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Mr. David D. Burks

[Redacted]

Dear Mr. Burks:

Thank you very much for your article, "The United States and the Geneva Protocol of 1924: A New Holy Alliance?" which you were so good to send me.

I have read it with much interest and appreciate your thoughtfulness in bringing it to my attention.

With kindest regards.

Sincerely,

SIGNED

Allen W. Dulles
Director

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The United States and the Geneva Protocol of 1924: "A New Holy Alliance"?

DAVID D. BURKS

DURING the decade following 1920 the relations of Latin America with the League of Nations were a source of worry and concern to the American government. In particular, the Department of State feared Latin American efforts to use the League as a countervailing force against United States policy in the Western Hemisphere. The Department was immoderately hostile, consequently, to any League participation in hemisphere affairs; it even forced the exclusion of League observers from the Pan-American Conferences of 1923 and 1928. The American posture was, in fact, only one facet of a general policy: to have nothing to do with the League in political matters. For its part, the League generally reacted to United States policy with restraint and caution and only became active in Latin America during the 1930's, when Washington eventually welcomed League efforts to settle the Leticia and Chaco disputes.¹

In the 1920's, however, the League's interest in disarmament led it inadvertently to take a step that American officials regarded as a serious threat to the isolation of the Western Hemisphere from the League, and thus in turn a threat to the unique position of the United States in the area. This step was the drafting of the Geneva Protocol of 1924, a treaty viewed by official circles in Washington as an unfriendly European concert. Indeed, Secretaries of State Charles Evans Hughes and Frank B. Kellogg both regarded the Protocol as a potential "new Holy Alliance." Hoping to strengthen those elements in Europe that opposed it, therefore, the secretaries manifested their opposition to the treaty. The American position had considerable influence on the failure of the Protocol; some commentators have argued that the United States was mainly responsible for its demise. The European powers directly concerned sought to fill the resulting vacuum with the Locarno agreements. The United

 ¹ Warren H. Kelchner, *Latin American Relations with the League of Nations* (Boston, 1930), 11-15. Allen W. Dulles, *Analysis of Certain Activities of the League of Nations*, Nov. 7, 1925, Record Group 59, State Decimal Files, 1910-29, 500C/388½, National Archives. Hereafter cited as NADF with file and document numbers. By 1924 all the Latin American states except Ecuador, Peru, and Mexico had joined the League, but not all were active. For the American policy on the relations between the League and the Pan-American conferences see Francis White to Charles Evans Hughes, July 28, 1925, *ibid.*, 710.11/878.

States saw in these not a threat but a positive gain for European peace and so supported them, although in an indecisive and indirect manner.

The Geneva Protocol was the most important of the many attempts to strengthen the constitutional structure of the League in order to establish an international security as a basis for disarmament. Advocates of the Protocol believed that Articles XII and XV of the Covenant seriously limited the League's power to prevent war. Article XII permitted war three months after the Council had failed to reach a unanimous decision in a dispute, while Article XV exempted domestic questions from League jurisdiction. The Protocol filled these two "gaps" in the Covenant. It provided for compulsory arbitration of disputes that the League Council could not settle and it extended the compulsory jurisdiction of the World Court by requiring the submission to that body of alleged domestic disputes. If, however, the Court adjudged the dispute to be domestic in nature, the League lost jurisdiction, although the good offices of the Council or the Assembly were not foreclosed. This provision, known as the "Japanese amendment" because that country sponsored it at Geneva, freed the way for League conciliation of domestic issues. A nation that had signed the Protocol but refused in a dispute to abide by these provisions of the Protocol was, *ipso facto*, judged the aggressor. And this nation was then automatically subject to the League's sanctions. The Protocol undertook to solve in this manner the thorny task of defining aggression.²

The Protocol first attracted the attention of Secretary Hughes because of a provision that after its ratification a disarmament conference would be held. Any conference of this type had potent political appeal in the United States. Speaking in Cincinnati during the 1924 presidential campaign, Hughes referred in passing to American willingness to cooperate in disarmament.³ When the League Secretariat, encouraged by this remark, informally inquired if the United States would accept an invitation to the Protocol disarmament conference, Hughes answered that his position would depend entirely upon the relationship between the Protocol and the conference. At the same time, he confidentially informed Undersecretary of State Joseph C. Grew and the consul in Bern, Hugh Gibson, that the Protocol's inclusion of "domestic questions" was the great obstacle to American participation in such a conference. Although not defining what he meant by "domestic questions,"

² The Protocol (full title, Protocol for the Pacific Settlement of International Disputes) is contained in Walter C. Langsam, *Documents and Readings in the History of Europe since 1919* (rev. ed., Chicago, 1951), 205-15. The basic studies of the Protocol are Philip J. Noel-Baker, *The Geneva Protocol* (London, 1925) and David H. Miller, *The Geneva Protocol* (New York, 1925).

