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William W. Lamkin

THE IMPACT OF PUBLIC OPINION AND
PRESSURE GROUPS ON CONGRESSIONAL
FOREIGN POLICY DECISIONS

by

William Wallace Lamkin

A Thesis submitted in conformity with the
requirements for the Degree of Doctor of
Philosophy in the University of Toronto

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THE IMPACT OF PUBLIC OPINION AND
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BY

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This study combines two parallel research interests which traditionally fall into different academic domains. On the one hand, it focuses on the general question of the linkage between public opinion, pressure groups and Congress as a foreign policy-making institution. On the other hand, it addresses the specific question of whether public opinion and pressure groups significantly influenced the evolution of an isolationist foreign policy between World War I and World War II.

The study begins by attempting to demonstrate that despite a prolonged period of Executive dominance of foreign affairs after World War II, Congressional participation in substantive foreign policy making is historically quite variable. Next, the research focusing on public opinion, pressure groups and foreign policy is reviewed in an attempt to illustrate that Congress' variable foreign policy role is a key factor in determining whether domestic sources might influence foreign policy.

This analysis is the basis for the study's central hypothesis that the probability of nongovernmental influence on American foreign policy is positively correlated with the degree of Congressional participation in the foreign policy process. Three additional hypotheses are proposed to explain this relationship. In each instance one of the three historical case studies is identified as a plausibility test for each hypothesis.

After a discussion of Congress' reassertion of its foreign affairs authority after the Versailles Treaty debate, the second

World Court Treaty battle (1934-1935), the Nye munitions investigation (1934-1935), and the first successful Congressional neutrality initiative (1935) are examined in an effort to determine whether public opinion and pressure groups significantly influenced any of these political outcomes.

Three conclusions are drawn from the case studies. First, pressure groups exercised a direct, identifiable influence on Congressional foreign policy making during this period. Second, although it did not exercise a comparable direct influence, public opinion proved to be the decisive political battleground in the war between isolationists and advocates of a more activist foreign policy. Finally, an opportunity hypothesis emerged as the more promising explanation of the relationship between Congress' foreign policy role and pressure group influence on foreign policy while a partisan mobilization hypothesis emerged as a more credible model of the opinion/policy relationship.

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INTRODUCTION

This study represents an attempt to marry two parallel research interests which by tradition have fallen into academically distinct domains. On the one hand, it reflects an interest in the questions of whether and how domestic variables influence American foreign policy. These issues conventionally fall into the domain of political science. On the other hand, it arises from a specific interest the question of whether public opinion or pressure groups significantly influenced the evolution of America's isolationist foreign policy between World War I and World War II. Although this question is obviously relevant to scholars of the domestic context of American foreign policy, it conventionally falls into the domain of history.

The impetus for this project comes from two observations concerning the manner in which political scientists and historians have addressed these related issues. First, most political scientists interested in foreign as opposed to domestic policy express "faith" that America's political institutions are sufficiently democratic to insure a public voice in the foreign policy process. However, based upon their collective research, they have a difficult time explaining exactly how public opinion or pressure groups influence the foreign

policymaking process. Likewise, historians interested in American foreign policy between 1919 and 1941 usually interpret the triumph of isolationism as proof that "domestic sources" have a politically significant impact on foreign policy. But, this interpretation has much in common with the political scientist's expression of faith, for it is not supported by anything resembling a systematic analysis of how public opinion and pressure groups exercised this influence.

This study represents a valuable methodological tool with which to delve into the relationship between domestic factors and the foreign policy process, and yet, this tool has been underutilized by political scientists. This phenomenon can be partially explained by the fact that historical literature pays so little systematic attention to the contribution of domestic variables to foreign policy. However, one of the objectives of this study is to illustrate the potential utility of the case study approach with regard to the domestic context of American foreign policy: Specifically, the primary aim is to take one small step towards a better explanation both how and when domestic sources are capable of influencing the politics of foreign policymaking, by analyzing the relative political influence of both public opinion and pressure groups on (1) the World Court battle (1934-1935), (2) the origins and conduct of the special

Senate munitions investigation (1934-1935), and finally,
(3) Congressional neutrality initiatives (1935).

American statesmen and scholars have a long tradition of either attributing considerable direct foreign policy influence to public opinion and interest groups or characterizing these variables as setting the boundaries with regard to American foreign policy.¹

However, since World War II, radical critics of American foreign policy have vigorously disputed these claims.² They have countered with the argument that the alleged political influence of the American public is more democratic myth than political reality. They contend that America's power elite make foreign policy decisions in an environment which is virtually closed to popular input and free of domestic constraint.

This author shares Bernard Cohen's and Michael Leigh's conviction that the issues at the heart of this controversy should be subjected to empirical verification.³ Given the enormous ideological significance of this dispute, one might expect this to be a high priority area for empirical research. However, as Barry Hughes notes in the introduction to his textbook treatment of this subject, the opposite has been the case.

Foreign policy studies overwhelmingly focus on the international environment of U.S. policy and on governmental

decision-making institutions and processes. Books describing the process of policy making invariably devote only one chapter or part of one chapter to public opinion and interest groups. In much of the work that does examine the domestic context of foreign policy, authors appear compelled to "take a stand" and to tell us whether or not the public controls foreign policy. Many of these books and articles vacillate, however, presenting considerable evidence on the weakness of public input and then trying to salvage some role for the public in their conclusions.⁴

If nothing else, the spectacle of political scientists defending the public's foreign policy role, despite the evidence to the contrary, suggests that this is a matter worthy of more systematic and sustained scholarly attention than it has received over the past twenty-five years.

By the beginning of the 1970's a few political scientists were openly expressing their dissatisfaction with the evolution of empirical research focussing on the domestic context of foreign policy. It was Bernard Cohen's assessment that,

As a result of substantial research, we know quite a bit now about the nature and structure of opinions within the body politic on particular foreign policy issues, about their location in the political and social structure of the nation, and about the dynamics of their development and change. We know a lot about interest groups, and a considerable amount about the press, as instruments for the presentation and circulation and advocacy of

foreign policy views. We have done rather well, in other words, on almost every aspect of public opinion up to the point where the relationship with the policymakers actually begins. But we know strikingly little, in an assured way, about the impact that the body of nongovernmental opinion has upon the men who formulate and execute American foreign policy -- which is ... the essence of the question which concerns us.⁵

During the first half of the 1970's both Cohen and Micheal Leigh published major studies focusing on this linkage. In The Public's Image on Foreign Policy, Cohen searches for a link between public opinion and officials in the State Department. He interviewed a cross-section of State Department officials in an effort to gather empirical evidence of how they "see and react to the opinion environment".⁶

In Mobilizing Consent Leigh addresses the much debated question of whether public opinion constrains a President from making foreign policy initiatives.⁷ More specifically, Leigh employs three case studies as a plausibility test of his hypothesis that "the more highly developed the government's information function the weaker the public opinion constraint".⁸

Neither of these works offers much solace to adherents of the position that American foreign policy is popularly controlled. Cohen found that State Department officials pay virtually no attention to public

opinion when considering foreign policy options because they perceive it as poorly informed and politically impotent vis-a-vis themselves.⁹ Similarly, in his conclusion, Leigh argues that

far from being constained by popular opinion, policymakers manipulate it in support of their predetermined policy choices.¹⁰

Yet, he modifies this judgment by noting that "the need to mobilize consent is itself witness to the constraint the national leaders perceive inhering in the mass public".¹¹

Both of these works demonstrate the futility of continuing to isolate the study of what are "theoretically" the domestic sources of foreign policy from the policy-making process itself. Thus, Cohen's and Leigh's research represents a significant step down the road to ultimately answering the question of whether American foreign policy is susceptible to nongovernmental influence. Neither of these studies, however, pretends to exhaust the possibilities for research with regard to the linkages between non-governmental variables and all governmental participants in the foreign policy process. Consequently, although each of these studies may drive another nail into the coffin of the liberal democratic notion that the public somehow controls Executive-made foreign policy, the possibility that public opinion and pressure groups

influence Congressionally-made foreign policy decisions remains unexplored. Furthermore, there is nothing in either study which precludes the possibility that these variables might not influence Executive foreign policy making through the instrumentality of the democratically elected Congress. In fact, Cohen reports that the only circumstances under which State Department officials respect public opinion arise when influential Congressmen share public concerns about an issue.¹²

This study is intended to pick up where Cohen and Leigh left off by focusing on the linkage given between public opinion, and pressure groups, and Congress as a participant in the foreign policy process. Since the contention that the Congress can play a politically significant foreign policy role is not universally accepted, the point of departure for this study will be an analysis of Congress' constitutional foreign policymaking authority and its historical foreign policy role.

Chapter 1 attempts to demonstrate that Congress has more than enough constitutional authority to be a substantive institutional participant in the foreign policymaking process. Its actual foreign policy role is, therefore, a function of its political will. The argument will be made that Congressional willingness to participate in substantive foreign policymaking is

historically much more variable than a review of cold war foreign policymaking might have one believe.

Chapter 2 reviews the research focusing on public opinion, pressure groups and foreign policy. Hopefully, this review will illustrate that while the American people do not exercise the political control over foreign policy predicted by classical democratic theory, there is evidence which links active Congressional participation in the foreign policymaking process and an increase in the political efficacy of both public opinion and pressure groups with regard to foreign policy.

Chapter 3 tries to provide a theoretical framework capable of connecting each case study to the more general project of explaining when and how domestic variables are most likely to substantively influence American foreign policy. An effort is made to weave isolated observations from earlier chapters into a formal hypothesis relating the political efficacy of public opinion and pressure groups and Congress' variable participation in the foreign policy process. Three possible explanations for the suggested relation are presented; and finally, one of the case studies is designated as a plausibility test for each explanation. As a consequence, each case study will have some utility to scholars working within the domain of political science

as well as history.

Chapter 4 presents a historical introduction for the case studies. This chapter traces the evolution of the ideological struggle between isolationism and internationalism from the Senate's deliberation over the Treaty of Versailles. Congress' gradual reassertion of its foreign policymaking authority after World War I is also discussed.

Chapter 5 focuses on the second round of the World Court battle in 1934 and 1935. Careful attention will be given to analyzing the political significance of the activities of pacifist pro-Court and isolationist anti-Court pressure groups. The actual political impact of the passionate outburst of isolationist public opinion during the final days of the Senate deliberation over the World Court Treaties will also be considered.

Chapter 6 focuses on the first year of the Nye munitions investigation. This case study attempts to isolate the political influence of radical pacifists and the American Legion on the origin, conduct, and goals of this inquiry.

Chapter 7 examines the events leading to Congress' most important foreign policy initiative of the 1930's -- isolationist neutrality legislation. In this study special

emphasis has been placed on disentangling the relative political influence of the Congressional leadership which sponsored this initiative from the coalition of domestic forces which generally supported it.

Political scientists interested in untangling the controversy concerning the democratic input into American foreign policy have relied on classical democratic theory and neomarxist elite theory to provide testable hypotheses. With the possible exception of Barry Hughes, they have shown little interest in generating their own hypotheses about the relationship between public opinion, pressure groups, and the foreign policy process. The failure to devote much energy to the development of empirically grounded theories may help to explain the inability of political scientists to provide a more convincing explanation of how non-governmental variables influence the foreign policy-making process. They may simply have been asking the wrong questions.

If American foreign policy is susceptible to domestic influence, then the American political system defines the opportunities for public influence. Since World War II, scholars have focused primarily on the Presidency or the Executive as the institutional source of U.S. foreign policy. Nonetheless,

the Executive branch does not have a monopoly on foreign affairs powers. Indeed, Congress' willingness to assert its foreign affairs authority may well represent the key factor defining the opportunities for domestic influence.

FOOTNOTES

1. For statements on public influence see: Dean Rusk, State Dept. Bulletin, Vol. 52, No. 1370, September, 1965, pp. 506-507. The domestic constraint theme is also elegantly presented in: Henry Kissinger, Years of Upheaval, (Boston: Little, Brown and Company, 1983). For scholarly endorsement see: Thomas Bailey, The Man In The Street: The Impact of American Public Opinion on Foreign Policy (New York: Macmillan, 1948), p. 10. V. Q. Key, Public Opinion and American Democracy (New York: Alfred Knopf Inc., 1961), p. 70.
2. Gabriel Kolko, The Roots of American Foreign Policy (Boston: Beacon Press, 1969), pp. 12-13. or Morton Berkowitz, P. G. Bock, and V. J. Fuccillo, The Politics of American Foreign Policy (Englewood Cliffs: Prentice Hall Inc., 1977), pp. 282-87.
3. Bernard Cohen, The Public's Impact on Foreign Policy (Boston: Little, Brown and Company, 1973), pp. 1-7, 20-26. Micheal Leigh, Mobilizing Consent (Westport: Greenwood Press, 1976), pp. xi-xvi.
4. Barry Hughes, The Domestic Context of American Foreign Policy (San Francisco: W. H. Freeman and Company, 1976), p. xi.
5. Bernard Cohen, "The Relationship Between Public Opinion and Foreign Policy Makers", in M. Small ed., Public Opinion and Historians (Detroit: Wayne State Press, 1970), p. 66.
6. Cohen, Public's Impact, p. 26.
7. Leigh, Mobilizing Consent, pp. xi-xvi.
8. Ibid., p. 15.
9. Cohen, Public's Impact, p. 203.
10. Leigh, Mobilizing Consent, p. 169.
11. Ibid.
12. Cohen, Public's Impact, pp. 115-17.

CHAPTER 1: CONGRESS AND FOREIGN POLICY

We may say that the power to legislate for emergencies belongs in the hands of Congress, but only Congress itself can prevent power from slipping through its fingers.¹

The American political system is unique, even among democracies, because a popularly elected legislature shares foreign policy jurisdiction with the chief executive. Thus, one might expect that the linkage between the public and Congress would be a topic of considerable interest to those studying the "domestic sources" of American foreign policy. Surprisingly though, this area of potential research has been virtually ignored. The most obvious explanation for this lack of interest is that students of the domestic sources of American foreign policy do not perceive the Congress as a significant foreign policymaking institution.

Inasmuch as this work is based on the premise that the linkage between the public and Congress may represent the key to identifying the nongovernmental influences on America's foreign policy, it is necessary to begin by addressing the question of whether the Congress can play a politically significant institutional role in the foreign policymaking process. The Constitution's

division of the foreign affairs powers between the President and the Congress represents a logical point of departure for this discussion.

Unfortunately, while there is no doubt that the Constitution vests all foreign relations powers in the federal government, there is no clear constitutional criterion for deciding the distribution of these powers among the federal branches. Consequently, the precise constitutional division of the foreign affairs powers between the President and the Congress is a matter of considerable scholarly and legal controversy.² Unlike domestic affairs where "the principle of separation is more or less clear and its consequences more or less agreed", in foreign affairs "what each branch can do alone, when the other is silent, or in the face of opposition, is not determined by any "natural" division".³

Louis Henkin argues that any constitutional vagueness in this area is a direct consequence of the framers' application of the principles of "separation" and "checks and balances".⁴ By dividing the foreign affairs powers between the President and the Congress, it was hoped that the federal government would be greatly strengthened, while defending republican political liberties from the threats of tyranny and autocracy inherent in any strong centralized authority. On the

other hand, John Lehman argues that this same constitutional haziness is the by-product of a political compromise, between proponents of two philosophically incompatible theories of executive authority, at the constitutional convention.⁵ Whatever the reason, the framers conferred important foreign relations powers to both the Chief Executive and the Congress, leaving the details concerning precise distribution to be resolved in the future political arena of Executive-Congressional relations.

The President's foreign relations authority stems more from his position as Chief Executive and Commander in Chief than from any direct constitutional grant of specific authority. In the early days of the republic it was decided that constitutional grants to negotiate treaties and "receive Ambassadors and other public Ministers" implied that "the President is the sole organ of the nation in external relations, and its representative with foreign nations".⁶ Over the years it has become accepted that "the very delicate, plenary, and exclusive power of the President as the sole organ of the federal government in the field of international relations" is of itself adequate to justify;⁷ the President's monopoly over external communication,⁸ his right to decide when and if the United States would recognize foreign governments,⁹

and his right to make executive agreements which have at times effectively circumvented the treaty-making process.¹⁰

While the President's authority as sole organ of the United States has obviously created numerous opportunities for him to unilaterally define American foreign policy, his constitutional authority as Commander in Chief has been used to justify the use of the armed forces in a host of independent policy initiatives. Certainly, as Commander in Chief, the President has the authority to order anything necessary to repel invasion or otherwise oppose any nation making war on the United States.¹¹ However, ever since Lincoln claimed unprecedented emergency powers at the start of the Civil War, succeeding Presidents have claimed the authority to exercise nearly complete control of American foreign policy during wartime.¹² Furthermore, during peacetime the President's authority as Commander in Chief has been used to justify repeated use of America's armed forces for purposes short of war.¹³ During this century alone the President has dispatched the armed forces to Mexico and Nicaragua to fight bandits, to the Congo to protect U.S. citizens, to Iran to rescue U.S. citizens, and to Korea and Viet Nam to prevent the expansion of communism. In all of these instances and more, the President's actions have profoundly influenced

the substance of American foreign policy.

If one focused exclusively on the evolution of the President's foreign affairs powers, it is not difficult to imagine the Executive branch as the predominant foreign policymaking institution in the federal government. However, this was clearly not the framers' intent, for the Constitution explicitly limits the President's foreign relations authority by granting important powers to the Congress. For example, though the Constitution grants the President the power to negotiate treaties as the "sole organ" of the federal government, the Constitution makes the Senate a full partner in the treaty making process by requiring that two-thirds of the Senate approve a treaty before it becomes binding.

Clearly, during this century, the Supreme Court's liberal attitude towards the President's authority to conclude executive agreements makes it possible for a modern President to make treaty-like agreements without the Senate's "Advice and Consent".¹⁴ However, as a practical political matter, the President's need to peacefully coexist with the Senate assures that no President "will lightly risk antagonizing it by disregarding its constitutional prerogative".¹⁵ Consequently, though treaties may not play as important a role in U.S. foreign relations as they once did, one has only to recall the difficulties experienced by the

recent Carter Administration over the Panama Canal and SALT II treaties as a reminder of how the Senate's treaty making role can still check the President's ability to dictate American foreign policy.¹⁶

A second explicit check on the President's foreign affairs power is the fact that the constitution grants the Congress, not the Commander in Chief, the power to declare war. It would appear that the President's authority to employ the armed forces for foreign policy purposes was to be checked by Congress' authority to commit the armed forces to war. However, as undeclared or informal warfare become the international norm, it also becomes virtually impossible to identify or define a meaningful boundary between Presidential and Congressional authority in this important area. President Wilson's decision to arm merchantmen, like Roosevelt's decision to convoy lend lease supplies, arguably involved waging undeclared war just as much as U.S. involvement in Korea and Viet Nam. Indeed, many interpret the mere fact that presidents have been able to successfully conduct undeclared wars as adequate proof that precedent and historical circumstances have combined to reduce the Congress' war power to the point where it is no longer politically significant.¹⁷ Nonetheless, Jacob Javits contends that the mere fact that the constitution delegates the war power to the Congress continues to justify a periodic

Congressional assertion of its prerogative to meaningfully participate in a host of substantive foreign policy decisions which could conceivably involve the nation in a future conflict.¹⁸

In addition to its treaty making and war making authority, the Congress is vested with a number of "Legislative" powers which make it capable of influencing both the substance and the conduct of U.S. foreign relations. For example, Article I grants Congress the sole authority to "regulate Commerce with foreign nations". The Congress is vested with complete control over all appropriations necessary for the maintenance of the armed forces and the day-to-day intercourse with other countries. Finally, based upon the Court's interpretation of Congress' legislative powers, Henkin concludes that "there is no warrant for confident assertion that any matter relating to foreign affairs is not subject to the legislation of Congress".¹⁹

Thus, despite the fact that America's foreign relations have turned out to be much more complex than deciding whether to make treaties or go to war, it is clear that the Congress has more than enough constitutional authority to be a potent institutional participant in the foreign policymaking process. Any Congress which can muster the political will can exercise an

immense political influence on a broad range of foreign policy questions. In fact, if one reviews the Supreme Court decisions in cases dealing with the distribution of the foreign affairs powers, it becomes clear that the Congress represents the single most important restraint upon the President's foreign affairs powers.

Though the Supreme Court has a long tradition of refusing to rule on cases, if to do so would have involved taking sides in a political conflict between the President and Congress over the substance of foreign policy, those cases relating to foreign affairs on which the Court has ruled have effectively broadened the President's authority.²⁰ Indeed, since its landmark decision in United States v. Curtiss-Wright Corporation, the Supreme Court has made it quite clear that the President's authority to act in the external realm is practically limitless.²¹ However, in the Youngstown Steel case the Court addressed the issue of the limitations of the President's authority as Commander in Chief. Justice Jackson espoused the theory that there are three degrees of Presidential power: his ability to act with full Congressional support, his ability to act when Congress is indifferent, and finally, his ability to act in the face of Congressional opposition.²² Based on this theory, the Court ruled that President Truman had no right to use the army to end a labour dispute during the Korean War, despite his claim that the war

constituted a national emergency, because he was acting against the expressed will of Congress.

Thus despite the Supreme Court's tradition of affirming the President's authority to make internationally binding executive agreements and to deploy America's armed forces overseas, the Court also identifies the Congress as the only political institution which can realistically challenge the President. Indeed the Court's policy of not ruling on disputes between the President and Congress which concern the precise distribution of the foreign affairs powers indicates that, in the Court's opinion, these conflicts are rightly resolved in the political arena. Thus, if one wants an explanation of why so little political research focuses on the linkage between the public and Congress as a foreign policymaker, it is necessary to look beyond the question of Congress' constitutional authority to the question of whether the Congress is, as a practical political matter, capable of translating its constitutional authority into influence over foreign policy.

Studies of Congress as a foreign policymaking institution, though few, can easily be divided into two categories. A first type of study addresses the issue of who wields power within the Congress when legislation

affecting foreign affairs is being considered. The second type of study examines the relative influence of the Congress in the overall foreign policymaking process.

Congress and Foreign Policy by Robert Dahl is an influential example of the type of study focusing on the patterns of influence within the Congress. Dahl develops a series of indirect empirical indicators to determine which congressmen are most influential in regard to foreign affairs legislation.²³ Not surprisingly his research reveals that the chairmen and members of the foreign affairs committees exercise immense influence in regard to foreign policy legislation.²⁴ Not only does this group have the highest rate of success in getting their foreign policy initiatives approved by both committee and the full house, but Dahl found that other congressmen depend heavily on committee "experts" for information and advice about foreign policy legislation.

To Dahl's credit he was one of the first political scientists to emphasize the idea that control over information translates directly into political influence in any complex institutional decision-making process. When this study was first published in 1950, it was well ahead of its time in emphasizing the foreign policy

advantages which accrue to the Executive branch as a consequence of its bureaucratic superiority vis-a-vis the Congress.

Certainly, the expanding role of the federal government during this century has triggered an exponential growth in the size and influence of the executive bureaucracy. As a direct consequence of this growth "the quality and vastness of the personnel resources of the executive branch are unmatched by any organization in the world".²⁵ Because he enjoys the advantages of unrestricted access to vast political and military intelligence networks and the most sophisticated foreign affairs experts, the President enjoys a decided advantage over Congress in developing and defending his foreign policy proposals. If the average congressman is dependent on foreign affairs committee members for information and expertise, the committee members themselves are at least as dependent on "executive sources" for both information and expertise about foreign affairs. As a direct consequence of this dependency, Dahl argues that it is difficult to imagine the Congress as an independent institutional participant in the foreign policy process.

The principal limitation of Dahl's analysis of the information issue is the absence of any discussion

of the political variables which might alter Congressional willingness to rely on the information and expertise provided by the Executive. Dahl recognizes that Congress has no objective basis for evaluating the authenticity of Executive information when it conflicts with the evaluations of the press, or other credible sources. Given this fact, surely the possibility exists that any number of political factors might influence a congressman's evaluation of what constitutes the best means of pursuing the nation's foreign policy objectives. For example, changes in political variables like popular consensus, presidential credibility, or even the intensity of political partisanship might significantly affect Congressional willingness to collectively follow the President's lead in foreign affairs. Although variables such as these may remain quite stable for more than a decade at a time, there is no doubt that they do change. Therefore, it is arguable that any empirical study, which makes use of a methodology similar to Dahl's lacks the "historical perspective" necessary to make confident generalizations about Congress' foreign policy role.

In Congress and Foreign Policymaking James Robinson attempts to remedy the need for a more historically comprehensive research approach. Modeled after Chamberlain's The President, Congress, and

Legislation, Robinson reviews twenty-two case studies of foreign policy decisions spanning the years 1933-1961 in an effort to discover how often Congress took the initiative in foreign affairs.²⁶ Based upon his comparative analysis of these case studies Robinson concludes that Congress rarely takes the initiative in foreign affairs. Rather, it plays the role of "modifier, negator, or legitimator of proposals which originated in the executive".²⁷ Robinson concludes that "much of Congress' foreign policy activity is in determining the organizational arrangements of the policymaking process, as distinguished from affecting substantive foreign policy legislation".²⁸

While there is no denying the need for this sort of comparative historical study, there are important methodological flaws in Robinson's data and analysis which undermine his conclusions. First of all, even Robinson concedes that the case studies on which he must rely "have been selected for virtually every reason except for the illustration of the most typical patterns of legislative activity".²⁹ Because these studies often pay insufficient attention to evaluating Congress' contribution, Robinson may have overestimated his ability to get an accurate picture of whether Congress initiated, amended, or merely legitimated a given piece of legislation.

For example, in the first case study which he discusses, Robinson notes that

the original impetus for neutrality legislation came from the administration in 1933, but Congress refused to grant the President the discretionary authority which he sought. Subsequently, Congress took the initiative in requiring a mandatory arms embargo on shipments to all belligerents in time of war.³⁰

Robinson is simply mistaken when he characterizes neutrality legislation as an Executive initiative. When the Roosevelt administration presented its proposal for neutrality revision in 1933, the discriminating arms embargo which constituted the heart of this "initiative" was borrowed directly from earlier Congressional resolutions sponsored by Congressman Burton and Senator Capper in 1928 and 1929.³¹ The case study on which Robinson relies fails to supply this historical background information, and as a result, Robinson wrongly characterizes the Executive as initiating neutrality legislation when in fact it was originally initiated in the Congress.

But more importantly, the substantive differences between the 1933 administration bill and the one passed in 1935 are much greater than Robinson seems to appreciate. The discretionary arms embargo idea was resurrected in 1933 by Norman Davis one of the leading advocates of collective security in the Roosevelt

administration. Davis was the United States representative at the Geneva Disarmament Conference, and he hoped that if Congress would give the President the option of using a discriminatory arms embargo as a means of cooperating with future collective security measures authorized by the League of Nations, then England and France might be persuaded to be more flexible at the Conference.³² Thus, if the Roosevelt administration had been perfectly candid, its proposal would have been entitled "collective security legislation".

The Administration bill died in the Senate because isolationists opposed Davis' objective on principle. When isolationist Senators from the munitions investigation proposed a whole series of neutrality laws two years later, they were consciously formulated to forbid Roosevelt from cooperating with any League sanctions in the forthcoming Ethiopian conflict.³³ The case study on which Robinson relies does not seem to emphasize these important distinctions, and consequently, Robinson characterizes radically isolationist neutrality initiatives as merely an amended version of the 1933 administration bill.

A second deficiency in Robinson's data is that his case studies are abnormally distributed throughout the period in question. The case study which has just been discussed represents the only data which Robinson

uses which deals with the seven years from Roosevelt's inauguration to the fall of France, and yet, this period is usually singled out by historians as a particularly intense period of Congressional participation in, if not control of, American foreign policymaking.³⁴ As a result, Robinson's study is, at best, an adequate reflection of Congress' relative influence on foreign policy starting in 1941 rather than in 1933.

One can concede that Congress exercised a minimal influence on foreign policymaking during this latter period without accepting Robinson's argument that Congress is institutionally incapable of influencing substantive foreign policy. The fact that Congress rarely took the initiative in foreign affairs during this period does not diminish the significance of earlier Congressional initiatives (eg. neutrality legislation) or preclude the possibility that under the right circumstances Congress might seize the legislative initiative in the future. Furthermore, it is quite possible that Robinson's preoccupation with the question of initiative may have led him to underestimate the potential which modifying and negating can have on substantive foreign policy.

It is my contention that if one examines the Congress' record of political participation in "substantive" foreign policymaking, not just during this

period, but over the last fifty years, there is evidence that Congressional interest in, and influence over, American foreign policy varies significantly. Two examples will illustrate this point.

Recent war powers legislation is not by any means a historically unique attempt by Congress to legislatively limit the President's power to effectively involve the United States in a war without Congressional approval. The publication of Merchants of Death and Iron, Blood, and Profits followed by the highly publicized disclosures of the Nye Committee convinced a majority of Congressmen during the 1930's that American loans and arms trade with the Allies during World War I made America's ultimate armed involvement inevitable.³⁵ In response, Congress initiated and passed a series of neutrality laws to prevent these sorts of economic activities from involving the nation in a future European conflict.

While most scholars recognize these laws as one of the strongest manifestations of American isolationism at that time, few remember them as Congressional attempts to limit the President's war making powers. However, one of the most powerful and persistent arguments in favour of the mandatory provisions of the neutrality laws which were passed was that to allow any President

the discretion to selectively embargo either arms or trade, as the Roosevelt administration requested, would amount to a de facto "transfer to the Chief Executive of the war making power".³⁶ Just as the War Powers Act represents a congressional attempt to translate the lessons of Viet Nam into legislation limiting the President's war making power, the mandatory provisions of neutrality legislation were meant to translate the lessons of America's involvement in the First World War into guarantees that economic interests could not pressure the President into selling arms to England and France and thus, involving the country in the next European war.

Both the War Powers Act and Neutrality legislation were passed by Congresses which were deeply concerned about the ability of the President to involve the United States in a war which Congress did not approve. However, during the intervening years, no Congress was discernibly disturbed by this prospect. In fact after World War II a majority of congressmen openly decried the effectiveness with which isolationist Congresses had hamstrung Roosevelt's conduct of foreign policy. This period of presidential ascendancy can be explained in part as a reaction to the political consequences of Congress' attempt to seize the reins of foreign policy during the 1930's.³⁷ During the cold war most Americans

interpreted the lessons of recent history to teach that the success of American foreign policy depended on Congress granting the President a maximum amount of flexibility and freedom of choice with a minimum amount of interference. Nonetheless, both neutrality and war powers legislation illustrate that Congressional willingness to grant the President maximum discretion in exercising his foreign affairs powers has varied substantially over the past fifty years.

Congress' record in regard to the size of America's military budget represents another example of variable concern regarding a foreign policy related issue. After World War I a series of congresses painstakingly scrutinized all proposed military appropriations so as to eliminate any waste or unnecessary expenditure. In fact, during this period of congressional frugality, the army was barely able to maintain a corps of professional officers, and up until 1938, Congress practically never approved military requests for funds to update armaments.³⁸ In contrast during the cold war, Congress generally exhibited the opposite tendency; historically unprecedented peacetime budgets were approved after the most cursory scrutiny. However, as congressional opposition to American military involvement in Viet Nam grew, the defense budget once again became a primary target for those congressmen who wished to alter the course of American foreign policy.³⁹

Both of these examples illustrate that the Congress was much more willing to exercise its constitutionally authorized foreign affairs powers during the 1930's and since 1970 than was the case during the cold war. Given the focus of this study, this observation is not important in and of itself; but rather, it is important because it provides a further justification for focusing on the linkage between public opinion, pressure groups, and congressional foreign policymakers. This linkage is not simply something which one might study, but something which ought to be studied. When one tackles a topic which scholars in the area have ignored, the onus falls on the author to demonstrate that his topic is of more than just esoteric interest.

Consequently, this chapter has attempted to justify a study of the domestic sources of congressionally made foreign policy decisions by demonstrating that the U.S. Congress can be a significant institutional participant in the foreign policy process. Building on this foundation the next chapter examines some of the research focusing on public opinion, pressure groups, and foreign policy in an effort to further illustrate why congressionally made foreign policy may be particularly susceptible to popular influence.

CHAPTER 1 FOOTNOTES

1. Youngstown Sheet and Tube v. Sawyer, 343 U.S. 654 (1952).
2. See John F. Lehman, The Executive, Congress and Foreign Policy (New York: Praeger Publishers, 1974), pp. 1-15, for a concise review of this controversy among scholars.
3. Louis Henkin, Foreign Affairs and the Constitution (New York: W.W. Norton & Company, 1972), pp. 31-2.
4. Ibid., pp. 31-4.
5. Lehman, The Executive, Congress, and Foreign Policy, pp. 1-3.
6. 10 Annals of Congress 613 (1800) (Remarks of Chief Justice Marshall to the House).
7. United States v. Curtiss-Wright Corp., 299 U.S. 304 (1936).
8. For Congressional recognition of this power see; Act of January 30, 1799, ch. 1, 1 Stat. 613.
9. Henkin, Constitution, pp. 47-9.
10. United States v. Belmont, 301 U.S. 324 (1937).
11. The Prize Cases 2 Black 635 (1863), also, Henkin, Constitution, pp. 50-5 for a lucid discussion of the historical expansion of the President's authority in this area.
12. Henkin, Constitution, p. 51. Henkin points out that this claim has usually been reinforced by broad Congressional delegation of emergency powers.
13. Background Information on the Use of United States Armed Forces in Foreign Countries, 1970 Revision by the Foreign Affairs Division, Legislative Reference Service, Library of Congress.
14. Henkin, Constitution, pp. 176-184. This section presents a thorough discussion of Presidential authority in this area.
15. Ibid., pp. 183-4.

16. For example, it is quite possible that the President had the authority to commit the United States to an arms understanding with the Soviet Union by executive agreement. But, such an action would surely invite Congress to pass legislation which would effectively break the agreement. It would also risk making such an agreement an issue in the next election.
17. Lehman, The Executive, Congress, and Foreign Policy, pp. 13-5, Again Lehman presents a useful review of these arguments in the literature.
18. Jacob Javits, "The Congressional Presence in Foreign Relations", Foreign Affairs 48 (January 1970) :221-34.
19. Henkin, Constitution, p. 76.
20. For a lucid discussion of the Court's doctrine of noninterference in political questions see: Henkin, Constitution, pp. 208-16. For nineteenth century examples of cases affirming the President's foreign affairs powers, see: Foster v. Nelson 2 Pet. 253 (1829), Williams v. Sulfolk Insurance Company 13 Pet. 415 (1839), Fleming v. Page 9 Howard 603 (1850), and The Prize Cases 2 Black 635 (1863).
21. In fact the only instances in which the Court has limited what might be construed as the Executive's foreign relations powers involve the domestic, rather than the external, exercise of these powers. See: Ex parte Milligan 4 Wallace 2 (1866), Youngstown Tube and Steel v. Sawyer 343 U.S. 579 (1952).
22. Youngstown Tube and Steel v. Sawyer 343 U.S. 579 (1952).
23. Robert A. Dahl, Congress and Foreign Policy (New York: Harcourt, Brace and Company Inc., 1950), pp. 148-68.
24. Ibid., Appendix B.
25. Lehman, The Executive, Congress, and Foreign Policy, p. 26.
26. Chamberlain's study focuses on the more general question of which branch took the legislative initiative between 1900 and 1945.
27. James A. Robinson, Congress and Foreign Policymaking (Homewood: The Dorsey Press, 1967), p. 8.
28. Ibid., p. 12 (my emphasis).

29. Ibid., p. 24.
30. Ibid., p. 26.
31. Robert Devine, The Illusion of Neutrality (Chicago: University of Chicago Press, 1962), pp. 3-15. Devine offers a detailed discussion of the Congressional roots of "collectivist" neutrality revision.
32. Ibid., pp. 41-56.
33. The papers of the munitions investigation from the summer of 1935 are filled with concern over the Administration's desire to cooperate with possible League sanction should war erupt in Ethiopia, eg., a July 18, 1935 memorandum from an unnamed staff person alerted the committee to the State Department's desire to resurrect the 1933 neutrality proposal. Letters from Raushenbush to William Stone dated August 2 and August 5 outline the Nye-Clark response. See Munitions Papers, Neutrality File, Boxes 149 and 150, National Archives, Washington, D.C.
34. Devine, Illusion of Neutrality; Donald F. Drummond, The Passing of American Neutrality (Ann Arbor: University of Michigan Press, 1955); Selig Adler, The Uncertain Giant (New York: The Macmillan Company, 1965).
35. H. C. Englebrecht and F. C. Hanighen, Merchants of Death (London: George Routledge and Sons, Ltd., 1934); George Seldes, Iron, Blood and Profits (New York: Harper and Brothers Publishers, 1934).
36. J. B. Moore to Senator Hiram Johnson, December 13, 1935, Johnson Papers, Library of Congress, Washington, D.C.
37. Arthur Schlesinger, "Congress and the Making of Foreign Policy", Foreign Affairs, 51 (October 1972): 78-113.
38. George Grassmuck, Sectional Biased in Congress on Foreign Policy (Baltimore: John Hopkins Press, 1951) see Chapter 2 for a thorough analysis of Congress' scrutiny of military appropriations during this period.
39. Though Congress' decision not to fund the ABM represents the most clearcut example of Congressional

influence on weapons appropriations, indecision over both B-1 bomber and neutron bomb must partially be ascribed to Congressional opposition. For data and discussion of the overall drop in defense spending after 1970 see: James W. Abellera and Rolf Clark "Forces of Habit", Foreign Policy and Defense Review, 3:8-15.

CHAPTER 2: THE PUBLIC AND FOREIGN POLICY

Good sense may suffice to direct the ordinary course of society, and amongst a people whose education has been provided for, the advantages of democratic liberty in the internal affairs of the country may more than compensate for the evils inherent in a democratic government. But such is not always the case in the mutual relations of foreign nations.¹

Public opinion, economic interests, ethnic and political pressure groups are frequently identified as the potential sources of nongovernmental influence on American foreign policy. Since World War II, political scientists have invested considerable time and effort in research focusing on these variables. Though little of this research is directly focused on the linkage between the public and congressional foreign policymakers, it provides both information and perspective which are useful in formulating hypotheses about this relationship. Consequently, this chapter will be devoted to a selective survey of this research.

Foreign policy issues are often exceedingly complex. To make matters even more difficult, in almost any foreign policy debate the practical political consequences of enacting any of the policy alternatives

are subject to considerable uncertainty. Democratic theory is based on the assumption that, despite the complexity and uncertainty involved, the public is collectively competent to exercise a guiding influence with regard to foreign policy. This chapter will begin by discussing two issues relevant to this assumption. First, how much do Americans know about other nations and their actions. Second, how do Americans form their attitudes about foreign policy issues. This will be followed by a review of the research testing the "electoral punishment" and "instructed/delegate" hypotheses of democratic control over America's foreign policy. The final section will look at some of the research concerning the role and efficacy of groups in the American political system.

Once pollsters began to regularly ask questions about foreign affairs, it became obvious that, on the whole, the public was more poorly informed than the champions of democratizing foreign policy might have assumed. Indeed one of the most significant discoveries of postwar survey research was that a sizeable minority of those who respond to a pollsters questions are giving basically truthful answers to questions about which they know nothing. For example, in 1947 a major survey revealed that despite nearly four years of national media exposure, 30% of the adult population of Cincinnati

knew nothing about the United Nations.² Fifteen years later, despite the intense public controversy dating back to the Korean War and McCarthy hearings, 28% of a national survey did not know that China had a Communist government.³ By 1968 at the peak of the Vietnamese War, this figure dropped to only 24%.

Profound differences of knowledge and interest within the public create a serious methodological dilemma for political scientists wanting to know more about the opinion/policy relationship. On the one hand, opinion polls represent the most scientific or objective measure available of what the public might want foreign policy to be. On the other hand, academics and pollsters warn that public opinion data often represents a most imprecise measure which can be very difficult to interpret. The problem with opinion research is that it lumps together the responses of the well-informed and the moderately well-informed with

the responses of some who say yes because it is easier to say than no, of some who sense the position of the interviewer and adopt it, of some who answer randomly, and of some who "feel strongly" about a position today, but who tomorrow, feel equally strongly about its opposite.⁴

If the simple change of a question's wording can produce dramatic shifts in public opinion, why should the nation's

foreign policymakers bother with opinion polls and what are scholars to use in determining whether there is any relationship between opinion and policy?

Beginning with James Rosenau, political scientists have agreed that, rather than treat the public as a unitary variable, it made more sense to conceptually divide the public into three distinct subpublics based upon differences in knowledge about, and interest in, foreign affairs.⁵ Although there is not complete agreement on the questions of where to draw the boundary between each subpublic and whether twenty-five years of mass media exposure has increased American knowledgeability, the following schemata proposed by Barry Hughes is the most up-to-date assessment of public knowledge about, and interest in, foreign affairs.⁶

The first segment of the public consists of people who are unaware of all but the most major events in foreign affairs -- say, the launching of Sputnik -- and have either no opinions or have vague and generally weakly held ones. This segment is sometimes referred to as the "mass public". Studies consistently show this group to be about 30 percent of the population. Another 45 percent can be said to be aware of many major events, but not deeply informed. This group constitutes the "attentive public". The attitudes held by individuals within this group frequently lack intensity and internal consistency, and they often fluctuate markedly in response to reports

of international events or public officials' positions. The remaining 25 percent of the electorate is generally knowledgeable about foreign affairs and has fairly stable and consistent attitudes. These people communicate their opinions to others and are sometimes characterized as "opinion leaders". A still smaller segment of this last category can be identified. Those who give money or time to political activities and communicate their opinions beyond their own acquaintances can be called "mobilizers" and constitute only 1 or 2 percent of the public.⁷

Though the concept of the stratification of public opinion has gained acceptance as a textbook principle, neither commercial nor academic pollsters make use of this concept in their survey design. Consequently public opinion polls still treat the responses of the mass public, attentive public and opinion leaders with equal gravity.

Nonetheless, the work on stratification raises some troubling questions concerning the assumption that the American public is somehow competent to evaluate foreign policy alternatives. Indeed, the knowledge that as many as three quarters of the public are not particularly well-informed suggests that should public opinion actually influence the politics of foreign policymaking, it is not likely to be a fully rational or fully independent political force. Thus, the question becomes, if Americans lack the knowledgeability

to rationally formulate their foreign policy opinions, how do they make up their minds.

