

University of Texas Bulletin

No. 2329: August 1, 1923

UNIVERSITY OF TEXAS
EX-STUDENTS' WRITINGS COLLECTION
SOURCE:

THE LEAGUE OF NATIONS

The Interscholastic League Division
Bureau of Extension



PUBLISHED BY
THE UNIVERSITY OF TEXAS
AUSTIN

Publications of the University of Texas

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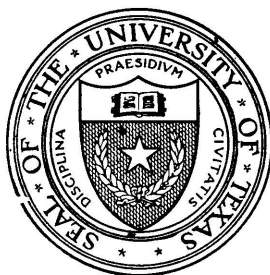
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**PUBLISHED BY THE UNIVERSITY FOUR TIMES A MONTH, AND ENTERED AS
SECOND-CLASS MATTER AT THE POSTOFFICE AT AUSTIN, TEXAS,
UNDER THE ACT OF AUGUST 24, 1912**

The benefits of education and of useful knowledge, generally diffused through a community, are essential to the preservation of a free government.

Sam Houston

Cultivated mind is the guardian genius of democracy. . . . It is the only dictator that freemen acknowledge and the only security that freemen desire.

Mirabeau B. Lamar

PREFACE

The question for the University Interscholastic League debates for 1923-1924 is:

Resolved, *That the United States should join the League of Nations.*

In addition to the references and arguments contained in this bulletin, the attention of debaters is called to the following sources from which supplementary material may be secured:

1. The Texas senators and representatives in Congress will furnish, upon request, whatever material is at their disposal. Speeches in support of the League may probably be had also on application to the Democratic National Committee, 425-441 Woodward Building, Washington, D. C. Reprints of speeches delivered in Congress in opposition to the League may be secured by addressing the Secretary of the Republican National Committee, Munsey Building, Washington, D. C.

2. The American Association for International Conciliation, 407 West 117th Street, New York City, will furnish its bulletins at a cost of five cents each. Regular subscription rate twenty-five cents for one year, or one dollar for five years.

3. The World Peace Foundation, 40 Mt. Vernon Street, Boston, Mass., supplies its publications, issued bi-monthly, at a cost of five cents per number, twenty-five cents per year.

4. The League of Nations Non-Partisan Association, 15 West Thirty-seventh Street, New York City, will furnish material for the affirmative free of cost.

5. The H. W. Wilson Company, 958-964 University Avenue, New York City, has published in the Debaters' Handbook Series, Selected Articles on a League of Nations. Compiled by Edith M. Phelps. Fourth Edition, Revised and Enlarged. 1919. \$1.50. This book contains a full list of references and many excellent selections representing the best arguments on both sides of the question.

6. Students who have access to the larger libraries should consult the Readers' Guide to periodical literature in order to bring their evidence and illustrations up to date.

7. The Extension Loan Library, University of Texas, Austin, Texas, will loan "package libraries" containing material on both sides of the question.

This bulletin has been compiled under the direction of Professor Chas. D. Tomkies of the School of Public Speaking by Mr. Henry S. Kelly as a part of the required work in Public Speaking 15 as given in the regular session of the University of Texas.

Two copies of this bulletin will be sent free upon request to any school belonging to the University Interscholastic League. For additional copies, and to non-residents of Texas, a charge of fifteen cents a copy is made (stamps not acceptable).

THE UNIVERSITY INTERSCHOLASTIC LEAGUE.

THE COVENANT OF THE LEAGUE OF NATIONS

THE HIGH CONTRACTING PARTIES,

In order to promote international co-operation and to achieve international peace and security

- by the acceptance of obligations not to resort to war,
- by the prescription of open, just and honorable relations between nations,
- by the firm establishment of the understanding of international law as the actual rule of conduct among Governments, and
- by the maintenance of justice and a scrupulous respect for all treaty obligations in the dealings of organized peoples with one another,

Agree to this Covenant of the League of Nations.

ARTICLE 1

The original Members of the League of Nations shall be those of the Signatories which are named in the Annex to this Covenant and also such of those other States named in the Annex as shall accede without reservation to this Covenant. Such accession shall be effected by a Declaration deposited with the Secretariat within two months of the coming into force of the Covenant. Notice thereof shall be sent to all other Members of the League.

Any fully self-governing State, Dominion, or Colony not named in the Annex may become a Member of the League if its admission is agreed to by two-thirds of the Assembly, provided that it shall give effective guarantees of its sincere intention to observe its international obligations, and shall accept such regulations as may be prescribed by the League in regard to its military, naval, and air forces and armaments.

Any member of the League may, after two years' notice of its intentions so to do, withdraw from the League, provided that all its international obligations and all its obligations under this Covenant shall have been fulfilled at the time of its withdrawal.

ARTICLE 2

The action of the League under this Covenant shall be effected through the instrumentality of an Assembly and of a Council, with a permanent Secretariat.

ARTICLE 3

The Assembly shall consist of Representatives of the Members of the League.

The Assembly shall meet at stated intervals and from time to time

as occasion may require at the Seat of the League or at such other place as may be decided upon.

The Assembly may deal at its meetings with any matter within the sphere of action of the League or affecting the peace of the world.

At meetings of the Assembly each Member of the League shall have one vote, and may not have more than three Representatives.

ARTICLE 4

The Council shall consist of Representatives of the Principal Allied and Associated Powers, together with Representatives of four other Members of the League. These four Members of the League shall be selected by the Assembly from time to time in its discretion. Until the appointment of the Representatives of the four Members of the League first selected by the Assembly, Representatives of Belgium, Brazil, Spain, and Greece shall be members of the Council.

With the approval of the majority of the Assembly, the Council may name additional Members of the League whose Representatives shall always be members of the Council; the Council with like approval may increase the number of members of the Council; the Council with like approval may increase the number of Members of the League to be selected by the Assembly for representation on the Council.

The Council shall meet from time to time as the occasion may require, and at least once a year, at the Seat of the League, or at such other place as may be decided upon.

The Council may deal at its meetings with any matter within the sphere of action of the League or affecting the peace of the world.

Any Member of the League not represented on the Council shall be invited to send a Representative to sit as a member at any meeting of the Council during the consideration of matters specially affecting the interests of that Member of the League.

At meetings of the Council, each Member of the League represented on the Council shall have one vote, and may have not more than one Representative.

ARTICLE 5

Except where otherwise expressly provided in this Covenant or by the terms of the present Treaty, decisions at any meeting of the Assembly or of the Council shall require the agreement of all the Members of the League represented at the meeting.

All matters of procedure at meetings of the Assembly or of the Council, including the appointment of Committees to investigate particular matters, shall be regulated by the Assembly or by the Council and may be decided by a majority of the Members of the League represented at the meeting.

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

ARTICLE 6

The permanent Secretariat shall be established at the Seat of the League. The Secretariat shall comprise a Secretary General and such secretaries and staff as may be required.

The first Secretary General shall be the person named in the Annex; thereafter the Secretary General shall be appointed by the Council with the approval of the majority of the Assembly.

The secretaries and staff of the Secretariat shall be appointed by the Secretary General with the approval of the Council.

The Secretary General shall act in that capacity at all meetings of the Assembly and of the Council.

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

ARTICLE 7

The Seat of the League is established at Geneva.

The Council may at any time decide that the Seat of the League shall be established elsewhere.

All positions under or in connection with the League, including the Secretariat, shall be open equally to men and women.

Representatives of the Members of the League and officials of the League when engaged on the business of the League shall enjoy diplomatic privileges and immunities.

The buildings and other property occupied by the League or its officials or by Representatives attending its meeting shall be inviolable.

ARTICLE 8

The Members of the League recognise that the maintenance of peace requires the reduction of national armaments to the lowest point consistent with national safety and the enforcement by common action of international obligations.

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

Such plans shall be subject to reconsideration and revision at least every ten years.

After these plans shall have been adopted by the several Governments, the limits or armaments therein fixed shall not be exceeded without the concurrence of the Council.

The Members of the League agree that the manufacture by private enterprise of munitions and implements of war is open to grave objections. The Council shall advise how the evil effects attendant upon such manufacture can be prevented, due regard being had to

the necessities of those Members of the League which are not able to manufacture the munitions and implements of war necessary for their safety.

The Members of the League undertake to interchange full and frank information as to the scale of their armaments, their military, naval, and air programmes and the condition of such of their industries as are adaptable to war-like purposes.

ARTICLE 9

A permanent Commission shall be constituted to advise the Council on the execution of the provisions of Articles 1 and 8 and on military, naval, and air questions generally.

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 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

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.

It is also declared to be the friendly 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 international peace or the good understanding between nations upon which peace depends.

ARTICLE 12

The Members of the League agree that if there should arise between them any dispute likely to lead to a rupture, they will submit the matter either to arbitration or to inquiry by the Council, and they agree in no case to resort to war until three months after the award by the arbitrators or the report by the Council.

In any case under this Article the award of the arbitrators shall be made within a reasonable time, and the report of the Council shall be made within six months after the submission of the dispute.

ARTICLE 13

The Members of the League agree that whenever any dispute shall arise between them which they recognize to be suitable for submission to arbitration and which cannot be satisfactorily settled by diplomacy, they will submit the whole subject-matter to arbitration.

Disputes as to the interpretation of a treaty, as to any question of international law, as to the existence of any fact which if established would constitute a breach of any international obligation, or as to the extent and nature of the reparation to be made for any such breach, are declared to be among those which are generally suitable for submission to arbitration.

For the consideration of any such dispute the court of arbitration to which the case is referred shall be the Court agreed on by the parties to the dispute or stipulated in any convention existing between them.

The Members of the League agree that they will carry out in full good faith any award that may be rendered, and that they will not resort to war against a Member of the League which complies therewith. In the event of any failure to carry out such an award, the Council shall propose what steps should be taken to give effect thereto.

ARTICLE 14

The Council shall formulate and submit to the Members of the League for adoption plans for the establishment of a Permanent Court of International Justice. The Court shall be competent to hear and determine any dispute of an international character which the parties thereto submit to it. The Court may also give an advisory opinion upon any dispute or question referred to it by the Council or by the Assembly.

ARTICLE 15

If there should arise between Members of the League any dispute likely to lead to a rupture, which is not submitted to arbitration in accordance with Article 13, the Members of the League agree that they will submit the matter to the Council. Any party to the dispute may effect such submission by giving notice of the existence of the dispute to the Secretary General, who will make all necessary arrangements for a full investigation and consideration thereof.

For this purpose the parties to the dispute will communicate to the Secretary General, as promptly as possible, statements of their case with all the relevant facts and papers, and the Council may forthwith direct the publication thereof.

The Council shall endeavor to effect a settlement of the dispute, and if such efforts are successful, a statement shall be made public giving such facts and explanations regarding the dispute and the terms of settlement thereof as the Council may deem appropriate.

If the dispute is not thus settled, the Council either unanimously or by a majority vote shall make and publish a report containing a statement of the facts of the dispute and the recommendations which are deemed just and proper in regard thereto.

Any Member of the League represented on the Council may make public a statement of the facts of the dispute and of its conclusions regarding the same.

If a report by the Council is unanimously agreed to by the members thereof other than the Representatives of one or more of the parties to the dispute, the Members of the League agree that they will not go to war with any party to the dispute which complies with the recommendations of the report.

If the Council fails to reach a report which is unanimously agreed to by the members thereof, other than the Representatives of one or more of the parties to the dispute, the Members of the League reserve to themselves the right to take such action as they shall consider necessary for the maintenance of right and justice.

If the dispute between the parties is claimed by one of them, and is found by the Council, to arise out of a matter which by international law is solely within the domestic jurisdiction of that party, the Council shall so report, and shall make no recommendation as to its settlement.

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 be made within fourteen days after the submission of the dispute to the Council.

In any case referred to the Assembly, all the provisions of this Article and of Article 12 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 16

Should any Member of the League resort to war in disregard of its covenants under Articles 12, 13, or 15, it shall *ipso facto* be deemed to have committed an act of war against all other Members of the League, which hereby undertake immediately to subject it to the severance of all trade or financial relations, the prohibition of all intercourse between their nations and the nationals of the covenant-breaking State and the nationals of any other State, whether a Member of the League or not.

It shall be the duty of the Council in such case to recommend to the several Governments concerned what effective military, naval, or air force the Members of the League shall severally contribute to the armed forces to be used to protect the covenants of the League.

The Members of the League agree, further, that they will mutually support one another in the financial and economic measures which are taken under this Article, in order to minimise the loss and inconvenience resulting from the above measures, and that they will mutually support one another in resisting any special measures aimed at one of their number by the covenant-breaking State, and that they will take the necessary steps to afford passage through their territory to the forces of any of the Members of the League which are co-operating to protect the covenants of the League.

Any Member of the League which has violated any covenant of the League may be declared to be no longer a Member of the League by a vote of the Council concurred in by the Representatives of all the other Members of the League represented thereon.

ARTICLE 17

In the event of a dispute between a Member of the League and a State which is not a Member of the League, or between States not Members of the League, the State or States, not Members of the League shall be invited to accept the obligations of membership in the League for the purposes of such dispute, upon such conditions as the Council may deem just. If such invitation is accepted, the provisions of Articles 12 to 16, inclusive, shall be applied with such modifications as may be deemed necessary by the Council.

Upon such invitation being given, the Council shall immediately institute an inquiry into the circumstances of the dispute and recommend such action as may seem best and most effectual in the circumstances.

If a State so invited shall refuse to accept the obligations of membership in the League for the purposes of such dispute, and shall resort to war against a Member of the League, the provisions of Article 16 shall be applicable as against the State taking such action.

If both parties to the dispute when so invited refuse to accept the obligations of membership in the League for the purpose of such dispute, the Council may take such measures and make such recommendations as will prevent hostilities and will result in the settlement of the dispute.

ARTICLE 18

Every treaty or international engagement entered into hereafter by any Member of the League shall be forthwith registered with the

Secretariat and shall as soon as possible be published by it. No such treaty or international engagement shall be binding until so registered.

ARTICLE 19

The Assembly may from time to time advise the reconsideration by Members of the League of treaties which have become inapplicable and the consideration of international conditions whose continuance might endanger the peace of the world.

ARTICLE 20

The Members of the League severally agree that this Covenant is accepted as abrogating all obligations or understandings *inter se* which are inconsistent with the terms thereof, and solemnly undertake that they will not hereafter enter into any engagements inconsistent with the terms thereof.

In case any Member of the League shall, before becoming a Member of the League, have undertaken any obligations inconsistent with the terms of this Covenant, it shall be the duty of such Member to take immediate steps to procure its release from such obligations.

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.

ARTICLE 22

To those colonies and territories which as a consequence of the late war have ceased to be under the sovereignty of the States which formerly governed them and which are inhabited by peoples not yet able to stand by themselves under the strenuous conditions of the modern world, there should be applied the principle that the well-being and development of such peoples form a sacred trust of civilisation and that securities for the performance of this trust should be embodied in this Covenant.

The best method of giving practical effect to this principle is that the tutelage of such peoples should be entrusted to advanced nations who by reason of their resources, their experience or their geographical position can best undertake this responsibility, and who are willing to accept it, and that this tutelage should be exercised by them as Mandatories on behalf of the League.

The character of the mandate must differ according to the stage of the development of the people, the geographical situation of the territory, its economic conditions, and other similar circumstances.

Certain communities formerly belonging to the Turkish Empire have reached a stage of development where their existence as independent nations can be provisionally recognized subject to the rendering of administrative advice and assistance by a Mandatory until such time as they are able to stand alone. The wishes of these communities must be a principal consideration in the selection of the Mandatory.

Other peoples, especially those of Central Africa, are at such a stage that the Mandatory must be responsible for the administration of the territory under conditions which will guarantee freedom of conscience and religion, subject only to the maintenance of public order and morals, the prohibition of abuses such as the slave trade, the arms traffic, and the liquor traffic, and the prevention of the establishment of fortifications or military and naval bases and of military training of the natives for other than police purposes and the defence of territory, and will also secure equal opportunities for the trade and commerce of other Members of the League.

There are territories, such as South-West Africa and certain of the South Pacific Islands, which, owing to the sparseness of their population, or their small size, or their remoteness from the centres of civilisation, or their geographical contiguity to the territory of the Mandatory, and other circumstances, can be best administered under the laws of the Mandatory as integral portions of its territory, subject to the safeguards above mentioned in the interests of the indigenous population.

In every case of mandate, the Mandatory shall render to the Council an annual report in reference to the territory committed to its charge.

The degree of authority, control, or administration to be exercised by the Mandatory shall, if not previously agreed upon by the Members of the League, be explicitly defined in each case by the Council.

A permanent Commission shall be constituted to receive and examine the annual reports of the Mandatories and to advise the Council on all matters relating to the observance of the mandates.

ARTICLE 23

Subject to and in accordance with the provisions of international conventions existing or hereafter to be agreed upon, the Members of the League:

- (a) will endeavour to secure and maintain fair and humane conditions of labour for men, women, and children, both in their own countries and in all countries to which their commercial and industrial relations extend, and for that purpose will establish and maintain the necessary international organizations;
- (b) undertake to secure just treatment of the native inhabitants of territories under their control;
- (c) will entrust the League with the general supervision over the

execution of agreements with regard to the traffic in women and children, and the traffic in opium and other dangerous drugs;

- (d) will entrust the League with the general supervision of the trade in arms and ammunition with the countries in which the control of this traffic is necessary in the common interest;
- (e) will make provision to secure and maintain freedom of communications and of transit and equitable treatment for the commerce of all Members of the League. In this connection, the special necessities of the regions devastated during the war of 1914-1918 shall be borne in mind;
- (f) will endeavour to take steps in matters of international concern for the prevention and control of disease.