³ *New York Times*, Oct. 4, 1924.

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Hughes undoubtedly had Japanese exclusion in mind. The Immigration Act of 1924 abrogated the Gentlemen's Agreement of 1908, and according to press reports it was against this law that the Japanese amendments to the Protocol were directed.⁴ Hughes also believed that only if the conference did not discuss the Protocol and only if the resulting agreement was not entrusted to the League for enforcement could the United States consider attending. In other words, disarmament under League auspices was unacceptable.⁵ The problem of "domestic questions" faded into relative insignificance and the appeal of a disarmament conference evaporated altogether when Hughes began to believe that the arbitration provisions of the Protocol were dangerous to the United States. This belief resulted in large part from soundings of certain European statesmen.

Of crucial importance in this regard were the views of Foreign Minister Eduard Beneš of Czechoslovakia, one of the chief architects of the Protocol. In response to the questions of Frederick F. A. Pearson, American chargé d'affaires ad interim in Prague, Beneš explained in November, 1924, that the Protocol would preclude the United States from acting against a Latin American country under the Roosevelt Corollary of the Monroe Doctrine. Drawing upon his philosophy of collective security, Beneš thought that the Corollary might be protected through Council intervention in defense of American interests. This concept of the League acting as a fiduciary the American representative believed unacceptable; in the last analysis, the Corollary, no less than the Doctrine itself, was a unilateral policy.⁶ To the question of what impact the Protocol, if it had been in force at the time, would have had on President Woodrow Wilson's military intervention in Mexican affairs, Beneš had a striking answer. If the United States had not first appealed to the Council, Mexico could have obtained the support of League sanctions. Beneš offered other solutions for American objections to the Protocol. He suggested that the League be federalized by the creation of regional organizations for the Western Hemisphere, for Asia, and for Europe. He also pointed out that the approaching election in Great Britain might result in amend-

⁴ Hugh Gibson to Hughes, Oct. 10; memorandum of the Secretary of State, Oct. 11; Gibson to Hughes, Oct. 16, 1924, NADF, 511.3B1/222; Philip C. Jessup, *International Security, the American Role in Collective Action for Peace* (New York, 1935), 33-34. In a speech made at Indianapolis on October 14, Hughes strongly attacked the Protocol because of its provisions for "domestic questions."

⁵ Hughes to Gibson, Nov. 8, 1924, NADF, 511.3B1/228. Consistent with Hughes's attitude on disarmament was his policy on the related question of arms traffic control. Although in 1924 the United States participated in the work of the Temporary Mixed Commission on the problem, Hughes dropped the matter when it became involved with the Draft Treaty of Mutual Assistance. Merlo J. Pusey, *Charles Evans Hughes* (2 vols., New York, 1951), II, 436-37.

⁶ Pearson referred to American policy as the Monroe Doctrine, but it is clear from the context that he actually meant the Corollary.

ments to the Protocol. Pearson wrote to Hughes that one of the amendments "ought to pertain to naval action in contravention of the Monroe Doctrine." The Protocol as it then stood, he meant, would permit the League to employ the British navy in Latin American waters.⁷

Shortly after receiving Pearson's report, Hughes sought advice on the legal aspects of the Protocol. Since obviously the United States would not ratify, the problem was how the country would be affected as a nonmember. The ruling section of the Protocol was Article XVI. This provided that a nonsignatory state should be invited to accept the conditions of the Protocol in case of conflict with a signatory. But if the state so invited refused to accept the Protocol conditions and resorted to war against a signatory state, the League could apply sanctions against it. In substance, the Protocol did not claim more extensive jurisdiction over nonmembers than did the Covenant. Once, however, the nonsignatory had submitted to the Protocol, it found itself faced with a more absolute determination of the dispute. For what the Protocol did provide in place of the combination of conciliation and arbitration contained in the Covenant was arbitration alone except in those cases involving domestic questions.⁸

