late Republican victory in Congress, that Woodrow Wilson was no longer powerful at home, and that successful resistance of him by the Senate could not be considered as an "act of bad faith."20

President Wilson had returned to America on February 23, in order to attend the closing session of the Sixty-fifth

19 Henry Cabot Lodge, The Senate and the League of Nations (New York, 1925), 118ff. Lodge, however, lists only thirty-eight signatories, including himself, but the complete list is found in Fleming, 154-5.

20 Lodge, 120-2.
During his short stay in this country, it became increasingly clear to him that, in view of the strong opposition in the Senate, and considering the implications of the Round Robin, definite changes must be made in the Covenant in order that it stand any chance of ratification. And before he reached France for the second time, almost the entire press of this country had agreed that amendments of some sort were necessary.

In accordance with a number of suggestions made by four eminent Republicans—William Howard Taft, Charles Evans Hughes, Henry Cabot Lodge and Elihu Root, five important amendments (among others) were carried through by Wilson at Paris. First, the language of the Covenant was rewritten with greater clarity. In Article 1 a clause was inserted which permitted a nation to withdraw from the League on two years notice, provided that its international obligations and its obligations under the Covenant had been fulfilled. Also, in Article 5, practically all decisions made by the Council or the Assembly of the League were to require unanimous concurrence by the members. In Article 15, a clause was inserted which excluded all domestic questions from League jurisdiction, and in Article 21 the Monroe

21 Bailey, The Lost Peace, 194-5.
22 Fleming, 172-3.
Doctrine was specifically recognized as a regional understanding not to be affected by anything in the Covenant.  

With these and other changes made, the revised draft of the Covenant was published in American newspapers on April 28, 1919, and formally presented to the Senate on July 10 of that year.  

Public opinion before the Covenant was revised seems to have been wholeheartedly in favor of the League of Nations. In June, after the finished product had met the public eye, such sentiments persisted.

There can be no doubt where the American people stand on this issue. Over half the state legislatures have passed resolutions favoring the idea of the League of Nations. Both political parties have planks in their platforms endorsing the idea. The Federal Council of Churches of Christ in America, the American Federation of Labor, the National Grange, and the Federation of Women's Clubs, and hosts of other national, state and local organizations are all in favor of the project. There is

23 "Republican Contributions to the Covenant," Independent, XCVIII (May 24, 1919), 275. Lodge himself refused to offer suggestions outright to Wilson, as he claimed that he could not speak for the Senate. Fleming, 181. But when William Howard Taft, an ardent friend of the League, spoke personally with Wilson, just before the latter's second departure for France, he advised Wilson to amend the Covenant in accordance with the "constructive parts" of a speech made by Lodge. Ibid., 161. Taft also had urged Wilson to make sure that the Covenant be made an organic part of the treaty. Ibid., 160. Wilson, however, had had this in mind from the beginning. Bailey, The Lost Peace, 179-80.

24 Fleming, 196. See for example Daily Missoulian, April 28, 1919.

25 Lodge, 152.

apparently no formidable opposition to the Covenant outside the United States Senate.\textsuperscript{27}

The Northwest was well represented in this popular support for the Covenant. Over the months of the controversy many types of appeal endorsed the League of Nations and declared themselves in favor of American participation. Among the many farm organizations which endorsed the League of Nations was the Nonpartisan League.\textsuperscript{28} This organization had, in 1918, a very strong control over the government of North Dakota, 20,000 members in South Dakota, 19,000 in Montana, 7,000 in Idaho and a "rapid growth in Washington."\textsuperscript{29} Many committeeemen of the League to Enforce Peace (the organization most responsible for the advertisement of the League of Nations) were active in all seven Northwest states, and each one was an eminent person in his own state.\textsuperscript{30} Among state organizations were the North Dakota Grangers and the Women of the Northwest through the Women's Bureau of Social Equity of the Council of the Women Voters of Oregon.\textsuperscript{31} Votes taken by state members of the National Economic League dis-

\textsuperscript{27}Hamilton Holt, "The Senate Versus the People," Independent, XCVIII (June 7, 1919), 351-2. For an analysis of public opinion in the spring of 1919, see Ruhl J. Bartlett, The League to Enforce Peace (Chapel Hill, 1944), 130-1.

\textsuperscript{28}This and other petitions were printed in the Congressional Record, 66 Congress, 1 Session, LVIII, 7481ff.

\textsuperscript{29}"Non-Partisan League," Bellman, XXIV (March 23, 1918), 314.

\textsuperscript{30}Congressional Record, 66 Congress, 1 Session, LVIII, 7482-6.

\textsuperscript{31}Ibid., 7486-7.
closed a majority in favor of the League of Nations in each northwest state except Wyoming, where the vote was a tie. 32 And in a petition signed by representative citizens who were chosen for their competence to speak for the sentiments of their respective states, the Northwest was again well represented by many eminent people who urged ratification without delay. 33

Among the state legislatures to endorse the League of Nations by concurrent resolution were those of Washington and North Dakota. 34 The legislature of Idaho, however, opposed the League of Nations. This body, in March, 1919, declared itself unequivocally against a league in any form. 35 It also strongly attacked Wilson for his autocratic methods, and his seeking to impose such a proposition on the American people against their will. It urged the United States Senate to oppose ratification, in part, because thirty-seven senators had previously declared themselves against it. 36

32 Ibd., 4827-8.
33 Ibd., 5363-5.
34 Current History, X (June, 1919), 509. The first North Dakota resolution, March 3, 1919, was read into the Congressional Record, 66 Congress, 1 Session, LVIII, 49-50. A second North Dakota resolution, December 10, 1919, was also printed into the Congressional Record, 66 Congress, 2 Session, LIX, 1208.
35 Congressional Record, 66 Congress, 1 Session, LVIII, 132.
36 Referring, of course, to the Round Robin. Thirty-seven senators had signed this document on March 3, 1919, but two more added their names the following day, making a total of thirty-nine. See Lodge, 120; Daily Missoulian, March 4, 1919.
There is no reason to suspect, judging from the strong language of this resolution, that the Idaho legislature changed its attitude as time went on. The resolution was passed, however, before the Covenant had been revised, and before any real indication of public opinion had been disclosed.37

In any event, the general picture seemed favorable. If the organizations and individuals could not speak for all the people whom they were supposed to represent, yet as seen by one analyst, there was apparently no hostile majority in a single state.38

In the Senate itself in June, 1919, the situation also appeared propitious, at least on the surface. Twelve senators (the irreconcilables) declared themselves against the League. Twenty remained doubtful and sixty-four were in favor of it.39 The sixty-four who favored the League constituted the required two-thirds majority for ratification, so that whatever the remaining "doubtful" senators chose to do, no less than two-thirds, apparently, could be counted upon to ratify the treaty.

Unfortunately for the treaty's sake, however, these sixty-four senators were not consistent, or rather they were

37Bartlett, 130-1.
38Ibid., 130.
39"Is Wilsonphobia to Defeat the League of Nations?" Current Opinion, LXVI (June, 1919), 344.
not united, when they maintained that they were in favor of American entrance into the League of Nations. After the Covenant had been revised, there were many who claimed that sufficient changes had not been made, or that those changes which were made were unsatisfactory.

For the most part, it was the Democrats, the friends of Wilson, who were convinced that the Covenant spoke for itself and that in its final form it met with all the objections previously raised. At least one Republican, McNary of Oregon, had voiced satisfaction with the amended Covenant, and McCumber of North Dakota was to indicate the same satisfaction in his speeches and in his voting. But the bulk of the Republicans, whether for the League or not, were anything but satisfied that the United States could ratify the treaty without jeopardizing its sovereignty or security. As it turned out, several of the very amendments which Wilson had laboriously managed to add to the Covenant were those about which the most heated altercations raged.

Elihu Root expressed several of those doubts upon which the Republicans would base their objections. In the clause concerning withdrawal, there was nothing, apparently, which prevented the Council from deciding that a nation's obligations had not been fulfilled. The Monroe Doctrine clause was erroneous and ambiguous, and the Council seemed

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40Bartlett, 137.
to be left with the power of determining "what questions were solely within the domestic jurisdiction of the United States."41

The Monroe Doctrine clause was ridiculed by Lodge and Root, among others, because it had been defined as an international engagement. In their eyes the Monroe Doctrine was not an international engagement or a regional understanding. It was solely an American unilateral policy. It was the policy of the United States, and not the policy of any region.42

The most controversial of all the articles in the Covenant, however, was Article 10. This provision stipulated that the members of the League would undertake to guard "as against external aggression the territorial integrity and existing political independence of all Members of the League. In case of such aggression or in case of any threat or danger of such aggression the Council shall advise upon the means by which this obligation shall be fulfilled."

Root, for example, opposed this article because it would perpetuate the "distribution of power and territory made in accordance with the views and exigencies of the

41 Philip C. Jessup, Elihu Root (New York, 1938), II, 399-400.

Allies in this present juncture of affairs." He considered it to be an "indefinite alliance for the preservation of the status quo..." Moreover, in the formulation of this article, nothing had been done to "limit the vast and incalculable obligation which Article 10 of the Covenant undertakes to impose upon each member of the League..."

In the Senate, however, Article 10 was less rationally attacked on other counts. Aside from the "vast and incalculable obligation" which Article 10 imposed, it was also considered to be a breeder of wars. It was held by the more implacable opponents such as Borah that Great Britain would use it to hold down every part of her empire. And playing on the sentiments of the Irish-Americans, who had been slighted by Wilson's failure at Paris to press for Irish independence, Article 10 was flaunted by such senators as an instrument by which American blood would be used to aid Britain in the perpetual subjection of Ireland. In fact, one Anglophobe pointed out that even in case of a Canadian

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43 As quoted by Jessup, 292.
44 As quoted by Jessup, 400.
45 As quoted by Jessup, 399.
46 Fleming, 370.
47 Ibid., 122.
48 Bailey, A Diplomatic History of the American People, (New York, 1940), 667-8. Two Republicans informed the British Ambassador in Washington that "in using the Irish question to defeat Wilson and the League they would flay England without mercy; but they wanted it understood in official British circles that they meant nothing by it." Ibid., 668. (hereafter referred to as Diplomatic History).
revolt against Britain, Article 10 would forbid the United States from going to the aid of Canada. 49

Then there was Article 11, by which any war or threat of war was to be a matter of concern for all the other members of the League, and by which any circumstance which affected international peace could be brought to the attention of the Council or the Assembly. This article was also considered to be a breeder of wars, one which would involve the United States in endless conflicts. 50 It was also claimed that by Article 11, other nations could poke their noses into American affairs. 51

It was also argued that joining the League of Nations was unconstitutional, in that Congress, as a then subservient body, would be deprived of its constitutional prerogatives. 52 A favorite argument of Borah, for example, was that the United States could refuse, if it wished, to obey the commitments under Article 10, but the moral pressure would be so strong as practically to deprive Congress of its legal right to do so. 53

Another part of the treaty which displeased many senators was the fact that the British Empire (Great Britain,

49Fleming, 123.
50Ibid., 249.
51Bailey, The Great Betrayal, 118.
52Fleming, 143-4, 276.
53Ibid., 274.
India and the dominions) was given six votes in the Assembly of the League as compared to the one granted the United States. Even though the Empire received only one vote in the Council and unanimity was almost always required in both bodies, this situation was considered unfair and dangerous to the United States.54

And being, or pretending to be, altruistic, a number of senators resented the treatment of China with respect to Shantung. This province had been taken from Germany by Japan in 1914, and by a secret treaty with the Allies in 1917, Japan was permitted by the peace conference to retain certain economic rights in Shantung.55 Many claimed that if they assented to the League of Nations Covenant, which was inextricably bound to the Treaty of Peace, they would find themselves consenting to a rank injustice.56

With a number of these precepts in mind, the Foreign Relations Committee began its long discussion of the treaty on July 14, 1919.57 Senator Lodge was chairman of this committee, and "as the existing conditions demanded," he made certain that there was a strong Republican opposition in the majority.58 There were seventeen members, ten Repub-

54Bailey, The Great Betrayal, 164-5.
55Bailey, The Lost Peace, 143.
57Lodge, 161.
58Ibid., 151-2.
licens, including Borah and McCumber,\textsuperscript{59} and seven Democrats. The committee held the treaty for forty-five days and delivered its report on September 10;\textsuperscript{60} during this time Wilson, in the face of strong opposition in the Senate, was on his famous and futile tour of the west on behalf of the treaty.\textsuperscript{61}

The report consisted of three parts, one majority report and two minority reports.\textsuperscript{62}

The majority report, a strongly-worded document, recommended forty-five textual amendments to the treaty and four reservations. Among the provisions carried by the amendments were the guarantee of a vote for the United States equal to that of the British Empire in the Assembly; and complete Chinese control over Shantung. The reservations included the unconditional right of the United States to withdraw from the League; a stipulation that the United States would not be bound by the obligations under Article 10; and a guarantee that the United States would be the sole judge of what constituted domestic questions and the meaning of the Monroe Doctrine.\textsuperscript{63}

\textsuperscript{59}McCumber was the sole Republican friend of the League on the Committee.

\textsuperscript{60}Lodge, 164.

\textsuperscript{61}Bailey, The Great Betrayal, 90-91, 103.

\textsuperscript{62}Senate Report No. 176, 66 Congress, 1 Session, Senate Reports, I, September 10, 1919.

\textsuperscript{63}Ibid., Part 1.
The first minority report (Democratic), after a few
counterblows at the majority, demanded unconditional ratifi-
cation of the treaty. 64

The second minority report was delivered by Senator
McCumber. The first part of his report eloquently praised
the framers of the Covenant and the high purpose for which
it was formulated, and included a lengthy condemnation of
the bitterly partisan spirit which had marked the methods
and deliberations of the majority. He then critically ex-
amined the provisions in the majority report and recommended
six milder reservations of his own. These concerned with-
drawal, Article 10, domestic questions, the Monroe Doctrine,
and a restriction upon the voting power of the British Em-
pire in case of a dispute between a nation and the Mother
Country or between a nation and one of her dominions. 65

Senator Lodge, as leader of the strong reservationists,
was correct when he stated that by the autumn of 1919, be-
cause of the long sustained debates, public opinion had come
to favor ratification with reservations. This was especially
true, he said, after the average man "came to realize the
questions to be decided and especially the leading issues
involved in Article X, the equality of voting, the Monroe

64 Ibid., Part 2.

65 Ibid., Part 3. McCumber's stand on reservations,
as in the case of McNary, was that he believed them necessary,
in view of the opposition, to muster enough votes for ratifi-
cation. Congressional Record, 66 Congress, 1 Session,
LVIII, 5861.
In the Northwest the changing public attitude was indicated in several instances. The first resolution for ratification by the North Dakota legislature (March 1919) was passed even before the first draft of the Covenant had been revised. In a second resolution of December, 1919, however, this legislature asked for ratification "with only such reservations as are compatible with a binding and bonafide participation of the United States of America in the covenant of the League of Nations." In the poll taken of its members by the National Economic League in September, it was understood by the voters that reservations would not be opposed. And in the aforementioned petition signed, in August, by representative citizens of thirty-nine states, participation in the League of Nations "with reservations not inconsistent with its terms" was acceptable. These general sentiments were also indicated when one observer declared that the people of the Pacific Northwest favored the League of Nations, but they none the less desired

66 Lodge, 179.
67 Congressional Record, 66 Congress, 2 Session, LII, 1208.
68 Congressional Record, 66 Congress, 1 Session, LVIII, 4327-8.
69 Ibid., 5363-5.
reservations "in the interest of pure Americanism." 70

The forty-five textual amendments of the Foreign Relations Committee were rejected by the Senate because a number of the Republicans (and the Democrats, of course) realized that such changes would be too long in adoption by the other powers. 71 The committee thereupon continued its discussions, and on November 6, 1919, Lodge again reported, this time with fourteen reservations, including those four of the original report, and in a language which would not alienate the mild reservationists. 72 In the votes taken on the reservations, each one was supported by an almost solid Republican vote and opposed by an almost equally solid Democratic vote. 73

The preamble to these reservations stipulated that American ratification would become binding only after three of the four principle Allied powers had accepted them in writing. The first reservation, concerning withdrawal, stated that the United States would be the sole judge of whether it had fulfilled its obligations, and provided further, as a limitation upon the executive in foreign affairs, that notice of withdrawal might be given by a

70 F. M. Davenport, "What the Pacific Northwest Thinks about the League and the Treaty," Outlook, CXXII (August 6, 1919), 539.
71 Lodge, 178.
72 Fleming, 392-3.
73 W. Stull Holt, Treaties Defeated by the Senate (Baltimore, 1933), 295.
concurrent resolution of Congress. A concurrent resolution, of course, does not require the president's signature, nor can it be nullified by his veto. The second reservation dealt with the ever-controversial Article 10. This reservation stipulated that no obligation would be assumed by the United States in preserving the territorial integrity or political independence of any nation, nor would the United States employ its military or naval forces for such a purpose without consent of Congress. The fourth reserved to the United States the right to judge what were domestic questions; the fifth made the United States the sole interpreter of the Monroe Doctrine; and the sixth declared that the United States withheld its assent to the Shantung settlement. Reservations seven to thirteen were of minor importance in that they had little effect upon the operation of the League itself, although the tenth practically reserved to the United States full liberty of action in regard to the limitation of armaments. The fourteenth and last reservation dealt with the voting power of Great Britain in the Assembly. It stated that the United States would not be bound by any decision of the League when a member, along with its parts of empire, had cast more than one vote. 74

The Republicans who rejected the textual amendments

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74 For a full text of the Lodge reservations, see Bailey, The Great Betrayal, 387-92.
were the mild reservationists. The difference between the mild reservationists and their stronger brethren, politically, was that the latter hoped for actual amendments to the treaty and that they demanded that these changes be formally accepted by the other powers. The mild reservationists, however, were those who believed that reservations of a more innocuous sort might be necessary, and they therefore attempted, at first, to coalesce with the Democrats, inasmuch as Wilson had declared his willingness to accept reservations of an interpretive character which did not require the assent of the other powers. McNary, McCumber and others of this small group favored reservations of an interpretive nature or such issues as withdrawal, Article 10, domestic questions and the Monroe Doctrine. Their purpose was to "hold a balance of power that would compel one or both of these groups [Democrats and strong reservationists] to modify its position." By such a coalition they could have defeated the Lodge reservations, to leave the remaining Republicans with the painful choice of either accepting these mild reservations or defeating the treaty outright.