ARTICLE 24

There shall be placed under the direction of the League all international bureaux already established by general treaties if the parties to such treaties consent. All such international bureaux and all commissions for the regulation of matters of international interest hereafter constituted shall be placed under the direction of the League.

In all matters of international interest which are regulated by general conventions but which are not placed under the control of international bureaux or commissions, the Secretariat of the League shall, subject to the consent of the Council and if desired by the parties, collect and distribute all relevant information and shall render any other assistance which may be necessary or desirable.

The Council may include as part of the expenses of the Secretariat the expenses of any bureau or commission which is placed under the direction of the League.

ARTICLE 25

The Members of the League agree to encourage and promote the establishment and co-operation of duly authorized voluntary national Red Cross organizations having as purposes the improvement of health, the prevention of disease, and the mitigation of suffering throughout the world.

ARTICLE 26

Amendments to this Covenant will take effect when ratified by the Members of the League whose representatives compose the Council and by a majority of the Members of the League whose Representatives compose the Assembly.

No such amendment shall bind any Member of the League which signifies its dissent therefrom, but in that case it shall cease to be a Member of the League.

A N N E X

I. ORIGINAL MEMBERS OF THE LEAGUE OF NATIONS SIGNATORIES OF THE
TREATY OF PEACE

UNITED STATES OF AMERICA.	HAITI.
BELGIUM.	HEDJAZ.
BOLIVIA.	HONDURAS.
BRAZIL.	ITALY.
BRITISH EMPIRE.	JAPAN.
CANADA.	LIBERIA.
AUSTRALIA.	NICARAGUA.
SOUTH AFRICA.	PANAMA.
NEW ZEALAND.	PERU.
INDIA.	POLAND.
CHINA.	PORTUGAL.
CUBA.	ROUMANIA.
ECUADOR.	SERB-CROAT-SLOVENE STATE.
FRANCE.	SIAM.
GREECE.	CZECHO-SLOVAKIA.
GUATEMALA.	URUGUAY.

STATES INVITED TO ACCEDE TO THE COVENANT

ARGENTINE REPUBLIC.	PERSIA.
CHILI.	SALVADOR.
COLOMBIA.	SPAIN.
DENMARK.	SWEDEN.
NETHERLANDS.	SWITZERLAND.
NORWAY.	VENEZUELA.
PARAGUAY.	

II. FIRST SECRETARY GENERAL OF THE LEAGUE OF NATIONS

The Honourable Sir James Eric DRUMMOND, K. C. M. G., C. B.

THE LEAGUE OF NATIONS

OUTLINE OF ARGUMENTS

Resolved. That the United States Should Join the League of Nations.

INTRODUCTION

- I. ORIGIN AND HISTORY OF THE QUESTION.
 - A. The League of Nations originated in the Paris Peace Conference after the World War, and the Covenant of the League of Nations was made a part of the Treaty of Versailles.
 - B. There are at present 52 members of the League. The principal nations not yet members are the United States, Germany, and Russia.
 - C. The United States Senate refused to accept the Covenant of the League in 1920, and during the same year Warren G. Harding was elected President on a presumably Anti-League platform; although the League was not a strict party issue.
 - D. Recent interest has been aroused in the question of the entrance of the United States into the League by the proposal of President Harding that we join the Permanent Court of International Justice, which is a part of the machinery of the League.
- II. DEFINITIONS.
 - A. By "the League of Nations" is meant the existing association of Nations created by the Peace Conference in Paris.
 - B. By the United States "joining" the League is meant that the United States should become a full member, without reservations.
- III. ADMITTED MATTER.
 - A. Both the affirmative and negative in this discussion admit that the majority of the people of the United States are desirous of preserving international peace.
 - B. Both sides admit that the interests of the United States, both local and foreign, should not be jeopardized.
 - C. Both sides admit that an association of nations constituting a super-state, and organized for imperialistic aggression, is undesirable, and unworthy of the consideration of the United States.
- IV. THE OUTSTANDING ISSUES IN THIS DISCUSSION SEEM TO BE:
 - A. Has the League of Nations proved itself practicable?
 - B. Is participation by the United States essential to the highest success of the League?
 - C. Has the present policy of isolation been harmful or beneficial?
 - D. Would America's interests be endangered by participation in the League?

AFFIRMATIVE

The United States should join the League of Nations, for

- I. The League of Nations has proved its practicability, for
 - A. It has been in active existence for three years, for
 1. The work of the League has been carried on continuously since the first sessions were held in January, 1920.
 2. Membership in the League has increased from 22 nations in January, 1920, to 52 nations in January, 1923.
 - B. It has provided a successful method for the prevention of war, for
 1. The controversy between Sweden and Finland over the Aaland Islands was settled peacefully by the League.
 2. War between Poland and Lithuania over the Vilna district was averted by means of the League's agencies.
 3. The dispute between Poland and Germany over the possession of Upper Silesia was successfully adjusted by the League.
 4. The question of Albanian boundaries was amicably settled after reference to the arbitration of the League.
 - C. Its efforts along other lines have been successful, for
 1. It has arranged for the return to their homes of more than 400,000 prisoners of war belonging to 26 nationalities.
 2. Through its commissions, it has aided millions of Russian, Greek, and Armenian refugees.
 3. It has stopped the spread of contagious diseases in Eastern Europe.
 4. It has regulated the traffic in opium and other noxious drugs to an appreciable extent.
 5. It has created at The Hague the Permanent Court of International Justice, which has already settled four questions, and now has three important cases on its docket.
 6. It has established the rule of publicity for international agreements by registering and publishing over 300 treaties made between nations.
 - D. It has not developed into a "super-state," for
 1. No weapons of force have been organized or employed, for
 - a. Economic pressure has been sufficient to enforce the decisions of the League, for
 - (1) Such pressure was sufficient to compel the settlement of the controversy between Albania and Jugoslavia.
 2. The Covenant can be and has been easily amended, for
 - a. Articles 4, 6, 12, 13, 15, and 16 have been amended by vote of the Assembly, and the member-states are now ratifying the amendments.

3. The League has not proved to be a tool in the hands of the Allies, for
 - a. Austria, Bulgaria, and Turkey have been admitted.
 - b. Germany, Soviet Russia, and Mexico have been excluded only because their governments are regarded as unstable, unrepresentative, and unfaithful to international obligations.
 - c. All neutrals have been admitted on equal terms with the Allies.
- II. Participation by the United States is essential to the highest success of the League, for
 - A. The United States is the natural leader in liberal, democratic reforms, for
 1. We have democratic traditions and have practiced political idealism to a greater extent than any other nation.
 2. We have always been strong advocates of arbitration treaties and conciliatory measures looking toward the maintenance of world peace.
 3. Woodrow Wilson, ex-President of the United States, was the originator and foremost spokesman of the League of Nations in its present form.
 - B. The League needs the influence of the United States, for
 1. The moral support of the strongest nation in the world will lend prestige and authority to the decisions of the League.
 2. The economic reconstruction work being carried on by the League is seriously hampered by the non-participation of the strongest economic power in the world.
 3. Non-coöperation by the United States has prevented the League from stamping out the traffic in opium and other noxious drugs.
 4. The absence of the United States is the chief obstacle to success in the League's efforts to bring about a reduction of armaments, for
 - a. The United States is the chief source of supply for arms and munitions of war.
- III. Our present policy of isolation has been detrimental both to Europe and to America, for
 - A. Europe has been led to believe that the United States does not desire world peace, for
 1. We have refused to participate in the disarmament negotiations of the League.
 - B. The actions of the United States have been inconsistent with her expressed policy of protection for oppressed peoples, for
 1. We refused to take the mandate for Armenia offered by the League, but have demanded scrupulous treatment of minorities by other nations, such as Turkey.

- C. Europe has been led to believe that the United States has no interest in international humanitarian projects, for
 - 1. The United States has refused to coöperate with the League in destroying contagious diseases, the traffic in opium and the like.
 - D. American economic interests have suffered, for
 - 1. The nations who distrust the motives of the United States have considerably less desire to trade with us.
 - E. It has hindered the establishment of international peace and justice, for
 - 1. The refusal of the United States to coöperate in plans for establishing peace eliminated the only solvent and disinterested power from world politics, for
 - a. Any expression of opinion by the United States has been disregarded in Europe, for
 - (1) It was felt that we were meddling in affairs in which we took no responsibility.
 - F. The strongest advocates of the policy of isolation in 1920 have virtually repudiated it, for
 - 1. President Harding has made several moves toward participation in international affairs, for
 - a. He has tried to form an Association of Nations to take the place of the present League.
 - b. He called an international conference on the Limitation of Armaments and questions of the Far East.
 - c. He has recently proposed that the United States enter the Permanent Court of International Justice, which was created by the League.
 - 2. Senator Borah has proposed an international agreement to outlaw war.
 - 3. In their moves toward coöperation, President Harding and Senator Borah have been supported by most of the leaders of the Republican party.
 - G. The advance of civilization has made isolation impossible at the present day.
- IV. America's interests will not be endangered by participation in the League, for
- A. The United States will be able to protect more readily her interests abroad, for
 - 1. Under present conditions the United States has to call a special conference, such as the Washington Conference, if she wants to settle a problem involving her interests.
 - 2. After joining the League, the United States will immediately have available a way of submitting her demands to the world.
 - B. The Monroe Doctrine will not be jeopardized, for

1. The nations have agreed to recognize any local policy and even to make a specific provision for the protection of the Monroe Doctrine.
- C. The purely local interests of the United States will be safe, for
 1. The League can take action on such matters only by a unanimous vote.
- D. The probability of the United States ever having to send an army to settle a foreign quarrel will be slight, for
 1. Experience has shown that economic pressure has been sufficient to enforce the decisions of the League.
 - a. The case of Albania and Jugo-Slavia required only a threat of an economic boycott.
 2. Article 10 will in all probability be amended in the near future, for
 - a. Lord Cecil has proposed a plan to remove its possibly objectionable features.
- E. The contention that the United States is discriminated against in the matter of votes in the Assembly is not valid, for
 1. Although England and her dominions have six votes, the practical dependency of such nations as Haiti, Cuba, and Central American states upon the United States more than balances this alleged superiority.
 2. English dominions are less likely to follow the lead of the mother country than America's proteges, for
 - a. The English dominions are large, prosperous, self-governing, and entirely independent in attitude toward world affairs.

NEGATIVE

The United States should not join the League of Nations, for

- I. The League of Nations has proved impracticable, for
 - A. It has not provided a successful method for the prevention of war, for
 1. Article 10 of the Covenant formally recognizes the fact that under certain circumstances war is necessary.
 2. Articles 10 and 11 do not even attempt to prohibit such disciplinary actions as America's punitive expedition into Mexico, or the Allied occupation of Russia.
 3. The League has done nothing in the Near East, where warfare has been practically continuous since 1918.
 4. It has allowed France by force and arms to devastate the Ruhr.
 5. According to a compilation by Miss Frances Kellor, quoted in *The Nation*, June 6, 1923, page 644, "since the Treaty of Versailles was signed, eleven European states

have resorted to arms to settle disputes with other Powers, and eight of these were members of the League. Three of the disputes were between members of the League—pledged by the Covenant never to resort to arms until after arbitration or inquiry by the League—and in four more the disputes were begun by members of it.”

6. The League has taken undue credit for the settlement of minor difficulties, for
 - a. The Finnish-Swedish dispute over the Aaland Islands was of little more significance than the recent Panama-Costa Rica dispute.
 - b. In the Vilna dispute, when Poland refused to bow to the League, the League bowed to Poland, leaving as its “settlement” a new Alsace-Lorraine to trouble the peace of Europe in coming decades.
 - c. In the settlement of the Upper Silesian dispute, Germany, a non-member, was discriminated against by the League in favor of France and Poland, according to Lloyd George.
 - d. In the Albanian-Serbian dispute, the League refused to take any action until the Conference of Ambassadors had settled the major point at issue. Then the League stepped in with a “commission of evacuation” and claimed credit for the whole.
- B. The importance of the League’s economic and social activities has been greatly exaggerated, for
 1. Although the League claims that Austria has been “saved” by the work of its financial commission, economic conditions are worse today than at any time since 1914, for
 - a. During the month of April, 1923, the price level of necessities rose 7% over the preceding month.
 - b. 300,000 workers in Vienna alone are either wholly or partially unemployed.
 2. American Relief organizations took the initiative in the fight against contagious diseases in the Near East, while the League claims the credit for the success.
 3. The traffic in opium has been only nominally restricted, for
 - a. The restriction has not been to medicinal and scientific needs but to “legitimate uses,” in order not to cut off Great Britain’s source of revenue from the traffic between China and India.
- C. The League has developed into an organization for imperialistic aggression, for
 1. Helpless minorities have been exploited by the Great Powers under the authority of Article 22.

2. The action of the League's representatives in the Saar constituted what ex-Premier Asquith of Great Britain called "a monstrous specimen of despotic legislation" without parallel in Czarist Russia.
 3. Russia and Germany have been denied membership in the so-called "universal" League, thus shutting out nearly 150 millions of people, or 40% of the population of Europe.
 4. Democratic amendments to the present Covenant are practically impossible, for
 - a. Either of the great Allied Powers of Great Britain, France, Italy, and Japan can block any proposed amendment, for such amendment can take effect only when ratified "by those states whose representatives compose the Executive Council." (Article 26.)
- II. Participation by the United States would not make the League successful, for
- A. The moral influence of the United States would be sacrificed, for
 1. A defective organization such as the League cannot be cured merely by overlooking the defects, for
 - a. As long as Russia and Germany remain outside the League, for instance, not even the presence of the United States can give the League the reality it lacks.
 2. The prestige which the United States now enjoys as the only non-partisan, unentangled nation in the world would be lost.
 - B. The effect of participation by the United States, according to the *Nation* for June 6, 1923, page 644, would be, "not to bring peace and alleviation to Europe, but to strengthen, by our alliance with them, the disruptive forces that have been dragging Europe steadily downward since 1914," for
 1. The defects in the original Covenant have not been removed.
 2. We cannot rely upon the expectation of future amendments.
 - C. As the *New Republic* for June 6, 1923, page 32, remarks, "It were better that the United States should withhold its support from a sham which must remain a sham, than that it should aid an enterprise destined to a failure that would end all hope of international effort for at least another generation."
- III. Our present policy of isolation has been beneficial both to Europe and to America, for
- A. Europe has had the benefit of our impartial counsel in matters relating to world welfare, for
 1. The Washington Conference on the problems of China

and the Near East was successful largely because the other nations of the world respected the unbiased opinions of the United States.

- B. The United States has not been drawn into the corrupt politics and diplomacy of Europe, for
 - 1. We have wisely refused to accept the responsibilities attendant upon the administration of troublesome mandates, for
 - a. The recent troubles of Armenia, for example, have shown the wisdom of our policy.
 - 2. Our influence has been used solely as mediator and advisor, without out taking sides with any one faction.
- C. It has enabled the United States to build up her own economic interests, for
 - 1. She has not been forced by any economic alliance to pay the costs of reconstruction in Europe.
 - 2. Her industrial expansion has not been hindered by a feeling of jealousy or distrust on the part of others.
- D. Participation in the Permanent Court of International Justice is not inconsistent with our hereditary policy of isolation, for
 - 1. Such participation does not involve what Washington called an "entangling alliance."
 - 2. Such participation does not involve a loss of sovereignty in any respect.
- IV. America's interests would be endangered by participation in the League, for
 - A. The provisions of the Covenant are destructive of the precepts of our Constitution, for
 - 1. The Covenant would take from the hands of Congress the power to declare war, for
 - a. The power to declare war rests with the Executive Council of the League.
 - 2. The exclusive power to raise and support armies and maintain a navy would be taken away from the United States, for
 - a. The Covenant provides that the Executive Council shall formulate plans limiting the size of our army and navy.
 - 3. The treaty-making power is taken away from the United States, for
 - a. Under the Constitution, a treaty becomes effective upon its ratification by the Senate.
 - b. Under the Covenant, no treaty becomes binding until it has been registered with the Secretary-General of the League.
 - B. The provisions of the Covenant are destructive of our sovereignty, for

1. The power to say when, where, and under what conditions our army and navy shall be used is destroyed, for
 - a. Article 10 of the Covenant would obligate the United States to place its military resources at the disposal of the League.
2. The League is given power to control our purely local interests, for
 - a. The questions of tariff laws, immigration restriction, and the war-debt come under the provision that anything which *might* lead to war becomes at once the subject matter of the League.
3. The equality of voting strength given by the League to all national sovereignties and principalities would put the United States in a subordinate position, for
 - a. Monaco, with 20,000 inhabitants, would have the same voice as the United States, with its 110 millions of people.
 - b. Great Britain, with her Dominions of Canada, South Africa, Australia, and New Zealand, could out-vote the United States five to one.

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AFFIRMATIVE ARGUMENTS

THE LEAGUE OF NATIONS AT THREE YEARS OF AGE

(BY CHARLES H. LEVERMORE)

What is the League of Nations?

An association of 52 States, formed in 1919-1920 for the promotion of the common welfare, the maintenance of international law and justice and the prevention of wars.

How is it supported?

By annual contributions of about \$5,000,000 from its 52 members, a sum which represents the average cost of two hours of war to the United States in 1918.

How nearly universal is the League?

It comprises the whole organized world except the following States: Abyssinia, Afghanistan, Dominican Republic, Ecuador, Germany, Hedjaz, Mexico, Russia, Tibet, Turkey, and the United States of America.