John Mueller argues that most Americans make use of some type of political cue to help form their opinions about complex foreign policy issues. In War, Presidents, and Public Opinion, he demonstrates that a careful analysis of the public support for the Korean and Vietnamese Wars reveals that Americans respond to three distinctive sorts of cues in formulating their attitudes.

Mueller identifies party identification as a cue which many Americans use to determine their opinions about foreign policy. He labels as "partisans" those who "use their party identification as a shortcut method for arriving at a position".⁸ Rather than sort through the intricacies of argument, on an issue they prefer to "take as cues the word of the leadership of their party".⁹ The clearest evidence of the partisan effect comes from comparing Republican and Democratic support for the Korean and Vietnamese Wars after the 1952 and 1968 elections. In each case the Republican victory was followed by a dramatic increase in Republican support for the war effort coupled with a sharp decline in Democratic support.¹⁰ Finally, though partisans can be found in all three opinion subpublics, one of Mueller's most interesting observations was that the

partisan effect appears to be strongest among Democratic and Republican "opinion leaders".¹¹

Whereas partisans take their opinion cues from party leaders, a second group which Mueller identified looks to the President for its cues. Actually, Mueller defines "followers" as all of those who look to public officials or trusted institutions for help in formulating their opinions.¹² However, he is quick to point out that thirty years of public opinion research reveals that the President is far and away the most influential public figure on foreign policy issues. Certainly research indicates that in times of crisis an overwhelming majority of the public supports the President's policy, no matter what their previous attitudes were and no matter how well the President handles the crisis.¹³ Even in non-crisis situations Mueller argues that the bulk of the evidence indicates that the President's expressed foreign policy preferences are used by more Americans as a guide in determining their own views than any other cue.¹⁴ Finally, just as it was true that partisans were least likely to be found in the "mass public", Mueller's analysis shows "that it is the well-educated segment of the population which most nearly typifies the follower's mentality".¹⁵

The final group which Mueller identifies is

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somewhat distinctive because it does not look to the nation's leaders for opinion cues. This group which he labels as "believers" cues "on the issue itself regardless of what the leadership of their party or country happens to think".¹⁶ It is generally accepted that extensive research focusing on Americans' belief systems demonstrates that Americans do not adopt ideologically consistent "liberal" or "conservative" stances on domestic issues or "internationalist" or "isolationist" stances on foreign policy issues.¹⁷ However, Mueller found that on war-related issues some Americans form their opinions based on an ideologically consistent response to the issue itself. He cites persuasive evidence that an identifiable minority supported the war policy in Korea and Viet Nam essentially because they approved of the idea of using force to resolve international disputes. Likewise, another identifiable group opposed each war because they disapproved of the use of force.¹⁸ However, not all believers are genuine hawks or doves; rather, many fall into a residual category which Mueller labels "aginnners". Mueller found that even during the initial stage, when both the Korean and Vietnamese Wars were popular, a large percentage of the poorly-informed and economically disadvantaged did not support the war policy.¹⁹ Mueller attempts to explain this opposition in terms

of a self-interest hypothesis, but found no evidence to support this conjecture.²⁰ He concluded that "aginnners" appeared to be viscerally opposed to American participation in both of these conflicts noting that "in the end the well-educated groups came to respond to both wars in the way the poorly educated had at the beginning".²¹

Two important conclusions can be drawn from Mueller's study. First, Mueller demonstrates that "opinion leaders" are no more likely to be independent thinkers regarding foreign policy issues than those in the attentive or mass publics. As a result, it would appear that increased opinion independence is unlikely to result from either improvements in the levels of general public education or increased general interest in, and knowledge about, foreign affairs. In fact, the traditional prescriptions for improving public competence may well increase public dependence on the nation's leadership for foreign policy opinion cues. In all fairness, it should be noted that even foreign policy experts and specialists rarely agree about which foreign policy alternative represents the optimal course of action. Thus, it is not necessarily unreasonable for a citizen, no matter how well-informed, to rely on a trusted political figure for opinion cues about foreign policy. Furthermore, the fact that those in

the mass public appear less likely to rely on the national leadership for opinion cues may simply be an expression of the reduced trust which this group has in the nation's political institutions and leadership. But most importantly, Mueller's study represents persuasive evidence that it is theoretically futile to isolate the opinion/policy relationship from the opinion/policymaker relationship.

A second conclusion which can be inferred from Mueller's study concerns the relationship between Executive-Congressional consensus about foreign affairs and the likelihood that public opinion will influence foreign policy. It is difficult to imagine a source of politically significant public opposition to a specific foreign policy so long as the President has the bipartisan support of the Congress for this policy. The President is the most influential shaper of public opinion because approximately one half of the partisans, and almost all followers, look to him for foreign policy opinion cues. If the President's partisan opposition supports him, then the overwhelming majority of the attentive public and opinion leaders will be supportive. Thus, at the very least, a vocal partisan opposition in the Congress is a necessary ingredient to any recipe for meaningful public opposition to a foreign policy which has strong Presidential backing.

Perhaps the most striking conclusion which can be drawn from this entire discussion is that classical democratic theory is not a very realistic source of hypotheses about the opinion/policy relationship. Public opinion research leaves little doubt that the American public has neither the desire nor the competence to capably direct the nation's foreign policy. Nonetheless, when empirical political scientists have addressed the question of what difference it makes what the public thinks, they have inevitably relied on democratic theory for their hypotheses. Rather than focusing on the more limited issue of whether public opinion is ever a political force, the electoral punishment and instructed delegate hypotheses of public control have been the principal focus of analysis.

Inasmuch as the behavior of the American voter has long been a popular subject of empirical research, it is the electoral punishment model which has been most thoroughly tested. According to this variant of the voter as rational political actor model, the public controls foreign policy by voting out of office those who advocate foreign policies with which the majority does not approve. Thus, the threat of electoral punishment forces the nation's

elected foreign policymakers to consider public opinion when deciding among policy alternatives.

In order for the public to influence policy in this manner, it is usually argued that three conditions must be met.

1. Voters must know about foreign policy issues and have basic information about them.
2. Voters must have interest in the issues to the point that interest will influence their voting behavior.
3. Voters must be able to distinguish between party and candidate positions on the issues.²²

Given what we already know about the public's knowledgeability concerning foreign affairs, it is not surprising that research indicates that only 30 percent of all voters are even capable of making their voting decisions based upon foreign policy issues.²³ But even more damaging to the electoral punishment hypothesis is the extensive evidence that the American voter is much more concerned about domestic issues than foreign policy issues. Even among those capable of making rational voting decisions, all of the evidence indicates that domestic issues are three or four times more likely to shape voting decisions than foreign policy issues.²⁴

Clearly the American voter does not control foreign policy through the exercise of his franchise. However, the extensive research focusing on the American

voter does reveal some evidence that under the proper circumstances "foreign policy issues" can influence elections. For example, a study by Warren Miller of voters who switched party allegiance in elections from 1952 to 1968 found that "changing evaluations of the parties as agents of peace are related to changes in vote".²⁵ As might be expected, Miller found that voters' perceptions of the two major parties as agents of peace are reasonably stable. Nonetheless, there is evidence that disenchantment with both the Korean and Vietnamese Wars significantly reduced voter trust in the Democratic Party as an agent of peace and contributed to the Republican presidential victories in 1952 and 1968.²⁶ Clearly, it is only when the public perceives war and peace to be the issue that radical shifts in voter perceptions of the candidates, as agents of peace, are likely to take place. Hence, when the issue is war and peace, it would appear that America's elected foreign policymakers are not immune to popular displeasure.

Miller and Stokes' "Constituency Influence in Congress" is the most ambitious attempt to test the instructed delegate model.²⁷ The authors interviewed and examined the voting records of 116 Congressmen with regard to a set of foreign policy, domestic welfare, and civil rights issues. They also surveyed public

opinion on each of these issues in each of the corresponding 116 Congressional districts.

This made it possible for them to develop an empirical measure of the congruence between a Congressman's voting record and his constituents' opinions on each set of issues. They found that there was only a very weak correlation between vote and opinion on foreign policy issues (0.2), a moderate correlation on domestic welfare issues (0.37), but a very strong correlation on civil rights (0.57).²⁸ In a separate attempt to measure each Congressman's capability to act as an instructed delegate, the Congressmen were asked a series of questions concerning their perceptions of the constituents' opinions on these issues. In this way they found that there was only a very weak correlation (0.25) between a Congressman's perception and the actual opinions of his constituents.²⁹

Based on this single piece of evidence one might question the instructed delegate hypothesis. However, it would be an error to interpret this study as conclusive proof that constituency opinion about foreign policy issues will never influence a Congressman's vote. This study was conducted during the mid 1950's -- a period of intense popular concern over civil rights issues. The fact that Miller and Stokes found a strong correlation between vote and constituency

opinion on this issue suggests that Congressmen may behave as instructed delegates on issues of intense constituent concern.

This study suggests that Congressmen make pragmatic distinctions between public opinion on low and high interest issues. If there is little interest in an issue it is arguable that most people have no opinion until they are polled. In these instances "public opinion" is largely something the pollster creates when he asks a question. Given all of the other demands made upon a Congressman, it would be more surprising if a Congressman considered public opinion at all when deciding how to vote on a low interest issue. Certainly, there is no political payoff for an accurate assessment of public opinion on a low interest issue, but more importantly, no penalty for ignoring constituent opinion if known.³⁰

On the other hand, if an issue is of intense concern to most people, public opinion polls measure a potential political force. The Miller and Stokes study demonstrates that on issues of this sort, Congressmen know what their constituents think and they are much more likely to vote in accordance with those wishes. Finally, this study serves as a reminder that a strong correlation between vote and opinion does not guarantee

the triumph of the most desirable policy. For example, it is arguable that southern Congressmen successfully blocked civil rights legislation for years in response to the wishes of their voting constituents.

Traditionally researchers have approached the public opinion/foreign policy relationship as if it were realistic to assume that public opinion might influence any foreign policy decision. However, the Miller and Stokes study suggests that this is not realistic. America's foreign policymakers continually make intuitive distinctions about the intensity of public opinion, and yet, the intensity of public opinion is a variable which empirical political researchers have generally ignored.³¹ For example, a Harris poll conducted in May 1970 revealed that 43 percent of the American public had "serious doubts" about the Nixon policy of military intervention in Cambodia.³² Ten years later a second Harris poll revealed that 39 percent of the American public was opposed to President Carter's Olympic boycott policy.³³ In both cases a numerically significant minority opposed a specific Presidential policy initiative, and yet, it would be ludicrous to argue that both Presidents Nixon and Carter acted in the face of comparable public opposition. The first poll measured an intense,

emotional opposition to Nixon's military strategy in Southeast Asia, while the second may have measured no more than the disappointment of American sports fans over the prospect of not seeing the Olympics on television.

In my estimation, one should have good reason to believe that Americans perceive a foreign policy issue to affect their basic economic or military security before hypothesizing that public opinion will be sufficiently intense to concern foreign policymakers.³⁴ Furthermore, during periods of prosperity, it would be a mistake to overestimate the frequency with which most Americans will perceive a foreign policy issue to fundamentally affect their economic welfare.³⁵ It is only when war and peace are perceived to be at issue that public opinion is likely to be sufficiently intense to be a potential political force. "War is not like other issues. The price it asks even of the uninterested and uninformed is too high."³⁶

Thus far, this review has provided some valuable insights concerning the general public's capacity to influence foreign policy. Knowledge about what Americans know, about factors influencing attitudes, and about voting behavior makes it abundantly clear that liberal democratic theory is not an

accurate empirical description of the public opinion/
foreign policy relationship in the United States.
Indeed, it raises serious doubts about the wisdom of
the normative value of democratic theory in regard
to foreign policy. On the other hand, this review
falls far short of proving that the foreign policy-
making process is beyond popular influence. It does
strongly suggest, however, that in order for popular
influence to be a realistic possibility, two conditions
must be met. First, there must not be a stable bi-
partisan consensus between the President and Congress
concerning foreign affairs. Second, public opinion
will not become a political force of any consequence
until a majority of Americans become intensely concerned
about an issue. However, before addressing the question
of how these variables might be related, a brief dis-
cussion of the role of groups in the American political
process is in order.

Alexis de Tocqueville was perhaps the first
to emphasize the importance of groups or associations
to America's social and political life.

In no country in the world has the
principle of association been more
successfully used, or more unsparingly
applied to a multitude of different
objects, than in America. Besides
the permanent associations which are
established by law under the names
of townships, cities, and countries,

a vast number of others are formed and maintained by the agency of private individuals.³⁷

Though de Tocqueville perceived the tendency for Americans to band together in the pursuit of political, social, and moral objectives to be of fundamental importance to the continuing health of American democracy, until recently, scholars have paid scant attention to the role of groups in the nation's political life. As recently as seventy years ago Arthur Bentley was ostracized from the academic community for suggesting that the study of group behavior ought to be central to the study of American politics.³⁸ In fact it was not until the publication of The Governmental Process by David Truman in 1951 that the study of interest groups in American politics was legitimized.³⁹ Unfortunately, since that time, only a small fraction of the research focusing on interest groups directly concerns the role of groups in the foreign policy process. Despite this, interest groups represent the most realistic source of potential domestic influence on American foreign policy.

It is the consensus among those who study groups that "like political parties, interest groups play an integral role in linking the government to the citizenry".⁴⁰ At the very least interest groups

are perceived as playing the key role in the democratic communications process.

By joining with others, the citizen is able to express his views and receive information from the nation's political institutions. Usually this communications flow is much more efficient than an individual could attain on his own.⁴¹

At the most, interest groups are perceived as the most appropriate medium for citizen influence on public policy.

An interest group is an organized collection of individuals who are bound together by shared attitudes or concerns and who make demands on political institutions in order to realize goals which they are unable to achieve on their own.⁴²

Interest group research can be divided into two fairly distinct categories. Some scholars have focused primarily on interest groups themselves. Attempts have been made to classify political interests and identify the various strategies which groups employ to attain their objectives. Case studies of specific interest groups also fall into this category. The second type of study focuses primarily on the political efficacy of pressure groups.

In Political Parties, Interest Groups, and

Public Policy Dennis Ippolito and Thomas Walker propose a useful, comprehensive typology for grouping political interests.⁴³ They argue that the only logical way to classify pressure groups is based upon the common interests which united their membership. In this way they identify and distinguish economic interests, professional interests, special situation interests, public interests, and single cause interests.

Ippolito and Walker argue that major corporations, organized business groups, labour unions, and agricultural organizations should all be classified as economic interests. Traditionally, these interests have been assumed to wield the most political clout at the national level. While these groups are primarily interested in domestic policy issues, at times, both business and labour have shown a keen interest in tariff and trade issues while farmers have pushed for increased agricultural exports to the communist bloc. The AMA and the ABA are prominent examples of professional interests. Interest groups in this category are only rarely interested in foreign policy issues. Ippolito and Walker categorize veterans organizations, ethnic groups, and politically active church organizations as special situation interests. Traditionally pressure groups in this category are more likely to be active on foreign policy issues.

For example, the American Legion has always taken a keen interest in defense issues; and over the past few years, Jewish, Greek, and Polish Americans have mobilized in support of Israel, Greek Cypriots and the Solidarity trade union. Ippolito and Walker perceive public interest groups to be a relatively new phenomena. "An increasing number of organizations have come into being not for purposes of advancing the interests of a particular economic or social group, but out of recognition that certain policies would be beneficial to all citizens."⁴⁴ However, these groups are more likely to be active on consumer, good government, and environmental issues than foreign policy. Finally, the authors identify two types of cause interests; those committed to a specific ideology and those active concerning a pet cause. Ideological interest groups, ranging from the stridently anti-communist John Birch Society to the arch-liberal ADA, are highly vocal on foreign policy issues; while single issue groups like America First, and the Committee to Defend America by Aiding the Allies have played a central role in past foreign policy debates.

The three types of interest groups which are most likely to be active on foreign policy issues generally employ three basic strategies in order to realize their objectives. Ever since the triumph of

the prohibition movement, pressure groups have attempted to duplicate the success of the Anti-Saloon League by influencing public policy through influencing the citizenry. This strategy usually combines efforts designed to "mold public opinion to support organizational positions" with special appeals "to mobilize citizens to contact political officials urging adoption of specific group-favored policies".⁴⁵

A second strategy of indirect influence involves direct participation in the electoral process.

The ultimate goal of the interest group is to contribute to the election of persons who, upon taking office will grant access to interest group representatives. At the very least, an interest group hopes to avoid the election of persons who will turn a deaf ear to communications originated by the organization.⁴⁶

Traditionally this has been an integral part of the overall strategy employed by business, labour, and agricultural interests.

Finally almost all pressure groups with foreign policy objectives engage in some form of direct lobbying at the national level.

Legislative lobbying has developed from a fairly crude process of soliciting special treatment during the early years of our nation's

development to a refined, professional activity in contemporary times.⁴⁷

Much of the research concerning the political efficacy of interest groups focuses on direct lobbying.

In general this research indicates that the political efficacy of an interest group varies depending on the type of policy it is trying to influence and the decision making forum involved. For example, in The Politics of Congress David Vogler argues that the political influence of a lobbyist varies in relation to whether he is trying to affect distributive, regulatory, or redistributive policies.⁴⁸ Vogler contends that pressure groups, especially the economic interests, have been very successful in influencing distributive policies. Defined as all decisions involving "the awarding of material benefits to some narrow segment of the general population", Vogler offers two reasons for the success of special interests with regard to distributive policy decisions.⁴⁹ First, distributive decisions are usually made at the committee level where "close links between concerned economic interests and the members of the relevant committees and subcommittees" are maximized.⁵⁰ Second, within this relatively low conflict political environment interests rarely have to compete in order to achieve their objectives.⁵¹

Regulatory policies are similar to distributive because "they are specific and individual in their impact, but they are not capable of being separated into component parts to the same degree as distributive policies".⁵² Federal trade legislation, aid to education, and medicare are examples of regulatory legislation which have been subjected to substantial scholarly scrutiny.⁵³ This research suggests that no single interest group, acting alone, is capable of significantly influencing regulatory policy. In order to be influential a group must seek to form a broad coalition of interests, and this requires a willingness to bargain and compromise concerning goals. Furthermore, because regulatory policies are decided on the floor of Congress, rather than in committee, Vogler argues that group coalitions tend to form well in advance of the vote and success often depends upon mobilizing public opinion at the strategic moment.⁵⁴ Thus, while one can find examples of interest groups which were the driving force behind a piece of regulatory legislation during the initiatory stage, the political exigencies of coalition building mean that the final legislative product never fully embodies a group's initial objectives.

Vogler defines redistributive policies as responses to perceived crises which normally affect broad social groupings. "The nature of a redistributive issue is not determined by how redistributive it actually

is but rather how redistributive it could become in the future."⁵⁵ Unlike distributive or regulatory policies the President almost always provides the political impetus for redistributive legislation. He most usually plays a pivotal role in creating the political coalition supporting this legislation, and he leads this coalition once the legislative battle begins in earnest. As a result, Vogler perceives specific interest groups to be of negligible importance. Finally, Vogler classifies most foreign policy issues as redistributive policies.⁵⁶

In Congress, The Bureaucracy, and Public Policy Randall Ripley and Grace Franklin take issue with this conclusion. They argue that it is possible to identify three distinct modes of foreign policy decision-making: structural, strategic, and crisis which correspond quite closely to the classifications which Vogler employs.⁵⁷ They point out that most decisions concerning the defense budget are made at the committee level where both special economic interests and defense "subgovernments" exercise a powerful influence.⁵⁸ They argue that during the 1970's the Congress demonstrated an inclination to play a pivotal role in decision-making concerning strategically important weapons systems, trade, and aid policies.⁵⁹ They cite the efforts of Jewish and

Greek interests on behalf of the Jackson amendment and aid to Turkey as evidence that domestic sources could spur Congress to assert its authority in regard to strategic policy. They argue that only crisis decision-making is structurally beyond the scope of direct Congressional participation, and thus, essentially sealed off from potential domestic influence.

In The Domestic Context of American Foreign Policy, Barry Hughes presents a parallel argument. He concedes that research regarding foreign policy decisions made by the President or within the Executive branch, in both crisis and noncrisis situations, indicates that domestic interests play virtually no role in the decision-making equation. However, Hughes argues that this is not necessarily the case once the Congress becomes involved. First of all

the public and various interest groups have more access to congressmen than to those in the executive branch because of the district system and the larger number of elected officials in Congress. Interest groups frequently have a regional base of strength even when they have a national organization, so that the regional representation of Congress becomes a benefit.⁶⁰

By way of contrast Hughes points out that

the arm of the executive branch in control of foreign relations, the

State Department, is unlike the Departments of Commerce or Labour or other regulatory agencies, in that it has a much less identifiable clientele. Other agencies involved in foreign policy, like the Agency for International Development, are similarly free from pressure group influence, compared to Congress or domestic policy components of the executive.⁶¹

Secondly, Hughes contends that the longer decision time, characteristic of all Congressional decision-making, facilitates interest group participation and thus maximizes the potential for group influence.⁶² Longer decision time guarantees that all groups will have the time to marshal their resources, thus insuring that all concerned parties will have the opportunity to communicate their policy preferences. Certainly committee hearings represent a unique opportunity for domestic interests to publicly express their views. Finally, because almost all interest groups have practical direct lobbying experience in the Congress, they are much more likely to know where and when their messages should be sent to maximize the political impact.⁶³

Just as Mueller's work on attitude formation implicitly identifies a link between Congress' foreign policy role and the feasibility of politically significant public opposition to a Presidentially backed

foreign policy, interest group research points in the same direction. It would appear to be the scholarly consensus that interest groups influence the substance of some types of legislation. Furthermore, Ripley, Franklin, and Hughes support the proposition that some Congressionally made foreign and defense policies are subject to pressure group influence. Certainly much of the research discussed in this chapter can be interpreted as supporting the general proposition that the public's ability to influence American foreign policy and Congress' foreign policy role are intimately related. This idea will be developed more fully in the next chapter.

CHAPTER 2 FOOTNOTES

1. Alexis de Tocqueville, Democracy in America 2 vols. translated Henry Reeve (New York: Schocken Books, 1961) 1:273.
2. S. A. Star and H. M. Hughes, "Report on an Educational Campaign: The Cincinnati Plan for the United Nations", American Journal of Sociology 55:389-440.
3. Martin Patchen, The American Public's View of U.S. Policy Towards China (New York: Council on Foreign Relations, 1964), p.5.
4. Hughes, The Domestic Context, p.23.
5. James Rosenau, Public Opinion and Foreign Policy (New York: Random House, 1961), pp.27-41. I believe that Rosenau was the first to argue that for analytical purposes the public should be divided into subpublics. Recognizing that public opinion polls alone were of limited use in delving the opinion-policy relationship, he proposed that in addition to measuring attitudes survey researchers should ask questions which would measure a respondents knowledgeability, motivation, and access to societal communication channels. pp. 97-102.
6. Rosenau places more people in the mass and attentive publics because his framework places less emphasis on knowledgeability and more on active citizen participation. James Rosenau, Citizenship Between Elections (New York: The Free Press, 1974), Chapter 1.
7. Hughes, The Domestic Context, p. 21.
8. John Mueller, War, Presidents, and Public Opinion (New York: John Wiley & Sons, 1973), p. 116.
9. Ibid.
10. Ibid., pp. 117-121.
11. Ibid., p. 121. "The well-informed are more likely to know what their party's position on an issue happens to be. The well-informed seem to be quite willing to take party cues

as a shortcut to policy thinking, and they seem generally to prefer this method of thinking to the application of personal ideological perspectives. It is often easier to predict a well-informed partisan's position on a question of war policy by assuming he will adopt his party's position as his own than by assuming he will apply his own predilections towards, say, isolationism or internationalism or toward war or peace."

12. Ibid., p. 122.
13. Hughes, The Domestic Context, pp. 38-40.
14. Mueller, War, p. 122.
15. Ibid., p. 122. This means that most "followers" are to be found in the attentive public and among "opinion leaders".
16. Ibid., p. 140.
17. Hughes, The Domestic Context, pp. 26-9. It is interesting to note that Mueller's discussion of how "partisans" and "followers" form their attitudes may explain much of the inconsistency which Hughes sees in the research on belief systems.
18. Mueller, War, pp. 145-7. Mueller describes those in this minority group as the only genuine "hawks" and "doves".
19. Ibid., pp. 126-7.
20. Ibid., pp. 149-53.
21. Ibid., p. 127.
22. Hughes, The Domestic Context, p. 90
23. Angus Campbell, Phillip Converse, Warren Miller, and Donald Stokes, The American Voter (New York: John Wiley and Sons, 1964), pp. 105-7.
24. See: Hughes, The Domestic Context, pp. 92-4, for a review of 25 years of research on this question. Throughout this period, America's overwhelming concern about domestic issues is surprisingly stable.

25. Warren Miller, "Voting and Foreign Policy", James Rosenau ed. Domestic Sources of Foreign Policy, p. 225.
26. Ibid., pp. 215-20.
27. Warren Miller and Donald Stokes, "Constituency Influence In Congress", American Political Science Review 57 (March 1963): 45-56.
28. Ibid., pp. 51-2.
29. Ibid., p. 52.
30. On the other hand, whenever a politically significant "constituent minority" feels strongly about an otherwise low interest issue, voting in accordance with the majority of one's constituency might invoke a political penalty. For example, though a majority of the citizens of Idaho may have favoured some sort of gun control had they been polled, Senator Church's support for gun control legislation won him no votes, while alienating traditional NRA supporters. Thus, it is arguable that Church's 1980 defeat was electoral punishment for his behaving like an instructed delegate.
31. This explains why Congressmen rely on mail, constituency visits, and interest groups, rather than public opinion polls for their information about public opinion. See: Hughes, The Domestic Context, Chapter 4, for a thorough review of the relevant research.
32. Public Opinion 3 (February/March) : 26.
33. Ibid., p. 23.
34. This is not to suggest that an issue must be of substantive importance. As my discussion of the second World Court controversy will show, the American public can become intensely concerned over an essentially "symbolic" issue. (The Iranian hostage crisis is a parallel contemporary example)
35. I would argue that even during a recession most Americans would not perceive the difference, between spending 200 or 230 billion dollars on defense as affecting their basic economic welfare. (After all, money not spent on defense

- will be spent on social welfare.) However, as the number of unemployed increases, the potential exists for the public to become agitated about a host of economic foreign policy issues. In my opinion, the current concern about trade wars is a consequence of the first real public concern about foreign economic issues since the Great Depression.
36. Cohen, Public's Impact, p. 194.
 37. Alexis de Tocqueville, Democracy in America 2 vols. trans. Henry Reeve (New York: Schocken Books, 1961) 1:216.
 38. Harman Zeigler, Interest Groups in American Society (Englewood Cliffs: Prentice-Hall Inc., 1964), pp. 17-21.
 39. Ibid., p. 25. David Truman, The Governmental Process (New York: Alfred A. Knopf, 1951).
 40. Dennis Ippolito and Thomas Walker, Political Parties, Interest Groups, and Public Policy (Englewood Cliffs: Prentice-Hall Inc., 1980) p. 272.
 41. Ibid., p. 273.
 42. Ibid., p. 318.
 43. Ibid., pp. 281-306.
 44. Ibid., p. 302.
 45. Ibid., p. 320.
 46. Ibid., p. 339.
 47. Ibid., p. 365.
 48. David Vogler, The Politics of Congress, second edition, (Toronto: Allyn and Bacon, Inc., 1977), pp. 282-297.
 49. Ibid., p. 282.
 50. Ibid., p. 287.
 51. Ibid., pp. 287-8. Thus, unlike regulatory or redistributive decision-making where logrolling coalitions are not only possible but the norm, coalition building is not a necessary component of a successful lobbying strategy.

52. Ibid., p. 265.
53. Raymond Bquer, Ithiel de Sola Poole, and Lewis Anthony Dexter, American Business and Public Policy (New York: Atherton Press, 1964)
Sunquist, Politics and Policy (Washington D.C.: The Brookings Institution, 1968)
Eddenburg and Morey, An Act of Congress (New York: W. W. Norton & Company, 1969).
54. Vogler, Politics, pp. 289-91.
55. Ibid., p. 266.
56. Ibid., p. 300.
57. Randall Ripley and Grace Franklin, Congress, The Bureaucracy, and Public Policy (Homewood: The Dorsey Press, 1980).
58. Ibid., pp.187-97.
59. Ibid., pp.184-5, 197-204.
60. Hughes, The Domestic Context, p. 199.
61. Ibid., p. 199.
62. Ibid., pp. 200-01.
63. Ibid., p. 198.

CHAPTER 3: THE LINKAGE

The political system defines the opportunities, the constraints, the channels, the mechanisms that are available to non-governmental actors to participate in foreign policymaking.¹

In the first chapter the argument was made that Congress can play a politically significant institutional role in the American foreign policymaking process. The last chapter presented evidence that, under optimal circumstances, both constituent opinion and organized interests can influence Congressional decision-making. In each instance the observation was made that Congress' foreign policy role and the political influence of nongovernmental actors varies both situationally and historically.

It is my contention that these two variables are so intimately related that it is futile to even attempt to analyze them in isolation. Furthermore, it is my hypothesis that the probability of nongovernmental influence on American foreign policy is positively correlated with the degree of Congressional participation in the foreign policy process. During periods when Congress plays an essentially symbolic or legitimating role in the foreign policy process, the probability that domestic sources will significantly influence American

foreign policy is very low. However, as Congressional participation in substantive foreign policy making increases, the probability that either public opinion or organized interests will influence foreign policy also increases.

There are at least three, theoretically coherent, hypothetical explanations for this relationship. In this chapter each of these explanations will be discussed in some detail, and finally, in each instance one case study will be identified as a plausibility test for that hypothesis.²

My first explanation of the hypothesized correlation is based on the proposition that Congressional participation in the foreign policy process creates a policymaking environment in which the opportunities for domestic influence are more numerous. This "opportunity hypothesis" incorporates the idea that Congress is somehow more influenceable with the argument that political conflict between the Congress and the President enhances the political effectiveness of nongovernmental participants in the foreign policymaking process.

The last chapter presented evidence that under the right circumstances Congressmen are responsive to both constituency opinion and interest.

group representation. Furthermore, the argument was made that the longer decision-making time characteristic of legislative policymaking maximized the opportunities for interest group access and influence. In their own classic study of tariff legislation, Bauer, Dexter, and Poole identify a third factor which can enhance the political efficacy of domestic interests.³

They note that Congressional involvement increases the size of the decision-making group. They contend that while a small group might follow a formal intellectual process to make decisions, Congressional decision-making "is a social process embedded in a stream of social processes".⁴ They emphasize that Congressmen are never confronted with a single issue at a time; but rather, a host of issues compete for their attention. As a consequence "where a given issue stands in priority affects ... the whole manner of its handling".⁵ Inasmuch as individual Congressmen will have significantly different priorities regarding a specific issue, the opportunities for interest group influence increase. For example the authors note that it is not unusual for a Congressman to allow others to influence him on what he perceives as a low priority issue in order to generate goodwill and political debts which can be of "use on issues of higher priority".⁶

Since virtually every decision involves working with or through other people ... it is necessary for each actor to zealously guard his relations to these others ... This means that only on very occasional issues of highest priority can he act as a free agent.⁷

Thus, whenever a Congressman values a group's future support or fears possible sanctions, that group may be able to influence the Congressman's behavior on a wide variety low priority issues.

But evidence and arguments that Congressional policymaking is more influenceable is only a part of the justification for an opportunity hypothesis. Congressional participation in the foreign policy process often heightens the political controversy and conflict over foreign policy. As a consequence, public interest is enhanced, but more importantly, the political value of domestic support is enhanced. Domestic support may mean the difference between victory and defeat in an Executive-Congressional foreign policy power struggle.

The Congress is at a serious disadvantage vis-a-vis the President concerning the ease with which it can affect foreign policy. Thus, there is often a fundamental disagreement between the two branches before the Congress attempts to exercise its foreign

affairs authority. Political confrontations, in the more public congressional decision-making arena, increase the drama surrounding an issue and ensure extensive media coverage. For example, the recent battle over America's proper role in the guerrilla wars in El Salvador and Nicaragua have been headline news for an extended period of time. At least 70% of the public is likely following this story with interest. This type of dramatic confrontation has surely heightened public awareness and intensified public concern with regard to American foreign policy in Central America. The last chapter illustrated that heightened awareness and intensified concern enhance the likelihood that Congressmen will take note of public opinion.

During an Executive-Congressional foreign policy contest, both Congressmen and Executive officials are much more likely to be accessible to domestic interests. In fact, some officials may even encourage participation for tactical reasons. Certainly any group which can effectively mobilize a segment of the public in vocal support of one side or another will be a valuable ally. To be sure, those who are strongly committed to a specific point of view are only accessible to potential allies, and there is evidence that they attempt to manipulate this support.⁸ For example,

the monumental propaganda battle between "America First" and the "Committee to Defend America by Aiding the Allies" in 1940 was to a large extent orchestrated by isolationists in the Congress and interventionists in the Executive. Nonetheless, once group participation is legitimized, officials often discover that their control over their domestic allies is far from complete. Certainly, the politicians backing these pressure groups were often embarrassed by the public behaviour of some of their "supporters".⁹ It is in this way that political conflict within the foreign policy process can increase the access and enhance the influence of interest groups.

Finally, should one side prove capable of winning a preponderance of public support, this victory will often influence the voting behaviour of "undecided" or "weakly committed" Congressmen. For example, it is likely that the broad coalition of public opposition to the ABM program ultimately influenced many fence sitters to vote against the program. This much is certain, as public interest in an issue intensifies, Congressmen are much more likely to be responsive to public opinion on all low priority issues. Thus, when it is only a question of influencing a small number of Congressmen, it is at least conceivable that public opinion can influence the outcome of a Congressionally-

made foreign policy decision.

The first case study represents an ideal vehicle to test the plausibility of this "opportunity" explanation of the hypothesized relationship between Congress' foreign policy role and nongovernmental influence on American foreign policy. The Senate's final decision on the World Court Protocols in 1935 resolved a foreign policy struggle of enormous symbolic importance at the time. Inasmuch as the Constitution authorized the Senate to play a key foreign policymaking role in this matter, it typifies the sort of foreign policy decision in which the opportunities for domestic influence are theoretically maximized. In fact, domestic pressure groups made vigorous efforts both for and against the Treaties; and furthermore, because the World Court was part of the League of Nations, this contest ultimately became a fight between the advocates of a more isolationist and a more internationalist foreign policy. Finally, because we also have reliable evidence of the extent of Senate support for the Treaties both before and after public opinion was mobilized in opposition, this case study provides a unique opportunity to identify and analyze the degree to which mobilized opinion influenced the final outcome.

Whereas my first hypothetical explanation does not presuppose any causal relationship between Congressional

participation in the foreign policy process and the domestic sources of foreign policy, my second hypothetical explanation is based on the idea that changes in the level of popular satisfaction with American foreign policy cause the Congress to vary its participation in the foreign policy process. While this causal relationship need not translate into the degree of public control which democratic theory postulates, it would mean that the Congress, as the more democratic foreign policymaking institution, will act under certain circumstances as the agent of the people. This explanation might best be labeled a "democratic consensus hypothesis".

Inasmuch as this explanation is based on the premise that the degree of foreign affairs consensus determines Congress' foreign policy role, it will be necessary to define consensus. Unfortunately, though consensus ought to be an empirically measurable variable, it is a term which has been widely discussed but rarely defined in the literature focusing on the American public and foreign policy.¹⁰ In a rare definitional attempt, John Lehman suggests that consensus be defined as the extent to which the public, Congress, and the President "share a common conceptual framework for their understanding of the world and the place of the United States in that world".¹¹ The virtue of this definition

is that it emphasizes the mental link between an individual's perception of the international political environment and his attitudes concerning America's proper role in international affairs. However, this definition has two shortcomings. First, it best describes those with ideologically consistent attitudes. Second, it fails to account for the fact that the level of consensus is also an expression of public satisfaction with the perceived costs and risks inherent in the government's pursuit of its foreign policy objectives. Therefore, for the purposes of this study, foreign affairs consensus will be defined as the extent to which Americans share a common conceptual framework regarding international politics (which implies a general agreement regarding goals), and are satisfied with the level of cost and risk involved in the government's pursuit of consensual objectives.

As long as a strong foreign affairs consensus exists among the American people, the President and his advisers will dominate the foreign policy process. As long as the President is acting within consensual parameters, the Congress has no political motive to play more than a legitimating role in the foreign policy-making process. The only immediate political constraints on potential Presidential policy initiatives are imposed

by the conceptual framework of the consensus. For example, during the era of strong anticommunist consensus following World War II, no American President had the policy option of severing all economic and military ties with Europe. Any such action simply could not be justified as furthering the objective of opposing communist expansion.

However, though the Executive is the politically dominant foreign policymaker so long as consensus remains widespread, the government's foreign policy can reduce the level of consensus. Public support may diminish because people perceive the government's policies in pursuit of legitimate goals as being too expensive.¹² Popular support can also decrease whenever a foreign policy threatens to involve or actually involves the nation in a war requiring a citizen supplement to the standing army.¹³

As popular consensus diminishes, interest groups articulate the still generalized dissatisfaction by openly expressing their opposition to specific foreign policies or by demanding government action concerning a specific question. Once popular dissatisfaction becomes widespread enough to become politically significant, Congressmen among the President's partisan opposition become spokesmen

for the opposition. Finally, should vocal opposition increase a Congressman's political following, then it is only a matter of time before the President loses his bipartisan foreign policy support. Indeed, members of his party will begin to question the wisdom of the President's foreign policy. Once this point is reached, unless a President is willing and able to reverse his course, his congressional opposition will attempt to exercise some aspect of Congress' foreign affairs authority to constrain the President.

Within the framework of this explanation, confrontation further polarizes public opinion to the point where achieving any sort of consensus is no longer possible. Each side develops its own ideologically consistent foreign policy paradigm, and short run political success goes to the side which is able to win the support of the majority of the undecided. However, until one paradigm is politically discredited, defeat on a specific issue does not establish a new foreign affairs consensus. Finally, until a new consensus is reached, Congress will continue to be responsive to domestic concerns, thus assuring a popular input into the foreign policy process.

My second case study represents an ideal opportunity to test the plausibility of this hypothesis. It focuses on the Nye munitions investigation with an

eye towards determining whether, in the absence of a foreign affairs consensus in 1934, the decision to create a special investigating committee was an example of Congress acting in direct response to public concern. Specifically, an effort will be made to analyze the influence of public opinion and interest groups on the initial decision to authorize an investigation of America's "merchants of death". The question of how much influence the American Legion and the radical peace lobby exercised on the initial phase of the actual investigation will also be addressed.

My final hypothetical explanation simply reverses the causal relation between the public dimension of foreign affairs consensus and congressional participation in the foreign policy process. In my "democratic consensus hypothesis", public opinion is the causal element and Congress' foreign policy role the response element. However, based on survey data measuring the American public's foreign affairs interest and knowledgeability, the argument can be made that it is not realistic to hypothesize that American public opinion can ever be an independent political variable.

This possibility need not diminish the ultimate political significance of consensual support for American foreign policy, nor does it preclude the possibility of dramatic shifts in consensual support.

However, it does require an alternative explanation of the forces acting upon or shaping public opinion. My final alternative might thus be described as a "partisan mobilization hypothesis".

One of the characteristics of America's two party system is that the major political parties encompass many diverse regional and ideological interests united in the hope of electing a President. The immense political diversity within the major parties constitutes one of the principal causes of the tradition of weak party discipline in Congress. Traditionally, those comparing the American and British systems have argued that the inability of an American President to count on the unanimous support of his own party in Congress severely limits the capacity of the Chief Executive to make bold initiatives -- especially in foreign affairs.¹⁴

In Foreign Affairs and Democratic Politics

Kenneth Waltz argues persuasively against this conclusion. Rather than perceiving it as a drawback, Waltz argues that weak party discipline is one of the little appreciated strengths of the U.S. political system. He points out that as long as separation of powers exists and the electoral system remains unchanged, strict party discipline would inevitably increase the power of Congress to make foreign policy. On the other hand, it is

the tradition of weak party discipline which makes it possible for a President to assert his leadership in foreign affairs by building bipartisan coalitions in support of his policies.¹⁵

Waltz was quite astute in pinpointing the manner in which a President's ability to win foreign policy support from the partisan opposition in the Congress enhances his position as the nation's dominant foreign policymaker. However, any President's success in this area ultimately depends on a broad foreign affairs consensus between himself and the Congress; and in retrospect, Waltz was overly optimistic concerning the permanence of the postwar anti-communist consensus. As a result, Waltz fails to account for the impact which a resurgence of foreign policy partisanship might have on the policymaking equation.

Evidence has already been presented which indicates that the leaders of America's foreign policymaking institutions shape public attitudes about foreign policy. My final hypothesis is premised on the idea that as long as bipartisan foreign affairs consensus exists among the nation's foreign policymakers, the President is the principal shaper of public opinion. However, as partisanship increases and consensus decreases, organized partisan opposition creates some degree of

public opposition. As consensus decreases, public opinion becomes a strategic political battleground on which the nation's foreign policy leadership competes for public favour.

For example, whenever a specific foreign policy with which the President is closely identified fails, the bipartisan strategic consensus supporting this policy is potentially in jeopardy. The Administration's partisan opponents can argue that the policy's failure is evidence of the inappropriateness of the premises underlying consensus. Though public acceptance may depend more on the critic's rhetorical skill than the soundness of his arguments, should his pronouncements appeal to a national constituency (e.g. a combination of sympathetic "ideologues" and alienated "partisans"), the previous consensus is in serious jeopardy. Unless there is some sort of compromise, it is only a matter of time before one of the major political parties will attempt to broaden its political appeal by incorporating genuine foreign policy alternatives into its partisan appeal. Finally, the period following the Viet Nam war illustrates how difficult it is to re-establish a foreign affairs consensus once foreign policy becomes an election issue.¹⁶

The difficulties inherent in re-establishing.

foreign affairs consensus dramatically reduces any President's capacity to exercise the sort of "leadership" which Waltz lauds. Firstly, because all foreign policy initiatives will inevitably spark partisan controversy, a President must overcome the lack of discipline in his own party and the prospect of a more unified opposition if he is to succeed. Secondly, in all noncrisis situations, the President must often compete, head to head with his political opponents if he is to win the majority public support which is a prerequisite of success.