75 Ibid., 154.
76 Ibid., 56-57.
77 Ibid., 170.
78 Fleming, 297.
79 Bailey, The Great Betrayal, 58.
But by mid-August of 1919, Wilson suddenly reversed his attitude and declared that even interpretive reservations could not be accepted. Thus the mild reservationists, impelled by party or other considerations, were driven into the arms of Lodge, and all the stronger reservations which his group presented became, by the votes of all the Republicans, binding upon the treaty.

The mild reservationists defeated the textual amendments in November, but reservationists of all shades became, for all intents and purposes, of one camp. In spite of the marked friendship of the milder group for the treaty, Senator McCumber was the only Republican ever to vote for it without reservations.

The treaty was voted upon for the first time on November 19, 1919. The first resolution was for ratification with the reservations attached. It was defeated by a vote of 55 nays to 39 yeas. Five Northwest senators, all Republicans and reservationists, voted yea. These were Jones of Washington, McCumber of North Dakota, Sterling of South Dakota, McNary of Oregon and Warren of Wyoming. Those who rejected it because of the reservations were the Democrats Walsh and Myers of Montana, Nugent of Idaho and Johnson of South Dakota. The remaining Republicans, the irreconcilables Borah of Idaho, Poindexter of Washington

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80 Ibid., 171.
81 Fleming, 396.
and Gronna of North Dakota, all voted nay. 62 Following this action a reconsideration was proposed and passed. Again even a majority failed to respond. All the northwest senators voted as before except Myers, who voted yea, hoping perhaps that enough others might follow suit to ratify the treaty. 63 Finally a vote was taken on the treaty without reservations. When it was defeated this time the irreconcilables voted nay, as always, along with all the Republicans except McCumber, who joined with the Democrats in supporting it.

Because of public indignation over this apparently unnecessary defeat, compromise negotiations were entered into in January, 1920. A bipartisan conference composed of Lodge and other Republicans, plus some Democrats, including Walsh, attempted to reach an agreement on several issues, especially on the reservation to Article 10. 65 Wilson held this article to be the "heart of the Covenant" and the "essence of Americanism," and therefore was opposed to any reservation which would weaken it. 66 The enemies of Article 10, of course, pictured it as a breeder of wars and a vexatious obligation. This conference, however, reached no real

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62 Congressional Record, 66 Congress, 1 Session, LVIII, 8786.
63 Ibid., 8802.
64 Ibid., 8803.
66 Fleming, 436-7.
conclusion. About the time some kind of agreement seemed to be in the offing, Senator Lodge was awakened from his compromising slumbers by an almost violent intimidation by Borah and a few other irreconcilables, and thenceforth the efforts of the conference waned. One of the few agreements reached was that the other powers, in accepting American entrance in the League with reservations could do so by silence or acquiescence instead of by formal notice.

The treaty was considered for the last time on March 19, 1920. The reservations were altered somewhat and again they received their heaviest support by Republican votes. At this time also, a fifteenth reservation was added which would grant self-determination for Ireland. This reservation, however, was a Democratic strategem; the purpose was, if possible, to render the body of reservations too offensive even for the Republicans to stomach.

On March 19 the treaty with reservations was defeated by a vote of 49 for and 35 against (a majority in this case favored it). Wilson had notified his Democratic colleagues in the Senate that rejection of the treaty with reservations

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87 Bailey, The Great Betrayal.
88 Jessup, 408.
89 W. Stull Holt, 295.
was the proper thing. Were it not for this, enough Democrats might have swung over (there need only have been seven) and ratified the treaty. Senator Walsh, just before the votes were cast, made an impressive speech, urging that he, as a Democrat, intended to vote for the reservations, simply because the treaty would pass that way or never. Walsh, Nugent and Myers all decided, as did many other Democrats, to ignore the President's plea and vote with the Republicans. Johnson of South Dakota, however, was one of the three Democratic senators north of the Mason and Dixon line to stand loyally and futilely by Wilson on this vote. After this date, the treaty was not again considered by the Senate.

In 1920 the country had returned to its internal economic preoccupations. The people were apathetic toward international questions and exasperated at the long-drawn-out bickerings which had brought the settlement of peace to an inconclusive deadlock. "Normalcy" and the emergence from post-war economic crises were uppermost in the national mind. In accordance with such impressions and circumstances the two parties made up their electoral platforms.

The Democratic party promised ratification of the treaty (though not without reservations) and the Republicans

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91 Bailey, Diplomatic History, 677.
93 Congressional Record, 66 Congress, 2 Session, LIX, 4581.
94 Ibid., 4599.
95 Howland, 294-6.
inserted a plank, visible enough to please those who favored
the League and ambiguous enough to hold such as Borah and
others in the ranks. But the League of Nations no longer
occupied a primary place in the national political con-
sciousness.\textsuperscript{96} In the landslide of 1920, this was clearly
indicated. The Republican victory was a crushing defeat
for everything for which the Wilson government had stood.
In the entire Northwest, which shared the sentiments of
the greater part of the nation, only a single county
(Mineral, Montana) polled a Democratic majority.\textsuperscript{97}

\textsuperscript{96}Ibid., 294-6.

\textsuperscript{97}Edgar Eugene Robinson, The Presidential Vote,
CHAPTER II

IRRECONCILABLES

The "Mirebeau of the Battalion of Death," as Borah was called by some of his associates, believed that American rejection of the League of Nations was the greatest decision in foreign affairs since the "promulgation of the Monroe Doctrine," and among all those figures who fought for this rejection Borah, "more than any other man stirred up anti-League sentiment among the people." He was the original irreconcilable. When other leaders were discussing the desirability of separating the Covenant of the League from the Treaty, or urging the necessity of "Americanizing" it, Borah was saying he would have none of it... Borah brought the lawyer's skill in exposing the flaws and jokers in a document, the orator's superb, exalted eloquence, and the patriot's sincere convictions to the side of the opposition. Impelled by little or no consideration for partisan advantage, he brought dignity and, at times, magnificence to an opposition which had little of the former and none of the latter.

Like Gronna and Poindexter he was a nationalist and an isolationist, but he defended his convictions with a sincerity so deep and so personal, that he remained, among all the others, the sole opponent of the League who retained Wilson's respect to the end. This in itself exempts him from any charge of a partisan spirit, if not from error.

1Johnson, 223ff.
2Ibid., 223.
3Ibid., 223.
4Ibid., 223-4, 255.
Borah believed, for what to him were sound reasons, that participation in the League of Nations was the worst possible step which the United States ever could take; and long before the League of Nations became any kind of political issue in the United States, Borah sensed that this country was entering upon a path of departure from what he thought was the only possible course in keeping with the safety and welfare of its best traditions and institutions. Therefore, in April, 1917, when war was declared upon Germany, Borah gave no unconditional support to that declaration. He wished it to be clearly understood that the war which we were about to enter was, above all, caused by the German violation of American neutral rights. He maintained that the European war was no concern of ours, and that the United States had done everything within the limits of honor and self respect to remain neutral. He believed that ours was an American war to protect American rights, honor and security, and that beyond that the United States could not commit itself. In a few terse phrases, he stated the position by which he was to stand through thick and thin for a good many months to come:

I join no crusade; I seek or accept no alliances; I oblige this country to no other power. I make war alone for my countrymen and their rights, for my country and its honor.

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5 Congressional Record, 65 Congress, 1 Session, LV, 252-3.

6 Ibid., 253.
Also, in January and April of 1917, and in December, 1918, when the war had just ended, Borah offered spirited resolutions that the United States reaffirm its faith and confidence in the Monroe Doctrine and in the policies laid down by Washington and Jefferson.\(^7\)

In his speeches against the League of Nations, Borah had access to what could be called a schoolboy's knowledge of history, which seemed to be entwined among all his basic convictions. By this knowledge he could prove anything, at least to his own satisfaction. His greatest asset, however, which made him a formidable opponent on the floor, was his oratorical skill; for as seen, perhaps, by others,

\[\ldots\] it would be difficult to argue with a man who felt as strongly about it /the League/ as that, and who could express his hatred of the idea so effectively. \ldots\] Probably few Senators cared to undertake it spontaneously.\(^8\)

He had a peculiar distrust for any kind of internationalism, and a phobia for anything foreign, especially European:

It is his belief in American democracy, American freedom. This democracy is peculiar to ourselves and we must work it out alone. Going into an international combination might level it down, contaminate it, besmirch it. His nationalism is built upon his belief in the sufficiency of American democracy.\(^9\)

\(^7\)Congressional Record, 64 Congress, 2 Session, LIV, 1950; Congressional Record, 65 Congress, 1 Session, LV, 440; Congressional Record, 65 Congress, 3 Session, LVII, 124.

\(^8\)Fleming, 95.

\(^9\)Johnson, 255.
Borah also had a very strong reverence for the great men of his country. Throughout his speeches in the Senate, his references to the policies and characters of the Founding Fathers recur with monotonous frequency. The United States seemed to him to be the culmination of a centuries-old and arduous strife for freedom, and to him the immutable principles as laid down in the Declaration of Independence and the Bill of Rights found their highest expression in the hallowed utterances of Washington, Jefferson and Lincoln.

According to Borah, the war from which the United States had just emerged was one between two forms of government. One of these was the embodiment of the Magna Carta, the Bill of Rights, the Declaration of Independence, the Constitution of the United States and the "principles of human liberty which they embody and preserve." The other was an autocratic, war-hungry state, a "remorseless and soulless" institution which never yielded to the hopes and aspirations of the masses. The war was another phase of the old struggle of liberty against power which man had so valiantly carried on from Marathon to Verdun. History, to Borah, was marked by many such struggles for the principles of liberty and justice--Charles Martell at Tours, the Allies at Waterloo, Washington at Valley Forge, and Lincoln at Chancellorsville. The World War was

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10 Congressional Record, 65 Congress, 2 Session, LVI, 3655–6.
fought for these principles—it was a contest between the principles of the Hohenzollerns and the faith of Abraham Lincoln. He believed that

the most priceless heritage which this war will leave to a war-torn and weary world is the demonstrated fact that a free people of a free government can make war successfully and triumphantly, can defy and defeat militarism and preserve throughout all their independence, their freedom and the integrity of their institutions.\textsuperscript{11}

Such was Borah's nationalism, and between him and those who advocated American membership in the League of Nations or any other form of international tribunal, there existed a gulf which nothing could span.

Throughout his more characteristic speeches, Borah appealed as much to the ideological principles involved as he did to the legal flaws in the Covenant—to the shameful sacrifices which the United States would necessarily make by participation in the League. The Monroe Doctrine, he said, had been "thrown up as a dyke against the threatened flood of foul inundation" of our own league of nations—that of the free nations of the Western Hemisphere. "It was the new Republic's bold challenge to this unconscionable conspiracy /the Holy Alliance/ bent upon the destruction of free governments," and it was the Monroe Doctrine that the League of Nations would destroy.\textsuperscript{12} It was also Borah's

\textsuperscript{11}\textit{Ibid.}, 3655-6.

\textsuperscript{12}\textit{Congressional Record}, 65 Congress, 3 Session, LVII, 195.
contention that the recent and glorious victory over a "trained, brutal militarism" was attained by the love of the Frenchman for his country, the love of the Briton for his country, and the American's love for his, and it was this love of country, this patriotism which was so necessary, that internationalism would kill.¹³

But when it came to the fate of his own country, Borah's attitude was yet less detached:

"... God pity the ideals of this Republic if they shall have no defenders save the gathered scum of the nations organized into a conglomerate international police force, ordered hither and thither by the most heterogeneous and irresponsible body or court that ever confused or confounded the natural instincts and noble passions of a people."¹⁴

Borah thus often compared the high principles and institutions of the American system with the pernicious and evil ways of the Old World. Nor did he hesitate, in spite of admitted virtues in many cases, to magnify the "untrustworthy" practices of the other nations. The League of Nations, for example, he considered to be a triumph for British diplomacy, since Britain had surrendered utterly nothing at the peace conference. The British Empire, specifically, had managed to attain six votes in the Assembly compared to the one granted the United States, and the fact that there was to be no abrogation of the secret treaties which had been concluded during the war

¹³Ibid., 1387.
¹⁴Ibid., 1387.
between Britain, France and Italy, meant that the other nations had also joined in a conspiracy against us.\textsuperscript{15}

But the United States, lamented Borah, had surrendered almost its all--it had surrendered the traditional foreign policy of one hundred years and had placed its man power, its finances and its sovereignty at the disposal of foreign powers for the purpose of guarding the integrity of their possessions the world over.\textsuperscript{16}

True to his equalitarianism, Borah pointed to Ireland, and claimed that, even though she would perhaps not receive her independence soon, she would never receive it under the League of Nations, as such a thing would be prevented by Articles 10, 11, and 16 of the Covenant.\textsuperscript{17} When the Irish reservation was voted upon in March, 1920, Borah supported it because to him it signified the Senate's recognition of the noble principle of self-determination. But even if Ireland did receive her freedom, he maintained, and were admitted to the League, she would be worse off under that combination than she had been for the past seven-hundred years.\textsuperscript{18}

\textsuperscript{15}Ibid., 3914-15.
\textsuperscript{16}Ibid., 3914-15.
\textsuperscript{17}Congressional Record, 66 Congress, 1 Session, LVIII, 2078. Article 16 provided for various types of police action, military and economic, to be used against covenant-breaking states.
\textsuperscript{18}Congressional Record, 66 Congress, 2 Session, LIX, 4507.
Likewise did he attack the injustice of the Shantung settlement and the expectation that the United States would assent to such a wrong by ratification of the treaty.\(^{19}\)

And bringing the matter home, he displayed his westerner's distrust of big business by pointing out that the "inordinate" desire for ratification without debate or consideration was merely the concerted effort of Wall Street.\(^{20}\)

Finally, said Borah, if the United States intended to ratify the treaty, there was only one just and proper way to do it—by taking the matter directly to the people, to the man in the street, the field, in the common walks of life.

The policy of George Washington, which the United States had followed for so many decades, was superior "even to the will of the people of the United States represented in Congress acting under the Constitution," and until that policy was repudiated by the people themselves, by the sovereign will of the people of the United States, Congress had no moral right to do otherwise than observe it.\(^{21}\)

Inspired by these strong feelings, Borah used his lawyer's skill to tear the treaty limb from limb, and bring to the surface what were to him pernicious provisions.

\(^{19}\)Congressional Record, 66 Congress, 1 Session, LVIII, 4439.

\(^{20}\)Ibid., 2062. Thomas W. Lamont of the House of Morgan had shown a premature publication of the treaty to Senator Lodge. Bailey, The Great Betrayal, 4; Jessup, 397-8.

\(^{21}\)Congressional Record, 66 Congress, 2 Session, LIX, 2694-5. This quotation is from Senator Lenroot (Rep., Ill.) who questioned Borah on this subject.

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obligations and subtle dangers contained in that document. Article 8, which dealt with disarmament, he claimed to be very hazy and providing for no positive plan, which was just the way the Europeans had designed it. Furthermore, he demanded, how could disarmament ever be effective with "article 10 and article 11 staring us in the face day by day!" And was the United States to guard the territorial integrity of nations by taking the advice of "five or nine men sitting at Geneva as to how we shall perform our obligations under article 10?" Under this article every local war would immediately flare into a "world conflict." And even though the Council's decisions were solely of an advisory nature, the United States would be under the "highest moral obligation to accept the advice of the council," and to repudiate it would be dishonorable.

Again speaking of disarmament, Borah stated such would be impossible under the "war-articles,"—10, 11, and 16. And Article 11, he claimed, was stronger and even "more latitudinous than the terms of the Holy Alliance,"

22 Congressional Record, 66 Congress, 1 Session, LVIII, 1938.
23 Ibid., 1741.
24 Ibid., 1743.
25 Ibid., 1747.
26 Ibid., 1748.
because it gave the League power to suppress an insurrection. Moreover, Articles 10 and 11 together gave the League jurisdiction over "every conceivable disturbance which may be interpreted as war or threat of war, and it is immaterial whether it is internal or external."  

Concerning the voting power of the British Empire in the Assembly, Borah pointed to the dual role of the dominions. They were morally bound and obligated, he said, to the Mother Country, and there was at the same time no provision which prevented them all from sometime becoming members of the Council. But even considering the fact that Britain was limited in her powers in the League by only holding one vote in the Council, the United States, he said, had yet lost. The United States yielded on the freedom of the seas, on the secret treaties, on the protectorate of Egypt and on Irish independence. Then it had to take a subordinate position on the Assembly and yield its "equality of prestige, equality of moral and intellectual power, equality of dignity and honor."  

Borah's opposition to the League was relentless and uncompromising. For him nothing was commendable about the League nor could anything bad enough be said of it. His

27 Ibid., 2080.
28 Ibid., 3935.
29 Ibid., 7496.
30 Ibid., 7325.
hatred and fear of such an instrument had a strength that nothing could break. When the treaty was defeated in November, 1919, Borah announced that the killing of it was the greatest thing the Senate had ever done, and for this noble action, the Senate was "entitled to the gratitude of the American people for all time to come," even if it should do nothing else. 31

Senator Poindexter was very prominent in the Republican party in 1919, but he differed from Borah in several respects. He was noticeably less sincere in his opposition to the League, and at times he betrayed a rather partisan attitude. In 1918, for example, he bitterly assailed Wilson for his request for a Democratic Congress on the ground that Wilson wanted a rubber stamp for his policies (which charge, however, did not lack validity), and on the ground that Wilson was desirous of an easy defeat for the "good German Empire." 32 And as a prospective candidate for the presidency in 1920, he also revealed a rather reactionary spirit. The League of Nations at that time had not yet seen its final defeat. Poindexter went to some length to list the "errors" of the Democratic Administration, and prescribed such Republican measures for a "wise economy" as reduced

31 Congressional Record, 66 Congress, 2 Session, LIX, 403.

32 Congressional Record, 65 Congress, 2 Session, LVI, 11501-2.
taxes upon industry and consumption, and a supplement in the form of a higher tariff wall. He also found reason to propose the employment of the United States Navy for the enforcement of all "radio communication between the United States and the rest of the world." He declared that peace should be immediately concluded and that the treaty of peace should be "stripped of all extraneous incumbrances...." meaning, of course, the Covenant of the League of Nations. Furthermore, he urged, the United States should cease meddling in the affairs of the other nations and the Monroe Doctrine should be firmly reestablished. 33

Poindexter was the first senator to speak on the Covenant after the first draft had been published in American newspapers. Before that time, however, he did venture a few remarks. In December, 1918, he argued that, since the United States and Great Britain had settled boundary disputes without war, what was the purpose of a league of nations when such disputes could be settled so easily? 34

Six weeks later, he maintained that the Europeans did not really want the United States to belong to a league of nations. He claimed that those countries resented our interference in their affairs just as we would resent their

34 Congressional Record, 65 Congress, 3 Session, LVII, 181.
meddling in the affairs of the Western Hemisphere. There was
in existence, or could be, he said, the greatest of all lea­
gues of nations. This was the allied and associated powers
which had just defeated Germany in a great "enforcement of
peace." The United States should advocate, instead of a
supergovernment, an association of nations based upon good
will and common sense. 35

Poindexter's longest attack on the League was made
on February 19, 1919, before the Covenant had been revised
and in open defiance of Wilson's request that debates be
withheld until he returned from France. The question to be
decided, said Poindexter, was whether the United States should
adhere to the principles of Washington and Monroe, while
maintaining friendly relations with all nations, or whether
it should ensnare itself in the most entangling alliance
conceivable. Would we promote peace or war, he wondered,
by requiring that each nation meddle in the affairs of
others? 36 Reviewing the exemplary character of the United
States, he continued:

There is no other citizenship in the world so en­
tirely free of class distinction or discrimination as
that of the American people. There is no other nation
which to day is more absolutely sovereign than the
United States. There is no other nation where an
individual citizen, standing upon an absolute legal
and governmental equality with every other citizen,
wields an equal voice in determining the highest
prerogatives of government. . . . The question now

35 Ibid., 1803.

36 Ibid., 3747.
presented is whether or not the high sovereign jurisdiction of the political heirs of Jefferson, Washington and Lincoln is to be in part surrendered and subjected to the control of strangers and aliens.37

In reference to several specific provisions, Poindexter claimed that the League of Nations bound mankind forever. There was no provision for withdrawal, and each nation would surrender its sovereign right to regulate the rules, methods and degree of disarmament. Furthermore, he claimed, arbitration would be compulsory for questions of every description, and each nation would be committed to fight wars at any time and at any place deemed necessary. And also, as disarmament would be confined to the member nations, a non-member with a large military force would, by virtue of the weaker forces of the members, be strongly tempted toward conquest.