What has the League accomplished in its first three years?

1. It has handled five controversies in which war was threatened or probable, viz: over the Åland Islands (Sweden vs. Finland), the Vilna district (Poland vs. Lithuania), Upper Silesia (Poland vs. Germany), Albanian boundaries (Albania vs. Yugo Slavia), and Bulgarian refugees (Rumania, Yugo-Slavia and Greece vs. Bulgaria).
2. By the agency of Dr. Nansen it has returned to their homes at a cost of about £400,000, as many as 427,386 prisoners of war belonging to 26 different nationalities.
3. It has through, the same Commissioner brought help to many of the million and a half of Russian refugee exiles in Western Europe and especially to the thousands of them around Constantinople, and also to thousands of Greek and Armenian refugees from Asia Minor.
4. It has through its Public Health Organization maintained a heroic struggle on the eastern frontiers of Poland against typhus and other diseases carried especially by emigrants from Russia, and is now extending this beneficent work to other danger zones in the Mediterranean and African worlds.
5. It is trying to control and regulate the traffic in opium and other noxious drugs, and to stamp out the traffic in women and children. An obstacle to speedily successful solutions is the abstention of the United States from full membership.
6. It has established in the International Labor Organization a central agency for efforts to study and improve conditions of labor and relations between employers and wage-earners. Seventeen

Conventions framed and adopted by the Organization as bases for new legislation have already received 84 ratifications from various States.

7. It has charted the roads of financial, economic, and trade reconstruction, by the work of two great Commissions and a series of international conferences; in particular, it has helped to save Austria from economic collapse. Many of these plans have been greatly hampered by the absence of the United States.
8. It is grappling seriously and sanely with the problem of reduction of armaments and mutual guarantees of protection. One of the chief obstacles to success is the absence of the United States, from which there comes a great private traffic in arms and munitions of war.
9. It has created at The Hague the Permanent Court of International Justice, which has already settled four questions, and now has three important cases on its docket.
10. It is the ultimate authority for the government, until 1935, of the Saar Valley with 650,000 inhabitants, and behind the local government of the Free City of Danzig with 200,000 inhabitants.
11. It has created in its Mandates Commission an authority which each year publicly reviews what has been done in the colonial areas that were taken from Germany and entrusted to various Powers.
12. It has established the machinery whereby the complaints of racial, religious, and linguistic minorities become known to the world, and receive friendly consideration.
13. It has established the rule of publicity for international agreements by registering and publishing about 300 treaties made by its members.
14. It publishes monthly bulletins, official journals, and reports of all commissions, which may be obtained from "League of Nations, Geneva, Switzerland," or from "World Peace Foundations, 40 Mt. Vernon Street, Boston, Mass."
15. It maintains in the Secretariat and in the Labor Office two permanent staffs of experts always on the job and devoted to the organized administration of international affairs of common concern. The two staffs together number about 750, chosen from about forty States.
16. It maintains in its Council a permanent Consultative Committee, which can be summoned on brief notice and which may consider anything that threatens world-peace, and which directs the business of the organized world in the League. This is no Super-State, but a Family Council. Each member retains a right of veto.

17. It maintains in the Assembly an annual world conference, which controls the purse of the League, elects the majority of the Council and turns the searchlight of full information and public discussion on everything done within, by, and for the League of Nations.

FROM AN ADDRESS DELIVERED BY
JUSTICE JOHN H. CLARKE
AT NEW YORK, JANUARY 10, 1923

WHY NOT JOIN THE LEAGUE?

The Covenant of the League, in my judgment, and I speak now as an experienced lawyer, requires each nation subscribing to it to assume just four obligations important enough for discussion here.

Eliminating optional arbitration and refusing to believe it possible that our Government can ever submit a case to the Council or Assembly so without merit that there could be a unanimous finding against us, the fundamental and most important obligation we would assume by joining the League would be in substance an agreement that we will not go to war against any other member nation until after we have submitted our differences to the Council or Assembly for decision and a published report but with the right, abundantly reserved, to thereafter go to war—to appeal to the gun and torch—if we should wish to resort to it....

It should not be difficult for our Government to assume this obligation for it has today treaties with more than twenty nations each containing this provision for delay and investigation before either party shall make war on the other, every one of which has been duly entered into with the advice and consent of the Senate of the United States. These have significantly come to be known throughout the world as "Treaties to Promote Peace."

Assuredly, we are on solid ground in saying that there is no sound reason why this fundamental obligation of the Covenant of the League of Nations should not be accepted by our Government on its merits and also because we are already subject to it in treaties with all the important nations of the world save Russia, Germany and Turkey.

Fifty-two other nations, each as jealous of its liberty and independence as we of ours, have assumed this obligation—Why should America hesitate—why be afraid?

Consider with me next the remaining, subsidiary obligations.

The first of these relates to the limitation of armaments and very surely if it can be given effect, there is no provision of the Covenant that will contribute more toward securing the permanent peace of the world, for all experience serves to show that rivalry in arming inevitably leads the way to war.

The League is not given the power to limit the army or navy of any nation, but the Council is directed to formulate plans for the reduction of the armaments of all nations to the lowest point consistent with national and international safety and to submit such plans for the consideration of the various governments.

A Limited Obligation

Thus, the obligation we should here assume by joining the League would be, only, to consider the plans which may be proposed, with unrestricted right to accept or reject them, but to be bound by them for ten years if once accepted. Only distrust of ourselves, distrust in the capacity of our own Government to take care of our own interests in accepting such plans can make us hesitate to assume this obligation, and the enthusiasm with which the people and even the Senate of the United States accepted the treaties for naval limitation a year ago assures us that again we are on solid ground in urging the present Administration not to delay entry into the League on account of the responsibilities which this obligation involves.

Fifty-two other nations, great and small, each as jealous of its sovereignty as we of ours, have accepted this obligation—why should America be afraid?

The third obligation is under Article 16 and consists in an agreement to join the other nations in imposing a world-wide economic and social boycott upon any Covenant-breaking member of the League.

The present state of dependence of the nations each upon the other, some for food, some for raw materials of manufacture, and all for markets, renders this the new substitute of the modern world for the savagery of war. If Germany and Austria had known that if Belgium should be invaded instantly every other country and market in the world would be closed to them for either purchase or sale of every character, they never would have entered upon their desperate enterprise. The statesmen of all nations, the men who speak the last word for or against war, are a unit in declaring confidence that this universal boycott will prove a powerful agency in preventing future wars. Again, fifty-two nations, great and small, have assumed this obligation—why should America hesitate—why be afraid?

But now I come to Article 10 which has been so widely proclaimed as a promise of enduring peace and as a certain portent of many wars.

I think it very clear that this Article, when read with Articles 16 and 17, renders it necessary for any government entering the League to assume the possibility, remote though it be, of being at some time obliged to join the other free and honest nations of the world in defending liberty and independence from the assault of the predatory and the false—just as we were obliged to do in 1917 without the League.

Congress Only Can Declare War

But, even this remote possibility of war within the League can come to us under Article 10 only with the consent of our own representative on the Council, for such a decision under it must be a unanimous one, and with the consent also of our Congress, for it is too

clear for discussion that the treaty making power is subject to the constitutional limitation that only Congress can declare war, and this all the other nations know as well as we and they are dealing with us on this understanding. No reputable lawyer, that I have ever heard of, thinks to the contrary, outside, of course, of the United States Senate.....

But once again. Since this Article 10 must be discussed on the basis of America having suddenly turned timid, if not craven, even the demagog shouting—"Send our sons to the shambles of Europe—Never"—must be silenced by the vote of the Assembly of the League on September 27th last, which for the purpose of giving effect to the disarmament provisions of Article 8, directed the Council to prepare a form for "A Regional Treaty of Mutual Guarantee" to be submitted to all the members by the terms of which all obligation of any member to go to the assistance of another under that or any other provision of the Covenant will be limited to nations in the same part of the globe—meaning on the continent in which the occasion for war shall arise.

Additional Safeguards

When our obligation under this Article 10, so luridly pictured as drafting and driving our boys into the shambles of Europe under orders from foreign powers, is thus limited by practical construction and by definite treaty to this side the Atlantic, as every candid critic of the League believed it must be, surely even the most timid of our Little Americans must cease from troubling in the happy release from imaginary fears which will thus be brought to them—for thereby this terrifying article becomes our old familiar friend, the Monroe Doctrine, wearing a not very new face.

ISOLATION MUST BE ABANDONED

(FROM: NATIONAL ORDER AND INTERNATIONAL PEACE)

BY LINDSAY ROGERS

The first international duty of the United States is that no attempt must be made to resume the false pretense of isolation which was abandoned when this country declared war. America must frankly recognize both this opportunity and its duty in *Weltpolitik*. And this must be the case for a reason, which, it seems to me, is more important and more compelling, although less inspiring, than that given in President Wilson's great Boston address. America is needed, he said, because she is impartial, because her motives cannot be suspected. She gave the war a leaven of idealism. Men lifted their

heads and fought for a vision. She cannot now draw back, admit her insincerity, and say that in selfish and powerful isolation she will have no concern with the affairs of Europe. The world, crying for peace, pleading for a way out of its rivalries and dissensions and balance of power theories, cannot be rebuffed by America's refusal. But noble and true as these sentiments are, it seems to me that there is a more practical argument. The development of modern science, particularly as applied to warfare, has ended for all time American isolation. Neutrality will be impossible—just as it was impossible in the war now over—when the balance of power in the world and human freedom are the stakes. But if neutrality is impossible, if the United States is to be inevitably drawn into the next war, surely it is the better wisdom to contribute the utmost possible toward removing the causes of disputes and to be concerned with old world problems, not in any meddling, entangling spirit, but because concern and solution will eliminate the occasions of war. Nor should it be forgotten that the resort to arms will be delayed and probably avoided if the great and powerful new world is pledged to redress the balance of the old on the side of justice and right.

The League of Nations a "Vehicle of Life"

The League of Nations, if it is inaugurated, will insure a better regard for treaties by guaranteeing them. But the guaranteeing of treaty arrangements that are unsatisfactory or unjust can only breed dislike and distrust of a League of Nations. No matter how powerful and competent a League is formed, it is of fundamental importance that all the treaty engagements be temporary, either for a definite term of years or, if it should be deemed inadvisable to fix a date for revision, that clauses be inserted making it possible at any time for powers which are dissatisfied or aggrieved to present their cases before a body with authority to recommend a repeal or amendment of the treaty provisions that are deemed obnoxious. If the League of Nations is given only very limited authority, an attempt will thus be made to avoid treaty violations like those in the past. If there is a strong, competent League of Nations, it will be a League that will allow for change and through periodic revision of treaties it will make less likely the use of collective force in order to prevent a disturbance of the peace and compel compliance with regulations that have become obsolete and whose enforcement would be an injustice.

There is no greater fallacy in international relations than the idea that the world is static. We recognize the contrary when we allow for the amendment of the Constitution of the United States and the repeal of Congressional statutes. One trouble with previous international settlements and with dreams of perpetual peace like that of

the Holy Alliance—the failure of which is now cited to confute the advocates of a League of Nations—is that they did not allow for any change. They wished to preserve for all time the then existing international order. And yet, if there had not been change in international relations we should have had no Belgium, no separation of Norway and Sweden, no united Germany, no united Italy. Racial problems in the Balkans have always been known to students; but who, ten years ago, would have prophesied that in 1919 we would determine what political recognition is due the Czechs and Slovaks and Ruthenians and Jugo-Slavs? Other equally unforeseen problems will come up in the future. Territorial adjustments will be necessary. Protectorates and vassal states, created by the conference, will be ready to cast off their swaddling clothes, and there is continually the necessity for change in commercial treaties. It should be frankly recognized that, like national constitutions and legislation, international enactments are not for all time. It may be wise to make change difficult; to be certain that hasty, ignorant passion is not translated into the public law of nations. But there should certainly not be the attempt to put international treaties in the same class with the multiplication table.

We hear much about a League of Nations involving an impairment of sovereignty and limiting national action, but the greatest impairment of sovereignty is a treaty made for all time. Frequently its existence is forgotten until suddenly, with no warning, a state is confronted by repudiation or by being held to arrangements that seriously oppose its national interest. Nor is there anything more deadening to an intelligent interest in foreign affairs than a series of treaties which assume a static world and do not provide for change. On the other hand it is difficult to conceive a greater educative value than would result from the periodic revision of international treaties. Constitutional changes taking the treaty-making power from the executive and requiring legislative approval are relatively unimportant compared with a lack of interest on the part of the people. It has been notorious that peoples have known little and cared less about international problems. If there is hope for the future of international society it is dependent upon a well-informed public opinion, eager to right wrongs that exist and fully aware of the importance of interstate dealings. In domestic affairs, through somewhat hard experiences the people have learned that the possession of great power without knowledge does not avail them as much as knowledge with less power. If, as President Wilson said in his address to the Peace Conference on a League of Nations, "the fortunes of mankind are now in the hands of the plain people," they should, by periodical revision of treaties, be given an opportunity to know what those international problems are. There is no more effective bar to democratic control of foreign policy than international arrangements made to bind succeeding generations.

A League of Peoples, Not a League of Statesmen

Furthermore, it is the manifest duty of the United States to insist that the "plain people" be given a voice in the determination of their fortunes. Democracies have not always been distinguished by pacific intentions but there is now everywhere such a sickness of war that, if the people have the power, they will not, at least until memory is dimmed, be inclined to use it to endanger the peace of the world. In the past the democratic instinct has been frequently proved correct. Public opinion checked Lord Beaconsfield in the late seventies when he was eager to support Turkey even at the cost of war. British democracy was more correct than the foreign office in its estimate of the American Civil War and the South African War. In the United States public opinion has an intrenched position since only Congress can declare war and all treaties, to be binding, must be submitted to the Senate. It is well that this is the case since, with these two exceptions, an almost absolute control of foreign affairs has been gradually assumed by American Presidents. Our foreign policy is conducted under conditions that are thoroughly undemocratic. Diplomacy proceeding "frankly and in the public view"—the first of the war aims enumerated by Mr. Wilson in his epoch-making address of January 8, 1918—will mean as great a change for the United States as for the Allies. Reforms are essential, but of perhaps greater importance is education. Public opinion must be keenly alive to all intelligent decisions. This can be more easily achieved if provision is made for international progress and change. Coupling to this provision the representation of the *people*, not merely of governments, in a world legislative or advisory congress, the United States will contribute toward a notable advance, both in maintaining national order and its equivalent in a broader sphere, international peace.

"What is the Third Estate?" asked Sieyes in his famous pamphlet. "Everything" was the answer. "What has it been in politics until now? Nothing. What does it ask? To become something." That is what a present pamphleteer could say with reference to foreign politics; and to preserve national order will be futile unless the masses of the people are given real representation in international affairs. The United States gave the world a splendidly successful illustration of the virtues of republican institutions and of the peaceful settlement of interstate differences. It now has the greater opportunity of democratizing the international government which is to be instituted because the masses of the people, through Mr. Wilson and other statesmen, have spoken in no uncertain terms.

Progress Through "The Search for Utopias"

"Whenever great intellectual cultivation has been combined with that suffering which is inseparable from extensive changes in the condition of the people," wrote Lord Acton, "men of speculative or

imaginative genius have wrought in the contemplation of an ideal society a remedy, or at least a consolation, for evils which they were practically unable to remove." Plato, Plotinus, Sir Thomas More, Fenelon, Campanella, Harrington, Rousseau, Kant—all have had their ideal societies. "The scheme of a philosopher," Lord Acton went on to say, "can command the practical allegiance of fanatics only, not of nations." A plan of regeneration will not be matured "unless a new notion of happiness is joined to the sense of present evil."

The statesman is nothing more, according to Burke, than the philosopher in action; and, remarkable as it now seems, Senator Henry Cabot Lodge, in addresses delivered three or four years ago, showed that he was such a statesman, that, like President Wilson, he believed that visions of ideal societies are the beacons to guide our footsteps along the paths of progress, and that only by striving after Utopias can advances be made. Answering the objections that the idea of a League of Nations was impracticable, Senator Lodge declared (June 9, 1915) that "it is better than the idea that war can be stopped by language, by speech-making, by vain agreements which no one would carry out when the stress came, by denunciations of war and laudations of peace, in which all men agree, for these methods are not only impracticable, but impossible and barren of all hope of real result. It may seem Utopian at this moment to suggest a union of civilized nations in order to put a controlling force behind the maintenance of peace and international order; but it is through the aspirations for perfection, through the search for Utopias that the real advances have been made."

To hold fast to those principles is America's final opportunity and duty. The war has been won and our ideals have triumphed on the battlefield. They can be maintained and peace can be secured only by "the establishment of the idea of public right as the governing idea of European politics." Mr. Asquith, in the early days of the war, took this phrase of Gladstone's and declared that it "meant the substitution for force, for the clash of competing ambitions, for groupings and alliances and a precarious equipoise—the substitution for all these things of a real European partnership, based on the common will." The entry of the United States into the war made a world partnership possible and we cannot now draw back for, as Mr. Wilson eloquently put it in his address to Congress asking for a declaration of war:

"We have no selfish ends to serve. We desire no conquest, no dominion. We seek no indemnities for ourselves, no material compensation for the sacrifices we shall freely make. We are but one of the champions of the rights of mankind. We shall be satisfied when those rights have been made as secure as the faith and freedom of nations can make them."

These rights cannot be secured without the help of the United States, and to keep before it this pledge is America's transcendent duty.