Once foreign policy becomes a partisan issue, the leaders of the Congressional opposition are gradually perceived as increasingly legitimate foreign policy spokesmen. It is the public's perception that Congressmen are legitimate foreign policy spokesmen offering credible policy alternatives which makes Congressional foreign policy initiatives possible. The division of foreign affairs powers reduces the probability that any foreign policy initiative will succeed in the absence of consensus. Nonetheless, lack of consensus reduces a President's foreign policy advantages to the point that any time a Congressman can mobilize a majority of the public in support of his ideas, a successful Congressional foreign policy initiative becomes a realistic possibility.

My final case study attempts to assess the plausibility of my "partisan mobilization hypothesis". It focuses upon the successful Congressional neutrality initiative in 1935. My goal will be to determine whether the public demand for some sort of isolationist guarantees during the summer of 1935 was orchestrated by Republican Senators. Specifically, to what extent was the publicity surrounding the munitions investigation, popular distrust of the League of Nations, and public fear concerning the Ethiopian crisis exploited by Senators Nye and Clark to generate popular support for their neutrality legislation. Finally, the relative contribution of Nye's and Clark's obstructionist parliamentary tactics versus the importance of their domestic support will be discussed.

This concludes my review and analysis of the literature dealing with the domestic sources of U.S. foreign policy. However, my case studies need further introduction. Though each case study will be analyzed in relation to one of the hypotheses elaborated in this chapter, the second World Court battle, the munitions investigation, and Congress' isolationist neutrality initiative also represent the culmination of a complex political struggle which began with the fight over the Versailles Peace Treaty. The next chapter attempts to introduce the principal participants in this historic

foreign policy struggle and to place the ideological
issues in conflict in historical perspective.

CHAPTER 3 FOOTNOTES

1. Bernard C. Cohen, "Political Systems, Public Opinion, and Foreign Policy: The United States and the Netherlands", International Journal (Winter 1977-78).
2. Harry Eckstein, "Case Study and Theory in Political Science", 7 Handbook of Political Science :93-100.
3. Bauer, Dexter and Poole, American Business and Public Policy, pp. 414-90.
4. Ibid., p. 479.
5. Ibid., p. 480.
6. Ibid., p. 481.
7. Ibid.
8. See: Cohen, The Public's Impact Chapter 4 and Leigh, Mobilizing Consent case study #3.
9. Wayne S. Cole, America First (Madison: The University of Wisconsin Press, 1953), pp. 120-53. Cole presents examples of how the blatant anti-Semitism of many America First speakers and supporters embarrassed Senators Nye and Wheeler. Wayne S. Cole, Senator Gerald P. Nye and American Foreign Relations (Minneapolis: The University of Minneapolis Press, 1962), p. 177. Because he was making an implicit political statement, William Allen White's resignation from the Committee to Defend America by Aiding the Allies certainly embarrassed the Roosevelt administration.
10. Dahl, Congress and Foreign Policy, pp. 221-238, Kenneth W. Waltz, Foreign Policy and Democratic Politics (Boston: Little, Brown & Company, 1967), pp. 65-80, Gabriel Almond, The American People and Foreign Policy (New York: Frederick Praeger Publishers, 1960), pp. 158-91.
11. Lehman, The Executive, Congress and Foreign Policy p. 229.
12. For example, American participation in most Third World schemes to redistribute the world's wealth might well be justifiable in the name of improving the prospects of world peace. However, should such an action visibly affect the standard of living in

the United States, a drop in public support would surely follow.

13. Though it has been argued that support for the Viet Nam War decreased as economic costs soared. I would argue that it was the decision to deploy draftees to fight an expanded war that ultimately undermined the postwar anti-communist consensus.
14. Waltz, Foreign Policy and Democratic Politics, pp. 61-3.
15. Ibid., p. 118.
16. In every Presidential election since 1972, the final Republican and Democratic candidates have advocated distinct foreign policy alternatives. Republican candidates Nixon, Ford, and Reagan have advocated a more defense conscious, real politic, pragmatism while McGovern and Carter advocated defense cuts coupled with a more moralistic globalism. However, electoral defeat has never signalled the reestablishment of a broad strategic consensus. Senator Kennedy's crusade for a nuclear arms freeze is just the most recent example of a successful public relations counterattack by the losers of the most recent election.

CHAPTER 4: THE TREATY OF VERSAILLES: AMERICAN
FOREIGN POLICY AT THE CROSSROADS

History does not forgive us our national mistakes because they are explicable in terms of our domestic politics. If you say that mistakes of the past were unavoidable because of our domestic predilections and habits of thought, you are saying that what stopped us from becoming more effective than we were was democracy, as practiced in this country. 1

By the last decade of the nineteenth century, with scars of the civil war healing and continental expansion virtually complete, the United States had developed the economic and military capacity to become a world power. However, the United States continued to behave as a regional power. It was not until after the Spanish-American War that American foreign policy signalled the nation's maturation as a self-conscious world power. Certainly, the combination of defeating Europe's oldest colonial power and acquiring a modest island empire acted as a catalyst to create both the self-confidence and the self-interest necessary for the United States to become a more active participant in global politics.

Over the next twenty years, American participation in European and Asian politics increased steadily and American influence increased dramatically. Roosevelt's mediation in the Russo-Japanese War and the Moroccan Crisis, Taft's

imperialistic dollar diplomacy, and Wilson's intervention in World War I are all examples of America's dramatic break with its 19th century foreign policy traditions. Thus, the Senate's decision to reject the Versailles Peace Treaty in 1919 coupled with the defeat of the pro-League of Nations candidate in the 1920 Presidential election decisively reversed a trend towards increased international involvement.

My goal in this chapter is two-fold. Certainly the political controversy surrounding the issue of American participation in the League of Nations holds the key to understanding the evolution of an isolationist foreign policy during the interwar period. Consequently, my first task will be to identify and analyze the ideological, institutional, and partisan elements of the controversy surrounding the Versailles Peace Treaty. Within this context, an attempt will be made to assess the influence which this issue had on the selection of presidential candidates in 1920.

My second task will be to identify the effects which the debates surrounding the League controversy had on public opinion and postwar peace groups. There is little evidence that public opinion significantly influenced the Senate's decision to reject Wilson's peace treaty. Furthermore, research concerning voter behaviour strongly suggests that the League of Nations issue was probably not the principal cause of Cox's electoral defeat in 1920. Nonetheless, it is my contention that the widely publicized debate surrounding

these events significantly influenced and polarized public attitudes about foreign policy.

But more importantly, the triumph of the Senate opposition on the Treaty issue signalled an important institutional shift in the balance of power within the foreign policy-making process. From 1920 onward the President, the State Department, and the Senate would battle over the substance of America's postwar foreign policy. This is precisely the sort of decision-making environment in which the "opportunities for nongovernmental influence should have been maximized".

Though American participation in international politics increased steadily after the Spanish-American War, America's activist foreign policy was at no time the product of an ideological consensus. In fact, between 1901 and 1918, American foreign policy was guided by three radically distinct philosophical orientations concerning what the United States could and should do in international affairs.

Under Theodore Roosevelt, American foreign policy was guided by Teddy's unique synthesis of idealistic Victorian notions regarding the historical mission of the English-speaking peoples and a pragmatic "balance of power" realism. Though both an ardent idealist and nationalist, Roosevelt did not view American involvement in balance of power politics as morally repugnant. In fact, he envisioned the United States as playing a pivotal balancing role in the

evolving global balance of power.

Under President Taft American foreign policy was based on more traditional, 19th-century notions of American idealism. Though not truly isolationist, Taft's foreign policy reaffirmed the 19th century tradition of non-involvement in European power politics. Nonetheless, Taft's activist interpretation of the Monroe Doctrine did allow for a vigorous pursuit of an imperialist dollar diplomacy within the Western hemisphere.

President Wilson found both the balance of power pragmatism and the economic imperialism advocated by his predecessors to be morally repugnant. Wilson, like Roosevelt, believed in a more activist foreign policy. Whereas Roosevelt advocated American participation in the balance of power politics of the time, Wilson envisioned America's historic mission to be that of radically transforming the traditional balance of power system. Under Wilson American foreign policy was guided by the principles of promoting both national self-determination and the spread of democracy. After World War I, these principles were supplemented with the idea of replacing the European concert system with a new League of Nations dedicated to the keeping of peace through collective security.

Though the Versailles Peace Treaty was a far more punitive document than he may have wanted, the essence of Wilsonian internationalism was embodied in the sections

dealing with the League of Nations and collective security. Therefore, when considering the Treaty, the Senate was being asked to endorse Wilsonian internationalism and to make it the philosophical cornerstone of America's postwar foreign policy. Thus, in the absence of consensus, it is not surprising that this issue sparked an intense ideological debate. However, in examining the issues which influenced the final Senate decision, it would be an over-simplification to focus only on the ideological dimension of this conflict. The ideological controversy surrounding the Versailles Peace Treaty was further complicated by institutional and partisan conflicts.

During the years between the Spanish-American War and America's entry into World War I the Presidency had become the dominant political institution in the United States. Both Roosevelt and Wilson had actively exploited the full potential of their constitutional powers in pursuit of domestic reform and increased international involvement. Throughout this period, the trend was away from Congressional participation in substantive foreign policy making. In the perception of many Senators, this trend culminated with the Executive's total control of both domestic and foreign policy during and immediately after World War I. Thus, when the time came to consider the Versailles Peace Treaty, not only were many Senators philosophically uncomfortable with the extent to which Article X committed the United States to the principles of Wilsonian internationalism, but

a majority felt that the time had come to reassert Congress' constitutional authority in the realm of foreign policy. Consequently, the question of how much control the Congress would have over America's postwar foreign policy complicated the philosophical debate.

Finally, partisan politics and pre-election maneuvering further complicated this historic foreign policy debate. Woodrow Wilson was only the second Democratic President elected since the Civil War. Many felt that Wilson's victory was more the result of Teddy Roosevelt's bull-moose candidacy which split the Republican Party than the popularity of Wilson or the Democratic Party. Opposition to Wilson's peace treaty and Wilson's foreign policy represented an ideal vehicle to unite the progressive and conservative wings of the Republican Party in anticipation of the 1920 Presidential election.

Thus, it is my position that the coalition of Senators who rejected the principles of collective security and full American participation in world politics through the League of Nations was motivated by significantly different concerns. Nonetheless, almost all of the ideological and partisan components of America's budding isolationism were represented in this coalition, and furthermore, it was the isolationists who ultimately reaped the greatest political benefit from the outcome of the 1920 Presidential election.

Of the Senators who opposed the Versailles Treaty, only a small minority of self-proclaimed "Irreconcilables", led by Senators Borah and Johnson, were philosophically committed to a postwar foreign policy of isolation. Nonetheless, the treaty debate supplied this group with a rare opportunity to preach their isolationist philosophy to a national audience.

The Irreconcilables were unconditionally opposed to any form of formal American association with European powers. They perceived the League as a "new concert of Europe applied to the world".² Both Borah and Johnson shared President Wilson's moralistic distaste for Europe's power politics. However, unlike Wilson, they had little faith that American involvement in a new "global concert" would result in Europe's great powers behaving any less amorally. In this judgement, joining any sort of League would amount to renouncing the idealistic components of America's foreign policy tradition while hopelessly entangling the United States in the sordid political quagmire of European self-interest.

The Irreconcilables "anticipated that the League would be used as a cloak of respectability to protect the status quo everywhere", with the end result of American participation being American involvement in future conflicts "not for democracy, but the European imperialism".³ Finally, Borah justified his opposition to the League on

the grounds that the terms of admission implicitly sanctioned the undesirable trend towards Presidential control over foreign policy. Borah, a long time proponent of active Congressional involvement in substantive foreign policy decision-making, argued that the practical consequence of American involvement in League diplomacy would be to remove "diplomacy even further from popular control".⁴

In contrast to Borah's "batallion of death", a much larger group of "reservationists", led by Senator Lodge, opposed the Treaty; but, not because they shared an isolationist philosophy. In fact, this group is so named because they supported a set of reservations to the Treaty drafted by Republican internationalist Elihu Root. To the extent that the opposition of the Reservationists was based upon philosophical principles (and surely many in this group opposed the Treaty as a means to increase or defend Congress' foreign policymaking authority or for baser partisan reasons) this group advocated a return to the pragmatic nationalism of Theodore Roosevelt. No one in this group was philosophically opposed to the principle of American participation in a new global concert, however, they were opposed to the unconditional commitment to the principle of collective security which Wilson had insisted be written into Article X of the Treaty.

The Reservationists pointed out that as written, the Treaty would commit the United States to come to the

defense of any nation which the League certified to be the victim of illegal aggression. They argued that the decision concerning where and when the United States should become militarily involved was one which should be made by America's constitutionally appointed foreign policy makers, and not by any international organization. Henry Cabot Lodge, the leader of the Reservationist faction in the Senate, argued that the sort of commitment embodied in Article X was contrary to the national interest. Furthermore, he argued that none of Europe's great powers had any intention of allowing this Treaty to compel them to take military action "in some remote part of the world, and thus, the United States should reserve the same freedom of decision".⁵ On the other hand, if an aggressor nation threatened any nation in whose safety the United States felt it had an interest, Lodge argued that any Treaty obligation would be superfluous.⁶

In retrospect historians have criticized President Wilson for his stubborn resistance to any reservations weakening America's commitment to the principle of collective security. They justly point out that it is doubtful that any European power would have actually committed itself to Wilson's policy of unconditional collective security. Thus, they argue that Wilson's refusal to compromise with the Reservationists on this issue ensured Senate rejection of the whole Treaty and killed the last realistic opportunity

for the United States to become a member of the League of Nations.⁷

In Wilson's defence, it should be noted that his dream of international organization was radically different from what the League of Nations became or what the United Nations is. In this author's judgment, Wilson fully appreciated that without an unconditional commitment to the principle of collective security, his idealistic aspirations concerning the revolutionary impact which the League could have on international politics were naught but a dream. Wilson was idealistic, but he was not so politically naive as to believe that if the United States rejected the principle of unconditional collective security, there would be any realistic hope of the new League amounting to any more than a new "Concert of Europe" -- which he would have despised at least as much as Borah.

By this point, it should be clear that on a philosophical level, the only thing that united the isolationist Irreconcilables and the more internationalist Reservationists was their opposition to some aspect of Wilsonian internationalism. However, one important factor unifying these two factions was the desire to see the Congress reassert its constitutional foreign policymaking authority vis-a-vis the President. There is no question but that by 1919 a majority of the members of the Senate resented the degree to which Presidents Roosevelt and

Wilson had dominated foreign policy during their time in office. Wilson's disregard for Congressional opinion during the negotiations at Versailles was just the most recent reminder of Congressional impotence. Thus, it is not really surprising that the most controversial reservation to the Treaty explicitly reasserted Congress' authority to decide whether the United States would take military actions recommended by the League.

The United States assumes no obligation to preserve the territorial integrity or political independence of any country or to interfere in controversies between nations ... under the provisions of Article X ... unless in any particular case the Congress, which, under the Constitution has the sole power to declare war and authorize the employment of the military or naval forces of the United States, shall by act or joint resolution so provide.⁸

It would be a mistake to underestimate the importance of the institutional dimension of this conflict. In the Treaty of Versailles, President Wilson was asking the Senate to endorse more than his preferred ideological orientation for America's postwar foreign policy. Constitutionally, the President would have been responsible for America's League diplomacy. Thus, Wilson was asking the Senate to endorse continued Presidential control over the substance, as well as the conduct, of American diplomacy. Though the Irreconcilables and Reservationists had differing motivations for desiring an increased Congressional

role in foreign affairs (the isolationists tended to share Borah's belief that this would increase public influence on foreign policy while the Reservationists were more concerned with institutional power politics), their success in defeating the Treaty signalled an important power shift within the foreign policymaking process.

Finally, while ideological and institutional explanations identify the sources of conflict between Wilson and the Senate, partisan politics provided much of the glue which held the otherwise ideologically unstable Republican opposition together through the 1919 and 1920 Treaty battles in the Senate. Opposition to the Treaty provided Senate Republicans with an issue uniting the more isolationist, western progressives and the more internationalist, eastern conservatives.

The 1918 Congressional elections had already given a strong indication that a Republican victory in 1920 would be all but inevitable unless there was another split within the party. Consequently, the possibility that any compromise would alienate Republican isolationists and divide the party in 1920 hung like a spectre over the debate and militated against any compromise between President Wilson and Republican reservationists. Senator Borah and his allies constituted many of the most influential figures in the progressive wing of the Republican Party and Borah openly warned Lodge during the Treaty debate against compromising with the Administration on the League issue.

He left little doubt that compromise would force the isolationists to field their own Presidential candidate in 1920.⁹ Thus, the desire of Republicans favouring a more internationalist foreign policy to recapture the Presidency worked to the advantage of the isolationists.

Once it became clear that the Senate would not endorse any unconditional commitment to the principle of collective security, President Wilson proposed "that the upcoming Presidential election constitute a great and solemn referendum" on this issue.¹⁰ Thus, by his own actions, Wilson attempted to make the philosophical direction of America's postwar foreign policy the central issue in the upcoming Presidential campaign. Though foreign policy issues had historically played only a minor role in determining the outcome of American elections, Wilson gambled that the public, recognizing that collective security offered the best prospects for keeping the future peace, would clearly express this preference at the ballot box.

However, despite the overwhelming Democratic defeat which followed Wilson's declaration, Selig Adler argues that "the majority of contemporary and subsequent observers have concluded that Harding's landslide was not equivalent to a popular repudiation of collective security".¹¹ Adler concedes that both major political parties interpreted the outcome to mean that "advocacy of collective security

was an invitation to political disaster".¹² Nonetheless, he argues that this was not the voter's verdict. Adler argues that "in all American elections foreign policy issues are always hopelessly entangled with pressing domestic questions".¹³ In addition, he emphasizes that "the distinction between the League stand of the two parties was blurred to the point where a referendum on the issue was well nigh impossible".¹⁴ Thus, in the Republican landslide Adler sees "a naive public beguiled into believing that Harding could cooperate with other nations to preserve peace, and at the same time make life more agreeable by ending the sense of perpetual crisis".¹⁵

While Wilson's attempt to transform the upcoming election into a referendum on foreign policy was doubtlessly naive, it is equally naive to argue that the outcome was not somehow a reliable indication of a growing public endorsement of isolationist rhetoric. Adler is technically correct to point out that no Presidential election will ever be decided on the basis of a single foreign policy issue. Nonetheless, if one considers the 1920 election within the context of all Presidential elections, it is difficult to identify another in which the major parties offered the voters more distinct foreign policy alternatives. Though opposition to Wilson's concept of collective security may not adequately explain Harding's landslide victory, this issue had a dramatic effect on candidate selection, campaign

rhetoric, and perhaps even some influence on the outcome.

Before 1920 a Presidential candidate's position on foreign policy issues had practically no effect on his chance of becoming his party's nominee; however, the League issue influenced the selection of both the Republican and Democratic candidates in 1920. In the Republican Party the isolationists were dissatisfied with the position of the leading candidates, General Leonard E. Wood and Governor Frank Lowden, on the League issue, and so they united behind the candidacy of arch-isolationist Hiram Johnson. Though Johnson never had a realistic chance of winning the nomination, Senator Borah and his isolationist allies waged a passionate campaign which prevented either Wood or Lowden from garnering the nomination and further popularized their "America First" isolationism among rank and file Republicans.¹⁶

When a group of old guard Senators chose Warren Harding to break the deadlock at the Republican convention, it was an ideological victory for the Western isolationists. Though Harding's public position on the League was vague enough to satisfy all concerned, isolationists recognized that, as President, Harding would lack the leadership qualities necessary to bring the United States into the League of Nations. Adler argues that Lodge and his cronies chose Harding because he was a "second rater" who would be incapable of continuing the tradition of Executive control

over foreign policy.¹⁷ Thus, Harding won the Republican Presidential nomination in 1920 for many of the same reasons that a Republican Senate rejected the Versailles Peace Treaty.

In the Democratic Party the importance of the "League question" was even more pronounced. President Wilson was committed to the idea of making American participation in the League of Nations the central issue in the forthcoming election. Thus, though a growing minority of Democrats opposed the League, Wilson's influence as the outgoing incumbent ensured that the Party's platform explicitly advocated American membership in the League and that the Party's standard bearer was "a forthright, if reluctant, warrior for the League".¹⁸

Anyone familiar with American Presidential campaigns is aware that campaign rhetoric often obscures rather than clarifies the candidates' positions on the issues. Nonetheless when one examines Harding's and Cox's pronouncements on the subject of the Treaty and the League, it is difficult to imagine that informed voters did not recognize the fundamental difference between their positions on this issue.

Though Harding's pronouncements on foreign policy were far from consistent, he never came close to advocating American membership in the League under any set of reservations. While campaigning in the midwest, Harding made a

number of speeches which were so isolationist in character that Borah and Johnson would have applauded. When campaigning in the more internationalist regions along the eastern seaboard, Harding exchanged his isolationist rhetoric for a vague benediction of very mild forms of international cooperation in pursuit of world peace.¹⁹ Cox began his campaign as a proponent of American membership in the League of Nations and an advocate of collective security. However, he concluded by announcing his willingness to accept "any reservations necessary to secure Senate consent of the Treaty".²⁰ He specifically agreed to accept a reservation stipulating "that the United States bore no obligation to lend military assistance to the League without the consent of the Congress".²¹

Though public opinion polling was not yet a science, it is difficult to accept the notion that Cox abandoned the very heart of Wilson's proposal for collective security despite the fact that a majority of Americans were favourably disposed towards the idea. It is equally difficult to accept that voters who followed the campaign could have failed to realize that Harding and the Republican Party stood for what was clearly the more isolationist foreign policy.

Inasmuch as the candidates' positions were relatively distinct, the only reason left not to equate Harding's victory with a popular repudiation of collective security

is that contemporary election research indicates that election issues have only a limited influence on voter behaviour. On the whole, voters' ethnic and religious backgrounds, social status, and party allegiance are better predictors of behaviour than their opinions about election issues. Nonetheless, in "Voting and Foreign Policy" Warren Miller presented evidence that foreign policy issues do influence voters who switch party allegiance from election to election. Specifically, he found that a change in a voter's "appraisal of the parties as agents of peace ... is highly correlated with change in party identification".²² Thus, it is arguable that many of those who switched parties in 1920 did so because they had lost confidence in the Democratic Party, with its commitment to collective security, as an agent of peace.

Most historians agree that the majority of the public supported Wilson's proposal for a League of Nations and collective security in 1918. Yet, it would appear that this support weakened during the Treaty debate -- with only a minority still favouring the idea by election time. The steady erosion of popular support for a Wilsonian foreign policy was a significant ideological victory for the isolationists. Though public support for a genuinely isolationist foreign policy was not likely greater than public support for the League and collective security in 1920, the Senate spokesmen for isolationism had established a

public opinion constituency which grew steadily during the debate. But more importantly, the ultimate triumph of the campaign against Wilsonian internationalism greatly enhanced the political credibility of the spokesmen for isolationism among those many Americans who were as yet unsure how the United States should pursue the goal of preserving the future peace.

During the next twelve years of Republican control of the White House, Republican isolationists, making the most of their enhanced credibility, spurred the Senate to actively assert its foreign policymaking authority. Over this period a succession of Republican Presidents and Secretaries of State voluntarily limited their foreign policy initiatives while the Senate developed the principle of "complete intolerance for advanced contracts for collective action" as the basis for wielding a veto in the foreign policy decision-making process.²³

Once Senator Borah succeeded Lodge as the Chairman of the Foreign Relations Committee, Senate willingness to exercise an obstructionist veto in the realm of foreign affairs increased. Any action which even vaguely smelled of any sort of "unAmerican" foreign entanglement became the object of intense scrutiny. Whereas the Senate had reluctantly approved the Four Powers Naval Treaty after Harding had personally assured the Foreign Relations Committee that it constituted "no commitment to armed force, no

alliance, no written or moral obligation to join in defence", the Senate would later block such innocent proposals as the St. Lawrence Treaty and the 1926 Geneva Convention.²⁴ However, the most significant setback of Republican foreign policy in the Senate during this period concerned the question of American participation in the World Court.

American membership in the Permanent Court of International Justice was a cause championed by the internationalist wing of the Republican Party and an explicit foreign policy goal of all three Republican interwar Presidents. Harding first proposed that the Senate ratify the World Court Treaty in 1923. However, opposition within the party, led by Senators Borah and Johnson, delayed full Senate consideration of the question until 1926. At this time the Senate approved the Treaty, but not without first adding five reservations "which would have to be accepted by all members of the Court for the U.S. membership to take effect".²⁵ However, the European members of the Court objected to the fifth reservation which

made it explicitly clear that the Court must not have any jurisdiction to undertake any advisory opinions regarding any dispute in which the United States was a party without the United States' consent.²⁶

As a result, the small group of hard-core isolationist Senators who had fought the Treaty every step of the way

lost the Senate battle but won the war.

After the 1928 election, President Hoover revived the Court issue when he persuaded Elihu Root to attend an upcoming conference in Geneva in an effort to negotiate a formula by which the United States could become a member of the World Court without becoming subject to unwanted advisory opinions. As a consequence of Root's efforts, the members of the Court agreed to accept potential American participation under the so-called "Root-Harst Formula" which

gave the United States equal opportunity with other League members to object to the rendering of advisory opinions and if their refusal were not sustained by the Court, it would terminate its membership in the Court without any importations of ill will.²⁷

In the wake of Root's success President Hoover and Secretary of State Stimson made a determined effort to win Senate approval for the revised Protocols. In fact, despite continued opposition from Republican isolationists, the Foreign Relations Committee favourably reported the Protocols in 1932; however, the opposition was able to repeatedly postpone floor debate until the Senate finally adjourned without acting. "The supporters of the World Court now had to await a new President and a new Administration, to see whether new life could be breathed into their cause."²⁸

When Franklin Delano Roosevelt took office in 1933 his Administration embodied the last remaining hope of all those concerned with stemming the rising tide of activist Congressional isolationism. However, Roosevelt's ability to alter the course of American foreign policy was tempered by the fact that he had made important concessions to Democratic isolationists in order to win his party's nomination in 1932. As Cox's running mate in the 1929 election, Roosevelt had been an enthusiastic proponent of American participation in the League and yet, early in 1932 he reversed his position in the hope of ultimately winning the support of William Randolph Hearst a powerful Democrat and a long time opponent of any sort of American connection with the League.

In a radio address on January 1, 1932, Hearst had denounced all of the leading Democratic hopefuls (including Roosevelt) as men who had "fatuously followed Wilson's visionary policies of intermeddling in European conflicts and complications".²⁹ He concluded by proposing John Nance Garner as an "America first" alternative candidate. Soon thereafter a Roosevelt representative apparently approached Hearst in an effort to secure his support. At that time it seems that Hearst was assured that Roosevelt was no longer an internationalist in regard to foreign policy. On January 31, in an open letter published in the New York American, Hearst, apparently responding to

this approach, proclaimed "that if Roosevelt had any statement to make about his not being an internationalist, he should make it to the public and not to me privately".³⁰ Two days later Roosevelt publicly reversed his position on American membership in the League of Nations. In a widely publicized speech he argued:

The League of Nations today is not the League conceived by Woodrow Wilson. It might have been had the United States joined. Too often through the years its major function has not been the broad overwhelming purpose of world peace, but rather a mere meeting place for the political discussion of strictly European political national difficulties. In these the United States should have no part ... American participation in the League would not serve the highest purpose of the prevention of war and a settlement of international difficulties in accordance with fundamental American ideals. Because of these facts, therefore, I do not favour American participation.³¹

The Roosevelt/Hearst relationship did not end here. At the start of the Democratic convention Hearst exercised effective control over the California and Texas delegations which constituted the bulk of Garner's support. After the third ballot, when it appeared likely that Governor Roosevelt would be stopped short of the necessary two-thirds required to win the nomination, Hearst decided to throw his delegates to Roosevelt. Arthur Schlesinger relates that Hearst contacted

His representative in Chicago and Willicomb promptly transmitted Hearst's decision to George Rothwell Brown in Washington. "Mr.

Hearst is fearful" the message went "that when Roosevelt's strength crumbles it will bring about either the election of Smith or Baker. Either would be disastrous." Tell Garner that the chief believes "nothing can save the country but for him to throw his delegates to Roosevelt".³²

Earlier, on more than one occasion, the Roosevelt camp had offered Garner the Vice-Presidency in exchange for his support; and so the price of Roosevelt's nomination was an isolationist Vice-President and a substantial political debt to the Democratic Party's most outspoken opponent of American involvement with the League of Nations.

Thus, when Roosevelt took office he was in a poor position to radically alter the course of American foreign policy -- despite any internationalist inclinations which he might have personally felt. His Administration faced a myriad of pressing domestic problems created by the Depression. Having accepted the support of archnationalists like Huey Long, Raymond Moley, and Hearst, Roosevelt was in no political position to openly challenge an increasingly isolationist Congress in regard to foreign policy. As a consequence, the Administration devoted practically all of its energy to dealing with domestic matters during the first two years. The only international initiatives of note were at the London World Economic Conference; concerning diplomatic recognition

of the Soviet Union, and at the World Disarmament Conference. At the London Economic Conference, after some initial confusion, the Administration adopted a strongly nationalistic position by refusing even to discuss the issue of war debts and arguing that planned national currencies represented a desirable substitute for the old international economic order.³³ Responding to a Soviet initiative, Roosevelt's decision to recognize the Soviet Union was motivated by the hope of paving the way for a mutually profitable trade relationship. However, the combination of continued Communist propagandizing in North America and the debt issue precluded any liberalization of trade. However, at the World Disarmament Conference the new Democratic Administration took a tentative step toward altering the Republican policy regarding collective security.

On May 22, 1933, Norman Davis, the President's handpicked representative at the Conference, announced that the United States was:

Willing to consult the other States in the case of a threat to peace, with a view of averting the conflict. Further than that, in the event that the States in conference, determine that a State has been guilty of a breach of the peace in violation of its international obligations and takes measures against the violator, then, if we concur in the judgment rendered as to the responsibility of the guilty party, we will refrain from any action tending to defeat such collective effort which these States may thus make to restore peace.³⁴

To support this pledge, the Administration asked Congress to approve "neutrality legislation" which would give the President the power to levy discretionary arms embargoes, and thus, the option of tacitly supporting any future collective security measures taken by the League. This legislation was approved by the House, but in the Senate a coalition of isolationist Senators amended the legislation so that "any embargo levied by the President had to apply impartially to all belligerents".³⁵ Inasmuch as this amendment effectively negated the intent of the legislation, the Administration agreed to drop the whole embargo issue once it was clear that they were facing determined opposition in the Senate.

And thus, despite its extraordinary success in winning Congressional approval for its domestic initiatives, the Roosevelt Administration's first effort to alter the course of American foreign policy was defeated in the Senate. On an even more ominous note, after the European powers announced their intention to repudiate all remaining war debts, Congressional isolationists succeeded in passing their first foreign policy initiative of the interwar era -- the Johnson Act. "This Act forbade American citizens to lend money to, or buy the securities of, foreign governments in default of the United States."³⁶ From this point on, the Roosevelt Administration was clearly on the defensive regarding foreign policy. Roosevelt had yet to prove that

his Administration was capable of forcing a single piece of controversial foreign policy legislation through the Congress, and thus, the stage was set for the next round of the World Court battle.

CHAPTER 4 FOOTNOTES

1. George F. Kennon, American Diplomacy (Chicago: The University of Chicago Press, 1951), p. 65.
2. Robert Maddox, William E. Borah and American Foreign Policy (Baton Rouge: Louisiana State University Press, 1969), p. 61.
3. Ibid., pp. 61-2. Chapter 3 of this biography presents Borah's isolationist philosophy as a synthesis of 19th Century American idealism and anti-imperialistic realism.
4. Ibid., p. 60. Borah's reasoning on this point is poignantly parallel to arguments popularized as public opposition to the Vietnam War grew in the 1960's.
5. John A. Garraty, Henry Cabot Lodge (New York: Alfred A. Knopf, 1965), p. 365.
6. Ibid., pp. 336-401. Garraty presents a detailed analysis of the mix of philosophical conviction and political expediency which motivated Lodge in this confrontation with Woodrow Wilson. It is interesting to note that Lodge's position was ultimately embodied in the United Nations Charter 25 years later.
7. Adler, The Uncertain Giant, pp. 1-11. Denna Fleming, The United States and the League of Nations (New York: G. P. Putnam's Sons, 1932), p. 437. Thomas S. Bailey, Woodrow Wilson and the Great Betrayal (New York: Macmillan Company, 1945), pp. 100-01.
8. Garraty, Henry Cabot Lodge, p. 377. As the language of the reservation should make clear, contemporary Congressional attempts to preserve the integrity of its war-making power are not historically unique or without precedent.
9. Maddox, Borah
10. Adler, The Uncertain Giant, p. 13.
11. Ibid., pp. 16-7.
12. Ibid., p. 18.
13. Ibid., p. 13.
14. Ibid., p. 16.

15. Ibid., p. 17.
16. Maddox, Borah
17. Adler, The Uncertain Giant, p. 13.
18. Ibid., p. 15.
19. Ibid., pp. 15-6.
20. Ibid., p. 15.
21. Ibid., p. 16.
22. Warren Miller, "Voting and Foreign Policy", p. 226.
23. Adler, The Uncertain Giant, p. 81.
24. Devine, Illusion of Neutrality, p. 4.
25. Gilbert N. Kahn, "Pressure Group Influence on Foreign Policy Decision-Making; A Case Study of U.S. Efforts to Join the World Court -- 1935" (Ph.D. dissertation, New York University, 1972), p. 45.
26. Ibid., p. 46.
27. Ibid., p. 47.
28. Ibid., p. 51.
29. Charles Beard, American Foreign Policy in the Making (New Haven: Yale University Press, 1946), p. 69.
30. Ibid., p. 73.
31. Ibid., p. 76.
32. Arthur M. Schlesinger Jr., The Crisis of the Old Order (Boston: Houghton Mifflin Company, 1957), pp. 307-308.
33. Adler, The Uncertain Giant, pp. 152-3.
34. Ibid., p. 53.
35. Adler, The Uncertain Giant, p. 157.

CHAPTER 5: THE SECOND WORLD COURT BATTLE

Probably no subject has been as clouded by misunderstanding as the proposal that the United States accept membership in the World Court. The advocates have in some instances claimed more advantages to the American public than reasonably can be expected, while some of the opponents have conjured up in their imagination disastrous results which cannot follow participation by the United States as a member of the tribunal.¹

On January 29, 1935 the Senate failed to ratify the World Court Protocols by a vote of 52-36, seven votes short of the necessary two-thirds majority. The goal of this case study will be, first of all, to determine whether public opinion or interest groups significantly influenced the Senate's handling of this matter. Secondly, once non-governmental influence is identified an effort will be made to determine whether the "opportunity hypothesis", proposed in Chapter 3, represents a credible explanation of how and why "domestic sources" were able to influence this foreign policy decision.

The chapter is divided into three sections. The first section identifies the prominent domestic actors attempting to influence the Senate with regard to this issue. Specifically, an effort will be made to identify the most active pro-Court and anti-Court pressure groups. Finally, an effort will be made to assess the state of

public opinion with regard to the World Court issue.

The next section focuses upon the Senate's deliberation over the World Court Treaties. It starts with an examination of the path by which the Protocols reached the Senate floor, moves to a discussion of the actual debate, and finishes with an analysis of the final vote. At each step an effort will be made to analyze the evidence that nongovernmental actors influenced the decision-making process. Three specific questions will be addressed. Firstly, is there any evidence that the pro-Court forces influenced the foreign policy agenda by working to free the Protocols from the Foreign Relations Committee? Secondly, is there any evidence that the isolationist, anti-Court opinion which was mobilized during the debate represented the key factor causing the ultimate defeat of the Treaties? Thirdly, is there any evidence that domestic political factors set the parameters for the Administration's legislative strategy concerning the Protocols and how did this defeat influence the subsequent balance of power among America's foreign policymaking institutions?

The final section in this study evaluates the "opportunity hypothesis" elaborated in Chapter 3. Specifically, did the fact that the Senate became the principal policy arena once the Root-Hurst formula was negotiated enhance the opportunities for interest group influence?

Secondly, with regard to the final outcome, to what extent can the political efficacy of public opinion be attributed to the extensive ideological conflict sparked by this issue?

I

After the 1920 election, American membership in the League of Nations may have become an issue non grata in Washington, but this question "entered into most of the postwar debates over the proper way to maintain peace".² The question of what America's relationship to the League ought to be was hotly debated throughout the peace movement.³ Throughout this period, the steadily growing number of peace organizations were continually at odds with each other as to whether international organization and collective security or other more radically pacifist programs represented the most promising hope of preserving the peace. In fact, as my next two case studies will illustrate, the second World Court battle was the last major foreign policy issue on which both wings of the peace movement were able to cooperate.

After 1920 organizations like the League of Nations Association (LNA), The National Council for the

Cause and Cure of War (NCCW), The National World Court Committee (NWCC), and The Carnegie Endowment for International Peace (CEIP) rallied around the principles of Wilsonian internationalism.

These groups had been one of the dominant forces behind the abortive attempt to gain U.S. entry into the League. Failing in their primary goal, the groups exerted continual pressure, as well, to obtain U.S. entry into the Permanent Court of International Justice.⁴

In fact as public opinion became increasingly hostile to the League, American membership in the World Court became one of the principal goals of this wing of the organized peace lobby.

Other organizations like the Women's International League for Peace and Freedom (WILPF) and The National Council for the Prevention of War (NCPW), though they often allied themselves with the aforementioned peace groups, stopped short of endorsing the League because its covenant approved the principle of war to deter aggression. These groups represented the radically pacifist wing of the peace movement dedicated to replacing "what they described as the war system with a peace system".⁵ Unlike their more conventional allies, these groups usually put more faith in grandiose schemes which proposed to outlaw war, called for total disarmament, or advocated world government.

Given the philosophical differences within the organized peace movement, the question of American adherence to the World Court Protocols constituted an ideal vehicle for cooperation. While friends of the League favoured American participation in an international court on principle, they also recognized that a decision by 2/3's of the Senate to allow American membership in the League's court would be interpreted abroad as a signal of a possible weakening of the trend towards radical isolationism. Thus they saw American participation in the Court as an intermediate step between the Republican policy of restricted cooperation with the nonforce activities of the League and American cooperation with the League's collective security efforts. To the pacifist wing of the peace movement, the World Court represented a concrete application of the principle that international law, rather than the recourse to violence, ought to be the basis for settling international disagreements. As a consequence, a coalition of organizations representing the entire philosophical spectrum of the peace movement (the NCCW, the NWCC, and the NCPW) coordinated their efforts to bring about Senate consent to the World Court Treaties.

In his article "The Peace Movement", Robert Ferrell argues that it is possible to further differentiate the organizational elements of the American peace movement by focusing on the different sorts of lobbying techniques

which they employed in an attempt to influence the foreign policymaking process. He distinguishes "conservative" and "radical" peace organizations, not by their advocacy of collective security or radically pacifist alternatives, but by their lobbying techniques. He argues that conservative organizations were characterized by a strong commitment to publishing peace advocacy literature and a tendency to lobby quietly behind the scenes in pursuit of their goals. "The conservative peace groups frequently operated through the influence of their highly placed members."⁶ Gilbert Kahn's study of pro-Court pressure groups reveals that both Philip Jessup's National World Court Committee and Frederick Libby's National Council for the Prevention of War repeatedly exploited the fact that their leadership had once been "directly or indirectly involved in government activity" and consequently "they had easy access to decision makers".⁷

Rather than trying to win support behind the scenes in the "corridors of power", those peace organizations which Ferrell characterizes as radical employed a much broader range of democratic pressure techniques to achieve their goals. Ferrell argues that these "organizations employed every device known to the new science of public relations, in an effort to make Congressmen and diplomats sense the importance of American measures for world peace".⁸ Adept at the use of fancy letterheads and petition presenting, these organizations consciously attempted to foster the

impression that they were the authentic spokesmen for public opinion. Ferrell also argues that the two most influential radical organizations, the Women's International League for Peace and Freedom and the National Council for the Cause and Cure of War, successfully exploited the political uncertainty in Washington as to their influence among recently enfranchised female voters.

All the radical peace organizations, which were to a considerable extent women's organizations, received far more attention than their actual influence merited, because of this fear that radical peaceworkers had some special control over the female votes.

Despite the fact that America's formidable peace lobby had united behind the World Court issue, the drive to bring about Senate approval of the World Court accords faced stiff domestic opposition. By 1935, the American Legion, a powerful domestic pressure group, William Randolph Hearst, with his vast publishing empire, and Father Charles E. Coughlin, a popular radio demagogue, were actively campaigning against American participation in the World Court.

After its birth at the close of World War I, the American Legion made a concerted effort to influence both domestic and foreign policy. However, in order to fully appreciate the scope of its activities and political

influence, it is necessary to examine the origins and development of the American Legion.

The original impetus for the Legion came about from two distinct sources. After the Armistice a number of independent proposals came from the army's rank and file for the creation of a fraternity of ex-servicemen "dedicated to the promotion of the interests of the individual founders".¹⁰ At the same time some American officers in the upper echelon of the army were becoming concerned about the postwar attitude of the average American soldier towards the extreme, political radicalism. It was their feeling that "a sane organization of veterans might be the best insurance against the spread of Bolshevist propaganda".¹¹ The American Legion, the organizational embodiment of these dual concerns, became a reality on May 8, 1919.

After every major war in American history, veterans' organizations have become an important political force in American politics, and the Legion was no exception. Unlike most groups, the American Legion, both then and now, represents a truly national constituency transcending narrower sectional or economic interests. In his detailed study of the Legion participation in the U.S. foreign policymaking process, Roscoe Baker argues that the Legion's political influence is a direct consequence of its effective use of a wide range of lobbying techniques to represent a broad, national constituency.

Where other groups appeal mainly to some economic or professional interest, the Legion appeals to the patriotic emotions. In its attempt to get acceptance and favourable action on its programs the Legion uses the radio, press, and movies quite extensively; it exerts pressure in the legislative halls of Congress, the various state legislatures, and the local units of government. The Legion cooperates with other organizations whose sympathies are similar to its own.¹²

The principal goals of the Legion reflected its origins. Understandably, this organization has always been a leading advocate of veteran's benefits.

The Legion has never been hesitant in saying that its first purpose is to gain benefits for veterans. . . . The Legion has sought such benefits as the bonus, pension and hospitalization for the injured, crippled and disabled veterans and their wives and children and other dependents. Veteran's preference in the civil service was another form of benefit.¹³

In the area of foreign affairs the Legion has been a consistent advocate of a program of strong national defence.

