

A LEAGUE of NATIONS

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The Staggering Burden of Armament

II

What America Has Spent for War and Peace

Previous Plans for Limitation

Published Bimonthly by the
WORLD PEACE FOUNDATION

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World Peace Foundation

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*FOUNDED IN 1910 BY EDWIN GINN



The corporation is constituted for the purpose of educating the people of all nations to a full knowledge of the waste and destructiveness of war, its evil effects on present social conditions and on the well-being of future generations, and to promote international justice and the brotherhood of man; and, generally, by every practical means to promote peace and good will among all mankind.—*By-laws of the Corporation.*

It is to this patient and thorough work of education, through the school, the college, the church, the press, the pamphlet and the book, that the World Peace Foundation addresses itself.—Edwin Ginn.

The idea of force can not at once be eradicated. It is useless to believe that the nations can be persuaded to disband their present armies and dismantle their present navies, trusting in each other or in the Hague Tribunal to settle any possible differences between them, unless, first, some substitute for the existing forces is provided and demonstrated by experience to be adequate to protect the rights, dignity and territory of the respective nations. My own belief is that the idea which underlies the movement for the Hague Court can be developed so that the nations can be persuaded each to contribute a small percentage of their military forces at sea and on land to form an *International Guard or Police Force.*—Edwin Ginn.

*Incorporated under the laws of Massachusetts, July 12, 1910, as the International School of Peace. Name changed to World Peace Foundation, December 22, 1910.

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I. YESTERDAY, TO-DAY AND — ?

A year ago the American public was startled, even stunned, by a paper on the scientific work of the United States Government by the late Edward Bennett Rosa, Chief of the Bureau of Standards. The startling thing about the paper was not its title, but tables of Government expenditures showing that 92.8% of the total appropriations for the fiscal year ending June 30, 1920, were devoted to past, present or future war.

As a scientist the author brought a bill of particulars against a Government which was devoting only 7.2% of its appropriated money to the employments of civilization, and implied an indictment against a world in which the richest nation was doing such a thing.

The Secretaries of the Treasury of the United States and the adding machine make an indictment that would startle even the scientist who startled a country. For he did his figuring immediately after the World War, on appropriations cluttered up with all kinds of hang-over expenses resulting from it. His object was to keep the scientific work of the Government from being overlooked in the readjustments back to a normal peace basis. But the Secretaries of the Treasury and the adding machine tell us that what he looked upon as exceptional has been essentially true throughout the whole course of American history.

There is published in the Annual Report of the Secretary of the Treasury a table giving the disbursements of the United States Government in each year since 1789, the first under the Constitution. This table is divided under the heads: Civil and Miscellaneous, War Department, Navy Department, Indians, Pensions, Interest on the Public Debt, and Annual Total. It has always been totaled horizontally, to show the annual cost of government. It has never been totaled vertically to get a comparison between the items of expenditure. That table in the Annual Report of the Secretary of the Treasury for the Fiscal Year Ending June 30, 1920, the last one issued, was handed to an adding machine operator with instructions to get the vertical totals. The result follows:

DISBURSEMENTS OF 131 YEARS

Civil and miscellaneous and Indians, excluding postal deficiencies		\$14,120,719,481.63
War Department, 1789-1920. .	\$24,294,476,872.99	
Navy Department, 1794-1920	7,653,866,815.67	
Pensions, 1789-1920.	5,876,021,640.19	
Interest on the public debt, 1789-1920	5,232,615,199.16	
Special disbursements, 1917- 1920 ¹	9,550,509,399.90	
	<hr/>	52,007,489,927.91
Total ordinary disbursements 1789-1920		<hr/> \$66,728,209,409.54

In the 131 years of its existence, the United States has spent 78.5% of its total ordinary disbursements on war, or things related to or resulting from war. In the course of its whole existence, it has put only 21.5% of its disbursements into the civil government of the country.

It is time to change the proportions, not for the United States alone but for the world. They should be reversed, and that is one of the things the Conference for the Limitation of Armament ought to mean to citizens who pay taxes and who are the masters of the government set up to carry out their collective will.

The limitation of armaments may do for the future exactly what has not been done in the past, the record of which is shown by the tabulation above. War has held a three-fourth interest—far more than a voting majority—in the United States throughout its life. The Washington conference holds forth a promise of freedom from that bondage. "Otherwise," queries General Pershing, "may we not seriously ask ourselves whether civilization is a failure?"

It is important to keep in mind that national expenses up to the World War, for 131 years under the war system, were insignificant as compared with any future expenses for the war system. From 1917 to 1920 the United States spent for war almost exactly as much as it had spent altogether in the previous 128 years; that is, \$33,131,000,000 as against \$66,728,000,000.

¹Annual Report, 1920, p. 785, notes 2, 4, 6 and 8. The disbursements by years are: 1917, \$885,000,000; 1918, \$4,739,434,750; 1919, \$3,477,850,265.56; 1920, \$448,224,384.34.

MORTGAGED FOR FIGHTING

The war system does not operate on a cash basis. Between July 4, 1776, and June 30, 1880, the United States Government negotiated 128 loans of a total issue value of \$10,690,055,968.82¹. There was outstanding on 39 of those loans on June 30, 1920, principal amounting to \$1,475,470,948.80². The outstanding debt on June 30, 1920, was \$25,952,456,406.16. The 38 loan transactions since June 30, 1880, therefore showed outstanding obligations amounting to \$24,476,985,457.36 on June 30, 1920. The indebtedness of the United States due to its 166 loans according to these official sources from 1776 to 1920 has therefore amounted to:

DEBT ISSUES OF THE UNITED STATES

Debt, July 4, 1776-1880	\$10,690,055,968.82
Outstanding, June 30, 1920, (\$25,952,456,406.16 less \$1,475,470,948.80)	24,476,985,457.36
Total, 1776-1920	<u>\$35,167,041,425.68</u>

More than half, 54%, of the total ordinary disbursements of the United States have on this showing been met by the mortgage on the future incident to loan transactions. It is obvious that the Government did not have to borrow \$35,167,000,000 to perform its civil duties, which cost \$14,120,000,000. Which simply puts into comparative figures the undisputed truth that public debt is always and everywhere primarily due to the war system.

The total debt has only covered 66.9% of the total disbursements attributed to war, leaving 33.1% to taxation in a given present. In the current fiscal year the total debt charges of all kinds represent about one-third of the estimated expenditures. The Conference for Limitation of Armament holds forth a promise of a future in which there might be no debt and in which, additionally, taxes might be cut in half—after the World War is paid for.

¹Rafael Arroyo Bayley, *The National Loans of the United States, from July 4, 1776, to June 30, 1880, 189-190.*

²Annual Report of the Secretary of the Treasury, . . . June 30, 1920, Table A, 731,740. The amount is net, being arrived at by subtracting the amounts outstanding under fiscal legislation existing in 1880 from those outstanding under the same legislation in 1920. Gold certificates under the act of March 3, 1863, amounted to \$8,004,600 in 1880 and to \$1,375,659,569 in 1920.

RISING COST OF WARS

The justification of warlike expenses is the wars in which the country has been engaged. It will therefore be interesting and enlightening to combine the items of the previous table by wars. The interest of the public debt between two wars has been charged to the earlier one, while the costs of the War and Navy Departments preceding a war might be charged to it on the score that they constituted whatever amount of "preparedness" existed for it. Pensions are assigned to wars on the basis of computations prepared by the Commissioners of Pensions and published annually in their reports. Minor wars, such as Indian disturbances, have been disregarded, except for their pensions, which, as a whole, probably fairly represent the cost of them, in addition to the normal costs of the departments during their continuance. Minor wars have never affected the warlike expenses of the United States to any traceable extent, and perhaps may not improperly be charged up to practice, in our earlier history substantially taking the place of later "war games."

On these bases the following costs of the principal wars of the United States appear:

EXPENSES OF THE REVOLUTION¹April 19, 1775, to April 18, 1783²

Debt of Congress and States	\$170,000,000.00
Currency issued	200,000,000.00
Pensions ³	70,000,000.00
Interest on the public debt, 1789-1811	64,288,328.41
	<hr/>
	\$504,288,328.41

¹Based on Emery Upton, *Military Policy of the United States*, 65-66. (Office of the Chief of Staff, Doc. No. 290.)

²Proclamation by Washington of cessation of hostilities. The armistice was signed at Paris, January 20, 1783. The provisional treaty of peace was concluded at Paris, November 30, 1782, and proclaimed April 11, 1783. The definitive treaty of peace was concluded at Paris, September 3, 1783, and ratified and proclaimed January 14, 1784.

³Estimate of Bureau of Pensions. The chief clerk of the bureau under date of March 20, 1910, writes:

"The estimate furnished by Commissioner Bentley to General Emery Upton, and contained in the latter's publication, '*Military Policy of the United States*,' is made up of three components, viz.:

War Department, 1789-1811	\$35,669,930.65
Navy Department, 1794-1811	27,150,424.81

WAR OF 1812-15

June 18, 1812, to February 17, 1815¹

War Department, 1812-16	\$82,627,009.14
Navy Department, 1812-16	80,285,534.40
Pensions ²	46,049,268.15
Interest on the public debt, 1812-35 ³	87,823,561.57
	<hr/>
	\$246,785,373.26

War Department, 1818-45	\$174,035,826.98
Navy Department, 1817-45	128,793,720.11

MEXICAN WAR

April 24, 1846, to February 2, 1848⁴

War Department, 1846-48	\$73,941,735.12
Navy Department, 1846-48	23,764,125.70
Pensions ⁵	52,906,295.05
Interest on the public debt, 1838-60	44,475,279.63
	<hr/>
	\$195,087,435.50

"Total amount paid to Revolutionary pensioners for periods of service of six months and over \$46,177,845.44

"Total amount paid to widows of soldiers who served six months and over 19,668,795.70

"Approximate amount paid to soldiers disabled in the Revolution 15,000,000.00

"Total \$80,846,641.14

"Of these three components, the first two are accurate. The statistics of pensions paid for *disabilities* received in the Revolution, however, were not kept separately from those paid for disabilities received in the War of 1812, the Indian wars, and the Regular Establishment pensions, and it would have been a very difficult matter to arrive at more than an approximation. The estimate which the Treasury Department furnished the Bureau, and upon which the figure of \$70,000,000 is based, was made much later than that of \$15,000,000 in General Upton's book and from records of payments, and the Bureau must therefore regard it as official, and as reliable an estimate as can be made."

¹Declaration of war by the United States to the exchange of ratifications of the treaty of Ghent.

²*Congressional Record*, June 2, 1921, address of Congressman Sweet, p. 2026, daily edition.

³There was no interest due on the public debt in the fiscal years 1836 and 1837.

⁴From the declaration of war by the United States to the signing of the treaty of Guadalupe Hidalgo.

⁵Commissioner of Pensions, cited by Congressman Sweet, *Congressional Record* June 2, 1921, p. 2026, daily edition.

TWO BASES FOR CIVIL WAR

The cost of the Civil War may be computed according to official figures as well as according to the method of allocating disbursements adopted for the other wars, for which more detailed official financial records are lacking.

Its cost up to June 30, 1879, is given officially¹ as \$6,189,929,-908.58, of which \$1,764,256,198.45 was interest on the public debt and \$407,429,192.80 was pensions, leaving \$4,018,244,517.33 of non-continuing cost. "Near the close of 1865 a bill was introduced into the House to reimburse the loyal States for the advances they had made and debts contracted in support of the war. The amount expended by the States and municipalities was \$467,954,364."² The interest on the public debt from 1861 to 1893 was \$2,536,128,210.50, 1893 being the first year to indicate a decrease. The Civil War pensions by June 20, 1919, had amounted to \$5,299,859,509.39.³ We can therefore make the following table:

CIVIL WAR, OFFICIAL COST RECORD⁴April 12, 1861, to May 26, 1865⁵

Costs of war	\$4,018,244,517.33
Interest on public debt, 1861-1893	2,536,128,210.50
Pensions, to June 30, 1919	5,299,859,509.39
Expended by States	467,954,364.00
	<hr/>
	\$12,322,186,601.22

¹Sen. Doc. No. 206, 46th Cong., 2d sess.; Cong. Docs., Vol. 1886.

²Albert Sydney Bolles, *The Financial History of the United States, from 1861 to 1885*, 241-248.

³*Congressional Record*, June 2, 1921, p. 2026, daily edition, address of Congressman Burton C. Sweet.

⁴To this might be added the Union loss in men:

Killed in battle	67,058
Died of wounds	43,012
Died of disease	199,720
Died from other causes (accidents, murders, Confederate prisons, etc.)	40,154
	<hr/>
	349,944

If the pension payments are regarded as payment for the lives lost, they would be rated at \$15,145 per capita.

The Confederate losses totaled about 200,000.

⁵From the attack on Fort Sumter to the surrender of General Kirby Smith, the last Confederate commander in the field. Confederate troops did not completely cease operations in isolated cases until November, 1865.

SPANISH WAR ALLOCATIONS

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War Department, 1849-55	\$81,209,824.57
Navy Department, 1849-55	70,675,835.02

FEDERAL COST BY ALLOCATION OF ITEMS

War Department, 1856-65 ¹	\$2,837,999,309.70
Navy Department, 1856-65 ¹	303,596,514.35
Pensions, to June 30, 1919	5,299,859,509.39
Interest on the public debt, 1861-79	1,813,332,778.41
Interest on the public debt, 1880-97	854,791,007.35
Expended by States	467,954,364.00

\$11,607,533,483.26

CONFEDERATE STATES

February 4, 1861, to April 9, 1865²

Total of sums voted ³ by appropriation acts, March 11, 1861, to February 17, 1864	\$1,520,033,632.03
---	--------------------

War Department, 1866-97	\$1,791,449,031.86
Navy Department, 1866-97	714,772,921.41

SPANISH-AMERICAN WAR AND PHILIPPINE INSURRECTION

April 21 to December 10, 1898⁴ and June 30, 1898, to July 4, 1901⁵

War Department, 1898-99	\$321,833,254.76
Navy Department, 1898-99	122,766,089.05
Pensions	65,211,663.71
Interest on public debt, 1898-1916	505,743,718.67

\$1,015,554,728.19⁶

¹Secretary of the Treasury Sherman in Sen. Doc. 206, 46th Cong. 2d sess., starts the expense tables with 1856.