Poindexter further reminded that, if the United States should join the League of Nations, the people would do so with the understanding that they would live up to their word. Therefore, he maintained, if the Senate should ratify the treaty, and the United States should feel unwilling in the future to accept any of the League's decisions, the only avenue of escape would be dishonor. Moreover, he argued, the constitution of the League was an "alien tribunal," and American participation would mean the delegation of powers of the government of the United States to another power.38

37 Ibid., 3747.
38 Ibid., 3748-0.
Also, if the United States dared ignore the mandates of this organization, it would find itself at war with all the other members. 39

Again, Poindexter repeated, a league of nations was not necessary. The United States, for example, had preserved peace in Haiti, San Domingo and Honduras, and had taken Vera Cruz and made war upon Villa without one. Furthermore, if the civilized nations of the world, organized as they had been, could not perpetuate the peace, a league to enforce such a peace would obviously fail. In fact, said Poindexter, with all the complexities and obligations which a league would create, the occasions for war would only multiply. A league of nations would be nothing more than a "fertile seed of war," and the expenses and sacrifices of all kinds which would accrue under such a thing would be beyond calculation. And worse yet, the damage done to the "spirit of our government..." would be..."far more sinister than the losses which we will inevitably suffer in men and money." Despotic internationalism should never be permitted to undermine the principles of local government and self-determination. 40

During this sweeping attack on the League of Nations, Poindexter struck a note of questionable wisdom when pointing, no doubt, to Wilson the Virginian and the Southern Democrats

39 Ibid., 3750.
40 Ibid., 3752-3.
in the Senate, he said:

It is a curious circumstance... that the South... which failed in its great effort for independence in 1865, having obtained control of the Government of the Union, now is about to achieve the sardonic triumph of depriving the North of its independence and setting up over it a supergovernment. The North conquered the South by force of arms; the South now seems to be in a fair way of conquering the North by a diplomatic surrender of its liberties. The South, having fought the most heroic war, in many respects, in history, and having lost and been subjected to the domination of the North, now apparently has no objection to go still further and subject both the South and the North to the control of an international government. 41

After the Covenant had been revised, Poindexter's attitude remained very much the same. In Article 15 of the Covenant there is a section by which disputes may be referred to the Assembly. Forgetting the facility with which boundary disputes had been settled between the United States and Great Britain, he reminded the Senate that, by this article, it would be a simple process for a foreign country, Great Britain, for example, to lay claim to four counties in the State of Maine. And if the friends of Great Britain on the Assembly should decide that she had a valid claim to these four counties, the decision of that body would stand as the final adjudication of the question. 42

Poindexter could not understand the President's remark that Article 10 was the "heart of the Covenant." If

41 Ibid., 3754.

42 Congressional Record, 66 Congress, 1 Session, LVIII, 8588. The same thing could be said of the "friends of Great Britain" on the Council, but in this section of Article 15 the principle of unanimity does not necessarily hold. See for example Lodge, 393-4.
the Covenant were adopted, he claimed, we could expect no more success in preserving the territorial integrity of a nation than was attained by the Belgian neutrality pact of 1831, whose language was stronger even than that of Article 10 in the present agreement. And, continued Poindexter, the President himself was rather inconsistent. In 1914, the United States could have "assumed the obligations embodied in the present article 10..." but Wilson at that time deemed the European crisis to be no concern of ours. Now, however, the President had changed his mind. He expected that the United States should obligate itself in advance "under all circumstances without the opportunity to determine whether the emergency justifies it or not...".

Senator Poindexter may be remembered for a bit of ringing Americanism of his own: If the United States should join the League of Nations, it would surrender all it had fought for. This country, of course, never fought unless it had to, but it should certainly not surrender the right. Like the proverbial Irishman who had to fight for his black eyes, the United States should likewise reserve the right to fight for what was its own. It should not join a league of nations and depend upon the kindness of Canada, Haiti and Panama to take care of it.

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43 Congressional Record, 66 Congress, 2 Session, LIX, 4122-3.
44 Ibid., 4124.
Senator Gronna had been an isolationist and a pacifist during the war, and it was these basic sympathies which most likely caused him to oppose the League of Nations. He believed that, had the United States taken a firm stand against the murder of American citizens, as in the case of the Lusitania, war between the United States and the Central Powers could have been averted. Furthermore, he believed that the Wilson Administration, which appealed for support in 1916 to keep the United States out of the conflict, had changed over night and become, instead of "angels of peace," advocates of war. And because he believed that the American people had not been sufficiently informed as to the exigencies and policies which led them into the war, he chose, in 1917, to vote against that declaration. It was also significant, he said, that those very senators who were at the present time clamoring for a peace through the ratification of the Covenant had been, in 1917, clamoring for war. Actually, he said, those senators knew as well as he did that the Covenant could never perpetuate the peace, simply because it was not based upon the principles of equality and justice.  

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45 *Congressional Record*, 66 Congress, 1 Session, LVIII, 7420.  
46 Ibid., 7420.  
47 Ibid., 7420.  
48 Ibid., 7420.  

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Aside from the "Shantung robbery," Gronna had no objections to the treaty of peace. But he opposed the League Covenant wholeheartedly, and undertook to analyse this instrument article by article:

In spite of a provision in Article 1 for withdrawal, such a thing might well be impossible, because foreign-imposed obligations might be of a sort to render their fulfillment impossible. The language in Article 3, which stated that the Assembly could deal with any matter "within the sphere of the League," was so vague that domestic questions might easily come within the sphere of the League's operations. Such things as immigration, religion and morals might be open to foreign jurisdiction. By Article 4, Great Britain, with her votes in the Assembly could increase her membership at will. Referring to Article 5, Gronna pointed out that unanimous concurrence would not always protect the United States from the designs of foreign nations because, as provided in Article 15, a dispute involving this country would exclude it from voting in the Council. Moreover, in Article 6, the Council was given the power to decide upon the limitation of armaments among the various nations, and therefore this "supergovernment" would have the authority to demand reports on industries, foods and munitions. By Article 10, the United States would be both morally and legally bound to go to war whenever and wherever the Council should so decide. And by Article 11, which would similarly place this country at the mercy of the Council for fighting
wars all over the world, the League would also have the power to interfere in all the affairs of every nation. In Article 15, it was left up to the Council to decide the nature of domestic questions, and finally, the Monroe Doctrine clause in Article 21 was an impertinence. The Monroe Doctrine was an American policy, and not an international agreement, and as such should not have been given to the interpretation of European governments.49

Gronna announced that the provisions of the Covenant had been laid down in accordance with Wilson's Fourteen Points, he would have approved of it. Had the principle of "open covenants of peace openly arrived at" been adhered to at the peace conference, the "Shantung robbery" would never have been condoned, and the United States would not have had to approve the "wrong done in 1898 and approve the secret treaty made by Japan during the recent war when she threatened to overpower the Chinese people unless these con-

cessions were made."50

Unless the Americans could agree, therefore, that all the President's war-time addresses, including the Fourteen Points, should "ipso facto become a portion of the covenant of the treaty," it would have to be conceded, said Gronna, that the principles of the President, at one time

49Ibid., 7421-6.
50Ibid., 7426.
so humans, had been abandoned. When the President, in his Fourteen Points, demanded that Russia be allowed to determine her own political and national policies, he should also have included Ireland, Finland, India, or any other oppressed nation. We could not tell any liberty-loving people that we were "carrying out our pledge in good faith," when, in fact we proposed to set up over them a super-state, governed by a very few. 51

Senator Gronna announced, proudly, that he was "born on American soil," but that his parents were from Norway, and that he was not ashamed of being descended from that splendid people. They loved liberty and they compared favorably with the people of any other nation of the world. He was aware, of course, that the other senators present were not interested in Scandinavian history, but he none the less embarked upon a lengthy description of that area, beginning with earliest times. He pointed out, by a number of involved examples, that even people who are of the same racial stock and religious belief cannot without great difficulty come to terms on all matters "without dissension and troubles which may lead to war." He made a happy exception, of course, when he added that this situation did not apply to America, for any person who came to this land relinquished all that was inimical to American citizenship. And if that person

51 Ibid., 7427.
was not willing to do so, he was "not worthy of the splendid opportunity of becoming a citizen of this great land--'the land of the free and the home of the brave.'" 52

Gronna then chose to transcent himself and remind everyone that

some four thousand years ago, when there was but one language in the world, and the earth was of one speech, the generations of Noah undertook to perpetuate this condition, and in order to do so they attempted on the plain of Shinar to construct a great building in the form of a tower. Undoubtedly this was done in the very best of intentions, as it may be with the best of intentions that the league is advocated by its proponents who profess that it will promote peace. The people of that day wanted to build a monument so high that it might reach into heaven. They wanted to assume a certain name lest they be scattered abroad over the face of the whole earth; but we are also told that the Lord came down to see the city which the children of men builded, and the Lord said--

Behold the people is one.

He recognized that they were one. 53

Therefore, continued Gronna, the Lord confounded the languages of the people so that they were confused and could not understand each other. Since that day the people have been scattered all over the face of the earth. It was deemed by one Mighty Power that one people and one language was an unwise thing. God did not want man's individuality to be lost, and now, with all the nationalities on earth, a union of them would be as difficult as the construction of the Tower of Babel. 54

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52 Ibid., 7427-8.
53 Ibid., 7427.
54 Ibid., 7427.
Gronna conceded that the League of Nations, if composed of men of altruistic ideals, might become a "power for good." But if its members were otherwise, the League would be just as powerful as an instrument of injustice and oppression, with the probable result of endless wars, "wars which could not cease until this supergovernment was destroyed."55

Gronna reiterated his final position by saying that the American soldiers, living and dead, had always uppermost in their minds the protection of the United States from a foreign foe and the liberation of oppressed peoples. They had no desire to change the boundaries of Europe or elsewhere, or to guarantee the territorial integrity of "all the nations of the earth." He could not, therefore, approve of this treaty.56

Senators Borah, Poindexter and Gronna had one aim in common—the absolute defeat of the League of Nations. With regard to the Covenant as a legal instrument or international constitution, their views were likewise similar. Each was convinced, or pretended to be, that the League of Nations was little more than a war contract, especially when it contained such things as Article 10. Each had a marked distrust for the fidelity or policies of foreign nations, especially Great Britain, and each also was jealously watchful

55Ibid., 7427.
56Ibid., 7430.
of anything which he believed would infringe upon American superiority, especially in the Western Hemisphere. Because of these feelings, each gave his support to all the Lodge reservations, obviously in an attempt to render the thing as innocuous as possible in the event that it did pass.57

But otherwise, there were essential differences among these men. Poindexter revealed a rather vindictive spirit, and it would appear to him that the League was but an enemy made to order. Gronna was most likely sincere in his opposition, although lacking in the forcefulness of the other two. Borah, however, stood alone. Whatever might be said about his views on the League question, he none the less defended his convictions with an honesty that could not be refuted. To what extent the declamations of these senators influenced public opinion is difficult to say, but if it is true that Borah's influence was the strongest in cooling popular sentiment, it is not difficult to see why.

57Borah, for example, once said that there was "little doubt that sooner or later. . .the treaty will be ratified with the league of nations in it." Congressional Record, 66 Congress, 1 Session, LVIII, 8781.
CHAPTER III

STRONG RESERVATIONISTS

The strong reservationists from the Northwest followed Senator Lodge. These were Thomas Sterling of South Dakota, Francis E. Warren of Wyoming and Wesley Jones of Washington. They supported practically all the Lodge reservations and two of them, Warren and Sterling, were among the thirty-nine senators who signed the Round Robin in the early days of the controversy.\(^1\) They were not opposed to ratification of the treaty, but they were willing to do so only when they were sure, among other things, that certain American interests were adequately safeguarded and that the United States would at all times retain its sovereignty and independence of action.

These Northwest Senators were men of decided opinions. Their attitudes toward the League of Nations differed only slightly from those of such men as Borah, Gronna and Poin-dexter. Rather than allow themselves to be transported by the promises of a peace which, to many, the League seemed to offer, they devoted most of their energies to admonitions against any action taken by the United States without due

\(^1\) The only occasion on which a reservation did not receive the vote of any of these senators was when he was absent.
caution and circumspection.

The measure of partisan motivation is plainly apparent only in the case of Jones. Sterling conceded that the President had been constitutionally justified in negotiating the treaty independently of and without interference by the Senate, and neither Sterling nor Warren mentioned the President in a manner indicative of a personal or political antagonism.

Jones, however, expended many words in flaying Wilson on several counts. In fact it is evident that much of his opposition was partisan in spirit and, at times, almost personal. So strong were his attacks on Wilson and on the Covenant that his votes in favor of the latter might have come as a surprise to anyone who had been familiar with the more spirited phases of his denunciations.

In any event, these three senators were apparently satisfied with the League Covenant after it had been packed with reservations sufficient in strength and number to satisfy their respective political sensibilities. Thomas Sterling, if not speaking for them all, none the less spoke sincerely and with an eye for the concrete, when he did choose to defend the League of Nations and to protest America's obligations to that organization.

If it was true, he said that the harsh terms which

\(^2\textit{Congressional Record, 65 Congress, 3 Session, LVII, 1314.}\)
the peace conference had imposed upon Germany and Austria would produce disastrous economic results; and if, by ratifying the treaty with the Lodge reservations to guard American institutions, liberties and rights,

might we not . . . by becoming a member of the League of Nations, have a wholesome influence, a stabilizing and steadying effect upon the conditions there? Might not our counsel and our advice in a council of the League of Nations concerning the economic conditions of the European countries be worth while and help to mitigate some of the horrors which have been described? . . . We should not resist the appeals of the destitute and starving.}

The senator from Wyoming believed that because of the rapid rise of the United States to its high position in world leadership, such a position could not be called accidental. There was no doubt whatsoever, he maintained, that this American success was due almost solely to the American form of government. It had been attained by loyal adherence to the principles of self-government as laid down by the fathers and embodied in the Constitution. It was the result, he said, of undivided allegiance in past times to those precepts embodied in such monumental utterances as Washington's Farewell Address, the Monroe Doctrine and the Gettysburg Address. It was these fundamental truths and doctrines, that had so successfully guided us in the past, which should be applied at this time.}

3Congressional Record, 66 Congress, 2 Session, LIX, 2698-9.

4Congressional Record, 66 Congress, 1 Session, LVIII, 7064.
Such, essentially, was the attitude of Francis E. Warren, the champion of Americanism and apostle of the mean.

I cannot agree with the program outlined in a recent meeting of the communist party at Chicago to join with the Bolsheviki in an international plot to overthrow this Government and to supplant it with their own Utopian mesmerisms. Nor can I agree with the attitude of Mr. Compers, when he recently said before a Senate committee that if a law were passed to prevent railroad strikes he believed that the railroad unions would strike, regardless of law and order. I cannot agree with the Boston policemen who, in direct violation of their solemn oath to uphold the law deserted their posts and relinquished the city to the mercy of hoodlums. I cannot agree with the President, who, in his recent Des Moines speech, said that the league of nations is bigger than the Senate and greater than our government.