From the legal point of view, the compulsory arbitration of the Protocol coupled with the inclusion of nonsignatories could be seen as dangerous to the United States. And, in fact, this was the opinion of Charles C. Hyde, the solicitor of the Department of State. He believed that, consequently, the Protocol would threaten the Caribbean protectorates and the rights of the United States as a neutral. The United States should therefore kill the treaty and propose another arbitration plan that would protect the Monroe Doctrine.⁹

⁷ Pearson to Hughes, Nov. 1; Hughes to Pearson, Dec. 3, 1924, NADF, 511.3B1/242. Pearson's remarks were supposedly unofficial, but Hughes commended him for them. Beneš vigorously disagreed with the thesis that the Japanese amendments were directed against the United States. He took the view that the Protocol was an improvement over the terms of the Covenant since it assured the United States of League support in a conflict with Japan, for obviously the League Council would declare Japanese exclusion a domestic question. In December Beneš admitted to the American ambassador, Lewis Einstein, that "the thinly spread application of the Protocol principles throughout the world is of very slight concern . . . and . . . he felt but little interest in the hypothesis of a Chilean aggression against Bolivia or confidence in assistance coming to Czechoslovakia if attacked, from remote quarters of the world." He also said that the Protocol's objective was to protect the "lesser" European states as a basis for European confederation. Since this purpose was not inconsistent with England's foreign policy, she would sign after acceptance of amendments protecting her fleet. This emphasis upon the European nature of the Protocol contradicted the statements made by Beneš to Pearson in November. Einstein to Hughes, Dec. 31, 1924, NADF, 511.3B1/268.

⁸ Manley O. Hudson, *What the Protocol Does*, VII, no. 7, pt. 1 of *World Peace Foundation Pamphlets* (Boston, 1924), 439.

⁹ Nov. 20, 1924, NADF, 511.3B1/246½. Hyde did examine at some length the implications for the United States if it ratified the Protocol, but the evidence indicates that ratification was never seriously considered.

Henry P. Fletcher, a lawyer and then ambassador to Italy, generally concurred in this judgment.¹⁰

Although the Protocol was drafted by the Assembly of the League, the Council was assigned the responsibility of calling a disarmament conference after a sufficient number of powers had approved the Protocol.¹¹ On November 19, 1924, a confidential Foreign Office source revealed to the American government that the British would request a delay in Council action in order to study the Protocol and to consult the Dominions.¹² Ambassador Fletcher, home from Italy for the presidential election, expressed the feelings of Hughes when he wrote to Ambassador Kellogg in London that news of the British move "was a matter of great relief and pleasure."¹³ After returning to his post, Fletcher met with British Foreign Minister Sir Austen Chamberlain in Rome for the Council meeting on December 10, even though the postponement of action had ended the pressure for American initiative. To Fletcher's remark that the United States would gladly reveal its opinion of the Protocol, Chamberlain responded that he would be "intensely interested in knowing the American position before coming to any conclusion."¹⁴

Ambassador Fletcher also talked to Aristide Briand, visiting Rome as French representative on the Council. Briand asked if the United States would join the League. Perhaps, as Fletcher believed, Briand had been confused by the Democratic campaign of 1924 during which John W. Davis made an issue of American membership in the League. Fletcher's answer was the blunt and unfriendly statement that the United States would not join but that "as long as the League refrained from interference in her affairs" his country would cooperate on suitable occasions. Briand then attempted to discover the precise nature of American objections to the Protocol and the textual changes necessary to satisfy them. He intimated that the authors of the treaty would compromise to gain approval of the great powers, and he

¹⁰ Report of Hyde, Nov. 24, 1924, *ibid.*, 511.3B1/24674. Fletcher suggested that the United States let the treaty wreck itself.

¹¹ The conference was to begin on June 15, 1925, if by the previous May 1 three of the four great powers on the Council (Britain, France, Italy, and Japan) and ten other members of the League had ratified the Protocol.

¹² Kellogg to Hughes, Nov. 19, 1924, NADF, 741.51/45. The actual delay was in the preparation of the agenda for the disarmament conference. Kellogg also reported a predisposition on Britain's part to oppose the Protocol.