²Adoption of the constitution to the surrender of Lee at Appomattox.

³The total is obtained by adding the figures given by General Emery Upton, *Military Policy of the United States*, 450-488.

⁴From declaration of state of war to the signing of the treaty of Paris.

⁵Until the restoration of civil government.

⁶The cost to Spain is given as 2,390,232,457 pesos, or \$461,315,000 (Fernando Solvedilla, *El año político*, 1899, 29).

War Department, 1900-16	\$2,423,191,859.42
Navy Department, 1900-16	1,877,086,915.14

WORLD WAR

April 6, 1917, to August 25, 1921¹

War Department, 1917-20	\$16,472,519,090.73
Navy Department, 1917-20	4,264,974,735.68
Interest on the public debt	1,862,160,515.12
Veterans' Bureau payments and liabilities.	6,232,035,641.59
	\$28,831,689,983.12

The last item requires an explanation. The Government has wisely discontinued the pension system as a method for taking care of the veterans of the World War. Instead, insurance and vocational training have taken its place, and the service is now consolidated in the Veterans' Bureau of the Treasury Department. The various forms of obligations undertaken in lieu of the pension system may be summarized as of March 31, 1921:²

	Claims Allowed	Pend- ing	Payments	Commuted Capital or Policy Value of Claims Allowed
Family allotments and allowances ³	2,135,465		\$572,262,333.59	
War risk term in- surance	405,674			\$3,114,937,000
War risk term in- surance claims	134,453			1,228,042,314
Government life in- surance	277,890			916,112,000
Government life in- surance claims	150			1,855,000
Compensation cl'ms	308,484	93,613		202,995,308
Hospitalization	777,511		106,310,272.00	
Vocational training	81,481	33,103	89,521,414.00	
			\$768,094,019.59	\$5,463,941,622
Total obligations			\$6,232,035,641.59	

¹From the declaration of the state of war to the signing of the treaty of peace with Germany.

²Congressman Sweet, *Congressional Record*, June 2, 1921, p. 2022-2027, daily edition.

³Discontinued July 31, 1921, and transferred to insurance claims.

PEACE AND WAR BOOKKEEPING

The summary of Government disbursements given above shows a total expenditure of \$52,607,000,000. Those disbursements allocated to the wars of the United States, with the addition of the indicated war costs of the Confederacy, show the following:

ALLOCATED COST OF AMERICAN WARS

	Including prior peace time disbursements.	Excluding prior peace time disbursements.
Revolution	\$504,288,328.41	\$504,288,328.41
1812	309,605,728.72	246,785,373.26
Mexican	497,916,982.59	195,087,435.50
Civil—Union	12,322,186,601.22	11,067,533,483.26
Civil—Confederate	1,520,033,632.03	1,520,033,632.03
Spanish	3,521,776,681.46	1,015,554,728.19
World	33,131,968,756.68	28,831,689,982.12
	<hr/>	<hr/>
	\$51,807,776,711.11 ¹	\$43,980,972,962.77 ¹

There is good reason to believe that a strict working of governmental accounts into the peace and war categories would show that the percentage assigned to war would be considerably greater. But there is no present basis for following that line of investigation. War expenses, or those resulting from war, too easily shade into civil expenses. To give but a single instance: During the War of 1812 the American merchant marine lost 1592 clipper ships by capture or burning. Most of the owners or their heirs filed claims on account of their losses, and the Court of Claims is not through with that business yet. Many claims were paid by direct legislation instructing the Secretary of the Treasury to liquidate the debt with funds not otherwise earmarked. In the public accounts such sums show up among the civil disbursements.

A people desiring peace, a people with a proper sense of business methods will see to it that it actually and always knows the cost of its wars. No people knows that now. Governmental financial accounts are kept in many ways. One of the most educative ways to keep them would be to divide the budget through all its stages from original proposals to disbursement into peace and

¹A total pension charge of \$83,456,388.81, on account of Indian wars, regular establishment and unclassified pensions, is not added in.

war items, the latter subdivided into past, present and future requirements.

THE UNBALANCED BUDGET

The past is gone and can not be recovered, either as to the money spent or the obligations created. But its effects are still here, and they are giving both the Government and the taxpayer plenty to think about, as well as plenty of paying to do.

Financially, the cause of the President's calling of the Conference for the Limitation of Armament is furnished by the Secretary of the Treasury, who in a statement on August 4 to the House Committee on Ways and Means presented the budget, unbalanced by a third of a billion, as follows:

ESTIMATES FOR FISCAL YEAR 1922, ON BASIS OF EXISTING LAW

(Revised Aug. 3, 1921)

RECEIPTS (EXISTING LAW)

Customs		\$ 300,000,000
Internal revenue:		
Income and profits taxes	\$2,235,000,000	
Miscellaneous internal revenue	1,335,000,000	
		<u>3,570,000,000</u>
Miscellaneous revenue:		
Sales of public lands	1,500,000	
Federal Reserve Bank franchise tax	60,000,000	
Interest on foreign obligations	25,026,000	
Repayments of foreign obligations	30,500,000	
Sales of surplus war supplies	60,000,000	
Panama Canal	14,530,000	
Other miscellaneous	156,087,000	
		<u>347,643,000</u>
Total		\$1,217,643,000

CURRENT COST ESTIMATES

ESTIMATED EXPENDITURES

(Based on latest estimates from the spending offices, with allowances for all reductions reported to date).

Legislative	\$ 17,213,813	
Executive	1,897,751	
State Department	10,344,000	
Department of Justice	17,000,000	
Post Office Department	2,200,000	
Interior Department (in- cluding pensions ¹ and Indians)	322,000,000	
Department of Agriculture	123,000,000	
Department of Commerce	19,923,000	
Department of Labor	5,252,887	
Independent offices	13,484,516	
District of Columbia	22,187,663	
Miscellaneous	62,500,000	
Postal deficiency	70,000,000	
	<hr/>	\$617,003,630
Treasury Department:		
Bureau of War Risk		
Ins.	\$286,000,000	
Public Health Service	47,000,000	
Collecting revenue	53,110,139	
All other	99,457,795	
	<hr/>	\$485,567,934
Federal Board for Voca- tional Education	162,655,184	
War Department	450,000,000	
Navy Department	487,225,000	
Shipping Board	200,000,000	
² Railroads (Transporta- tion Act and Federal Control)	545,206,204	
Interest on public debt	975,000,000	
Panama Canal	10,000,000	
	<hr/>	3,385,654,322
Total ordinary		\$4,002,657,952

¹The pension item is \$265,000,000.

²"No allowance is made for possible cash expenditures resulting from withdrawals by the War Finance Corporation, which has a credit balance of about \$400,000,000 with the Treasurer and may draw down its balance, at least temporarily, in connection with the railroad financing proposed under pending legislation."

Public debt expenditures required by law:

Sinking fund	\$265,754,865	
War-Savings securities (net).	100,000,000	
Miscellaneous debt redemptions	100,000	
Purchases of Liberty Bonds from foreign repayments	30,500,000	
Redemptions of bonds and notes from estate taxes	25,000,000	
Retirement of Pittman Act certificates	70,000,000	
Retirement from Federal Reserve Bank franchise tax receipts.	60,000,000	
	<hr/>	
Total debt expenditures		<u>551,354,865</u>

Grand total ordinary expenditures (including sinking fund and miscellaneous debt retirements).		\$4,554,012,817
Excess of expenditures over receipts		\$336,369,817

TRYING TO BREAK EVEN

Secretary Mellon and the Director of the Bureau of the Budget set themselves at the beginning of the fiscal year to reduce this excess of expenditures over receipts. They are still at the task, and though the reductions are still under the process of revision, the status indicated in the Secretary's letter of August 10 to the chairman of the House Ways and Means Committee shows the general way the problem is being tackled.

"The Administration, in co-operation with the Committee on Ways and Means," said Mr. Mellon, "has determined to reduce

the ordinary expenditures of the Government for the fiscal year 1922 by at least \$350,000,000 below the revised estimates presented by the Treasury on August 4. It is understood that this saving will be distributed, according to the best estimates now available, substantially as follows:

	Last Revised Estimate	New Estimate	Net Reduction
War Department	\$450,000,000	\$400,000,000	\$50,000,000
Navy Department	487,225,000	387,225,000	100,000,000
Shipping Board	200,000,000	100,000,000	100,000,000
Department of Agriculture	123,000,000	98,000,000	25,000,000
Railroads	545,000,000	495,000,000	50,000,000
Miscellaneous			25,000,000
			<hr/>
Total reduction			\$350,000,000

“It is understood that the Treasury will provide for two items of estimated public debt expenditure for the fiscal year 1922 out of other public debt receipts during the year, as follows:

Net redemptions of War Savings securities	\$100,000,000
Retirement of Pittman Act certificates	70,000,000
	<hr/>
Total	\$170,000,000

“The aggregate reduction in expenditure for the fiscal year, on the basis above established, will be \$520,000,000, leaving an estimated total expenditure of about \$4,034,000,000. . . .

“In order to carry out this program and provide further for the financing of the short-dated debt, the Secretary of the Treasury should have enlarged authority for the issue and retirement of notes under Section 18 of the Second Liberty Bond Act, as amended, with provision for a total of \$7,500,000,000 at any one time outstanding. The existing authority is for \$7,000,000,000, and about \$3,850,000,000 of Victory notes and \$311,000,000 of Treasury notes are already outstanding thereunder.”

It was announced on November 3 that the expenditures had fixed for the fiscal year at \$3,940,000,000.

II. SIX 19TH CENTURY OFFICIAL EFFORTS

I. RUSSIA'S PROPOSAL, 1816

The first modern official effort to effect a limitation of armaments bears a great superficial resemblance in many of its details to the one now taking shape under the auspices of the United States Government. The initiative came after the Napoleonic adventure had ended at Waterloo, after the French attempt at ruling the European world had been wound up at Vienna and while the "new era" of the first decade of the 19th century was settling down into solid political form. It originated with that participant on the winning side which had suffered least from the conflict and had least in common with its fellow states in the holocaust which it had helped to end and from the results of which it soon set about dissociating itself. In seriousness, skill, backing by popular sentiment and statesman-like handling the two incidents have nothing in common. Nor should the historical incident be regarded as much more than a gesture made by a generous-minded ruler. This and other historical incidents show that promises without penalties are as water that has gone over the dam.

Emperor Alexander I of Russia set forth his proposal to Lord Castlereagh, British foreign secretary, in a letter of March 21, 1816. "It is necessary," writes Feodor Martens in summarizing it,¹ "to consolidate the new order of things and 'to encourage all the pacified nations to give themselves over without fear to a complete security. This convincing and decisive measure must consist in a simultaneous reduction of armed forces of every kind,' employed by the Governments for the conquest of their freedom against Napoleon I. The Emperor was of the opinion that there existed in the different countries much discontent and a mass of materials dangerous to the general tranquility. 'There are countries where it is desired to bring instantly to life again institutions which have died of old age. The new spirit of the peoples is there consulted so little that the problem is to return by degrees to a stable and peaceable order of things. It seems that it is desired to labor for generations which are no more or for that which is about to disappear.' Considering this state of mind and in order to

¹Recueil des traités et conventions conclus par la Russie avec les puissances étrangères, XI, 258-262; "La question du désarmement dans les relations entre la Russie et l'Angleterre," *Revue de droit international*, XXVI, 573-585.

attain a complete disarmament, it is necessary to be convinced that neither in Germany, France, nor any other country are there reasons to fear a new general war. It is essential, moreover, 'that this disarmament be effected with that accord and commanding honesty which has decided the fate of Europe and which to-day may alone assure its welfare.' "

ALL CLASSES GROAN

The proposal found the English ministers preoccupied with internal affairs, which caused grave anxiety for the future. "Poverty, misery and discontent among the people assumed terrible proportions," says Martens. "Owing to 25 years of war against France, English commerce had monopolized the commerce of the world. Peace had wiped out a great number of branches of industry and commerce which had flourished particularly in war time. 'The poor complain of their misery,' wrote Count Lieven, Russian ambassador at London, on July 11/23, 1816, 'the rich of the reduction of their revenue; all classes groan, the richest emigrate.' But he judiciously added, 'one is reassured of England's future lot when one recalls the public spirit which animates each individual for the well-being of all.' (Report of November 28/December 10, 1816.) . . .

"When Count Lieven received the Emperor's dispatch of March, he asked for a personal audience of the Prince Regent, later George IV. At the interview the Prince Regent was cold until 'the imperial ambassador declared to him that only the desire of the Emperor to act in complete accord with England had impelled him to address himself first to England in broaching the introduction of a general disarmament. The Emperor would impart the subsequent course of the negotiations on the subject according to the character of the reply received from London.'

"The replies of the Prince Regent and of Lord Castlereagh were quite satisfactory—as to form. . . . 'In looking over the map of Europe,' the Prince Regent wrote to Emperor Alexander on May 16/28, 1816, 'it is impossible not to recognize how the destinies of the human race must be influenced by the conduct of the two powerful states at the head of which Providence in its wisdom has placed your Majesty and Me. And at the same time that I con-

gratulate Myself at seeing your Imperial Majesty preparing to erect the only glory still remaining to you to acquire upon the re-establishment of morality and the consolidation of peace, I aspire to no task more honorable than to co-operate in this great work with your Imperial Majesty.'