The United States, Warren continued, should not subject itself as a vassal to an international organization. It should not discard its heritage. Our government, he maintained, should remain supreme "with the spirit and patriotism in which it was conceived and reared." Therefore the League of Nations should be Americanized in such a way that these principles would be recognized. Reservations should be adopted which would preserve all those liberties which the American people had enjoyed since their independence. Otherwise, the Liberty Bell, the Civil War, the Emancipation Proclamation and the blood spilled on the fields of France all would signify nothing. If the United States had been the

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5Ibid., 7064.
6Ibid., 7064.
altruistic Samsonian giant in the past it will surely be shorn of its copious locks by sacrificing its birthright to join the present league of nations.\textsuperscript{7}

Senator Warren claimed that because of radical changes, Greece and Rome as well as many other governments had fallen. We should not, therefore, listen to those "voices of the air" which would have us hastily adopt such a radical change as the League of Nations. We should keep in mind the teachings of the past while we weighed the problems which were before us at this time.\textsuperscript{8}

Warren insisted that the patriotic sentiments of the men who favored the League could not, of course, be questioned, but these men had blindly followed its principles and had allowed themselves to be carried beyond the point of common sense. They had allowed themselves to be attracted, by visions and mirages, to "an extreme and radical position." Moderation, he believed, should remain the creed:

\begin{quote}
Be not the first by whom the new are tried,
Nor yet the last to lay the old aside.
\end{quote}

Examining the Covenant, Warren listed his several specific objections. The right of a people, he said, acting through Congress, "to approve or disapprove the sending forth of American soldiers to possible death has never been questioned." Yet, he continued, by Article 10, the breath of

\begin{itemize}
\item \textsuperscript{7}Ibid., 7064.
\item \textsuperscript{8}Ibid., 7064-5.
\item \textsuperscript{9}As quoted by Warren, ibid., 7065.
\end{itemize}
life was strangled from this principle. If the nation was morally bound to do anything, then it followed that it was also legally bound. 10

Also, he pointed out, if the United States wished to withdraw, the League Council would be the deciding tribunal when the question was raised whether we had fulfilled our obligations. Therefore, to place our power to withdraw in the hands of others would be a relinquishment of our national rights. And by Articles 11 and 12, this country would have to submit any circumstance which threatened the peace among nations to the jurisdiction of the League. Such a provision, he claimed, might cover many things, such as immigration from the Orient, the regulation of taxes and foreign commerce. 11

Moreover, Warren held that the Monroe Doctrine clause was vague and uncertain, and that we should not submit this historic document for interpretation "by the very people against whom it was directed." Also, he said, the six votes granted the British Empire in the Assembly was an injustice, and the Shantung and Fiume policies were likewise bad. We should not acquiesce in these matters without some word of protest. 12

10 Ibid., 7065.
11 Ibid., 7065.
12 The port of Fiume was given to the newly created state of Yugoslavia. This incensed many Americans, who believed, or pretended to believe, that Italy had the rightful claim to this port. Fleming, 100-203.
If the League Covenant in the form then proposed would prevent war, and at the same time preserve American sovereignty, it would certainly have met with his, Warren’s, approval. But his opposition to it, he insisted, was not partisan. The issue was merely the broad question of Americanism.¹³

In early 1919, before the first draft of the Covenant had been published, and before the debates on the League had gotten underway, Thomas Sterling expressed strong misgivings about the creation of a league of nations.

He maintained that the question was not whether we should have a league of nations, but whether we should have it at that time. It was a question whether its creation would consume the valuable time of the peace conference, the aim of which should be the immediate settlement of the issues which had arisen out of the recent war. As soon as was possible, he believed, the rights of the Allies and the obligations of the Central Powers should be determined.¹⁴

Actually, Sterling claimed, the relations and common purposes of the Allied nations constituted an almost perfect guarantee of a world peace. Moreover, as the establishment of a league to enforce such a peace would be

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¹³ Congressional Record, 66 Congress, 1 Session, LVIII, 7065.

¹⁴ Congressional Record, 65 Congress, 3 Session, LVII, 3607.
fraught with insurmountable difficulties, the conference should not be burdened or delayed with the consideration of such a thing. The conclusion of a peace to mark the end of the great war was the goal toward which all the energies of the commission should be devoted.15

When President Wilson praised the spirit of brotherhood which had existed between France and the United States, he shed light on a circumstance which, in Sterling's eyes, made a league of nations unnecessary. This was true, he believed, because no such thing as an armed association of nations was needed between such closely united nations as these. At all times the thoughts of the peoples of the two republics harked back to the beginnings which they had in common—to Washington and Franklin, to Lafayette and Rochambeau, and to the perils and sacrifices which they had shared in the riddance of this, the last and greatest threat to civilization and freedom. And such ties of friendship also existed between the United States and Great Britain. Because of mutual regard and successful diplomacy over the years, no dispute since 1814 had led to war between them.16

Sterling's conviction was that this "trinity of nations"—the United States, Great Britain and France—would be united in peace and good understanding, for many

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15 Ibid., 1314.
16 Ibid., 1314-15.
years to come, by the blood of their sons so freely shed.  

Months later, after the treaty in its final form had been presented to the Senate, the attitude of Sterling slowly and imperceptibly evolved toward the acceptance of the ideas embodied in the League of Nations.

The President of the United States, he said, had been the most prominent figure in securing approval by the other nations of the original draft of the Covenant. And allegedly he had been opposed to any change in the first form and to any debates on the League in the Senate until this constitution (of the League) had been formally presented to that body. But, said Sterling, discussions on this subject could not be delayed. In fact, when the first draft was approved at the conference, it was the understanding that the work of the League of Nations committee at that juncture was not to be adjudged as final. It was understood that the Covenant was to be the subject of criticism and discussion, with a view to changes and amendments in those particulars wherein criticism was just and reasonable.

Sterling believed that it was in this spirit of reasonable criticism that discussions went on in the Senate against the will of the President. There was a general sentiment, he said, in favor of some sort of league to

\[17\] Ibid., 1315.

\[18\] Congressional Record, 66 Congress, 1 Session, LVIII, 3607.
to prevent war and guarantee the peace of the world. But the questions of how a league of nations would affect our sovereignty, and to what degree the United States would have to depart from its traditional policies, remained vague and indefinite. Hence the discussions which ensued were of great value in clearing up a number of these obscurities. The American people, he recalled, were reminded of the deep concern of the founding fathers for the future welfare of the republic, and of the warnings against entangling alliances. The people were reminded that, from the very beginning the United States had consistently adhered to the principles of the fathers, and that in doing so the nation, in its material development and in the permanency of its institutions, had gained the admiration of the world. Therefore the people were reluctant, he said, to endorse the Covenant in its first form.  

But Sterling also wanted it understood after the Covenant had been revised, the average citizen should not be deceived by the claim that the prolonged opposition to the League was partisan or factious. Indeed, he said, the citizen was quite familiar with the "old landmarks"—the policies of Washington, Jefferson and Monroe—and because of his deep regard for these things, it was not surprising that the citizen himself strongly desired "safeguards

19 Ibid., 3607. The first senator to "discuss" the League was Poindexter.
against a policy so new and so opposed to that which he had always believed in and cherished. " Americans were not at this time opposed to the League of Nations, but he pointed out that the objections which had been raised with respect to the original draft had not been met when the Covenant was revised.20

In examining the various provisions, Senator Sterling noted that a provision had been inserted in the revised Covenant (in Article 1) which would allow the United States to withdraw from the League on two years notice, provided that its international obligations and its obligations under the Covenant had been fulfilled. But, he feared, to accept this provision would be a surrender of national sovereignty, because obligations to all the covenants which the United States had entered into since its independence would have to be fulfilled before it could withdraw from this supreme Covenant. American peace and safety, for example, might be grounds for withdrawal, but because of this impasse of unfulfilled obligations and obligations under the Covenant itself, all bound together by a strong chain of supergovernment, it would be impossible for the United States ever again to regain its freedom and sovereignty.21

20Ibid., 3607-8. These remarks by Sterling were made in August, 1919, by which time the public seemed to favor ratification with reservations.

21Ibid., 3608.
Discussing the constitutionality of League membership, Sterling asserted that it was beyond the power of the Senate or the Executive to negotiate a treaty which surrendered the power of the nation to judge for itself whether it had fulfilled, or whether it should fulfill a treaty obligation. If a foreign power should control or supervise the actions of the United States in regard to its international obligations, how could it be said, he asked, that this was a sovereign state? Or if, by this restriction in Article 1, Congress could not abrogate a treaty which it considered burdensome, or with respect to which conditions had altered, what difference would there be between that case and one by which the legislation of one nation, in respect to foreign affairs, was binding upon another? In either case, there would be a loss of the very crown of sovereignty—the right of a nation to direct for itself its international relations.\(^{22}\)

Sterling protested that those who endorsed the Covenant as it stood advanced the claim that a radical change was necessary in America's existing political and international policies. They maintained that even though the United States had long adhered to the principle of non-interference in the affairs of Europe, the nation must now suddenly depart from that policy. They further claimed that it must be ready to participate in an economic

\(^{22}\)Ibid., 3608.
or military war against any nation which violated the territorial integrity or the political independence of any nation which was a member of the League of Nations.23

Previous to this immediate era, Sterling recalled, it was highly improbable that any person, senator or otherwise, would have dared suggest a program which would have imposed upon the United States the obligations which were incorporated in Article 10 of the present Covenant. Or at least no such obligation would have been accepted without due consideration of the righteousness of the cause of that nation whose territorial integrity or political independence had been violated, or, without consideration of the distance, or of the expenses and sacrifices which such interventions would involve.24

For those who desired such an immediate and precipitate departure from our traditional policies, Sterling further urged that the vicious system which had brought about the great war was altogether unusual and abnormal. Its prime cause, he said, was Prussianism, and Prussianism had met its Waterloo. But Americans acted as if the battle had been a draw, and the theory that might makes right was still

23Ibid., 3609. These obligations were embodied in Articles 10 and 16.

24Ibid., 3609. Elihu Root advanced a similar argument against intervention, namely that the United States should not "set aside its traditional policy of non-interference in European affairs" unless there were "sufficient affirmative reasons for doing so." Jessup, 391-2.
formidable. They seemed to believe, he said, that the evil spirits of Nietzsche and Bernhardi still imposed their vicious ways upon the Germans through the will of a kaiser, and that perhaps some other nation was now impregnated with the same spirit of conquest and aggrandizement.  

But Sterling's conviction was that no such menace could threaten the world for at least a generation to come. Even if it should, he asked, who would doubt that the American people, inspired as they had been so recently, would come fully armed, without the compulsion of a league of nations, to fight for liberty and justice? The Americans, he urged, had been inspired by their own ideals and they had fought in defense of their own principles. And the glory of it all was that the Americans had participated freely and of their own will, and not by the will of a foreign tribunal whose power could determine when we were to come to the aid of the Serb, the Croat, Siam, Hejaz or Persia. The United States would offer its services whenever they were needed, but it would do so at its own volition, through "Congress assembled and sworn to support the Constitution of the United States."

After a brief attack on the Shantung settlement, Sterling tempered his opposition to the Covenant by pointing

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25 *Congressional Record*, 66 Congress, 1 Session, LVIII, 3610.
26 Ibid., 3610.
out that the people of Europe were fully aware of the origin of the Monroe Doctrine and other time-honored American policies. And because of their familiarity with these policies, he believed that they certainly would not object to reservations which would leave to the United States Congress the right to determine whether or not this country should interfere in the affairs of the other nations of the world. 27

Senator Wesley Jones, in the midst of a long speech, declared that Americans had entered the war as patriots, and that in emerging from it, they should remain Americans. Therefore, neither partisanship nor personal prejudice should have any place in the consideration of the treaty. He insisted that the treaty should be considered in an American spirit and with a sincere devotion to American ideals and American good. In deciding what was and what was not Americanism in our dealings with other nations, nothing could be worse than a division on party lines. 28

But nevertheless, Jones held, the attitude of President Wilson was culpable on many points. He, Wilson, expected the Senate to ratify the treaty just as it stood and without consideration of it. The President "knew it all," and was under the impression that his Covenant was

27Ibid., 3611. In a short statement, Sterling also denounced the Shantung settlement. Ibid., 3611.

28Ibid., 6333. This speech was made in regard to the revised Covenant.
impossible of improvement. Then when the Senate proceeded to discuss and analyse the Covenant in pursuance of its patriotic and constitutional duties, he threatened that body with the "wrath of the people." He began his tour of the country seeking to force the nation to obey his will without consideration of the merits or demerits of the document. 29

Jones held, moreover, that Wilson, while defending democracy, actually practiced autocracy. He had named himself peace commissioner, and the associates which he chose were "mere dummies." And in order to have his way, he had so entwined the treaty and the League Covenant together that it would have been impossible to ratify one without the other. Lastly, he attempted to use industrial restiveness, business chaos, the desire for peace and the desire for the return of the American soldiers as means to force adoption of the League. 30

To Jones this attitude was unworthy of any great man and was an assault upon the fundamentals of the American government. Actually, he said, it was Wilson's undoing. It threatened to defeat the Covenant and it had enabled the other nations to obtain Wilson's sanction of their


30 Id., 6332.
"covetous desires, the violation of his lofty ideals, and left him but a shadow of his idealistic dreams." He was forced to approve of the Shantung settlement, and to allow Britain to remain the "undisputed mistress of the seas" in order that he have his League. And on top of this, all the other nations entered the League hoping to use American blood to guard Europe and to use American money to pay their debts and their war expenses.  

There were three facts in the President's life, Jones observed, which would make one reluctant to follow him and which would furnish an interesting "psychological" study for the future. Wilson, for example, always said those things which the occasion seemed to demand in order to attain his ends. He could be quoted by anyone to uphold a position on "any question from the days of Washington to the present." Also, he had been quite consistent, since his accession to the presidency, in giving in to the demands of the British Empire—from the question of the Panama Canal tolls to the freedom of the seas—and to the frank admission of the supremacy of British sovereignty and citizenship.  

31 Ibid., 6333. The freedom of the seas was the second of Wilson's Fourteen Points, but because of British opposition, it was not discussed at Paris. Bailey, The Lost Peace, 367.  

32 Congressional Record, 66 Congress, 1 Session, LVIII, 6333. Wilson had long been an admirer of British institutions. Bailey, Diplomatic History, 615.
Jones believed that President Wilson, regrettably, had done more by word and by deed to "undermine orderly, peaceful representative government than any other human agency."33

Jones insisted that the Covenant would not be rejected so long as the vital interests of the United States were well protected, and that the peace and progress of the world would be promoted even at the expense of the President's vanity. The good parts of the Covenant, he said, would be retained, and most of what was bad would be rejected:

When we consent to it with such changes as we think best for our country's good, it will rest with the President whether the concurrence of the other countries shall be sought. He can refuse it or not as he sees fit. If the world's heart is broken, he will break it. If the world's hope of peace shall die, he will kill it.34

Analysing the terms of the treaty, Jones began with the voting power of the British Empire. The Empire had been given six votes in the Assembly and the United States received only one. But whenever nations were dealing with one another, each should be the equal of any other. This rule should be observed regardless of a nation's size or power.35

33Congressional Record, 66 Congress, 1 Session, LVIII, 6333.
34Ibid., 6334. Evidently a reference to the clause in the Lodge reservations regarding the acceptance thereof.
35Ibid., 6334.
The Covenant, he continued, destroyed this principle of equality. One nation was set apart as a sovereign power superior to all others. The British Empire was a permanent member of the Council, and by its one vote could block action on any important matter. It was also represented on the Assembly by six votes, each one of which could also block action on almost any matter. 36

Secondly, in the case of a nation's withdrawal that nation should be the sole judge of whether it had fulfilled its obligations under the Covenant, and it should be held to those obligations just as nations had always been so held.

Nor, said Jones, was the clause which safeguarded the Monroe Doctrine really adequate. On a matter of such tremendous importance no uncertainties should exist. The Monroe Doctrine, he said, was no defined in the treaty, and such a definition should not be left in the hands of a council of other nations. The United States alone should be the judge of what the Monroe Doctrine was, since it was purely an American policy. Indeed, it was an American domestic policy, promulgated and adhered to for our own peace and protection, and our people would not relinquish it nor would they allow anyone else to interpret it. Jones insisted that this point should be made clear to all nations in any covenant entered into by the United States, just as

36 ibid., 6334.
there should be no uncertainty regarding the subjection of our domestic questions to the jurisdiction of the League. 37

Concerning action advised by the Council of the League, Jones maintained that the United States would be morally bound to adhere to a decision of the Council whenever the American representative had given his consent to that decision. Therefore this country should be very careful of what promises it made, because no congress, with public support behind it, would ever send American troops abroad, except for a cause which directly affected American peace and safety. Moreover, American political independence should be preserved inviolate, so that whatever the nation chose to do, it would be saved from even the appearance of dishonorable actions. 38

Jones further urged that Article 10 should not be in the Covenant at all. This article could be removed and the rest of the Covenant would remain unaffected. We would have a league containing all the powers and duties in the Covenant except the provision which guarded against external aggression. After all, with restrictions on armaments and the arbitration of disputes through the Council, there would be little danger of aggression. The Covenant in this way would be a good beginning in the promotion of

37 Ibid., 6335.
38 Ibid., 6336.
peace, and at the same time it would not pledge this country to meddle in aggressive actions all over the world. But Article 10 as it was then written, rather than being the heart of the League, was merely the "safeguard of the fruits of an autocratic oligarchy."\(^39\)

With the usual jab at the Shantung agreement (the "deed of eternal infamy"), Jones continued by urging that the treaty should be disposed of as soon as was possible in the case of such an important matter, so that all the other problems which confronted the nation could be given attention without delay.\(^40\)

And then,

The danger to the covenant today comes from the President himself. It rests with him and the friends of a league of nations whether we enter it or not. He insists that the covenant must be accepted by the Senate exactly as he has sent it to us. I know and his friends know and he ought to know that if reservations are not adopted the covenant will be rejected in its entirety. If, instead of trying to arouse the people against the Senate, he would seek to reach a fair and honorable understanding with it, there would be little trouble. . . While he has been seeking to arouse the people against them, Senators have been studying the question. . . determined that reservations must be made to safeguard the rights, the welfare, the peace and honor of this country. These reservations are going to be adopted. . . and if the treaty is not ratified and the United States fails to enter the league of nations, Woodrow Wilson, President of the United States, alone will prevent it.\(^41\)

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\(^39\)Ibid., 6336. Probably a reference to Britain's alleged use of this article to hold down her dominions or parts of empire.

\(^40\)Ibid., 6337.

\(^41\)Ibid., 6337.
On the day before the November votes on the treaty, Jones made a last bid by recommending four additional reservations of his own making:

He proposed that China be given complete sovereignty over Shantung, that Anglo-Irish relations be adjusted "to the satisfaction of the Irish people," that Egypt, which had just been made a protectorate of Great Britain, should receive complete independence, and that each member of the League abolish conscription in peacetime.\(^{42}\)

Such was the stand taken by Wesley Jones of Washington, the strongest of the Northwest reservationists and a good example of the kind of opposition which confronted Wilson in the Senate.

Sterling, Warren and Jones agreed on a number of important issues. Each was determined that, if the United States should join the League, it should reserve the right to withdraw any time it pleased. Each was determined that Article 10 was not going to be binding upon this country in any way repugnant to traditional American policies or to the detriment of American sovereignty. Also, they were all agreed that the Monroe Doctrine was to remain, as it always had been, the unilateral policy of the United States. Jones and Warren voiced dissatisfaction with British voting power in the Assembly and both were apprehensive about the safety

\(^{42}\text{Ibid.}, 8747.\) These reservations were rejected by the Senate. \textit{Ibid.}, 8748.
of American Jurisdiction over its domestic affairs. Finally, all were agreed that the Shantung settlement was an injustice and that it should not be accepted "without some word of protest."

Giving form to the substance of their opposition, the Lodge reservations sufficiently satisfied these senators so that they consented to a "limited liability" participation by the United States in the League of Nations.