Other purposes of the Legion include the opposition to further immigration, to tighten up naturalization procedures, to further patriotic observances and memorials, to spearhead the opposition to Communism, and to foster the kind of education to the youth of the United States that will preserve and extend the American heritage.¹⁴

Immediately after the war, veterans were divided on the question of whether America should join the League. Because of the lack of consensus, the Legion took no position on this issue during the early 1920's. Nonetheless the Legion did support a number of ideas and programs which it perceived as promoting international cooperation and the cause of peace. In fact, from 1925 to 1933 the Legion was formally on record as supporting U.S. adherence to the World Court Protocols, and though not necessarily displeased with the Swanson reservations, the Legion supported Root's compromise formula for American membership in 1929.

However, the Legion reversed its position on the World Court at its annual convention in 1933. Throughout the 1920's a growing number of Americans embraced the notion promoted in the Hearst press that any American participation in the League of Nations, or any affiliated organization, constituted a radical deviation from the traditional American foreign policy of "no entangling alliances". A vocal minority in the Legion had always accepted this view and by 1933 a majority of the delegates at the annual convention supported the following resolution:

That they are opposed to the adherence of the United States to the World Court on any terms and also that they are unalterably opposed to the United States joining the League of Nations in any form, both being entangling alliances of the worst sort, against which George Washington, whose 200th birthday we honour this year, so strongly advised the Nation in his farewell address.¹⁵

Thus, from 1933 to 1940, the Legion condemned even the mildest forms of internationalism and became an active advocate of a foreign policy of isolationism. Baker notes that:

It was at this time that the nationalism and isolationism of William Randolph Hearst and his newspapers were accepted and followed by the Legion. One of the familiar sights on city streets was Hearst trucks occupied by "members of the Legion" collecting signatures to petitions against participation in the League of Nations and the World Court.¹⁶

It is quite possible that the Hearst press was principally responsible for the Legion's ideological shift from mild internationalism to isolationism in the early 1930's. Although almost every contemporary observer of the interwar period attributes a great deal of influence to the Hearst press, historians have yet to adequately assess its contribution to popularizing the isolationist ideology among the general public. This question is complicated by the fact that Hearst's influence on domestic issues and domestic politics in general was probably gradually eroding throughout this period.¹⁷ However, the shreds of evidence which are available all indicate that Hearst's crusade, against even the feeblest forms of internationalism, was perhaps the most enduring success of his fifty year publishing career.

Unlike his position on most domestic issues, Hearst's opposition to the League of Nations or any other form of "entangling alliance" remained violently consistent from 1919 onwards. Even without public opinion data for much of this period, there are a number of credible, indirect indicators of the growing popularity and acceptance of the specific Hearst thesis on isolationism. It is virtually certain that as early as 1920 a politically significant portion of traditional Democratic supporters approved of Hearst's anti-League nationalism. This factor, combined with the fact that at least a minority of the Democratic leadership was sympathetic to these ultra-nationalistic themes explains the Democratic decision after the 1920 election that "advocacy of collective security was an invitation to disaster".¹⁸ Despite Adler's blithe suggestion that this was not "the actual verdict of the voters on election day", an insistence on retaining a strong commitment to joining the League of Nations would certainly have driven a large number of Democratic isolationists into the Republican Party and it would surely have destroyed the Democratic Party as a political force outside of the South.

Furthermore, the political alliance between elements of the American Legion and the Hearst newspapers beginning in 1933 suggests that the Hearst press could well have been responsible for persuading a majority of Legionnaires to reverse the organization's support for mild forms of internationalism, like the World Court.

The extremely close similarity between the language of the Legion's 1933 resolution and the rhetoric of the Hearst press is not accidental, and thus, represents an indicator of Hearst's influence.¹⁹ A final element of Hearst's isolationist ideology which became popular during the 1930's was his exploitation of the war debt issue to justify American nonparticipation in any European entanglement. As early as the 1926 debate over the World Court, Hearst used Europe's discussion of reducing its war debts as a principal justification for opposing U.S. membership in the Court.²⁰ Public susceptibility to this argument snowballed after Europe renounced its debt obligations during the 1930's.

Though the exact influence of the Hearst press on the evolution of public opinion after World War I may be difficult to calculate, a strong argument can be made that by January, 1935 a majority of the American public opposed U.S. adherence to the World Court Protocols. Though proponents of the Court like Philip Jessup, Denna Fleming, and Gilbert Kahn have consistently argued to the contrary, their argument is based on the curious premise that the majority of those who were well informed supported the Court, and therefore, if public opinion had been better informed the majority of Americans would have favoured American membership in the Court.²¹ Given that we now know that at least 60% of American public opinion about

foreign affairs is never based on adequate knowledge or information, this line of argument avoids the important question of whether a majority of Americans would have favoured the United States joining the World Court in 1935.

On this question the preponderance of the evidence indicates that a majority of the public opposed American participation in the World Court. Though the validity of their reasoning was perhaps debatable it is likely that most Americans opposed participation because they perceived the World Court to be an organ of the League of Nations and because they disapproved of any form of overt cooperation with the European powers who had so recently repudiated their war debts. In his diary Harold Ickes reported that he could not understand Roosevelt's open support for the World Court because "the sentiment of the country is overwhelmingly opposed to going into the League Court".²² Furthermore, he noted that in Vice-President Garner's opinion "if this proposition were to be put to a vote of the people, it would be defeated two to one".²³

Public opinion polls taken in January, 1936 and November, 1936 revealed that an overwhelming majority of Americans opposed American entry into the League of Nations and deeply resented European repudiation of war debts.²⁴ There is no reason to believe that public opinion on these

questions was significantly different in January, 1935 and we have much more than Ickes' word that public opinion on the Court question was linked to opinions about the League and reparations.

An examination of the debate over the Protocols reveals that practically every Senator who opposed U.S. adherence linked these issues.²⁵ Anti-Court petitions from the state legislatures of Delaware, Georgia, Massachusetts, and Nebraska justify their opposition to American entry into the World Court by citing their opposition to American entry into the League.²⁶ Finally, in regard to the reparations question, Senator Gore of Oklahoma presented the following amendment which attempted to make American adherence to the World Court conditional upon European resumption of its debt payments.

Be it resolved that adherence to the said Protocols and Statutes provided for above shall not become or remain effective and shall not be or become binding while or when any nation which is adherent to said Protocols and which is indebted to the government of the United States shall be in arrears for a period of more than six months in respect of any payment due upon such indebtedness.²⁷

In Senator Gore's words, the purpose of this amendment was to remind "the peoples of Europe, if they had forgotten their debts, that we have not forgotten them".²⁸ Twenty-four of the twenty-six Senators who supported this amendment

were ultimately opposed to the World Court Protocols.

Though the proponents of the Court may not have found this sort of linkage intellectually justifiable, this and other evidence to be discussed in the next section indicates that a clear majority of the American public opposed American participation in the World Court because they perceived it to be part of the League of Nations and because rejecting it constituted a form of symbolic revenge against all of the nations who desired American adherence but who had "welched on their debts".

This milieu of fear, ignorance, and resentment was ideally suited to the rhetorical talents of America's first electronic mass media demagogue -- Father Charles E. Coughlin who had risen to popular prominence at about this time. The famous radio priest was the final pillar of the 1935 anti-Court triumverate. In fact, there are those who identify Coughlin's eleventh hour attack on the Court as the principal cause of the Senate's defeat of the World Court Protocols.²⁹ Starting in 1926 with a weekly radio sermon which explained the essence of his activist, Catholic faith, Father Coughlin's audience appeal grew dramatically as his sermons became decidedly more political at the start of the Depression. Combining the appeal of his colourful, populist rhetoric with a resonant Irish brogue, Coughlin built a weekly listening audience of at least ten million people - probably the largest regular

listening audience in the world at that time.³⁰ Coughlin's appeal was based on a dual vilification of plutocratic capitalism, which he denounced as atheistic individualism, and Communism, which he perceived as an even more seductive and dangerous form of atheism. As a response to these threats and as a solution to the Depression, Coughlin never tired of preaching the virtues of an inflationary monetary policy and a vague program of Christian social justice.

Beginning with Roosevelt's election in 1933, Coughlin was an enthusiastic, though never passive, supporter of the New Deal which he termed "Christ's Deal". During FDR's first year in office, Coughlin made a number of attempts to directly influence national economic policy through contacts in the Administration. However, by 1934, Roosevelt's persistent resistance to all radically inflationary policy suggestions made it clear that Coughlin's support for the New Deal would not buy him any direct influence in the Administration.

Once it became clear that Coughlin had no hope of gaining political influence by supporting the New Deal he attempted to use his influence with the public to influence the Administration. Thus, in November, 1934, Coughlin announced the formation of the Union of Social Justice, "a pressure group to move both parties towards Coughlin's programs".³¹ However, as events were soon to demonstrate, the real purpose of Coughlin's new movement was to "use his

influence over public opinion as a means to indirectly influence the New Deal or, if that failed, as a basis for opposing Roosevelt in 1936".³²

II

Scholars usually identify a number of distinct ways in which domestic actors can influence the foreign policymaking process. For example, one possible way in which domestic sources might influence the foreign policymaking process is by influencing which items become part of the foreign policymaking agenda. Given the evidence that public opinion was not favourable to the question of American membership in the World Court, the logical first step in attempting to assess the total domestic influence on the Court question will be to determine whether pro-Court peace organizations were in any way responsible for the World Court Protocols being the Senate's first order of business in January, 1935.

While the efforts of the pro-Court advocates to get the revised Protocols back on the Senate agenda had been continually frustrated during the Hoover years, the election of Franklin Delano Roosevelt renewed the hopes and aspirations of all those in the peace movement favouring

American adherence to the World Court. Despite his renunciation of the League during his campaign:

FDR had a reputation as a strong, committed internationalist and had a long history of support for international involvements, international organization, and international responsibility for the United States in world affairs.³³

Thus, the Protocol's prospects appeared exceptionally favourable when in March, 1933 Senator Robinson, the Senate majority leader for the Democrats, announced that the time had come for the Senate to act on the World Court Treaties.³⁴ However, soon thereafter, the President, acting on the advice of Senator Pittman and some of his more nationalistic brain trusters, FDR requested that Robinson not bring up the Court matter as it might interfere with domestic legislation.³⁵ It was feared that raising the question at that point would give hostile Republican Senators an unnecessary opportunity to filibuster which might block the Administration's emergency legislation.

However, this turn of events did not greatly dampen the hopes of the leaders of the peace movement, for they had a further reason for optimism. Through Eleanor Roosevelt the peace movement now had direct access to the White House. Esther Everett Lape, long active in the peace movement, was a close friend of Mrs. Roosevelt. Using this contact Miss Lape was able to gain

an appointment with FDR immediately before his inauguration to discuss matters of concern to the peace advocates. In a letter to Philip Jessup, the head of the National World Court Committee, Lape passes on the President's own assessment of the Protocol's changes.

I will tell you -- in confidence -- that I have talked to Franklin Roosevelt about it (the World Court) a few days before his inauguration. He said then, "I think you will get the Court in a year". His feeling as to action about the special session was, at the time, governed by his desire to restrict the special session to emergency measures. He hoped that the Court would come up in the regular and not the special session.³⁶

Thus, the failure of the Senate to even consider the Protocols in the 1933 special session was perceived as only a temporary tactical setback. Boosted by the President's implicit support for their cause, the pro-Court advocates optimistically began to marshal their resources in order to make a determined effort to pressure the Senate to act favourably come the new year.

Recognizing that a significant amount of the support for the Administration's domestic program came from "progressives" who were vehemently isolationist, the leaders of the pro-Court lobby came to accept that the President's enthusiasm for the Court would always be contingent upon its not threatening his domestic legislation. In a letter to Philip Jessup concerning organizational

strategy, Miss Lape argued that:

If the Court issue can be bouyed up so that it seems to come to the Senate on a national wave and not as something lugged in by the President and calculated to produce another controversy, it has a chance this session.³⁷

Thus, early in 1934, Jessup's NWCC, Catt's NCCW, and Libby's NCPW agreed to adopt the following strategy in an attempt to secure Senate approval of the World Court Treaties.

First, the decision was made to "carry the issue of the World Court to the public, in the hopes of intensifying grass roots support for it".³⁸ Secondly, the friends of the Court resolved to intensify their behind the scenes efforts to persuade key Senators and members of the State Department that 1934 was a time for action on the Treaties. In taking their case to the public, pro-Court organizations relied primarily on traditional techniques. Working on an organization to organization basis, a renewed effort was made to cajole as many organizations as possible to "restate their position in favour of the World Court".³⁹ In regard to public opinion their strategy was "to obtain extensive press coverage and editorial endorsements".⁴⁰ Finally, in an article published in Molev's Today, Jessup made a direct attempt to persuade the mass public of the advantages of American membership in the World Court.⁴¹

It is worth noting that this article represents the peace movement's only direct attempt to either educate or persuade the mass public on the question of the relationship between the World Court and the League. Their strategy relied entirely on persuading and mobilizing informed and elite opinion in the hope that once mobilized this opinion would give the appearance of widespread grass roots support for the Treaties. Arguably this was a rational use of the lobbies' limited financial resources. Nonetheless, it is also likely that by virtually ignoring the mass public between 1926 and 1935 the pro-Court advocates contributed by omission to the growing public acceptance of the Hearst thesis, and thus arguably, they contributed to their own ultimate undoing when the Treaties finally came to a vote.

It was on the organizational front that the pro-Court activists enjoyed the most success. The American Bar Association was persuaded to adopt a resolution supporting American adherence to the World Court without any additional reservations. Twenty-nine local and regional bar associations chose this moment to adopt similar resolutions adding to the sixty-eight bar associations which had already endorsed the Court.⁴² In addition, at the annual January meeting of the Conference on the Cause and Cure of War, a resolution was adopted urging the President and the Senate to act favourably upon the Protocols.

Despite these successes, the pro-Court lobby was remarkably unsuccessful in generating much enthusiasm for their cause in either the State Department or the White House. FDR had requested that Senator Robinson informally poll the Senate on this question in January and Robinson responded that only thirty-nine Senators were in favour, while forty-seven opposed the Protocols.⁴³ Although in Robinson's opinion half of those opposed could be persuaded to support the Court, it is not surprising that the Administration remained cool to the pleas to push the Treaties in the 1934 session.

Nonetheless, through the persistent efforts of Mrs. Carrie Chapman Catt (NCCW), a significant political breakthrough was achieved when Senator Pittman was persuaded to arrange for the Senate Foreign Relations Committee to hold public hearings on the World Court. Thus, despite the President's indifference and Pittman's hostility, the pro-Court lobby achieved an important victory when the World Court Protocols became an item on the agenda of the Senate Foreign Relations Committee.

Having secured their "day in court", the pro-Court faction attempted to organize and orchestrate their presentations so as to ensure a maximum positive impact on the Committee. It was the consensus among the organizations which were to participate in the hearing that, now that Borah no longer ruled the Committee, legalistic and technical questions would be relatively unimportant

in terms of influencing the Committee's final decision. As a consequence, pro-Court witnesses focused their efforts on persuading the Committee that the public demanded favourable Senate action on the World Court Protocols. Mrs. Catt, as the spokeswoman for America's largest women's organizations, told the Committee that since 1926 support for the Court among women voters had increased steadily; "no support has been lost no friend has weakened".⁴⁴ W. W. Waymack presented the results of a survey of the editorial positions of 2,036 daily newspapers and emphasized that 67% favoured American participation in the World Court. Based on this evidence he argued that:

When two-thirds of the daily newspapers say thus clearly and firmly, "we favour ratifying the present Court measures", I believe that it is safe to say that the voice of two-thirds of the press is also the voice of a majority of the American people.⁴⁵

After the pro-Court lobby's slick, persuasive presentation, Senators Johnson and Borah appealed to Pittman to allow those opposing the Court equal time in presenting their case.⁴⁶ In contrast to the pro-Court presentation, Kahn argued that anti-Court witnesses "concentrated upon the legalistic questions laid by reservation 5 and combined this legalistic questioning with considerable rhetoric about the League Court".⁴⁷ Nonetheless, the anti-Court lobby presented persuasive

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evidence of public opposition to American participation in the World Court. E. D. Coblenz, an editor with and spokesman for the Hearst press, presented a petition containing 1,344,347 signatures opposing American membership in the Court.⁴⁸

During an era when Congress was subject to a constant barrage of petitions, this stands out as the single most awesome expression of public opinion on any question. If one considers that the Hearst press, in cooperation with the American Legion, gathered all of these signatures in less than two months, this has to be interpreted as an impressive display of the magnitude of isolationist public opinion at the time.⁴⁹ This petition represents another piece of evidence to add to that already presented indicating that the majority of Americans opposed the Court.

By the time the Foreign Relations Committee hearings were concluded in May there was little enthusiasm for reporting the Treaties out of Committee in the closing days of that session. In a conversation with a member of the pro-Court lobby, Senator Robinson argued that "the report of the Committee will be favourable"; however, he cautioned that "because this is an election year ... if the matter is taken up in this session, it may be filibustered to death".⁵⁰ Senator Robinson also cautioned the friends of the Court against repeating the mistake of 1932. He pointed out

that if the Committee reported the Treaties but the Senate failed to act before adjourning, the Senate rules would make it necessary to repeat the long hard process of getting the Protocols out of Committee next session. The World Court had no more ardent a supporter than Senator Robinson, and thus, his fears that some Senators might shy away from supporting the Court immediately before an election represented further proof that the World Court did not enjoy the degree of public support which its backers claimed during the Committee hearings.

In return for not pressing the Foreign Relations Committee to act after the hearings closed, Senator Pittman promised Mrs. Catt "that the Protocols will be reported to the Senate at the first meeting of the Foreign Relations Committee in January".⁵¹ The pro-Court lobby had finally succeeded in getting the World Court Protocols back on the Senate's agenda. Furthermore, the fact that officials in the Executive were almost totally inactive on this issue during this period makes it virtually certain that pro-Court pressure groups were fully responsible for getting this issue back on the agenda. Thus, despite Administration indifference and considerable opposition in the Senate:

They had obtained a commitment that the next session of the Congress would not pass without the consideration of the World Court Treaties. The Court supporters now had only to ensure the successful culmination of their long battle.⁵²

An unexpected bonus arising from their success with the Foreign Relations Committee was that enthusiasm for the World Court Treaties was rekindled in both the State Department and the White House "without the need for direct pressure from the Court advocates".⁵³ On September 13th Assistant Secretary Sayer and J. Pierrepont Moffat met with the President to discuss the advisability of throwing Administration support behind the Protocols early in the next session. Moffat recorded in his diary that the President had authorized Sayer "to take up with Senator Pittman the question of bringing up the World Court Protocols for ratification this session".⁵⁴ Immediately after the landslide Democratic victory in the 1934 Congressional elections, Roosevelt requested that the State Department prepare a memorandum indicating the activities of the Permanent Court of International Justice.⁵⁵ Finally, late in December Roosevelt requested that Sayer prepare a special message on the Court which he could deliver to the next Congress.⁵⁶ It was the consensus of those in the Executive that a special message "would be more impressive and would win more votes than merely indicating the President's interest in the Protocols within the State of the Union message".⁵⁷

The renewal of interest in the White House when considered in conjunction with Pittman's commitment, made it virtually certain that the full Senate would vote on the Treaties early in the next session. Thus, the pro-

Court coalition had to decide what sort of strategy they should adopt to ensure ratification. The possibility of opposing anti-Court Senators in the fall elections was discussed but discarded as it was feared that adopting this tactic might use up limited funds without defeating anyone. It was decided that pro-Court organizations would "pool their resources for a strong effort beginning in the middle of December".⁵⁸ Kahn reports that:

The specific labours in their renewed drive were to be divided among the various activists. Mrs. Lape took charge of determining the position of the new Senators. Professor Manley Hudson solicited and compiled into a pamphlet the resolutions and recommendations of the various bar associations throughout the country in support of the World Court. All of the proponents of the Court worked on smoothing over the threatened amendments and legislative obstructions impeding the expeditious handling of the Treaties.⁵⁹

Despite the fact that they must have anticipated stout resistance from the Hearst press, the pro-Court lobby again made no effort to educate the mass public about the World Court, and thus, counted on widespread popular acceptance of the "Hearst thesis" on this issue. While Jessup contacted members of the American Legion's national committee on foreign affairs in order to persuade them to return the Legion to its pre-1933 support for the Court, he passed up the opportunity to attend the annual convention which strongly reaffirmed the organization's official anti-Court position. Legionnaires had actively participated in the

recent Hearst petition campaign, and if the 1934 convention had reversed the Legion's official position, it would have been a significant political victory. Jessup's half-hearted efforts towards this goal reflected an attitude shared by most of his allies that, given the Democratic majority in the Senate, victory would simply be a question of Roosevelt openly expressing his support for the Protocols.⁶⁰

The recent Democratic landslide which swelled the party's majority in the Congress, caused pro-Court advocates to forget, or dismiss, the fact that Congress had been increasingly unwilling to follow the Administration's lead in the closing days of the 73rd Congress -- even though the President had clearly had public opinion on his side at that time.⁶¹ Therefore, despite the fact that FDR had failed to get a single piece of "internationalist" legislation through the Senate during his first two years, the pro-Court activists never seriously doubted that two-thirds of the Senate would dare to refuse to follow Roosevelt on the question of American adherence to the Court -- even if the President no longer had public opinion on his side.

On January 5, 1935, the President met with the Secretary of State Hull, Assistant Secretary Sayer and Senators Robinson, Johnson and Pittman to discuss the future of the World Court Protocols and the St. Lawrence

Treaty. It was decided that the Foreign Relations Committee would deal with the Protocols during its first session, and that, rather than Pittman, Robinson would lead the floor fight for ratification.⁶² It was the consensus that this was an ideal time to deal with this matter because the Senate was rarely too busy during the first few weeks of any session as it had to wait on the House to approve new appropriations bills before it could act on most sorts of legislation. Finally,

at the meeting of the Senate Foreign Relations Committee, by a vote of fourteen to seven, the Committee favourably approved and reported out the three Protocols necessary to be approved for the United States membership in the Permanent Court of International Justice. It did include an unexpected reservation -- the Reed Reservation -- clarifying the three part Hurst-Root formula.⁶³

At this time three separate polls were conducted by pro-Court activists to determine the probability of ratification. All three indicated that the Administration had more than enough support in the Senate to achieve victory. A poll prepared by the Women's World Court Committee and presented by Elizabeth Eastman to the State Department and the President indicated that either sixty-nine or seventy-two Senators supported ratification. (See Appendix for all data.)⁶⁴ A second poll prepared by Libby (NCPW) shows seventy-one Senators in favour and a third showed sixty-eight. If one compares all of these polls,

sixty-four Senators (more than the necessary two-thirds) indicated in every poll that they supported ratification.

In light of the fact that the Protocols were ultimately defeated, these polls give scholars a unique opportunity to determine with a high degree of certainty exactly which Senators changed their positions during the debate. Obviously this sort of knowledge is most useful in assessing whether domestic opposition to the World Court was a primary cause of Senators changing their position on this issue.

Inasmuch as it is natural to be a bit skeptical about these sorts of polls, it is worth emphasizing that there were a number of other independent indicators that the Administration had more than enough support at the beginning of the debate to justify expectations of victory. On January 12, the New York Times reported that even the leadership of the bitter end opposition conceded that "the present outlook is for ratification".⁶⁵ Secondly, Senator Pittman had cautioned the President in his January 4 communication that failure to accept the Reed Reservation might put the Protocols in jeopardy.⁶⁶ However, after the Foreign Relations Committee accepted the Reed Reservation, Pittman wrote the President that:

The inclusion of the resolution with the preservation of the fifth reservation will greatly reduce opposition in the Senate and limit debate. The entire debate must now be based upon

the simple question of whether it is advisable for us to be a member of the Court.⁶⁷

Finally, FDR's decision to send a special message to the Senate endorsing American participation in the Court made it crystal-clear to everyone that Roosevelt was an unequivocal supporter of ratification without major reservations. All along the pro-Court lobby had felt that this one act of itself would ensure favourable Senate action. While pro-Court scholars, blessed with hindsight, have bemoaned the fact that the President's message did not use stronger language, the New York Times applauded this message in a January 18 editorial saying that it was everything that the pro-Court advocates had sought, "direct and cordial approval of the Treaty".⁶⁸

The actual Senate debate began on January 15 with Senator Robinson delivering a long and measured speech in which he related the history of the Treaties and the Court and argued that ratification would be in the American interest. In his closing remarks Robinson attempted to anticipate isolationist rhetoric by putting the World Court in perspective.

Probably no subject has been so clouded by misunderstanding as the proposal that the United States accept membership in the World Court. The advocates have in some instances claimed more advantages to the American public than can be reasonably expected, while some of the opponents have conjured up in their imagination disastrous results which cannot

follow participation by the United States as a member of the tribunal.⁶⁹

On the following day Roosevelt delivered his special message urging ratification:

The movement to make international justice practicable and serviceable is not subject to partisan considerations. For years Republican and Democratic administrations and party platforms alike have advocated a Court of Justice to which the nations might voluntarily bring their disputes for judicial decision. To give concrete realization to this obviously sound and thoroughly American policy, I hope that at an early date the Senate will advise and consent to the adherence by the United States to the Protocols of signature of the statute of the Permanent Court of International Justice, dated December 16, 1920, the Protocol for the revision of the Statute of the Permanent Court of International Justice, dated December 14, 1929, and the Protocol for the accession of the United States of America to the Protocol of signatures statute of the Permanent Court of International Justice, dated September 14, 1929, all of which were submitted to the Senate, December 10, 1930. I urge that the Senate's consent be given in such a form as not to defeat or delay the objective of adherence. A sovereignty of the United States will be in no way diminished or jeopardized by such action. At this time in international relationships, when every act is of moment to the future of the world peace, the United States has an opportunity once more to throw its weight onto the scale in favour of peace.⁷⁰

This moment represents the high water mark of Senate support for the Protocols. There is not much question

but that if the Senate had voted on the 16th, the Protocols would have been ratified with votes to spare. However, beginning with Senator Hiram Johnson's stirring rebuttal, the anti-Court forces in the Senate began to win back the parliamentary initiative and to arouse public opinion which was unfavourably disposed toward any connection with the League of Nations or the great powers of Europe which had stopped paying their debts. In fact, in terms of arousing public opinion, Senators Johnson and Long would each play a significant role in the upcoming debate.

Senator Johnson's counter-attack began by attempting to refute the Administration's argument that America's joining the World Court would further the cause of peace.

A matter of transcendent importance today comes before us ... we are asked now to join the League of Nations' Court ... we enter it to meddle and muddle under an hysterical internationalism in those controversies which Europe has and which Europe will never be rid of. ... It is a beautiful thought, it is a marvelously naive expression that we, with all the nations of Europe save one, feeling towards us like a recalcitrant debtor ever feels towards a creditor, are going to go among them to preserve peace among them, which they cannot preserve for themselves ... yet not one of them in a matter of peace or the preservation of peace has ever used the Court or ever will. They will unite among themselves and do just exactly as they ever seek to do, and, doing that they will take us into their particular organizations; that if trouble arises

we may bear the brunt, go forward and lead the way in matters which do not concern us, and then, pay the meddlers' price ... to say that our entry into this Court will bring peace to the World is to me the most silly thing that has ever been advanced by sensible human beings.⁷¹

Next he argued that American energy and concern would be more profitably invested at home.

I am interested in 11 million unemployed Americans. I am interested in the swelling relief rolls over this land. Do you think there is room here for the exercise of the highest degree of statesmanship we possess in dealing with 11 million unemployed Americans and relief rolls which have swollen out of all bounds now? Do you think we can deal with our own for a brief period and forget Europe's controversies.⁷²

Finally, drawing upon his isolationist rhetoric, Johnson attempts to demonstrate that the World Court is not independent from the League.

The Court, Mr. President, comes, as we know, from the League of Nations ... Authority for the Court is contained in Article XIV of the League of Nations, constituting Part 1 of the Treaty of Versailles ... What is it that causes the unrest, the unrest which seems to be in every nation over there and which has been growing constantly and more menacingly with the passage of time? It is the Treaty of Versailles that is maintained there in all its rigors and with all its injustices ... What is it that retains the status quo of the Treaty? It is the League of Nations -- a part of it the World Court -- and it is because the Treaty has continued in

inflexibility, with all its harshness, that the difficulties have arisen abroad and that today war is in the air everywhere. ... And so these great institutions which we are being driven into, either with the party whip or to be driven in by propaganda of internationalists or by those pseudo intellectuals who have been driving, driving, driving during the year -- these institutions abroad, foreign in character are maintaining the status quo of the Versailles Treaty and they, and they alone, are responsible for the unrest and inflammable condition which exists abroad now.⁷³

When analyzing this debate, both Kahn and Fleming go to great lengths to emphasize the contrast between "the rational silver tones of Senator Robinson and the brief statement of support by President Roosevelt", and "the vitriolic, frequently caustic, voices of the Senate contingent opposed to U.S. entry".⁷⁴ However, this sort of contrast is really only applicable to the wild rhetoric of Senator Huey Long and Father Coughlin. In fairness to Johnson and the other Senators who spoke against the Treaties, stripped of their harsher isolationist emotionalism, their arguments were no less rational than Senator Robinson's. First of all, the World Court was as much a part of the League of Nations as UNESCO is now a part of the United Nations. Second, joining the Court would not have had the slightest influence on world peace unless it was truly meant to be an intermediate step towards joining the League. Thus, in fairness to the isolationists, the question of America's future relationship

to the League was a valid issue in this debate. If the United States had joined the Court, all of Europe would have interpreted it as an important step towards American membership in the League.⁷⁵

In contrast to Senator Johnson's speech, Huey Long's anti-Court oratory was much more inflammatory and much less rational. On the day following Johnson's speech, Long took the Senate floor and denounced the proposed American participation in the World Court as part of an insidious plutocratic conspiracy.

Who is the moving spirit behind the World Court in America today? The President may think he is, but we have had Presidents before who thought they were ... who is the one that kept the light afire for the League of Nations? I do not know how much they have spent, but I am told that the Rockefeller fortune has been one great bulwark that has kept the fires lighted for the League of Nations in America.⁷⁶

Referring to the Chaco War, which he said was instigated by Standard Oil, Long denounced the Court as a potential threat to the Monroe Doctrine.

They are going to adjudicate with a pronouncement and a decision of this particular League on whether or not the award made by the President of the United States in 1878 under the Monroe Doctrine is going to stand!⁷⁷

Finally, Long appealed directly to the widespread resentment

among the American public concerning the question of Europe's unpaid war debts as a justification for not going into the Court.

How did we come out of the last war? After giving them all of our money, billions of dollars of it, after burying our men in unmarked graves, how did we come out? We came out with our soldiers buried, our money spent, our country bankrupt, labelled by Europe as "Uncle Shylock"! We went over to England and spilled our blood, we buried our soldiers, we brought our wounded home for treatment and how did England regard us? "Uncle Shylock"!⁷⁸

In all probability Huey Long's decision to oppose the World Court signified the first step of a campaign to oppose FDR in 1936.⁷⁹ An early and important supporter of Roosevelt at the 1932 convention, Long resented the fact that he had never had as much influence on New Deal programs as he felt he deserved.

Programmatically he wanted the President to convert the New Deal's progressive legislation into a "share the wealth" program. As outlined in his book, Huey Long believed that the government should guarantee all families a \$5,000 a year income. In addition, he favoured free homesteads, increased education, cheap food, veterans' bonuses, and limitations of fortunes. He sought to make "every man a king" and Huey the "kingfisher".⁸⁰

Though his rhetoric had a socialist ring and his program a socialist appeal, Long's was a simplistic soak-the-rich philosophy. However, by 1935 this philosophy had

earned him a national following. Though claims that 7 million Americans belonged to "share the wealth" clubs were exaggerated, a poll commissioned by Jim Farly found that Long would attract 2,750,000 votes if he became a candidate in 1936.⁸¹

Recognizing the potential political dangers of a direct confrontation with Long, Roosevelt went out of his way to mollify the "Kingfish" without allowing him to influence policy. However by late 1934 Roosevelt's political allies and agents were openly challenging Long's dictatorial power in Louisiana.⁸² As a consequence, when Long returned to Washington in January, 1935, he was determined to defeat the Administration which had the audacity to challenge his local power base. The World Court gave Long an ideal chance to directly oppose Roosevelt on an issue where there was a real chance of defeating him, especially if public opinion could be mobilized.

At the end of the first week of debate, the public response to Johnson's isolationist appeal and Long's red neck demagoguery combined with the prospect of having to defeat a growing number of obstructionist amendments and reservations made it clear to the pro-Court lobby that "they were engaged in a more intense and complicated fight than they had bargained for".⁸³ Furthermore, as Senator Robinson came out on the short

end of the rhetorical confrontations with first Johnson then Long, the Court advocates started to lose confidence in the leadership abilities of the principal spokesmen for the Court in the Senate. As a consequence, the pro-Court lobby intensified its efforts on all fronts.

After having ignored all but informed opinions since 1926, the NWCC, the ACPW, and the LNA frantically organized an eleventh hour campaign to mobilize mass public opinion.⁸⁴ "The leadership of the pro-Court movement sought to have prominent, public figures contact key legislators to ensure their votes for adherence."⁸⁵ In addition, every effort was now made to make full use of Mrs. Roosevelt's support for their cause.

When the National Council for the Cause and Cure of War held its annual convention in Washington in the beginning of January, Mrs. Roosevelt invited the conference's leaders to the White House for dinner and seated Mrs. Catt next to the President. This gave Mrs. Catt the opportunity personally to broach with the Chief Executive the subject of the Court. By the middle of January the pressure on Mrs. Roosevelt had intensified. Miss Lape pressed the first lady to move into the forefront of the debate. She also sought to bring the first lady into the fray and at the same time to move the President to pressure "doubtful" Senators.⁸⁶

Finally, the NWCC and the LNA tried to ensure that all Senate supporters, especially the waverers, received a constant flow of pro-Court telegrams and correspondence.

At the beginning of the second week of debate, it was becoming apparent that some sort of compromise might be necessary to ensure that two-thirds of the Senate would support the Treaties. On Tuesday, January 22, the President met with Senators Vandenberg and Norris, the authors of the two most popular reservations then before the Senate. At a press conference the next day, FDR announced that he felt the Vandenberg reservation was unnecessary but tolerable; however, the Administration remained unalterably opposed to the Norris amendment.⁸⁷ On Thursday, the Senate overwhelmingly adopted the Vandenberg reservation and then agreed to limit debate on the Protocols and remaining reservations and amendments after 1:00 p.m. January 28.⁸⁸ The New York Times reported that Administration leaders felt confident that by accepting the Vandenberg reservation they had assured ultimate victory; therefore, the decision to limit debate would preclude the possibility that Senate isolationists would delay the inevitable by filibustering.⁸⁹ However, the decision to limit debate appeared somewhat questionable when the Senate defeated the Norris amendment by the surprisingly narrow margin of 47 to 37. In this vote 14 Democratic Senators broke rank and voted with the Republican minority.⁹⁰

Despite this hopeful sign, in a January 25 letter to his friend and political ally, Edwin Borah, Senator

Johnson seemed resigned to defeat. "We were forced last night to agree to the time limitation of the debate, on Monday night or Tuesday the deed will be done."⁹¹ However, outside of the Senate the opponents of the Court were not prepared to concede defeat without one last effort.

Publically the Hearst press intensified its warnings about the great dangers of participating in the "League Court". Behind the scene in Washington, Hearst's representatives worked around the clock to persuade Democrats to oppose Roosevelt on this question.⁹² However, these efforts may well have been in vain if they had not been reinforced by Father Coughlin's eleventh hour decision to openly oppose Roosevelt on this question.

On Sunday, January 27th, Father Coughlin opened his weekly sermon with a violent two-pronged attack on the World Court and the League of Nations.

The League of Nations, and its perverted brain the World Court, is nothing more than a frankenstein, raised by the international bankers and plutocrats of the world for the purpose of preserving by force of arms the plutocratic system against the possible onslaught of Communism.⁹³

Coughlin closed his broadcast with a passionate appeal:

To every American who loves democracy, who loves the United States, who loves the truth to stand fore square in back of those tried and true Senators of

long experience, in their hopeless, yet honest fight, to keep America safe for Americans and not the hunting ground for international plutocrats. My friends, if I am properly informed -- Tuesday this week -- Tuesday, January 29 -- will be remembered by our offspring as the day which overshadowed July 4th ... Today, tomorrow will be too late -- today, whether you can afford it or not send your Senator a telegram telling him to vote "no" on our entrance to the World Court with or without reservations. Reservations are innocent and innocuous things, and so are some of our Senators who are of the opinion that a reservation can save us.⁹⁴

Coughlin's appeal triggered a response which was historically without precedent. The New York Times reported that the telegraph facilities in Washington were simply unable to handle the incoming volume of anti-Court telegrams. 40,000 telegrams were received on Sunday alone, and it is reported that between 100,000 and 200,000 were received by the time of the vote on Tuesday.⁹⁵ Whatever the precise figure, this avalanche of public opposition could not but enhance the credibility of the Hearst lobby which was arguing that a majority of the public was unalterably opposed to any sort of American involvement with the League Court.

While the pro-Court advocates had anticipated that their domestic opponents would surely make a last ditch effort to rally public opposition, and thus, had reserved radio time to respond, they were unable to counter "the blistering charges of Father Coughlin and William Randolph Hearst".⁹⁶ Kahn characterizes the pro-Court response,

which featured a 15-minute appeal from Mrs. Roosevelt, as "mild, polite, and conscientious".⁹⁷ This appeal also closed with a plea for public support.

If you want to see the influence of your country on the side of peace, I beg you to let your representative in Congress know at once. It will not make peace certain. It is only one step. But I believe it is the desire of our nation to see virtue done at home and abroad. I make a special appeal to the women of my generation who desire to take any action they can to safeguard the people.⁹⁸

The conspicuous absence of any response to Mrs. Roosevelt's plea is one final indication that even among the well-informed, support for the Court lacked intensity. The dearth of pro-Court telegrams at this crucial moment was the price the pro-Court movement paid for failing to cultivate support among the general public.⁹⁹

When the limit on debate went into effect on Monday, many of the friends of the Court must have wished that they now had some way of postponing the vote. While anti-Court telegrams were being delivered to wavering Senators in wheelbarrows, administration Senators still clung to the hope that a narrow victory was possible. So serious was the situation, that Secretary of State Hull cancelled all of his morning appointments on the day of the vote and joined Sayer in personally lobbying for the Treaties on Capitol Hill.¹⁰⁰ The pro-Court lobby redoubled its efforts to reconvert wavering Senators; nonetheless,

when the World Court Protocols came to a vote on Tuesday, the Administration came up seven votes short of ratification.

Because the Senate was polled so extensively during the first two weeks of January, this vote offers an unusual opportunity to test the hypothesis that public opposition was ultimately responsible for the defeat of the Protocols. Scholars have long recognized that it is difficult to verify political influence relationships because of the need to locate evidence that a particular actor or variable has caused a political actor "to do something he would not otherwise do".¹⁰¹ Obviously, it is extremely difficult to get credible evidence concerning a political actor's intention before he acts. However, if we compare the four polls taken by Eastman, Libby and the Women's World Court Committee, we can identify 14 Senators who supported the Protocols in every poll but voted "no" nonetheless. In addition, we find four more who favoured the Protocols in at least half of the polls but ultimately voted against the Treaties.¹⁰² In this instance, we have persuasive evidence that nearly one-fifth of the Senate changed its mind about the World Court during the last two weeks before the vote. Thus, the question becomes, is there any evidence that the various expressions of public and constituent opposition to the Court caused any of these Senators to change their positions?

Eight Democratic Senators: Bulow (S.D.), Coolidge (Mass.), Donnehey (Ohio), Gerry (R.I.), Reynolds (N.C.),

Russell (Ga.), Smith (S.C.) and Elmer Thomas (Okla.) expressed support for the Treaties in all four polls but voted against ratification. In addition, all four of the Senators who expressed support for the Treaties in at least two polls, but voted "no", were Democrats -- Senators McGill (Iowa), Murphy (Kan.), Trammel (Florida), and Walsh (Mass.). There is evidence that at least ten of these Senators changed their position in response to public opposition.

In an interview, John Sloan Dickey, who worked as liaison between the State Department and the Senate during the floor fight over the Treaties, emphasized the importance of Father Coughlin's opposition.¹⁰³ It was his assessment that the Treaties were not in serious trouble until Senators from states with large pockets of Coughlinite popularity began to waver. Certainly, Senators Smith and Thomas were already on record as having a healthy respect for the political views of Father Coughlin. In 1933, they had been among a group of six Senators who had urged Roosevelt to appoint Father Coughlin as America's representative to the London Economic Conference.¹⁰⁴ Furthermore, it is virtually certain that both of Massachusetts' freshmen Senators, Coolidge and Walsh, drawing the bulk of their political support from Boston -- "the strongest Coughlinite city in America", were influenced by the fact that they received more anti-Court telegrams than any of their colleagues.¹⁰⁵ As was

noted earlier, the Massachusetts and Georgia legislatures had sent strongly worded anti-Court resolutions to their Senators. It can also be argued that Senator Russell, who introduced Georgia's declaration into the Congressional Record and whose only other comment during the debate was to point out that Senator Robinson had misrepresented the American Legion's current position, changed his position because of the opposition to the World Court among his constituents.¹⁰⁶

During the debate, two Senators explicitly linked their opposition to the Protocols to the wishes of their constituents. Noting the World Court's connection with the League of Nations, Senator Reynolds explicitly justified his opposition as a response to his constituents' unconditional opposition to any form of American involvement in the League.¹⁰⁷ Senator Trammel offered a similar rationale.

I believe that the sentiment of the American people has not yet ripened on behalf of the League of Nations, but, to the contrary, has become more set against the League. I am sure that in casting my vote against the World Court I am voicing the overwhelming sentiment of the people of Florida.¹⁰⁸

Finally, Senators Donnehey, Reynolds, Russell, Smith and Thomas supported Senator Gore's war debt amendment, making American membership in the World Court

provisional on Europe's resumption of debt payments.¹⁰⁹

In light of the evidence of intense public resentment with regard to the debt issue, it is likely that at least 75% of the public would have approved of this amendment had they been polled. Therefore, opposing ratification, once the Senate rejected this amendment, can reasonably be interpreted as being closely in tune with the sentiments of the public.