LET EACH REDUCE AND TELL THE FACTS

"This 'great work' was disarmament. The Prince Regent expressed to the Emperor England's entire sympathy with the great idea he pursued, but did not conceal from him in the least the difficulty of its realization. 'Although the most solid basis upon which a general disarmament would rest,' he wrote in the memoir sent as a reply by England, 'would be to establish between all the principal powers a complete agreement which would regulate the amount of their respective forces, it is nevertheless impossible not to perceive all the complications which this question presents in the establishment of a scale of forces for so many powers in such different circumstances as to their relative means, their frontiers, their positions and their abilities to rearm. The means of maintaining such a system, once created, are not without difficulties—all the states being likely to require a partial increase of force. . . . It is therefore necessary to consider whether the best course to follow would not be for each state to carry its disarmament as far as its views of local utility would permit it and to explain to the allied and neighboring states the extent and the nature of its arrangements, as a means of dissipating alarm and of rendering the establishment of moderate military force mutually expedient.'

"To these considerations of the Prince Regent, Lord Castlereagh added the clever observation that: Austria and Prussia had already notably reduced their armies; if Russia proposed to follow the same line, her example would exercise a salutary influence on all the states of Europe.

"These same ideas were developed later and at greater length in instructions issued from the diplomatic chancellery of Count Nesselrode. He unceasingly set forth the necessity of consolidating 'the European system.' The close alliance of Russia, England, Austria and Prussia was pictured as the fundamental basis of this system. This alliance was a moral alliance because it was

founded on principles of justice and moderation. Being likewise founded on the mutual confidence of the cosignatories, it should result in the gradual and general diminution of the armed forces of the European powers. If the English Government inclines, as it seems to, toward a project in virtue of which each state would take measures for disarmament according to the special circumstances under which it exists, the Imperial Government would not refuse to recognize the propriety of this manner of acting. Russia is already proceeding with disarmament and will inform her allies of the proportions of the decrease of the Russian army.¹

MORAL FORCE REAL STRENGTH

"As for Austria, it took the plan under serious consideration, being the more strongly led to do so because its finances were in a deplorable condition. Prince Metternich announced at this time, in a special memorandum, his opinion on the establishment of standing armies in general. From the point of view of domestic order, standing armies certainly formed an indispensable aid to governments. 'The real strength of princes is more truly found in their system of government and the principles upon which they base their administration, in a word in what forms a real moral force, than in a great array of military strength.'

"A very large army presents a considerable danger even when maintained for preserving domestic order of a state, because it exhausts resources which are indispensable for a wise administration of the people. This danger is particularly great at the present time (1816), when armies themselves are imbued with revolutionary ideas and given up to aspirations which can not be realized without overturning the existing order of public affairs. Passing then to an examination of this question from the point of view of foreign policy, the Austrian Chancellor sees no further use for enormous armies at a time when the great powers of Europe have definitely fixed their territorial limits by common agreement, and do not desire to enlarge or restrict them. In the face of such a disposition on the part of governments, armies of excessive size can only provoke the danger and fear of a breach of the peace of Europe. In view of all of these considerations, the Austrian Gov-

¹Count Nesselrode's dispatch of July 9/12, 1816.

ernment, had itself reduced its effective military force, and it accepted the proposition with pleasure."¹

2. NAPOLEON III PROPOSED CONFERENCE

On November 4, 1863, Napoleon III wrote an autographed letter to the "sovereigns to whom the destiny of nations is confided." He noted that "on all occasions when great convulsions have shaken the foundations and deranged the limits of states, solemn compacts have followed to reduce to order the new elements, and to recognize, while revising them, changes that have been effected." Such was the object of the Congress of Vienna of 1815, on which the political edifice of Europe rested; but "nevertheless your Majesty is not ignorant, it is crumbling to pieces on all sides. . . . Hence there are duties without rules, rights without title, pretensions without restraint. A peril the more formidable, since the improvements produced by civilization, which has united peoples together by an identity of material interests, would render war still more destructive. This is a matter for serious reflection. Let us not delay taking a decision until sudden and irresistible events disturb our judgment, and draw us in spite of ourselves, in opposite directions. I now therefore propose to your Majesty to regulate the present, and secure the future, by means of a congress."

The fate of this proposal depended on the attitude of Great Britain. Queen Victoria acknowledged the letter of her brother sovereign on November 11 and left the discussion of the proposal to the government of the day, of which Earl Russell was secretary of state for foreign affairs. Russell made a first reply in a dispatch of November 12 addressed to Earl Cowley, British ambassador at Paris. The British secretary disagreed with the thesis that the political edifice of Europe was crumbling to pieces. "Nearly half a century has elapsed since the treaties of 1815 were signed. The work was somewhat hurried by the necessity of giving repose to Europe after so many convulsions. Yet the changes made in this period of 50 years have not been more than might have been expected by the lapse of time, the progress of opinion,

¹Martens, *op. cit.*, IV, 36; translation of last two paragraphs from Carnegie Endowment for International Peace, Division of International Law, Pamphlet Series No. 22.

the shifting policy of governments and the varying exigencies of nations. . . . It is the conviction of Her Majesty's Government that the main provisions of the treaty of 1815 were in full force; that the greater numbers of those provisions have not in any way been disturbed, and that on those foundations rests the balance of power in Europe." He continued:

Her Majesty's Government would be ready to discuss with France and other powers, by diplomatic correspondence, any specified questions upon which a solution might be attained and European peace thereby more securely established.

But they would feel more apprehension than confidence from the meeting of a congress of sovereigns and ministers without fixed objects, ranging over the map of Europe, and exciting hopes and aspirations which they might find themselves unable either to gratify or to quiet.

SOUGHT TO REMOVE MUTUAL DISTRUST

M. Drouyn de Lhuys replied in a note of November 23. For the French Government he contested the reasoning of the British foreign secretary. The fact that the British Government admitted the treaty of Vienna to be the foundation of the political edifice of Europe was itself "an additional reason whether this foundation is not itself shaken to its base." The London cabinet recognized that several of its stipulations had been seriously infringed, and "we consider it to be an advantage to clear away the ruins, and reunite in a single body all the living members." Modifications which had not been unanimous constituted so many causes of dispute, which it was desirable to solve by common agreement. Other parts which were menaced should be examined in concert and among these were the bloody disturbances in Poland, the quarrel between Denmark and Germany over Slesvig-Holstein, the anarchy then prevailing on the lower Danube, the hostile relations between Austria and Italy, and the continued occupation of Rome by French troops.

Lastly, asked the note, "must we renounce without fresh attempts at conciliation the hope of lightening the burden imposed on the nations by the disproportionate armaments occasioned by mutual distrust?"

Earl Russell's reply of November 25 asked the question whether "a general congress of European states is likely to furnish a peace-

ful solution of the various matters in dispute?" As to the Polish question, he inquired:

Is it probable that a congress would be able to secure better terms for Poland unless by a combined employment of force?

Considerable progress has been made by the military preponderance and by the unsparing severity of Russia in subduing the insurgents.

Is it likely that Russia will grant in the pride of her strength what she refused in the early days of her discouragement?

Would she create an independent Poland at the mere request of a congress?

But if she would not, the prospect becomes one of humiliation for Europe, or of war against Russia, and those powers who are not ready to incur the cost and hazard of war may well desire to avoid the other alternative. . . .

But if the mere expression of opinions and wishes would accomplish no positive results, it appears certain that the deliberations of a congress would consist of demands and pretensions put forward by some and resisted by others; and, there being no supreme authority in such an assembly to enforce the decisions of the majority, the congress would probably separate, leaving many of its members on worse terms with each other than they had been when they met. But if this would be the probable result, it follows that no decrease of armaments is likely to be effected by the proposed congress. . . .

Not being able, therefore, to discern the likelihood of those beneficial consequences which the Emperor of the French promised himself when proposing a congress, Her Majesty's Government, following their own strong convictions, after mature deliberation feel themselves unable to accept His Imperial Majesty's invitation.¹

3. FRANCE VS. GERMANY

In a letter of March 27, 1868, Lord Lyons, British ambassador at Paris, reported to Lord Stanley vague apprehensions among "not unreasonable or inexperienced people" that the Emperor Napoleon might resort to a *coup de théâtre* and declare war against Prussia when least expected. Lord Lyons did not credit this

¹The documents are correspondence respecting the Congress proposed to be held at Paris. Parl. Paps., 1864, lxvi, 1. 3239; Affaires Etrangères. Documents diplomatiques. 1863, p. 1-2; *Archives diplomatiques*, 1863, IV, 161-188, 188-189; 1864, I, 44-82; *Staatsarchiv*, V, No. 916, p. 436; No. 918, p. 459; Nos. 964-985, p. 509-532; VI, No. 994, p. 15. The last document is Napoleon's address to the French Senate, December 21, 1863. See also Robert Coulet, *La limitation des armements*, 49-64.

gossip, but thought it ought to be recorded. A little later Prince Napoleon discussed the visit he had just made to Germany. "He believes [Count Bismarck] to be sincerely desirous of avoiding a war, but not to be willing to allow any interference on the part of France in the affairs of Northern Germany, or to make any patent concession whatever to France. He conceived it to be vain to talk to Prussia of disarmament, as she would answer that she was already disarmed, having only 200,000 under arms. Her system, which would enable her to put from 4 to 600,000 men in a condition to take the field in eight or ten days, she could not be persuaded to change."¹ The prince continued to discuss Europe's political situation with an uncanny accuracy, as events proved. Through the first half of the year indications multiplied that France and Prussia might clash over the effort of Bismarck to unite Germany.

In the fall of 1868 Lord Clarendon, former British secretary of state for foreign affairs, and a member of the opposition, visited Europe. Clarendon was out of power but was in the confidence of almost all personages in high place on the Continent. He could listen freely, and himself could discuss practical affairs with a freedom not possible for a member of government. In October he arrived in Paris from Berlin. In Germany he had concluded, from conversations with Moltke and the king, "that the Emperor Napoleon may be confident that he has nothing to fear from Prussia, if he does not give her just provocation; but, on the other hand, that Prussia does not fear a war, if she can show Germany and the world that she is really forced into it." Lord Clarendon repeated his conversations at Berlin to the Emperor when he dined at St. Cloud on October 19, and the French ruler asserted that peace was his own desire. He entered into the details of plans he was revolving in his mind. "His object," the report runs, "was to calm public opinion in France, and the means of doing this were to be a sort of collective confirmation by Europe of the treaty of Prague [ending the Austro-Prussian war of 1866], and a sort of pressure to be exercised by Europe on France and Prussia which would compel them, or rather enable them, to

¹Lord Newton, *Lord Lyons: A Record of British Diplomacy*, I, 190 and 192. For a French supplementary account of the negotiations of 1870 see Albert Pingaud, "Napoléon III et le Désarmement," *Revue de Paris*, 15 mai 1899, vol. III, 286-308. Also Robert Coulet, *La limitation des armements*, 64-72.

diminish their military preparations and take effectual steps to restore public confidence."¹

Within a few months the man who had been the confidant of the rulers both in Berlin and Paris went to the British Foreign Office with the return of the Liberals to power. Lord Clarendon had been but a short while at 10 Downing Street when Crown Prince Frederick of Prussia called on him. "He is even more pacific than his father," the secretary of state for foreign affairs wrote to Lord Lyons; "and unlike his father would be glad to put the army on something more like a peace footing. The king, however, is unapproachable on this subject, but the prince says that in a year or two he will have to yield to the outcry of the people against the increased taxation that such monster armaments entail. He means to consult some experienced officers as to the manner in which reduction can be made without offense to the dignity of his martial sire, and he said something had been done in that direction by postponing till January the assembling of the levies that ought to have taken place in October."²

CLARENDON WRITES TO GERMANY

The year 1869 saw the Cretan insurrection become a minor European crisis, the notorious French attempt in Belgium, and a considerable national political turnover in France. In January, 1870, Bismarck's intention of creating a North German Empire became known. Simultaneously, France again sought to get disarmament discussed. M. de La Valette, the French ambassador to London, saw Lord Clarendon on January 26, and the Englishman consented to make the effort. "It is no new subject to me," he wrote, "but one which I have long had at heart, although it presents serious difficulties on account of the King of Prussia's obstinacy. . . . His army is his idol, and he won't make himself an iconoclast."³

On February 2, 1870, Lord Clarendon took up the subject. In a memorandum to Lord Augustus Loftus, British ambassador at Berlin, he began by recalling Count Bismarck's appreciation of himself. On that account, he made bold to broach the subject privately as one he had long had at heart. He said in part:

It is, I am sure, unnecessary for me to disclaim any intention to

¹Newton, *op. cit.*, 204.

²*Ibid.*, 207.

³P. 247.

interfere in the internal affairs of Prussia—such an intention would be alike presumptuous and useless.

But it is in the general interest of Europe, of peace, and of humanity that I desire to invite the attention of Count Bismarck to the enormous standing armies that now afflict Europe by constituting a state of things that is neither peace nor war, but which is so destructive of confidence that men almost desire war with all its horrors in order to arrive at some certainty of peace—a state of things that withdraws millions of hands from productive industry and heavily taxes the people for their own injury and renders them discontented with their rulers. It is a state of things in short that no thoughtful man can contemplate without sorrow and alarm, for this system is cruel, it is out of harmony with the civilization of our age, and it is pregnant with danger.

To modify this system would be a glorious work, and it is one that Prussia, better than any other power, might undertake. She would not only earn for herself the gratitude of Europe, but give a great proof of her morality and her power; it would be a fitting complement of the military successes she has achieved.

I know full well the difficulties that would beset such a course of policy. I know how great and deserved is the king's parental feeling and affection for his army—that he would view its reduction with pain, and that he might not think it safe to diminish its numerical force; but His Majesty is wise and foreseeing, and his moral courage is always equal to the measures he believes to be right, and should Count Bismarck think it not inconsistent with his duty to recommend a partial disarmament to the king, I can not but consider that the moment is a singularly propitious one for the purpose. . . .