The first Lodge reservation allowed the United States to be the sole judge of whether it had fulfilled its obligations, in case it wished to withdraw. The second reserved to the United States Congress the final voice in accepting or rejecting any obligation or decision made in pursuance of Article 10 or any other part of the Covenant. Number four allowed the United States to be the exclusive judge in deciding what questions were within its domestic jurisdiction, and the fifth made the United States the sole interpreter of the Monroe Doctrine. Concerning Shantung, the United States refused, by the sixth reservation, to assent to the Shantung settlement and reserved "full liberty of action with respect to any controversy...between the Republic of China and the Empire of Japan." And in regard, implicitly, to British voting power, the fourteenth reservation, in its final form, stated that until the United States should receive an equal number of votes, it would not be bound by any decision of the Council or the Assembly when Great Britain and its dominions or parts of empire in the
aggregate had cast more than one vote. It further provided, in effect, that in any dispute between the United States and Great Britain, the United States would not be bound by any decision or report if Great Britain or any part of its empire had voted. 43

Were it not for the Lodge reservations, these strong reservationists might never have consented to ratification of the treaty. Drawn to its logical conclusion, the opposition of these senators would be identical to that of the outright opponents. Except for the statements by the strong reservationists which actually defended the League of Nations, the speeches of the two groups are almost indistinguishable.

43 The reservation on Shantung did not grant full Chinese control of Shantung as Jones, for example, would have wished.
CHAPTER IV

MILD RESERVATIONISTS

The attitudes of the two mild reservationists in the Northwest, Charles L. McNary of Oregon and Porter J. McCumber of North Dakota, constitute a radical departure from those of the strong reservationists. To both of these senators, the Covenant was a noble instrument, sufficient in strength possibly to provide for a peaceful world order, and at the same time not so binding as to subject the United States to the caprice of foreign powers. They saw no objection to the nation's assumption of the responsibilities of a family of nations and, in their enthusiasm for its benefits, they seldom found reason to distrust or fear the intentions of other countries. With the memory of the recent war still fresh in their minds, their interest in preventing another such catastrophe was quickened. Unlike so many, they were not so sure that the United States could afford to be indifferent to all but the welfare of its own interests.

These men, Republicans, were among the most ardent friends of the League on either side of the chamber. Senator McNary declared himself in favor of any effort to ensure peace and he declared himself soundly in favor of the Covenant of the League of Nations. His position was one between "general statements of the sublimities of peace,"
and "indulging with owlish wisdom the ominous predictions of a disgraced and destroyed Republic."\(^1\) By the adoption of harmless, interpretive reservations, he maintained, such questions as domestic matters, the Monroe Doctrine and obligations of war without consent of Congress could be placed beyond the sphere of controversy.\(^2\) Senator McCumber revealed an equally favorable judgment of the League when he explained that he supported a number of the Lodge reservations, not because he necessarily agreed with them, but because he felt that they were necessary to secure enough votes for ratification.\(^3\) He also believed that the reservations were not so strong as to kill the treaty and that they were mild enough actually to gain support for the treaty from both parties.\(^4\) He maintained that the League of Nations was so foreign to any kind of partisanship that its consideration should not have been influenced by hostility toward or subserviency to the President.\(^5\) On these grounds he pleaded with the Democrats to compromise, just

\(^1\)Congressional Record, 66 Congress, 1 Session, LVIII, 2983.

\(^2\)Ibid., 2985.

\(^3\)Ibid., 8561.

\(^4\)Ibid., 8786.

In reviewing the attitudes of these two senators, their arguments are found to be, in substance, very similar to those of the Democratic proponents of the League. Each looked upon the League of Nations as the only possible instrument for the maintenance of peace, and each undertook coldly and rationally to analyse the provisions in the Covenant to attempt to point out the deceptiveness in the attacks of the stronger opponents. Each believed that the efficacy of the League of Nations was more than an illusion and that the United States, by joining, would have nothing to lose and perhaps much to gain.

Senator McNary chose to discuss the focal points of the controversy. The questions of constitutionality, national sovereignty and the ramifications of Article 10 were the main themes of his declamations.

He first challenged the objection that Article 10 collided with our constitution and that it ran contrary to path of our sacred traditions. The Council of the League, he asserted, could only advise on what action should be taken in case of an aggression by one state against another. After that advice was rendered, he said, it was up to the individual members to adopt the recommendation if they wished, though if the means were practical and just, most

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6 Congressional Record, 66 Congress, 1 Session, LVIII, 8786.

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of the nations would probably follow it. And inasmuch as the obligations under Article 10 were only moral in character, the United States would not have to go to war unless, in case of an aggression, that aggression violated "the moral conscience of the American people."7

McNary pointed out that, under Article II, Section 2 of the United States Constitution, the President was empowered, with the advice and consent of the Senate, to make treaties, provided that two-thirds of the senators present concurred. And further, under Article VI all treaties were declared to be a part of the supreme law of the land. It was clear, he said, that the founders of the Constitution were quite generous in the power they conferred upon the Executive in the matter of treaty making. But, said McNary, this treaty making power was not unlimited. It had been decided by the Supreme Court that nothing could be done in pursuance of a treaty which was forbidden by the Constitution.8 It was therefore impossible, he said, that the treaty making power could usurp those prerogatives of the legislature which had been conferred on that branch by the fundamental law of the land. He argued that when the Constitution provided how and by what means war should be declared, the agency responsible for such a declaration was

7Ibid., 2983.
8Ibid., 2983.
meant to operate in an exclusive field, and its right to function in that field "can not be abrogated, lessened, or enlarged by the treaty-making power." Hence the executive and the Senate could not obligate the United States to a future declaration of war on any nation, regardless of the justness of the case. Moreover, McNary stressed, international law recognized the constitutional limitations under which a nation made its treaties, and it was legally binding upon the signatories to the Covenant to respect those limitations.

There was no doubt, he continued, as to the extent and nature of the obligations imposed by Article 10. The United States would be under a moral bond to fulfill its own obligations and to go to war, if necessary, whenever war was justified. In fact, he said, in any future case of wanton aggression by one nation against another, such an aggression would arouse the moral sentiments of the American people to the point of persuading Congress to declare war. But actually, he continued, Article 10 called for action only after more peaceful methods had been employed, as Articles 11 through 17 provided for such settlements as mediation, arbitration, adjudication and economic boycotts. And finally, if Article 10 should be used, it would be binding only when the American people felt morally justified

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Ibid., 2983.
in stopping a given act of aggression.\textsuperscript{10}

Nor, said McNary, did Article 10 have the power to interfere with the internal affairs of a nation, because by Article 15, Section 7, such things were placed beyond League jurisdiction. Also, he recalled, the Supreme Court had decided that by the rules of international law, such subjects as the tariff and immigration were solely within the jurisdiction of this country and impossible of alienation by treaty.\textsuperscript{11}

McNary asserted that the League of Nations Covenant should be the fundamental law of nations, operating in a universal field as our own organic law did in this country. The document, he conceded, only defined general principles for the conduct of the various governments, and left matters of procedure and administration to rules to be issued by the Council and the Assembly. But within this League of Nations, he said, there would arise a new code of international law and justice which would guide the nations along the path which led to the peaceful settlement of all international disputes and which avoided those controversies which resulted in war. The League of Nations, he concluded, was the greatest step which ever had been taken toward peace, and as such was the "hope of

\textsuperscript{10}Ibid., 2984.

\textsuperscript{11}Ibid., 2984.
the world.\textsuperscript{12}

Of all the members of the United States Senate, Porter J. MoCumber was perhaps the most relentless in his efforts to secure ratification of the treaty. Surely he was among the most profoundly convinced that the League of Nations was, as McNary called it, the "hope of the world." He was perhaps the senator who was farthest removed from any partisan spirit, at least on his own side of the chamber. Besides being the only Republican to vote for the treaty without the reservations, as a member of the Foreign Relations Committee he broke with his own (Republican) majority, and submitted a report on the treaty which contained both an excoriation of the Lodge faction and a commendable defense of the principles which the League Covenant embodied.

In pleading for acceptance of the League of Nations, MoCumber ranged, in his arguments, over almost every ramification of the issue, moral and political. Like McNary and others, he did his best to vindicate those provisions in the Covenant which had been the objects of the most severe criticism. Also he believed that it was the bounden duty of the American people to realize that the nations of the modern world were so interdependent as to preclude any notion of selfish isolation. He was convinced that the United States could lose nothing by becoming a member of

\textsuperscript{12}Ibid., 2985.
the League, and he was keenly aware of the consequences if the nations of the modern world did not unite in a concerted effort to preserve peace.

Less than two months after the Armistice, Mccumber took his stand as an outright advocate of some kind of organization for the maintenance of international security:

"...the world looks with hopeful eyes to this Peace Commission for some international arrangement that will make impossible another such war. We have seen the thunderbolt of war shot from the serenest skies of peace. We have seen nations basking in the sun of tranquility suddenly swept by the hurricane of a life and death struggle. We have seen more than four years of the most devastating and sanguinary, the most savage and brutal battles that have ever blackened the earth. And as we reach its close, even the shouts of the victors are drowned by the lamentations of mothers, the weeping of fatherless children, by the anguished sobs of millions upon millions of poor bereaved mortals...I am optimistic enough to believe that great world wars can be prevented, and that the time to present and adopt the restrictive and preventive measures is now and not some indefinite time in the future—is today, when the awful horrors and consequences of war are apparent to every heart—and not when those horrors are forgotten and only the military glamor and glory remain to influence the sentiments of humanity."  

When the debates on the League of Nations were well under way, Mccumber remained throughout a staunch friend of the Administration, in so far as the League was concerned. Unlike so many Republicans and some Democrats, he nourished no fears, real or fancied, of an American surrender of sovereignty. Nor did he entertain those views that American participation would embroil this country in countless

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13Congressional Record, 65 Congress, 3 Session, LVII, 1083.
quarrels beyond the frontiers of its own interest. By contrast with so many, he was strikingly modern in his appreciation of the fact that the world was such as to necessitate an active interest in its affairs by the United States.

In challenging the arguments of the opposition, Mc- Cumber mentioned that the opponents of the League had asserted that the quarrels of Europe were no concern of ours. Nothing, he believed, could be farther from the truth. The murder at Sarajevo in 1914 had precipitated a war which cost the United States the lives of over fifty-thousand boys, and imposed upon the country a debt of forty-billion dollars, a debt which eventually would increase to one hundred-billion. Was it possible, he asked, that such a conflict in Europe was one which did not concern us? Or could the United States remain indifferent to the possibility, indeed the probability, that another and yet worse war would ravage the earth?

McCumber reminded the Senate that about twenty-million people had died as a result of the recent war. Only a small proportion of these had been Americans, but they were all of the same blood and of the same ambitions, hopes and aspirations, and in them all the "love of life was equally strong." Now all those hopes and aspirations were buried with mangled bodies, and there were yet those who contended that the war was no concern of ours.\(^\text{14}\)

\(^{14}\)Congressional Record, 66 Congress, 1 Session, LVIII, 1264.
The United States, he admitted, was secure in its isolation and in its vast resources and population, but that security, he said, did not excuse the United States from its obligations toward the less fortunate peoples of the world. It was the divinely imposed duty of this country to shield the weak and to compel international right.

It was McCumber's belief that there was no moral duty binding upon any man which was not equally binding upon one nation in its relations with other nations. Therefore, he continued, what was needed at this time was an international law on the subject, a law which would declare that war by one nation was a matter of concern for all the others. It should expressly forbid an unjust war to be waged by any nation. And such, he said, was the exact purpose of the League of Nations. 15

Without the League of Nations, he continued, the understanding that a war of annihilation by one nation against another was no concern to the rest of the world, would continue to prevail. It would continue to be understood that no nation was bound to defend the cause of the weak. He pointed out that the United States itself, for example, did not enter the late war on a great world principle. Never a word was uttered about the entrance of this country being for the cause of humanity. It entered solely because Germany, by her actions, had made

15 Ibid., 1265.
war upon us. Once we were in, he admitted, we claimed that we were fighting for a great cause. but it was really that cause for which we entered.16

McCumber believed that the United States should be placed in such a position that it would never again have to reiterate a falsehood in order to vindicate itself in the eyes of its own people and in the eyes of the world. It should be in such a position that it could say, "under the letter of this bond and for the defense of this principle we command you to halt your armies, and to maintain that principle we will consecrate the blood of our men, the tears of our women, and every resource of our Nation."17

McCumber also lamented that the war was carried on so far from American shores that the people knew little of its horrors and of the destitution which it left behind. He maintained that if the American people could only realize the sufferings of one dying soldier, if they could view the agonies of a drowning man, or if they could view the millions of armless, legless, eyeless men, destined to suffer for the rest of their lives, then nothing in the world could prevent the immediate demand for such a combination of the peoples of the world as would prevent a repetition of such a catastrophe.18

16 Ibid., 1265.
17 Ibid., 1265.
18 Ibid., 1265-6.
The Covenant of the League of Nations, he said, represented the deliberations of nations large and small. It dealt with complex situations in Europe, both racial and political. It came to us as a compromise contract, which all the nations believed would accomplish the purpose of preserving the peace. To secure the support of this country, special concessions had been made. The Monroe Doctrine, for example, which had never met the approval of any nation save Great Britain, was "by this instrument given a world sanction." 19

McCumber admitted that the Covenant was not a perfect document; it did not definitely convey all its purposes. But he believed that it was certainly not susceptible to the construction which many of the opponents had used upon it. Nor were the criticisms based upon the constructions anything but false. He believed that there were few instances wherein an idea had been so unjustifiably and so savagely assailed. 20

In a sweeping defense of all the provisions, McCumber began by saying that the attacks on Article 10 had been without foundation. An agreement to respect the right to live as a nation, he maintained, the inviolable right of territory, was the very basis of international peace. He realized that however a nation chose to administer its internal

19 Ibid., 1267.
20 Ibid., 1267.
affairs was a matter of its own concern, and with such things the League had nothing to do. But what the League could and should do was to warn all the other nations to keep their hands to themselves. Also, he recalled, it had been asserted again and again that by Article 10, the United States would be compelled to help Great Britain hold down all her dominions as against their own internal rebellions or revolutions. This argument, he said, was also false. Any British possession or part of the Empire could assert and maintain its freedom, and the United States would be in no wise obligated to come to the aid of the mother country. The League of Nations assured protection only against external aggression. 21

Secondly, he noted, in all the arguments against the League, there was much talk of the powers which the United States would lose if it should join such an organization. Yet he also recalled that never a word was mentioned about the powers which would be surrendered or restrained by all the other nations of the world. Actually, he said, when a nation agreed with another nation to do that which it had the right to decline to do, it did not, by that agreement, surrender its independence or sovereignty. It merely held itself honor bound not to exercise its sovereign rights, for the duration of the compact, on those subjects covered by the agreement. 22

21 Ibid., 1268-9.
22 Ibid., 1270.
It was also claimed, he said, that the provision in the Covenant (Article 8) which provided for disarmament among the members, the nations of Europe would control our own production of armaments. To begin with, he continued, there was too much jealousy among the European powers ever to enable them effectively to combine against us. But more important, he stressed, since the Council of the League could only formulate plans for the "consideration and action of the several governments," each nation had to agree separately to whatever limitations might be prescribed. Nor, he said, was the constitutional right of Congress to raise and support armies infringed upon or limited by this article. Congress, he urged, would have to adopt any plan before the United States became even morally bound. For example, provision was made in the Covenant that the Council should formulate a general plan for disarmament, and this could only be effective when each and every nation had agreed. Article 8 was no more binding upon the United States than upon any other party to the agreement.23

Concerning British voting power, McCumber recalled that the opponents consistently overlooked the fact that the British Empire had but one single vote in the Council, and that the Council could act, in any substantive matter, only by unanimous concurrence. By this principle of

23Ibid., 1270-1.
unanimity, he said, the United States could prevent additional members (e.g. members of the British Empire) from being admitted to the Council, because even though a majority of the Assembly could approve new members, it was the Council which named them. 24

Nor, he said, could disputes be removed to the Assembly (as provided in Article 15) without the approval of the United States in the Council, because such action also required unanimous consent by the latter body. He pointed out that for such an action it was necessary that the application be made by one of the disputants, and that that application be made within fourteen days after the submission of the dispute to the Council. The Council could then, if it wished (there was no compulsion), refer the dispute to the Assembly, and such a removal of a dispute was not among the exceptions to the requirement for unanimous consent as provided in Article 5. Furthermore, it was only on the merits of the question under dispute, he continued, that the votes of the disputants were excluded by Article 15, and even then, the unanimous verdict of all the members remaining was required to indicate even the judgment of the Council. 25

But, said McCumber, even if a dispute should be

24Ibid., 1271-2.

25Ibid., 1272. By the "judgment" of the Council was meant the usual recommendation.
referred to the Assembly, the United States had nothing to fear from Canada, New Zealand, Australia and South Africa. Those Dominions comprised "people of the same inheritance, the same ideals, the same aspirations," and it would be unjust to deny them their votes in the Assembly.26 Even France, he said, the nation most jealous of its rights, did not object to this so-called uneven voting power of the British Empire.27

Concluding on this subject, MoCumber further pointed out that, if a dispute should be referred to the Assembly, all the parts of the British Empire would be excluded if that dispute involved any one of them. And again, and equally important, the strongest power possessed either by the Council or the Assembly was that of making a recommendation.

Coming to Article 11, he recalled that it had maintained by the opponents that under this article, such domestic questions as immigration could be submitted for consideration.28 It held, for example, that China or Japan might claim that an American exclusion law would

26Ibid., 1272.
27Ibid., 6439.
28Ibid., 6439. MoCumber's claim that the Dominions would be excluded in a dispute involving any one of them was not unequivocally supported in Article 15. His own (6th) reservation attempted to clarify this discrepancy. Supra, 24.
29Ibid., 1273.
strain the friendship and good understanding between one or both of those countries and the United States. This, he asserted, was a groundless claim, as Section 7 of Article 15 stated:

If a 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 recommendations as to its settlement.

Domestic questions, he continued, were too many to enumerate, but few could be disputed, and it was easy to distinguish between those of domestic and those of international character. Immigration, for example, was definitely a domestic question. But even if such a matter did reach the Council, he stressed, it was to be remembered always that the verdict of that body had to be unanimous (excluding, of course, the parties to the dispute). But more important, he continued, if the members of the Council did choose to conspire against the United States, each nation would be committing an act of national suicide by establishing such a precedent that would compel it to place its own purely domestic affairs within the jurisdiction of the League.