FROM THE SPEECH DELIVERED BY PRESIDENT WILSON
BEFORE THE PEACE CONFERENCE AT THE READ-
ING OF THE DRAFT OF THE CONSTITUTION
OF THE LEAGUE OF NATIONS

(REPRINTED FROM THE NEW YORK TIMES, FEBRUARY 15, 1919.)

"Now as to the character of the document. While it has consumed some time to read this document, I think you will see at once that it is very simple, and in nothing so simple as in the structure which it suggests for a League of Nations—a body of delegates, an Executive Council, and a permanent secretariat.

"When it came to the question of determining the character of the representation in the body of delegates, we were all aware of a feeling which is current throughout the world. Inasmuch as I am stating it in the presence of the official representatives of the various governments here present, including myself I may say that there is a universal feeling that the world cannot rest satisfied with merely official guidance. There has reached us through many channels the feeling that if the deliberating body of the League of Nations was merely to be a body of officials representing the various Governments, the peoples of the world would not be sure that some of the mistakes which preoccupied officials had admittedly made might not be repeated.

"It was impossible to conceive a method or an assembly so large and various as to be really representative of the great body of the peoples of the world, because, as I roughly reckon it, we represent, as we sit around this table, more than twelve hundred million people. You cannot have a representative of twelve hundred million people, but if you leave it to each government to have, if it pleases, one or two or three representatives, though only with a single vote, it may vary its representation from time to time, not only, but it may [originate] the choice of its several representatives. [Wireless here unintelligible.]

Therefore, we thought that this was a proper and a very prudent concession to the practically universal opinion of plain men everywhere that they wanted the door left open to a variety of representation, instead of being confined to a single official body with which they could or might not find themselves in sympathy.

"And you will notice that this body has unlimited rights of discussion—I mean of discussion of anything that falls within the field of international relations—and that it is especially agreed that war or international misunderstandings, or anything that may lead to friction or trouble, is everybody's business, because it may affect the peace of the world.

"And in order to safeguard the popular power so far as we could of this representative body, it is provided, you will notice, that when

a subject is submitted, it is not to arbitration, but to discussion by the Executive Council. It can, upon the initiative of either of the parties to the dispute, be drawn out of the Executive Council into the larger forum of the general body of delegates, because through this instrument we are depending primarily and chiefly upon one great force, and this is the moral force of the public opinion of the world—the pleasing and clarifying and compelling influences of publicity, so that intrigues can no longer have their coverts, so that designs that are sinister can at any time be drawn into the open, so that those things that are destroyed by the light may be promptly destroyed by the overwhelming light of the universal expression of the condemnation of the world.

“Armed force is in the background in this program, but it is in the background, and if the moral force of the world will not suffice, the physical force of the world shall. But that is the last resort, because this is intended as a constitution of peace, not as a league of war.

“The simplicity of the document seems to me to be one of its chief virtues, because, speaking for myself, I was unable to see the variety of circumstances with which this League would have to deal. I was unable, therefore, to plan all the machinery that might be necessary to meet the differing and unexpected contingencies. Therefore, I should say of this document that it is not a straitjacket, but a vehicle of life.

“A living thing is born, and we must see to it what clothes we put on it. It is not a vehicle of power, but a vehicle in which power may be varied at the discretion of those who exercise it and in accordance with the changing circumstances of the time. And yet, while it is elastic, while it is general in its terms, it is definite in the one thing that we were called upon to make definite. It is a definite guarantee of peace. It is a definite guarantee by word against aggression. It is a definite guarantee against the things which have just come near bringing the whole structure of civilization into ruin.

“Its purposes do not for a moment lie vague. Its purposes are declared, and its powers are unmistakable. It is not in contemplation that this should be merely a league to secure the peace of the world. It is a league which can be used for coöperation in any international matter. That is the significance of the provision introduced concerning labor. There are many ameliorations of labor conditions which can be effected by conference and discussion. I anticipated that there will be a very great usefulness in the Bureau of Labor which it is contemplated shall be set up by the League. Men and women and children who work have been in the background through long ages, and sometimes seemed to be forgotten, while governments have had their watchful and suspicious eyes upon the manoeuvres of one an-

other, while the thought of statesmen has been about structural action and the larger transactions of commerce and finance.

"Now if I may believe the picture which I see, there comes into the foreground the great body of the laboring people of the world, the men and women and children upon whom the great burden of sustaining the world must from day to day fall, whether we wish it to do so or not, people who go to bed tired and wake up without the stimulation of lively hope. These people will be drawn into the field of international consultation and help, and will be among the wards of the combined governments of the world. There is, I take leave to say, a very great step in advance in the mere conception of that.

"Then, as you will notice, there is an imperative article concerning the publicity of all international agreements. Henceforth, no member of the League can claim any agreement valid which it has not registered with the Secretary General, in whose office, of course, it will be subject to the examination of anybody representing a member of the League. And the duty is laid upon the Secretary General to publish every document of that sort at the earliest possible time.

"I suppose most persons who have not been conversant with the business of foreign affairs do not realize how many hundreds of these agreements are made in a single year, and how difficult it might be to publish the more unimportant of them immediately, how uninteresting it would be to most of the world to publish them immediately, but even they must be published just as soon as it is possible for the Secretary General to publish them.

"Then there is a feature about this covenant which, to my mind, is one of the greatest and most satisfactory advances that has been made. We are done with annexations of helpless peoples, meant in some instances by some powers to be used merely for exploitation. We recognize in the most solemn manner that the helpless and undeveloped peoples of the world, being in that condition, put an obligation upon us to look after their interests primarily before we use them for our interests, and that in all cases of this sort hereafter it shall be the duty of the League to see that the nations who are assigned as the tutors and advisers and directors of these peoples shall look to their interests and their development before they look to the interests and desires of the mandatory nation itself.

"There has been no greater advance than this, gentlemen. If you look back upon the history of the world you will see how helpless peoples have too often been a prey to powers that had no conscience in the matter. It has been one of the many distressing revelations of recent years that the great power which has just been, happily, defeated, put intolerable burdens and injustices upon the helpless people of some of the colonies which it annexed to itself, that its interest was rather their extermination than their development, that

the desire was to possess their land for European purposes and not to enjoy their confidence in order that mankind might be lifted in these places to the next higher level.

"Now, the world, expressing its conscience in law, says there is an end of that, that our consciences shall be settled to this thing. States will be picked out which have already shown that they can exercise a conscience in this matter, and under their tutelage the helpless peoples of the world will come into a new light and into a new hope.

"So I think I can say of this document that it is at one and the same time a practical document and a human document. There is a pulse of sympathy in it. There is a compulsion of conscience throughout it. It is practical, and yet it is intended to purify, to rectify, to elevate. And I want to say that so far as my observation instructs me, this is in one sense a belated document. I believe that the conscience of the world has long been prepared to express itself in some such way. We are not just now discovering our sympathy for these people and our interest in them. We are simply expressing it, for it has long been felt, and in the administration of the affairs of more than one of the great States represented here—so far as I know, all of the great States that are represented here—that humane impulse has already expressed itself in their dealings with their colonies, whose peoples were yet at a low stage of civilization.

"We have had many instances of colonies lifted into the sphere of complete self-government. This is not the discovery of a principle. It is the universal application of a principle. It is the agreement of the great nations which have tried to live by these standards in their separate administrations to unite in seeing that their common force and their common thought and intelligence are lent to this great and humane enterprise. I think it is an occasion, therefore, for the most profound satisfaction that this humane decision should have been reached in a matter for which the world has long been waiting and until a very recent period thought that it was still too early to hope.

"Many terrible things have come out of this war, gentlemen, but some very beautiful things have come out of it. Wrong has been defeated, but the rest of the world has been more conscious than it ever was before of the majority of right. People that were suspicious of one another can now live as friends and comrades in a single family, and desire to do so. The miasma of distrust, of intrigue, is cleared away. Men are looking eye to eye and saying, 'We are brothers and have a common purpose. We did not realize it before, but now we do realize it, and this is our covenant of friendship.'"

THE RUNNING SANDS

BY EDWARD M. HOUSE

(FOREIGN AFFAIRS: JUNE 15, 1923)

"The sands are running out, and unless some strong hand can even now clutch Europe and rescue her from the slope down which she is slipping, the catastrophe of peace may yet become far greater than that of the Great War."—General Smuts.

...The question arises, now that we have the power, what shall we do with it? Our isolationists believe it should be used solely for our own protection, and that we should go our way leaving the rest of the world to go theirs. There is a certain appeal in such a programme, which many would like to follow if it were possible. Fortunately, or unfortunately, as the view may be, it cannot be done. In this Year of Our Lord, 1923, we can no more ignore other nations than one ward in a city can ignore other wards of that same community. The first ward may say that the second ward is unsanitary and deserves the cholera and typhus which has come to it, and that it will do nothing to help. But when cholera and typhus spread into the first ward, then it must in self-protection lend its aid.

That is the position of the United States today. We are staying our powerful hand, declaring that a devastated and disease-stricken Europe must save itself.

The drifting of our government in the direction of complete isolation illustrates certain peculiar phenomena of politics. When President Wilson returned home from Paris with the Treaty of Versailles perhaps eighty per cent of our people were heartily in favor of the League of Nations in some form. A wealth of evidence supports this statement. If we go back to the late summer and autumn of 1919 we find the churches and social organizations throughout the United States urging ratification of the Treaty, and largely because of the League. A special committee of the American Bar Association urged unqualified ratification of the Peace Treaty at the annual convention at Boston, September 4, 1919. The Massachusetts Republican Convention in session at Boston, October 4, 1919, unanimously passed a resolution favoring: "Prompt ratification of the treaty of peace, without amendment, but with such unequivocal and effective reservation as will make clear the unconditional right of the United States to withdraw from the League upon due notice; as will provide that the United States shall assume no obligations to employ American soldier and sailors until Congress shall, by a resolution, so direct; as will make it clear that no domestic questions, such as the tariff and immigration, will be taken from the control of the United

States, and that the United States shall be the sole judge as to the interpretation of the Monroe Doctrine. There must be no abridgment of the sovereignty of the nation, of the control of its own domestic affairs, or of the maintenance of its national policies." Labor and commercial organizations in all parts of the country followed. Never was greater pressure brought to bear upon a legislative body than was brought to bear upon the United States Senate to pass the Treaty in some form.

Then came the irreconcilable conflict between the legislative and executive branches of our government. The President was determined to have his way, and the Senate were equally determined to have theirs. Unfortunately, the Senate had the power to compel the President to yield or lose confirmation of the Treaty, and equally unfortunately, he refused to give way. As far as his approach to the Senate was concerned, in my judgment, the President's purpose was impeccable but his manner unfortunate.

Once in politics, the League became its football. It was kicked hither and thither, the public mind became confused and all sense of justice and proportion was lost. The fears of women and the cupidity of men were played upon in the electoral campaign and the worst apprehensions of those who desired to keep such a question out of politics were realized. Nevertheless, the League was not the determining factor in the campaign. The Paris Peace Conference, its prelude and its aftermath, which had aroused the nationalistic susceptibilities of Germans, Irish, Italians, and Greeks in Europe, affected those of the same race in this country and they voted *en masse* against the Democratic nominees. The reasons for this are obvious, but that their judgment was hasty and mistaken is becoming every day more certain. The high cost of living and the inevitable complaints of post-war conditions combined to give the Republicans a record-breaking majority.

So easily does misunderstanding and prejudice grow that although the League is but an infant a few years old, already two phantom Leagues, figments of the imagination, have been created, the one submerging nationalities and dominating them as a super-state, the other a spineless, ineffectual society which fails to intervene when necessary and refuses to do the impossible. Meanwhile the real Association of fifty-two nations is functioning at Geneva, moulding opinion toward the ways of peace and striking at the heart of social and hygienic evils which have become a menace to the general welfare.

Some two years ago in *La Revue de Geneve* I wrote: "If war had not come in 1914 in fierce and exaggerated form, the idea of an association of nations would probably have remained dormant, for great reforms seldom materialize except during great human upheavals. The world has grown but slowly into its present partially civilized condition. It took a long time to overcome the belief that

might was right, but it is now conceded that the physically strong must not oppress those weaker than themselves. The more advanced nations have laws recognizing the sanctity of property and the protection of person, but international laws and ethics have not kept pace with intra-national laws and ethics. It is no longer possible to kill the individual man and appropriate his property without being liable to immediate and drastic punishment. It is this intra-state code of laws and morals that the League of Nations is seeking to apply to the international situation. If law and order are good within states, there can be no reason why they should not be good between states. Nations were driven to adopt restrictive and restraining laws in order that their people might live and enjoy the benefits of industry, and the Great War has forced them for the same reasons to band together for mutual help and preservation. If this is not done we must perish, and, necessity being the mother of invention, we shall find the way. If the Covenant is weak in places it must be strengthened as time goes on and as the exigencies of the occasion demand, but it must never cease to function if civilization is to advance and not disappear."

Had Governor Cox been elected President in 1920 the French would not be in the Ruhr in 1923, and enlightened Germans are now beginning to realize this. With a President committed to a policy of keeping our hands on the plough until the furrow had been run, we could have been as powerful in winning the peace as we were in winning the war. The League of Nations has done its best toward stabilizing Europe, and could have succeeded plus our help; and that we refused. In consequence our moral prestige has fallen throughout the world.

The United States, after having risen to heights of courage and idealism in its entry and prosecution of the war, has gone to the other extreme in the making of peace. For taking this course history will probably be even less sparing of us than our present-day critics.

Therefore, until tomorrow, when we shall again lend a guiding and helping hand, Europe must work out its own salvation. The problems are acute, but they are not insoluble, even without our aid. The French adventure in the Ruhr may not be wholly bad in its consequences. The Germans are now realizing the bitterness of defeat, and the French are not accomplishing what they sought. This may lead both to a maximum effort toward mutual accommodation. When each side reaches such a frame of mind an agreement can be brought about. Germany must be willing to accept France's fear as a fact, not an illusion, and must offer to meet it in any reasonable way. This might be done by creating a zone of ample proportions along the Rhine in which Germany would agree to dismantle fortifications already there and build no new ones; she might also agree neither to maintain nor recruit troops within that area. Such a zone is al-

ready partially warranted by the Treaty of Versailles in Part V, Chapter IV, Article 180, which reads: "All fortified works, fortresses and field works situated in German territory to the west of a line drawn fifty kilometres to the east of the Rhine shall be disarmed and dismantled." In addition, France might obtain an especial guarantee from both Great Britain and Italy, similar to that offered at Paris by Lloyd George and Wilson.

The Irish Free State has now made application for membership in the League and undoubtedly will be admitted at the September meeting. The League is a God-sent haven for such states as Ireland. While many of her differences with Great Britain have been settled by treaty, there are still matters to be threshed out between them. They may be able to arrange these unsettled problems privately, but if they cannot Ireland has sought the only forum open to her where it can be done.

Germany, too, will doubtless soon seek the same sanctuary. In the League a hearing before all the nations of the world may be had, and if not the power of the League then surely the power of public opinion may be invoked. When Ireland and Germany are once members of the League there is certain to be a desire on their part for the United States also to join, for what other nation is there whose interests are more detached than ours?

Germany should be permitted League membership, and the League should undertake to see that Germany lived up to her obligations in the restricted zone. Once secured from unwarranted invasion, France should, and doubtless would, be reasonable as to the sum Germany must pay for reparations. This sum and the time and manner of its payment should be determined by a commission to be agreed upon by France and Germany. This commission should also present a plan for the stabilization of the mark and for specifying the nature of security Germany should give that her obligations would be met as they became due. Once the entire problem was in course of settlement, American and European bankers would probably co-operate to make the plan a success. These measures should have been taken as soon as the United States stepped from under the responsibilities of peace-making.

But while the United States of today is not the United States of yesterday there are unmistakable indications that she is also not the United States of tomorrow. The courage and selflessness which were the compelling influences that brought us into the war are but latent, and will leap forth under proper leadership. After 1917-18 Europe will scarcely make the mistake of thinking that we are as timid and selfish as our present attitude would indicate. Our people, native and foreign-born, cherish the belief that this Republic was created to become an instrument for the betterment of man, and not merely a pleasant and safe abiding place. They will not be content

until the United States has again assumed the leadership and responsibilities in world affairs commensurate with her moral, economic and political position.

THE LEAGUE OF NATIONS

A LETTER FROM LORD ROBERT CECIL

(INTERPRETER PUBLISHING CORPORATION, NEW YORK, 1923)

No decent Englishman would venture to criticise the present policy of the United States. For is it not just what we tried to do years ago? We thought we could keep aloof from Continental Europe. We called it "splendid isolation." But it failed. If you are continually trading with other nations, selling them goods and buying others from them, lending them money, yes, and reading their books, listening to their plays and looking at their pictures it just is not true that their welfare is a matter of indifference to you.

Suppose, to take an extreme case, Europe relapsed into the condition she was in in the ninth century—a prospect which a very distinguished American friend of mine, a Republican, used to speak of as not impossible—would that make no difference to America? Assume for an instant that it would be economically unimportant—a large assumption—is there nothing else? Does American progress, culture, civilization owe nothing to the older peoples? No intelligent European would admit the converse, for we all acknowledge that we owe much to the United States.