There would consequently, I am convinced, be no opposition on the part of the French Government to a reduction of the army *pari passu* with Prussia. For reasons, however, quite intelligible, neither Government may choose to take the initiative in such a proposal; but if I had authority to do so, I do not doubt that the queen would allow me to sound the ground at Paris, in a manner entirely confidential, that should in no way compromise either Government, whatever might be the result of the suggestion.¹

BISMARCK NOT RESPONSIVE

Lord Lyons at Paris was furnished with a copy of this letter, and showed some apprehension that the proceeding might provoke ill-feeling if unsuccessful, as he felt it would be. Lord Augustus Loftus in a letter to Lord Clarendon on February 5 reported Bis-

¹*Ibid.*, 251-252.

marck's comments on the proposal. These were not responsive, but could not be construed as making a refusal. Their substance, on being told to Count Daru, the French minister for foreign affairs, led him to exclaim:

"I have determined," said Daru, "to disarm, whether Prussia does so or not. In fact, I have resolved to ask the Emperor at once to sanction a considerable reduction of the French army. I can not make this reduction as large as I should have done if I had more satisfactory accounts of the intentions of Prussia. All I can propose is to reduce the annual French contingent from 100,000 men to 90,000. As our men serve nine years, this will eventually effect a reduction of 90,000 men—a real absolute reduction. I shall thus give a pledge to Europe of pacific intentions, and set a good example to Prussia. I shall probably add great weight to the party in Germany which demands to be relieved from military burdens, and, I trust, enlist public opinion everywhere on my side. I shall also furnish Lord Clarendon with a powerful argument if, as I sincerely hope, he will persevere in his endeavors to work upon Prussia. I beg you to give my warmest thanks to him for what he has already done, and to express to him my anxious hope that he will not acquiesce in a first refusal from Prussia."¹

Bismarck's reply to the proposal of Lord Clarendon was dated on February 9 and read in essentials:

I am convinced that no European state or statesman exists who does not wish to see the feeling of confidence strengthened and peace maintained; and further that no German Government would wish to impose upon its people the maintenance of an army in excess of that proportion for which the requirements of its safety imperatively call.

Were the question officially put to us whether the diminution of our military strength is compatible with the secure maintenance of our independence, we should not decline to share in any deliberations which might take place on the subject; and we should carefully sift the question whether the great neighboring military powers are willing or able to give us guaranties such as would compensate Germany for the decrease in the amount of security which she has hitherto owed to her armies.

Lord Clarendon does His Majesty the King full justice when he infers that no considerations or feelings of a purely personal nature would deter him from adopting a measure which he had once recognized as right and proper, but Lord Clarendon will as readily understand that, however willing we may be to enter into a strictly confidential interchange of ideas

¹*Ibid.*, 258.

on this important question, we must reserve to ourselves the right of making a careful estimate of the relative position of the parties most deeply interested in the matter, and of judging whether the concessions which we ourselves might probably be expected to make stand in a fair and just proportion to those which it would be in the power of other nations to make. Our very geographical position is itself wholly different from that of any other continental power, and does not of course admit of comparison with the insular position of Great Britain. . . . Austria, France and Russia have each an army which, when on a peace footing, is superior in numbers to our own. Our system is moreover so to speak so thoroughly transparent that any increase in our effective force can at once be appreciated; the amount of any addition or decrease which we may make in our military force can therefore be most accurately calculated.

The military systems of other nations are of a different nature. Even in the case of nominal reductions they admit of the maintenance or renewal of their full effective strength; they even admit of a material increase of force being made without attracting notice or at all events without entailing the possibility of proof. . . . With us, on the other hand, the whole military system, which from its very nature is a matter of publicity, becomes more so owing to the nature of our institutions.

Under these circumstances, and in the event of a discussion on measures of such great importance being actually opened, we must ask ourselves what guaranties can be given to us that our position as regards other powers will not be practically impaired by our signifying our adherence to a system which, however just and even-handed it might appear in its action, would in reality not deal with equal fairness with all the parties concerned. . . .

I am persuaded that when you submit these remarks for Lord Clarendon's consideration, he will not see in them a refusal to enter into the views which he has so happily and eloquently set forth, but rather as the expression of the very serious responsibility which rests with a minister who is called upon to advise his sovereign in a matter pregnant with such important consequences.¹

PROPORTIONATE REDUCTION ADVOCATED

In the earlier comment Count Bismarck had added that he did not dare to show the proposal to the king, who would have got into a fury at it. On February 22 all this was communicated to the French minister. It was not until March 9 that Lord Clarendon returned to the attack on Bismarck. In this letter he wrote:

¹*Ibid.*, 262.

I would not desire the reduction of a single regiment if I thought it would impair the independence and the honor of Prussia, which in their plenitude I regard as essentially beneficial to Europe.

But can it be honestly affirmed that the power and independence of Prussia are menaced from any quarter? And, if not, surely the military force of Prussia is excessive and entails upon other countries the unquestionable evil of maintaining armies beyond the requirements of their safety. . . .

The question then to my mind appears quite simple. The military forces of the great continental powers have a certain proportion to each other; in order to maintain that proportion, very heavy burdens are imposed upon each country, but if by common agreement, each reduces its army by a certain number of men, the same proportions will be maintained, while the burdens, which are fast becoming intolerable will be alleviated.

Count Bismarck, however, thinks that if the question of diminishing the military strength of Prussia is entertained, it will be necessary carefully to inquire what guaranties can be given by neighboring military powers in compensation to Germany for a decrease in the amount of security which she has hitherto owed to her armies.

Upon this I would respectfully beg to observe that a minute discussion of guaranties would be endless and dangerous. The legitimate rights and precautionary measures of independent Governments would be analyzed in a spirit possibly of unfriendly criticism, and if agreements were arrived at, constant vigilance over their faithful fulfilment would be necessary, and this might possibly give rise to the quarrels that the agreements were intended to avert, and which would at once put an end to the compacts.

It is upon a dispassionate consideration of the probable course of events that the question of partial disarmament should in my opinion be decided. . . .¹

Lord A. Loftus reported on March 12 as to the effect of the note on Bismarck, some of whose arguments, says Lord Newton, were puerile. Loftus wrote:

On the whole, although Count Bismarck appeared to be somewhat incredulous as to the pacific appearance of Europe, he was less decidedly opposed to any disarmament than on the last occasion I spoke to him. He asked whether it was desired that he should mention the subject to the king. I replied in the affirmative, and suggested that he should have your lordship's two letters translated and submitted to His Majesty.

¹*Ibid.* 207, 208-209.

On my mentioning that any attempt at mutual guaranties would be very unadvisable, he said that without some guaranty the question of entertaining disarmament would be difficult; but he said it more as a passing observation than as a fixed decision.

I am afraid that if the question of disarmament is entertained at all (and probably neither the king nor Count Bismarck will like to discard it entirely) it will be hedged round with so many conditions that it will be rendered impossible; great care will be required that the question of disarmament shall not become a question of contention, and thus give a pretext for discussion, to be followed perhaps by war."¹

Count Daru, the French foreign minister, thought that Bismarck's language "was more satisfactory than it had yet been."²

Lord Clarendon wrote to Lord Lyons on March 23 that "at present it seems that the Liberal party, upon which Bismarck must lean more and more, would only support reduction on the condition that he would change his policy and invite or coerce the South into the Confederation." Thus ended the last effort of the Emperor Napoleon. The Franco-Prussian war was declared by his government on July 19, resulting in defeat and the Emperor's dethronement.

4. PAN AMERICAN EFFORT

A very definite effort to limit war's liability occurs in American history and was a feature of the opening of organized Pan American relations. James G. Blaine, it will be remembered, after a number of years' effort to bring the Americas together, finally, as Secretary of State for the second time, succeeded in doing so in what is popularly known as the Pan American Conference of 1889-90.

This International American Conference appointed a committee on General Welfare on December 7, 1889, consisting of John B. Henderson, United States; Manuel Quintana, Argentine Republic; Juan F. Velarde, Bolivia; Nicanor Bolet Peraza of Venezuela, José M. Hurtado of Colombia, J. G. do Amaral Valente of Brazil, and Fernando Cruz of Guatemala with Edmund W. P. Smith of the United States as secretary.

On January 15, 1890, Delegates Manuel Quintana and Roque Saenz Peña of Argentina, and Salvador de Mendonça and Valente

¹*Ibid.*, 272-273.

²*Ibid.*, 274.

of Brazil presented a proposal for compulsory arbitration. This proposal contained the following provisions:¹

Sixth. In case of war a victory of arms shall not convey any rights to the territory of the conquered.

Seventh. The treaties of peace which put an end to the hostilities may fix the pecuniary indemnification which the belligerents may owe to each other, but if they contain cessions or abandonment of territory they will not be concluded, as far as this particular point is concerned, without the previous evacuation of the territory of the conquered power by the troops of the other belligerent.

Eighth. Acts of conquest, whether the object or the consequence of the war, shall be considered to be in violation of the public law of America.

PROPOSAL OF COMMITTEE

The Committee on General Welfare presented three texts to the conference. The first provided a scheme of arbitration among the American states; the second was a resolution urging this principle upon Europe, and the third was declaratory for the Americas in the following language:

First. That the principle of conquest shall never hereafter be recognized as admissible under American public law.

Second. That all cessions of territory made subsequent to the present declarations shall be absolutely void if made under threats of war or the presence of an armed force.

Third. Any nation from which such cessions shall have been exacted may always demand that the question of the validity of the cessions so made shall be submitted to arbitration.

Fourth. Any renunciation of the right to have recourse to arbitration shall be null and void whatever the time, circumstances and conditions under which such renunciation shall have been made.²

At the outset of the discussion on April 18, John B. Henderson of the United States delegation submitted a substitute resolution reading as follows:

Whereas, in the opinion of this Conference, war waged in the spirit of aggression or for the purpose of conquest should receive the condemnation of the civilized world; therefore,

¹Minutes of the International American Conference, 108.

²International American Conference. Reports of Committees and Discussions thereon, II, 1122.

Resolved, That if any one of the nations signing the treaty of arbitration proposed by the conference shall wrongfully and in disregard of the provisions of said treaty prosecute war against another party thereto, such nation shall have no right to seize or hold property by way of conquest from its adversary.

THE DECISION REACHED

Mr. Henderson referred to this both as a minority report and as a substitute on which he did not desire a vote. After discussion, the committee text was adopted 15 to 1, the United States voting in the negative and Chile abstaining. The proposal then underwent detailed consideration and the discussion became very confused. Andrew Carnegie finally moved a recess of 20 minutes, during which the Committee on General Welfare and James G. Blaine for the United States revised the text. On Mr. Blaine's motion, the substitute text was adopted unanimously, Chile abstaining, as follows:

Whereas, there is, in America, no territory which can be deemed *res nullius*, and

Whereas, in view of this, a war of conquest of one American nation against another would constitute a clearly unjustifiable act of violence and spoliation; and

Whereas, the possibility of aggressions upon national territory would inevitably involve a recourse to the ruinous system of war armaments in time of peace; and

Whereas, the Conference feels that it would fall short of the most exalted conception of its mission were it to abstain from embodying its pacific and fraternal sentiments in declarations tending to promote national stability and guarantee just international relations among the nations of the continent; Be it therefore

Resolved by the International American Conference, That it earnestly recommends to the Governments therein represented the adoption of the following declarations:

First. That the principle of conquest shall not, during the continuance of the treaty of arbitration, be recognized as admissible under American public law.

Second. That all cessions of territory made during the continuance of the treaty of arbitration shall be void if made under threats of war or in the presence of an armed force.

Third. Any nation from which such cessions shall be exacted may

demand that the validity of the cessions so made shall be submitted to arbitration.

Fourth. Any renunciation of the right to arbitration, made under the conditions named in the second section, shall be null and void.

No action resulted from this recommendation so far as a multipartite treaty was concerned.

WHAT CHILE THOUGHT

The Chilean attitude was not the result of any expressed opinion respecting this proposal, but was based upon a statement respecting arbitration which was made in the earlier session of April 14 and covered the entire work of the Committee on General Welfare. The lengthy document of the Chilean delegation was a remarkable statement which it is to be hoped no longer expresses the opinion of that virile nation. The essential part of the opinion reads:

The consideration of the fundamental idea established in it as the basis of the whole project, namely, that arbitration be recognized as obligatory, and be stipulated in a public treaty as the only means for settling conflicts, or contentions which may arise, or exist, among the American nations, irrespective of their cause, or circumstances, excepting only those questions which affect the national independence, has led us to the conviction that the conclusion of the treaty which the Committee of General Welfare recommends would produce, if carried into effect, more difficulties, and more pernicious results, than those which it proposed to obviate or avoid. And those results would indeed weaken, and in the end would destroy, the efficiency of the system, the strengthening of which is desired and whose efficiency and authority, when timely resorted to, all nations are interested to preserve.

5. HAGUE CONFERENCE, 1899

Europe's political air was full of storm clouds in the spring of 1898. In the Far East, Great Britain stood for Chinese independence, but Russia had secured the lease of Port Arthur against Japanese interests. France was maneuvering to get a coaling station and to build railroads in the south to connect with her own Indo-China. The United States and Spain were on the verge of war, that was soon to come. Europe was watching the struggle between Great Britain and Krüger in South Africa, which was finally to result in conflict. The Zola trial was exciting France

and drawing to the surface the worst passions of the nation. The mechanism of warlike armaments had recently made great advances and Germany had completely fitted her immense army with costly new and improved artillery. France had done the same thing. Austria-Hungary belonged to the Triple Alliance, and so had certain definite duties in respect to armaments; Germany's new artillery made new Austro-Hungarian artillery necessary, according to the standards of duty among allies. She had not yet moved a finger to fulfil that duty; nor had Russia, the ally of France. Russia in particular was hard up; she did not have a dollar that was not mortgaged, and she was living to a large extent on borrowed money. Any additional expense was bound to come hard.

