

# PATHFINDER

Jan. 23, 1937

## NEUTRALITY—

### Can the United States Stay Out of War?

"I HAVE seen war on land and sea. I have seen blood running from the wounded. I have seen men coughing out their gassed lungs. I have seen the dead in the mud. I have seen cities destroyed . . . I have seen children starving. I have seen the agony of mothers and wives. I hate war . . ."

In the heat of an August night last summer at Chautauqua, N. Y., President Roosevelt thus hammered home his points as he called for discretionary power for the President to keep America out of war.

It was known that the present neutrality law was to expire May 1, and it was known that Congress would dissent bitterly over giving such power, but it was, undoubtedly, not known how very pressing would be the circumstances surrounding the subject as Congress got under way.

**WAR DRUMS:** The Spanish internal conflict had not, in August, yet attained the proportions of a potential World war. Europe, while long seen as marching into trouble, was not yet so near to a general conflict as now. The international arms race had not yet swung into its present pace wherein such items as these were noted:

Great Britain has budgeted a 39 per cent increase for armaments. France has set aside 37 per cent of its total budget for national defense. Germany is placing its civilians under strict rations of food and clothing so that its armies may have supplies. Russia has assigned one-fifth of its national income for war purposes. Italy has added 15 per cent to its military budget this year. Roosevelt has ordered two new battleships at a cost of \$100,000,000, budgeting a billion dollars for defense.

In this country, Congress pauses for a breathing spell after a mad race to halt a shipment of arms destined for Spain (PATHFINDER, Jan. 9 and 16). But the battle behind the scenes, in cloakrooms, wherever two Congressmen get together, goes on and on.

What form should neutrality legislation take? Should the president be allowed wide discretion to deal with emergencies which may involve us in war as they arise? Or should a blanket, mandatory law be passed by Congress which would be designed to guard against all possible avenues leading to war?

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**THE LAW:** The present law is a combination of both features but is of a mandatory type in that it commands the President to apply embargoes equally against both belligerents. It includes these provisions: (1) The President, after declaring that a state of war exists between two countries, is permitted to embargo war materials to the combatants; (2) a measure of freedom in defining war materials is allowed; (3) the President is authorized to proclaim that American citizens traveling on the ships of belligerents do so at their own risk; (3) certain types of war are exempt from the law's requirements; and (4) a Munitions Control Board is set up which requires anyone wishing to ship war materials to apply for a license.

There are ardent proponents for both schools of thought on the issue of mandatory versus discretionary legislation. Leading the former group are Senators Vandenberg of Michigan, Nye of North Dakota and Clark of Missouri. Nye also favors a Constitutional amendment requiring a public referendum before the United States could declare war (except in cases of defense against attack) and limiting private incomes to \$10,000 a year while the country was at war. Heading the administration group, which would permit the President wide discretion in handling situations as they arise, are Senator Key Pittman of Nevada and Rep. McReynolds of Tennessee.

Both groups use the Cuse case, in which advantage was taken of the loophole in the neutrality law not forbidding arms shipments to a nation engaged in civil strife, as a springboard for the arguments that only their plan is the right one.

The mandatory group calls for a rigid, "insulated neutrality." The discretionary group contends that no legislature can foresee every eventuality and points to the Cuse case as an example when Congress "forgot" about Civil wars.

There is a third group, favoring what might be called a "partial" neutrality. This is led by Bernard M. Baruch, formerly reputed to be the man closest to Roosevelt's ear. The defenders of this plan, which also has the support of Senator Vandenberg, propound the "cash and carry" system. Under this scheme, any nation may buy from the United States munitions or other supplies but payment must be in cash and the goods must be taken in the buyer's own ships.

This last plan, Senator Vandenberg believes, would keep American neutrality unsullied, would not interfere with our business and would place obstacles in the way of impoverished nations beginning wars. Opponents of the plan contend, however, that it

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would not keep America neutral because this country would be placed in the position of favoring foreign powers who have strong navies—say, Great



*Vandenberg Wants a Mandatory Law*



*Pittman Would Make It Discretionary*



*And Nye Would Have an Amendment*

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Britain over Germany or Japan over Russia—because they could control the seas and would thus have an advantage under the “cash and carry” system.