I have heard much talk of the League as a superstate, destructive of national sovereignty. It really is not so. Do Americans seriously believe that France or Japan or Italy, let alone the British Empire, have sacrificed their independence to a World State? or that freedom loving peoples like the Swiss, the Dutch, the Scandinavian countries, are now controlled by a World Government? I do not forget Articles X and XVI of the Covenant. But let their critics cease to regard them as controversial half-bricks useful to hurl at their opponents, and read them quietly through with a desire to make the best of them. I assert, and I have the backing of the Assembly of the League representing all its members, that these articles say only that no state ought to try and set right an international grievance by aggressive war till all else has been tried, and that if it does each of its fellow members in the League will if, and only if, each is convinced that such indefensible aggression has taken place, break off all relations with the aggressor and consult with the other members of the League what further steps if any should be taken to restore the peace of the world. I am not saying these articles, or any other articles of the Covenant are perfect. Very likely they could be improved. But I do say that the Covenant is a sincere attempt to secure peace, and that taking everything into consideration the League has been shown to be fairly efficient for the purpose. How much

more efficient it will be when it has secured the coöperation of all nations those know best who know most about the League.

No one will dispute that the League is not yet strong enough to take advantage of all its opportunities. The thousands of human beings slaughtered in the Near East, and the millions of money wasted in Germany and elsewhere are heartrending witnesses of this truth. Still it has done much. It has averted three wars; it has established an International Court of Justice, it has laid the foundations of a real law of nations; it is helping nations to understand one another and improving their intercourse; it has struck vigorous blows at world evils like the traffic in women and children, and the sale of opium, cocaine and other noxious drugs, it has freed hundreds of thousands of starving captives; it has established a standard of government for backward peoples; it is protecting racial and religious minorities and it has taken the first steps toward the completion on land and in the air of the Washington policy of disarmament at sea.

These are surely no achievements for a "truncated" League. Doubtless the Covenant is imperfect—no one thinks it was verbally inspired. But if it is doing good work, if it is making for the peace of a distracted world is it quite sound to stand aside altogether and decline to help by counsel or moral support? Will you not tell us what you think is wrong, what improvements you desire, what are your conditions for coöperation? You will not find the Members of the League obstinately opposed to change. True the League can, it will, it must go on in any case. The peace of the world depends on it. But it is the plain fact that with your help the peace of the world will be more rapidly and certainly attained.

CHALLENGE HARDING; DENY LEAGUE DEATH

FROM NEW YORK TIMES, JUNE 25, 1923

The League of Nations Non-Partisan Association yesterday made public a telegram to President Harding, taking issue with the statement in his St. Louis speech that "the League is as dead as slavery." The telegram, signed by George W. Wickersham, President of the Council; Everett Colby, Chairman of the Executive Committee, and William H. Short, Executive Director, read:

In your speech at St. Louis on June 21 you said, "The League of Nations is as dead as slavery." There are millions of people in the United States who differ from you. Some are members of the League of Nations Non-Partisan Association and more are joining every day.

In the few weeks since our President, Justice John H. Clarke, made his New York Speech in favor of joining the League, those who believe American membership still an issue have created organizations in thirty-six States and additional branches in cities and counties.

As an indication of the number and character of those who believe this issue still alive, it may be stated that fifty-one American Protestant bishops have already joined, nor do the bishops stand alone, for every Protestant church in America has declared for American membership, multitudes of Catholic clergy and laity are working for it, and the Jewish rabbis and people are nearly solid in its support.

The faculties and students in our higher institutions of learning are all but unanimously for the League, and a cause that has their support is far from being "as dead as slavery."

Support given by labor, women, agriculture, and a large part of business to American membership makes the issue very much alive.

You declared on October 2, 1920, that the League of Nations was "already scrapped" and not worth paying attention to, and your administration began by trying to ignore its existence. But the logic of events has led our Government, step by step, to take part in the great humanitarian work that the League is doing and we are now proposing to go into the permanent Court of International Justice, which the League alone was able to bring into existence after successive administrations had vainly tried since 1897 to do so. We applaud you for your enlightened attitude on these questions and feel certain that the manifest impossibility of the United States standing aloof from the rest of the world, to which you have lately so feelingly referred, will finally lead our country into full association with the League.

We are certain you will not allow your concern for harmony within your party to lead you into the unfortunate position of forgetting your party and personal pledges.

On October 9, 1920, your present Secretary of Commerce, Herbert Hoover, expressed the convictions and feelings of millions of American voters in the following words:

The Republican Party has pledged itself by its platform, by the action of its majority in the Senate, by the repeated statements of Senator Harding, that it undertakes the fundamental mission to put into living being the principle of an organized association of nations for preservation of peace. The carrying out of that promise is the test of the entire sincerity, integrity and statesmanship of the Republican Party.

If, by any chance, it should fail, it will leave a deeper wound in the American people than the temporary delay in our adherence to a League of Nations. It will have destroyed the confidence of our people in party government.

The issue of this principle of proper organized action of nations to prevent war will not down. It belongs to no party and no creed. It will be the critical issue of forward-looking men in all nations until it succeeds in finally overthrowing militarism as a basis of world relations.

Believing that Mr. Hoover's sentiments express the opinion of a great majority of the people, we cannot allow your statements regarding the League to go unchallenged,

FAVORABLE FEATURES OF THE LEAGUE

(THE ARBITRATOR: APRIL, 1919)

On the other side, urging the need of a League and answering the objections of the present Constitution's critics, is, among others, Secretary Baker, who says, referring to the war:

"Can we stand another like that? Can we sit still and allow the old world to roll along in an easy and complacent assurance that somehow some *deus ex machina* is going to save us from the folly of negligence and that there will be no other catastrophe of this kind? The League which we are speaking for here, the League of Nations, which our great captain in France is seeking to have formed, is an effort to thrust in between mankind and a repetition of that catastrophe the concerted powers of the intelligent and conscientious men and women of the world," and adds, "Unless such an organization (as the League of Nations) was formed under some name and under some constitution, anarchy, bred by disease, hunger, and despair, would overwhelm the earth."

William Jennings Bryan declares that "The League of Nations is the greatest step toward peace in a thousand years. The constitution of the League provides for three things which constitute an advantage the importance of which can hardly be estimated.

"Deliberation before war—the investigation of all disputes of their kind and character before hostilities begin. This almost ends war.

"Second, the reduction of armaments will make it impossible for a nation to prepare for war without notifying the world of its intention.

"Third, the abolition of secret treaties, which will do much to prevent the combinations which lead to war. If the League of Nations did nothing more than provide these three things, our nation would be justified in supporting it to the utmost.

Dr. Henry Van Dyke, former Minister to Holland, takes his stand on Washington's idea of the duty of a great nation to set an example of justice and benevolence:

"On these words I take my stand to advocate the entrance of America into a League of Nations, as an act of justice and benevolence for the fulfillment of which the great republic is morally responsible.

We are responsible to the Divine Power, who has made the United States so wonderfully great and strong.

"Ability is always the measure of responsibility."

"I doubt not that the reason why God has committed such great

influence to America is in order that she may bear her rightful share in this glorious task. The power which He has given to us is not of one talent, but of ten talents.

"All the more shame to us if we hide it in the napkin of indifference, or bury it in the deep hole of national selfishness."

Norman Hapgood, recently appointed Minister to Denmark, says:

"The League is not static. The legislative feature of it is uppermost. It contains the seeds of growth. It is at least as enlightened in its constitution as are the individual nations composing it, and more could not safely be attempted."

Homer S. Cummings, chairman of the Democratic Committee, says:

"The argument that the Covenant is vague can be advanced against all the great documents of history. The same assertion could be made with reference to Magna Charta, the Petition of Rights, the Bill of Rights. The Declaration of Independence and the Constitution of the United States. If President Wilson should suggest that we ought to obey the Ten Commandments and the Golden Rule, there would be learned Senators who would argue that the doctrines are too vague to be understood and are certain to lead America into trouble. And I tremble to think what would happen to the Lord's Prayer if it were submitted to the Senate for ratification."

Frederic R. Coudert, the international lawyer, insists:

"What it (the League) can do and will do is to adopt federation as a working principle, under which the nations may maintain their national existence without necessary recourse to war. This principle has made America what it is; its application can alone save Europe from an indefinite vista of conflict."

Referring to the insistence of certain critics of the League upon the maintenance of America's traditional aloofness, Mr. Coudert says:

"The United States cannot, and in fact never has lived in isolation. The Seven Years War, as well as those wars incident to the French revolution and Napoleon, involved the American colonies and the American nation. That we can be indifferent to nothing which threatens world strife, the war has proved."

Mr. Lowell, in his debate with Mr. Lodge, urged the same point:

"I believe the great mass of our countrymen feel that the time has come when the nations should coöperate to put an end to war so far as possible; that from this humane effort the United States should not stand aloof."

Answering the argument that the League abrogates the Monroe Doctrine, Mr. Coudert retorts:

"The Monroe Doctrine announced to the world that the United States would protect the integrity of South American States against foreign aggression. The League extends that principle of protection to all nations. The rights of the United States are not impaired; the guarantees of the States of South America are strengthened. It

is a misapprehension of the meaning of the Monroe Doctrine to believe it endangered by the proposed plan."

John Spargo's idea of the effect of the League upon the Monroe Doctrine is:

"...As to the Monroe Doctrine, it is quite clear to my mind, and I believe to the minds of most Americans, that the League of Nations must necessarily result in very greatly diminishing the chances of that doctrine being seriously challenged by any power or combination of powers. On the other hand, apart from a League of Nations, that doctrine will be increasingly subject to possible challenge, and to be ready to uphold it we must enter into 'entangling alliances' and, at the same time, burden ourselves with vast armaments and permanent compulsory military service. The defeat of the League of Nations would be a great disaster for us and for the world."

The surrender of sovereignty by the United States is an implication of the League, according to its critics. In reply, Mr. Wickersham says:

"In the most accurate sense of the term, there is no surrender by any party of any part of its essential sovereignty, unless the agreement by each that it will not make war on the other until the process of arbitration or investigation shall have been exhausted, be deemed a surrender of sovereignty. If so, by upward of twenty treaties now existent, the Senate of the United States has compromised the national sovereignty of the United States."

The strongest speaker in favor of the League and the Covenant is, of course, Mr. Taft. As ex-President, as a fervent upholder of the Constitution of the United States, and as president of the League to Enforce Peace, all that Mr. Taft says carries weight and is spoken with authority. His interpretation of the League at the Metropolitan Opera House preceded President Wilson's address, and was called by the President "so clear and admirable an exposition" that he did not feel it necessary to discuss further the contents of the document. Taking up the Covenant article by article, Mr. Taft reassured the critics who are afraid that limitation of armaments will be decided for us. "Having reached a conclusion as to the proportionate limits of each nation's armament, IT SUBMITS ITS CONCLUSION TO EACH NATION, which may or may not agree to the limit recommended; but when an agreement is reached it covenants to keep within that limit."

Against the measures proposed for arbitration but little criticism has been brought, except that under this machinery we might be compelled to receive immigrants contrary to our national desire. Mr. Taft's answer is that "We could, and would, refuse to submit the issue to arbitration. It would then go to mediation," and the Council would have no jurisdiction on this, a domestic subject. On matters possibly productive of war between nations, the articles compelling the

submission of differences have been worked out in detail sufficient to settle many questions.... The next Covenant is that the nations shall not begin war until three months after the arbitration award or the recommendation of compromise, and not then if the defendant nation against whom the award or recommendation has been made shall comply with it. This is the great restraint of war imposed by the Covenant upon members of the League and non-members. It is said that this would prevent our resistance to a border raid of Mexico or self-defence against any invasion. This is a most extreme construction. If a nation refuses submission at all, as it does when it begins an attack, the nation attacked is released instantaneously from its obligation to submit and is restored to the complete power of self-defence. The penalizing articles of the Covenant provide, first, for a boycott, commercial, trade, financial, personal and official, to be followed in cases of stubbornness by a recommendation from the Council as to the number of the military and naval forces to be contributed by the members of the League to protect the Covenants.

Article X, which has been considered by League critics to be the most dangerous provision of the document, providing as it does of the preservation of the territorial integrity of every member of the League, Mr. Taft explains as meaning that decisions as to whether the United States shall declare war and what forces it shall furnish, are remitted to the voluntary action of the Congress of the United States under the Constitution, having regard for a fair division between all the nations of the burden to be borne under the League and the proper means to be adopted, whether by the enjoined and inevitable boycott alone, or by the advance of loans of money, or by the declaration of war and the use of military force. This is as it should be. It fixes the obligation of action in such a way that American nations will attend to America and European nations will attend to Europe and Asiatic nations to Asia, unless all deem the situation so threatening to the world and to their own interests that they should take a more active part.

The bugaboo of English domination Mr. Taft disposes of as follows: "The British Empire, which, of course, includes its dominions, is limited to one delegate in the Executive Council. Provision is made by which upon a vote of two-thirds of the Body of Delegates new members may be admitted to the Body of Delegates who are independent states or are self-governing dominions or colonies. Under this Canada and Australia and South Africa might be admitted as delegates. I presume, too, the Phillippines might be admitted. But the function of the Body of Delegates is not one which makes its membership of great importance. When it acts as a *mediating* and compromising body its reports must be unanimous to have any effect. The addition of members therefore is not likely to create greater probability of unanimity."

Washington's "entangling alliances" and the Monroe Doctrine are met by the speaker: "Conditions and circumstances are so different from those in Washington's day and are so unlike anything which he could have anticipated that no words of his having relation to selfish offensive and defensive alliances such as he described in favor of one nation and against another should be given any application to the present international status.

"Objection is made that the Covenant destroys the Monroe Doctrine. In some speeches in the Senate intimations have been made which enlarge the Monroe Doctrine beyond what can be justified. Those who would seek to enforce a doctrine which would make the western hemisphere our own preserve, in which we may impose our sovereign will on other countries in what we suppose to be their own interest, because, indeed, we have done that in the past, should not be sustained.

"The European nations desire our entrance into this League, not that they may control America, but to secure our aid in controlling Europe, and I venture to think that they would be relieved if the primary duty of keeping peace and policing this western hemisphere were relegated to us and our western colleagues....

"Objections is made to this League on constitutional grounds. This League is to be made by the treaty making power of the United States. What does the treaty making power cover? The Supreme Court of the United States, ...has held that it covers the right to deal by contract with all subject matters which are usually dealt with by contract in treaties between nations, except it cannot be used to change our form of government or to part with territory of a State without its consent. It is asserted that the Covenant delegates to an outside tribunal, viz., the Executive Council, the power vested by the Constitution in Congress or the Senate. But the Executive Council has no power but to *recommend* to the nations of the League courses which those nations may accept or reject, save in the matter of increasing the limit of armament, to which the United States by its Congress, after full consideration, shall have consented.

"The Covenant takes away the sovereignty of the United States only as any contract curtails the freedom of action of an individual which he has voluntarily surrendered for the purpose of the contract and to obtain the benefit of it. The Covenant creates no super-sovereignty. It merely creates contract obligations. It binds nations to stand together to secure compliance with those obligations. The assertion that we are giving up our sovereignty carries us logically and necessarily to the absurd result that we cannot make a contract to do anything with another nation because it limits our freedom of action as a sovereign."

Follows an editorial summary of Mr. Taft's speech at the Economic Club in New York, replying to Senator Knox's attack upon the League in the Senate:

"The President and the Senate are to ratify this Covenant, if it be ratified, by virtue of their constitutional power to make treaties. This power, as the Supreme Court has held, enables them to bind the United States to a contract with another nation on any subject-matter usually the subject-matter of treaties between nations, subject to the limitation that the treaty may not change the form of government of the United States, and may not part with territory belonging to a State of the United States, without the consent of the State.

"The argument employed by Senator Knox, Senator Borah and Senator Reed against the Constitution of the League of Nations applies with equal force to every treaty which obligates the United States to do something or to refrain from doing something; yet the United States government has been making and keeping such treaties for more than a hundred years. If such Covenants destroy the sovereignty of the United States, then that sovereignty had ceased to exist long before any member of the present United States Senate was born."

NEGATIVE ARGUMENTS

THE COVENANT OR THE CONSTITUTION

(BY DAVID JAYNE HILL, IN THE *North American Review*, VOLUME 221
PAGES 320-331, MARCH, 1920)

Somewhat tardily, but none the less clearly, the American people are coming to understand that the fundamental question regarding the League of Nations is not, Shall we participate in some kind of international understanding; but, Shall our conduct as a nation be controlled by our own Constitution or by an unnecessary international agreement that overrules it?

So intelligent an observer as Viscount Grey of Fallodon, the British Ambassador at Washington, although accustomed to move in a different political atmosphere from that created by a written constitution, could not fail to note the wide difference between these two questions, or to be convinced that the Senate's discussion of the League of Nations has not revolved about mere partisan interests.

It was perhaps made easier for Lord Grey to attain to this point of view because, in 1914, before Great Britain was committed to war, he had personally recognized the self-evident principle on which the whole issue turns, and which he afterward so admirably stated in the words: "You cannot, you should not, pledge a democracy in such a matter without consulting it. without clearly knowing its mind." And to this axiomatic statement he added, "I could not be sure that on any point of interest the British democracy was willing to go into a great war. And what a cruel disappointment to another nation if I had given a pledge and it had taken certain dispositions on that pledge, and the pledge had not been kept because the people did not endorse it! A friendly nation might thus be involved in a great calamity and might with justice make the reproach that we involved them in that calamity, for without our pledge they might have submitted to a diplomatic humiliation; but relying on our pledge they had stood firm and so encountered destruction. After Belgium was invaded it became a question of honor, and I knew that the people would keep that."