In Russian financial affairs at that time, Serge Witte was the government. Count Muraviov was minister of foreign affairs, a man trained in the school of Russia's older diplomacy. One day Count Muraviov handed Witte a document. The paper had been drafted by General Kuropatkin, the war minister, had gone to the Emperor, had been read by him and sent on to the foreign minister with the notation to communicate it to the minister of finances and secure his opinion of it. What Kuropatkin had written to the Emperor was that Russia faced the necessity of re-arming her artillery to keep up the European pace, but that Russia did not handily have the money. In detail, General Kuropatkin recounted that as Germany and France had re-armed their artillery Russia and Austria-Hungary must do likewise. Austria-Hungary as a member of the Triple Alliance had no choice. Russia would find the expense extremely irksome. Would it not, the minister of war asked the Emperor, be possible for Russia and Austria-Hungary to avoid this portentous outlay by reaching an agreement between themselves? He pointed out that it was the proportion of armament rather than its mere amount which really counted in military efficiency. So why not reduce proportionately rather than increase? The resultant strength would be the same.

"If we go to this expense," said Count Muraviov in effect, "Austria-Hungary will do the same, and we shall be no better off in respect to military efficiency, while Russia will be considerably worse off for money. You have charge of the Empire's money, and it is for you to say what you think of the suggestion."

GENERAL CONFERENCE SUGGESTED

Witte replied that the question ought never to have been asked. He for one could not support General Kuropatkin in any such proposal. Whatever its merits, the proposal was sure to be rejected, reports of its having been made would certainly leak out,—and Russia would be the laughing stock among nations. The mere suggestion of the project would be equivalent to a confession of bankruptcy. It would be argued that Russia was too hard up to spend a few millions on her army, and that there was some hitch in her financial arrangements which was not apparent to the outside world. The result would be that her credit would be impaired abroad. If the money was needed, Witte would find it without any such confessions.

But the Russian minister of finances continued: "If," he said, "instead of trying to save a few millions for two nations, it were possible to make such a proposition as General Kuropatkin's to Europe as a whole and enable all the nations to save the huge sums that were being sunk in armaments annually, the proposition would be worth while. And if the proposal was discussed generally among European nations, no discredit would redound to the finances of any. Militarism itself was the enemy, and vainly to try and reduce on the single item of artillery would be like trying to kill a tree by lopping off a limb. No good could come except the thing itself was destroyed."

"Not that a nation should disarm or be inadequately protected," he is quoted as continuing.¹ "Neither would I have the sentiment of patriotism weakened. But I often tell myself that the unexampled prosperity of the United States of America is a direct effect of its immunity from militarism. Suppose each of the states were independent, as are those of Europe, would the revenue of North America exceed its expenditure then, as it does to-day? Would trade and industry flourish there as they do? On the other hand, suppose Europe could continue to do with a mere nominal army, and confine its defenses to warships, would it not thrive in an unprecedented way, and rule the best part of the globe? Can it ever be accomplished? At any rate, it is an ideal worthy of the generous ambition of the Tsar."

¹London *Telegraph*, May 21, 1907; E. J. Dillon, *Contemporary Review*, 91, 879-882 (June, 1907); Dillon, *The Eclipse of Russia*, 269-274; Witte, *Memoirs*, 96.

Count Muraviov reported the substance of the conversation to the Emperor. What form the report took is not known. At any rate, the Tsar authorized his ministers to discuss the matter further.

A special council was held, at which Count Muraviov, Count Lamsdorv, M. Witte and General Kuropatkin were present. General Kuropatkin's original proposition was up for definite decision and was sharply criticized by Witte along the lines of his conversation with Count Muraviov. Counts Muraviov and Lamsdorv, both from the foreign office, supported him and the Kuropatkin proposal consequently became a dead letter.

Count Muraviov then drew from his pocket the rough draft of a circular to the powers, which in its finished form as handed to the diplomatic corps on August 24, 1898, read:

The maintenance of general peace and the possible reduction of the excessive armaments which weigh upon all nations present themselves in the existing conditions of the whole world as an ideal toward which the endeavors of all Governments should be directed. His Majesty the Emperor, my august master, has been won over to this view. In the conviction that this lofty aim is in conformity with the most essential interests and legitimate views of all the powers, the Imperial Government thinks the present moment would be very favorable to seek by means of international discussion the most effectual means of insuring to all peoples the benefits of real and durable peace, and above all, of putting an end to the progressive development of the present armaments.

In the course of the last twenty years the longings for general pacification have grown especially pronounced in the consciences of the civilized nations. The preservation of peace has been put forward as the object of international policy. It is in its name that the great states have concluded between themselves powerful alliances. It is the better to guarantee peace that they have developed in proportions hitherto unprecedented their military forces, and still continue to increase them without shrinking from any sacrifice.

All these efforts, nevertheless, have not yet been able to bring about the beneficent results of the desired pacification.

Financial charges, following an upward march, strike at public property and at the very source of intellectual and physical strength. Nations' labor and capital are for the major part diverted from their natural application and unproductively consumed. Hundreds of millions are devoted to acquire terrible engines of destruction, which, though to-day regarded as the last work of science, are destined to-morrow to lose all

value in consequence of some fresh discovery in the same field. National culture, economic progress and the production of wealth are either paralyzed or checked in development.

Moreover, in proportion as the armaments of each power increase, so do they less and less fulfil the object which the Governments have set before themselves.

Economic crises, due in great part to the system of armaments *à outrance*, and the continual danger which lies in this massing of war material, are transforming the armed peace of our days into a crushing burden which the peoples have more and more difficulty in bearing.

It appears evident, then, that if this state of things is prolonged it will inevitably lead to the very cataclysm which it is desired to avert, and the horrors of which make every thinking person shudder in advance.

To put an end to these incessant armaments and to seek a means of warding off the calamities that are threatening the whole world is a supreme duty which to-day is imposed on all states.

Filled with this idea, His Majesty has been pleased to order that I propose to all the Governments whose representatives are accredited to the Imperial Court the meeting of a conference which would have to occupy itself with this grave problem. This conference would be, by the help of God, a happy presage of the century which is about to open. It would converge in one powerful focus the efforts of all the states which are sincerely seeking to make the great conception of universal peace triumph over the elements of trouble and discord. It would at the same time cement an agreement by a corporate consecration of the principles of equity and right, on which rest the security of states and the welfare of the peoples.

The Russian circular note of December 30, 1898, contained the following program items:

1. An understanding stipulating the non-augmentation, for a term to be agreed upon, of the present effective armed land and sea forces, as well as the war budgets pertaining to them; preliminary study of the ways in which even a reduction of the aforesaid effectives and budgets could be realized in the future.

2. Interdiction of the employment in armies and fleets of new fire-arms of every description and of new explosives, as well as powder more powerful than the kinds used at present, both for guns and cannons.

3. Limitation of the use in field fighting of explosives of a formidable power, such as are now in use, and prohibition of the discharge of any kind of projectile or explosive from balloons or by similar means.

4. Prohibition of the use in naval battles of submarine or diving tor-

pedo-boats, or of other engines of destruction of the same nature; agreement not to construct in the future warships armed with rams.

THE RUSSIAN PROPOSITIONS

Russia's proposals respecting armies were as follows:

1. Establishment of an international agreement for a term of five years stipulating the non-augmentation of the present number of troops on a peace basis maintained in the mother countries.

2. The fixation, if possible, in case of this agreement, of the number of peace effectives of the armies of all powers, not including colonial troops.

3. The maintenance for the same period of five years of the amount of the military budget at present in force.

On the naval side the Russian proposal made by Captain Schéine was:

To accept the principle of fixing the size of naval budgets for a period of three years, with the engagement not to increase the total during this triennial period, the obligation to make known in advance for this same period:

1. The total tonnage of warships which it is proposed to construct without defining the type of the ships themselves.

2. The number of officers and men in the navy.

3. The expenses of coast fortifications, including forts, docks, arsenals, etc.¹

These proposals were opposed directly by Germany and indirectly by the United States. The conference contented itself with passing the following recommendations:

The conference is of opinion that the restriction of military charges, which are at present a heavy burden on the world, is extremely desirable for the increase of the material and moral welfare of mankind.

It has, besides, uttered the following *vœux*:

3. The conference utters the *vœu* that the questions with regard to rifles and naval guns, as considered by it, may be studied by the Governments with the object of coming to an agreement respecting the employment of new types and calibers.

4. The conference utters the *vœu* that the Governments, taking into consideration the proposals made at the conference, may examine the possibility of an agreement as to the limitation of armed forces by land and sea, and of war budgets.

¹For full discussion see *Actes de la Conférence*, Part II; Naval War College, *International Law Topics and Discussions*, 1913, 75-88; William I. Hull, *The Two Hague Conferences*, 62-75.

5. The conference utters the *vœu* that the proposal which contemplates the declaration of the inviolability of private property in naval warfare may be referred to a subsequent conference for consideration.

6. The conference utters the *vœu* that the proposal to settle the question of the bombardment of ports, towns, and villages by a naval force may be referred to a subsequent conference for consideration.

6. SECOND HAGUE CONFERENCE, 1907

The second Hague Conference was proposed by the United States in a circular note dated October 21, 1904. Subsequently the Russian Government laid claim to the right to issue the formal call. The formal program, dated April 3, 1906, dealt rather with the laws and usages of war than with limitation. A note of April 4, 1907, from Russia stated that "the Government of the United States has reserved to itself the liberty of submitting . . . the reduction or limitation of armaments." The Spanish Government desired to discuss the limitation of armaments and the British Government attached "great importance to having the question of expenditures for armament discussed at the conference."

This inclination brought forth objections, which were answered by the British premier, Sir Henry Campbell-Bannerman, by a statement in *The Nation* on March 2, 1907. In that periodical he made a case which has not lost its point today:

The disposition shown by certain powers, of whom Great Britain is one, to raise the question of the limitation of armaments at the approaching Hague Conference has evoked some objections both at home and abroad, on the ground that such action would be ill-timed, inconvenient and mischievous. I wish to indicate, as briefly as may be, my reasons for holding these objections to be baseless.

It should be borne in mind that the original conference at The Hague was convened for the purpose of raising this very question, and in the hope that the powers might arrive at an understanding calculated to afford some measure of relief from an excessive and ever-increasing burden. The hope was not fulfilled, nor was it to be expected that agreement on so delicate and complex a matter would be reached at the first attempt; but, on the other hand, I have never heard it suggested that the discussion left behind it any had injurious consequences. I submit that it is the business of those who are opposed to the renewal of the attempt, to show that some special and essential change of circumstances has arisen, such as to render unnecessary, inopportune, or positively mischievous, a course adopted with general approbation in 1899.

Nothing of the kind has, so far as I know, been attempted, and I doubt if it could be undertaken with any hope of success. It was desirable in 1898 to lighten the burden of armaments; but that consummation is not less desirable today, when the weight of the burden has been enormously increased. In 1898 it was already perceived that the endless multiplication of the engines of war was futile and self-defeating; and the years that have passed have only served to strengthen and intensify that impression. In regard to the struggle for sea power, it was suspected that no limits could be set to the competition, save by a process of economic exhaustion, since the natural checks imposed on military power by frontiers and considerations of population have no counterpart upon the seas; and again, we find that the suspicion has grown to something like a certainty today.

On the other hand, I am aware of no special circumstances which would make the submission of this question to the Conference a matter of international misgiving. It would surprise me to hear it alleged that the interests of the powers in any respect impose on them a divergence of standpoint so absolute and irreconcilable that the mere discussion of the limitation of armaments would be fraught with danger. Here, again, it seems to me that we do well to fortify ourselves from recent experience. Since the first Hague Conference was held, the points of disagreement between the powers have become not more, but less acute; they are confined to a far smaller field; the sentiment in favor of peace, so far as can be judged, has become incomparably stronger and more constant; and the idea of arbitration and the peaceful adjustment of international disputes has attained a practical potency and a moral authority undreamt of in 1898.

BRITISH OFFER AND RESULT

Sir Edward Fry, the principal delegate of the British Government, brought the question before the Conference on August 17, 1907, when in the course of a speech he declared he was authorized to make the following declaration:

The Government of Great Britain will be prepared to communicate annually to powers which would pursue the same course as the program for the construction of new ships of war and the expenditure which this program would entail. This exchange of information would facilitate an exchange of views between the Governments on the subject of the reductions which it might be possible to effect by mutual agreement.

The British Government believes that in this way it might be possible to arrive at an understanding with regard to the expenditure which the states which should undertake to adopt this course would be justified in incorporating in their estimates.

Sir Edward proposed a resolution which appears in the final act in the following form:

The Second Peace Conference confirms the resolution adopted by the Conference of 1899 in regard to the limitation of military expenditure; and inasmuch as military expenditure has considerably increased in almost every country since that time, the Conference declares that it is eminently desirable that the Governments should resume the serious examination of this question.

III. ORIGIN OF LEAGUE OF NATIONS PROVISIONS

The League of Nations is the servant of the member-states, who together determine what it shall do. In the constituent Covenant they pledge themselves to reduce their armaments "to the lowest point consistent with national safety and the enforcement by common action of international obligations." They agree that the Council of the League "shall formulate plans for such reduction," but the plans themselves are to be "adopted by the several Governments," which, however, pledge themselves not to exceed the limits thus fixed without the concurrence of the Council, subject to revision "at least every ten years." The League, therefore, has no right of initiative of its own, though it is entitled to ask of itself for "full and frank information as to the scale of their armaments," their programs and their industries of warlike utility. The origin of these provisions constitutes a historical effort to limit armament, and their operation is well worthy of study as a background for a conference in which the leading powers themselves meet to take decisions of their own.