There is no direct evidence that Senators McGill, Murphy, Gerry or Bulow changed their minds in response to public opposition, however, it is well worth noting that both McGill and Murphy represented Great Plains States in which the electorate was strongly isolationist. Furthermore, Senator Gerry represented a state where Father Coughlin was popular. Though he never took part in the debate or supported any of the major amendments, it is more than likely that Gerry received his share of anti-Court telegrams. Only Senator Bulow gave a reason for his change of heart, apologizing to Senator Robinson, but claiming that his decision was a question of conscience.¹¹⁰

Of the six Republican Senators who reversed their positions; Davis (Pa.), Dickenson (Iowa), Hastings (Del.), Metcalf (R.I.), Townsend (Del.) and White (Maine); the temptation is to attribute their switch to partisan motivations. Certainly the western progressive wing of the party constituted the core of the bitter-end opposition

to the Court. Nonetheless, the 1929 compromise was the achievement of a Republican administration, and the Treaties had the support of the Republican leadership in the Senate. Thus, while some Republicans may have hungered for an Administration defeat on any issue, the fact remains that four of the six Republican Senators, who supported the Protocols in all polls but voted "no", came from the eastern wing of the Party which had traditionally supported American participation in the World Court.

With regard to five of these Senators, there is evidence that public opposition motivated their switch. Senators Hasting and Townsend of Delaware voted against the Protocols after presenting their states' petition condemning American involvement with the World Court to the Senate.¹¹¹ Senators Davis, Dickenson and White voted for the war debt amendment.¹¹² Only in the case of Senator Metcalf, who like Gerry represented Rhode Island, is there no evidence that public opposition influenced his change of position.

Nearly all of the Senators who reversed their positions on the World Court shared one thing in common, they represented constituencies which would have strongly approved of their final positions. Six of this group represented Great Plains States where isolationist sentiment was strong. Another seven represented Northeastern States where Father Coughlin's radio audience was concentrated.

There is concrete evidence that three of the four southern Democrats who switched sides did so because of public opposition back home. Five of the Senators represented states whose legislatures had passed strongly worded resolutions opposing the Court. Also, it can be argued that ten Senators linked their decision to the war debt issue by supporting the Gore amendment. Finally, the opposition of the surprisingly large number of Democrats cannot be explained on the grounds that they were simply conservatives who would revolt against FDR's leadership during the second phase of the New Deal. Only two of the twelve Senators in this group would oppose New Deal legislation with any regularity during the next two years.¹¹³

Taken alone none of these facts proves beyond a shadow of a doubt that constituent opposition was the primary cause of the defeat of the World Court Treaties. However, taken together, these facts represent very persuasive evidence that public opposition was the principal cause of nearly one-fifth of the Senate reversing its position on the World Court during the floor battle over the issue. Thus, with regard to this issue, not only did interest groups influence the foreign policy agenda by persuading the Foreign Relations Committee to act favourably on the Protocols; but, there is powerful evidence that domestic counter-pressure was directly responsible for the ultimate defeat of this initiative.

Viewed from an international perspective, the question of whether the United States would join the World Court was not of paramount importance. For example, whatever the Senate decided, it would have had little influence on the already precarious European balance of power. However, the inability of the Roosevelt Administration to guide the Protocols through the Senate had a tangible effect on the balance of power within America's foreign policymaking process. This dramatic "come from behind" victory gave all of those advocating a radically isolationist foreign policy the confidence to take the initiative. Finally, the defeat represented a poignant reminder to President Roosevelt that his influence over public opinion stopped at the water's edge.

In a February 9 letter to Elihu Root, Roosevelt offers his own analysis of the defeat.

At the outset, early in January, when we decided to take up the resolution, Senator Robinson, Senator Pittman, and I expected defeat by a close margin As the check upon votes progressed, we thought we should win, but we had at all times 12 or 14 Senators who would not commit themselves -- most of them because they wanted to see which way the cat was going to jump. The deluge of letters, telegrams, resolutions of State legislatures, and the radio talks of people like Coughlin turned the trick against us. In time we shall win the long fight for judicial decisions of international problems but today, quite frankly, the wind everywhere blows against us.¹¹⁴

This passage offers a rare insight into the limitations of Presidential leadership. Much of Roosevelt's ability to influence uncommitted or weakly-committed Congressmen during the first two years of his Administration was due to his overwhelming public popularity and support. The "deluge" of public opposition to the World Court was concrete evidence that FDR did not enjoy the same sort of support on this issue. Thus, Roosevelt's obvious lack of public support undercut Administration attempts to persuade wavering Senators to support the World Court Treaties.

It is interesting to compare Roosevelt's analysis with that of the two leading pro-Court advocates Philip Jessup and Manley Hudson. In a letter to a Canadian friend, Jessup attributed the defeat to three factors. First, he noted that the intermittent public debate over the World Court question had resulted in considerable popular confusion over the relationship between the Court and the League of Nations. He conceded that "there is still enough hostility to the League among certain people to make the Court's connection with it a liability".¹¹⁵ On the other hand, Jessup argued that the Court was endorsed almost universally by the well-informed and he dismissed the political significance of the most tangible expression of uninformed opinion in response to Father Coughlin's appeal.¹¹⁶ In his opinion, these "transitory factors" had been more influential than they need have been because "the friends

of the Court had been over confident".¹¹⁷ The third and most important factor in Jessup's analysis is the political implications of the debt question.

The default of certain countries in payment of their debts to the United States is bitterly resented by a large number of people The consequence is that in some quarters opposition to "going to Europe" had been intensified, and the failure of the Court resolution is viewed in these quarters as a slap back.¹¹⁸

Jessup's analysis illustrates a strategic mistake which many in the internationalist wing of the peace movement made with regard to public opinion during the inter-war period. His analysis shows no awareness of the strong linkages which had developed between public resentment over war debts and public opposition to any official association with the League. But more importantly, unlike Roosevelt, Jessup had no respect for the potential political significance of uninformed opinion.¹¹⁹ Roosevelt forfeited his chance to educate the mass public in order to win the Democratic Presidential nomination in 1932. However, the internationalist wing of the peace movement doomed their political effort during this period by committing themselves to a public relations strategy of cultivating support primarily among the highly informed minority. As a consequence, by 1935 the "silent majority" in America had been converted by those preaching the gospel of isolationism.

While agreeing with Jessup that Coughlin's radio address had not had a politically significant impact on the Senate's decision, Manley Hudson argues that the Administration never had enough votes at any time to obtain ratification. He argues that the anti-Court resolutions from Massachusetts, Delaware and Georgia had already influenced key Senators before Coughlin's outburst. However, interestingly enough, Hudson also identifies the debt question as "the controlling factor in the situation. It might have led to the defeat of the Court even if Father Coughlin had never spoken."¹²⁰ However, the most insightful aspect of Hudson's analysis is his criticism of the strategy of attempting to ignore the connection between the Court and the League of Nations.

The attempt to disassociate the Court from the League of Nations failed completely. Support for the Court would have been more effective if it had avowed from the start that the Court is a League Court and if the matter had been argued on this basis.¹²¹

While he obviously did not appreciate the linkage between public resentment over war debts and popular opposition to any formal tie with the League, Hudson recognized that trying to deny the obvious connection between the World Court and the League contributed to the public's distrust concerning the motives of those advocating adherence.

On the whole, the historians who have studied

this controversy have been even less enthusiastic about the idea that public pressure was the primary cause of the defeat of the World Court Protocols. Generally, these scholars have tended to be much more critical of the role played by FDR and the Democratic leadership in the Senate. For example, Selig Adler described the Administration's handling of this matter as generally inept. While he concedes that Hearst and Coughlin whipped up quite a public furor he proposes that:

the President might have turned the scales in his favour by using an executive squeeze play upon some fidgety Senators or by resorting to one of his mesmerizing fireside chats.¹²²

Denna Fleming's analysis ridicules the excessive timidity of the Senate leadership from 1930 onwards.¹²³

In his estimation, the 1935 defeat reflected:

- (1) the success of a violent unscrupulous opposition;
- (2) the failure of the Court's friends to put up an organized, vigorous, fight for ratification, fighting steadily instead of yielding ground constantly; and
- (3) an undoubted revulsion of many people away from the gathering storm abroad.¹²⁴

In his study of the efficacy of the pro-Court interest groups, Gilbert Kahn is also critical of the overall Administration leadership in the World Court battle. He notes that unlike the Senators who led the

opposition, Senator Robinson was "not a dynamic, powerful voice in the Senate".¹²⁵ Kahn also laments the fact that:

The Senate champions of the World Court did not include in their ranks any members who were willing to make a significant and vigorous display on behalf of the Court ... Their non-action, therefore, helped the opponents cause greatly.¹²⁶

Kahn is also critical of Robinson for allowing the Protocols to come to a vote before he had a firm head count, for leaving no escape route open when he maneuvered Johnson into limiting debate, and for allowing the vote to come immediately after a weekend.

Though his criticism is more moderate, Kahn also criticizes the President's leadership in the matter. Kahn is critical of FDR's half-hearted support of the World Court. Though he recognizes that this caution was the consequence of Roosevelt's dual fears for his upcoming legislative proposals and for the possibility of a loss of personal popularity, Kahn concludes that the President:

Exercised undue caution and did not appraise the legislative politics of the domestic or international situations adequately. Yet, it is fair to say that he probably would not have let the Treaty go forward if he did not anticipate a victory without losing or alienating any of his domestic supporters. He could not have foreseen the consequences domestically or internationally of

his defeat, since he did not calculate on a defeat. Therefore, the major leadership question that Roosevelt presents ... was why did he commit himself at all to the Court Protocols. For by becoming involved, he alienated his progressive isolationist supporters, while by doing so half-heartedly, he alienated his internationalist friends.¹²⁷

Finally, Kahn employs this argument to exonerate the "friends of the Court" from Jessup's charge of overconfidence.

They believed, rightly so, that the President would not make as half-hearted an effort as he did ... The President was not prone to making delicate tactical political errors. Indeed it was reasonable to assume that the President was generally not willing to commit himself at all unless he was prepared to do battle.¹²⁸

Because they consistently underestimate the depth and breadth of public opposition to any form of American involvement in Europe in 1935, Adler, Fleming, and Kahn overestimate the likelihood that stronger leadership might have saved the Protocols. Certainly they all underestimate the political costs to the New Deal of a more vigorous Administration effort to obtain ratification.

First of all, Adler's suggestions that either a "mesmerizing fireside chat" or more Presidential pressure on "fidgety Senators" might have changed the outcome

are both highly questionable. As was discussed earlier, Rooseveltian leadership depended upon strong public support for his initiatives or at least a high degree of public uncertainty as to what ought to be done. Roosevelt simply did not have this kind of support on the World Court, and to suggest that a fireside chat would have generated the necessary public support represents a gross exaggeration of any President's ability to change public opinion in a noncrisis situation. As Roosevelt demonstrated after September 1, 1939, public opinion can be changed incrementally, but this option was not open to the President in the World Court battle.

Anyone doubting that even Roosevelt's renowned leadership ability was subject to limitations need only to consider his inability to alter public opinion during the Court packing controversy in 1936. While a slim majority of Americans favoured a constitutional amendment to force older judges to retire, Roosevelt was not able to win any more public support for his proposal than he started with despite four months of "vigorous leadership".¹²⁹

In the absence of clear public support, if Roosevelt had applied any more pressure than he did to "fidgety Senators", it would not have necessarily ensured success; but it would have, with almost absolute certainty, doomed much of the New Deal's upcoming domestic legislation. Kahn's argument that FDR's mild support for the World Court

alienated isolationist progressives is not justified based upon the consistent support which most of the Senators in this group gave to major legislative reforms during 1935.¹³⁰ For example, James Patterson's analysis leaves little doubt that legislation for tax and utility reform, as well as the Guffy Coal Bill, would not have passed the Senate in any form in 1935 but for the support of isolationist progressives.¹³¹ Furthermore, Patterson's analysis shows that FDR alienated isolationist progressives with his plan for reforming the Supreme Court. It is quite likely, given the strength of the commitment to isolationism among these Senators, that if Roosevelt had successfully bullied the World Court Protocols through the Senate, isolationist progressives would have gone into complete opposition two years sooner.

Kahn's criticism of Roosevelt's "undue caution" in the World Court controversy is undercut by his own analysis of how the World Court Protocols got on the agenda in 1935. This was due totally to the effort of the pro-Court lobby. Given that FDR had asked Senator Robinson to poll the Senate on the Court in January, 1934 and found a majority of Senators opposed, it was the successes of the pro-Court lobby which were responsible for convincing the State Department and the White House that ratification was politically feasible. FDR jumped on the band wagon only after the Protocols were back on the foreign policy-making agenda.

Roosevelt's private correspondence demonstrates that he realized that America's joining the World Court might have significant symbolic implications in Europe which might improve the chances for peace.¹³² Thus, given his history of extreme caution with regard to the Court, Roosevelt's special message represented stronger support than the friends of the Court should have reasonably expected. However, anyone who believed that Roosevelt would totally commit himself to a symbolic gesture for peace at the possible cost of alienating public and Senate support had not properly assimilated the implications of Roosevelt's retreat after the Senate amended his "neutrality legislation" in 1933.

III

The fundamental premise of my opportunity hypothesis is that though Congress' substantive foreign policy role is positively correlated to the probability of non-governmental influence on American foreign policy, the two variables are not causally related. On the contrary, my opportunity hypothesis is an environmental explanation. Just as any organism multiplies when its environment becomes more beneficent, the opportunities for nongovernmental influence multiply when the Congress exercises its foreign policymaking prerogatives.

My analysis in the last section demonstrated that both interest group coalitions and public opinion exercised enormous political influence on the second World Court battle. My goal in this section will be to determine whether the fact that the Senate was the principal institutional decision-maker on this matter created an environment which facilitated nongovernmental influence.

To start, a very credible argument can be made that because the "advice and consent" of two-thirds of the Senate was necessary before the United States could join the World Court, the political influence of the "friends of the Court" was actually reduced. Certainly the United States would have been a member of the Court in 1926 but for the clever obstructionist tactics of isolationist Senators. Furthermore, this question would surely have died in 1926 if the pro-Court lobby had not been able to exploit its access to powerful officials in the Hoover administration to launch Elihu Root on his mission to Geneva in search of a compromise. Once the Root-Hurst formula was negotiated, it was the hostility of isolationist Republicans on the Foreign Relations Committee which frustrated the efforts of the pro-Court lobby during the Hoover years. Finally the stubborn indifference of the Democrats who took control of the Foreign Relations Committee after 1932 conspired to keep the World Court off

of the Senate agenda until 1935.

However, this line of reasoning obscures a very important point. The coalition of pro-Court interests ultimately overcame both the hostility and indifference to get the World Court on the Senate agenda. Indeed, they came within a whisker of achieving their goal once the Protocols reached the Senate floor. The important question is would the pro-Court coalition have been so successful if they had had to overcome an equivalent amount of hostility and indifference to influence an Executive decision-making forum. Interest group research indicates that groups rarely have the extraordinary access to Executive decision-makers enjoyed by the pro-Court lobby.¹³³ Bernard Cohen's study of the State Department suggests that no matter how good a group's access, it is nearly impossible to influence policy in the face of indifference, much less hostility.¹³⁴

Thus I would argue that the fact that the World Court lobby came so close to achieving its aim (with only eleventh hour aid from the Roosevelt administration) is evidence that the Senate is the more influenceable decision-making forum. The ultimate defeat of the World Court coalition had more to do with their inability to mobilize popular support for their cause during the Senate debate than with any other factor. Indeed, the strongest support for an opportunity hypothesis comes from an analysis of the anti-

Court campaign to mobilize public opposition to the World Court.

Once the Protocols were liberated from committee, Senate isolationists recognized that they lacked both the votes and the political clout to long delay ratification. Their only hope was to arouse public opinion on behalf of their cause. In order to achieve this goal they had to first capture public attention and then transform the question of American membership on the Court into one of whether Americans desired closer ties with Europe or the League of Nations.

Isolationist Senators took full advantage of early stages of the debate to create the sort of political drama which captures public attention. Both Hiram Johnson and Huey Long attracted widespread media attention by casting themselves in the role of fiery patriots at Thermopylae defending the homeland against foreign influence. Once public interest in the World Court battle began to awaken, the Hearst press, the American Legion, and finally Father Coughlin worked to mobilize public opposition by playing on popular fears of the League and public resentment over the debt issue.

As my earlier analysis illustrated, although the pro-Court coalition had secured more than enough support in early January, the wave of anti-Court resolutions and

telegrams, which flooded Washington during the final week of January, raised the spectre that some Senators might face political sanctions if they voted in favour of the Treaties. The simple fact was that the World Court was a low priority issue for a majority of Senators. Thus, the realization that on this low priority issue, emotional anti-Court opposition was concentrated in their constituency, persuaded many a Senator to change his position on the World Court.

With regard to the World Court, it is clear that the very nature of Senatorial decision-making provided numerous opportunities for domestic input. First, although he was never enthusiastic about the Court, the pro-Court lobby was able to first gain access to and ultimately work with Senator Pittman. The longer decision time, combined with a familiarity with the decision path, assured both sides ample opportunity to present their arguments. Once the Protocols were on the agenda, weakly committed Senators would appear to have given careful attention to the "persuasive communications" from both camps. Finally, the fact that each Senator represented distinct regional constituencies had the practical effect of magnifying the political clout of public opinion.

Thus, based on the analysis in this case study, some form of opportunity explanation of when, how, and why domestic factors are likely to influence American

foreign policy, represents both a plausible and a promising line of inquiry. Although the constitutional delegation giving the Senate such a pivotal role in the treaty-making process is often criticized, there is no question that the Senate's role creates numerous opportunities for popular influence on American diplomacy.

However, this review of the history of the World Court Treaties should remind even the most confirmed champions of democracy that the voice of the people need not be the voice of wisdom or moderation.

CHAPTER 5 FOOTNOTES

1. Congressional Record, January 15, 1935, p. 435
(From a speech by Senator Joseph Robinson).
2. Robert Ferrell, "The Peace Movement", Alexander de Conde ed., Isolation and Security (Durham: Duke University Press, 1957), p. 68.
3. Kahn, "Pressure Group Influence..."; Robert Bowers, "The American Peace Movement, 1933-41" (Ph.D. dissertation, University of Wisconsin, 1947), John Masland, "The Peace Groups Join the Battle", Public Opinion Quarterly 4 (December 1940) :664-73, John Masland, "Pressure Groups and American Foreign Policy", Public Opinion Quarterly 5 (Spring 1942) :115-23. Although Ferrell's article represented the principal source of information for my discussion, the above mentioned sources proved quite useful in my attempt to classify peace organizations based upon collective security/pacifist and public pressure/corridors of power distinctions.
4. Kahn, "Pressure Group Influence ...", p. 44.
5. Ferrell, "The Peace Movement", p. 102.
6. Ibid., p. 102.
7. Kahn, "Pressure Group Influence ...", p. 39.
8. Ferrell, "The Peace Movement", p. 103.
9. Ibid., p. 104.
10. Roscoe Baker, The American Legion and American Foreign Policy (Westport: Greenwood Press, 1954), p. 11.
11. Ibid., pp. 12-3.
12. Ibid., p. 25.
13. Ibid., p. 15.
14. Ibid.
15. Annual Report of the American Legion, Ibid., p. 235.
16. Ibid.
17. Nonetheless, Hearst's ability to influence the

Democratic convention indicates that he wielded considerable power in 1932.

18. Adler, The Uncertain Giant, p. 17.
19. Another important ingredient of this alliance was the mutual emphasis on strong military posture. See Baker, The American Legion, Chapter 5 and Rodney Carisle, Hearst and the New Deal (New York: Garland Publishing, Inc., 1979) Chapter 13.
20. See: Fremont Older, William Randolph Hearst American (New York: D. Appleton-Century Company, 1936) pp. 431-2 for examples of Hearst's 1926 rhetoric linking the World Court to the debt question.
21. For examples of variations of this theme see: Philip Jessup to a Canadian correspondent, February 12, 1935, p. 2, Jessup Papers, Box. 203, Library of Congress, Washington, D.C., Denna Fleming, The United States and the World Court (New York: Russell and Russell, 1960), pp. 125-37, and Kahn "Pressure Group Influence ...", pp. 210-215.
22. Harold Ickes, The Secret Diary of Harold Ickes (New York: Simon and Schuster, 1953), 1:284 (my emphasis).
23. Ibid.
24. Public Opinion 1935-46, Hadley Cantril ed., (Princeton: Princeton University Press, 1951) p. 403 and p. 202. (January 1936). If war in Europe is averted through the League of Nations, do you believe that the United States should join the League? yes: 28.8%, no: 57.4%, don't know: 12.8%. Thus, despite a wording which implied a very strong pro-League bias, Americans opposed joining the League by a margin of 2 to 1. (November 1936) What is your opinion regarding the war debts owed this country -- should they be cancelled and forgotten, or should they be reduced to a point where at least something might be collected, or should we continue to try and collect them in full? Cancelled: 9%, Reduced: 37%, Continue to Collect: 54%. (January 1937) Would you approve further loans to our World War Allies in case they resume payment of their debts they now owe? Yes: 15%, no: 85%, no opinion: 7%. Again, despite the favourable wording of both questions, both polls show evidence of the strength of American resentment over the debt question.
25. Congressional Record, January 15-29. Speeches by Senators Johnson, Long, Gore, and Shipstead illustrate my point.

26. Ibid., pp. 418, 877, 1141, 1037, 1296.
27. Ibid., p. 1134.
28. Ibid., p. 1139.
29. Arthur Schlesinger Jr., The Politics of Upheaval (Boston: Houghton Mifflin Company, 1960), pp. 28+30.
30. Ibid., p. 20.
31. Ibid., pp. 25-6.
32. James Shenton, "The Coughlin Movement and the New Deal", Political Science Quarterly 73 (1958) :337.
33. Kahn, "Pressure Group Influence ...", p. 53
34. Fleming, The United States and the World Court, p. 109.
35. Ibid.
36. Lape to Jessup, March 22, 1933. Jessup Papers, Box 204.
37. Lape to Jessup, January 12, 1934, Jessup Papers, Box 19 (my emphasis).
38. Kahn, "Pressure Group Influence ...", p. 108.
39. Ibid., p. 109.
40. Ibid., p. 108.
41. Philip Jessup, "Let's Take Out Peace Insurance", Today Vol. 1 #22, p. 10.
42. Kahn, "Pressure Group Influence ...", p. 115.
43. Memorandum, FDR to Robinson, January 8, 1934, OF 202, Robinson to FDR, February 3, 1934, OF 598. FDR Papers, Franklin Delano Roosevelt Library, Hyde Park, N.Y.
44. Hearings before the Senate Foreign Relations Committee on the World Court, 73rd Congress, second session, p. 32.
45. Ibid., p. 36. Of course, if editorial opinion was truly an accurate barometer of public opinion, FDR would never defeated either Landon or Wilkie in 1936 and 1940.
46. Kahn notes that there seems to have been some confusion among the proponents of the Court as to whether isolationists were always going to be allotted equal

- time, or whether the demand arose after the pro-Court lobby's presentation to the Committee. However, the agreement was likely reached prior to March 16, as the anti-Court Senators made no attempt to question the pro-Court witnesses.
47. Kahn "Pressure Group Influence ...", pp. 129-30.
 48. The World Court Hearings, pp. 206-207.
 49. The petition drive got started only after Court proponents had argued that the majority of Americans favoured membership on the Court.
 50. Kahn, "Pressure Group Influence ...", p. 131.
 51. Ibid., p. 132.
 52. Ibid., p. 134.
 53. Ibid., p. 136.
 54. Ibid., excerpt from Moffat Diary quoted by Kahn, pp. 138-39.
 55. Memorandum Philips to FDR, November 15, 1934, OF 202, FDR Papers FDRL Hyde Park, N. Y.
 56. Memorandum of conversation between Moore and Sayre, December 29, 1934. 500c. 114/1571 National Archives Washington, D.C.
 57. Kahn, "Pressure Group Influence ...", pp. 156-7.
 58. Ibid., p. 151.
 59. Ibid., p. 152.
 60. For example, see: Jessup to Lape, November 9, 1934 Box 205, Jessup Papers.
 61. James Patterson, Congressional Conservatism and the New Deal (Lexington: University of Kentucky Press, 1967) see: Chapter 1.
 62. Pittman to FDR, January 4, 1935, OF 202, FDR Papers, As Chairman of the Foreign Relations Committee, the task of leading the floor fight would traditionally have fallen to Pittman. However he requested that someone else lead the fight in light of his well known reservations about the Treaties.
 63. Kahn, "Pressure Group Influence ...", p. 164.

64. Kahn's dissertation is the source of all poll data discussed in this section. (See Appendix for data) Though Kahn ignores the discrepancies in the Eastman polls, it is my assumption that the differences were due to variable Senate support, contingent upon the President's action. At the time of the polls, the extent of the President's commitment was not common knowledge.
65. New York Times, January 12, 1935, p. 2.
66. Pittman to FDR, January 4, 1935, OF 202, FDR Papers, FDRL Hyde Park, N.Y.
67. Pittman to FDR, January 9, 1935, OF 202, FDR Papers, FDRL Hyde Park, N.Y.
68. New York Times, January 19, 1935, p. 18.
69. Congressional Record, January 15, 1935, p. 435.
70. The World Court Hearings, Appendix.
71. Congressional Record, January 16, 1935, pp. 479-80.
72. Ibid., p. 481.
73. Ibid.
74. Kahn, "Pressure Group Influence ...", p. 182, Fleming, The World Court, pp. 128-30.
75. Roosevelt's pronouncements in this debate, the debate over discretionary embargoes, and over lend lease legislation were always less than forthright. This has most often been either excused or praised as politically expedient behavior. However, it should be noted that the differences between Roosevelt's attempts to circumvent the constraints of isolationist opinion and the attempts of Johnson and Nixon to manage public opinion during Vietnam are not all that different. In each case the possibility of forthright debate over foreign policy options was sacrificed for expediency.
76. Congressional Record, January 17, 1935, p. 566.
77. Ibid., p. 568.
78. Ibid., p. 578.
79. Long was assassinated six months later, and thus, his actual plans for 1936 will never be a matter of historical certainty.

80. Kahn, "Pressure Group Influence ...", p. 190.
81. Schlesinger, The Politics of Upheaval, pp. 61, 251-2.
82. New York Times, January 2, 1935, p. 1.
83. Kahn, "Pressure Group Influence ...", p. 195.
84. Ibid.
85. Ibid., p. 196. For example, Newton Baker of Ohio tried vainly to persuade Ohio's Donehey to remain steadfast in his support for the Treaties.
86. Ibid., p. 197.
87. New York Times, January 23, 1935, p. 5.
88. Congressional Record, p. 893.
89. New York Times, January 25, 1935, p. 11.
90. Congressional Record, January 25, 1935, p. 977.
91. Johnson to Borchard, January 25, 1935, Moore Papers Library of Congress, Washington D.C.
92. Kahn, "Pressure Group Influence ...", pp. 208-10.
93. Fleming, The World Court, p. 131.
94. Ibid., p. 130.
95. New York Times, January 28, 1935, p. 2. Kahn concedes that the higher figure is likely the more credible.
96. Kahn, "Pressure Group Influence ...", p. 215.
97. Ibid.
98. Ibid., p. 216.
99. Both Arthur Krock and Harold Ickes argue that Mrs. Roosevelt's acting as the leading spokesperson for the Court may have hurt more than it helped. Because many Americans did not approve at the time of the President's wife playing such a publically partisan role, her efforts could have generated an unintended backlash on the Court Issue. Though this argument appears credible, if her plea had generated even a fraction of the response that Coughlin's did, it is unlikely that pragmatic Senators would have allowed their dislike of

Mrs. Roosevelt's activism to influence their support for the Court. For example, no one suggests that her equally open and active support of domestic legislation ever influenced Senators to oppose the New Deal. See New York Times, January 29, 1935, p. 20. Ickes, Secret Diary, p. 285.

100. Kahn, "Pressure Group Influence ...", p. 218.
101. Robert Dahl, Modern Political Analysis (Englewood Cliffs: Prentice-Hall Inc., 1963 ed.), p. 40.
102. There were also 2 Senators who opposed the Treaties on every poll but voted yes. (Cutting of New Mexico and Dietrich of Illinois).
103. John Sloan Dickey to William Lamkin, Interview held on June 13, 1980 in Toronto, Ontario, Canada, with author.
104. Shenton, "The Coughlin Movement and the New Deal", p. 357. It is also worth noting that the other four Senators (Long, Mcadoo, Schill and Shipstead) who co-signed this letter also voted against the Protocols.
105. Ibid., p. 353.
106. Congressional Record, pp. 877 and 1040.
107. Ibid., pp. 772-3.
108. Ibid., p. 1145.
109. Ibid., p. 1139.
110. Ibid., p. 1140.
111. Ibid., p. 1418.
112. Ibid., p. 1139.
113. See Patterson, Congressional Conservatism, pp. 32-76 for a discussion of those Senators who often opposed the New Deal during the 74th Congress.
114. FDR to Root, February 9, 1935, PPF #2207, FDR Papers, FDRL Hyde Park, N.Y. (my emphasis).
115. Jessup to a Canadian correspondent, February 12, 1935, p. 4, Box 203, Jessup Papers, p. 4.
116. Ibid., pp. 2,5.

117. Ibid., p. 5.
118. Ibid.
119. Roosevelt was certainly aware that much of his support came from people who did not understand all of the implications of the New Deal, but simply supported his willingness to try to do something constructive. Indeed, this is the reason that demagogues like Coughlin and Long represented such a genuine political threat in 1936.
120. Memorandum to World Peace Foundation, February 16, 1935, p. 3. Root Papers, Library of Congress, Washington, D.C.
121. Ibid.
122. Adler, The Uncertain Giant, p. 152.
123. Fleming, The World Court, Chapter 13.
124. Ibid., p. 136.
125. Kahn "Pressure Group Influence ...", p. 234.
126. Ibid.
127. Ibid., pp. 248-9.
128. Ibid., p. 257.
129. Public Opinion 1935-46, p. 368.
130. John Donovan, "Congressional Isolationists and Roosevelt's Foreign Policy", World Politics, 3 (1951) :299-316.
131. Patterson, Congressional Conservatism, pp. 32-76.
132. For example, FDR to Root, February 9, 1935, PPF 2207 or FDR to O'Brien, January 30, 1935, PPF 2226 FDR Papers, FDRL Hyde Park, N.Y.
In the second letter FDR responds to a party notable who has expressed his concern that even mild support for the Court jeopardized domestic reform legislation. "Neither the party or the Nation can take the position that because of this (concern for domestic legislation) we have no interest in furthering the cause of world peace."
133. Lester Milbraith, "Interest Groups and Foreign Policy", James Rosenau ed. The Domestic Sources of American Foreign Policy (New York: The Free Press, 1967) pp.237-44.

134. Cohen, The Public's Impact, pp. 143-48.

135. New York Times, January 17, 1935, p. 1 and
January 18, 1935, p. 5.

APPENDIX

KEY

Y = yes
n = no
unc. = uncertain
d = doubtful
n.v. = not voting
p.y. = paired yes
p.n. = paired no
* those who pledged one way in all polls but voted the other way.

- V. Eastman poll given to FDR (1/11/1935)
IV. Eastman poll given to the State Department (1/12/1935)
III. Women's World Court Committee Poll
II. Libby's poll -- given to State Department (1/15/1935)
I. Final vote

	V.	IV.	III.	II.	I.
<u>Democrats</u>					
Adams (Col.)	Y	Y	Y	Y	Y
Ashurst (Tenn.)	Y	Y	Y	Y	Y
Bachman (Tenn.)	Y	Y	Y	Y	Y
Bailey (N.C.)	Y	Y	Y	Y	Y
Bankhead (Ala.)	Y	Y	Y	Y	Y
Barkley (Ky.)	Y	Y	Y	Y	Y
Bilbo (Miss.)	Y	unc.	Y	Y	Y
Black (Ala.)	Y	Y	Y	Y	Y
Bone (Wash.)	n	n	n	n	n
Brown (N.H.)	Y	Y	Y	Y	Y
Bulkly (Ohio)	Y	Y	Y	Y	Y
* Bulow (S.D.)	Y	Y	Y	Y	n
Burke (Neb.)	Y	Y	Y	Y	Y
Byrd (Vir.)	Y	Y	Y	Y	Y

Byrnes (S.C.)	Y	Y	Y	Y	Y
Clark (Mo.)	Y	Y	Y	Y	Y
Caraway (Ark.)	Y	Y	Y	Y	Y
Connally (Tex.)	Y	Y	Y	Y	Y
Coolige (Mass)	Y	Y	Y	Y	n
Copeland (N.Y.)	Y	unc.	Y	Y	Y
Costigan (Colo.)	Y	Y	Y	Y	Y
* Dieterich (Ill.)	n	n	n	n	Y
Duffy (Wisc.)	Y	Y	Y	Y	Y
* Doheney (Ohio)	Y	Y	Y	Y	n
Fletcher (Fla.)	Y	Y	Y	Y	Y
* Gerry (R.I.)	Y	Y	Y	Y	n
George (Ga.)	Y	Y	Y	Y	Y
Glass (Vir.)	Y	Y	Y	Y	Y
Gore (Okla.)	n	n	n	n	n
Guffey (Pa.)	Y	Y	Y	Y	Y
Harrison (Miss.)	Y	Y	Y	Y	Y
Hatch (N.M.)	Y	Y	Y	Y	Y
Hayden (Ariz.)	Y	Y	Y	Y	Y
Holt (W.V.)	nv	nv	nv	Y	not sworn in
King (Utah)	n	n	Y	Y	Y
Lewis (Ill.)	n	n	n	n	n
Logan (Ky.)	Y	Y	Y	Y	Y
Lonnergan (Conn.)	Y	Y	Y	Y	Y
Long (La.)	n	n	n	n	n
McAdoo (Calif.)	Y	Y	Y	Y	p.n.
McCarren (Nev.)	n	n	d	n	n

McGill (Kan.)	Y	Y	d	n	n
McKillan (Tenn.)					not sworn in
Malony (Conn.)	Y	Y	Y	Y	Y
Minton (Ind.)	Y	Y	Y	Y	Y
Moore (N.J.)	Y	Y	Y	Y	Y
Murphy (Iowa)	Y	Y	d	n	n
Murray (Mont.)	n	n	n	n	n
Neely (W.V.)	Y	Y	Y	Y	Y
O'Mahoney (Wy.)	Y	Y	d	n	Y
Overton (Pa.)	n	n	d	n	p.n.
Pittman (Pa.)	Y	Y	Y	Y	Y
Pope (Idaho)	Y	Y	Y	Y	Y
Radcliffe (Md.)	Y	unc.	Y	Y	Y
* Reynolds (N.C.)	Y	Y	Y	Y	n
Robinson (Ark.)	Y	Y	Y	Y	Y
* Russell (Ga.)	Y	Y	Y	Y	n
Schwellenback (Pa.)	n	n	n	n	n
Shepperd (Tex.)	Y	Y	Y	Y	Y
* Smith (S.C.)	Y	Y	Y	Y	n
* E. Thomas (Okla.)	Y	Y	Y	Y	n
E. Thomas (Utah)	Y	Y	Y	Y	Y
Trammel (Fla.)	n	unc.	Y	Y	n
Truman (Mo.)	Y	Y	Y	Y	Y
Tydings (Md.)	Y	nv	nv	Y	p-Y.
Van Nyes (Ind.)	Y	Y	Y	Y	Y
Wagner (N.Y.)	Y	Y	Y	Y	Y
Walsh (Mass.)	Y	Y	d	n	n

Wheeler (Mont.)	n	n	n	n	n
<u>Republicans</u>					
Austin (Vt.)	Y	Y	Y	Y	Y
Barbour (N.J.)	Y	Y	Y	Y	Y
Borah (Idaho)	n	n	n	n	n
Capper (Kan.)	Y	Y	Y	Y	Y
Carey (Wy.)	n	n	n	n	n
Couzens (Mich.)	Y	Y	Y	Y	Y
* Cutting (N.M.)	n	n	n	n	Y
* Davis (Pa.)	Y	Y	Y	Y	n
* Dickenson (Iowa)	Y	Y	Y	Y	n
Frazier (Md.)	Y	Y	Y	Y	Y
Gibson (Vt.)	Y	Y	Y	Y	P.Y.
Hale (Maine)	Y	Y	Y	Y	Y
* Hastings (Del)	Y	Y	Y	Y	n
Johnson (Calif.)	n	n	n	n	n
Keyes (N.H.)	Y	Y	Y	Y	Y
McNary (Ore.)	Y	Y	Y	Y	Y
* Metcalf (R.I.)	Y	Y	Y	Y	n
Norbeck (S.D.)	p.y.	Y	nv	Y	n
Norris (Neb.)	Y	Y	d	n	n
Nye (N.D.)	n	n	n	n	n
Schall (Minn.)	n	n	n	n	n
Stiener (Ore.)	Y	Y	Y	Y	Y
* Townsend (Del.)	Y	Y	Y	Y	n
Vandenberg (Mich.)	Y	Y	Y	Y	Y
* White	Y	Y	Y	Y	n

Independents

Shipstead (Minn.)

n

n

n

n

n

Lafollete (Wisc.)

n

n

n

n

n

CHAPTER 6: THE NYE MUNITIONS INVESTIGATION

As war clouds gathered in the early 1930's Americans became obsessed by the desire to avoid repetition of the quixotic crusade of 1917-1918. They were ready to support any nostrum, however impractical if it offered hope of preserving peace.¹

On April 12, 1934 the Senate voted unanimously to create a special committee authorized to investigate the American companies which manufactured implements of war. The Nye Committee, as it came to be known, was to play a leading role in developing almost all of the politically significant Congressional foreign policy initiatives over the next two years. The primary focus of this chapter will be to determine, first of all, whether public opinion and pressure groups were in any way responsible for the Senate's decision to authorize the Nye investigation; and secondly, whether these same "domestic sources" exercised any influence over the actual conduct of the inquiry.

This chapter will be divided into three parts. The first section focuses on the issue of whether the Special Committee Investigating the Munitions Industry was created in response to public pressure. It identifies the groups working to take the profit out of war and examines the evolution of public opinion on this issue. It examines the actual campaign in support of a proposed investigation,

and finally, it attempts to analyze the total political influence of nongovernmental factors on the Senate's ultimate decision to authorize a special investigation.

The second section focuses on the initial twelve months of the investigation. During this period the principal thrust of the investigation was to publically demonstrate that those who profited most from the outbreak of war were, themselves, the principal reason nations could not learn to live at peace. The radical wing of the peace lobby hoped that the investigation's disclosures would generate first public and ultimately Congressional support for a far-reaching program to eliminate war profits and equalize the burdens of future wars. With regard to this campaign, an effort will be made to assess the relative importance of the organizational and investigative efforts of Stephen Raushenbush and his staff. Finally, an attempt will be made to document the manner in which Senator Nye took advantage of the media attention generated by the hearings to become a nationally recognized spokesman on foreign policy.

Finally, the third section will address the question of the plausibility of my democratic consensus hypothesis. It will also discuss the differences between my assessment of Senator Nye and the Senate Munitions Investigation and that of John Wiltz - the only scholar to have studied this matter in any detail.

I

The notion that there is a cause and effect relationship between the pursuit of profit and the outbreak of war can be traced back to the early stages of World War I. In his essay, "Imperialism, the Highest Stage of Capitalism", Lenin argued that the war was the consequence of the inevitable struggle among the developed capitalist nations for profitable colonies.² Meeting in 1915, the first international congress of the Women's International League for Peace and Freedom denounced the profits accruing to Europe's armasmakers as "a powerful hindrance to the abolition of war".³ Finally, although it received little publicity in 1920, a subcommittee of the League of Nations published a report which blasted the world's arms manufacturers for inspiring war scares, bribing officials, and exaggerating reports of military and naval programs.⁴

Surprisingly, the newly-formed American Legion was the first group in the United States to express concern about the issue of war profits. According to Legion historian Roscoe Baker

Legionnaires came out of World War I with the very definite feeling that there had been an unfair sharing of the burdens of the war. They had drilled in training camps and served in the trenches for a dollar a day. But those serving on the home front had made fabulous wages and many industrialists had made millions out of war contracts.⁵

By 1922 the Legion had developed a proposal which they hoped would equalize both the burdens and the rewards of a future war. Known as the Capper-Johnson bill, the Legion-sponsored proposal would have empowered a wartime President:

To take the necessary steps to stabilize prices of commodities; to draft into service of the United States all persons between the ages of 21 and 30, or such other limits as might be fixed, without exemption or account of the industrial occupation; and to determine and proclaim the material resources and industrial organizations of the country to be under government control during the period of the emergency. This means that, not only the manpower of the country, but its entire resources of every description would be mobilized under the control of the government. The intended purposes of the bill, according to the Legion, were to keep profits out of war, eliminate the wartime slacker, and place the burden of war equally upon all citizens.⁶

While this bill was never reported out of committee, the Legion's efforts in support of this idea never flagged. As a consequence, by 1928 both major political parties had endorsed the Legion's proposal in their national platforms and in 1930 President Hoover authorized the creation of a Joint Commission to study the matter.⁷ The final Commission report endorsed the spirit of the Legion proposal urging:

That three legislative steps be taken; first, give the government

authority to fix prices at the inception of the war; second, confiscation of 95% of all war income above normal so that funds escaping the freezing of prices would be diverted back to paying the cost of war, and third, a constitutional amendment specifically giving to Congress the authority to control prices in wartime.⁸

While the Legion's concern regarding war profits arose from feelings that the burdens and rewards of the last war had been unjustly distributed, by the late 1920's, some of the more radical spokesmen for the American peace movement were becoming suspicious that profits from the sale of arms and munitions might be the engine driving the world towards another war. It was conventional wisdom in the peace movement on both sides of the Atlantic that the stockpiling of armaments in Europe before 1914 had made World War I virtually inevitable. Consequently, plans for disarmament became the centerpiece of almost all pacifist programs during the 1920's.⁹

Though there is little evidence that they had any direct influence, American peace activists believed that their efforts to arouse public opinion had contributed to the Great Powers taking the first tentative steps down the road to disarmament during the 1920's. The Five Powers Treaty and the Kellogg-Briand Pact were hailed as historic steps towards the goal of total disarmament which had been taken in response to public pressure. Consequently, the radical wing of America's peace movement looked forward

to the 1933 World Disarmament Conference with unrealistically high expectations. Both the National Council for the Prevention of War and the Women's International League for Peace and Freedom worked tirelessly throughout 1932 to educate the American public concerning the need for disarmament.