A careful examination of the "reservations" adopted by the majority of the Senate of the United States, as a condition of ratifying the treaty containing the Covenant of the League of Nations, will show that, in the main, they are designed to secure precisely that legislative supervision over the policies and decisions of the Executive which automatically exists in all countries having what is called a "responsible government." If, for example, the Prime Minister of Great Britain should, under the Covenant of the League of Nations, issue instructions to the British representative in the Council, when

its members "advise upon" the course to be taken under Article X or Article XI, authorizing acts of war, and the House of Commons should consider the action taken not authorized under the Covenant by the circumstances of the case, or not expedient, the House could express its disapproval; and if this were not heeded there would be an appeal to the country and perhaps a change of ministry. In France under similar circumstances, a change would be certain.

In the United States nothing like this could occur. As pointed out in the January number of this Review, under the Covenant of the League of Nations, as it stands, when action is automatically called for by the provisions of the Covenant, the President alone, acting under the authorization of the treaty, would instruct the representative of the United States what course to take in the Council, and could then, without interference by the Congress, and even without its knowledge of what was ordered by him, begin to carry out the Council's decision. If that action included acts of war, such as the dispatch of troops to a foreign country, and the Executive's authority to do this were challenged, he could reply that a declaration of war by Congress was not necessary, since war was automatically provided for in the Covenant and actually existed; and if it were further objected that he was acting without constitutional authorization in conducting a campaign it could be answered that his powers were implied by the obligations of a treaty, which must be recognized as "the supreme law of the land."

I have said before that the main purpose of the "reservations" adopted by a majority of the Senate is to secure legislative supervision over the policies and decisions of the Executive in relation to foreign countries. The President perfectly understands this, and it is because he opposes this purpose that he declares the "reservations" would "nullify the treaty" and advises his adherents in the Senate to vote against them.

Let us note the effect of these reservations.

1. The United States, declares the first of them, shall be the sole judge, in case of withdrawal under Article 1, as to whether its obligations under the Covenant have been fulfilled.

The need for this was apparent from the fact that, in the separate Franco-American treaty proposed by the President, it was not the United States but the League of Nations that was to determine when the obligations of that treaty ceased. If so important a decision as this could, at the President's instigation, be left to the League of Nations, was there no need for this "reservation" in view of the fact that the privilege of withdrawal by the United States depended upon the fulfillment of "all its international obligations and all its obligations under this Covenant?" It was the Council of the League and not the United States itself that was explicitly recognized in the separate treaty as the judge on this subject.

2. The United States, runs the second reservation, assumes no obligations under Article X, unless in any particular case the Congress shall provide for the employment of the military and naval forces of the United States.

If, as the President claims, this "takes the heart out of the Covenant," the heart of the Covenant is that the President, and not the Congress, determines the action to be taken. "The Council," said the President at Pueblo, "advises, and it cannot advise without the vote of the United States. Why gentlemen should fear that the Congress of the United States would be advised to do something that it did not want to do I frankly cannot imagine, because they cannot be advised to do anything unless their own representative has participated in the advice." Precisely. But who is "their own representative?" The President of the United States, over whom they have no control! What the "reservation" aims to do is to assert the control of Congress. And on what principle can it be said that the "reservation" destroys the obligation of the Covenant, if by an adverse vote in the Council the same effect can be produced? Clearly, the only difference is that, in the one case, the Congress is to have a voice; while in the other the President alone determines the action to be taken!

3. No mandate, the third reservation declares, shall be accepted by the United States except by action of Congress. It is believed that acceptance of mandates by the United States was already understood at Paris. Is it not right that Congress should have a voice in this matter?

4. The United States in the fourth "reservation" reserves the right to decide what questions are of a domestic character.

Evidently, under the Covenant, so important a question as that of Labor is not regarded as a domestic but as an international question, and extensive provision is made for treating it as such. Is it not prudent of the United States to reserve the decision in such matters to the representatives of the people?

5. The United States, declares the fifth "reservation," will not submit to arbitration or inquiry questions depending upon or relating to the Monroe Doctrine.

Unless it is the design of the Covenant that such questions be arbitrated, in what manner can this "reservation" be said to "nullify" the treaty? Unfortunately, the language employed in Article XXI places every "regional understanding,"—past, present, or future, open or secret—upon the same footing as the Monroe Doctrine, which is in its essential nature a protest against the collusions of foreign Powers for "spheres of influence," the better known name for "regional understandings." Certainly, after this unwarranted confusion it is desirable to take the Monroe Doctrine out of this doubtful cat-

egory and restore it to its rightful place as an American national policy which is not a subject for international action.

It would be superfluous to consider in detail each of the remaining "reservations." The important point to note is that nearly all of them are intended to reserve to the Congress powers which the Constitution accords to it and of which the Covenant seems in some manner to deprive it. Among them one declaring that "the Congress of the United States shall provide by law for the appointment of the representatives of the United States in the Council and Assembly of the League of Nations and members of commissions" is plainly a restraint on the action of the Executive. This caution has been necessitated by the attempt of the President to absorb the whole of the treaty-making power and to ignore the legislative control of foreign affairs which is essential to the existence of a really responsible government.

The fourteenth "reservation" is the result of an endeavor to solve the problem created on account of assigning six votes to the British Empire, by limiting the manner in which they are to be used rather than by denying to the self-governing colonies a direct right of representation in the League. Lord Grey touches this delicate question with calmness and consideration. It is significant that he raises no objection to the solution proposed in this "reservation" and considers that no collision is likely to arise from it.

The only real and persistent objector to the "reservation" is the President of the United States, who sees in the power to control the action of the Council of the League by the vote of the American representative no rejection of the obligations of the treaty so long as this is left in the hands of the Executive; but the moment the action of Congress is substituted, and instead of its "own representative," the President, Congress itself undertakes to act, the obligations of the Covenant are ignored, the "heart of the treaty" is cut out, and the whole scheme is "nullified!"

SHALL WE JOIN THE LEAGUE?

BY JOHN DEWEY

(*The New Republic*: WEDNESDAY, MARCH 7, 1923)

International coöperation is hardly possible unless there is something international with which to coöperate. What is it and where is it? Are we to coöperate with France and her satellites upon the continent? Or are we to side with Great Britain in her differences of opinion, her fundamental conflicts of policy with France? What is to be our attitude on the subject of reductions of reparations? If responsible French statesmen openly charge the English with a desire to break the Treaty of Versailles because the English propose certain modifications in the reparation clauses, will similar proposals from us which might go further promote international goodwill or international bitterness? What is the American people prepared to offer from its side?

Such questions might be multiplied almost indefinitely. Until they have been carefully thought out and some definite guarantees secured in connection with some definite plan, any specific move toward international coöperation on our part will be but a repetition of what happened when we plunged into the war without having first come to an understanding with our associates, only to find in the end our hands tied in the execution of our own policies by conflicting European policies in general, and secret agreements in particular. And somehow "honor," the honor that demands that gambling debts take precedence of everything else, required that the secret understandings should be carried out in violation of our public utterances and promises publicly accepted by our European associates. Why repeat the experiment without even the excuse of wartime excitement, without the warning of an experience of which we were then innocent?

The question of cooperation is not only a question with whom in Europe we are to coöperate and what for, but also of unity and division of opinion at home. Irrespective of conflict and confusion in Europe, there is equally great confusion and conflict in our own opinion as to what should be done in Europe and how it should be done. It is perhaps for this reason that current pro-League propaganda ignores all details, and appeals to the sentiment against war and assures us that as soon as we join the League, Turkish atrocities will be impossible and the sword will be broken. Who can say with assurance what the prevailing sentiment is with respect to the French invasion of the industrial regions of Germany? There are many influential newspapers which defend it; there are others which are non-committal and ready to approve or condemn as events turn out. The anti-German hatred aroused by the war is still active; perhaps

the mass does not care to think beyond the alleged fact that France suffered so much that Germany still deserves whatever it gets. The moment we are entangled in European affairs this difference of sentiment among us ceases to be a sentimental affair and becomes a matter of public policy and of domestic politics. We shall either be doing something which, no matter in what direction, arouses bitter strife among ourselves, or our representatives abroad will commit us to something for which Congress and the people will not stand, and the history of President Wilson at Versailles will be repeated.

Again, the neglect of Russia is incredible. Russia is still the most populous nation of Europe and potentially the most powerful. Whether ten or forty years pass before the position of Russia is restored makes little difference. Before we talk much more about international coöperation with the world at large and offer ourselves as both Moses and Messiah, might it not be well to find out just what our attitude is with respect to Russia and her part in the world's affairs? We might make Russia an objective test of our willingness and our ability to engage in international coöperation.

Whether we look at the situation in Europe or at home, it is hard to find any evidence of readiness to coöperate in any definite and systematic way, much less to tie ourselves up with that League of governments which embodies all the forces which have brought the world to its present pass. Europe does not want and will not tolerate our coöperation except on its own terms, and it is divided against itself as to those terms. The notion that we have only to offer ourselves as universal arbiter—and paymaster—and all will be well is childish in the extreme. But even if it came anywhere near the actual condition in Europe, who are we that we may serve in such a capacity? Every contending group in Europe is found here: pro-English, pro-French, pro-German, pro-Serbian, pro-Greek, and pro-Bulgarian—almost everything pro except pro-Turkish, with all the antis involved in these various partisanships. And in addition we are ignorant, inexperienced, governed by emotion rather than by information and insight. The fact that only appeal to emotion can possibly be successful in engaging us to enter the League of Nations is the most conclusive reason possible for our staying out of it.

THE PROPOSED CONSTITUTION FOR A LEAGUE OF NATIONS

(SPEECH OF HON. HENRY CABOT LODGE OF MASSACHUSETTS IN THE
SENATE OF THE UNITED STATES, FRIDAY, FEBRUARY 28, 1919.)

But if we put aside forever the Washington policy in regard to our foreign relations, we must always remember that it carries with it the corollary known as the Monroe Doctrine. Under the terms of this league draft reported by the committee to the peace conference the Monroe Doctrine disappears. It has been our cherished guide and guard for nearly a century. The Monroe Doctrine is based on the principle of self-preservation. To say that it is a question of protecting the boundaries, the political integrity, of the American States, is not to state the Monroe Doctrine. Boundaries have been changed among American States since the Monroe Doctrine was enunciated. That is not the kernel of the doctrine. The real essence of that doctrine is that American questions shall be settled by Americans alone; that the Americas shall be separated from Europe and from the interference of Europe in purely American questions. That is the vital principle of the doctrine.

I have seen it said that the Monroe Doctrine is preserved under article 10; that we do not abandon the Monroe Doctrine, we merely extend it to all the world. How anyone can say this passes my comprehension. The Monroe Doctrine exists solely for the protection of the American Hemisphere, and to that hemisphere it was limited. If you extend it to all the world, it ceases to exist, because it rests on nothing but the differentiation of the American Hemisphere from the rest of the world. Under this draft of the constitution of the League of Nations American questions and European questions and Asian and African questions are all alike put within the control and jurisdiction of the League. Europe will have the right to take part in the settlement of all American questions, and we, of course, shall have the right to share in the settlement of all questions in Europe and Asia and Africa. Europe and Asia are to take part in policing the American Continent and the Panama Canal, and in return we are to have, by way of compensation, the right to police the Balkans and Asia Minor when we are asked to do so. Perhaps the time has come when it is necessary to do this, but it is a very grave step, and I wish now merely to point out that the American people ought never to abandon the Washington policy and the Monroe Doctrine without being perfectly certain that they earnestly wish to do so. Standing always firmly by these great policies, we have thriven and prospered and have done more to preserve the world's peace than any nation, league, or alliance which ever existed. For this reason I ask the press and the public and, of course, the Senate, to consider well the gravity

of this proposition before it takes the heavy responsibility of finally casting aside these policies which we have adhered to for a century and more and under which we have greatly served the cause of peace both at home and abroad.

Very complete proof must be offered of the superiority of any new system before we reject the policies of Washington and Monroe, which have been in our foreign relations the Palladium of the Republic. Within the memory of those to whom I now speak the Monroe Doctrine stopped the incursions of England upon the territory of Venezuela and settled the boundary question finally by arbitration. Under the Monroe Doctrine we arrested the attempt of Germany to take Venezuelan territory on another occasion. In these two instances the doctrine was enforced by a Democratic President and by a Republican President, and they were supported in so doing by all the people of the United States without regard to party. I mention these cases merely to show that we are not cutting away dead limbs from the body politic, but that we are abandoning two cardinal principles of American government, which, until the presentation of this draft for the constitution of the League of Nations, were as vital as on the day when Washington addressed the people of the United States for the last time or when President Monroe announced his policy to the world. What has happened since November 11, 1918, to make them so suddenly valueless, to cause them to be regarded as injurious obstacles to be cast out upon the dust heaps of history? It seems to me that that is a question which at least deserves our consideration before we take action upon it.

Two other general propositions, and I shall proceed to examine these league articles in detail. In article 10 we, in common, of course, with the other signatories and members of the projected league, guarantee the territorial integrity and the political independence of every member of the league. That means that we ultimately guarantee the independence and the boundaries, as now settled or as they may be settled by the treaty with Germany, of every nation on earth. If the United States agrees to guaranties of that sort we must maintain them. The word of the United States, her promise to guarantee the independence and the boundaries of any country, whether she does it alone or in company with other nations, whether she guarantees one country or all the countries of the world, is just as sacred as her honor—far more important than the maintenance of every financial pledge, which the people of this country would never consent to break.

I do not now say the time has not come when, in the interest of future peace, the American people may not decide that we ought to guarantee the territorial integrity of the far-flung British Empire, including her self-governing dominions and colonies, of the Balkan States, of China, or Japan, or of the French, Italian, and Portuguese

colonies in Africa; but I do suggest that it is a very grave, a very perilous promise to make, because there is but one way by which such guaranties, if ever invoked, can be maintained, and that way is the way of force—whether military or economic force, it matters not. If we guarantee any country on the earth, no matter how small or how large, in its independence or its boundaries, that guarantee we must maintain at any cost when our word is once given, and we must be in constant possession of fleets and armies capable of enforcing these guaranties at a moment's notice. There is no need of arguing whether there is to be compulsive force behind this league. It is there in article 10 absolutely and entirely by the mere fact of these guaranties. The ranks of the armies and the fleets of the navy made necessary by such pledges are to be filled and manned by the sons, husbands, and brothers of the people of America. I wish them carefully to consider, therefore, whether they are willing to have the youth of America ordered to war by other nations without regard to what they or their representatives desire. I would have them determine after much reflection whether they are willing to have the United States forced into war by other nations against her own will. They must bear in mind constantly that we have only one vote in the executive council, only one vote in the body of delegates, and a majority of the votes rules and is decisive.

I am not here to discuss the constitutional question of the sole right of Congress to declare war. That is a detail, as it relates only to the Constitution, which we may decide later. In my own opinion, we shall be obliged to modify the Constitution. I do not think, and I never can admit, that we can change or modify the Constitution by a treaty negotiated by the President and ratified by the Senate. I think that must be done, and can only be done, in the way prescribed by the Constitution itself, and to promise to amend our Constitution is a serious task and a doubtful undertaking.

I hope the American people will take time to consider this promise before they make it—because when it is once made it can not be broken—and ask themselves whether this is the best way of assuring perfect peace throughout the future years, which is what we are aiming at, for we all are aiming at the same object. A world's peace which requires at the outset preparations for war—for war either economic or military—in order to maintain that peace, presents questions and awakens thoughts which certainly ought to be soberly and discreetly considered.

The second general proposition to which I would call attention is this: We now in this draft bind ourselves to submit every possible international dispute or difference either to the league court or to the control of the executive council of the league. That includes immigration, a very live question, to take a single example. Are we ready to give to other nations the power to say who shall come into

the United States and become citizens of the Republic? If we are ready to do this, we are prepared to part with the most precious of sovereign rights, that which guards our existence and our character as a nation. Are we ready to leave it to other nations to determine whether we shall admit to the United States a flood of Japanese, Chinese, and Hindu labor? If we accept this plan for a league, this is precisely what we promise to do. I know that by following out all the windings of the provisions for referring to the council or allowing the council to take charge of what has been called hitherto a non-justiciable question, we shall probably reach a point where it would not be possible to secure unanimous action by the league upon the question of immigration. But, Mr. President, I start with the proposition that there should be no jurisdiction in the league at all over that question; that it should be separated absolutely and entirely from any jurisdiction of the league. Are we prepared to have a league of nations—in which the United States has only one vote, which she could not cast on a dispute to which she was a party—open our doors, if they see fit, to any and all immigration from all parts of the world?

Mr. Taft has announced, in an article which appeared in the *National Geographic Magazine*, that the question of immigration will go before the international tribunal, and he says now that all organized labor is for the league. If American labor favors putting the restriction of immigration in the control of other nations they must have radically changed their minds and abandoned their most cherished policy. Certainly the gravity of such promises as are involved in the points I have suggested is sufficient to forbid haste. If such promises are to be given they must be given in cold blood with a full realization of what they mean and after the American people and those who represent them here have considered all that is involved with a serious care such as we have never been called upon to exercise before. We are asked to abandon the policies which we have adhered to during all our life as a nation. We are asked to guarantee the political independence and the territorial integrity of every nation which chooses to join the league—and that means all nations, as the President stated in his speech at Manchester. We are asked to leave to the decision of other nations, or to the jurisdiction of other nations, the question of what immigrants shall come to the United States. We are asked also to give up in part our sovereignty and our independence and to subject our own will to the will of other nations, if there is a majority against our desires. We are asked, therefore, in a large and important degree to substitute internationalism for nationalism and an international state for pure Americanism. Certainly such things as these deserve reflection, discussion, and earnest thought.