The negotiations which resulted in Articles VIII and IX of the Covenant have a peculiar interest in connection with the Washington conference. Representatives of the United States, the British Empire, France, Italy, Japan and China two and a half years ago recorded in them their attitude toward reduction of armament in the League of Nations Commission of the Preliminary Peace Conference. Representatives of Belgium, Brazil, Greece, Poland, Portugal, Rumania, Serbia and Czecho-Slovakia, none of which is to be represented at Washington, also served on the commission.

The Covenant of the League of Nations was built from a number of suggested drafts. Four of these received textual consideration. A British draft was produced by a committee headed by the present Lord Phillimore, who reported a text to the Foreign Office on March 20, 1918;¹ a French project was produced by a ministerial commission reporting on June 8, 1918; and an Italian plan had been drawn up by a similar commission.

¹The historical appendix of the final report of the committee is published in Great Britain, Foreign Office, Historical Section, *Peace Handbooks*, Vol. XXV, 23-64. In the following pages many of the English texts are unofficial translations from the official French.

The Italian project, after reciting in Article I that the contracting states pledged themselves to settle all their controversies by peaceable means, to execute decisions in good faith, and to abstain from coercive measures, said:

The states consequently engage to reduce their armed forces of every kind within the necessary limits, according to provisions which shall be affixed in a special protocol.

A military committee was to be organized subordinate to a council consisting of one representative of each of the powers. To it Article VII of the Italian project referred:

The military committee shall collect data and propose the measures which may serve to solve problems of a military character properly interesting the League of Nations.

FRANCE PROPOSES INTERNATIONAL FORCE

The French ministerial commission on the League of Nations adopted texts, of which the following, with reference to armaments, were among the projects used by the commission on the League of Nations of the Preliminary Peace Conference in elaborating the draft covenant of February 14, 1919:

I. EXPOSITION OF PRINCIPLES ON WHICH A SOCIETY OF NATIONS MAY BE FOUNDED

IV. The Society of Nations is represented by an international organization composed of the responsible chiefs of governments or of their delegates. This international organization has the following attributes:

4. It assures the execution of its decisions and of those of the international tribunal; on its requisition, each nation is bound to use its economic, maritime and military power, in common agreement with the others, against any countervailing nation;

5. Each nation is likewise bound, on requisition by the international organization, to use its economic, maritime and military power, in common agreement with the others, against any nation which, not having adhered to the Society of Nations, should pretend to impose its will upon another by any means whatsoever. . . .

III. MILITARY SANCTIONS

I. INTERNATIONAL FORCE

The execution of military sanctions on land and sea is intrusted either to an effective international force or to one or more powers members of

the Society of Nations which have received a mandate for this purpose.

The international organization disposes of an international force provided by the various adherent states and sufficient to:

1. Assure the execution of its decisions and of those of the international tribunal.

2. Overcome, should the occasion arise, the forces which might be opposed to the Society of Nations in case of armed conflict.

II. EFFECTIVES OF THE INTERNATIONAL CONTINGENTS

The international organization determines the strength of the international force and fixes the contingents which must be placed at its disposal.

Each of the adherent states is free to regulate as it sees fit the conditions under which its contingents shall be recruited.

The question of the limitation of armaments in each of the adherent states will be dealt with in a special chapter.¹

III. PERMANENT GENERAL STAFF SERVICE

A permanent international general staff service is intrusted with the study of military questions affecting the Society of Nations. Each state designates the officer or officers who represent it in accordance with a proportion to be determined.

The chief and the sub-chiefs of this service are appointed for a period of three years by the international organization on the basis of a list presented by the adherent states.

IV. FUNCTIONS OF THE PERMANENT GENERAL STAFF SERVICE

The permanent international general staff service is intrusted, under the control of the international organization, with everything concerning the organization of the common forces and the eventual conduct of military operations. It especially has the duty of inspecting the international strengths and armaments in agreement with the military authorities of each state and of proposing improvements which seem necessary to it both in the international military organization and in the constitution, composition and recruiting of the strengths of each state. The general staff reports either on its own initiative or on the request of the international organization respecting the result of its inspections. Military instruction is given in each adherent state in conformity with regulations intended to make the armament and the methods of action employed by troops acting in concert as uniform as possible.

¹The details were not worked out.

The international organization is empowered at any time to demand that the adherent states make any modifications in national recruiting of which the necessity is indicated by the general staff service.

V. COMMANDER-IN-CHIEF AND CHIEF OF THE GENERAL STAFF

When circumstances so require, the international organization appoints for the duration of the operation to be undertaken the commander-in-chief intrusted with the direction of the international forces. The commander-in-chief on his appointment chooses his chief of general staff and the officers to assist him.

The powers of the commander-in-chief and of his chief of general staff come to an end when circumstances allow him no longer to fear an armed conflict or when the intended effect of the military operations is attained.

In both cases the decision of the international organization fixes the date on which the powers of the commander-in-chief and of the general staff come to an end.

SMUTS AND WILSON IDEAS

A plan was published by General Smuts before the convening of the Peace Conference and was given much attention both by the public and by the individuals constituting the Commission on the League of Nations. The study consisted of a discussion, summarized in paragraphs of which the following are pertinent:

(15) That all the states represented at the Peace Conference shall agree to the abolition of conscription or compulsory military service; and that their future defense forces shall consist of militia or volunteers, whose numbers and training shall, after expert inquiry, be fixed by the Council of the League.

(16) That while the limitation of armaments in the general sense is impracticable, the Council of the League shall determine what direct military equipment and armament is fair and reasonable in respect of the scale of forces laid down under paragraph (15), and that the limits fixed by the Council shall not be exceeded without its permission.

(17) That all factories for the manufacture of direct weapons of war shall be nationalized and their production shall be subject to the inspection of the officers of the Council; and that the Council shall be furnished periodically with returns of imports and exports of munitions of war into or from the territories of its members, and as far as possible into or from other countries.

The English, or Phillimore, draft contains no specific reference to armament control.

President Wilson some months before the Peace Conference redrafted the Phillimore plan with the object of making it more definite, later adding to the draft some of the Smuts suggestions. That draft contained the following article:¹

ARTICLE IV. The contracting powers recognize the principle that the establishment and maintenance of peace will require the reduction of national armaments to the lowest point consistent with domestic safety and the enforcement by common action of international obligations; and the delegates are directed to formulate at once plans by which such reduction may be brought about. The plan so formulated shall be binding when, and only when, unanimously approved by the Governments signatory to this covenant.

As the basis for such a reduction of armaments, all the powers subscribing to the treaty of peace of which this covenant constitutes a part hereby agree to abolish conscription and all other forms of compulsory military service, and also agree that their future forces of defense and of international action shall consist of militia and volunteers, whose numbers and methods of training shall be fixed, after expert inquiry, by the agreements with regard to the reduction of armaments referred to in the last preceding paragraph.

The body of delegates shall also determine for the consideration and action of the several Governments what direct military equipment and armament is fair and reasonable in proportion to the scale of forces laid down in the program of disarmament; and these limits, when adopted, shall not be exceeded without the permission of the body of delegates.

The contracting powers further agree that munitions and implements of war shall not be manufactured by private enterprise or for private profit, and that there shall be full and frank publicity as to all national armaments and military or naval programs.

COMMISSION BEGINS STUDY

This text was submitted to David Hunter Miller and Gordon Auchincloss, legal advisers of the American Commission to Negotiate Peace, who made a series of comments upon the text and suggested changes of wording in various places. These changes seem to have been accepted and a later text, which has been printed under the name of the American draft, involved still other changes.² These strictly American drafts were taken up by Mr. Miller

¹Treaty of Peace with Germany. Hearings before the Committee on Foreign Relations, United States Senate, 1166, 1172, 1186.

²*Ibid.*, 255.

with Cecil J. B. Hurst, legal adviser of the British delegation, acting together as a legal committee for the League of Nations Commission, and they produced a new plan of which Article VIII, reading as follows, became the basis from which the commission itself began its studies:

The high contracting parties recognize the principle that the maintenance of peace will require the reduction of national armaments to the lowest point consistent with domestic safety and the enforcement by common action of international obligations; and the Executive Council shall formulate plans for effecting such reduction. It shall also inquire into the feasibility of abolishing compulsory military service and the substitution therefor of forces enrolled upon a voluntary basis and into the military and naval equipment which it is reasonable to maintain.

The high contracting parties further agree that there shall be full and frank publicity as to all national armaments and military or naval programs.

In the fourth session of the Commission on the League of Nations of the Preliminary Peace Conference, February 6, 1919, Léon Bourgeois (France) insisted on the impossibility of France accepting at present the suppression of obligatory service, "which is for it an essential question of democracy and a corollary of universal suffrage." After remarks by Vittorio Orlando (Italy) and Ferdinand Larnaude (France) to the same effect, President Wilson proposed to strike out the last sentence of the first paragraph relative to the possibility of abolishing obligatory military service and to replace it with the following text:

The executive council shall also determine for submission for the consideration and action of the several governments what military equipment and armament are fair and reasonable in porportion to the scale of forces laid down in the program of disarmament; and these limits, when adopted, shall not be exceeded without the permission of the General Assembly of delegates.¹

This proposal was accepted.

On the proposal of the President, likewise accepted, the last paragraph of the article was modified as follows:

The high contracting parties further agree that munitions and imple-

¹Reads "Executive Council" in the first report of the Commission of February 14, 1919 (Treaty of Peace with Germany, Hearings, 266).

ments of war shall not be manufactured by private enterprise, and direct the executive council to advise as to the means to bring this practice to an end; the high contracting parties also decide that there shall be full and free publicity given to the question of national armament and of military and naval programs.

Viscount Chinda (Japan) proposed that in the first clause of this article in the third line the words "domestic safety" be replaced by the words "national safety." The suggestion was adopted.

Article VIII as modified was adopted.

BOURGEOIS PUTS FORWARD AMENDMENTS

In the eighth session of the commission on February 11, M. Bourgeois for France introduced amendments to the draft. In a speech concerning these he commented that:

The substitution of the words "national safety" for the words "domestic safety," adopted as a result of the observation of the delegate of Japan, must involve certain changes with a view to securing the realization in fact of these words of President Wilson:

"It will be absolutely necessary that a force be created as a guarantor of the permanency of the settlement so much greater than the force of any nation now engaged or any alliance hitherto formed or projected, that no nation, no probable combination of nations, could face or withstand it."

In order that the international force which President Wilson desires should exist, it is necessary that no separate force should be able to withstand it. I, therefore, believe that it is necessary to organize the control of strength and armaments in a manner rigorous enough to stop nations of bad faith in the preparation of new wars and to guarantee the loyal nations against any surprise resulting from the failure of the organization of law.

Therefore, in Article VIII there must be inserted after the words "the Executive Council shall formulate plans for effecting such reduction," the following paragraph:

"It will institute an international control of effectives and armaments, and the high contracting parties engage to submit thereto in full good faith. It will determine the conditions under which the existence and organization of this international force are to be permanently assured."

In closing, I would recall that in the session of February 6 I insisted with respect to Article VIII that in the determination of the strengths and

armaments of each nation either for its own security or for its participation in the international force, it would be necessary to introduce two distinct elements and that the coefficient of relative power of each state must be combined with the coefficient of the risk which each state may have to run by reason of its geographical situation and the character of its frontier. President Wilson has nobly recognized this necessity, when at the tribune of the French Chamber of Deputies he spoke this great word, for which I here thank him: "The frontier of France is the frontier of freedom."

I would demand, therefore, that at the end of the words "the Executive Council shall formulate plans for such reduction" there be added this phrase: "Taking account in the determination of contingents not only the relative power of the states but of the risks which they may run on account of their geographical situation and the condition of their frontiers." I offer this new amendment to Article VIII.

M. Larnaude supported M. Bourgeois and emphasized the idea of the geographical risk "which is so important for nations such as Poland, the Czecho-Slovak Republic, Rumania, Belgium, France, etc. The control of war manufactures and of certain other manufactures which may be used for war is at the foundation of any League of Nations if it is not desired that nations of good faith should be the victims of the others."

WILSON'S ATTITUDE DEFINED

The President of the United States said that it was necessary to make a distinction between the possible and the impossible:

No nation will consent to the control; as for us Americans we can not consent to it because of our Constitution. But we must do everything possible to assure the security of the world. A plan will have to be drawn up by each country so that it will have a force sufficient for:

1. Maintaining its national security;
2. Contributing to international security.

It will have to be admitted that France shall maintain a force proportionately larger than other nations on account of the geographical risk referred to. As to constructing a unified military machine in time of peace, that is another question. The war has made clear the absolute necessity of unity of command, and this offered an immense advantage which influenced the outcome of the war itself. But this was possible on account of the immediate danger which menaced civilization. The proposal to realize military unity in time of peace would be a proposition that

no nation would accept. The Constitution of the United States prohibits the President from sending national troops out of the country. If the United States maintains an army there will always have to be an inevitable delay to send this army to the required spot. It is possible that the Germans might again accumulate military forces. If the militarist folly is not given up in Germany and was not destroyed by this war, it is evident that there might be a new menace. But this would not happen immediately, economic conditions in Germany being too unfavorable for it.

As for us, if we should now organize an international force, it would seem that we were substituting international militarism for national militarism. Eminent Frenchmen have already said to me that they would not accept what the American Constitution prevents me from accepting. I know how France has suffered and I understand that she wishes to obtain the best guaranties before entering the League, and everything we can do in this line we will do. But we can not accept formulas in contradiction with our Constitution.

The argument which has been most employed against the League of Nations is that the army of the United States would be at the disposal of an international council, that American troops would thus be exposed to fighting at any time for remote causes, and this condition scares our people. There is therefore no other way for us than to adopt a system compatible with our Constitution and our public opinion.