It was during this campaign that the leaders of America's disarmament movement began to perceive the world's arms makers as threatening their goal. In 1931 Frederick Libby of the National Council for the Prevention of War declared that successful disarmament would require much stricter control of the world's trade in armaments.¹⁰ In 1932 the Federal Council of Churches warned that "the world cannot be effectively organized for peace, until the private traffic in arms, credits, and sinews of war had been brought under strict control".¹¹ Finally, long convinced of the conflict of interest between the nation's arms manufacturers and the disarmament movement and fearful that powerful international economic interests were secretly conspiring to wreck the Geneva Disarmament Conference, the American wing of the Women's International League for Peace and Freedom passed a resolution at its 1932 convention calling for a congressional investigation of America's arms industries.¹²

Once the Geneva Disarmament Conference actually started in 1933, the high expectations of America's liberal

peace activists were transformed into anger and disillusionment as the talks became hopelessly deadlocked. Many liberals felt that America's Business Establishment was somehow responsible for instigating the anti-socialist hysteria which had swept the Republicans to power after the armistice. This belief intensified traditional liberal suspicion and resentment of Big Business, and thus, it is not surprising that some of the more liberal members of the disarmament movement began to suspect that the failure of the Geneva Disarmament Conference was somehow due to the secret machinations of the world's arms capitalists.

Thus, when Dorothy Detzer, chief lobbyist for the WILPF, descended on Capitol Hill in the summer of 1933 to drum up support for a congressional investigation of America's arms makers, she was advocating a genre of conspiracy theory whose time was fast approaching. Though her initial efforts in Congress were a failure, her message that the armaments industry was secretly blocking the road to peace through disarmament was well received by the leadership of the radical wing of Washington's peace lobby.

At this point the confluence of deepening fears regarding the possibility of another European war and a growing anti-business disposition fostered by the Great Depression produced a public opinion climate which was exceptionally hospitable to Detzer's message. Though we

have no reliable public opinion data, for the first half of the 1930's, tangential evidence indicates that an overwhelming number of Americans desired peace should Europe continue down the path to war. This "consensus for peace" arose not so much from a love of peace itself, but rather, it was the result of: (1) disillusionment stemming from the failure of the United States to achieve any of its idealistic aims at the Versailles Peace Conference, (2) moralistic revulsion at the prospect of having to choose sides between English and French imperialism and German and Italian fascism in any armed struggle to either maintain or overthrow the status quo created at Versailles, and finally, (3) resentment over the cancellation of war debts.

Yet it was the anti-business disposition shared by a growing number of Americans which determined what sort of nostrums would capture the popular imagination in the fall of 1933. The total collapse of business prosperity in 1929 had triggered a historically unprecedented public rejection of the free enterprise ideology of traditional Republicanism. The belief that unregulated Big Business was somehow responsible for the depression became widespread. Senator Gerald Nye's biographer, Wayne Cole, notes that "in the depression years criticisms of business and business ethics were popular with the idea of government regulation of big business for public welfare gaining wide acceptances".¹³ In short, the American public had no reason to believe

that the nation's arms and munitions makers were any less greedy or more public spirited than the rest of big business. This general disposition lent enormous credibility to the accusation that those with an economic interest in war were secretly conspiring against disarmament.

With popular distrust in America's munitions industry spreading, Detzer finally achieved the breakthrough on the Hill which would ultimately lead to a full Senate investigation. On the advice of Senator Norris, Detzer approached Senator Gerald P. Nye of North Dakota in an effort to win his support for an investigation. Though he had twice refused her, this time Nye relented and agreed to act on behalf of the Women's League.¹⁴ Early in 1934, Nye contacted Joseph Green, the State Department's expert on the international munitions trade, asking that he draft a resolution calling for an investigation of the arms industry.¹⁵

Once he had Green's draft, Nye waited until anyone who might possibly object was absent to take the floor and present his resolution to authorize an investigation of "the activities of individuals and corporations in the United States engaged in the manufacture, sale, distribution, import and export of arms, ammunition, and implements of war".¹⁶ Though there was no immediate opposition, the resolution was referred to the Senate Foreign Relations Committee where "Senator Pittman, hostile to the proposed

investigation, then had the resolution transferred to the Military Affairs Committee where the chances for favourable consideration appeared to be remote".¹⁷

Recognizing the hostility of the Military Affairs Committee, Detzer and her allies in the peace movement formulated the following strategy. First, they proposed that the Nye resolution be combined with an earlier resolution presented by Republican Senator Arthur Vandenberg urging the Senate to explore the American Legion's proposal to take the profit out of war. It was hoped that combining the two measures "would gain double-barrelled support from two dramatically opposing wings of public opinion".¹⁸ Both Nye and Vandenberg approved of this idea, and on March 12, 1934, Nye introduced a combined resolution which was again referred to the Military Affairs Committee.¹⁹ Having thus united all domestic pressure groups which had demonstrated any interest in the war profits issues, Detzer re-doubled her efforts to persuade members of the Military Affairs Committee that the proposed investigation ought to be conducted by a special "select committee" rather than any of the Senate's standing committees.

Despite this series of deft political maneuvers, it is quite possible that the proposal for a munitions investigation could have suffered the same fate as the Capper-Johnson Bill. However, as fate would have it, the publication of two books and an article in Fortune purporting

to expose the "sinister" side of the arms business helped Detzer and the Legion mobilize public support for an investigation. Despite the fact that these publications included the sort of inflammatory rhetoric, gossip, and innuendo which were the trademark of Father Coughlin and the Hearst Press and were lacking in documentation, Iron, Blood, and Profits by George Seldes and Merchants of Death by Helmuth C. Englebrecht and Frank C. Heneghen were acclaimed as scholarly studies and were widely read.²⁰ Consequently, accusations that the world's arms makers were "organized into the greatest and most profitable secret international of our time" and that "the arms maker has risen and grown powerful until today he is one of the most dangerous factors in world affairs -- a hindrance to peace and a promoter of war" were perceived to be credible and aroused considerable public indignation.²¹

However, in interviews conducted long after the heat of battle had subsided, Gerald Nye and Dorothy Detzer agreed that the anonymously authored "Arms and Men" published in Fortune had the greatest impact on public opinion.²² Filled with unsubstantiated accusations that those in the arms business sold to their government's enemies during wartime and manufactured war scares during peacetime, the article concluded that "armament makers apply the two axioms of their business: when there are wars, prolong them, when there is peace, disturb it".²³ Both Nye and Detzer emphasized that the mere publication of such an expose in what

was a conservative pro-business magazine enhanced the credibility of those who had been calling for an investigation before March 1934 and enhanced the respectability of those citizens who would now join the campaign.²⁴

The idea that the world's arms capitalists had reaped enormous profits from the horrible destruction of the last war outraged America's moral sensibilities. The rhetoric in these exposes fed on and fanned the public's mistrust of big business. But most importantly, the notion that sinister forces were at work to embroil the world in another war frightened both pacifist and isolationist contingents of the general public into demanding that something be done. Because they reached a mass audience, the "merchants of death" exposes generated popular support for the Nye-Vandenberg resolution among all segments of the American public. Suddenly, editorials in newspapers representing all political viewpoints and regions urged an investigation.²⁵ Across the country labour and church groups joined the peace societies in demanding action.²⁶ By late March, petitions, telegrams, and letters supporting an investigation poured into Washington.

Though both the WILPF and NCPW were working to stimulate grassroot interest in an investigation, the "merchants of death" literature was the catalyst which triggered the bulk of this grassroot response. Nonetheless, Washington's professional peace lobby was prepared to

capitalize on this golden political opportunity. For once, their claim to speak for the American public was legitimate, and this enabled Detzer and her allies to prod the otherwise hostile Military Affairs Committee into tentatively approving the Nye-Vandenberg resolution.

With this task complete, a Senate budget committee was persuaded to appropriate a tentative budget, and the Nye-Vandenberg resolution was placed on the Senate calendar. At this juncture Detzer polled the Senate in order to assess the prospects for success, and she reported that this poll showed 20 Senators in favour, 45 against, and 29 sitting on the fence.²⁷ A follow-up poll revealed that 22 of the 29 uncommitted Senators were waiting for the Administration to announce its position before making up their minds.²⁸

Recognizing that they were not likely to win enough converts without State Department support, Detzer arranged an interview with Cordell Hull to plead her case. Following this meeting, Hull announced the Administration's support for a special investigation.²⁹ Although there is no official record of this meeting or of Hull's rationale for throwing Administration support behind Resolution 206, his memoirs leave the impression that as a former Congressman, Hull was acutely sensitive to the pressures of public opinion.³⁰ However, despite public pressure, it is far from clear that Hull would have thrown his support behind

an inquiry had he had any inkling of how the Committee would be chosen or how the investigation would be conducted. In his memoirs, Hull argues persuasively that he expected Senator Pittman to see to it that any investigation would be conducted by a committee controlled by Senators friendly to the Administration.³¹ In addition, both Hull and Green hoped that a friendly investigation would aid the State Department in realizing its objectives of winning Senate ratification of the 1925 Geneva Arms Convention and expanding Executive authority to license the export of arms.³²

With Hull's announcement, Senate approval of Resolution 206 became a realistic prospect. However, March 19, 1934 represents the high water mark of popular influence. Up to this date America's foreign policymakers were simply responding to messages emanating from the domestic environment. The coalition between radical peace activists and the American Legion supported by a politically significant segment of the public had managed to make a Senate investigation of the munitions industry a politically realistic possibility. However, from this point on, Senators Nye and Vandenberg deserve credit for their role in transforming this possibility into a political reality.

Despite Hull's endorsement, Nye and Vandenberg did not want to gamble that a frontal attack could push Resolution 206 through the Democratically controlled Senate. Allowing public outrage regarding the merchants of death to intensify, they patiently prepared the groundwork for

a parliamentary surprise attack. The right moment for this maneuver did not arise until April 12 during debate over an important Administration tax bill. Democratic whip Pat Harrison (Miss.) had been attempting to push this measure through the Senate for nearly a week, but his efforts were being frustrated by debate over a seemingly endless string of amendments. With Harrison becoming visibly impatient, Senator Nye gained the floor to propose an amendment to tax "98% of each taxpayer's net income in excess of \$10,000 a year" in the event of an outbreak of war.³³ Nye spent the next hour extolling the virtues of this proposal as a practical step towards preventing war. He concluded,

While there have been many theories which propose to end war or prevent war, I know of none that would go further than this plan of taxing profits and partially confiscating profits in the time of war.³⁴

Upon finishing his speech, Nye yielded the floor to Senator Vandenberg, who began an equally fervent oration attacking "the intriguing influence of the international munitions lobby".³⁵ As Vandenberg warmed to his subject, Nye notified the thoroughly exasperated Harrison that he had lined up eleven more Senators to speak in favour of this amendment. Facing an unexpected filibuster, Harrison seized upon a suggestion which had intentionally been planted by Vandenberg's closing remarks and moved that the

Senate immediately adopt a slightly modified version of Senate resolution 206, and that Nye's tax amendment be referred to that committee for further study.³⁶ At Harrison's request, Resolution 206 passed without a single dissenting vote. Given that Detzer's poll had shown widespread opposition to any sort of special munitions investigation, Nye and Vandenberg's parliamentary tactics deserve special mention as a factor helping to give birth to the Special Senate Committee Investigating the Munitions Industry.

Pressing the advantages gained by their surprise victory, Nye and Vandenberg moved quickly to assume control over the investigation. At Harrison's request, Vice-President Garner had been made responsible for choosing which Senators would sit on the Committee. Knowing that Senator Pittman was not likely to exercise his prerogatives as Chairman of the Foreign Relation Committee, Nye and Vandenberg were prepared when Garner asked them for a list of candidates. As a consequence, Garner asked Democrats Homer Bone (Wash.), Champ Clark (Missouri), James Pope (Idaho), and Morris Sheppard (when the Texas Senator refused, Georgia's Walter George took his place) to join Republican Warren Barbour (N.J.) in serving with Nye and Vandenberg on the Committee.³⁷

Although this line-up dutifully reflected the fact that the Democratic party controlled the Senate and

assured that all regions and foreign policy viewpoints were represented, it also assured that the investigation would be controlled by those who were already unfavourably disposed towards America's arms and munitions industries. For, although they were Democrats, Senator Clark was a fervent isolationist who strongly endorsed the American Legion's program to take the profits out of war, and Senator Bone's views combined a populist liberalism and idealistic pacifism which were quite compatible with those characteristic of the radical wing of the peace movement.³⁸

At least 80 to 90 percent of the credit for the creation of the Special Committee Investigating the Munitions Industry should go to domestic factors. Both the American Legion and the Women's International League supplied the original impetus for the proposal that Congress should investigate America's arms business. Dorothy Detzer was responsible for uniting the disarmament wing of the peace movement behind this idea. In fact, Senate Resolution 206 would never have been on the Senate agenda in the spring of 1934 if not for the efforts of domestic pressure groups. Furthermore, the intense public concern over this issue surely contributed to the Administration's willingness to endorse an investigation, which in turn, greatly enhanced the responsiveness of Democratic Senators.

Senators Nye and Vandenberg deserve full credit for obtaining Senate approval without stirring up any

opposition; however, it is far from certain whether their filibuster would have succeeded had they not had such overwhelming public support. Indeed, Nye's and Vandenberg's most important contribution may well have been in persuading Garner to name Senators Clark and Bone to the Special Committee.

Thus, the Senate's decision to authorize an investigation of America's arms industry would seem to be a rare example of a successful public initiative on a foreign policy related issue. Inasmuch as the Nye munitions inquiry was to play such a pivotal role in preparing the road for future neutrality initiatives, this example would appear to fit comfortably within a "democratic consensus framework". However, at this point one important qualification would seem to be in order.

Although public opinion constituted a potent political force to which the Senate responded in the spring of 1934, it would be erroneous to characterize it as an independent political variable. Rather than responding to the sorts of attitude cues which Mueller described, in this instance public opinion about the "merchants of death" was formulated in response to nongovernmental media cues. Whereas Coughlin and Hearst used the electronic and print media as a conduit enabling them to reach out and mobilize an already existent foreign policy constituency, the accusations made in "Arms and Man", Iron, Blood and Profits, and Merchants of Death mobilized public support for a

munitions inquiry by creating a new constituency. The fact that public opinion was essentially manipulated by independent domestic factors does not enhance the plausibility of my "democratic consensus hypothesis" -- especially given that the Senate's responsiveness could just as easily be explained within the framework of an "opportunity hypothesis".

II

From its very birth there was little chance that the munitions investigation would be an impartial one. Many of the individuals who played an active role in the investigation, both Senators and staff alike, were anything but impartial about America's munitions industry. By the time the Senate had authorized an investigation, a significant number of Americans who thought of themselves as pacifists, liberals, or socialists shared a strong belief that the nation's capitalists were greedy, amoral and, in the case of munitions capitalists, ruthless warmongers who threatened world peace. The "true believers" among Washington's peace lobby perceived the creation of a Special Committee Investigating the Munitions Industry as a once-in-a-lifetime political opportunity to build public support for their ultimate goal -- nationalizing America's war industries.

Nonetheless, no one expected that the du Ponts and Morgans would simply march down to Washington and confess that the profit motive drove them to conspire against peace. It would be necessary to comb the files of America's munitions industries for evidence of wrong-doing, and the task of organizing and supervising this search would be difficult. But more importantly, Detzer and her allies recognized that whoever filled this position would exercise an enormous influence over the course of the investigation. Therefore, when Nye asked Detzer if she knew of someone qualified to serve as committee secretary, she was already prepared to submit the name of Stephen Raushenbush, a highly competent "true believer" who was genuinely thrilled by the prospect of exposing the evils of the munitions business.³⁹

Stephen Raushenbush was the son of Walter Rauschenbusch, "the famous advocate of social Christianity, and from his father, he inherited the belief that war was one of the largest obstacles to social justice".⁴⁰ After graduating from Amherst, he served in the ambulance corps during World War I. During his political career:

Most of his activities aimed to promote progressive causes. He studied the coal and power industries, and wrote The Anthracite Question (1923), Power Control (1928), and Power Fight (1932). ... liberal analyses of the conditions in coal and power. For a time he was assistant professor of economics at Dartmouth College, but he resigned in

1930 to become economics advisor to Governor Gifford Pinchot of Pennsylvania. He served on state commissions which investigated the utilities industry, child labour, and sweatshops. 41

During the investigation, Iowa's Senator Dickinson denounced Raushenbush because of the close ties he had developed with the socialist movement during this latter period. 42

It is impossible to overestimate the importance of Raushenbush's position. First of all, it seems quite likely that Raushenbush had a considerable input into the planning of the investigation. While Senators Nye, Clark and Vandenberg might have had some general ideas and predispositions about the direction in which the inquiry might proceed, Detzer reported that Raushenbush arrived in Washington with a specific plan for the type of investigation he wanted to conduct. 43

Apparently the plan . . . impressed them. For within twenty-four hours after we had initiated our Raushenbush campaign, no other candidate was considered for the job. 44

From his position of committee secretary and chief investigator, Raushenbush exercised a direct influence on all phases of the investigation. He was responsible for hiring and supervising the activities of the scores of people who worked for the committee during its twenty month life. John Wiltz, the only scholar to carefully

chronicle the investigation, points out that Raushenbush used his authority to gather a staff who shared his political beliefs.

These people had varying backgrounds, but were united in affinity for peace and adherence to liberal principles ... and convinced of the need to expose the "merchants of death".⁴⁵

Wiltz also notes that the work of Raushenbush and his staff exercised an enormous influence on the hearings themselves.

From the field work directed by Raushenbush emerged the briefs (prepared by the staff, not the senators) which determined the course of the investigation. Prior to the hearings the senators studied the briefs, and on the appointed day asked witnesses questions which the briefs had indicated - in many cases specified.⁴⁶

In short, Raushenbush was in a position to insure that no stone would be left unturned in the quest to prove the thesis that munitions profits were the root cause of modern wars.

If the creation of the Special Committee Investigating the Munitions Industry constituted a golden opportunity for America's peace activists, it represented an equally important political opportunity for the three Senators who played an active role in the investigation. For Senators Vandenberg, Clark and Nye the investigation meant a chance to increase their standing within the

Senate and gain national recognition as credible spokesmen on foreign policy.

Of this group, Senator Vandenberg stands out as the only man who played an active role in all phases of the Committee's work but managed to maintain an open mind with regard to the culpability of the munitions industry. Although he did hope that the inquiry would educate the public as to the wisdom of passing legislation ensuring a more equitable distribution of the costs of a future war, Vandenberg made no effort to transform the investigation into a vehicle to enhance his own reputation. Elected to the Senate in 1928, Vandenberg always showed a keen interest in foreign affairs. Never an orthodox isolationist, Vandenberg believed that "the United States should participate in world affairs whenever the national interest so indicated", but he strongly opposed "entangling" commitments.⁴⁷ As an example, Vandenberg supported the World Court Protocols once the Administration accepted his Reservation:

Which provided that American adherence to the World Court would not indicate a departure from the American policy of not "entangling itself" in the affairs of any foreign state and did not grant the Court the right to intrude into "purely American questions".⁴⁸

Once the committee was formed, Vandenberg was an active participant in every phase of the inquiry from

charting the course to interrogating witnesses during the hearings. His biographer reports that Vandenberg

became the moderator between the radicals, led by Nye and Clark, who saw the committee as a weapon to be used against warmongers, and Senators such as James P. Pope and Walter George who wished to minimize the importance of the investigation.⁴⁹

Wiltz reveals that even Raushenbush respected Vandenberg as the "committee's outstanding intellect".⁵⁰ After attending 78 of the 93 hearings and carefully sifting the mountains of evidence, Vandenberg rejected both the thesis that the sale of munitions led to the outbreak of war and the majority conclusion that the nationalization of arms industries would strengthen military preparedness while enhancing the prospects for peace.⁵¹ However, like many Americans, Vandenberg was persuaded that America's commercial unneutrality had precipitated the nation's involvement in World War I.

For the freshman senator from Missouri, Bennett Clark, the committee hearings were a chance to make a positive public impression by displaying his "genius for public rudeness" while relentlessly interrogating American's "merchants of death".⁵² The son of a former House Speaker who, but for the party's two-thirds rule, would have been the Democratic presidential nominee in 1912, Clark was an isolationist who opposed America's entry into World War I and shared the Legion's resentment regarding those who had

profited from that involvement.⁵³ Consequently, he relished the chance to cross-examine those who had turned a profit during World War I and jumped at the opportunity to dig into the sordid details of Wilson's neutrality policy. Because the hearings showcased Clark's isolationist convictions before the national media and enabled him to build a close personal friendship with Senator Nye, the munitions inquiry helped Clark build a national reputation and enabled him to become his party's leading isolationist spokesman in the Senate.

While the munitions investigation provided Vandenberg and Clark with a chance to enhance their standing in the Senate, Gerald Nye saw it as an opportunity to shape American foreign policy by shaping public opinion. Both Wayne Cole and John Wiltz emphasized the similarity between Nye and William Jennings Bryan.⁵⁴ Like Bryan, Nye was a gifted orator in the populist tradition and like Bryan, Nye approached politics with the confidence and self-righteous moralism characteristic of those who have simplified history and experience into heroic struggle between good and evil. But most importantly, Nye shared Bryan's predisposition to influence institutions and policy through arousing the masses.

The cornerstone of Nye's political philosophy was a "Bryanesque" sympathy for the farmer and small town common man combined with an abiding hostility towards big

business. In fact, Cole characterizes the munitions investigation as "a logical extension in the realm of foreign affairs, of Nye's long crusade against big business, international bankers, and Wall Street".⁵⁵ Though he had initially supported Wilson's call to arms in 1917 and applauded his efforts to secure a "just peace" at Versailles, by 1920, Nye was bitterly disillusioned with the consequences of American involvement in World War I.⁵⁶ During the 1920's, Nye blamed American participation in the war for many of the farmer's economic difficulties.⁵⁷ By 1934, he was the staunchest of isolationists.

Events leading to the munitions inquiry had pre-disposed the American people to be suspicious of the nation's arms capitalists. Nye sensed this and was eager to preach his anti-business gospel to a receptive audience. But more importantly, Nye also seemed to sense that with an issue of this emotional magnitude an orator of his ability might be able to forge his audience into a political force which might ultimately be powerful enough to alter the course of American foreign policy. Nye's persistent exaggeration of the committee's findings in his public addresses during the investigation suggests that he pursued this objective from the beginning. Thus, in order to develop a full appreciation of the political course of the Nye investigation, it will be necessary to examine Nye's public statements in relation to the hearings themselves.

Nearly five months passed between the birth of the investigation and the first set of hearings. The sheer magnitude of the task (investigators literally spent thousands of man hours pouring over tons of subpoenaed files) complicated by the inexperience of Raushenbush's staff and the occasional obstructionism of the investigation's subjects made this delay almost inevitable.⁵⁸ Not surprisingly, public interest began to wane during this period. Therefore on July 24, Nye decided that the first phase of hearings would concentrate on exposing the link between the "merchants of death" and the outbreak of war.⁵⁹ Nye expected that this subject would rekindle public enthusiasm and thus assure that the Senate would continue to appropriate the funds necessary for the committee to complete the task it had set itself.⁶⁰

Raushenbush and his band of "true believers" had joined the investigation to expose the link between the munitions trade and war. This meant that they focused their initial efforts on unearthing evidence which would prove the three basic tenets of their credo. First, they sought to uncover the secret linkages between American business and "the internationale of bloodshed and profits".⁶¹

For many people, the belief in the existence of a munitions ring was a first principle of the merchants-of-death credo Englebrecht, Haneghen, Seldes, and others had written of the ring. They were experts, and seemed so certain of its existence that few people dared to doubt it.⁶²

Second, they sought evidence that the members of this international combine actively sowed the seeds of war; fabricating war scares, pressuring, and when necessary, bribing governments to increase their armament expenditures. Finally, they searched for evidence that the "merchants of death" had worked to undermine the disarmament movement. The decision was made that the Special Committee Investigating the Munitions Industry would publically unveil the fruits of this labour on September 4th; however, Senator Nye fired the first salvo at America's arms dealers on August 27.

Speaking to an audience at the Chicago World's Fair, Nye launched his campaign of misrepresentation when he proclaimed that his investigation would reveal that "the 'greediness of the dominant industrialists and financiers in the field' are the prime cause of war".⁶³ Responding to charges by Irene du Pont that the investigation was Communist inspired, Nye took the offensive:

During four years of peacetime the du Ponts made only \$4,000,000.... During the four years of war they made \$24,000,000 in profits. Naturally, du Pont sees red when he sees these profits attacked by international peace.⁶⁴

Nye garnered further media attention when on the following day he confirmed rumors that the investigation had uncovered a link between the Electric Boat Company and Sir Basil

Zarhoff, notorious for his behind the scenes influence on European royalty and identified by many "as the premier salesman of the international munitions ring".⁶⁵ Finally, in an August 31 radio address, Nye alleged that the last war had caused the current depression and warned that unless Americans rallied behind his proposal to tax excess war profits the arms merchants' greed would embroil the world on a second great war. During the same speech, Nye expressed the hope that his investigation would lead to the creation of a Department of Peace to be "on a par with the War and Navy Departments".⁶⁶ Nye's rhetoric assured front page coverage of the impending hearings; however, virtually nothing disclosed at these hearings supported Nye's charges that the all-American pursuit of profit was the prime cause of war.

The first set of hearings (September 4-21) failed totally to prove any important component of the merchants of death indictment. To start, the hearing presented no credible evidence of an international munitions ring. The committee did show that the British Vickers-Armstrong Company had been paying the American Electric Boat Company for use of patents. Although the committee carried on as if this was a secret agreement, officials in the Admiralty and Navy were well aware of this agreement and tacitly approved.⁶⁷ As advertised, letters were produced which showed that Sir Basil Zarhoff had been paid by the Electric Boat Company to help them sell to Spain the wherewithal to

build submarines. However, nothing in this correspondence even hinted at the existence of an international ring or suggested that anything illegal or immoral had been done to secure the sale. Indeed, the only unsavory agreement that the hearings exposed, revealed that:

E. I. du Pont de Nemours and Imperial Chemical Industries had apportioned annual sales of products which both manufactured. The two corporations, moreover, agreed to share profits earned by their joint organization in some areas.⁶⁸

While the intent of this agreement was clearly to increase profits by reducing competition, it "did not project an image of international merchants of death working in concert to stir up conflict and sell munitions".⁶⁹

The committee had little more success proving that arms makers needed to sow the seeds of war in order to increase sales. They found no evidence that the merchants of death plotted or orchestrated war scares. The best they could do was to show that the president of Bath Iron Works had sent the president of the Portland (Maine) Publishing Company "a package of clippings and editorials regarding the possibility of war between the United States and Japan" and a letter recounting the tale of the French press, hungry for anti-German news, approaching a French munitions firm for confirmation of rumors that Germany was secretly infiltrating the Dutch munitions industry.⁷⁰

Nonetheless, the munitions hearings successfully

rekindled the previous spring's moral outrage when they exposed the facts that bribery played an integral part in the munitions business. Officials of the American Armament Corporation, Curtiss-Wright, and du Pont all testified that it was often necessary to pay bribes to sell arms in Latin America, China and Turkey.⁷¹ Though it is difficult to ascertain who was more indignant, the recipients of the bribes or the American people, the committee maximized the favourable impression created by carefully avoiding the issue of whether bribery was standard operating procedure for any company doing business in South America or China.⁷²

Wiltz reports that during their September hearings the Nye Committee presented "scattered evidence" that the munitions industry was philosophically opposed to disarmament and embargoes, but nothing to even hint that they were responsible for the failure of a single disarmament conference, and only two examples of attempts to avoid arms embargoes. Letters exchanged between Lawrence Spear and Sir Charles Craven of the Electric Boat Company and Vickers reveal that both men recognized that the aims of the peace movement threatened their economic welfare, but there is no suggestion that anything be done.⁷³ Furthermore, evidence was presented that on a few occasions, specific companies had lobbied against embargo legislation, but as Wiltz notes "so had many other thoughtful Americans".⁷⁴

The only unsavory revelations concerned an instance in which du Pont sold gunpowder to an embargoed government through a third party and evidence that Lake Erie Chemical Company mislabelled a tear gas shipment to avoid an embargo.⁷⁵ However, the Committee made the most of these two examples by presenting testimony that U.S. customs inspectors rarely checked outgoing shipments if the exporter "labelled" them as nonmilitary cargo.⁷⁶

Wiltz concludes that:

The Munitions Committee made a mighty effort to prove that arms makers were merchants of death. Including time investigators spent in careful study of files of corporations and government departments, the committee devoted thousands of man hours to this part of its inquiry. It found bits of evidence suggesting that munitions makers at one time or another had done almost everything the committee suspected them of doing. But evidence was thin; seldom could it support general conclusions. It failed to establish the existence of an international munitions conspiracy. It failed to prove that the arms industry instigated war scares, or as a normal practice stimulated armament races by selling alternatively to opposing countries Evidence showed that the overseas munitions trade depended to an astonishing extent upon bribery, but this had slight bearing on whether the industry menaced peace.⁷⁷

Wiltz also notes that at the time few Americans perceived the committee's failure. He explains the public's misperception as the natural consequence of the committee practice of interrogating representatives of one company at a time

rather than presenting all of the evidence supporting a particular thesis at once.⁷⁸

However, this explanation is incomplete. It fails to account for the fact that the public did not learn about the hearings as Wiltz did from studying the transcripts. Anything the public learned came from the newspapers, and the nation's newspapers presented a radically different picture of the hearings. This discrepancy can be explained by the facts that Nye and Clark staged the hearings to create an unfavourable impression of the arms industry while Nye continued his public campaign charging that greed was the root of modern war.

Although Raushenbush and his staff uncovered little evidence that wars resulted from the munitions makers' pursuit of profit, they did provide Nye and Clark with enough evidence of bribery, dubious business practices and close cooperation between American companies and the American government in the pursuit of arms sales to shock most Americans. The committee hearings were a media event of the first order, and both Nye and Clark knew how to play this sort of audience.⁷⁹ Casting themselves in the role of defenders of peace and the common man, Nye and Clark sought confessions not explanations from those unlucky enough to have to face their righteous indignation. "Badgering witnesses and insisting on their own interpretations of the endless exhibits, the members of the

committee turned the investigation into an inquisition."⁸⁰ More often than not, newspapers portrayed Nye's and Clark's performance as heroic while attempting to increase circulation by "selecting the most dramatic revelations and presenting them with blazing headlines".⁸¹

Once this media attention had made him a national figure, it was even more difficult for someone like Senator Nye, who was now being mentioned as an attractive presidential candidate, to restrain himself in his public statements. Nye was never one to let the paucity of credible evidence stop him from arguing that:

There may be doubt as to the degree but there is certainly that profits from the preparation for war and the profits of war itself constitute the most serious challenge to the peace of the world ... the removal of the element of profit from war would materially remove the danger of more war.⁸²

During the period between the first and second set of hearings Nye also began to question the motives of anyone calling for an increase in defense spending. For example, in a November 12 address to the New York League of Women Voters, Nye denounced America's arms capitalists for loving profit more than their country and charged that "the cry for an adequate national defense disguises the most sordid sort of racketeering".⁸³

On December 4, 1934, the Nye Committee commenced a second round of public hearings. Whereas the September

hearings had dealt with the overseas activities of the munitions industry, the December hearings attempted to focus public attention on the enormous, and in the Committee's judgement unconscionable, profits which America's war industries had earned during World War I. Although the hearings documented the fact that sales to the allies had enhanced the profitability of most American arms and munitions manufacturers during the period 1914 to 1917, the confrontation between the Committee and the du Ponts constituted the "main event" of this phase of the investigation. The du Ponts, especially Irene, had made no secret of their disapproval of the investigation and its politics.⁸⁴ As a consequence, this phase of the hearings made for superb political theater.⁸⁵

The hearings began by documenting the fact that between 1914 and 1916, E. I. du Pont de Nemours and Company increased its business by over 1000% while the value of its stock quadrupled between 1914 and 1918.⁸⁶ Next, Alger Hiss garnered the most sensational December headlines when he charged that the du Ponts had turned a 39,231% profit on the construction and operation of the Old Hickory smokeless powder plant.⁸⁷ Finally, testimony of the du Ponts gave Senator Clark numerous opportunities to shock public sensibilities by contrasting their ruthless pursuit of profit with the more "patriotic" response of millions of Americans who like himself had served in the armed forces during the war.⁸⁸

It was at this point that President Roosevelt attempted to take some of the wind out of the committee's sails by announcing the formation of his own committee to study the question of war profits.⁸⁹ Robert Devine argues that from the time public support for Resolution 206 began to build, Roosevelt followed the philosophically ambiguous strategy of supporting the idea of a munitions investigation "while championing the ideal of a multilateral agreement as the proper solution to the arms problem".⁹⁰ In a perfect example of this, on May 18, 1934, Roosevelt couched his request that the Senate give its advice and consent to the 1925 Geneva Arms Convention in the rhetoric of the merchants of death thesis.

I have been gratified to learn that, pursuant to a resolution of the Senate, a committee has been appointed to investigate the problems incident to the private manufacture of arms and munitions of war and the international traffic therein. I earnestly recommend that this committee receive the generous support of the Senate in order that it may be enabled to pursue the investigation with which it is charged with a degree of thoroughness commensurate with the high importance of the question at issue. ... The private and uncontrolled manufacture of arms and munitions and the traffic therein has become a serious source of international discord and strife ... The negotiation of the Convention for the supervision of the International Trade in Arms and Ammunition and the Implements of War, signed in Geneva, June 17, 1925 was an important step in the right direction. That convention is still before the Senate. I hope the Senate may find it possible to give its advice and consent to its ratification. ... The peoples of

many countries are being taxed to the point of poverty and starvation in order to enable governments to engage in a mad race for armaments which, if permitted to continue, may well result in war. This grave menace to the peace of the world is due in no small measure to the uncontrolled activities of the manufacturers and merchants of engines of destruction, and it must be met by the concerted action of peoples of all nations.⁹¹

Though his enthusiasm may have waned, Roosevelt's public support for the Nye inquiry continued through the September hearings, despite diplomatic protests from Latin America and Great Britain over the Committee's public disclosures.⁹² Thus, Roosevelt's announcement of plans to authorize a committee headed by Bernard Baruch and General Hugh Johnson, to examine the same war profits area to which the Nye investigation was now turning, can only be interpreted as an attempt to undercut the investigation.

Business opinion shared the assessment that Roosevelt's action:

Takes the punch out of the inquisition by the two Republican Senators, Nye and Vandenberg, steals the show, saves the War and Navy Departments some embarrassment regarding their relations with munitions makers and forestalls the Senate committee's recommendation for nationalization of the industry.⁹³

The American public, apparently sharing a similar assessment, but suspicious of FDR's motives and fearing that this move signalled an attempt to gag the Committee, responded by writing "150,000 letters" urging a continuation of the inquiry.⁹⁴ Recognizing that Nye had public opinion

solidly behind him on this issue, Roosevelt capitulated by offering Administration backing for efforts to secure the appropriations necessary to continue the investigation in 1935.⁹⁵

The magnitude of the public response to FDR's maneuvering was in many ways comparable to the response to Coughlin's World Court broadcast. And yet, it is worth noting that a majority of those Americans who responded most certainly shared the pacifist/liberal beliefs which would have made them favourably disposed towards the Court. Thus, the fact that these proven "letter writers" did not respond to Mrs. Roosevelt's plea is a further measure of the "wishy-washiness" of pro-Court public opinion. More importantly, it is persuasive evidence that, through the munitions investigation, Senator Nye was building a national constituency.

After the controversy between Nye and FDR passed, things remained relatively quiet until after the defeat of the World Court Protocols when the investigation turned its attention to America's shipbuilders. This phase of the investigation presented a rather curious problem. For once the Committee uncovered credible evidence of wrongdoing, but in this instance failed to follow it up.

Before the hearing actually began, Raushenbush and his staff had uncovered considerable circumstantial evidence which suggested that Bethlehem Shipbuilding

Company, Newport News Ship, and New York Ship had not competed very strenuously when tendering bids for Navy contracts. For example, during the period 1928-30, each company received an almost identical dollar amount of Navy business.⁹⁶ There was also the curious behavior of Newport News which, despite a 34% profit on its 1927 cruiser contract and no increase in costs, raised its 1929 cruiser bid by nearly half a million dollars.⁹⁷ This decision allowed Newport News' competition to win Navy contracts despite submitting bids which were nearly \$100,000 higher than the previous year.⁹⁸

Once the actual hearings began the committee was able to do even better. Testimony revealed that in 1933 the Roosevelt Administration had decided to silence naval preparedness groups and stimulate employment by authorizing the Navy to take one quarter of a billion dollars from the Public Works Administration budget and use the money to build up a fleet.

The Administration intended that the Navy expend these funds in accordance with the spirit of the PWA. It determined that the work be distributed widely. It did not intend that a few shipbuilding firms win most of the contracts, even though a few might submit the lowest bids.⁹⁹

For obvious reasons this decision was to be kept secret. Nonetheless, when the Navy opened the bids in 1933, they were all much higher than expected.¹⁰⁰ In one example,

Bethlehem Shipbuilding which only six months earlier had offered to build a heavy cruiser for \$8,196,000 now bid \$11,720,000.¹⁰¹ Its "competitors" behaved in a similar manner. Lawrence Wilder, an executive with the New York Shipbuilding Company, testified that he had heard rumors that the Navy was so displeased that it considered rejecting all the bids and building the ships in its own yards when FDR stepped in and persuaded the Navy to accept the high bids.¹⁰²

Next, John Frey, President of the Metal Trades Department of the American Federation of Labour, testified that before the bids were opened, Wilder had boasted that he could "name the lowest bidders on all contracts" and to prove it, he gave Frey a sealed envelope containing his predictions -- which when opened in the presence of witnesses proved totally accurate.¹⁰³ After the bids were opened, Wilder himself wrote a letter to Senator Tramell of Florida charging that the bidding had been rigged.¹⁰⁴ A letter subpoenaed from the New York Shipbuilding files indicated that the Navy had approached Clinton Bardo, company president, and "expressed to us the desire that the builders themselves should get together and agree as far as we could upon what each would bid and then bid on nothing else".¹⁰⁵ Finally, when Bardo testified he conceded that the shipbuilders "had reached an understanding before the 1933 bidding".¹⁰⁶

However, after pursuing their inquiry this far the Committee let matters die.

Neither Wilder nor Bardo were questioned about the possibility of collusion during the period 1927-1932. Indeed, in a curious departure from form, no one on the Committee even challenged the ethics of this practice. Although Senator Vandenberg presented legislation to prevent this sort of practice in the future, it died a quiet death in committee.¹⁰⁷

Wiltz is unable to explain why the Nye Committee suddenly lost its killer instinct once it had a confession of genuine criminal activity. However, there is a straightforward explanation. First, Bardo's confession did not come until April 5, 1935 when Nye, Clark, and Raushenbush were devoting all of their efforts to promoting their plan to tax the profits out of war. Arguably, they perceived the goal of this campaign as more important than saving the taxpayers a few dollars. But more importantly, collusion did not fit the merchants of death stereotype. Indeed, if shipbuilders could enrich themselves in this manner they might not need to promote wars. Senator Nye shared the National Council for Prevention of War's belief that "our shipbuilders are probably our most aggressive and sinister propagandists for a policy of competitive naval building even if it means war".¹⁰⁸ Consequently the investigation squandered valuable time and energy in a futile attempt to

prove this thesis.¹⁰⁹

From the very beginning both peace activists and the American Legion had hoped that an investigation would lead to legislation which would take the profit out of war. On February 15, 1935, during a national radio broadcast, Senator Nye struck the first blow of the battle to win public support for this objective. Summarizing the now familiar litany, Nye warned that "munitions racketeers" threatened the very peace of the world.¹¹⁰ Investigation had shown that in the name of profit, munitions interests "planted war scares" to increase military appropriations, orchestrated "efforts to upset disarmament and arms control plans in international conferences" and generally stoked the "fires of hate, fear, and suspicion among people and nations".¹¹¹ Obviously the "munitions racket" posed such an enormous threat that drastic remedial steps had to be taken. Nye warned that Americans should not be lulled into inactivity by:

A general opinion that the only adequate approach to the problem presented in the munitions industry is by international agreement. With this opinion I strongly differ. I believe that it is primarily a domestic problem and that we in America should tackle it irrespective of what other nations do.¹¹²

Nye announced that by early April, his committee would be ready to recommend the sort of strong medicine necessary

to control the munitions industry and their reckless pursuit of profit which threatened the future peace.

This address marked an important turning point in Nye's behavior outside of the hearing rooms. Up to this point Nye's strategy appeared to have been to attack the merchants of death as a means of creating a favourable impression of himself and of the munitions investigation. In his speech, Nye clearly intended to do more than arouse his audience to anger, he attempted to forge his audience into a political force which he hoped would be capable of dramatically changing the status quo in the United States. It also marked the beginning of Nye's effort to assert his leadership over America's peace movement.

The next act of the Nye Committee's campaign to promote their war profits proposals began on March 15. On this date John Flynn, a member of the munitions investigation's advisory panel, took the stand to present a comprehensive war profits proposal which was representative of the views held by Senators Nye and Clark and Chief Investigator Raushenbush.

There were three major components to Flynn's plan. First, Flynn urged that with a declaration of war the government would automatically impose a 97% tax on all corporate and individual incomes exceeding \$10,000.¹¹³ Such an exorbitant tax would remove the profit motive from

war and would thus represent an incentive to protect the peace. It would also enable the nation to pay for the war as it was fought and possibly eliminate the depression which everyone "knew" inevitably followed wars. This aspect of Flynn's plan was virtually identical to the Nye amendment which had launched the munitions investigation one year earlier.

The second major component of Flynn's plan called for the wartime conscription of management. Flynn argued that with the outbreak of war the managers of American industry should be subject to the draft as were all other Americans. However, rather than serving in the Army as foot soldiers, Flynn suggested that these men serve as the officers in the industrial-management forces of the Army.¹¹⁴ This proposal was meant to equalize the burdens of future wars to the satisfaction of the American Legion and was similar to legislation proposed a month earlier by Senator Clark.¹¹⁵

The final component of the Flynn proposal called for the suspension of the Fifth Amendment during wartime, so that the government would have the "power to confiscate capital, should capital refuse to cooperate on government terms".¹¹⁶

Once Flynn completed his testimony Bernard Baruch was given the opportunity to present his alternative which

was essentially embodied in the McSwain Bill already before the House of Representatives. Baruch's plan was based on the idea that as soon as war broke out the President should set price ceilings based on peacetime prices and establish some sort of special authority to make any necessary adjustments.¹¹⁷ In order to control profits, Baruch suggested that Congress tax all profits exceeding the peacetime average at a higher than normal rate.¹¹⁸ To nobody's surprise, four days after Baruch completed his testimony, the Nye committee issued a statement supporting the Flynn plan.