THE PARIS DRAFT OF THE WORLD LEAGUE

BY JESSIE WALLACE HUGHAN

(*The Intercollegiate Socialist*: APRIL-MAY, 1919)

One hundred years ago a group of allies, triumphant over the Kaiser of their day, met in Vienna to reconstruct Europe. An idealist was among them, the Tsar Nicholas, dreaming of disarmament, world peace, and the brotherhood of nations, and a Metternich was there also. The noble phrases of Nicholas found expression in the Holy Alliance; the practical statesmanship of Metternich fastened chains upon Europe for fifty years.

Today the Allies meet again—in Paris. Once more we pay tribute to the idealist and his call to world union; but in the light of a century's experience we may be pardoned for searching the loopholes through which the future Metternich will do his work.

Will the League Prevent War?

There can be little doubt that Articles 13-17 of the Paris Draft will be effective in lessening the incidents of formal war, the assurance of delay, after the manner of the Bryan treaties, being almost a specific. Beyond this delay, however, there is little essential difference from the Hague methods of settlement. The parties are still their own judges as to the arbitrable nature of disputes, and, in non-arbitrable cases, they are bound to obey only a unanimous decision of the executive council, or, if preferred, the whole body of delegates. The practical effect is likely to be to prevent formal wars and invasions in the absence of serious schism among the nine great powers of the Council, but to cause such wars as might still occur to take on unavoidably the character of world-conflict (Articles 10 and 17).

Not all wars, however, are of this formal variety. Our own punitive expedition into Mexico and the present occupation of Russian territory have been of so informal a sort as not even to require authorization by Congress. The League Draft makes no prohibition of such disciplinary activities; on the contrary. Articles 10 and 11 appear to give the Executive Council carte blanche in conducting them. To judge by the present pacificatory operations of the Council majority in Russia, Korea, Egypt and Jugo-Slavia, we need expect no hesitation on their part to "take any action that may be deemed wise and effectual to safeguard the peace of nations."

The League of Nations

The Effect on Armaments

A contract among nations, however, is only as strong as its least honorable participant. Universal disarmament is the demand of the radical. What the Paris Draft offers us is: 1. The reduction of armaments so far as is consistent with national safety after allowing for all special circumstances; 2. The limits of this reduction to be recommended rather than prescribed to each nation; 3. These limits, with the permission to exceed them, to be under the control of a council dominated by the five great military powers of the world; 4. The same council to regulate the entire international trade in munitions, as well as to advise, *not* how to prevent the private manufacture of munitions, but "how the evil effects attendant upon such manufacture can be prevented."

Although the program above would doubtless reduce materially the defense bill of the world, it is obviously not a plan for the abolition of war.

The Exploitation of Races

Does the League Draft aim to check the growth of empires, of the exploitation of backward races and the rivalry in spheres of influence which is the seed of modern war? Not a word appears, however veiled, as to curbing the sway of the imperial nations, not a word as to freedom of the seas or the internationalization of the world's waterways, not a word as to the self-determination of subject states. Instead of these we find a carefully worked out article as to the division of conquered colonies. Here the advice of liberal experts and the experience of international commissions are alike discarded. The spoils of war are to be handed over by the executive council of great powers to those nations as mandatories "who, by reason of their resources, their experience or their geographical position, can best undertake this responsibility." In other words, the five great powers, throwing over their imperialism the halo of liberal ethics, are to assign to themselves as mandatories the colonial possessions of the conquered.

Who Will Dominate the League?

To make the world safe for democracy is not such a simple matter as it appeared a year ago. A few elementary principles of democracy, however, we may demand of our world government. First, it should be open to the entire world; any league excluding the enemy nations, for example, would be merely a glorified and perpetual Entente. Second, provision should be made for the popular election of delegates, allowing minority and labor representation if practicable,

but at least equal in democratic method to the parliamentary elections of the respective countries. Third, the number of delegates should be apportioned among the contracting parties according to democratic principles. Fourth, the world power of the league should reside in the league itself, legislative authority belonging naturally to the body of delegates, judicial, to the permanent league court, and executive, to a council and secretariat chosen by the league.

Let us examine these requirements.

1. Neither enemy nations nor states under indemnity in process of revolution are to be admitted to the so-called World League. Were this exclusion not implicit in every act of the Paris Conference, it is made explicit in the draft as follows: "No state shall be admitted to the league unless it is able to give effective guarantees of its sincere intention to observe its international obligations." The interpretation of this clause is made clearer by the aid of Metternich's Protocol of Troppau: "States which have undergone a change of government due to evolution—*ipso facto* cease to be members of the European Alliance and remain excluded from it until their situation gives guarantees for legal order and stability."

With Russia and the Central Powers excluded, at any rate from the "ground floor," we have a rough balance in Europe between 190 millions within and 150 millions without, an obvious invitation to the formation of a rival league.

2. As the draft makes no suggestion as to the election of delegates, we must assume that these will be arbitrarily chosen by their governments, as at the Paris Conference.

3. An appearance of democracy is afforded by the provision of equality of votes among the contracting powers. Such an equality, however, is a violation of democracy inasmuch as it recognizes the state rather than the people, as the international unit; equal power given to the 20,000 inhabitants of Monaco and the hundred million inhabitants of the United States is not democracy, but gross privilege.

On the other hand, this very yielding of so-called equality, making it possible for a coalition of San Marino with the Central American Republics to outvote the great powers in the body of delegates, indicates clearly that the power of this body is to be but nominal.

4. Even a cursory reading of the draft shows that practically every power of the league, with the exception of voting upon new members and constituting a conciliation board upon special request, is reserved to the Executive Council and the secretariat responsible to it. This inner body, of which the United States, the British Empire, France, Italy, and Japan constitute a permanent majority, is to possess perpetual control of the League, for amendments to the draft, it is stipulated, can take effect only when ratified "by those states whose representatives compose the executive council."

Revolutionary Russia excluded, free Switzerland a pawn in the

game, autocratic Japan one of the five rulers of mankind forever,—thus it is that the world is to be made safe for democracy.

If the European Metternich is to have his way, need America provide for him the sanction of a Holy Alliance?

COVENANT OF LEAGUE OF NATIONS

BY WILLIAM D. GUTHRIE

(THE LEAGUE OF NATIONS AND MISCELLANEOUS ADDRESSES)

If it be true that Article 10 and the other covenants of the League would not require the United States to resort to force of arms in order to fulfill the obligations they create unless Congress saw fit to declare war in its discretion, then why does President Wilson object to a reservation expressing this interpretation, and why does he declare that such a reservation would *nullify* the whole League Covenant? Obviously, a reservation which expresses what is *implied* and what it is claimed was fully understood by all parties to the League Covenant could not possibly *nullify* the article. It is, of course, only because the second Lodge reservation does in the President's mind actually tend to exclude or eliminate, that is, to nullify, what otherwise would be an absolute treaty obligation to declare and wage war, that he refused to accept it. The wording of this proposed reservation should be recalled, viz.:

"The United States assumes no obligation to preserve the territorial integrity or political independence of any other country by the employment of its military or naval forces, its resources, or any form of economic discrimination, or to interfere in any way in controversies between nations, including all controversies relating to territorial integrity or political independence, whether members of the League, or not, under the provisions of Article 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, in the exercise of full liberty of action, by act or joint resolution so provide."

It should reasonably seem to follow that there can be no escape from the conclusion that, if this proposed reservation would *nullify* or *impair the integrity* of the League Covenant, it is because the League Covenant, as it now stands, creates an obligation to declare war, which would be binding upon Congress and which it would have to perform unless willing to violate the treaty faith of the Nation. Every American voter should meditate long and anxiously over this proposed reservation, and candidly ask himself or herself to determine whether the Senate was or was not committing a "crime" or "dishonoring and disgracing the Nation," as is now being charged by the Democratic candidates, when it resolved that this reservation was imperatively necessary to preserve our independence and freedom of action in respect of one of the most important and dangerous

of all the obligations which would be imposed upon the United States by the League Covenant.

It seems, furthermore, necessarily to follow that Senator Root and Judge Hughes were plainly right when in ample time, that is, in March, 1919, they publicly urged upon President Wilson and the Peace Conference that Article 10 should be wholly eliminated. This position should be now taken by the Senate in view of the practical and illuminating developments since the Versailles Treaty became effective as to the other signatories. Even with the Lodge reservation, Article 10 would create an obligation which we could not disregard arbitrarily. The only safe and prudent course would be to delete the whole article, which should never have been forced upon the Peace Conference by our President and which should never be acceptable to us in any treaty.

Americans will not fail to reflect upon the fact that the populations now ruled over as subject peoples by England and France constitute more than one-fourth of the inhabitants of the world, that Article 10 guarantees the perpetuation of this condition unless the countries in subjection can throw off the foreign control and domination without outside assistance, and that we could not under that article assist any of them, whatever might be the merits of their claims to independence and self-government, and irrespective even of oppression and cruelty by their rulers. Had the League Covenant been in force in 1778, France could not have come to our aid in the war of Independence. Likewise, had the League been in force, we could not have aided Texas as against Mexico; we could not have aided Cuba as against Spain; Russia could not have aided the Balkan States to throw off the yoke of Turkey; France could not have aided Italy to win the freedom of Northern Italy from Austria, etc., etc. Article 10 would in practical effect perpetuate the existing control of the great powers without regard to any principle of self-determination or the consent of the governed, and prevent any outside help to the oppressed struggling for liberty against intolerable conditions.

Articles 12, 13, and 15

There can be no doubt that Articles 12, 13, and 15 go beyond any treaty of arbitration that has even been entered into by the United States. Not only is the description of disputes which "are declared to be among those which are generally suitable for submission to "arbitration" most comprehensive, but every dispute likely to lead to a rupture" is agreed to be submitted either to arbitration, or to inquiry by the Council or ultimately by the Assembly. The report of the Council is to be binding if "unanimously agreed to by the members thereof other than the representatives of one or more of the parties to the dispute."

If the dispute finally goes to the Assembly, its decision is to be equally binding "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." Thus, if we desire a test from the point of view of the United States we may take the case of our pending dispute with Japan. This would clearly be a "dispute likely to lead to a rupture" and, moreover, a dispute "as to the interpretation of a treaty," and would have to be submitted to arbitration or to the Council or Assembly, and these latter bodies would have the power to decide, first, that the dispute did not involve "a matter which by international law is solely within the domestic jurisdiction of" the United States, and secondly, that the United States was at fault on the merits.

Articles 16 and 17

Articles 16 and 17 would involve obligations as far-reaching and dangerous as Article 10; and these obligations are not sufficiently or adequately safe-guarded by the Lodge reservations.

It is sometimes asserted that Article 16 provides only for an economic boycott, and that it does not authorize a resort to war. It need, however, only be read to see that it expressly contemplates war and the use of force. Thus, it provides that "should any Member of the League resort to war in disregard of its covenants under Articles 12, 13, and 15, it shall *ipso facto* be deemed to have committed an act of war against all other Members of the League," and that "it shall be the duty of the Council in such case to recommend to the several Governments concerned what effective military, naval or air force the members of the League shall severally contribute to the armed forces to be used to protect the covenants of the League." Even the provision for a so-called economic boycott or blockade provides for force of arms. All the members of the League undertake, as shown above, immediately to subject the covenant-breaking member "to the *severance* of all trade and financial relations" and "the *prohibition* of all intercourse between their nationals and the nationals of the covenant-breaking State," and the members further expressly undertake "the *prevention* of all financial or commercial or personal intercourse between the nationals of the covenant-breaking State and the nationals of any other State, whether a Member of the League or not." Such *prevention* could ordinarily be made effective only by the use of force, and that this was understood and contemplated by the framers of this article conclusively appears from the provision quoted, which immediately follows and which makes it the *duty* of the Council to recommend "what effective military, naval or air force the members of the League shall severally con-

tribute to the armed forces to be used to protect the covenants of the League."

Article 16 further embodies an agreement for mutual support "in the financial and economic measures which are taken under this article, in order to minimize the loss and inconvenience resulting from the above measures." This means that in case a so-called economic boycott or embargo or blockade is resorted to, the United States, as the richest and most resourceful country will have to contribute support to *all* the members of the League the world over in order "to minimize the loss and inconvenience resulting from the above measures." The article then proceeds to provide that the members "will mutually support one another in *resisting* any special measures aimed at one of their number by the covenant-breaking State." Patently, if force of arms were necessary in order to *resist* such measures, it would have to be employed; and that this would be ordinarily inevitable cannot be doubted. The provision of the eleventh Lodge reservation in relation to Article 16, which, as stated above, seems inadequate to protect the interests of the United States, merely reads as follows:

"The United States reserves the right to permit, in its discretion, the nationals of a covenant-breaking State, as defined in Article 16 of the Covenant of the League of Nations, residing within the United States or in countries other than such covenant-breaking State, to continue their commercial, financial, and personal relations with the nationals of the United States."

In fact, the Danish, Norwegian and Swedish Governments are reported as having already proposed several amendments to the League Covenant, and among them one limiting the non-intercourse provisions of Article 16. They are quoted as urging "that as the obligation to sever all economic and financial relations with the covenant-breaking State is at present automatic, it would be wise to allow some measure of freedom in its application, especially in the case of the smaller States, where the fulfillment of the obligation might possibly lead to occupation of territory by the covenant-breaking State in order to protect those economic interests which, as a result of the blockade, would be at stake."

The only safe course for the United States would be to insist upon a reservation of discretion to Congress covering every phase of Article 16, and we should not run the risk of being involved in drastic boycott, non-intercourse and blockade measures without reserving the right in each instance to have our Congress determine for itself as to the merits of the pending controversy which caused the covenant-breaking, in which we might have absolutely no concern or only the remotest interest, and likewise to determine for itself what the safety, welfare and duty of the United States then dictated. There should also be a distinct limitation upon the obligation to afford

"support" "in order to minimize the loss and inconvenience" to all the members of the League from the automatic boycott, embargo, blockade and non-intercourse provided for in this article.

THE CRUSADERS FOR THE LEAGUE

(*The Nation*: WEDNESDAY, JUNE 6, 1923)

"League Drive Hits Capital; Foes Worried," says the headline over a Washington dispatch to the New York Globe. The correspondent reports these forces marshaled to put the United States into the League: the Federal Council of Churches of Christ in America, the World Alliance for International Friendship, the Church Peace Union, the World Peace Foundation, the preachers, the professors, the publicists. These people not only have enormous financial resources; they have the even greater power of moral passion. They are crusaders; they believe that they are marching with God, and they are appealing to the moral sentiment of America to join a league which will, they say, bring peace to Europe and the world.

But there is nothing more dangerous in all the world than sincere moral passion so convinced of its righteousness that it ceases to face the fact-data from which it draws its conclusions. What is this League? Has it made for peace? Can it make for peace? Would America's accession to it strengthen the forces of peace in Europe or the forces that now harry that miserable continent? Upon the answers to these questions depends the validity of the appeal of the Leaguers. They seldom stop to ask or answer them. They are, indeed, much the same group of earnest people who urged the United States into the Great War, also in the name of high moral principles, never stopping to analyze the aims of our Allies, never asking a statement of conditions of peace, firm in the conviction that if only we would go in our own nobility would somehow purify anything wrong in our associates and make everything right in the end. The treaty of peace brought no peace to Europe but the same good folk now tell us that it is all because of our desertion of Europe, that if only we would enter the League all would be well.

What has the League done for peace? It has "settled four major international disputes." These were:

1. The *Finnish-Swedish* dispute over the Aaland Islands—a trifle more important than the recent Panama-Costa Rica dispute.
2. The *Vilna* dispute, wherein the League attempted an honest settlement. But when Poland refused to bow to the League, the League bowed to Poland, leaving as its "settlement" a new aching Alsace-Lorraine to trouble the peace of Europe in coming decades.
3. The *Upper Silesian* dispute. Let Mr. Lloyd George, an advocate of the League, describe the action of the League in the case of Upper Silesia:

"In Silesia two Powers of great authority in the League—France and Poland—were passionately engaged in securing a result adverse to Germany. The other party to the dispute had no friends and was, moreover, not a member of the League. Britain stood for fair play, but it was not a protagonist of the claims of Germany. Poland had a powerful advocate in the League, a country with a vital interest in securing a pro-Polish decision. In these circumstances the League ought to have exercised the most scrupulous care to avoid any shadow of doubt as to its freedom from all bias. Had it chosen distinguished jurists outside its own body to try the case as it did in the Aaland case, all would have been well. It preferred, however, to retain the matter in its own hands. Hence doubts and misgivings with which the judgment of the League has been received. . ."

4. The *Albanian-Serbian* dispute. Here the record shows that the League refused to take any action until after the Conference of Ambassadors had settled the major point at issue (unless advice to the conference to hasten its decision may be called "action"). When the ambassadors had settled the boundary-line and the British had lectured Serbia into withdrawal from Albania the League stepped in with a sort of commission of evacuation and claimed credit for the whole.

Meanwhile, according to a compilation made by Miss Frances Kellor, *since the Treaty of Versailles was signed eleven European states have resorted to arms to settle disputes with other Powers, and eight of these were members of the League. Three of the disputes were between members of the League—pledged by the Covenant never to resort to arms until after arbitration or inquiry by the League—and in four more the disputes were begun by members of it.*

The Covenant of the League, it will be recalled, provided also that "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." Yet wars have come and gone, and the League has done nothing. It has done nothing in the Near East; it has done nothing in the Ruhr; it has been silent where a voice for peace has been most needed. Meanwhile its administration of the mandates has camouflaged such colonial crimes as the bombing of South African Hottentots by British airplanes, the conscription by France of black "wards of the League," and in the Saar Valley, within 200 miles of the League's headquarters, it has palliated what Mr. Asquith has called a "monstrous specimen of despotic legislation" without parallel in Czarist Russia. When the League dealt with the opium traffic it substituted for the Chinese proposal of restriction to "medical and scientific needs" the words "legitimate uses," thereby condemning India to further debasement in the interest of British government revenue.