McCumber also recalled that there were those senators who pertinaciously held to the belief that the Monroe Doctrine would be seriously endangered by the League of

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30Ibid., 1273.
Nations if the United States should join. This argument, he
said, was also groundless:

While I deny that the Monroe doctrine ever meant any-
thing more than is clearly included in the declaration
of President Monroe, I would not have this international
compact itself to define it. The framers of the league
of nations in the amendment have sought to meet the
objections made in this country that the Monroe doc-
trine was not recognized by specifically recognizing
it. 31

Therefore, he continued, there was written into the Covenant
the following words:

Nothing in this document shall be deemed to affect
the validity of international engagements such as
treaty obligations or regional understandings like
the Monroe doctrine for securing the maintenance of
peace. 32

This inclusion, McCumber believed, should satisfy any
reasonable man. Certainly no one could demand that it go so
far as to define just what the Monroe Doctrine should mean
under all possible conditions. 33

Nor, he said, had the Monroe Doctrine ceased to be
a purely American policy or become a world agreement. He
believed that the above-mentioned provision in the Covenant
was clear enough that other nations would recognize this,
as they always had, as an American Monroe Doctrine, simply
because there had never been any Monroe Doctrine other than

31 Ibid., 1273.
32 Ibid., 1273.
33 Ibid., 1273.
Actually, McCumber reminded the Senate, this policy had too often been used as a policy of defiance rather than one acceptable to other nations. The purpose of the Monroe Doctrine was solely to prevent the actual conquest of Latin-American countries by foreign nations and to prevent such territories from being "bargained, sold, or given away to any European power." 35

Returning to the Covenant itself, McCumber explained what he considered to be the reasons for the creation of both a Council and an Assembly: The nations of the world were divided into two distinct groups—the great and powerful and the small and less powerful, and also the stable and reliable and the unstable and unreliable. In each case the great and powerful were the stable and reliable. It was therefore obvious that the latter groups should be the "backbone of this league." But because the Council could only include the strong powers, it was fitting and proper that there should be some forum through which the voices of all the nations could be heard. To meet this requirement, the Assembly as a distinct body was established, so that the woes and complaints of any country, regardless of the backwardness or instability of its people

34 Ibid., 1273.
35 Ibid., 1274.
could be heard.\textsuperscript{36}

It was McCumber's prediction that if the United States should refuse to join the League, the great nations of the world would then proceed to devise the means for the eventual destruction of nations. He prophesied that the nation which was "most learned, most thorough, and assiduous" would undertake the manufacture of gas bombs which could wipe out a city like New York, London, Paris or Berlin in a single raid. He pointed out that the sciences of aircraft and chemical warfare were at this time in their infancy, but the nation, he believed, which was foremost in the development of such satanic engines would triumph over those nations which would rebel against such hideous methods. The next war would be so desperate that all the ills created by the last would be nothing in comparison.\textsuperscript{37} Therefore, he said,

I could not cast my vote against any reasonable agreement to secure future world peace without a conviction that would follow me to the grave, that I had committed an unpardonable offence against all future generations. . . .\textsuperscript{38}

All that we can be sure of is that the instrument comes to us as a compromise, and in it is the soul of a future world freedom. It is within our power to strangle the body, but the soul will live and ever seek reembodiment in some future international organization.\textsuperscript{39}

Both McNary and McCumber, as mild reservationists,

\textsuperscript{36}\textit{Ibid.}, 1274.
\textsuperscript{37}\textit{Ibid.}, 1275.
\textsuperscript{38}\textit{Ibid.}, 1276.
\textsuperscript{39}\textit{Ibid.}, 1274.
are good examples of the more disinterested attitudes which could be found among Republicans in the Senate of 1919. Both were members of that party, and it was that party which gave to the League Covenant almost all of its strong opposition. But neither of these senators allowed such party sympathies to stand in the way of his own efforts to encourage the United States to partake of the duties, obligations and benefits of the proposed new world order.

MoCumber, in particular, stood alone as the senator most exemplary in his efforts to convince everyone that the United States should join what he considered a positive and workable system for the preservation of world peace. He was the senator most visibly immune to the ties of party prejudice, and for that he deserves much commendation.

The strong and fervent pleas for ratification of the treaty by these men were not unlike the equally fervent pleas of many of the Democrats. Just as the strong reservationists and the irreconcilables were often closely related, McNary and MoCumber were just as closely allied, in spirit, to the Administration Democrats.
CHAPTER V

ADMINISTRATION DEMOCRATS

With the exception of Senator Myers of Montana, who showed no real concern over the League question, the Northwest Democrats were all ardent champions of international cooperation. The most famous of these was Thomas J. Walsh, also of Montana. John F. Nugent of Idaho was conspicuous, and Edwin S. Johnson of South Dakota, though a strong friend of the League, was less outstanding.

Like McNary and McCumber, each was a man of foresight, and believed that the League of Nations was a positive step toward international peace. Each also was convinced that it was the duty of the United States to join that organization. Senator Johnson, in his plea for ratification, confined most of his remarks to the moral or ideological aspects of the issue. Walsh and Nugent, however, were more realistic in that they departed from this phase of the question and grappled with the roots of the controversy in an attempt to dispel certain doubts and fears which were raised by the attacks of the opposition. Both these men, as well as Myers, were not unwilling to compromise and ratify the treaty with the Lodge reservations attached. Walsh distinguished himself as a member of the bipartisan conference in January, 1920, by an attempt to cooperate
with Senator Lodge in order to bring about an agreement between the opposing factions. Agreement was never reached, but unlike many Democrats including Johnson, Walsh, along with Nugent and Myers, preferred loyalty to the cause rather than deference to the President.

Senator Myers made few remarks on the League of Nations except at a very late date. Judging by the speeches he did make, it is doubtful that he made much of an impression on the Senate. As early in the strife as December, 1919, when the controversy had been raging for about a year, he observed that, in his opinion, there was "politics on both sides in the contest."^1 But on the same day he declared his willingness to vote for most of the reservations "in the interest of compromising and getting together."^2 It was this spirit which brought Myers to the conclusion that the League of Nations was worth a try.

But the League of Nations to begin with, he said, had failed miserably. It had not even the strength to force the Dutch to give up the Kaiser so that he could be tried. Nor had it yet forced the Germans—who were all guilty of atrocities—to surrender the other offenders. And to expect the Germans themselves to try them (!) was unthinkable. It would be like putting a "bootlegger on

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^1*Congressional Record*, 66 Congress, 2 Session, LIX, 738.

^2Ibid., 738.
trial before a jury of bootleggers."³

In answer to those who contended that the peace terms were too harsh, Myers deftly replied that they were too lenient. The German people themselves, he believed, were as much to blame as the Kaiser, because they were perfectly willing to follow him. Moreover, for generations, he said, the German people had been drinking toasts to "Der Tag," the day when they would embark upon a campaign of world conquest. Therefore the armistice with Germany was the "greatest mistake in the history of the world in a thousand years."⁴

Germany should have been brought to the earth and ground into the dust of the earth, so that she would not have any spirit to revive in a thousand years to come. The German nation should have been dismembered, the States that comprised it should have been separated and forbidden. . . to constitute any longer a central power under one general government.

Myers also noticed another proposition whereby the League would be gravely at fault. It seemed that there was a desire on the part of some to admit Germany as a member. Nothing, he believed, could be more repugnant.

I never heard before, if a brute of a monster ravishes your wife and your daughter, when he is arrested for it and it is proven on him, that you should invite him into your home and to your dinner table. . .

And because it was also rumored that help was to be sent to

³Ibid., 4585-6.
⁴Ibid., 4586-7.
⁵Ibid., 4587.
⁶Ibid., 4587.
Bolshivist Russia through the League of Nations and that Great Britain was going to recognize that country, Myers held, there was further room for disappointment in the League. Extermination, he believed, should hold for Russia as well as for Germany.\footnote{Ibid., 4587.}

In spite of it all, however, Myers managed to see some good in the League. There were provisions in the Covenant which he heartily opposed and there were also many reservations which likewise did not meet his approval. Yet there was a ray of hope, and on that hope he would place his faith. If the great and powerful United States should join the League of Nations, he said, conditions might become better. We could "bring the world out of the chaos which now prevails and the abyss into which it is rapidly sinking deeper and more helplessly."\footnote{Ibid., 4588.} Clear as ever, Myers concluded:

So I have determined once more to vote for ratification of this pact. I have voted for it twice and I am going to vote for it once more, and if it fails of ratification this time, I do not know whether I shall ever vote for it again. If I should occasion to vote for it again, as I hope I may not, for I hope it may be ratified this time, I think I would have to have some proof, more than I have had, of the efficacy of the League of Nations in operation. . .Though I am not at all satisfied with the workings of the League of Nations, and am not satisfied with the pact itself, nor with all of the reservations. . .yet, in the hope of bettering conditions, I shall once more cast my vote for ratifi-

\footnote{Ibid., 4587.}
\footnote{Ibid., 4588.}
And with that the matter rested.

Senator Johnson of South Dakota stated his belief that membership in the League of Nations was the greatest question that the United States Senate had had to consider since the formation of the government. It was a question, he believed, which would affect the welfare and happiness of the American people as none had ever done before.

After many months of deliberation, he said, the peace conference presented this "wonderful document," the League of Nations Covenant, and upon his examination of its provisions, Johnson found that they were quite plain and clear. Its efficacy, he said, was built upon the fact that fear of the law, punishment and publicity was one of the most powerful inducements to obedience by men and nations, and on the fact that such a fear could compel obedience when necessary.

Considering the ineffable horrors and destructiveness of the late war, and the almost complete ignorance of such horrors on the part of the American people, Johnson maintained that we had gained nothing by our contribution to the victory if we should allow the old conditions to persist so that the same sacrifices would have to be repeated. Ratification of the treaty, he believed, was both a moral and

9Ibid., 4588.

10Congressional Record, 66 Congress, 1 Session, LVIII, 2985-3.
national duty, and the contention was false that the United States could afford to ignore all but its own interests. Moreover, he continued, no man or nation had ever been strong enough to stand alone; such reasoning was that of a selfish man or nation, and whoever accepted it would be liable to the "just condemnation of all liberty-loving people."

Johnson protested to the Senate that the world had by that time reached a period in scientific development wherein the greatest cities in the United States could be destroyed, along with their populations, by air attack. He protested that the isolated position which had been nature's gift to America was no longer reliable as a safeguard against attack by foreign foes. Future wars, he predicted, would be fought in the air and beneath the water, and they would be so complete in their destructiveness that the powers of good government might cease to exist, and the world might then be ruled by power, hate and brute force. With these things in mind, he said, the American people should not allow themselves the luxury of imaginary security, nor should they reject the very plan which might possibly end wars forever.

In December of 1919, after the treaty had suffered its first defeat, Johnson undertook to blame the Republican-controlled Houses of Congress plus a few Democrats for wasting an entire session of Congress in their attempt to destroy the only foundation for a lasting peace. Domestic conditions, he said, were worse than ever, and restiveness
and discontent were manifest, and Bolshevism, radicalism and socialism were spreading throughout the land. The government was threatened, he said, from all sides, and the people were impatiently waiting for attention while a few men in the senate quarreled about the treaty. Therefore, he contended, if the people were to be served at that critical hour, the treaty should be ratified at once so that the serious internal problems could be given the proper attention. Delay in ratification, he pointed out, was costing the government millions of dollars each day, to say nothing of the loss of thousands of lives abroad.\textsuperscript{11}

Rejection of the League of Nations, Johnson concluded, would be an outright breach of faith with our allies and associates, and we could rest assured that the United States would pay the price of its foolishness. He maintained that by our first refusal (in November) to ratify the treaty we had turned our backs on our friends and opened the door to our enemies, and that if we did not reverse our attitude, it was possible that all the English-speaking people in the world would be destroyed within the next twenty years.\textsuperscript{12}

Like Senator Johnson, Senator Nugent of Idaho was also convinced that the League of Nations, operating under

\textsuperscript{\textsuperscript{11}}\textit{Congressional Record}, 66 Congress, 2 Session, LIX, 178-9.

\textsuperscript{\textsuperscript{12}}\textit{Ibid.}, 179.
the provisions of the Covenant, would be quite able to pre-
vent war entirely or at least to make war practically im-
possible. Furthermore, he believed that if the United States
should fail to ratify the treaty and if, because of that
failure the League itself should die, the United States
alone would be to blame for the next war, which would "rock
the earth to its very foundation." 13

In my opinion the next world conflict will be one
of almost total annihilation of armies and extermina-
tion of peoples because of the advances made by
scientific men in the art. . .of the destruction of
men and property. . .There is but one alternative to
the league of nations, and that is preparation for
war, which always means war eventually. Without the
league it will become necessary for us, and every
other nation to proceed armed to the teeth. We shall
be obliged to expend billions of dollars. . .in in-
creasing the size of our Navy until it will be equal
to, or superior to, the navies of any two or three
nations that might combine against us. . .We shall
have imposed upon us a system of compulsory military
service. Our country will become a military camp.
There will be a soldier or a sailor on the back of
every taxpayer in the nation, and in the end there
will be another deluge of blood and grief and sorrow
and suffering in every village and hamlet throughout
the land. 14

Turning to more concrete issues, Nugent discussed the
question of constitutionality. He reminded the Senate, as
did many others, that under Article 10 the Council could
only advise on what measures should be taken in case the
territorial integrity of a nation should be threatened by
external aggression. He believed that if war should be

13 Congressional Record, 66 Congress, 1 Session,
LVIII, 4259-60.

14 Ibid., 4260.
decided upon by the Council there would be no usurpation of the powers of Congress because the Congress alone was empowered to decide whether or not the United States was obligated to take that advice. He also claimed that by Article 8, which contained provisions for disarmament, Congress again retained the ultimate power to adopt or reject whatever plans might be formulated by the Council.  

He admitted that if the United States should join the League it would lose certain of its rights which people referred to as sovereign. But the truth was, he said, that all the other members of the League would lose identical rights and that therefore the members would be placed "in the same position with respect to each other that we now occupy as sovereign states."  

It had been asserted by many, he recalled, that as a member of the League, the United States would become embroiled in European wars. And the men who made this assertion always invoked the policy and advice of Washington to back up their claims. But he reminded the Senate that Washington's Farewell Address had been published in 1796 and had been "prepared in the light of world conditions as they then existed," and that in 1919 the United States was confronted with a situation entirely different from that which previously obtained. As such, therefore, the nation

15 Ibid., 4260.

16 Ibid., 4261.
was obliged to deal with it. In Washington’s time, he said, it required months to communicate with Europe, but now it could be done in a matter of minutes, and in view of the recent advances made in aviation it was obvious that American isolation was a thing of the past. Because of these circumstances, he said, the United States had to take its place among the nations of the world whether it liked it or not.¹⁷

Nugent asserted that nations, like individuals, cannot stand still. They must move either forward or backward. This above all other ages is one of progress and development, and as conditions change, . . . policies must be changed so as to conform to them. . . . The war demonstrated that we are not remotely, but immediately and vitally concerned in the affairs of Europe, particularly in the quarrels that may result in war, and that it is a matter of supreme importance to us to bring about such a combination of nations as will make another such world conflagration impossible.¹⁸

The Monroe Doctrine, he continued, should of course be preserved, but he also believed that the provision in Article 21 was perfectly sufficient to save it. And Article 10, he maintained, was the heart of the Covenant, as its enforcement was the only thing that could prevent the world from bursting into flames. After all, he asked, for what had the United States used the Monroe Doctrine over the years but to preserve the independence of the Latin American

¹⁷Ibid., 4261.
¹⁸Ibid., 4261.
countries?\textsuperscript{19}

Also, he said, it was very foolish to fear the control of domestic questions by the League, for such jurisdiction was forbidden by Article 15, and such things as tariffs, immigration, naturalization, etc., all were recognized by international law as being domestic in character. Moreover, he believed, it was intended by the peace conference that any withdrawing nation was to be the sole judge as to whether it had fulfilled its obligations. He believed that the great powers represented on the Council would certainly not take advantage of the United States on these or other questions. Britain, France and Italy especially, he said, shared too many sentiments with the United States ever to desire to use the powers of the League to our disadvantage.\textsuperscript{20}

It was Nugent's conviction that ratification of the treaty was a moral obligation. If the United States should reject it, he said, such a decision would "lead certainly and inevitably to a catastrophe more awful than that from which we are now emerging."\textsuperscript{21}

Senator Walsh chose mainly to discuss the implications of Article 10 and the Irish question.\textsuperscript{22} Article 10, he said, was designed to protect a nation as against external aggres-
This last phrase, he noted, had been persistently ignored by many of the opponents in their arguments that the article would be used to prevent a just internal uprising or insurrection. But differing from the Holy Alliance, he said, the aim of which was to put down internal revolts and to preserve monarchical and despotic rule, the League of Nations Covenant limited its members to the use of war only in case of war by one nation against another.

It was urged, said Walsh, that Article 10 would prevent the United States from rushing to the aid of rebellious subjects in another land. It was claimed, for example, that the League Covenant would have prevented the French from aiding the American colonists. But this argument, he pointed out, was raised on false grounds. To begin with, he said, the United States would have attained its independence with or without the help of the French, for British statesmen and historians were agreed that England at that time was powerless to prevent secession. Secondly, he reminded the Senate, it was foolish to assume that France was in any wise motivated by altruism when she sympathized with the American cause. He pointed out that the sole purpose of the French government was to diminish British power, not to free America.

Actually, continued Walsh, disinterested intervention on behalf of rebellious subjects was not borne out by the facts. It was not true, he said, in the case of France, nor was it true when the United States intervened in behalf
of the Cuban insurrectionists, especially considering that we emerged with Porto Rico and the Philippines to balance the cost. On the other hand, he continued, ambitious rulers with imperialistic aims had often used intervention as a pretext for assisting oppressed subjects, and oftentimes internal uprisings had been fomented from abroad so as to offer an excuse for an invasion which ended in conquest.

Walsh declared that the contrasting feature of the League of Nations was that it was meant to be operated by self-governing democracies, not by intriguing kings and autocrats who were dominated with the idea of conquest. For example, he said, if British colonial policy had been in the eighteenth century what it had been in more modern times, there probably would not have been an American revolution.

Concerning Ireland, Walsh admitted that Article 10 would prevent a member of the League from coming to Irish aid. But he also admitted that the opponents who continually broached the Irish question quite frequently did so to arouse the prejudices of American citizens of Irish birth or descent. "It is worthy of remark," he said, that those who most stoutly assail this feature of the Covenant avow with almost equal vehemence and insistence that we must 'keep out of the quarrels of Europe.' In one and the same breath they assert, in effect, that if Ireland should rise in revolt against the tyranny of Great Britain we would violate the most sacred precepts of the fathers by participating in the strife, even in aid of the Irish; yet they declaim against Article 10 because by it we agree not to do so.