¹³ This feeling of relief probably came in part from a disinclination to face an invitation to the Protocol disarmament conference. Fletcher to Kellogg, Nov. 20, 1924, Frank B. Kellogg Papers, Minnesota Historical Society, St. Paul. Fletcher first intended to visit Chamberlain in London and also, of course, talk to Kellogg, but he changed his plans because Kellogg suggested that no additional information would be gained in this way. See Kellogg to Fletcher, Dec. 1, 2, 3, 1924, *ibid.* Fletcher wrote to Kellogg that Hughes would acquaint him with Department policy if the Protocol question became acute. Fletcher to Kellogg, Dec. 8, 1924, *ibid.*

¹⁴ Fletcher to Hughes, Dec. 9, 1924, Charles Evans Hughes Papers, Library of Congress; also NADF, 500.A14/14. Fletcher to Hughes, Dec. 10, 1924, Hughes Papers.

asked whether in that case the United States would ratify. Fletcher replied that his government would not approve the Protocol as it stood; in fact, inclusion of the United States as a nonsignatory within the scope of its penalties was a most serious mistake, one capable of causing "resentment at home or even serious friction between Europe and the United States." Fletcher asserted that the United States would certainly not suffer a "European council" to apply a decision against it that it was an aggressor where it was "perfectly proper" in defending its rights. Briand misunderstood, thinking Fletcher was referring to the Japanese amendment, and he hastened to assure the American diplomat that when the Council considered a purely domestic question, no state would be labeled the aggressor. The confusion was ended by Fletcher's retort that the Protocol seemed to be an attempt to restrict American action in such a way "that it might easily be made to appear a new Holy Alliance." Fletcher suggested that there was a way to calm American fears. Was not the Protocol designed for two purely European problems: the Russian and German threats? Briand agreed. The scope of the treaty might then be limited to Europe, for then the objections to it as a Holy Alliance "would automatically disappear." Briand admitted that some limitation of this sort was possible. Even though he had made the suggestion, Fletcher was not sanguine about its prospects. He wrote Hughes that Chile, Brazil, and Uruguay had already signed and that probably the Protocol could not be changed.¹⁵

With France, Great Britain played a key role in the Protocol negotiations. Originally the British had been as enthusiastic as the French. Prime Minister Ramsay MacDonald of the incumbent Labour government supported the Protocol without realizing the strong objections it would arouse at home and in the Dominions. When, on November 7, 1924, the Conservative government of Stanley Baldwin came to power, the atmosphere changed. Although the Baldwin government was predisposed to oppose the Protocol, it remained undecided until late in February or early in March, 1925. As early as December 10 Great Britain informed France of its willingness to consider a pact with France and Belgium and suggested that this could be discussed after the Protocol's future had been decided. Actual cabinet consideration of the Protocol was postponed until February, 1925, so that Robert Viscount Cecil, a supporter of revision, could participate.¹⁶ That the cabinet's final decision was

¹⁵ Fletcher to Hughes, Dec. 15, 1924, NADF, 511.3B1/263.

¹⁶ Myron T. Herrick, American ambassador to France, to Hughes, Dec. 10, 1924, *ibid.*, 741.51/41, contains the report on the proposed tripartite pact that was to replace the Protocol. For Cecil's opinion see Viscount Cecil, *A Great Experiment: An Autobiography* (New York, 1941), 165-66. In February, 1925, the historical adviser of the British Foreign Office, Sir J. Headlam-Morley, submitted a report urging revision instead of rejection. See *The Diplomats*,

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in part the result of American influence is clearly shown by the story of Anglo-American discussions.

On five different occasions Britain explored the American attitude toward the Protocol. Although one approach was made in England via Ambassador Kellogg, the more important conversations were those in Washington between British Ambassador Sir Esme Howard and the American Secretary of State. On January 5, 1925, Howard called on Hughes, explaining that in a private letter Sir Austen Chamberlain had requested him to discover the American view of the Protocol. Howard said that the British government was undecided about it. On one hand, the instrument might lead to events embarrassing to Anglo-American relations, a most unwelcome possibility since a "cardinal point" of British policy was friendship with the United States. On the other hand, France and certain small countries rightly believed that the failure of the Protocol would result in a burdensome arms race. His government was seeking modifications which would resolve these difficulties, and it wished to know American opinion, "which would play an important part in consideration of the case." In this first interview Hughes refused to commit himself to an official opinion. He emphasized that the problem involved important questions of policy, that he could only give his personal opinion until he had consulted President Calvin Coolidge, and that for these reasons he wished Howard to refrain from answering Chamberlain until he had obtained the President's approval. Because Coolidge was diffident about policy making, Hughes was accustomed to a great deal of independence. But this matter did involve a crucial policy decision requiring Coolidge's opinion. The President approved of Hughes's position, and Howard was informed of this at the second interview on January 8.¹⁷