There are good men working in the League and for the League, and the intentions of the American people are good. But that is not

enough. When the Covenant of this League was first presented at Paris *The Nation* wrote that it was "the memorandum of a working arrangement having in view the organization and apportionment of the material results of victory...a permanent constitution for the cabinet conferences of the Great Powers which have been settling the affairs of the world since the armistice." There has been an earnest effort to make it something better, but the effort has not succeeded. The Covenant remains the same; the domination of the League by the Allied Powers is still secure; Germany and Russia are still out-laws. *The Nation* is not isolationist; we realize the interrelation of Europe and America. The League may reform itself and change its character, but the lesson of Paris and Versailles is fresh in our memories. It is our profound conviction that if the United States should join the League at any time in the near future the effect would be, not to bring peace and alleviation to Europe, but to strengthen, by our alliance with them, the disruptive forces that have been dragging Europe steadily downward since 1914. Let our pro-League friends drop for a moment their moral fervor, study the facts, not the theory, of this League, recollect Paris, and beware.

LEAGUE USELESS AS PEACE BODY

By ARTHUR PONSONBY, M.P.

Had a League of Nations been conceived in a true spirit of internationalism; had it been detached completely and absolutely from the war and its consequences; had it been allowed to envisage Europe from the point of view of pure international justice, without taking into account the gains of the victors or losses of the vanquished; had it included at once all nations; had it been representative of the peoples rather than of their governments; had it been allowed to close once and for all the sordid volume of international slaughter and nationalist ambitions, and open a new volume, a new chapter, a new clean page of world settlement based on mutual agreement; and had it refused to allow supreme councils and Allied conferences to interfere with or disturb its work, I am convinced that the moral support it would have received from the peoples of the world would have been so widespread that it would have established itself in security and acquired the confidence and respect which would have given it power and authority.

Interpreter of Treaty

As it was, it became an instrument for carrying out the provisions of the peace treaties with all their disastrous injustices. The United States stood aloof. Germany, Russia, and Turkey were not admitted.

A self-constituted council dominated by the Allies in its turn dominated the assembly.

Time after time Allied conferences and sittings of the Supreme Council usurped its functions.

In the wars that continued it was too feeble to interfere. In the conflict between Russia and Poland, between Turkey and Greece, and, more notably still, in the Ruhr occupation, although fully authorized by its own constitution, embodied in the covenant, to interfere, it has been powerless, impotent, inept.

Being a committee of the Allies, it dared not interfere in case of offending one of them. When a question such as Upper Silesia is referred to it, its commission obediently shows its bias in favor of its Allied masters.

The great outstanding dominant function of a real League of Nations is the adjustment of the great political disputes between nations which either have led or may lead to armed conflict. For this great purpose it has failed.

FROM THE BUSINESS FACTORS IN THE INTERNATIONAL SITUATION

By EDWIN M. BORCHARD

(*The Standard*: JULY, 1923)

Then there is the League of Nations—that has been offered as a panacea. A good many people embraced it as the only way out of the darkness. I would refer you to an article by Principal Jacks, of Manchester College, Oxford, in the January *Atlantic Monthly*, in which he speaks of “a league of nations or a league of governments,” and he uses this language: How can you ever get a group of men whose profession is burglary to agree to associate themselves for the preservation of peace and the abolition of burglary? That is his language, not mine. Of course the nations engage in their enterprise not with evil intent, but for the promotion of national security and prosperity—that is the way they understand it and interpret it. Can you expect the nations that reflect the *mores* of these times to unite with other nations and merely by calling themselves a League bring about different practices? You cannot; and what has happened in Europe, I think, shows it. The French invasion of the Ruhr is the answer, to my mind, of what the League of Nations can do—a League like this. I do not say that international association is an impossible idea. It has got to come. Unless we are going to commit suicide there must be some method of international coöperation, but it must reach the causes, and not merely the effects. The League contemplates the continued operation of the causes that have operated heretofore. They are to continue to operate; and when they have produced their effects, when the nations are ready to strike, then the League is to come along and say: Do not go to war. I do not think it can be done. Nor is it altogether honest—for they have supported or tolerated wars that the major part of the Board of Directors were in favor of or divided about. Is that a League for Peace?

In considering the League, one must separate the political from the administrative functions. We have always had some administrative body to look after such things as the white slave traffic, international rivers, opium, etc., and it is a good thing to concentrate these administrative enterprises. But most advocates of the League wish to have it for a political object, for the abolition of war. I believe they are not going the right way about it, because, as I have already mentioned, the real causes of war are operating uninterruptedly from day to day.

Why cannot the League operate in Europe? Let them give a demonstration that they can preserve peace in Europe. The idea

that they cannot preserve peace there until we come in is manifestly unsound. Let them show, having all the nations of Europe in it—if they were all in it—that they can keep the peace for five years; then we will be interested. The present French action is not the result of international coöperation, it is flouting the public opinion of a large part of the world, due to the fact that they have the army with which to do it. It is a demonstration that the League is powerless, because certain governments have not the will to peace. Let Europe put itself on probation, and see what they can do. I have no *fear* of joining the League—but it is not a League for Peace. I do not believe that the bringing up of this question is a swing of the pendulum toward peace, because it merely diverts energy and intelligence from the facts of international life and postpones consideration of the real causes of war. That is bad; we must get down to brass tacks soon, because the forces that are in operation today, with poison gas and airplanes at their disposal, make an early solution peremptory, and that means a tackling of the effective causes of international conflict.

OBJECTIONS TO THE LEAGUE

(*The Arbitrator*: APRIL, 1919)

The opposition to the Covenant began to make itself heard even before the President's arrival, and is well stated in an article by Edward L. Conn in the March number of the *League of Nations Magazine*. The critics of the Covenant, says Mr. Conn, believe that a League can be created which will not endanger the institutions or the influence of America; which will not question the right of self-defense; which will not place the disposal of the armed forces of this country in the hands of a majority of foreigners; which will not dispossess the nation of its conscience nor establish the locus of American sovereignty in some other part of the world. But the present draft, they think, endangers the United States in all these respects.

On Friday, February 21, three days before the President reached Boston, Senator Borah of Idaho addressed the Senate at length upon the League, charging the new document with violating Washington's warning against entangling alliances, with renouncing the Monroe Doctrine, and with giving "England"—meaning the British Empire—through her dominions, five votes in conducting the business of the League as against one of the United States. Some three weeks later, in a speech before a smaller group, the Senator made an appeal for separation of the League from the treaty of peace and for a referendum on the League.

"Common horse sense calls for the separation of the League Covenant from the general treaty of peace. The League of Nations is the most momentous issue ever presented to the American people, and it should be subjected to the most careful scrutiny and discussion. Time should be allowed for submitting the question to a nation-wide popular referendum. The general peace treaty, which all the world wants ratified without delay, should not be held up while we are settling the issue."

On February 22, Senator Reed of Missouri addressed the Senate upon the League, reiterating several of the points made by Senator Borah, demanding, "Shall we surrender with the pen what Washington gained by the sword? Shall we repudiate the nationalism under which we have become the first people of the earth for the doubtful experiment of internationalism? Shall we make our government of the people, by the people, and for the people, a government partly by the people and partly by kings and emperors?" Following is a summary of the Senator's charges:

1. The League will be controlled, as the permanent organization of a political convention is dictated, by the group which gets control of the temporary organization, by the Big Five, four of which are bound by common ties against the United States.

2. As Canada, Australia, New Zealand, and South Africa would have to be admitted and given votes in the League, the British Empire will outvote the United States five to one. Egypt and India might later gain admittance, he said, while Japan might "vote" China.

3. Foreigners will thus control the size of the army and navy of the United States, adjust our disputes with Mexico, control our tariffs under the section providing that anything which might cause war would be at once a subject matter for the League, and control our immigration restrictions.

4. The League will be controlled by monarchs and despotisms, and may be swayed at some time by a combination between them and Bolsheviki, who would unite just as Lenine and Trotzky united with Germany.

The attacks made upon the Covenant by Senators Lodge and Knox on February 28 and March 1 have been considered the most important of the adverse criticisms of the Constitution, not because either Senator advanced any new objections, but because of their personal standing, Senator Lodge as Republican leader and chairman of the Foreign Relations Committee in the next Congress and Senator Knox because of his breaking of former relations with ex-President Taft, whose Secretary of State he was.

Senator Lodge deplored the lack of clarity in the wording of the Covenant, the danger to the Monroe Doctrine, and the seeming loss of sovereignty of the United States.

"In the first place," he said, "the terms of the League—the agreements which we make—must be so plain and so explicit that no man can misunderstand them.

"The suggestion that we can safely sign because we can always violate or abrogate is fatal not only to any League, but to peace itself.... To whatever instrument the United States sets its hand it must carry out the provisions of that instrument to the last jot and tittle, fulfill it absolutely both in letter and in spirit.

"If this is not done the instrument will become a source of controversy instead of agreement.... This is all the more essential because it is evident...that this League is intended to be indissoluble, for there is no provision for its termination or for the withdrawal of any signatory.... Therefore, before we ratify, the terms must be... as free from any possibility of conflicting interpretations as it is possible to make them.

"We abandon entirely by the proposed Constitution the policy laid down by Washington in his Farewell Address and the Monroe Doctrine. Washington declared against permanent alliances. He did not close the door on temporary alliances for particular purposes. Our entry into the great war just closed was entirely in accord with and violated in no respect the policy laid down by Washington.

When we went to war with Germany we made no treaties with the nations engaged in the war against the German Government....

"But if we put aside forever the Washington policy in regard to our foreign relations, we must always remember that it carries with it the corollary known as the Monroe Doctrine. Under the terms of this League Draft reported by the committee to the Peace Conference, the Monroe Doctrine disappears.

"I have seen it said that the Monroe Doctrine is preserved under Article X; that we do not abandon the Monroe Doctrine, we merely extend it to all the world. How any one can say this passes my comprehension. The Monroe Doctrine exists solely for the protection of the American hemisphere, and to that hemisphere it was limited. If you extend it to all the world it ceases to exist.... Under this draft of the statutes of the League of Nations, American questions and European questions are all alike put within the control and jurisdiction of the League. Europe will have the right to take part in the settlement of all American questions, and we, of course, shall have the right to take part in the settlement of all questions in Europe and Asia and Africa....

"In Article X we, in common, of course, with the other signatories and members of the projected League, guarantee the territorial integrity and the political independence of every member of the League.... It is a very grave, a very perilous promise to make.... If we guarantee any country on the earth, no matter how small or how large, in its independence or its boundaries, that guarantee we must maintain at any cost when our word is once given, and we must be in constant possession of fleets and armies capable of enforcing these guarantees at a moment's notice.

"...We now in this draft bind ourselves to submit every possible international dispute or difference either to the League court or to the control of the Executive Council of the League. That includes immigration, a very live question. Are we ready to give to other nations the power to say who shall come into the United States and become citizens of the Republic?

"Article III provides that each high contracting party will have one vote. On the well settled principle of international law, that national sovereignty is equal to every other national sovereignty, the United States will have one vote and so will Siam.... I think it is probable Germany will have a period of probation before she is even admitted to the League, and that seems to me to be eminently wise.

"Under Article VII, covering admission to the League, the assent of not less than two-thirds of the States represented in the body of delegates is necessary, and the membership is limited to 'fully self-governing countries, including dominions and colonies'... Canada, New Zealand, South Africa, and Australia, are far more worthy and

more valuable members of a League of Nations than some which I think will find their way into the body. But the fact remains that in the body of delegates England has five votes to one vote of any other country.

"There is an absolutely binding provision in the words 'and these limits when adopted shall not be exceeded without the permission of the Executive Council.'

"The high contracting parties undertake in no way to conceal from each other the condition of such of their industries as are capable of being adapted to warlike purposes or the scale of their armaments.' An admirable proposition! There seems to be no method expressed here by which they can be compelled to give that information except by saying that if they do not do it they fail in a moral obligation."

By way of illustration of the practical working of the article that binds members of the League to have no resort to war until three months after the award of the arbitrators of the dispute, Senator Lodge supposed a conflict between the United States and Mexico, which "does not happen, we will say, to be a member of the League... Under this article we have got to wait three months before we do anything. That, I think, would be a little hard on the people who live on the border!...

"Finally, the Senate will observe that there is no provision for withdrawal, and an indissoluble treaty without the right of withdrawal is very unusual." . . .

Urging the making of immediate peace with Germany, the restoration of Belgium, the payment of indemnities to France and the return to America of our soldiers, Senator Lodge concluded:

"We have in this country a government of the people, for the people, and by the people, the freest and best government in the world, and we are the great rampart today against the anarchy and disorder which have taken possession of Russia and are trying to invade every peaceful country in the world. For Lincoln's government of the people, for the people, and by the people, we are asked to substitute in the United States on many vital points government of, for, and by other people."

Senator Knox applied to the Covenant four "simple and reasonable" tests:

1. Do its provisions abolish war and make it hereafter impossible?
2. Do the provisions of the proposed Covenant strike down the precepts of the Constitution?
3. Are the provisions of the proposed Covenant destructive of our sovereignty?
4. Will this plan, if put into operation, threaten our national independence and life?

Discussing these tests in turn, the speaker argued that since the

Covenant divided the nations of the world into (1) signatories of the League, (2) nations named in the attached protocol, and (3) other states, whose entrance shall be conditional upon their offering guaranties of their intention to abide by their international obligations, the nations in the last class would undoubtedly form an opposition-league of their own and precipitate new conflicts. Nor does the League discuss war as illegal. Reciting the seven methods under which the League plan regards war as legal and possible, the Senator declared:

"In all of these cases the Covenant recognizes the legality of a state of war. But the Covenant goes away beyond this and provides for and requires that in certain far-reaching controversies the parties must go to war.

"We come now to the second question I proposed. Do the provisions of the proposed Covenant strike down the precepts of the Constitution? A mere listing of some of the more conspicuous provisions of each shows that it does.

"Under the Constitution the Congress of the United States has the exclusive power to declare war. The proposed Covenant puts the power of declaring war in the hands of the Executive Council.... Thus, whether Congress wishes or not,...we may be forced into war.... Under the Constitution the Congress of the United States has the exclusive power to raise and support armies and to provide and maintain a navy. The Covenant provides that the Executive Council shall formulate plans limiting the size of our army and navy.

"Thereafter, no matter what our necessity or what its urgency,... we cannot raise a single man beyond our limit save and except it be approved by the Executive Council....

"If war were abolished this might be tolerable, but with war legalized even between members of the League and actually commanded in certain contingencies, this may spell for us overwhelming disaster.

"Under the Constitution a treaty becomes effective upon its ratification, with the advice and consent thereto of the Senate. Under the Covenant no treaty becomes binding until it has been registered with the Secretary-General of the League....

"One other matter demanding consideration, the question of mandates:

"No matter who picks the mandatory power, clearly some one beside ourselves has the power to say whether and when our boys and how many of them shall be sent to the arid regions of Armenia, or to the sleeping death regions of Central Africa, or to the wilderness of Southwest Africa, or to the inhospitable South Pacific Isles....

"I come now to the third question I have put: Are the provisions of the proposed Covenant destructive of our sovereignty?

"Cast up in your mind the colossal powers granted to the Executive Council...and hold in mind that we are to give up the power to say

when we shall have war, when peace, what shall our army number, how many vessels of war shall we have, how, when, where and under what conditions shall our army and navy be used, when shall our treaties be binding, what shall our treatment of commerce be, how great shall be our gifts of funds to other powers, and therefore how great the tribute we shall pay—consider all these, and you cannot but say that our sovereignty has in matters of national life and death been destroyed.

"I come now to the fourth and last of my tests: Will this plan, if put into operation, threaten our national independence and life?

"Judged by all the standards of the past, by history and by experience, we must answer that it does.

"It threatens our life in respect of all those matters in which our sovereignty is impaired. . . . Independence goes when our conduct is dictated by others, when our continued existence depends upon the will of others, when we are no longer able to avail ourselves of our wonted means of defense, actual or by anticipation."

Insisting that the Covenant ran counter to the policies of Washington and to the Monroe Doctrine, Senator Knox ended by saying:

"Under such a code we would not be called upon to arbitrate the policy in our Monroe Doctrine, our conservation policy, our immigration policy, our right to expel aliens, our right to repel invasion, our right to maintain military and naval establishments or coaling stations, our right to make necessary fortification of the Panama Canal or on our frontiers, and other matters of live character."

Other opponents of the Covenant have been Senator Fall of Wyoming, who said: "If the present League of Nations plan is adopted, Great Britain will rule the League, and I object to America's becoming again a subsidiary country to the British Isles;" and Senator Poindexter of Washington, who urges: "Do not call it a Peace League. It is a War League, pledging the United States to participate in every war originating in every part of the world. It is void and incapable of being given effect;" and Senator Beveridge of Indiana, who has been told that we are now a world power and that we must take up new burdens, and who answers: "We are, indeed, a world power, and we do not intend to surrender that position and become the tail of an international kite. We welcome new burdens, if they are legitimate, but we decline those belonging to others, which they are eager to unload on us;" and Pope Benedict, who is understood to be of the opinion that "The League might have been constituted in a simpler manner."

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