However, by the time the Committee had made its recommendations, the McSwain Bill, embodying the ideas of Bernard Baruch, had cleared committee and was scheduled for consideration by the House. Although Senators Nye and Clark and their domestic allies had been campaigning for some sort of radical legislation since February, fate did not provide the spark to unleash the elemental forces of public opinion. While their still growing national audience was both suspicious and resentful of America's munitions magnates, the Flynn proposals were too radical a mix of fascism and socialism to have a broad national appeal. Many Americans favoured some degree of political experimentation during the 1930's, but they were nonetheless sobered by Baruch's admonition "that modern war and threatened national destruction, when the fate of the people, as at no other time, depends on the efficient

operation at high speed pressure, of its industrial system, is not the moment to select to switch from the fundamental base of our economic system to a new and wholly experimental system".¹¹⁹ Consequently, there was no pressure on FDR to get behind the Flynn formula, and so the Administration sat by (tacitly approving) while the House approved the McSwain Bill.¹²⁰

When the McSwain Bill reached the Senate, Nye amended it to conform closely with the Flynn formula. The Military Affairs Committee even reported favourably on the Nye version. However, the Administration succeeded in bottling up the amended version in the Finance Committee.

The Munitions Committee had been unable to organize an effective opposition to the Baruch plan in the House, but Nye and Clark had more than enough support to block passage in the Senate. In fact, Wiltz argues that even after the McSwain Bill was approved by the House, the Committee alternative:

Might have passed had it won the support of the White House, but Administration hostility towards radical war profit programs remained. The Administration believed the profit motive so basic to the American system that curtailment would jeopardize any war effort. It had approved the original McSwain Bill, but lacked the strength in the Senate to¹²¹ override the Nye-Clark group.

The campaign for "war profits" legislation had reached a

final impasse. Nye and his supporters controlled the Senate. The President held sway in the House. But more importantly, by May of 1935 the American people were losing interest in this issue. As war clouds gathered over eastern Africa, public interest in the hypothetical war profits debate waned as determination to avoid any involvement in another European war waxed.

With regard to this phase of the investigation John Wiltz concludes that:

Some writers have left the impression that in munitions control, war profits, and neutrality the Committee provided national leadership during the mid-thirties. Leadership assumes a following. While the Committee stimulated the national desire for peace, it seldom won support for proposals. War profit removal and industrial mobilization provided one of several illustrations of this failure.¹²²

There are two flaws in this line of reasoning.

First, it is insensitive to the fact that from the start the pacifist lobby, the American Legion, and even public opinion exercised considerable influence on the munitions investigation. For example, the munitions investigation did not create or stimulate the public's desire for peace, rather, its birth was the political consequence of the public's expression of this desire. Though it is true that Senator Nye tried to assert his personal leadership after February 15, 1935, his domestic

allies were still defining the investigation's goals. With regard to munitions control, war profits, and industrial mobilization issues, the Committee faithfully pursued the objectives of pacifist/liberals and the American Legion. It is arguable that the unwillingness of these groups to dilute their commitment to strong remedies ultimately doomed their campaign; however, this argument places any blame of leadership failure where it properly belongs, on the shoulders of the Washington peace lobby and American Legion.

Wiltz's second mistake is in equating the failure to secure Congressional approval of the Flynn plan with a lack of political following for the Munitions Committee. The Committee's program for industrial mobilization and confiscation of war profits failed simply because it was too radical. However, the fact that a majority of Americans were not ready to endorse the idea of wartime socialism does not prove that the munitions investigation lacked a national following. Between September 1934 and April 1935, the combination of sensationalistic press coverage of the formal hearing and Senator Nye's outside oratory had successfully propagated the message that America's "merchants of death" were greedy, ruthless and a threat to peace. As a result of this exposure, Senator Nye (and to a lesser degree, Senator Clark) was developing a national foreign affairs constituency. The fact that there was such widespread interest in war profits and industrial mobilization reforms can be explained in large measure by the growth

in Senator Nye's political following. Furthermore, once this initiative had failed, Senator Nye was ready to capitalize on the notoriety he had built to forge an even larger coalition of pacifists, liberals, and isolationists in support of Congressional neutrality initiatives.

III

This reexamination of the forces and events leading to the creation of the Special Senate Committee Investigating the Munitions Industry provides additional evidence that public opinion and pressure groups can influence the political behavior of America's foreign policymakers. The idea that the Senate should investigate the arms industry was wholly a nongovernmental initiative. Consequently, this case study helps to dispel the "elitist" notion that even when the American public becomes aroused about an issue or idea, they are simply responding as would marionettes to the machinations of economic and political elites. From the very beginning the munitions initiative was hostile to America's largest and most profitable business interests, and thus, it is ludicrous to even suggest that America's economic elite somehow orchestrated this crusade.

Second, this idea was not only a nongovernmental initiative, but the Senate decision to act on this idea was a clear and unambiguous response to domestic pressure. It

was true that some timely anti-munitions press played a key role in transforming public opinion into a political force, but this only illustrates the potential political muscle which the media can exercise. It does not reduce the influence of "domestic sources" on this decision.

Furthermore, the influence of "domestic sources" did not stop once the special committee was formed. Although Senators Nye and Vandenberg significantly enhanced the political efficacy of the investigation by maneuvering to insure unanimous Senate approval and insuring that the committee would be controlled by friendly Senators, the pacifist lobby and the American Legion exercised an enormous influence over the first twelve months of the investigation. The fact that the inquiry devoted so much effort to proving the "merchants of death" thesis, took every opportunity to portray the captains of America's munitions industry in as unfavourable a light as possible, while never losing sight of the goals of promoting radical war profit and industrial mobilization legislation, is a persuasive indication of this influence. It is necessary to be very clear about the fact that the failure of the interest group coalition to win Congressional approval for legislation embodying the Flynn formula in no way diminishes the fact that nongovernmental actors had exercised considerable influence within the corridors of power up to this point. Indeed, if one takes into account the radical nature of the proposed legislation, the fact that this coalition

came as close to victory as it did speaks even better of the influence which nongovernmental actors can wield within the policy process. In fact it is far from certain that, if this coalition had been willing to soften the more authoritarian aspects of its industrial mobilization proposal, punitive war profits legislation might not have won Congressional approval.

Nonetheless, it is far from clear that evidence of nongovernmental initiative and influence necessarily enhances the plausibility of a "democratic consensus hypothesis". The movement within Congress to reassert its foreign affairs authority began during the debate over the Treaty of Versailles and the League of Nations. As was discussed in Chapter 4, this movement was not primarily a response to public dissatisfaction with President Wilson's foreign policy. (Although it was partially a reflection of the breakup of the tenuous consensus supporting a more activist internationalism which emerged from the Spanish American War.)

The same thing can be said about the increasingly important role which the Senate played in foreign affairs during the 1920's. Isolationist Senators were defending ideas and principles whose public appeal was growing, but there is little evidence that they were doing so in response to public pressure. Accordingly, while this case study offers more evidence that the influence of "domestic

sources" is positively correlated to active Congressional participation in foreign policy making, it provides no evidence that the historical variation of Congress' foreign policy role can be explained as a democratic response to the concerns of the American people.

In fact, the nongovernmental influence indentified in this chapter can be explained quite easily within an opportunity framework. Certainly the factors leading to the Senate's decision to create a special investigating committee were not all that different from those leading to the defeat of the World Court Protocols. In each case there is evidence that the Senate's decision was influenced by a well organized nongovernmental coalition which genuinely represented majority public opinion on a specific issue. Secondly, although the pro-Court lobby and the pacifist/American Legion coalition failed to realize their ultimate political objectives, both exercised a significant amount of influence to get their proposals on the foreign policy agenda. This sort of partial influence is much easier to conceptualize as part of a noncausal explanation of the hypothesized correlation.

CHAPTER 6 - FOOTNOTES

1. John E. Wiltz, In Search of Peace: The Senate Munitions Inquiry (Baton Rouge: Louisiana State University Press, 1963), pp.3-4.
2. Lenin on Politics and Revolution, ed. James E. Connor (New York: The Dobbs-Merrill Company, 1968), pp. 130-39.
3. Wiltz, In Search of Peace, p. 5.
4. Ibid., p. 6.
5. Baker, The American Legion and American Foreign Policy, p. 215.
6. Ibid., p. 120.
7. Ibid., p. 216.
8. Ibid.
9. The leadership of the Wilsonian wing of the peace movement was not nearly so confident the meaningful progress on disarmament was possible until nations became more confident that collective security constituted an effective substitute for a well-equipped army and navy; however, they consistently supported disarmament proposals emanating from the more "idealistic" wing of the American peace movement. For a more detailed discussion of the peace movement's position on this issue, see: Robert E. Bowers, "The American Peace Movement 1933-1941", (Ph.D. Dissertation, University of Wisconsin, 1947), Chapter 4.
10. NCPW press release quoted by Wiltz, In Search of Peace, p. 16.
11. Ibid.
12. Dorothy Detzer, Appointment on the Hill (New York: Henry Holt and Company, 1948), pp. 145-50.
13. Wayne Cole, Gerald P. Nye and American Foreign Relations (Minneapolis: University of Minnesota Press, 1962), p. 66.
14. Detzer, Appointment on the Hill, pp. 150-155.

15. Memorandum of conversation between Joseph Green and Senator Nye, January 18, 1934, State Department File 811.113, National Archives, Washington, D.C.
16. Congressional Record February 18, 1934, p. 2153. Detzer, Appointment on the Hill, pp. 157-58.
17. Devine, Illusion of Neutrality, p. 65.
18. Detzer, Appointment on the Hill, p. 159.
19. Congressional Record, March 12, 1934, pp. 3783-84.
20. Helmuth C. Englebrecht and Frank C. Henegan, Merchants of Death: A Study of the International Armament Industry (New York: Dodd, Mead and Company, 1934), George Seldes, Iron, Blood, and Profits: An Exposure of the World-Wide Munitions Racket (New York: Harper Brothers, Publishers, 1934) for scholarly assessment of the content of these exposes see Wiltz, In Search of Peace, pp. 19-23, also Devine, Illusion of Neutrality, pp. 64-5.
21. Seldes, Iron, Blood and Profits, p. 13. (my emphasis) Englebrecht and Haneghen, Merchants of Death, p. 9.
22. "Arms and Men", Fortune 9(March 1934): 53-126. Gerald Nye to John Wiltz, August 23, 1960 and Dorothy Detzer to John Wiltz, September 23, 1960 cited in: Wiltz, In Search of Peace, p. 34.
23. "Arms and Men", p. 120.
24. Wiltz, In Search of Peace, pp. 34-5.
25. See FDR Papers, OF78 for examples of broad editorial support of investigation proposal, also, Cole, Gerald P. Nye, p. 70.
26. Detzer, Appointment on the Hill, p. 161.
27. Ibid., p. 160.
28. Ibid.
29. In Detzer's account, Hull is portrayed as enthusiastic about the proposal for an investigation but unwilling to make any commitment public until checking with the White House. (p. 161) Thus, though there is no documentary evidence to the effect, it is virtually certain that Hull checked with FDR before announcing the State Department's endorsement.

30. Cordell Hull, The Memoirs of Cordell Hull (New York: Macmillan Company, 1948) 1: 217-221, 398-399.
31. Ibid., pp. 398-99.
32. Hull and Green's efforts with regard to these objectives are discussed in detail in the next chapter.
33. Congressional Record, April 12, 1934, p. 6472.
34. Ibid., 6473.
35. Ibid., 6483.
36. Ibid., 6485.
37. Wiltz, In Search of Peace, p. 42.
38. Ibid., pp. 43-4. Wayne Cole offers a reasonable alternative explanation for the Committee's sympathy for the anti-merchants of death thesis. "This Committee over represented the agricultural sections of the country and underrepresented urban industry. Five of the seven were from south of the Ohio River and west of the Mississippi. The Northeast and the South were internationalist strongholds, but only two of the seven members came from these sections. Cole, Gerald P. Nye, p. 71.
39. Detzer, Appointment on the Hill, pp. 164-166.
40. Wiltz, In Search of Peace, p. 50. Wiltz's interview with Raushenbush is the likely source of this information.
41. Ibid. This biographical data located: Munitions Committee Records, General Subject File, Box 20.
42. Congressional Record, June 24, 1935, pp. 9954-56.
43. Detzer, Appointment on the Hill, p. 168.
44. Ibid.
45. Wiltz, In Search of Peace, p. 51.
46. Ibid., p. 50. It is interesting to note that when interviewed, Raushenbush told Wiltz that the Senators "took such an active role in preparing themselves for questioning of witnesses and in discussing the meaning of all the material that it was unusually a Senate Committee rather than a researcher's committee".

Nonetheless, apparently, based on interviews with Nye and Pope, Wiltz adopts a position very close to Detzer's (p. 169) that "so important was the secretary's role that one might contend that the name Nye Committee was a misnomer" p. 49. Although there is no mistaking Raushenbush's influence, Wiltz here makes the mistake which he repeats through the study of almost totally ignoring the importance of Senator Nye's statements, outside the hearing room, with regard to the public's impression of the investigation.

47. C. David Tompkins Senator Arthur H. Vandenberg: The Evolution of a Modern Republican (East Lansing: Michigan State Press, 1970), pp. 123-24.
48. Ibid., p. 124. Tompkins notes that Vandenberg supported the Court despite strong pressure from home. Coughlin's radio broadcast originated in Detroit and Vandenberg received a healthy dose of anti-Court telegrams.
49. Ibid., p. 125.
50. Wiltz, In Search of Peace, p. 44.
51. Ibid., p. 43. Tompkins, Arthur H. Vandenberg, p. 126. Munitions Industry: Report on Government Manufacture of Munitions, Senate Report 944, Part 7, (Washington: Government Printing Office, 1936), p. 17.
52. Wiltz, In Search of Peace, pp. 42-3.
53. Ibid., p. 43. Despite his philosophical opposition, Clark enlisted in the army. Consequently, he was always especially outraged when someone might suggest that patriotism alone was not adequate motivation for serving one's country in time of war. For example, see Munitions Hearings (December 21, 1934).
54. Cole, Gerald P. Nye, pp. 10-13. It is clear from this comparison that Cole has considerably more sympathy and respect for Bryan's populist idealism.
55. Cole, Gerald P. Nye, p. 9.
56. Ibid., pp. 28-30.
57. Ibid., p. 9.
58. Wiltz, In Search of Peace, pp. 53-58.
59. Nye Memorandum, July 24, 1934; Munitions Papers, Executive File, Box 156.

60. Nye to Wiltz, 1958 Interview. Nye supplied this information about his "motives" in his first interview with Wiltz. Cited In Search of Peace p. 72.
61. Ibid., p. 74.
62. Ibid.
63. New York Times August 28, 1934, p. 15. (my emphasis).
64. Ibid.
65. New York Times August 29, 1934, p. 11. Wiltz, In Search of Peace, p. 77.
66. New York Times September 1, 1934, p. 12.
67. Basil Collier, Arms and the Men (London: Hamish Hamilton, 1980) p. 176-77.
68. Wiltz, In Search of Peace, p. 76.
69. Ibid.
70. Ibid., p. 78. Also: New York Times September 17, 1934, p. 18.
71. Wiltz, In Search of Peace, pp. 79-81.
72. From September 5 through September 22, the New York Times reports numerous stories relating the outrage of Latin American officials over committee's disclosures of bribery..
73. Wiltz, In Search of Peace, p. 84.
74. Ibid., p. 98.
75. Ibid., pp. 87-88.
76. Ibid., p. 90. The fact that this testimony came on the last day of this set of hearings was not likely accidental. Nye and Raushenbush probably wanted to leave the impression that in the case of Lake Erie Chemical, they had merely uncovered the tip of the iceberg. See: New York Times September 22, 1934, p. 18 for editorial support of this analysis.
77. Ibid., p. 98.
78. Ibid., p. 99.
79. A reporter for the New York Times described the

first week of hearings as a "media circus", New York Times, September 9, IV, p. 4.

80. Devine, Illusion of Neutrality, p. 75.
81. Ibid.
82. "Should Governments Exercise Direct Control of Munitions Industry", Congressional Digest (November 1934). On Nye as a Presidential hopeful; see: Cole, Gerald P. Nye, pp. 133-34.
83. New York Times, November 13, 1934, p. 3.
84. New York Times, July 8, p. 21, August 23, 1934, p. 1, September 11, 1934, p. 10.
85. The confrontation over Old Hickory Munitions Plant is a perfect example. See Munitions Hearing (December 14), Part 14, pp. 3222-3300. New York Times, December 15, p. 1.
86. Wiltz, In Search of Peace, p. 122.
87. Munitions Hearings (December 14), Part 14, 3222.
88. For example, Munitions Hearings (December 12), Part 12, pp. 2709-10.
89. New York Times, December 13, 1934, p. 1.
90. Devine, Illusion of Neutrality, p. 67.
91. Congressional Record, May 18, 1934, p. 9095.
92. New York Times, September 8, 1934, p. 4.
93. "War Profits" Business Week (December 22, 1934), p. 22.
94. New York Times, December 26, 1934, p. 16.
95. Ibid.
96. Wiltz, In Search of Peace, p. 101-2.
97. Ibid., p. 102.
98. Ibid.
99. Ibid., p. 104.
100. Ibid.

101. Ibid.
102. Ibid., p. 105.
103. Ibid., p. 105-6.
104. Ibid., p. 106.
105. Ibid.
106. Ibid., p. 108.
107. Tompkins, Senator Arthur H. Vandenberg, p. 126.
108. "You Must Curb Shipbuilders, Mr. President", Peace Action (June, 1934) 1: 2 quote from Wiltz, In Search of Peace, p. 100.
109. Wiltz, In Search of Peace, pp. 109-114.
110. February 14, 1935 Radio Address by Senator Nye, Munitions Committee Records, General File, Box 150.
111. Ibid., pp. 1-3.
112. Ibid., p. 1.
113. Wiltz, In Search of Peace, p. 133.
114. Ibid., p. 135.
115. Ibid.
116. Ibid., p. 136.
117. Ibid., p. 138.
118. Ibid.
119. Ibid., p. 139.
120. Congressional Record, April 9, 1935, pp. 5325-26.
121. Wiltz, In Search of Peace, pp. 143-44. Wiltz also notes poignantly that "there has lingered a myth that Roosevelt was a radical of the Left who missed no opportunity to move America towards socialism. Had he been so inclined he would have thrown support to the Flynn plan with its provisions for virtual socialization of the economy in war". (145).
122. Ibid., p. 145.

CHAPTER 7: THE 1935 CONGRESSIONAL NEUTRALITY INITIATIVE

A nation and its leaders must choose between moral certainty coupled with exorbitant risk, and the willingness to act on unprovable assumptions to deal with challenge when they are manageable.¹

On August 1, 1935 President Roosevelt signed into law legislation which radically altered America's traditional neutrality policy. Although the scope of this legislation was broadened in 1936 and 1937, this first piece of neutrality legislation forbidding the sale of all arms and ammunition to all participants in any future war, constitutes Congress' most important foreign policy initiative of the interwar era. The goal of this chapter will be to analyze the contribution which domestic factors made to the success of the isolationist initiative. An attempt will also be made to determine whether a "partisan mobilization hypothesis" represents a plausible explanation of the relationship between the Congressional leadership on this issue and domestic groups and opinion which supported isolationist neutrality revision.

The chapter is divided into three sections. The first section begins with a brief review of the political history of neutrality revision proposals between 1927 and 1934. It discusses the extent to which the leading role which Senators Nye and Clark played in the munitions investigation enhanced their leadership potential on the

issue of neutrality revision. Furthermore, it analyzes the role which Senator Nye played in building a broad domestic coalition in support of his and Senator Clark's program for neutrality revision.

The second section traces the evolution of the Nye-Clark neutrality program once it was submitted to the Congress. It focuses on Secretary of State Hull's efforts to thwart isolationist neutrality initiatives by bottling them up in the Democratically controlled House Foreign Affairs Committee and the Senate Foreign Relations Committee, and it examines the Nye-Clark response. Finally, it analyzes President Roosevelt's decision to stand aside once Nye and Clark had maneuvered their bill out of committee and through the Senate.

The third section addresses the question of whether a "partisan mobilization hypothesis" represents a promising explanation of the relationship between Congressional leadership and the sources of domestic support for Congressional foreign policy initiatives.

I

During the first 150 years of its existence, the United States consistently followed the neutrality policy which George Washington had adopted with regard

to the wars spawned by the French Revolution. American neutrality policy combined a punctilious political aloofness with a willingness to profit from expanded trade with belligerents. The contradiction between the political and economic dimensions of this policy precipitated the War of 1812 and led to American involvement in World War I. In The Illusion of Neutrality Robert Devine explains Woodrow Wilson's commitment to collective security, in part, as an outgrowth of his failed effort to defend America's traditional neutrality policy between 1914 and 1917.² He also interprets the political confrontation over the Versailles Treaties as the first battle of the long war to revise America's traditional neutrality policy after World War I.³

After the 1920 Presidential election when it became clear that the United States would not soon enter the League of Nations, those Americans who remained committed to the ideal of collective security began to search for a means by which the United States might tacitly cooperate with the League should it ever move to "punish" an aggressor nation. Collective security advocates were unable to identify a suitable mechanism until 1927 when the United States became involved in the Kellogg-Briand negotiation to renounce war as an instrument of national policy. On November 18, 1927, Representative Theodore Burton of Ohio created quite a stir when he announced that he would ask Congress to prohibit the export of

armament or munitions to any nation violating the proposed Kellogg-Briand Treaty.⁴ Discriminatory arms embargoes represented the ideal political vehicle for America's advocates of collective security. This legislation would make it possible to reinforce any collective response the League might make regarding an aggressor state, while it could be wholly justified as one practical way of putting some teeth into a treaty which Americans by and large supported. In Burton's words "there would be a hesitancy in waging war if the United States, with the facilities for furnishing arms and munitions, should establish a policy of refusal to aid an aggressor".⁵

Although Burton's resolution was enthusiastically endorsed by all wings of America's peace movement, the American public demonstrated no interest in this variation on the collective security theme. The combination of public apathy, indifference among officials of the Coolidge Administration, and a growing hostility towards America's arms makers ultimately convinced Burton to revise his embargo resolution so that it would apply equally to all belligerents in the case of a conflict. By January of 1928, Burton stressed that his revised resolution would prevent America's arms industry from profiting from foreign wars.⁶

Even after this change the peace movement provided the only active political support for the Burton

resolution; nonetheless, the volume of letters and petitions from America's peace societies was heavy enough to persuade the House Foreign Affairs Committee to schedule public hearings.⁷ On the other side, both the American Legion and America's munitions industry actively lobbied against the idea of a total arms embargo.⁸ In fact, in the eyes of many American pacifists in 1934, one of the most shocking revelations of the Nye investigation concerned the forcefulness with which representatives of du Pont and Winchester lobbied the War Department in opposition to the Burton resolution.⁹ Once the hearings actually began, Secretary of War, Dwight Davis and Secretary of Navy, Curtis Wilber testified that any embargo legislation would threaten American security by making it more difficult for the nation's armament companies to stay in business.¹⁰ Inasmuch as no one from the peace movement came forward to counter this argument, Wilber's and Davis' argument carried the day, and the Burton resolution died in committee.¹¹

One year later on February 11, 1929, Senator Arthur Capper of Kansas revived the idea that Congress should authorize the President to levy a discriminatory arms embargo against any aggressor nation which violated the anti-war treaty.¹² Unlike Burton, Capper had no illusions that the American people, or Congress, were ready to take this step, but rather, he stated that he hoped to provoke discussion.¹³ Clearly Capper hoped

that the debate over neutrality revision would rekindle public support for Wilsonian internationalism. However, as Robert Devine reports, with the predictable exception of the New York Times, the American press condemned the Capper initiative for raising the spectre of foreign entanglement.¹⁴ "The reactions to the Capper resolution revealed quite clearly the continuing hostility of the American people to measures of collective security."¹⁵

The Burton and Capper neutrality initiatives evoked a much more sympathetic response from the academic community. Indeed by 1930, many of America's experts on international law were convinced that the creation of the League of Nations and the signing of the Kellogg-Briand Treaty had revolutionized international relations. At the annual gathering of the American Society of International Law in 1930, Quincy Wright of the University of Chicago and Clyde Eagleton of New York University delivered papers reflecting the emerging consensus that there was a contradiction implicit in a continued adherence to America's traditional neutrality policy and America's treaty commitment to outlawing war.¹⁶ Eagleton argued that "if we want peace as we have said in the Pact of Paris, we must support peace when the Pact is broken".¹⁷ This line of reasoning was ultimately endorsed by Secretary of State Stimson when he declared:

Hereafter when two nations engage in armed conflict either one or both of them must be wrongdoers -- violators of the general treaty. We no longer draw circles around them and treat

them with the punctilious of the duelists code. Instead we denounce them as lawbreakers.¹⁸

Thus, although some scholars continued to worry about the question of whether it would be practically possible to designate an aggressor with any degree of certainty, most interested scholars were already debating the question of what forms of cooperation or sanctions would be most appropriate for the United States should the international peace be disturbed.¹⁹

During this period Edwin Bourchard of Yale and John Bassett Moore formerly of Columbia were the most prominent defenders of America's traditional neutrality policy. Inasmuch as his colleagues buttressed their arguments for neutrality revision with rhetoric of peace, Bourchard countered by praising traditional neutrality as "a peace preserving institution -- one of the beneficent achievements of a long struggle with barbarism" and solemnly warned that any attempt to enforce the peace would only lead to more frequent wars.²⁰ Neither Bourchard nor Moore believed that the Pact of Paris had in any way reduced the clash of national interests which caused wars; consequently, both of these champions of isolation argued "that only an impartial attitude towards foreign wars would enable the United States to keep clear of entanglement".²¹

Throughout the 1920's Franklin Roosevelt was an

advocate of American membership in the League of Nations and a proponent of collective security. As late as 1929 he publically endorsed the Capper Resolution.²² Consequently, despite his "conversion" to isolationism in 1932, it is not surprising that the high water mark of the discriminatory arms embargo movement came during the first one hundred days of his Administration. In the spring of 1933 the State Department secured House approval of the McReynolds Bill which would have authorized the President to levy the type of discriminatory arms embargo initially proposed by Burton and Capper.²³ However, once Hiram Johnson succeeded in amending the McReynolds Bill so that any arms embargo would have to apply impartially to all belligerents, FDR was put in a position where he would have had to publically endorse the collective security motives of this legislation or let matters die. Not surprisingly, he chose the latter course.

Despite the historic triumph of the Democratic Party in the 1932 election, the showdown over neutrality revision during the first one hundred days of the New Deal, leaves no doubt that the Republican led isolationist bloc in the Senate continued to exercise a strategic veto over any foreign policy legislation of which it did not approve. However, despite the ever growing public acceptance of isolationist jingoism, it is inconceivable that Senators Borah and Johnson could have persuaded the Congress

to enact genuinely isolationist legislative initiatives in 1933.

The differential in constitutional authority between the President and Congress is not enough by itself to justify the dearth of successful Congressional foreign policy legislative initiatives. In order to fully explain this scarcity two additional factors must be considered. First, there is what might best be described as the "legitimacy" factor. In the American political culture "perceived expertise" confers political legitimacy upon public policy proposals. The fact that the President and the State Department are responsible for the day-to-day conduct of foreign affairs combines with their access to superior bureaucratic resources and information to legitimize the Executive's foreign policy initiatives. Under most normal circumstances Congressional foreign policy initiatives lack the legitimacy conferred by "perceived expertise".

Secondly, a substantive foreign policy initiative would clearly be classified as redistributive legislation.²⁴ Given the enormous institutional obstacles facing any redistributive initiative, a broad coalition of public officials, interest groups, and sympathetic segments of the public must be mobilized for a protracted political campaign.²⁵ Even veteran Senators rarely possess the national political stature to forge and hold together such sweeping political coalitions.

Therefore, in order to fully understand the evolution of the isolationist block in the Senate from policy blocker to policy initiator, it will be necessary to discuss how participation in the munitions investigation enabled Senators Nye and Clark to overcome the disadvantages of stature and legitimacy. Unfortunately, most discussions of the contributions of Nye's investigation to the passage of isolationist neutrality revision in 1935 overlook these pivotal considerations.

For example, in Isolationist Impulse and The Illusion of Neutrality, both Selig Adler and Robert Devine confine themselves to emphasizing the contribution which the munitions inquiry made to establishing a favourable public opinion climate for isolationist neutrality initiatives. Adler's analysis is the most difficult to follow. He contends that "much of the information that the Committee unearthed was unquestionably true and shocking" and he implies that this fact alone must have outraged the public's moralistic sensibilities.²⁶ Nonetheless, he disputes the idea that the shock value of these revelations justified the Committee thesis that the irresponsible pursuit of profit by America's munitions and banking establishments was the sole reason for American intervention in World War I.²⁷ In Adler's judgment the Nye investigation popularized an erroneous interpretation of the reasons for American involvement in World War I because Senator Nye:

Was hardly equipped to winnow the mass of evidence, nor was he aware of the dangers of over-simplified interpretations of the complex workings of history. Nye, moreover, was a biased judge for he had long been certain that the country had been lured into war against Germany by grasping moneychangers and unprincipled dealers in weapons ... In 1935 the country was in a mood to give credence to the Nye theory.²⁸

Devine also notes the genuine shock value of some of the discoveries made by the Nye committee.²⁹ However, he places much greater emphasis on the role of the deliberately staged sensationalism surrounding the hearings and the purposeful exaggeration of fact in Senator Nye's public statements in selling the American public "the glib historical doctrine that munitions makers and bankers led the nation into war in 1917".³⁰

In contrast, John Wiltz's In Search of Peace disputes the notion that the munitions investigation was in any significant way responsible for the passage of neutrality legislation. He challenges Adler and Devine's public opinion thesis by arguing that revulsion to the human costs and the political outcome of World War I intensified the American public's traditional moralistic idealism concerning issues of war and peace.³¹ He believes that this predisposition, in and of itself, constituted a favourable opinion climate for isolationist neutrality initiatives. Wiltz also notes that the actual neutrality hearings did not take place until after the first round of

neutrality legislation was approved in August 1935.³²
Only after having elaborated these arguments in detail
does Wiltz concede that:

In an intangible way, to be sure, the munitions investigation contributed to passage of isolationist legislation. The Committee, having pacifist origins, stimulated interest in peace. A passion for peace -- if not for the world, at least for America -- brought the neutrality laws of 1935-37. Then Nye and Clark, the wheel-horses of the Committee, were in the van of individuals calling for legislation similar to that enacted in August 1935. Although not acting in their capacities as members of the Committee, their words had larger effect as a result of the publicity they had received from the munitions inquiry. Their words on how to preserve peace, moreover, carried an aura of authority deriving from their study of one of the factors supposedly disturbing peace.³³

Adler and Devine correctly sensed that the munitions investigation made a positive contribution to the ultimate success of isolationist neutrality initiatives. However, their silence on questions like: How did the munitions investigation influence the opinion climate if formal hearings were not held until after the first neutrality laws were passed and how did a favourable opinion climate translate into Congressional action, undercuts the credibility of their judgements. In fact, Wiltz makes good use of these issues in his attempt to exonerate the Nye committee of at least some of its guilt in precipitating a neutrality policy which was not very highly

thought of during the years immediately following World War II. However, Wiltz's analysis is undercut by his persistent overemphasis of the political significance of the formal hearings.

One of the least recognized but most significant political consequences of any Congressional investigation is that it enhances the reputation of participants as experts concerning the matters under investigation. Thus, by simply playing a high profile role in the munitions investigation, Senators Nye and Clark were able to develop the reputation of expertise necessary to endow their neutrality initiatives with political legitimacy. Without credibility neither their colleagues nor the public would have taken their proposals seriously. Without credibility it is also inconceivable that any Congressman could successfully challenge the President's foreign affairs leadership.

However, the munitions investigation did more than simply establish credibility. By 1935, the publicity surrounding the investigation made both Senators Nye and Clark media celebrities.³⁴ In the case of Senator Nye, the original domestic impetus for an investigation of the munitions trade enhanced audience acceptance of his fiery anti-business populism, and celebrity status assured that his oratory would ultimately reach a national audience.³⁵ Certainly to the extent that the munitions investigation fostered a hospitable public opinion climate for isolationist neutrality initiatives, it was primarily a result

of Senator Nye's efforts outside the hearing room. But, this much is certain, by 1935 the American public perceived Nye and the munitions investigation to be synonymous, and as a direct consequence, Senator Nye possessed the credibility and national stature to exercise the sort of public opinion leadership hypothesized by my partisan mobilization model. Ironically, it was President Roosevelt who presented Nye with the ingredient which had been missing from the anti-merchants of death and war profits phases of the investigation -- an issue which would enable Nye to expand his pacifist/liberal coalition.

In early March Secretary of State Hull warned FDR that the Nye Committee would soon issue a preliminary report urging the nationalization of the arms industry.³⁶ Hull, like Roosevelt, opposed this idea and urged that the President meet with members of the committee and try to persuade them to channel their energies into pursuing an international solution to the arms trade problem. Specifically, he wanted Committee support for a munitions control bill recently drafted by the State Department as well as a renewed endorsement of the 1925 Geneva Arms Convention.³⁷ However, when Roosevelt actually met with the Nye Committee on March 19, 1935, he seemingly ignored Hull's advice. Rather than focusing on the international dimension of the munitions trade issue, FDR invited the Committee to broaden the scope of its inquiry to include neutrality matters. He even went so far as to encourage

Nye to propose legislation restricting the travel of American ships and citizens should war break out abroad.³⁸

Although the campaign for war profits and industrial mobilization reform would not reach its indecisive conclusion for another six weeks, this March 19 meeting arguably marked a decisive turning point in the munitions investigation. During the first year the Nye Committee's principal goal had been to prove the "merchants of death" thesis and to thus promote the pacifist/American Legion agenda for wartime socialism. Through this period the Committee's domestic allies provided a guiding influence. However, after FDR's historic suggestion, promoting a "revisionist" explanation of America's entry into World War I as a means of promoting isolationist neutrality became the primary concern of the Nye Committee. From this point on, the direct influence of the original "domestic sources" of the munitions inquiry began to wane rapidly, and the investigation became a political vehicle enabling Senators Nye and Clark to mobilize public opinion in support of their initiatives.

As with FDR's decision to create the Baruch committee three months earlier, Roosevelt left no hint of why he chose this moment to redirect the energies of the Nye Committee. One logical possibility is that the President hoped to divert energy from the campaign for more radical measures like nationalization and wartime socialism.

Devine suggests that FDR might have become impatient with the inability of the State Department to reach a consensus concerning neutrality revision and hoped that the threat of action by the Nye Committee would force the issue.³⁹ Finally, it is entirely conceivable that having devoted little systematic effort to thinking about neutrality issues, FDR hoped that his suggestion would lead to neutrality revision which, by restricting the latitude of American citizens and economic interests, would increase the President's control over foreign policy in the event of a future war. Whatever his reason, Roosevelt seriously misjudged the mischief which Senators Nye and Clark would create once they had a mandate to revise America's traditional neutrality policy.

To begin with, this suggestion had the unintended effect of offending Senator Pittman, who complained to Hull that neutrality revision fell within the jurisdiction of the Senate Foreign Relations Committee.⁴⁰ While Senator Nye agreed that all neutrality questions not directly related to the export of arms fell within the jurisdiction of Pittman's committee, the damage was done.⁴¹ Pittman, who was at best an unenthusiastic advocate of the Administration's more internationalist initiatives, had been provided an unnecessary excuse to be resentful.⁴² Senators Nye and Clark, who already sat on the Foreign Relations Committee, simply presented their neutrality initiatives in this forum.

While they needed nearly a year of study before endorsing the idea of nationalizing the munitions industry, Nye and Clark needed little time or study to prepare neutrality proposals.⁴³ Participation in the munitions investigation had only strengthened their belief that the unneutrality of American business from 1914 onward made America's disastrous involvement in World War I virtually inevitable. Determined to sit out the next European war, on April 9, 1935, Nye and Clark proposed legislation which was intended to prohibit the repeat of past mistakes.

Senate Joint Resolution 99 would authorize the President to withhold the passports of Americans wishing to travel into a war zone.⁴⁴ Senate Joint Resolution 100 unconditionally prohibited the extension of loans or credits for the purchase of arms, munitions, or contraband to any belligerent government.⁴⁵ The President was to have no discretion in the enforcement of this legislation, save in determining when a state of war existed in the absence of formal declarations. A short time later, Nye and Clark presented an impartial arms embargo resolution to complete their neutrality program.⁴⁶ In language similar to the loan embargo, Senate Joint Resolution 120 would have triggered an automatic arms embargo in the case of a formally declared war, leaving it to Presidential discretion to decide when a state of war existed. Furthermore, this bill would also have prohibited the government from protecting the export of any American goods which a

warring government declared to be contraband.

Once their neutrality initiatives were before the Congress, Nye tackled the task of mobilizing domestic support. With the exception of the Women's International League, groups in the radical wing of the peace movement (eg. the National Council for Prevention of War and the Federal Council of Churches) had traditionally endorsed the discriminatory embargo proposals favoured by the collective security wing.⁴⁷ Nye hoped to persuade radical pacifists that the American public would continue to be hostile to even the mildest forms of collective security or international cooperation, and thus, isolationist neutrality legislation represented the most politically viable peace strategy. Therefore, when Frederick Libby accepted this rationale and reversed the traditionally internationalist NCPW's policy on neutrality revision, it was a harbinger of the coming alliance between pacifist and isolationist segments of public opinion.⁴⁸

Encouraged by the crack in pacifist support for collective security, on May 27 Nye and Clark presented the case for isolationist neutrality revision to the National Peace Conference.⁴⁹ In his address "Profiting from Experience" Senator Nye managed to both synthesize and harmonize a "materialist" analysis of international relations with the rhetoric of contemporary isolationism. Nye's aim was to arouse liberals and pacifists who were outraged by the merchants of death disclosures. But his

rhetoric was meant to be equally appealing to idealistic populists and isolationist conservatives. "Profiting from Experience" represented as eloquent and persuasive a formulation of the case for neutrality legislation as can be found. It epitomized the sort of logic which united a majority of the American people behind a concrete foreign policy program until at least the fall of France, and thus, it merits detailed consideration.

Nye began by stating the widely shared premise that the "world is bound to have more armed conflict" and therefore it was in the best interest of all pragmatic Americans (both pacifist and isolationist) to seek "ways of keeping America out of it".⁵⁰ To anyone willing to accept this premise Nye promised that "America can avoid being dragged into a repetition of other days if America but possesses the intelligence to permit experience to be its light".⁵¹

After an unusually restrained reminder of how much America's businessmen would profit from a future war if left to their own devices, Nye launched his discussion of the origins of World War I with a warning.⁵²

If the peoples of the world are told again that the next war is a political war for the noblest possible ideals, those same people will be the ones to suffer not only during the war, but also when the war is over and the peace is signed on the basis of the crude, economic struggle.⁵³

As evidence Nye cited no less an authority than President Woodrow Wilson who confessed in a 1919 speech that the last war was "in its inception a commercial and industrial war. It was not a political war."⁵⁴ Having thus Americanized the Left's classic formulation of the cause of the war, Nye harmonized it with a classic isolationist theme:

There are many who have tried to keep us from being involved in entangling foreign political alliances. But since wars are for economic causes basically, it is important to avoid becoming involved in entangling foreign economic alliances.⁵⁵

Having made this connection, Nye completed his argument by relating some of the Committee's more disturbing discoveries concerning the economic relationship between American business and the Allies from 1914 to 1917. He began by noting that American trade with the Allies quadrupled between 1914 to 1916.⁵⁶ He demonstrated that increased trade had a favourable impact on corporate profitability:

In the years 1911 to 1913, American corporations reported net profits in the income tax returns averaging \$4,100,000,000 a year. Through 1914 to 1916, this average increased to 5,900,000,000.⁵⁷

Finally, Nye revealed that once France and England had exhausted their monetary reserves, American bankers led by the infamous J. P. Morgan extended billions of dollars worth of credit so that war purchases might continue.⁵⁸

In an effort to illustrate how America's business dealings complicated the nation's political relations, Nye quoted a dispatch from America's German ambassador which emphasized the point that America's "unneutral" trade relationship with the Entente was alienating the German government.⁵⁹ Finally, as a coup de grace, Nye quoted a 1917 dispatch from Walter Paige, America's ambassador to England, which warned that the British and French governments would have to stop buying American products and thus trigger a depression in the United States unless a new source of credit could be found.⁶⁰

I think that the pressure of this approaching crisis has gone beyond the ability of the Morgan Financial Agency for the British and French governments. The need is becoming too great ... Perhaps our going to war is the only way in which our present preeminent trade position can be maintained and panic averted.⁶¹

It is worth noting that while Nye presented a much more concrete and coherent indictment of American business as war conspirator than was characteristic of his speeches since September 1934, this speech is relatively free of anti-business rhetoric. Because the Nye-Clark neutrality program fit comfortably into the liberal tradition of muting the excesses of capitalism through government regulation, there was, perhaps, no longer any need to justify radical action with inflammatory rhetoric. Whatever the reason, the final section of this address was

a rather dispassionate account of how the Nye-Clark neutrality program would prevent a repeat of 1917:

Senate Joint Resolution 99, 100 and 120 constitute a sturdy effort to make American peace more secure. They may not alone keep us out of war, but experience dictates that this added strength to our neutrality policies in those years leading up to our entry into the World War would probably have saved us from the frightful consequences which have since followed.⁶²

Having thus made his case, Nye closed with a stirring populist appeal for democratic action.