**ARGUMENTS:** President Roosevelt is using the Cuse case as a lever to pry discretionary power from Congress. He and his adherents offer these reasons for giving him such power:

(1) Congress cannot foresee sudden, vital situations; (2) no legislative body could possibly provide for all circumstances; (3) if a mandatory law should be passed, an un-neutral situation might develop if the law worked so that one belligerent was not enabled to take advantage of its terms—as in the “cash and carry” plan; (4) Congress, as was the case when the neutrality law was whipped through, might act too hastily; (5) a situation might arise after a law were passed in which a non-commodity of war, through invention or improvement, might become such a commodity; (6) Congress might be in recess and a situation could develop in which the president was powerless to act without grant of power; and (7) the president and the State Department are on the job “365 days a year.”

In rebuttal, Senator Clark last week stated these arguments:

- To give the president power to determine which nation in a war is the aggressor is to delegate a “dangerous power.”

- Discretionary power would place the president in the line of great pressure to swing him one way or another—in the case of a weak president, the consequences could be disastrous.

- Determination of the aggressor by an executive would amount to imposition of sanctions and the ill-fated result of the application of these in the Italo-Ethiopian war is still remembered ruefully by diplomats.

Under mandatory legislation, the Vandenberg-Clark-Nye group would call for these provisions: (1) the chance for profits must be sacrificed; (2) bankers and investors must be deprived of speculative openings; (3) American insurance companies must be forbidden the right to underwrite war risks; and (4) Americans would be compelled to cease traveling on ships of belligerents or lose their passports.

**DEFINITIONS:** Surrounding all the arguments is the ticklish one of definition. What for instance is neutrality? A dictionary definition of neutrality would be a policy which keeps a State or Power from lending active assistance to either belligerent. Few believe that strict neutrality by any country is possible.

In 1812 and 1917, it was our insistence on neutrality, our constant clamor that the rights of the United

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States as a non-belligerent should be observed by warring nations, that led us into war. Now, the feeling is that the United States is not going to insist on any neutral rights at all for fear of stirring up the restive foreign tigers.

As a matter of fact, the administration does not care for the word "neutrality" but prefers "An act to keep the United States out of war;" that is, to keep our hand entirely away from the beasts' cage.

Another question of definition difficult to resolve is: what is a Civil war? The constant battle of war lords and the Nanking government in China—is this a Civil war or merely a minor, continuing insurrection? What about the sporadic battles between British troops and natives on the northwestern frontier of British India? At what point does a flare-up become a revolt and a Civil war? Some in this country have tried to answer the question but no answer has been completely satisfactory.

Labored attempts at definition have produced these: An insurrection becomes a Civil war when outside powers intervene in the intra-national fight; when the insurrecting forces are recognized by one or more foreign powers; when the United States threatens to become involved.

**THE PAST:** These are obstacles dotting the path of the proponents of mandatory legislation. On the other hand, the course by which the United States entered the World war is pointed to by those who would restrain a too free play of the President's hand.

In 1914 the United States had no general neutrality law, no grant of discretionary power was in the hands of President Wilson. Under the Constitution, however, he was responsible for the conduct of foreign affairs.

A loan of \$10,000,000 was asked of the United States by France. This was refused, but Robert Lansing, later to become Secretary of State, advised Wilson that bankers should be allowed to sell the French on credit.

Then, a year later neither France nor Europe in general had the gold to pay off the obligations. Accordingly, a half billion dollar loan to England and France was floated by a group headed by J. P. Morgan and Company.