To Walsh it was therefore plain that Ireland could
expect no aid from the United States whether the treaty were passed or not. Nor, he said, could the Irish expect any support from impotent Germany, England's ally France, or weakened Spain.

To him the hope for Irish independence lay in Article 11, whereby a friendly power could bring the situation to the attention of the League. Also, he believed, Britain would feel freer, with the League in operation, to grant Irish independence because the alleged military danger of a free Ireland would be removed by Article 10.

The Shantung problem offered a similar case, he continued. Article 10 had been condemned as a guardian of the Shantung settlement. Wilson himself, said Walsh, had been accused of saving the League by presenting the Japs with Shantung. But Walsh argued that China could not be helped by the defeat or removal of Article 10, for no nation would send forces to take this province from Japan. Actually, he said, Article 10 offered China a guarantee against the aggression from which she had been suffering for one hundred years, a guarantee which she still sorely needed.

To Walsh, as to others, Article 10 was truly the soul of the Covenant. He believed that it was the one guarantee of peace which the Covenant contained. Some, he said, had protested that in case of a Bulgarian attack on Roumania, American boys would have to go to that area and fight against Bulgaria. If such a thing happened, he said,
the boys of Great Britain would equally have to
to—indeed, the boys from every part of the far-flung
British Empire, as well as the boys of France and Italy
and Spain and Norway and Denmark, of Brazil and Argent­
tina, with those of half a hundred lesser nations—
and Bulgaria, in that situation would probably take
council with herself and determine that after all it
would be more profitable to submit whatever differ­
ences she may have with Roumania to the arbitrament
of the council of the League.

Moreover, Walsh asserted that the United States was
at all times the final voice in the fulfillment of any obli­
gation under the League of Nations. Article 10, he urged,
did not usurp the powers of Congress. He believed that the
United States was morally but not legally bound to follow
the advice of the Council, and that Congress itself would
always determine whether our obligations were justified by
the occasion. Furthermore, he said, it would be up to
Congress to decide in what manner the United States should
carry out whatever obligations it chose to assume.

In conclusion, Walsh maintained that peace in the
world could only be preserved if the united nations of the
world would be willing to pit their forces behind such a
program of peace and order and by an agreement such as that
manifested by Article 10, wherein the nations agreed to
cooperate as the occasion might demand. The League of
Nations, he said,

recognized the inveterate character of greed, vanity,
selfishness, and allied vices in humanity—in nations
as well as in individuals. They now assert themselves,
restrained, only feebly, perhaps, by the precepts of
the Gospel or an intelligent perception of self
interest. The League attempts only to add, in the
case of nations, the coercion which even primitive
man found essential to his welfare in the case of
the members of his little community.

It is plain that Senator Walsh was a valuable asset to the Wilson Administration in the League of Nations controversy. Article 10 had been the object of much declamation, especially by such individuals as Borah, Gronna and Poindexter. Walsh argued with good reasoning that Article 10 would not be used for those things which the opponents claimed, and he also presented good reasons for the existence of such an article. When he analysed the arguments of the opposition in respect to Ireland, he probably told the truth when he characterized the motives behind such opposition, and he also disclosed the basic inconsistency of those arguments.

Walsh furthermore commendably admitted that the United States, as a world power, was no better than any of the other nations of the world, and that this country would be no more obligated by the League of Nations than any other member. He was aware of the need, in fact of the necessity, of international cooperation if there was to be any hope for the preservation of peace.

The other senators, notably Johnson and Nugent, were also cognizant of a new age in world history and they were both aware of the lack of wisdom and foresight in isolation. Of these two, Nugent was the more outstanding in that he departed from the general aspects of the question and, like Walsh, attempted to defend certain of the Articles and implications of the issue which had been subject to hostile
criticism. He was anxious to point out that Congressional ascendency would not be jeopardized and to state his belief that the vital interests of the United States were sufficiently protected in the Covenant itself. This was a typically Democratic stand, and perhaps the correct one, but Nugent, again like Walsh, and like Myers, was not so bound to his party that he would not compromise with the uncompromising Republicans when the votes were cast. Johnson, however, could not resist a more partisan attitude in his speeches, and remained throughout one of those loyal Democrats whose party allegiance prevented ratification of the treaty.
CHAPTER VI

CONCLUSION

The League of Nations controversy in the United States reveals one significant truth. This was the fact that, since the debates in the Senate were essentially partisan in character, and since they lasted for a long and inconclusive fifteen months, the United States was not ready to forsake those isolationists policies which it had adhered to for so many decades. In the Senate, most of these debates were between those who would ratify the treaty as internationalists and those more isolationist members who preferred only limited obligations by this country in the League of Nations. It is significant that the former opinion was confined mostly to the members of the Republican party. While deliberating over the implications of the issue, the United States became less interested in membership in international organization than in what manner it should participate in such a system if it chose to do so.

Many senators eloquently and without regard for party affiliation, pleaded the cause of internationalism and for American participation in a system which they believed would preserve the peace among nations. But even in the case of these men, most of their energies were devoted to the attempt to refute or repudiate the overpowering persuasiveness of
those who appealed, for whatever reasons, to the basic isolationism of the American people. Considered in the light of the long and confused sessions of the Senate, with its forces of partisanship and personal animosities, and alongside the waning public enthusiasm for an active American interest in foreign affairs, such far-sighted arguments as those of Walsh, McCumber and others were futile. It may be reiterated with much truth that

the recrudescence of isolation was felt...in the Senate. The extent to which it influenced individual senators cannot be measured. But it can be asserted with as much certainty as is possible in human affairs that a sincere belief based on the merits of the issue was not the dominant cause of the Senate's action.

One indication of the lack of a "sincere belief based on the merits of the issue" was the struggle for party ascendency. Politics did not stop at the water's edge. The battle over reservations was what killed the treaty, and whether they were necessary or not, it was the Republicans who supported them and most of the Democrats who opposed them. Such a division on party lines cannot easily be explained away.

When the Covenant in its final form was presented to the Senate, the work of the Administration had, in a sense, been completed. The Democrats, under Wilson, were from there on mainly on the defensive. They believed that the Covenant would accomplish the purpose for which it had been

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designed, and they also believed that the United States would be in no wise endangered if it should ratify it as it stood. It is possible, all things considered, that if this very same Covenant had been drafted by a Republican administration, many Republicans would have felt the same way about it. But when it did reach the Senate, it was the irreconcilables, mostly Republicans, and the strong reservationists who took it up from there. The purpose of the former group was wholly to defeat the treaty outright and to prevent the United States from entering into any kind of league whatever. The reservationists, however, all were willing that the Senate ratify the treaty, but in most cases a good many concessions had to be made before they would cast their votes in the affirmative. No doubt some of these men were sincere when they maintained that certain American institutions should receive a more air-tight protection than that provided in the Covenant itself. This was particularly true of the mild reservationists, who were much less conservative or reactionary than the strong reservationists, and who were much more favorable to ratification of the treaty. But none the less, they were all Republicans and, as a party, they clung together.

However, if the reservations are examined, they might be found much less harmful than their opponents believed them to be and, from a practical point of view, probably less necessary than their more ardent defenders.
claimed. Furthermore, such mild reservations as those of McCumber and those which the Democrats were for a time willing to adopt, were not essentially different from those of Lodge which dealt with the same subjects, and about which most of the controversy was centered. It was therefore the stubbornness of Wilson which prevented a sufficient number of Democrats from compromising on these matters. By the time the treaty was voted upon in November, 1919, practically all the Republicans were irrevocably entrenched and more important, the public had definitely come to approve the reservations. It was therefore only party allegiance or subserviency to Wilson which thereafter caused most of the Democrats to stand fast as they did and, in fact, to defeat the treaty. Many of the Democrats, in other words, may be held responsible for their failure to realize that compromise was a characteristic means of attaining ends in our democratic society.

Many Republicans, however, may also be charged with a few shortcomings. The League Covenant bore no marks which were peculiarly Democratic or Wilsonian in character. There was therefore no excuse for any Republican, regardless of his stand, to be motivated by partisan sympathies.

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4Ibid., 187-9, 272.
or by personal animosity toward the President. To what extent such sentiments did motivate the Republicans is in many cases problematical, but the League Covenant, which was certainly designed for a worthy purpose, should have been considered on its own merits, and not in regard to whom or to what party was responsible for its inception. It is obvious that Senator Lodge and many others had Woodrow Wilson and the Democratic party uppermost in mind when they chose to deal with the Covenant as they did.⁵

There were also those Republicans who, as noted, were probably sincere in believing that the League of Nations should be considered very cautiously and with due regard to the welfare of American institutions. They were isolationists at heart, that is, such a revolutionary idea was too much for them to accept without putting up some kind of opposition. If this attitude is difficult to pin down as essentially Republican in character, it can only be said that many Democrats might have taken the same stand were it not for the loyalty which they felt they owed to

⁵The best indication of Lodge's motives in his own book, The Senate and the League of Nations. Lodge states in one instance that there was one thing which he had "very much at heart, and that was that if we were successful in putting on reservations we should create a situation where, if the acceptance of the treaty was defeated, the Democratic party, and especially Mr. Wilson's friends should be responsible for its defeat, and not the opponents of the treaty who were trying to pass it in a form safe for the United States." Ibid., 164. See also Fleming, 474ff; Bailey, The Great Betrayal, 65-71.
the party and to their leader, Woodrow Wilson. With the exception of Grover Cleveland, Wilson had been the first Democrat as well as the first Southerner to be elected president since the Civil War. It could be argued, therefore, that the Democrats had their hour, and that they had to make the most of it.

Paradoxically, it was the irreconcilables, a minority group, who triumphed in the end. They could not have defeated the treaty by themselves, but because of the political differences of the other groups, they emerged as the final spokesmen of the attitude which was to mould the policies of the United States for a good many years to come.

The Northwest senators, as representatives of the several factions of the Senate of 1919, offer good examples of the various kinds of personalities which figured in the great dispute of that year. From the most confirmed of isolationists to the most vociferous champions of international cooperation, many motives, personal, moral and political, are revealed in the attitudes of these men. Among the irreconcilables and strong reservationists, there were those who betrayed rather jealous dispositions, and then there were others of the same group whose sincerity would be more difficult to question. On the other hand, among the friends of the League, certain of them stand out as the more profoundly convinced that the United States should openly participate with the other nations in this ambitious effort to ensure future peace.
The most memorable of the Northwest senators, perhaps the most memorable of all the senators, was Borah of Idaho, the "soul of the irreconcilables." The United States, as seen by Borah, was that United States which was dedicated to a noble proposition. To him, therefore, the hope of this country and, in a sense, of the world, lay not in a tribunal run by the "gathered scum of the nations," but in those hallowed principles of liberty, equality and democracy which, in its efforts, the United States so wonderfully embodied and exemplified. He believed that, if the United States should join the League of Nations, the principles of this nation would be contaminated or tainted by those Old World institutions which were the very antithesis of Americanism. He never contended that the United States, as a democratic nation, was without shortcomings of its own, but he believed that it was the basic principles upon which this nation had been founded that were the sole means by which it could work out its own great destiny. The League of Nations, in short, would have given the death knell to those righteous endeavors which the United States alone, it seemed, was capable of putting forth.

Among the opponents of Wilson, Borah stood alone in one significant respect. Throughout the stormy career of the treaty, none was more profoundly opposed to it, and none was so obviously sincere as he. Like many other senators, he freely flaunted such controversial issues as the Irish question, British "designs" and imperialism, and
Shantung. To what extent these things really concerned him is difficult, if not impossible, to ascertain, but whatever the justification of their use, it could be maintained that Borah's personal and honest fear for the fate of his republic excused the means by which he chose to defend it. Then too, he "unjustices" which were embodied in these issues were, in fact, out of keeping with his own professed convictions. His was basically a moral complaint, and as such would have been difficult to refute.

With regard to the other Northwest senators of the Borah camp--Gronna and Poindexter--other features are noticeable. Senator Gronna's opposition was of a milder, or rather a shallower sort than that of Borah, although he was no doubt honest. He had been an isolationist and pacifist during the war, and these considerations were not inconsistent with his later stand against the League. Poindexter, however, cut a different figure from both the others. His speeches on the League were pervaded by a spirit of bitterness and vindictiveness, and the observer cannot help but question the purposes for which he invoked such isolationist shibboleths as the figures of Washington or Monroe or, for that matter his brandishing of anything else which he claimed was symbolic of our threatened American Republic.

Poindexter was a strongly partisan Republican, and as such he took his stand against the League of Nations. His opening attack in February, 1919, was certainly one of defiance, and it was something more than stupidity which
led him to brand the Covenant as a Southern conspiracy to avenge the South's defeat of 1865. It would appear, in short, that Poindexter's opposition to the Covenant was one against something peculiarly bothersome and, in particular, against something Wilsonian.

The strong reservationists bear some resemblance to the irreconcilable senators. Were it not for the Lodge reservations, which rendered the treaty harmless to their satisfaction, most probably none of them would have voted in its favor. It was their marked reluctance, in fact their virtual refusal, to abandon any of the traditional American policies which closely related them to the frank opponents of the treaty.

Among these men, Senators Sterling and Warren were without doubt possessed of a righteous concern for the welfare of this country when they chose to stand as they did. Senator Jones might have shared the same feelings, but he spoke also as a Republican and as a bitter opponent of Wilson. It is obvious that he was willing to ratify the treaty, but he wanted it his way or not at all.

Both of these groups—irreconcilables and strong reservationists—shared many things in common. The strong reservationists were isolationists at heart in that they were noticeably apprehensive over the unprecedented step which, it seemed, the United States was about to take. All of them, moreover, spoke as conservative Americans, unwilling or unable to realize that the spirit which they
reflected was that of a day that had passed. The one group, the irreconcilables, strove with adamant determination to preserve the old ways and to prevent the inauguration of the new. The other group, the strong reservationists, were almost equally determined to preserve the old, and only with great reluctance were they ready to accept the proposed new order.

As revealed in their speeches before the Senate, or by their support of the Lodge reservations, the members of these groups also shared the same feelings on more specific issues. They were all strongly determined that the Monroe Doctrine should remain in force as the unilateral American policy in the Western Hemisphere. (Jones, for example, had gone so far as to declare the Monroe Doctrine to be an American domestic policy.) They were, implicitly or explicitly, keenly distrustful of the nations with which the United States would have to deal as a member of the League of Nations, and they were at all times determined that nothing ever was to threaten or usurp the supreme sovereignty of the United States when it came to any question which they believed was vital to its own interests. They were also very reluctant, to say the least, to assume without all kinds of limitations the "vast and incalculable obligation" which Article 10, for example, seemed to impose upon the members of the League. Article 10 seemed to them more likely to foment trouble or war than to guarantee a reasonable peace.
In the declamations of these senators, many of their misgivings and complaints were far-fetched and, at times, inconsistent and irrelevant. Poindexter, for example, once said that the facility with which boundary disputes had been settled between the United States and Great Britain was one of the reasons which precluded the necessity of a league of nations. Yet months later, he claimed that the same Great Britain might attempt to lay claim to several counties in the state of Maine and that the friends of Great Britain on the Assembly would most likely support such a claim. The probability that Great Britain would have considered such a thing could be questioned, and it might also be asked who were the friends of Great Britain on the Assembly who would have supported such a claim if it were made. All these senators, moreover, were anxious that the other nations of the world be excluded from any jurisdiction in the Western Hemisphere, and that the United States should in turn either refuse or consider extremely carefully its own interference in the affairs of the rest of the world. Yet at the same time half of them were perfectly willing to plunge into the purely-British Irish affair and they all expressed strong concern over the Japanese retention of interests in China's Shantung. Borah, for example, who so consistently harangued

6 Gronna, Jones and Borah each supported the Irish reservation of March, 1920. Congressional Record, 66 Congress, 2 Session, LIX, 4532. Sterling, however, considered the Irish question to be irrelevant. Ibid., 4506.
against a system which would embroil this country in the quarrels of Europe, was practically ready to fight Japan on behalf of China.\(^7\)

Obviously, the irreconcilables were using every possible means at their disposal to brand the Covenant (which carried with it the treaty of peace) as an instrument of oppression and injustice as well as a terrible danger to this country. Their purpose was solely to defeat it, and not to defend it or strive for improvements in a type of document which they certainly knew was incapable of perfection. The strong reservationists were also off the track when they undertook to worry over the fate of Shantung or, as did Warren, over the Italian claim to Fiume. They never admitted that such things as the Shantung and Fiume settlements were international questions, and as such could have been amicably settled by the League of Nations itself. These concerns were irrelevant and inconsistent, if well meant.

The mild reservationists in the Northwest, Senators McNary and McCumber, were undoubtedly the most openly avowed friends of the League of Nations among all the reservationists in the Senate. In fact, their long pleas for international cooperation are indistinguishable from the equally earnest pleas of many of the Democrats. Differing from others, their purpose in adopting reservations was to soothe popular

\(^7\)Bally, The Great Betrayal, 162-3.
misgivings as well as the fears, real or pretended, of many of the other senators. It is a matter for some conjecture whether reservations to the treaty should have been adopted, but when McNary and McCumber did back a number of the Lodge reservations, they stopped at that point. Differing again from the other reservationists, especially the stronger ones, they spoke from there on as ardent internationalists, and not as conservative Americans or isolationists. Each of these men did his best to refute the arguments of the opponents of the League and to convince everyone that withdrawal from the affairs of the world was both immoral and improvident. To be sure, they were not themselves unconcerned with such issues as the Monroe Doctrine, domestic questions and national sovereignty, but they were much less fearful than other senators that such things would be endangered if the United States should join the League. Also, they supported the Covenant in the only spirit in which such a thing should have been supported—with the avowed and unequivocal conviction that a League of Nations was necessary if the peace of the world was to be preserved.

McCumber was undoubtedly the most exemplary of all the senators, at least among those who were friendly to the League. At the very beginning he practically deserted his own party and pleaded for American participation in the League when only a handful of the Republicans could possibly
have shown signs of sympathy for the newly-created Covenant. And in later days he took a rather lonely stand as the only Republican on the Foreign Relations Committee to defend the treaty as an instrument of good instead of treating it as something dangerous or evil. So anxious was he to see the treaty ratified that he, as the only Republican, was willing to support it both with and without the reservations.