M. Bourgeois in reply said that he had in mind the verification of the quantities of armament produced by each nation, which could be done only if each state undertook not to exceed certain limits and to allow an inspection. As to an international force, there is no question of a permanent army, but simply of preparing in advance the military organization of national contingents so as to combine them rapidly against an aggressor state.

The discussion continued for some time, becoming more general in character, and the commission ended the session by referring the questions involved to the editing committee.

BOURGEOIS URGES PUBLICITY

The two articles came to second reading in the tenth session of the commission on February 13. The text as then edited was read by the presiding officer, who thought that it met the ideas of the French and Portuguese delegations. M. Bourgeois called attention to the danger that publicity for military preparation

might present, a point first mentioned by M. Batalha-Reis of Portugal. He thought that a complete exchange of information establishing a régime of mutual confidence offered advantages and seemed indispensable to the functioning of the League; but he was obliged to look ahead to the time when other states would be members and to contemplate measures to prevent the good faith of the present allies from being surprised. In short, a verification is indispensable if it is desired that the limitation of armaments is to be real. He therefore insisted that the following text be substituted for the last paragraph of Article VIII:

The high contracting parties, resolved mutually to furnish frank and full information as to the scale of their armaments and of their military and naval programs, and the condition of such of their industries as are adaptable to warlike purposes shall establish a commission intrusted with the establishment of the necessary facts.

Mr. Larnaude remarked that it was impossible for the control to be controlled, and therefore that the verification of armaments should be made by others than those who manufactured them.¹ The President said that the editing committee had tried to come as closely as possible to the French point of view, but it seemed difficult under the present system to adopt the idea of verification completely. M. Bourgeois expressed the opinion that the only way for the French delegation was to propose an amendment. The question at issue "was of such importance that the commission must give a decision on the French text." M. Kramarz said that the Allies had confidence in each other but that it was desirable to take exceptional guaranties against Germany. He suggested an amendment expressing that idea in general terms,

¹The Military, Naval and Air Commission of the League of Nations on February 25, 1921, unanimously adopted the following opinion:

"According to Article VIII of the Covenant:

"The Members of the League undertake to interchange full and frank information as to the scale of their armaments, their military, naval and air programmes."

"In view of this undertaking it appears superfluous and futile to set up a new system of supervision for the nations which have already signed that declaration. If the good faith of such an interchange of information is open to suspicion, will not a similar doubt arise in regard to the information which would be supplied by this organ of control?"

"Every nation is sovereign in its own territory, and it would itself direct any investigation which might be carried out there. The good faith of these investigations will, therefore, be just as liable to suspicion as its own statements had been."—Minutes of the Twelfth Session of the Council. 186.

which was finally rejected. The President observed that all the military general staffs of Europe knew of Germany's war preparations. M. Larnaude recalled that at the battle of Charleroi the number of German army corps was 30 more than the French expected. No one could foresee this crushing superiority, which resulted from an easy deception. M. Bourgeois insisted that the absence of verification would encourage war.

The President proposed a text which M. Bourgeois said gave the commission no more power than the original. He demanded a vote on the French amendment, which was rejected.¹

After an editing change the article was adopted.

DEBATE ON EXECUTIVE ORGAN

M. Bourgeois then brought forward the French amendment to Article IX, which read:

The permanent organ shall be established to foresee and prepare the military and naval measures for executing obligations which the present convention imposes on the high contracting parties, and to assure their immediate efficacy in all cases of urgency.

The President observed that the French proposal contemplated the establishment of an international staff with the purpose of studying military and naval questions and the means of preparing efficient action. But the League of Nations could not be considered as an alliance against Germany. Nothing would be more dangerous to peace. Further, no country would accept an international staff which would have the right of interfering in its own military and naval plans. M. Bourgeois explained the reasons which prompted the amendment. There was no question of preparing an international army to be placed or to act in a given place. It was simply a question of establishing an understanding among the military authorities of the several associated countries so as to be in a position to make use rapidly of national contingents in case of a sudden attack by one of the associates or a power not an associate.

If such an understanding were not made in advance, we risked finding ourselves in a state of disorganization similar to that of the liberal powers when Germany invaded Belgium. It was

¹The vote was 12 to 3, according to André Tardieu, *The Truth About the Treaty*, 135, note.

therefore a question only of providing an organization, whose name was of little importance, but the purpose of which was to insure the immediate efficacy of military action by the League of Nations. This measure was indispensable not only for the security of nations exposed to "geographic risks," but also for the safety of the whole League itself.

In support of these remarks, M. Larnaude said that the necessary condition to enable the League of Nations to impose peace on all was that it be known that it had the means to impose it. But this was impossible to attain unless there was provided in advance, in time of peace, a central organization ready to act rapidly against a recalcitrant or bellicose power.

M. Vesnich of Serbia thought that the commission's text ought to give complete satisfaction to the French delegation. He thought the French amendment introduced an idea of distrust, assuming that one of the associated nations might violate the Covenant, and that a rigorous control was necessary. M. Bourgeois said that the words were of little importance, but the essential thing was the idea of military and naval organization, prepared in time of peace by the League of Nations. If they were not prepared, they would be surprised. M. Hymans of Belgium was not impressed by the fears referred to by M. Vesnich. It was legitimate to seek at least for guaranties which were not injurious to any one. He perceived no essential difference between the French amendment and the commission's proposal. M. Larnaude assured the commission that there was a difference, notably on account of the reference to a military and naval means of execution in the French amendment.

The President and M. Bourgeois stated that each of them had reached the extreme limit of what public opinion in their respective countries would accept. The French amendment was rejected. Article IX of the commission was adopted:

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

NEUTRAL POWERS EXPRESS OPINIONS

A committee of the League of Nations Commission, presided over by Lord Robert Cecil, heard delegates of the neutral powers

at the Hotel Crillon on March 20 and 21, 1919. There were present representatives of Argentina, Chile, Colombia, Denmark, Norway, Netherlands, Paraguay, Persia, Salvador, Spain, Sweden, Switzerland and Venezuela. The Covenant in the draft of February 14 was gone over article by article.

Article VIII called forth amendments by Denmark, Norway, Netherlands and Spain. In general, these proposed that the Assembly should decide on the plan for reduction and that private manufacture of armament should be either prohibited or strictly controlled. Spain suggested that an increase beyond a level once fixed might take place if it received a vote of a third of the Council or, on appeal, a third of the Assembly.

On Article IX, Denmark, Spain and Sweden proposed amendments, all providing for a more effective control. The discussions were not enlightening, but gave M. Bourgeois opportunity to interpret the neutral attitude as favorable to the French amendments.

The commission itself on March 22 gave the text its final revision. In Article VIII the original phrase, which provided that the limit of armaments when fixed should not be exceeded without the permission of the Council, was struck out on the motion of Lord Robert Cecil. The Council was thus left only with the power of making plans for the consideration and action of the several Governments. The provision submitting the plans to reconsideration and revision at least every ten years was adopted on the motion of Baron Makino of Japan.

Lord Robert Cecil proposed what eventually became the final paragraph of Article VIII, in the hope that it would satisfy France. It did not do so. M. Bourgeois commented that the Allied Associations for a League of Nations, meeting in London on March 11-13, had unanimously adopted the French proposal, which in no way infringed the sovereignty or the dignity of any state; "and the French Government insists on its adoption."

The League of Nations would contain nations of both good and bad faith. If all verification was foregone, the peace of the world could be easily disturbed. It was quite possible to find a formula which would affect no susceptibilities. Admission of the principle of verification was the real issue. M. Venizelos of Greece asked whether it would be satisfactory to "authorize the Council to pro-

ceed with the necessary determinations." M. Larnaude of France thought that the French idea of a technical commission had value, but was willing to support the Greek proposal, on condition that every possibility of inquiry was specifically given to the Council. M. Bourgeois thanked M. Venizelos for attempting to conciliate the differing points of view, but believed that more than a simple declaration of the several states was desirable. The right of verification should be written into the Covenant to prevent nations of bad faith from holding that there was no such right, and to prevent secret preparations. This principle should be clearly established and it then made no difference who performed the duty.

The President "feared that the visits of a commission like that contemplated in the French amendment to see whether the nations did or did not keep their engagements might be looked at askance in many countries. Such a proceeding could not be compared with what would take place within a state. If we were making a union of states with a common legislature we should be able to consider such machinery; but our constant idea has been to avoid the conception of the superstate, and in these circumstances it would seem difficult to render operative the determination of certain facts within the associated nations."

M. Venizelos thereupon asked the President if he admitted that the Council had the right of recalling the established rule to a Government which was not observing its engagements on the limitation of armaments. The President did; M. Venizelos thereupon concluded from the answer that his proposal met with American support, but the President replied that the existing text already permitted such action.

MEANS OF CONTROL DISCUSSED

M. Larnaude thought that the casual verification by the Council might occur too late. M. Bourgeois protested against the idea of espionage and corruption. It was necessary to seek methods of control more honorable for the future League of Nations. M. Kramarz (Czecho-Slovakia) thought it was especially necessary to control German manufactures. He did not suppose that it was the idea of the French delegation to control American, Italian and British manufactures.

M. Venizelos observed that, if President Wilson believed that an addition in even the attenuated form he himself proposed might be regarded as unacceptable to American public opinion, it was preferable to forego it in order not to compromise the entire work. He understood the interest of French public opinion in the proposed amendment, but he recalled that a majority of two-thirds and the acceptance of all conditions imposed by the League were required for the admission of new states. When the question of Germany's entrance arose all the necessary conditions could be imposed.

M. Bourgeois held to his amendment and reserved the right of bringing it up in plenary session. He did bring it up again that same evening in a detailed explanation, which was followed by further remarks of M. Larnaude.

In reply the President said that he had read the French proposal attentively. "Article IX of the project," he said, "contemplates a permanent commission intrusted with giving the League of Nations its opinion on military and naval questions, and the Council is therefore absolutely free to order all necessary studies from this commission. France as a member of the Council may in case of need call attention to the danger and ask for the establishment of a plan or the co-ordination which would seem indispensable to it. In fact the amendment of the French delegation does not seem to add any essential element to the present text, which restricts in no way either the scope or the nature of the advice which the Council may ask of the permanent commission. Its competence is not limited and allows it to respond to all the considerations so well expressed by M. Bourgeois." The latter expressed the opinion that in that case a formula be used which would be better understood by public opinion. The President observed "that any definition is a limitation, and that it is frequently preferable to adopt a formula very large and very elastic which may be adapted to all circumstances."

Lord Robert Cecil commented that Article IX was already the result of a compromise with the French and that it would be difficult to change the phraseology again. M. Kramarz (Czecho-Slovakia) saw no difference between Article IX and the French proposal. Messrs. Bourgeois and Larnaude held to the text of the French amendment. M. Hymans of Belgium proposed to bring the

two opinions into agreement by adding the following to the article:

The permanent commission shall be established to give the Executive Council its opinion on the provisions of Articles VII [now Article I, paragraph 2] and VIII and upon the military and naval means for executing obligations which the present convention imposes upon the high contracting parties.

He added that if "a procès-verbal of the discussion were added to the Covenant, this would constitute a clarifying commentary on the meaning of the text." M. Orlando of Italy was of the opinion that it was impossible to find a formula larger than that of Article IX and that the Belgian amendment would restrict the meaning of the text.

"The French delegation maintained its amendment"; but the commission proceeded to the discussion of other articles.

The text as finally adopted reads:

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

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

Such plans shall be subject to reconsideration and revision at least every 10 years.

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

The Members of the League agree that the manufacture by private enterprise of munitions and implements of war is open to grave objections. The Council shall advise how the evil effects attendant upon such manufacture can be prevented, due regard being had to the necessities of those Members of the League which are not able to manufacture the munitions and implements of war necessary for their safety.

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

ARTICLE IX. A permanent Commission shall be constituted to advise the Council on the execution of the provisions of Articles I and VIII and on military, naval and air questions generally.

IV. WORK OF THE PERMANENT COMMISSION

The committee provided for was established by the Council of the League in the course of its fifth session. A report by M. Bourgeois resulted in the adoption of constituent resolutions on May 19, 1920, in essentials as follows:¹

Art. 1. The commission prescribed by Art. 9 of the Covenant shall be entitled: "The Permanent Advisory Commission for Military, Naval and Air Questions." The commission shall be formed of representatives from each nation² represented on the Council of the League of Nations:

- 1 military representative,
- 1 naval representative,
- 1 air representative.

The same representative may combine the duties of more than one of the above, if his Government so desires.

Art. 2. Any other states which are members of the League may be invited to send a similar number of representatives to sit on the commission temporarily when a question directly affecting them is under discussion.

Art. 3. Whatever the number of representatives from any nation attending the meetings of the commission, or of the subcommissions referred to in Art. 6, no national delegation shall be allowed more than one vote.

Art. 4. The representatives laid down in Art. 1 may be joined by such number of officers as may be necessary according to circumstances, or may call in any "Service" or civil experts whose experience may be useful. In order, however, to facilitate the accommodation of the commission, the Governments concerned are recommended not to attach more than two officers for each of the subcommissions laid down in Art. 6 as permanent assistants of the above-mentioned representatives.

Art. 5. The representatives of each state, together with the officers

¹League of Nations, Official Journal, I, 134.

²The Bourgeois report contains this paragraph on the character of representation:

"1. The commission should consist of national representatives, responsible to their respective Governments and general staffs, that is to say, they shall be in a position to present the true wishes and plans of their respective nations at the discussions and inquiries of the commission. If constituted in this manner, the Permanent Commission will be a living organization well informed and qualified, on the one hand, to prepare the way for the decisions of the Council of the League, without giving offense to the Governments concerned, and, on the other hand, to prepare the way for the decisions of those Governments in accordance with the spirit of the League."

permanently attached, shall constitute the "national delegation" of each state. This delegation shall be placed at the disposal of the Council of the League in order to give advice as laid down in Art. 9 of the Covenant, and in accordance with the procedure given below.