I am sure that upon such questions as those involved in the Resolutions which we have discussed the Congress will give ready cooperation provided the American public shows a care about the subject. Thus, the challenge is up to the people, up to you, and if you will make the most of it, you will find a number of us doing our part to see to the accomplishment of this kind of legislation before the Congress adjourns. Isn't it time for legislation now? Indeed it is, and the people ought to answer. But that answer must be made soon or we may find ourselves in a situation where it is too late to make a considered national answer.⁶³

The response to Nye's address among the pacifist community was both positive and immediate. Less than a week later, the National Peace Conference endorsed neutrality revision as a practical step to dramatically reducing the risk of American entanglement in a foreign war.⁶⁴ In early June the traditionally internationalist Federal

Council of Churches made a similar move.⁶⁵ Although each of these endorsements expressed some ambivalence about abandoning efforts to promote international cooperation for peace, an overwhelming majority of peace activists worked on behalf of the Nye-Clark neutrality initiatives during the summer of 1935.⁶⁶ Those elements of the peace movement which were openly committed to American membership in the League of Nations were the only ones immune to Nye's appeal.⁶⁷ However, by the summer of 1935 the League of Nations Association, Carnegie Endowment for International Peace and the National World Court Committee were voices in the political wilderness isolated by conviction from both their former allies and from the American public.

Fear of another European war and resignation with regard to the depth of public isolationism might have ultimately persuaded the pacifist community to abandon its support for discretionary embargoes; however, it is inconceivable that this policy reversal would have come about so quickly in the absence of Senator Nye's leadership. Once Nye had persuaded his munitions investigation constituency that an honest, impartial neutrality policy would preclude American's bankers and munitions makers from profiting from, and thus entangling the nation in, another European war, the difficult phase of his coalition building was complete. The pacifist community would prove

to be enthusiastic converts and capable domestic allies -- if for no other reason than the message of "Profiting From Experience" was more universally acceptable than those of earlier disarmament and anti-war profits campaigns.

The public response to Father Coughlin's anti-World Court appeal illustrates how suspicious Americans had become of anything which might entangle the United States in European power politics. By 1935 years of Anti-European agitation in the isolationist press had combined with the anti-business message of the munitions inquiry to favourably predispose the public to the Nye-Clark neutrality program. Americans wanted to believe that remaining at peace, no matter the cost, was the best safeguard of America's moral, economic, and political interests. Nye had good reason to be confident that, should the need arise he could tap the same elemental force which Coughlin had so successfully exhorted only a few months earlier. However, in order for this to be necessary, Nye and Clark would have to free their neutrality initiatives from the Senate Foreign Relations Committee.

Somewhat surprisingly, Secretary of State Hull, who is often criticized for being overly timid and generally ineffective with regard to his handling of the isolationist Senate, led the only effective behind the scenes opposition to the Nye-Clark neutrality initiatives. After the

Administration's unsuccessful discriminatory embargo initiative in 1933, the proponents of both discriminatory and impartial arms embargoes had been warring within the State Department.⁶⁸ Neutrality revision not being a high personal priority, Hull seemed to be content to allow the bureaucratic struggle to run its course. However, once Nye and Clark introduced the first two planks of their neutrality program, Hull began to side with those opposing a departmental endorsement of the Nye-Clark program.⁶⁹ On April 10, Hull met with FDR and tried to cool any Presidential enthusiasm for neutrality legislation. He warned that the inevitable debate over this exceedingly complex issue would surely threaten the Administration's ambitious agenda for domestic reform.⁷⁰ He repeated this warning in an April 11 memorandum dealing with all phases of the munitions investigation. He advised the President to "refrain from committing yourself to the support of any specific legislation at this time".⁷¹

In his memoirs Hull relates that he had opposed isolationist neutrality revision because it would preclude the United States from playing any sort of moderating diplomatic role in the coming international crises.⁷² While there is no evidence to be found in Hull's official correspondence to indicate that Hull was quite this prescient, his actions bespeak determined opposition. However, facing growing Congressional sentiment for some

form of isolationist neutrality reform, Hull chose a strategy of procrastination and delay rather than confrontation.⁷³

As long as Roosevelt did not publically commit himself, there was a realistic possibility that Hull could enlist the aid of Chairman McReynolds of the House Foreign Affairs Committee and Senator Pittman to keep neutrality legislation bottled up in committee until Congress had exhausted itself in the fight over domestic matters. In fact when McReynolds sought Hull's advice on how to handle the neutrality issue, he dispatched Joseph Green, who was the Department expert on the international arms trade and a strong advocate of discriminatory arms embargoes, to advise McReynolds that his committee should not act until the neutrality question had been more thoroughly studied.⁷⁴ Hull thought he had a similar arrangement with Pittman.⁷⁵

Nonetheless, on June 26 the Senate Foreign Relations Committee reported favourably upon Senate Resolutions 99 and 100.⁷⁶ At this point Hull asked Norman Davis, who had represented the United States at the Geneva Disarmament Conference and was a leading advocate of collective security, to talk to Pittman in an effort to persuade him to recall these measures.⁷⁷ Although Davis later reported that his mission had been a success, when FDR met with Pittman on June 29, Pittman was unwilling to cooperate.⁷⁸ In the meantime, McReynolds interpreted

Pittman's action to mean the Administration no longer opposed neutrality legislation and on July 3 the House Foreign Affairs Committee reported out the Kloeb Bill (a bill virtually identical to S.J. 100).⁷⁹ Hull immediately contacted McReynolds and reiterated his opposition to all neutrality legislation and secured a promise that McReynolds would prevent the House from voting on the Kloeb Bill.⁸⁰ Having shored up one flank Hull met with Pittman on July 8 and persuaded him that S.J. 99 and 100 represented only a partial solution to the neutrality problem.⁸¹ In return for Hull's promise to appear before the full committee on July 10, Pittman promised to ask that S.J. 99 and 100 be recalled.

When Hull appeared before the committee, he continued his delaying tactics presenting the now standard argument that due to the complexity of neutrality issues, further study was necessary.⁸² Despite both Nye and Clark's objections that impending war in Africa required speedy action, the Foreign Relation Committee voted to recall S.J. 99 and 100.⁸³

Hull's performance dispelled any lingering misconceptions that FDR spoke for a unified Administration when he had endorsed neutrality revision in the spring. In a July 10 letter, Raushenbush argues that:

The Administration, in the case of a European war this fall, prefers to have no legislation, that is, to have a free hand on the part of the

President, to get us in or keep us out of that war. . . . the State Department does not think the people of the country are interested in this matter and therefore, it can handle this situation in an arbitrary fashion.⁸⁴

However, rather than being dispirited, Nye and Clark began to plan for an open confrontation. William Stone, a friend of Raushenbush's who had contacts in the State Department, had warned Nye through Raushenbush that if pushed, Hull would pursue the politically unpopular course of recommending that the President be given total discretion with regard to deciding which nations would be embargoed.⁸⁵ At Stone's suggestion, Nye and Clark prepared to combat this possibility by organizing Senate isolationists to speak one hour a day on behalf of the principle of strict or impartial neutrality.⁸⁶

In response to this threat, the Foreign Relations Committee created a subcommittee made up of Senators Pittman, Borah, Johnson, Robinson and Connolly, to draft a comprehensive neutrality bill.⁸⁷ Nye agreed to postpone debate as long as the subcommittee made progress.⁸⁸ This decision effectively put an end to the State Department's ability to stall. As a consequence, Joseph Green drafted the State Department's neutrality response which deleted all reference to loan embargoes and made arms embargoes discretionary.⁸⁹ On July 22 Hull and Undersecretary of State William Phillips put this package before the President and Hull reports that he endorsed it.⁹⁰ If this was true, it was not a strong endorsement, for

Roosevelt was not yet ready to commit himself publically. In a July 24 press conference, the President purposefully sidestepped a direct question regarding this issue; and in a July 23 letter to Representative Fred Sisson of New York, Roosevelt endorsed neutrality legislation in general, but implied that a full legislative calendar might preclude action this session.⁹¹

Phillips and Davis were assigned the task of selling the State Department program to the Foreign Relations subcommittee. During their appearance they abandoned earlier arguments linking discriminatory embargoes with collective security and stressed that their program provided the flexibility necessary "to enable our Government to deal with changing conditions and to shape its course according to the varying and unforeseen situations with which ... it will doubtless be confronted".⁹²

Once the State Department had publically committed itself, the Nye group implemented another of William Stone's tactical suggestions.⁹³ Back in May the State Department had prevailed upon Idaho's Senator Pope to sponsor a bill creating a munitions control board to license arms exports.⁹⁴ Green hoped that this measure would enable the U.S. to cooperate with other nations to control the international arms trade.⁹⁵ When this measure was to come to a vote on July 30, Senator King of Utah objected to acclamation by unanimous consent. This

action was taken at the request of Senators Nye and Clark. On August 2 Green wrote:

Their plan is to prevent action on S.2998 until Senator Pittman has either reported out neutrality legislation which they consider reasonably satisfactory or else has convinced them that he intends to report it out in time to permit its consideration before the end of the session. Otherwise, they will attach their three bills -- S.J. 99, S.J. 100, S.J. 120 -- to S. 2998 as amendments and thus face the Administration with the alternative of accepting their neutrality legislation or of seeing S.2998 thrown into the discard.⁹⁶

However, fate was not to force the State Department to decide what price it would be willing to pay to free this hostage, for on August 9 the subcommittee endorsed a neutrality bill which embodied the mandatory provisions favoured by the Nye group.⁹⁷

At this point things began to move more quickly. The subcommittee presented its isolationist draft to the full committee on August 14.⁹⁸ The State Department attempted to counter by redrafting its proposal to retain the discretionary arms embargo but proposing a six month time limit.⁹⁹ The President apparently endorsed the Department's new draft, but he instructed R. Walton Moore to accept a change to mandatory arms embargoes should Pittman insist.¹⁰⁰ Pittman insisted and before Moore could redraft the State Department proposal, Roosevelt

asked him to drop the whole matter.¹⁰¹ At this point Pittman, somewhat annoyed at the State Department's stubborn insistence on the politically unpopular discriminatory embargo, decided "to introduce a comprehensive neutrality bill with an impartial arms embargo".¹⁰² The State Department countered again by persuading McReynolds to introduce its version into the House.¹⁰³

After the Foreign Relations Committee endorsed the mandatory legislation which Pittman was drafting, Hull made still another attempt to persuade the President to put his influence behind the State Department on this issue. He even went so far as to draft a letter for FDR to send Pittman asking him to sponsor the State Department's proposal in the Senate.¹⁰⁴ As usual Roosevelt seemed amenable to this suggestion. Nonetheless, before Roosevelt acted, he apparently asked his press secretary to sound Pittman out.¹⁰⁵ Pittman's response was blunt but instructive.

Now, Steve, this is off the record: I have been trying to harmonize things and get away from that fool Munitions Committee. I do not want the Administration put in the position that it is opposed to neutrality, and I do not want the Committee put in that position. I have prepared a substitute bill for all these Neutrality resolutions, and it is in the hands of the full committee. I submitted to them the views of the State Department ... and they were unanimously opposed to it. I tell you, Steve, the President is riding for a fall if he insists on designating the aggressor in accordance with the wishes of the League of

Nations ... If he wants this done I will introduce it, if he wants to take a licking, I will introduce it on behalf of the Administration without comment, but he will be licked sure as hell.¹⁰⁶

When Roosevelt was informed of this exchange, he decided not to send Hull's letter.

Meanwhile Senator Nye and his allies had prepared one final parliamentary coup to force the issue. After a week of particularly ominous news from Africa, Senators Nye, Clark, and Bone launched a neutrality filibuster.¹⁰⁷ This filibuster was not three hours old when Senator Pittman arrived on the scene with what he described as a compromise neutrality measure combining a mandatory arms embargo, a ban on citizen travel into war zones, and a provision for a munitions control board.¹⁰⁸ Pittman, then moved that the Senate adjourn giving all concerned an opportunity to study his proposal. When the Senate reconvened on August 21, Pittman's bill was passed with virtually no opposition.¹⁰⁹ This was surely one of the shortest, and most successful, filibusters in the Senate's history.¹¹⁰

On the morning of the Senate vote, FDR had told isolationist Congressman Maury Maverick that he opposed mandatory embargoes.¹¹¹ However, by the time Hull arrived at the White House that evening to ask the President to order McReynolds to fight the Pittman bill in the House,

the President had again changed his mind.¹¹² He told Hull that he would accept the provision for mandatory arms embargoes if the section dealing with the munitions control board were amended to conform with the Popé bill and if the legislation would expire in six months.¹¹³ McReynolds pushed this revised version through the House on August 22, and the Senate approved it the next day.

Roosevelt signed Congress' historic neutrality initiative on August 31. He also used this occasion to release a statement to the American people which expressed his ambivalence about his action.¹¹⁴

It is the policy of this government to avoid being drawn into wars between other nations, but it is a fact that no Congress and no executive can foresee all possible future situations. History is filled with unforeseen situations that call for some flexibility of action. It is conceivable that situations may arise in which the wholly inflexible provisions of Section I of this Act might have exactly the opposite effect from which was intended. In other words, the inflexible provisions might drag us into war instead of keeping us out.¹¹⁵

Robert Devine interprets Roosevelt's seemingly contradictory behavior regarding neutrality as follows. He starts from the premise that if Roosevelt had been willing to fight mandatory embargoes, the overwhelmingly Democratic House of Representatives would never have approved the Pittman Bill. Devine believes that although FDR was clearly uncomfortable with the philosophical thrust

of the Senate's neutrality initiative, he "hesitated to risk his prestige and leadership in foreign policy on this issue".¹¹⁶

He identifies three reasons for this caution. First, a fight over neutrality would have endangered domestic legislation which the Senate had yet to pass.¹¹⁷ In addition, as far as the Ethiopian crisis was concerned, there was no conflict between the practical impact of strict neutrality legislation and Administration policy. Because Ethiopia could not afford to buy American armament, Italy would be the only belligerent to be affected by an "impartial" embargo. Finally, Devine argues that despite his enthusiastic endorsements of collective security during the 1920's, Roosevelt no longer shared the internationalist conviction that the United States could help prevent another war if it would cooperate with the League of Nations. Devine portrays Roosevelt as a realist who wanted to be able "to make the decision between war and peace free from the emotional demands of national honour and the pressures of economic interest".¹¹⁸ Therefore, Roosevelt's only politically significant compromise "was not in accepting neutrality legislation but in accepting the mandatory features that the Nye group forced upon him".¹¹⁹ Consequently, Devine's principal criticism of Roosevelt is that his hesitant leadership at this crucial juncture allowed Congressional isolationists to establish "a precedent that would prove nearly impossible to overcome".¹²⁰

Despite the care with which he elaborates the support for mandatory embargoes among pacifist and isolationist segments of the public, Devine's analysis demonstrates an almost inexplicable unwillingness to consider the possibility that in 1935, FDR faced a public opinion constraint which could not be overcome by the exercise of "Presidential leadership". As a result, he criticizes Roosevelt for making a pragmatic response to a political initiative which he had little chance of defeating, and then, justifies this action with a dubious argument that FDR had lost his faith in Wilsonian internationalism.

No one criticizes Roosevelt because he did not commit his political energies and prestige to a campaign for civil rights reform in 1935. Most scholars are willing to concede that, even for a political giant like FDR, no amount of leadership would have generated the broad base of public support necessary for success and any attempt to lead such a campaign would have jeopardized a politician's political career in 1935. However, Adler, Fleming and Devine feel justified in criticizing FDR for not leading a more vigorous defense of an equally unpopular "internationalism" in the World Court and neutrality battles.

If my case studies have demonstrated anything, it is that in the summer of 1935 an overwhelming majority

of the American people were strongly opposed to any American involvement with the struggles of European democracy to contain fascism. Therefore, although Roosevelt could certainly have ordered McReynolds to bloc the Pittman Bill in committee, what were the prospects that this move would ultimately succeed? This move would surely have triggered a second isolationist filibuster in the Senate, and such a confrontation would have riveted public attention on the philosophical differences between the Administration and Senate neutrality proposals. It is hard to imagine a scenario more fraught with political danger for the Democratic Party than a vigorous defense of the State Department's neutrality program in 1935.

As the spectre of war grew more ominous by the day, the newspapers would have been filled with dramatic reports of the "heroic" Republican led filibuster to postpone Congress' adjournment until isolationist neutrality legislation was passed. Senator Nye would have made certain that the American people had a daily reminder of the horrors of the last war while exhorting his audience to act before House Democrats killed legislation designed to prevent a repeat of the tragic mistakes of the past. If the essentially symbolic World Court controversy could generate hundreds of thousands of isolationist telegrams, what would the

public's response to the Administration's argument that it needed the authority to possibly cooperate with the League of Nations in opposing fascist aggression have been? It is not hard to imagine House Democrats receiving 5 million telegrams in support of the Pittman Bill by the second week in September. Therefore, the crucial questions which Devine's analysis fails to address are: Could the Administration hope to maintain party discipline by September 15 or October 4 and, if successful, what would the political costs have been?

Although there is no way to predict hypothetical outcomes or calculate hypothetical costs with absolute certainty, it seems highly probable that a strategy of opposing mandatory embargoes in the House would have had less than a fifty percent chance of success. Furthermore, no matter what the outcome, Roosevelt's actions would have virtually assured that he would have had to run against a Republican isolationist in 1936, greatly reducing his chances for reelection. Once the Senate unanimously approved isolationist neutrality legislation, the President chose the only low risk course available. He acted on Senator Pittman's advice, which made it politically possible for him to continue reminding the public that a policy of isolationist neutrality might not always be the most desirable foreign policy.

Finally, if FDR's political judgement is to be

criticized, it should be because he encouraged two of the country's most prominent isolationists to draft neutrality legislation. The World Court battle had demonstrated that both Nye and Clark were fervently committed to isolationism. The munitions investigation had demonstrated their skill in both molding and mobilizing public opinion. Once Roosevelt handed these Senators an issue with which to unite liberal/pacifist and conservative/isolationist segments of public opinion, Hitler would have to first break the Munich agreement and then invade Poland, before he dared challenge Senate isolationists to a public opinion leadership contest.

As long as America's two major political parties are more or less in agreement with regard to how the nation should pursue its basic foreign policy objectives, the President is the only political figure capable of exercising foreign policy leadership. The basic premise of a "partisan mobilization hypothesis" is that even as consensus decreases, the President's partisan opposition in the Congress represents the only credible leadership alternative. Inasmuch as almost any foreign policy requires some form of Congressional endorsement or approval, successful foreign policy initiatives require broad consensual support. Given the manner in which most Americans formulate their attitudes about foreign affairs, only the President and the spokesmen for the Congressional opposition are capable of building the necessary consensual

support. The history of the attempts to revise America's traditional neutrality policy during the Roosevelt administration provides considerable support for this hypothesis.

Three factors combined to defeat the Administration's discriminatory embargo proposal in 1933. First, in order to win his party's nomination in 1932, Roosevelt had to specifically reverse his position on the League of Nations and generally eliminate all references to the desirability of a more internationalist foreign policy from his campaign rhetoric. Second, while FDR was a landslide winner in 1932, American voters had supported Roosevelt because he seemed to be willing to try to do something about the myriad of domestic problems spawned by the Depression. He did not really have a mandate to arrest the drift towards isolationism. Third, because Senators from the isolationist wing of the Republican Party favoured more progressive domestic policies, they generally survived the Hoover debacle.

When the Administration's discriminatory embargo legislation reached the Senate, Roosevelt had to deal with a united partisan opposition and the prospect of defections from isolationists in his own party without the aid of a popular mandate. Obviously, FDR had little to gain and much to lose if he decided to battle Republican isolationists on this issue.

With the scope of Roosevelt's foreign policy leadership genuinely contracted, the Republican Party was in an optimal position to push an isolationist initiative. However, in 1933 and 1934 no Republican Senator had the national stature necessary to assemble a domestic constituency to support an isolationist alternative. It was not until Senator Nye built a national reputation for his leadership in the munitions investigation that this obstacle was overcome. By the spring of 1935, a casual Presidential suggestion that the Nye Committee look into the "neutrality question" was all that was needed to set the events in motion.

Although Roosevelt's remarks provided the spark, it is clear that the impetus for isolationist neutrality revision came from Senators Nye and Clark. Furthermore, it would be difficult to overestimate the importance of the contribution which Senator Nye's leadership made to the ultimate success of the initiative. Senators Nye and Clark orchestrated a tactically brilliant parliamentary campaign for their neutrality program, but Senator Nye played a pivotal role in mobilizing broad popular support for the Nye-Clark program. For example, Nye deserves the bulk of the credit for persuading a majority of the leaders of America's peace movement that an honest, isolationist neutrality policy would have kept the United States out of World War I and that such a policy represented the only realistic hope of staying out of the

impending European war.

Once Nye had won over radical/pacifist opinion, there is no reason to doubt that an overwhelming majority of the American people supported isolationist neutrality revision. The fact that Nye did not have to make a dramatic eleventh hour appeal (à la Father Coughlin) to assure final victory does not diminish the probability that, if such an action had been necessary, the American public would have responded to Nye's leadership on this issue. Given the evidence that Roosevelt objected to the mandatory provisions of the Nye-Clark program, the fact that the President did not directly challenge Nye on this issue suggests that he shared the perception that Nye had the American people in his corner in 1935.

CHAPTER 7: FOOTNOTES

1. Henry Kissinger, Years of Upheaval (Boston: Little, Brown and Company, 1982), p. 1969.
2. Robert Devine, The Illusion of Neutrality (Chicago: University of Chicago Press, 1962), pp. 1-2.
3. Ibid., pp. 2-3.
4. New York Times, November 19, 1927, p. 2.
5. Ibid.
6. "To Prohibit the Exportation of Arms, Munitions, or Implements of War to Belligerent Nations", House Report No. 492, 70th Congress, 1st Session, (Washington, 1928), pp. 1-3. For analysis of the motives for this change, see Devine, Illusion of Neutrality, pp. 8-9.
7. Devine, Illusion of Neutrality, p. 8.
8. Ibid., p. 8-10.
9. "Investigation of the Munitions Industry" Hearing before Special Senate Committee Investigating Munitions Industry, part 12, pp. 2729-30. Also see: Wiltz, In Search of Peace, pp. 90-95.
10. "To Prohibit The Exportation of Arms, ...", pp. 7-17, 43-8.
11. The fact that no representative of the American peace movement testified at Burton hearings remains a mystery, but given that pacifists constituted the bulwark of support for the Burton resolution, the absence of pacifist testimony had to hurt.
12. New York Times, February 11, 1929, p. 1.
13. Ibid., p. 15.
14. Devine, The Illusion of Neutrality, pp. 14-15.
15. Ibid., p. 15.
16. Quincy Wright, "Neutrality and Neutral Rights Following the Pact of Paris for the Renunciation of War", Proceedings of the American Society of International Law, 1930 (Washington, 1930) pp. 78-87. Clyde Eagleton "Neutrality and Neutral Rights Following the Pact of Paris for the Renunciation

of War", Proceedings of the American Society of International Law, 1930 (Washington, 1930) pp. 87-95.

Cited: Devine, Illusion of Neutrality, pp. 17-18.

17. Eagleton, "Neutrality and Neutral Rights", cited, Devine, Illusion of Neutrality, p. 18.
18. Henry L. Stimson, "The Pact of Paris: Three Years of Development", Foreign Affairs XI (Special Supplement, October, 1932), p. IV. cited Devine, Illusion of Neutrality, p. 19.
19. Devine, Illusion of Neutrality, pp. 18-20.
20. Edwin Bourchard, "The Enforcement of Peace by Sanctions", American Journal of International Law, XXVII (July, 1933), p. 523. cited Devine, Illusion of Neutrality, pp. 20-21.
21. Devine, The Illusion of Neutrality, p. 21.
22. Ibid., p.14.
23. For a more thorough discussion of the Administration's motives, see: Chapter 4, pp. 115-117.
24. See Chapter 2, pp. 60-62, for a discussion of distributive, regulatory, redistributive continuum.
25. Not the least of these obstacles is the simple institutional fact that there are so many stages at which redistributive legislation can be defeated. Success requires overcoming numerous hurdles in both houses of Congress and then insuring that the President will sign the bill.
26. Selig Adler, Isolationist Impulse (London: Abelaid-Schulman, 1957), p. 257.
27. Ibid.
28. Ibid., pp. 257-258.
29. Devine, The Illusion of Neutrality, p. 75.
30. Ibid., pp. 75-76, 334.
31. Wiltz, In Search of Peace, p. 228.
32. Ibid., p. 229.
33. Ibid., p. 231.

34. Wiltz attempts to diminish and deflect criticism that the Nye committee consciously sought sensational headlines to advance their more radical political goals. He concedes that "perhaps there was some truth in this, for the committee did seek newspaper attention. Its members were political leaders who needed publicity, and they also believed that headlines pointing up the evils in the munitions trade would advance the cause of peace." (p. 225) He notes that the correspondence of both Raushenbush and Flynn demonstrates a keen awareness of the political benefits of feeding the media a steady diet of shocking disclosures (eg. see Raushenbush to Nye, October 18, 1934, Munitions Committee Records, General File, Box 18 and Flynn to Raushenbush, February 9, 1935, Executive File, Box 156, National Archives, Washington, D.C.). Nonetheless, Wiltz argues that "there is no reason to believe that the Munitions Committee was more guilty of headline hunting than the average congressional investigating committee." (pp. 225-26). He goes even further and charges that the journalists ought to share some of the responsibility for the sensationalism. "(J)ournalists were perhaps the most active headline seekers of the munitions investigation". (p. 227).

Wiltz's criticism of the print media is well taken. Both the isolationist and internationalist press were guilty of emphasizing those revelations which enhanced their political point of view. It cannot be repeated too often that it is naive for political scientists to portray the media as a "neutral participant" in many politically significant campaigns to influence public policy by influencing public opinion. However, there is something very disquieting about Wiltz's enthusiasm for absolving the committee of criticism for attempting to use the media to manipulate public opinion. After all, Senator Nye's belief in the evils of the munitions trade was no less genuine than Senator McCarthy's belief in a communist conspiracy.

35. Wiltz is equally guilty of trying to soft pedal the anti-business bias of the munitions investigation. "The committee found wrongs in the armament trade ... But the committee never implied that wrongs evident in the manufacture and sale of armaments extended to American business generally." (p. 222)

While it is technically correct that the Nye

committee never charged that other American businesses engaged in bribery to do business overseas (although this was probably necessary) or that they practised collusion, from May 1935 onward, Nye's rhetoric questioned the moral legitimacy of capitalism itself. Nye even went so far as to embrace the Leninist thesis that competing national capitalist economics were at the root of modern war. He also preached that all trade between the U.S. and warring nations would ultimately lead to war. Therefore, Nye ultimately vilified the greed of all businessmen for profit, implicitly challenging the morality of the profit motive. To argue that Nye's anti-profit rhetoric did not imply a fundamental hostility toward business, would be to suggest that McCarthy's anti-communist rhetoric did not represent a hostility toward Soviet Russia.

36. Hull to FDR, March 14, 1935, Foreign Relations of the United States, 1935. 1: 318-31.
37. Ibid., pp. 320-21.
38. Memorandum of conversation between Stephen Raushenbush and Joseph Green, March 27, 1935. 811.113 Senate Investigation/242.
39. Devine, Illusion of Neutrality, pp. 87-8.
40. Hull to FDR, April 11, 1935 Franklin Roosevelt and Foreign Affairs, Edgar Nixon editor (Cambridge: Belnap Press, 1969), 2:470.
41. Minutes of committee meeting, April 1, 1935, Munitions Papers, Executive File, Box 157.
42. Although he had worked hard to win Administration backing for his campaign to win the Chair of the Senate Foreign Relations Committee in 1933, Pittman was primarily interested in domestic issues (especially those having to do with silver). On foreign policy issues, Pittman was often quite sympathetic with the isolationist Republicans on his committee. See: Wayne Cole, "Senator Pittman and American Neutrality Policies 1933-1940", Mississippi Valley Historical Review (March 1960) 46: 644-62.
43. In fairness, Charles Warren had outlined a fairly comprehensive isolationist neutrality program a year earlier. Nye and Clark drew heavily on Warren's ideas. Charles Warren, "Troubles of a

- Neutral", Foreign Affairs (April, 1934): 377-95.
44. Devine, Illusion of Neutrality, p. 89.
 45. Ibid.
 46. Ibid., p. 94.
 47. Although the radical wing of the peace movement generally endorsed the Flynn formula for wartime socialism discussed in the last chapter, in the context of this study, radical simply refers to peace groups which generally supported more grandiose schemes to promote world peace and used nontraditional lobbying techniques (See Chapter 5, pp. 123-125).
 48. Peace Action (May, 1935) 1:9 cited Devine, Illusion of Neutrality, p. 93.
 49. This was "a committee representing 28 different pacifist groups". Nye and Clark addressed a mass rally sponsored by these groups. Devine, Illusion of Neutrality, p. 94.
 50. Gerald Nye, "Profiting from Experience", Munitions Papers, Neutrality File, Box 149, p.1.
 51. Ibid.
 52. Ibid., pp. 2-3. It is worth noting that although the munitions committee only made their endorsement of the Flynn plan two months earlier, Nye does not mention, much less endorse, these more radical proposals in this speech. The implication is clearly that Nye perceives neutrality revision to be much more politically viable, and so he wastes no time promoting dead issues.
 53. Ibid., p. 4.
 54. Ibid.
 55. Ibid., p. 6.
 56. Ibid., p. 7.
 57. Ibid., p. 10.
 58. Ibid., pp. 10-11.
 59. Ibid., p. 8.
 60. Ibid., pp. 12-13.

61. Ibid., p. 13 (my emphasis).
62. Ibid., p. 18.
63. Ibid., p. 19 (my emphasis).
64. Peace Action (August, 1935) 2:8 cited Devine, Illusion of Neutrality, p. 94.
65. Federal Council of Churches of Christ in America, Annual Report, 1935 (New York, 1935), p. 91. Cited Devine, Illusion of Neutrality, p. 94.
66. Robert E. Bowers, "The American Peace Movement, 1933-41" pp. 275-306. Although Bowers has very little to say about why the majority of the pacifist community embraced isolationist neutrality proposals in the summer of 1935, his study does emphasize the enthusiasm with which radical pacifists worked for this goal once they embraced it. (pp. 285-290).
67. John Masland, "The Peace Groups Join the Battle", p. 665-66.
68. For a more detailed analysis of the inter-departmental debate, see Devine, Illusion of Neutrality, pp. 68-74, 89-90.
69. For example, Hull rejected an April 10 memorandum to the President endorsing all three components of the ultimate Nye-Clark program, Green to Moffat April 10, 1935, 811.04418/42/2.
70. New York Times, April 11, p. 3.
71. Hull to Roosevelt, April 11, 1935, FDR and Foreign Affairs, 2:471.
72. The Memoirs of Cordell Hull, 1:406-7.
73. Devine, Illusion of Neutrality, p. 91.
74. McReynolds to Hull, April 8, 1935, 800.51 Kleob Bill/1 Green to Hull, April 12, 1935, 800.51 Kleob Bill/1.
75. The Memoirs of Cordell Hull, 1:410.
76. "Passports to American Citizens in Time of War", Senate Report No. 987, 74th Congress, first session (Washington, 1935) also Senate Report No. 988.
77. Phillips to Hull, June 28, 1935, 811.04418/55.

78. Memorandum by Phillips, June 29, 1935, 811.04418/55.
79. "Prohibit Making of Loans" House Report #1558 74th Congress, first session, (Washington, 1935). cited Devine, Illusion of Neutrality, p. 99.
80. Green to Davis, July 8, 1935, Norman Davis Papers, Box 26, Library of Congress, Washington, D.C.
81. Ibid.
82. New York Times; July 11, 1935, p. 1, 14.
83. Ibid., p. 14.
84. Raushenbush to Lawrence Brown, July 10, 1935. Munitions Papers, Neutrality File, Box 149.
85. Stone to Raushenbush, July 11, 1935. Munitions Papers, Neutrality File, Box 149. For information on Stone's relationship to Raushenbush, see Devine, Illusion of Neutrality p. 105(n).
86. Stone to Raushenbush, July 12, 1935, Munitions Papers, Neutrality File, Box 149.
87. Green to Davis, July 19, 1935, Davis Papers, Box 26.
88. Devine, Illusion of Neutrality, p. 101.
89. Green to Phillips, July 20, 1935, 811.04418/69.
90. The Memoirs of Cordell Hull, 1:410-11.
91. FDR and Foreign Affairs, 2:578-9, also Sisson to FDR, July 18, 1935, 2:569-71, FDR to Sisson, July 23, 1935, 2:575-6.
The exchange of letters is also noteworthy because Sisson protests the role of the State Department in recalling Resolution 99 and 100, and Roosevelt puts part of the blame for low probability of neutrality legislation passing this session on the fact that "no legislation along this line is on the calendar of either House". FDR seems impervious to the fact that this state of affairs would not have existed if Hull (acting with FDR's blessing) had not forced the return of neutrality legislation to committee.
92. New York Times, July 26, 1935, p. 11.

93. The relevant letter, Stone to Raushenbush, July 18, 1935, Munitions Papers, Neutrality File, Box 150.
94. "Trade in Arms, Ammunition, and Implements of War", Senate Report N.915, 74th Congress, first session (Washington, 1935).
95. Devine, Illusion of Neutrality, 85-86, 97.
96. Green to Davis, August 2, 1935, Norman Davis Papers, Box 26.
97. After this, Nye agreed to let the "hostage" S.2998 go free, but Senator Johnson objected to considering this bill separate from a comprehensive neutrality package. See: Green to Davis, August 14, 1935, Davis Papers, Box 26.
98. Ibid.
99. Green to Davis, August 13, 1935, Davis Papers, Box 36.
100. Memorandum by R. Walton Moore, August 16, 1935, FDR and Foreign Affairs, 2:601.
101. Green to Davis, August 16, 1935, Davis Papers, Box 26. Despite FDR's unwillingness to publicly endorse discriminatory embargoes, Green seems surprised that "the President does not yet seem to realize the importance of the principles involved in the question at issue, and I fear that one of these days, Senator Pittman will tell him that the Committee is unanimously in favour of the mandatory type of legislation ... and the President will commit himself without further consultation" (p. 1-2). This fear was obviously well founded.
102. Devine, Illusion of Neutrality, p. 108.
103. New York Times, August 18, 1935, p. 7.
104. The Memoirs of Cordell Hull, 1:411. Hull to FDR August 19, 1935, FDR and Foreign Affairs, 2:605-7, Joseph Green drafted this letter, Green to Davis, August 19, 1935, Davis Papers, Box 26.
105. Devine implies that Early contacted Pittman on his own initiative (p. 110). However, this does not explain how Early learned of the substance of

Hull's request, or why he unilaterally involved himself in a matter which he had played no role either before or after. The most logical conclusion is that Early contacted Pittman at FDR's request.

106. Pittman to Early, August 19, 1935, FDR and Foreign Affairs, 2:608. (my emphasis). Although Pittman's desire to stand on the popular side of the neutrality issue is obviously self-serving, his political assessment is undoubtedly accurate.
107. Congressional Record August 20, 1935, pp. 13775-13795.
108. "According to Joseph Green, when the filibuster began, Senator Pittman, instead of preparing the bill, was quietly getting drunk. Several Senators finally took him back to his office, sobered him up, and helped him draft the legislation". Green to Moffat, October 12, 1935, Moffat Papers cited Devine, Illusion of Neutrality, p. 112(n).
109. Congressional Record, August 20, 1935, p. 13797.
110. Devine, Illusion of Neutrality, p. 112.
111. Raushenbush to Stone, August 21, 1935, Munitions Papers, Neutrality File, Box. 150.
112. The Memoirs of Cordell Hull, 1:412.
113. New York Times, August 22, 1935, p.1.
114. Hull asked Roosevelt to release such a public declaration at Green's request. See Green to Davis, August 24, 1935, Davis Papers, Box 26.
115. FDR and Foreign Affairs, 2:632-3. The language in this version is much stronger and clearer than in the Hull version. Ibid., 2:630-32.
116. Devine, Illusion of Neutrality,
117. Much of legislation at the heart of the second "New Deal" (1935) would not have passed the Senate but for the support of 8 to 10 isolationist progressives. See Robert Mulder, The Insurgent Progressives in the United States Senate and the New Deal 1933-1939

118. Devine, Illusion of Neutrality, pp. 120-1.

119. Ibid., p. 121.

120. Ibid., p. 114.

CONCLUSION

Thoroughly disillusioned with the costs and consequences of World War I, by 1935 a majority of the American public had been persuaded that the United States could sit out the next European war if it would establish, in advance, a neutrality policy which reflected the "lessons" of the last war. The psychological and historical roots, as well as the practical political consequences, of isolationism were analyzed by historians in the years immediately following World War II.. One of the aims of this study has been to evaluate the political impact of both pressure groups and public opinion on a series of specific Congressional decisions leading to the triumph of isolationism.

It seems certain that domestic sources exercised little or no political influence on the coalition of Republican Senators who objected to collective security and Executive preeminence in foreign affairs, and who consequently rejected the Treaty of Versailles. Despite this fact, it would be an error to interpret the 1920 Presidential election as anything but an ex post facto endorsement of Republican caution concerning America's postwar role in international affairs.

During the next twelve years of Republican control of the White House, the political influence of

the isolationist bloc within the Senate grew to the point that it could veto any foreign policy initiative which threatened to substantively increase American involvement in European politics. Whereas this re-assertion of Congress' foreign policy authority was never simply a response to public opinion, the public appeal of isolationist rhetoric continued to grow throughout this period. The growth of the isolationists' constituency helped to legitimize a continuing foreign policy role for the Congressional spokesmen for isolationism.

Between 1920 and 1932, not only isolationist, but nonisolationist segments of public opinion evolved in response to, and in support of, America's foreign policy leadership. Those Americans who did not endorse isolationism during this period can be divided into two groups. On the one side, there was a small but enthusiastic minority who supported those who wanted to commit the United States to a collective defense of world peace. On the other side, there was a much larger but more diverse group who did not want to take any chances or make any imprudent commitments, but who nonetheless responded to pacifist arguments that the United States should do something to further the cause of world peace.

Throughout this period, the collective security

constituency represented the most unified, politically coherent domestic opposition to isolationism. In contrast, although a number of small, relatively coherent pacifist constituencies had developed by 1932, the spokesmen for America's peace movement never represented a unified domestic constituency comparable to the isolationists or internationalists.

In order to assess the political influence of domestic sources on the evolution of American foreign policy after 1932, each case study has focused on the question of whether the nongovernmental spokesmen for these constituencies exercised any direct influence on specific Congressional foreign policy decisions. The World Court case study provides unambiguous evidence that both pressure groups and public opinion exercised a direct political influence on the foreign policy process in 1934 and 1935. The creation of the Nye munitions investigation provides a second example of a pivotal episode in the evolution of American foreign policy during the 1930's which was a direct consequence of pacifist inspired public demands. Finally, while there is little doubt that Senators Nye and Clark were the driving political force behind Congress' 1935 neutrality initiative, the domestic support for the Nye-Clark program was so widespread that it represented the crucial factor in Roosevelt's decision to accept the nondiscriminatory features of this legislation without

a fight.

Two conclusions can be drawn concerning the type of political influence which pressure groups and public opinion exercised during this period. First, there can be no doubt that during 1934 and 1935 pressure groups exercised a direct and sometimes powerful influence on Congressional foreign policy decision-making. Pacifist pressure groups and the isolationist American Legion were the driving political force behind the World Court decision and the initiation of the munitions investigation. Furthermore, although pressure groups exercised little direct influence on the neutrality debate, the decision by many peace activists to endorse the Nye-Clark program greatly enhanced its political prospects.

Second, although it rarely had a direct political impact, public opinion proved ultimately to be the decisive political battleground in the ideological war between isolationists and advocates of a more activist foreign policy. Once Congress had successfully reasserted its foreign affairs authority in 1920, a convincing victory on the battlefield of public opinion was necessary before any of the ideological alternatives championed in the Versailles Treaty debate could triumph completely. Therefore, one important dimension of every major foreign policy controversy was an attempt by

America's foreign policy leadership to broaden its popular constituency. Congressional isolationists could not successfully seize the foreign policy initiative until Senator Nye was able to unite pacifist and isolationist opinion in support of neutrality revision. Once this had been accomplished, Senator Nye and his Congressional allies constituted the dominant political force in America's foreign policy process until their constituents began to question the desirability of a total Nazi victory in Europe.

Another important aim of this study has been to test the plausibility of three hypothetical explanations of the correlation between active Congressional participation in the foreign policymaking process and increased political efficacy of the domestic sources of American foreign policy. Based upon the analysis in the first and second case studies, the "opportunity hypothesis" would seem to be more credible while the "democratic consensus hypothesis" can be discarded.

With regard to the World Court and the proposal for a munitions investigation, the Senate proved to be eminently susceptible to nongovernmental influence. Pressure groups had ample opportunity to express their preference given the longer, decision-making time and the groups' familiarity with decision-making paths and procedures. The fact that isolationists in the Congress

and internationalists in the Executive were competing for domestic support probably increased the willingness of many decision-makers to listen sympathetically to these groups. In addition, the fact that both the World Court and a munitions investigation were low priority issues clearly increased the likelihood that Senators would be influenced by those lobbying them. However, in both cases the fact that a group had obvious public support enhanced the probability that this group would achieve its political objectives. Thus, although my initial formulation of the "opportunity hypothesis" did not adequately take this into account, it would appear that no matter how hospitable the decision-making environment the cultivation of public support is vital to the realization of a group's foreign policy objectives.

Finally, while the first two case studies enhanced the credibility of the "opportunity hypothesis" as an explanation of the direct influence wielded by groups, the final case study enhances the plausibility of the "partisan mobilization hypothesis" as an explanation of the opinion/policy relationship whenever the Congress plays an active institutional role in the foreign policy process. None of the case studies discovered any evidence that Congress' reassertion of its foreign affairs authority was in any meaningful

way a response to public demands or popular discontent. However, there is also no doubt that once foreign policy developed into a partisan political issue, public opinion became a politically significant battleground.

The final case study concerning Congressional efforts to revise America's traditional neutrality policy suggests that while public opinion did not exercise a direct influence on the policymaking process, any major foreign policy initiative requires majority public support. The events leading to the establishment of an isolationist neutrality policy reveal that the President is not the only political figure capable of playing a politically decisive leadership role.

In the aftermath of Viet Nam, the Congress has been reasserting its foreign policy authority much as it did after World War I. Despite repeated efforts by Presidents Ford, Carter and Reagan to reestablish the bipartisan traditions of the cold war, foreign policy remains an increasingly strident partisan issue. It will be interesting to see if a majority of the American public will ultimately throw its support to those leaders who argue that the goal of peace can be most sensibly pursued through a foreign policy based upon applying the "lessons" which everyone learned from the last war.

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