Closely related to McNary and McCumber were the Northwest Democrats, notably Walsh, Nugent and Johnson. Each of these men also foresaw the exigencies of a later age and they were also aware that the splendor and wisdom of isolation were things of the past. Walsh distinguished himself by his compromising spirit when he pleaded with the mass of Democrats in the Senate not to kill the treaty just because the Lodge reservations were attached. And Nugent also, in March, 1919, actually supported most of the Lodge reservations, no doubt acting in the same spirit as had Walsh. Johnson, however, was one of the three Democrats from north of the Mason and Dixon line who was unwilling to compromise with the Republicans, but he did recognize, as did the others, that a concerted international effort was necessary if peace in the world was to be maintained. The

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8On the very day on which the Round Robin was signed, McCumber made a long speech in favor of the League. This was even before the first draft of the Covenant had been revised. Congressional Record, 65 Congress, 3 Session, LVII, 4872-82.

9Congressional Record, 66 Congress, 2 Session, LIX, 4581.
remarks of Senator Myers were most likely of dubious value in so far as any effect upon the Senate was concerned, but Myers also was of an impartial mind when he chose to support the reservations "in the interest of compromising and getting together."

If these senators—the Democrats and the mild reservationists—appear to have repudiated the arguments or the philosophies of the irreconcilables, or if, in their attitudes, they appear to have transcended either of the stronger and more conservative groups, the latter none the less remained unaffected from beginning to end. Many of the remarks of Walsh, Nugent, McNary or McCumber were made as challenges to the attacks of other senators, but throughout the controversy the others remained entrenched and impervious. In fact, it was a number of the Democrats who, in later days, showed the greater propensity to compromise.\(^\text{10}\) Needless to say, however, too few of them showed such willingness as would have ratified the treaty.

In an attempt to discover in what degree these Northwest senators reflected the sentiments of their constituents, or in what manner they represented any regional sentiments, a number of paradoxes would render such a task difficult to undertake. To begin with, in the case of North Dakota, there were two senators, both Republicans, one of whom was a confirmed opponent of the League, and the other

one of the most vociferous champions of ratification. It would be difficult to assume that Gronna’s opposition was a typically North Dakota opposition, and that McCumber’s opposite views stemmed from the same basic temperament.

Moreover, when the legislature of North Dakota submitted its petitions for ratification to the United States Senate, it did not do so by way of McCumber, but by way of Gronna, who ignored its advice. Also when the legislature of Idaho presented its petition against ratification, it did so through Senator Nugent of that state, who ignored its precepts and acted, as he pleased, in supporting the treaty.

Furthermore, when President Wilson made his famous tour of the west, he did so to appeal to the people on behalf of his Covenant which, at that time, September, 1919, was suffering all kinds of opposition in the Senate. But the reception which Wilson received, especially in the Northwest, would serve again to indicate that the senators were individuals, and did not necessarily have their constituents behind them. In Coeur d’Alene, Idaho, the ovation was so generous and warm-hearted that it was obvious

11 Congressional Record, 66 Congress, 1 Session, LVIII, 49-50; Congressional Record, 66 Congress, 2 Session, LIX, 1208.

12 Congressional Record, 66 Congress, 1 Session, LVIII, 132.

13 For an account of this journey, see Bailey, The Great Betrayal, 101-10.
that the people of that area did not share the sentiments of their own Senator Borah. And in the cities of Spokane, Seattle and Tacoma, in Washington, the reception given Wilson was of such an intense jubilance as to approach fan­aticism. Here again was a population which did not harbor the strong feelings of Poindexter or Jones.

And, significantly, while Wilson was making this seemingly successful appeal, Borah and Poindexter, among others, took to the stumps in an effort to neutralize whatever affects Wilson's journey might have had. Borah spoke at Chicago, the anti-Wilson city which Wilson had avoided, and Poindexter made his appeal farther east.\(^\text{14}\)

Borah, of course, was the most ardent of all the anti-League senators in his own hatred for the League. He might well not have faltered in his promise when he announced, on one occasion, that he would have opposed the thing even if Christ Himself were on earth and favored it.\(^\text{15}\) But he also made another statement which was most probably endorsed by a good many of the other senators:

\[\text{I shall not remain silent out of fear of being called a carping critic. . .I know of no higher duty devolving upon a Senator than . . .to advocate his own beliefs and his own views.}\(^\text{16}\)\]

\(^{14}\text{ibid., 127-8.}\)

\(^{15}\text{Hamilton Holt, "The Senate Versus the People," Independent, XC VIII (June 7, 1919), 351-2.}\)

\(^{16}\text{Congressional Record, 65 Congress, 3 Session, LVII, 2425.}\)
It was, in reality, the United States Senate which rejected the League of Nations. The American people approved of the Covenant in one form or another and in due time their enthusiasm waned. But it was the long and heated debates in the Senate which caused the public's attitude to change, and it was the long and indecisive deadlock which caused the people eventually to become indifferent to the fate of the League. The Senate, as a body, was not preoccupied with the rest of the world, and because it was unwilling to look outward and ahead, and to forget that it was dealing with a subject which was peculiar to no party or person, the League of Nations on its own merits remained throughout an almost secondary issue.

That the United States should have joined the League of Nations would now be less easily disputed. American membership in that organization would not necessarily have prevented the Second World War, nor would it necessarily have altered or prevented other things which were to come. But such gains would not have been impossible of attainment, and the United States would probably have had little to lose. The efforts of this country might well have had, as Senator Thomas Sterling hoped, "a stabilizing and steadying effect upon the conditions there."

The Northwest senators who participated in this, the greatest debate in the history of the Senate, are now passed and gone. But looking backward, the orations of a number of them stand out above all the others as examples of foresight.
and concern for the welfare of this nation as well as of the world. The necessity of world organization, as preached by all the defenders of the League, is now fully appreciated, and many of the dire predictions of Johnson, Nugent and McCumber have also been realized and might yet be more completely fulfilled. The League of Nations was crippled at birth, but the later realization that such a thing was the only hope for the world will recall the prophetic words of Senator McCumber so many years ago:

All that we can be sure of is that the instrument comes to us as a compromise, and in it is the soul of a future world freedom. It is within our power to strangle the body, but the soul will live and ever seek reembodiment in some future international organization.
THE COVENANT OF THE LEAGUE
OF NATIONS

Article 1

Section 3. Any member of the League may, after two years' notice of its intention to do so, 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 5

Section 1. Except where otherwise expressly provided in this covenant, or by the terms of this treaty, decisions at any meeting of the Assembly or of the Council shall require the agreement of all the members of the League represented at the meeting.

...

Article 8

Section 1. The members of the League recognize that the maintenance of a peace requires the reduction of national armaments to the lowest point consistent with the national safety and the enforcement by common action of international obligations.

Section 2. The Council, taking account of the geographical situation and circumstances of each State, shall formulate plans for the consideration and action of the several Governments.

Section 5. The members of the League undertake to interchange full and frank information as to the scale of their armaments, their military and naval programs and the condition of such of their industries as are adaptable to warlike purposes.

...

1 Taken from "Full Text of the Revised Covenant of the League of Nations," Current History, X (June, 1919), 509-15.
Article 10

The members of the League undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all the members of the League. In case of any such aggression or in case of any threat or danger of such aggression, the Council shall advise upon the means by which this obligation shall be fulfilled.

Article 11

Section 1. Any war or threat of war, whether immediately affecting any of the members of the League or not, is hereby declared a matter of concern to the whole League, and the League shall take any action that may be deemed wise and effectual to safeguard the peace of nations. In case any such emergency should arise, the Secretary General shall, on the request of any member of the League, forthwith summon a meeting of the Council.

Section 2. It is also declared to be the fundamental right of each member of the League to bring to the attention of the Assembly or of the Council any circumstance whatever affecting international relations which threatens to disturb either the peace or the good understanding between nations upon which peace depends.

Article 15

Section 7. 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 recommendations as to its settlement.

Section 8. The Council may in any case under this article refer the dispute to the Assembly. The dispute shall be so referred at the request of either party to the dispute, provided that such request is made within fourteen days after the submission of the dispute to the Council.

Section 9. In any case referred to the Assembly all the provisions of this article and of Article XIII relating to the action and powers of the Council shall apply to the action and powers of the Assembly, provided that a report made by the Assembly, if concurred in by the representatives of those members of the League represented on the Council
and of a majority of the other members of the League, exclusive in each case of the representatives of the parties to the dispute, shall have the same force as a report by the Council concurred in by all the members thereof other than the representatives of one or more of the parties to the dispute.

... 

Article 21

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.

THE LODGE RESERVATIONS

"(Those of November, 1919 appear unindented; those of March, 1920, were exactly the same, except that the italicized and bracketed passages were deleted, and the indented passages were added. . . . For originals, see Cong. Rec. 66 Cong., 1 sess., p. 3773; ibid., 2 sess., p. 4599.)"  

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the treaty of peace with Germany concluded at Versailles on the 28th day of June, 1919, subject to the following reservations and understandings, which are hereby made a part and condition of this resolution of ratification, which ratification is not to take effect or bind the United States until the said reservations and understandings adopted by the Senate have been accepted by an exchange of notes as a part and a condition of this resolution of ratification by at least three of the four principle allied and associated powers, to wit, Great Britain, France, Italy, and Japan:

as a part and a condition of this resolution of ratification by the allied and associated powers and a failure on the part of the allied and associated powers to make objection to said reservations and understandings prior to the deposit of ratification by the United States shall be taken as a full and final acceptance of such reservations and understandings by said powers:

1. The United States so understands and construes article 1 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.

2. The United States assumes no obligation to preserve the territorial integrity or political independence of any other country or to interfere in controversies between nations—whether members of the league or not—under the provisions of article 10, 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 by act or joint resolution so provide.

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 10, or to employ the military or naval forces 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.

4. 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 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.

5. 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 in-
terpreted 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.

6. The United States withholds its assent to articles 156, 157, and 158 /regarding Shantung/, 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/.

...  

10. /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 8, 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. /

No plan for the limitation of armaments proposed by the council of the League of Nations under the provisions of article 8 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 armament without the consent of the council whenever the United States is threatened with invasion or engaged in war.

...  

14. /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 findings of the council or assembly arising out of any dispute between the United States and any member of the league if such a member, or any self-governing dominion, colony, empire, or part of empire united with it politically has voted. /

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, the United States assumes no obligation to be bound, except in cases where Congress has previously given its consent, 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.
The United States assumes no obligation to be bound by
any decision, report, or finding, of the council or
assembly arising out of any dispute between the United
States and any member of the league if such member, or
any self-governing dominion, colony, empire, or part of
empire united with it politically has voted.

15. 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.

ENDORSEMENT OF THE LEAGUE
BY THE NORTH DAKOTA
STATE LEGISLATURE\(^3\)

Department of State
State of North Dakota

To all to whom these presents shall come:

I, Thomas Hall, secretary of state for the state of
North Dakota, do hereby set forth and certify that the
following is the full text and the whole thereof of a cer­
tain concurrent resolution adopted by the sixteenth legis­
late assembly of the State of North Dakota.
Dated at the capital in Bismarck, N. Dak., this 3d
day of March, 1919.

/Seal/

Thomas Hall,
Secretary of State.

Concurrent resolution favoring the establishment of
a league of nations to enforce peace, and aim at promoting
the liberty, progress, and orderly development of the world.

Whereas the war now brought to a victorious close by the
associated power of the free nations of the world was
above all else a war to end war and protect human
rights: Therefore be it

\(^3\) Congressional Record, 66 Congress, 1 Session,
LVIII, 49-50.
Resolved by the Senate of the State of North Dakota (the House of Representatives Concurring), That we favor the establishment of a league of nations of which the United States shall be a member. We believe that such a league should aim at promoting the liberty, progress, and orderly development of the world; that it should clinch the victory won at such terrible sacrifice by having the united potential force of all its members as a standing menace against any nation that seeks to upset the peace of the world; be it further Resolved, that certified copies of this resolution be sent by the secretary of state to the President and to the presiding officers of both branches of Congress and to each of the United States Senators and Representatives from the State of North Dakota.

SECOND NORTH DAKOTA RESOLUTION

United States of America,
Department of State,
State of North Dakota.

To all to whom these presents shall come:

I, William J. Prater, secretary of the senate of the special session of the Sixteenth Legislative Assembly of the State of North Dakota, do hereby declare and certify that the following concurrent resolution was introduced in the senate by Senator Thorwald Mostad; was passed by the senate December 10, 1919, and concurred in by the house of representatives December 10, 1919.

Dated at Bismarck, N. Dak., this 10th day of December, A.D., 1919.

[Seal]

William J. Prater
Secretary of the Senate

Concurrent Resolution

Be it resolved by the Senate, the house of representa­
tives concurring,
Recognizing and commending the splendid service President Wilson rendered to his country and to all mankind through his untiring efforts as a statesman to secure world peace, we regret that his health and physical strength became ex­hausted before his work for peace of the world was completed.

4Congressional Record, 66 Congress, 2 Session,
LIX, 1203.
We ask for a speedy ratification of the peace treaty with only such reservations as are compatible with a binding and bona fide participation by the United States of America in the covenant of the league of nations. The honor of our arms and our devotion to the principles of democracy demand that Congress take action to bring about peace to a war-weary world at the very earliest date possible.

Be it further resolved, That the Secretary of State send a copy of these resolutions to President Woodrow Wilson and to each Member of Congress from North Dakota.

RESOLUTION AGAINST RATIFICATION

BY THE IDAHO LEGISLATURE

State of Idaho,
Department of State.

I, Robert O. Jones, secretary of state of the state of Idaho, do hereby certify that the annexed is a full, true and complete transcript of enrolled house joint memorial No. 20, which was filed in this office on the 17th day of March, A.D., 1919, and admitted to record.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State. Done at Boise City, the Capital of Idaho, this 28th day of April, A.D., 1919 and of the independence of the United States of America the one hundred and forty-third.

/Seal/

Robert O. Jones
Secretary of State.

To the honorable the Senate and House of Representatives of the United States of America in Congress Assembled:

Your memorialists, the House of Representatives and Senate of the State of Idaho, respectfully represent that--

Whereas section 2, Article II of the Constitution of the United States gives the President power to make treaties by and with the advice and consent of the Senate; and

Whereas there is now in progress the greatest peace-negotiating conclave in the history of the world, the United States being one of the members of said convention; and

Whereas the President of the United States has, contrary to

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5Congressional Record, 66 Congress, 1 Session, LVIII, 132.
the wishes and desires of the majority of the people
of the United States of America, and without the advice
or consent of the Senate of the United States, attempted
to foist upon the American people as one of the essen­
tial elements of the treaties of peace to be promulgated
by said convention a proposition favoring and organizing
a so-called league of nations; and

Whereas the substance of the proposed draft of the so-called
league of nations is obscure, vague, ambiguous, and tend­
ing to bring about greater confusion and distrust and
hostility among the various nations of the world; and

Whereas the theory of said league of nations is impracticable,
visionary, and subversive of the international principle
heretofore controlling in the foreign relationships of
the United States of America; and

Whereas the President of the United States has defied Con­
gress and the people of the United States to oppose the
organization of such a league of nations; and

Whereas some 37 Senators have pledged themselves to oppose
the ratification of a treaty adopting said league of
nations; now therefore, be it

Resolved, That we, the House of Representatives of the
State of Idaho, the Senate concurring, do earnestly request
and recommend that the Senate of the United States oppose
 absolutely the theory as indicated by the constitution of
the league of nations and oppose said constitution of the
league of nations becoming a part of or being in any way in­
cluded in the peace treaties to be made or entered into by
the United States; and be it further

Resolved, That they hereby ratify and give their un­
qualified approval to the stand and position taken by the
above-mentioned 37 Senators in recording themselves as
opposed to said league of nations at the present time; and
be it further

Resolved, That they resent the defiant and dictatorial
attitude of the President of the United States in his recent
statements in which he has attempted to force his personal
views and opinions upon the people of the United States
irrespective of their desires in the matter.

The secretary of State of Idaho is hereby instructed to
forward this memorial to the Senate and House of Representa­
tives of the United States of America, and to send copies of
the same to our Senators and Representatives in Congress.
This house joint memorial passed the house on the 6th
day of March, 1919.

M. A. Kiger,
Speaker of the House
of Representatives
This house joint memorial passed the senate on the 8th day of March, 1919.

C. C. Moore,  
President of the Senate

I hereby certify that the within house joint memorial No. 20 originated in the house of representatives during the fifteenth session of the Legislature of the State of Idaho.

David Burrell,  
Chief Clerk of the  
House of Representatives

STATE COMMITTEEMEN OF THE  
LEAGUE TO ENFORCE PEACE


Montana: National Committee, F. S. Cooley, Director of Extension, Montana State College, Bozeman; M. M. Donaghue, Butte; Samuel V. Stewart, vice president, Helena.

North Dakota: Dr. E. F. Ladd, North Dakota College of Agriculture; Louis B. Hanna, Fargo; Mrs. Frank White, Valley City; vice presidents A. A. Bruce, Chief Justice of the Supreme Court of North Dakota, and Lynn J. Frazier, Bismarck.


South Dakota: National Committee, W. C. Allen, Aberdeen; Mrs. Fred H. Hollister, Sioux Falls; vice president Peter Norbeck, Pierre.

Washington: Executive Committee, Ernest Lister, Olympia; National Committee, W. S. Thornber, Director of Agricultural Extension, Pullman, Henry Suzzalo, University of Washington; William H. Cowles, Spokane; Mrs. Overton G. Ellis, Tacoma; vice president J. E. Chilberg, Seattle.

Wyoming: National Committee, Mrs. Harnsberger, Lander; Professor Harvey L. Eby, University of Wyoming;

6Ibid., 7483-6.
vice presidents Robert D. Carey and Frank L. Houx, Cheyenne.

PETITION FAVORING RATIFICATION

(signed by representative citizens of thirty-nine states)

Idaho: ex-governor James H. Hawley

Montana: Governor Samuel V. Stewart

North Dakota: Governor Lynn J. Frazier, and Dr. Edwin F. Ladd, President of the Agricultural College of North Dakota.

Oregon: Judge Charles H. Carey; Richard W. Montague; Bishop Walter Taylor Sumner; William D. Wheelright.

South Dakota: Willis C. Cook, member National Railways Commission; ex-governor and ex-United States Senator Coe I. Crawford; Thomas O’Gorman, Bishop of Sioux Falls; Mrs. John H. Pyle, President, South Dakota Equal Suffrage Society; H. K. Warren, President of Yankton College.

Washington: N. B. Coffman, President of the Washington Bankers’ Association; Charles W. Fasset, Mayor of Spokane; Bishop Frederick W. Keator; Josephine Carliss Preston, President, National Education Association.

Wyoming: Harry W. Fox, President, State Federation of Labor; Duncan McLeod, International Executive Board, United Mine Workers of America; James Morgan, Secretary of the Miners’ Organization.

7Ibid., 5363-5.
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