The ordinary pay and allowances of the officers of the commission will be furnished by their respective Governments.

Art. 6. The commission shall be divided into three subcommissions, entitled:

The Military Subcommittee.

The Naval Subcommittee.

The Air Subcommittee.

Art. 7. Each subcommission shall nominate a chairman for six months in the alphabetical order following that of the treaty of Versailles.

When a meeting of the commission is necessary, the three Chairmen of the subcommissions shall select one of their number to preside at the sitting (or sittings) at which any particular question is to be discussed.

Art. 8. Representatives of a state which has been newly admitted to the Council of the League shall not be called to the chairmanship of the commission or subcommissions before six months have elapsed from the date of admission.

Art. 9. The commission or subcommissions shall meet on the demand either of the Council of the League or of one of their own members.

Art. 10. In principle, reports of the subcommissions shall be forwarded to the Council by the full commission with its remarks. The Council or the full commission may, however, decide that a question raised by either, respectively, is of a purely technical nature, and within the competence of one subcommission only. In such case, the report of the subcommission shall be addressed to the Council direct.

The first meeting of the commission was held on August 3, 1920, at San Sebastian, where the Council was in session. After short speeches by M. Quiñones de León of the Council, who welcomed the delegates, by M. Bourgeois, General Fayolle (France) and General Echague (Spain), the commission organized itself into the three subcommissions—military, naval and aerial—and the presidents for the first three months were elected: Genera de Ceuninck of Belgium, Francisco Ramos do Andrade Neves of Brazil and Captain P. R. C. Groves of Great Britain. Captain Monroe of the French army was appointed secretary to the military subcommission; Commander Jackman, R. N., secretary to the naval subcommission, and Ugo Leone, secretary to the aerial subcommission. The delegates present were:

Great Britain—Admiral the Hon. Sir Somerset A. Gough Calthorpe, Commandant P. R. C. Groves, Brig. Gen. G. S. Clive;

Belgium—General de Ceuninck, Colonel van Crombrugge;

Brazil—Captain Paula Guimaraes;

Spain—General Echague, General Picasso, Vice Admiral the Marquis de Magaz;

France—General Fayolle, Vice Admiral Lacaze, Brigadier General Dumesnil;

Greece—Admiral Cacoulides, Colonel Rectivan, Colonel Laskaakis;

Italy—Admiral Grassi, General Marietti, Commander Graziani;

Japan—General Watanabe, General Itami, Captain Osumi.

The commission, with varying personnel, has met at Brussels in October, at Geneva from November 25 to December 4, 1920, at Paris in February, 1921, and at Geneva on June 21, 1921.

NEW MEMBERS UNDER CONTROL

The most interesting duty of the commission is that enjoined by Art. 1 of the Covenant, by which it lays down the conditions of armament for states applying for admission to the League. Under this provision it has rendered opinions on the armaments of Austria, Bulgaria, Costa Rica, Esthonia, Finland, Latvia, Lithuania, Luxemburg and Albania, as well as other states whose applications were unsuccessful. In the case of the larger powers applying for admission or those in a position to develop armament, this control is likely to have a distinct bearing upon the problem in the future. For the sake of illustration the facts and decisions respecting Finland are given:

ARMY: The military forces of this country consist to-day of 82,000 men. The Government wishes to reduce them to one class, consisting of 16,000 men.

Opinion of the Commission: Recommends the maintenance of these forces.

NAVY: Finland wishes to maintain the navy which she possesses to-day, consisting of: 6 torpedo-boats and 4 auxiliaries of a low tonnage, reserving the right to replace them later on by more modern units of about 1,000 tons. In addition she asks for four submarines.

Opinion of the Commission: Unanimously recommends the maintenance of the torpedo-boats and auxiliaries.

By a majority of 6 to 2 the subcommission considers that the submarine is an economic method of defense for the small countries and proposes the authorization of four submarines of less than 400 tons.

The British Representative voted against allowing submarines to the small countries bordering on the Baltic for the reason that, in view of the unsettled conditions which now exist there, the possession of submarines would be particularly likely to lead to the commission of hostile acts, which it is the object of the League to prevent.

He considers that the case would be different if it could be guaranteed, either by restriction in tonnage or other means, that the submarines would only be used for purposes of defense, but this appears to be impracticable owing to the close proximity of the countries concerned.

The Japanese Representative refrained from voting, while awaiting instructions from his Government, with regard to the special cases submitted for the examination of the commission, although he associated himself with the majority as regards the principle of accepting submarines.

AIR FORCES: Finland possesses 69 aeroplanes. The Government wishes to increase this number in the future.

Opinion of the Commission: Recommends the maintenance of the present forces. The commission reserves the right of approving the later demands of Finland when it has received fuller information.¹

FROWNS ON GAS WAR

The commission, speaking at the time for 42 states, has rendered the following opinion in reply to questions put to it by Great Britain:

(1) The employment of gases is a fundamentally cruel weapon, though not more so than certain other weapons commonly employed, provided that they are only used against combatants. Their use against non-combatants as objective must, however, be regarded as barbarous and inexcusable.

(2) It would be useless to seek to restrict the employment of gases in war time by prohibiting or limiting their manufacture in peace time.

(3) The prohibition of laboratory experiments is impracticable.

(4) The three preceding replies represent the opinion of the Permanent Advisory Commission on Military and Naval Technical Questions.

The questions as to whether the preparation of international regulations with regard to the use or prohibition of asphyxiating gases should be

¹League of Nations Official Journal, November-December, 1920, p. 42.

undertaken is, moreover, a question into which the considerations of international law and humanity must enter.

This question, consequently, is not within the competence of a purely technical commission, which therefore considers that it is not in a position to supply an answer on this point.

(5) If, however, the League of Nations should decide to re-impose this prohibition, as drawn up in previous agreements, the commission considers that research work on gases should be authorized so as to insure readiness to deal with any wrongful use to which they may be applied in the future.¹

PROPOSED QUESTIONNAIRE

At its November meeting the commission adopted a uniform specimen questionnaire to circulate to the members of the League when the Council decided it was opportune to do so. Besides many statistical tables as to armament, it calls upon members to furnish reports on the following:²

A. Establishments

- (1) Strength of an annual levy (called up and serving).
- (2) Number of men serving with the colors in a given year.
- (3) Period of service (active, reserve, third line troops).
- (4) The peace establishments by formations and units—number of such formations and units.
- (5) The war establishments by formations and units—number of such formations and units.
- (6) The ratio of the peace establishment to the war establishment.
- (7) The number of classes required to raise the peace establishment to war establishment.
- (8) The number of men and the number of annual levies (trained and untrained) available after the army has been placed on a war footing.
- (9) The time necessary for mobilization to war establishment as given in (5).

In the case of states which maintain a colonial army, the figures for this and the home army should be given separately.

In (1), (2), (5), (8), the proportion of the establishment to the total population should be given.

¹League of Nations Official Journal, November-December, 1920, 59.

²Official Journal, II, 29-41.

B. War Material.

(1) A schedule of war material and munitions should be submitted, showing what amount of war material must be kept in store in peace, in order to enable the force mentioned in A (5) to be maintained in the field for 6 months.

(2) State Government factories producing war material in peace-time.

(3) What proportion of the anticipated monthly needs of the army can these turn out?

(4) State privately-owned factories producing war material in peace-time.

(5) What proportion of anticipated monthly needs of the army can these turn out?

(6) What proportion of war material and munitions must be obtained from outside?

C. Cost

Give the proportion which the upkeep of the land army bears to the total budget of the country.

DANZIG FREE OF ARMS

The Council on June 23 adopted the following resolution:¹

The Council of the League of Nations, at its meeting on February 26, 1921, considered the question of the manufacture of arms in the Free City of Danzig, and in particular the position of the rifle factory. The Council adopted the principle that permission to manufacture arms or war material upon the territory of the Free City would not be granted except perhaps in very exceptional cases, and that it could only authorize the rifle factory to remain open for the purpose of completing work which had been undertaken in pursuance of contracts entered into in good faith before the creation of the Free City and capable of being completed within a short period of time.

The Council has considered a report submitted by the High Commissioner of the League of Nations at Danzig. During the Council meeting the following additional documents have been laid before it:

(1) A letter from the President of the Senate of the Free City, dated June 19, 1921.

(2) A letter from the High Commissioner in the Free City, dated June 20, 1921.

(3) A letter from the Polish Delegate, dated June 21, 1921.

¹Minutes of the 13th Session, 196.

The Council confirms its decision of February 26, 1921, and further decides:

- (1) That all manufacture of arms in Danzig must cease immediately.
- (2) That this decision shall also include the manufacture of firearms for sporting purposes.
- (3) That copies of the above-mentioned documents, together with a copy of the present decision, shall be forwarded for its information to the Council of Ambassadors of the principal allied Powers.

THE FIRST ASSEMBLY'S WORK

The question of armament came before the First Assembly of the League of Nations in which it occupied much of the discussions of the Sixth Committee. At the committee's first meeting René Viviani of France in a speech made a suggestion which might be given practical value: "The best method of dealing with this matter was to institute a vigorous propaganda, to make the whole world understand that war is not only a blunder but a crime, and that any nation which resorts to war loses its rights in the eyes of other nations."

Christian L. Lange made a very pertinent review of the subject based on the reports of the Interparliamentary Union, and reached the conclusion that the continued study of the subject should take full account of the political, historical, economic and social features of the armament problem. Wellington Koo of China also made a set address. The committee as a whole agreed that a comprehensive solution of the problem was not possible to realize at one sitting and that the greatest advance would be made by taking up certain phases upon which positive decisions might be reached. A single committee was appointed to study these. The result was a report "eminently practical in character," which marked some progress.¹

One of the resolutions passed by the Assembly on December 14, 1920, invited the Council:

- (a) To request the Permanent Advisory Commission for Military, Naval and Air Questions rapidly to complete its technical examination into the present conditions of armaments;

¹On the work of the committee, see *The First Assembly of the League of Nations. A League of Nations, IV, 174-182.*

(b) To instruct a temporary commission, composed of persons possessing the requisite competence in matters of a political, social and economic nature, to prepare for submission to the Council in the near future reports and proposals for the reduction of armaments as provided for by Art. 8 of the Covenant.

The Temporary Mixed Commission appointed under this resolution was headed by René Viviani of France. It held its first meeting at Paris on July 16, being composed of six civilians, known for their competence in social, political and economic affairs, six members of the Permanent Military, Naval and Air Commission, four members of the Economic and Financial Commission, and six members representing the International Labor Office, employers and employees in equal numbers. Its membership came from fifteen different countries. The announcement of the Washington conference had been made at its first meeting, and the commission therefore sought to direct its work so as to be of assistance to the Governments meeting in November.

Three subcommissions were appointed. The first studied the manufacture of arms and war material, the arms traffic convention and the institution of a central international bureau for the control of the traffic in arms. The second commission dealt with the right of investigation of armaments of the ex-enemy states and the mutual exchange of information on armaments between members of the League. The third commission dealt with the information to be obtained from members of the League. The full commission met in September and reported to the Second Assembly.

One of the 1920 Assembly resolutions advocated the speedy ratification of the convention for the control of the trade in arms and ammunition, signed at St. Germain-en-Laye, September 10, 1919. This convention prohibits traffic in arms in practically the whole of the continent of Africa, and in Asia from the Caucasus westward including the region of the Persian Gulf. The report to the 1920 Assembly stated on this subject that "the full execution of the convention has been hindered by the absence of the necessary statutory authority over the control of arms in the United States of America, a country where arms are manufactured on a large scale." The domestic exports from the United States of arms and ammunition in 1920 amounted to

\$17,755,884 and of gunpowder and other explosives to \$44,596,342.¹ "If the American traffic in arms is not controlled," says the report of the Temporary Mixed Commission to the 1921 Assembly, "the convention of St. Germain is likely to remain inoperative, since any attempted control of the arms traffic by the other states might merely result in transferring the source of supply to the United States."

The Council was invited by the Assembly to investigate without delay the evil effects of the private manufacture of munitions and of war materials.

STATES' ATTITUDES ON BUDGETS

By a vote of 30 to 7 a recommendation was passed submitting "for the consideration of the Governments the acceptance of an undertaking not to exceed for the first two financial years, following the next financial year, the sum total of expenditure on military, naval and air forces provided for in the latter budget," subject to certain conditions. Replies to this recommendation have shown a disposition to await general simultaneous action, the most critical being that of the French Government dated April 20, 1921, in which it states:²

After thorough consideration of the question the Government of the Republic is of opinion that the military, naval or air budgets of the different states do not afford a basis for a fair appreciation of the respective importance of their armaments for the following reasons:

- (1) These budgets are drawn up in a different way by each state.
- (2) Without increasing its effectives or its war material a state may have reason to introduce modifications, or to effect such repairs with regard to this material as would involve additional expenditure of an unforeseen nature.
- (3) The price of manufacture or upkeep (raw materials, labor, etc.) is variable and might cause considerable increases in the budgets from year to year which would not, however, signify an increase in armaments.
- (4) The military, naval or air power of a state no longer depends to-day exclusively upon its war material in the strict sense of the word, but upon its industrial capacity and its ability to utilize, with or without previous transformation, the greater part of its peace material for mili-

¹Commerce Reports, June 16, 1921, 1580.

²Official Journal, II, 321.

tary purposes. This essential factor in the armament capacity of a state can not be ascertained from an examination of its military, naval or air budgets.

The commission reported to the 1921 Assembly that 27 states had replied: Two had their armaments controlled by treaties of peace; three sent inconclusive answers; 15 appeared to accept the proposal, and seven appeared unable to accept.