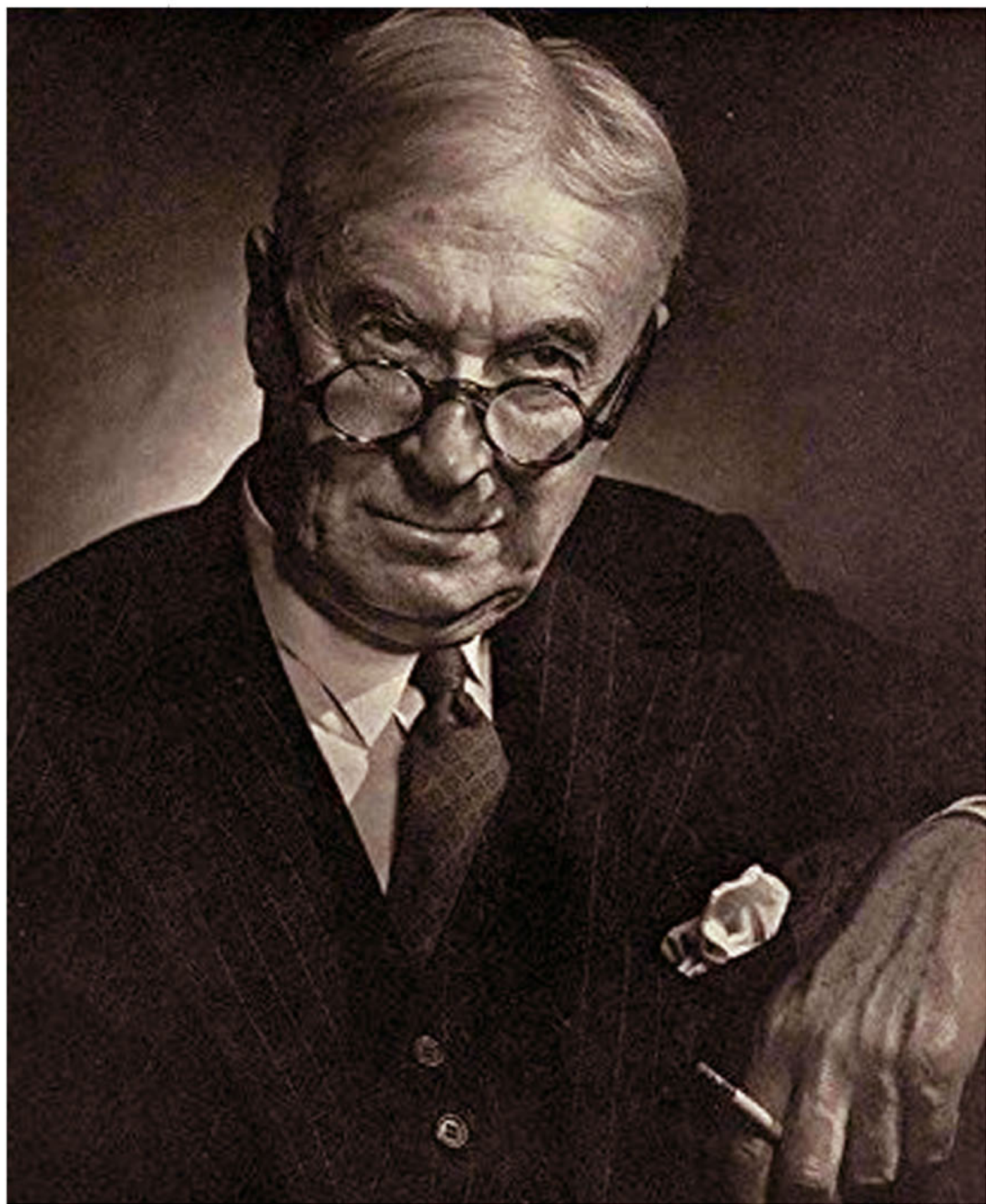
Two years after this, on March 5, 1917, Ambassador Page informed the State Department from London that more money was needed by the Allies if the investments already made were to be protected. Therefore, said Ambassador Page, the United States government must make the loan because private bankers could not afford it. His message added: "It is not improbable that the only way of maintaining our present pre-eminent trade position and averting a panic is by declaring war on Germany."

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The sequel is brief. On April 6 of that year, the United States entered the war.

**DETERRENTS:** To prevent the recurrence of such a chain of events is the task of those who would form an armor-plate neutrality. Possibly the feared war will not come this year nor the next; there are certain deterrents which are seen likely to forestall an immediate outbreak.

No country except Italy, and she is in economic straits, is believed prepared in a military sense. Germany, in addition to being severely pressed economically, will not be up to her peak rearmament for another year. France has internal difficulties. Britain lags in arming. Statesmen in any nation risk revolt when they arm the populace. There is an uncertainty as to how the powers would line up in event of war. For instance, Poland is



*Baruch Favors a "Cash-and-Carry" Plan*

allied with France but has an agreement with Germany; Germany and Italy have an agreement, but lately Italy has been sidling toward Britain.

The one great deterrent cited is that people are awake to the horrors of war. If true, this would indeed be the insurmountable obstacle on the road to war. But the fear is expressed that this is but wishful thinking on the part of peace lovers. Propaganda, martial music, mistaken ideals can do queer things to normal human beings. Neutrality is difficult to enforce when withholding of exports would mean heavy sacrifices from large sections of the United States. Depression and unemployment could result if foreign trade were halted.

It may be that legislation can keep America out of war but it never has yet, and certainly there are bound to be cracks in whatever dikes are thrown up at this time.

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In his Chautauqua speech, President Roosevelt summed up: “. . . If we must face the choice of profits or peace, the nation will answer—must answer—‘We choose peace.’”

To this, Americans, with hands cupping their ears to catch the words above the growing rumble of guns, must answer, can answer, only a fervent Amen and hope for the best.

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