In this first meeting Hughes said that he did not believe the Protocol would be accepted without amendments. But "speaking frankly, he had hoped that the Protocol would die a natural death because he saw in it numerous sources of trouble. If it went through as it stood, America could hardly help regarding the League of Nations as a potential enemy." Hughes

1919-1939, ed. Gordon A. Craig and Felix Gilbert (Princeton, N. J., 1953), 40-41. By March 5, 1925, the British cabinet had definitely made up its mind against the Protocol. Frederick A. Sterling to Hughes, Mar. 5, 1925, NADF, 511.3B1/306.

¹⁷ The Hughes version is found in *Papers Relating to the Foreign Relations of the United States, 1925* (2 vols., Washington, D. C., 1940), I, 17-18. Hereafter cited as *FR, 1925*. In April, 1925, Kellogg requested Howard's memorandum of the January meeting. Although this is couched in somewhat stronger language than the Hughes version, it seems to be an accurate reading between the lines of what Hughes was saying. Howard to Kellogg, Apr. 29, 1925, NADF, 511.3B1/345. It is interesting to note that the immediate predecessor of the Protocol was the Draft Treaty of Mutual Assistance (1923). The Draft Treaty was less ambitious than the Protocol; the United States refused to sign the Draft Treaty but did not actively oppose it.

objected to the Protocol for two reasons: the Roosevelt Corollary of the Monroe Doctrine¹⁸ and American neutral rights. Regarding the first, he thought there was "a proposal of a concert against the United States, when the powers joining the Protocol considered that the United States had committed some act of aggression." But the United States would feel justified since it would be acting in accordance with traditional policies. Howard correctly took this as a reference to an American action in defense of the Panama Canal that might lead a South American country to appeal to the League. As Howard interpreted the conversation, Hughes was saying that such an appeal would produce an explosion of American public opinion. Hughes also stated that although he did not believe this concert would become effective, in assessing it he had to assume the contrary. Thus the Protocol must be viewed with disfavor. It is clear that Hughes was implying that the United States would not tolerate interference with its protectorates in the Caribbean. Hughes also considered the Protocol as unfriendly to American neutral rights. But it is apparent both from the way he phrased his statements and from the general tenor of opinion in the Department of State that this problem did not worry him as much as the danger to the Roosevelt Corollary, because it was doubted that any country would permit the League to suspend its commercial relations with other countries. But this second problem was Howard's overriding concern, since Great Britain assumed (and Hughes agreed) that the United States would insist on trading with countries subjected to a Protocol blockade.

During the remainder of the interview, Hughes suggested that the Protocol would inevitably imperil British interests and bring that country into conflict with the United States, but he said that the British government must act on its own responsibility. And although Britain might wish amendments, these should not be presented as having American approval. He reasoned that such action would cause political unpleasantness on the domestic scene. This was quite likely the case, for although the Protocol had not been an issue in the campaign of 1924, American efforts to collaborate with the British in amending it would have antagonized the isolationists in the Senate, and Hughes always feared the sort of conflict Woodrow Wilson had sustained in 1919. Ambassador Howard thought the role of the United States could easily be hidden by a reservation to the Protocol allowing his government to make arrangements "with any power that was not a member of the

¹⁸ According to his own definition of the Monroe Doctrine given in two speeches made in the fall of 1923, it did not include the right of intervention. Intervention in the Caribbean under the Roosevelt Corollary was based upon the rights of national defense and self-interest. See Charles Evans Hughes, *The Pathway of Peace* (New York, 1925), 138-39.

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League" in the event sanctions were to be applied. Obviously, the world would have known that the United States was to be consulted, yet this reservation did not imply an agreement with the United States.

On January 8 Howard called for a second interview. After a brief review of the previous discussion, the British ambassador concentrated on the Monroe Doctrine. What would the United States do, he asked, should the League apply sanctions in a dispute between two Latin American countries? The new problem thus posed involved all of Latin America instead of only Middle America. Hughes refused to say more than it was not America's duty to oppose the Protocol, but the British were aware, he assumed, that difficulties analogous to the one Howard mentioned might appear elsewhere in the world.¹⁹ (The answer to Howard's question is to be found, however, in an address that Hughes gave on March 26, 1919, at the Union League Club in New York City. At that time he had said that American questions should be settled by the American nations acting jointly, unless as a group they invited European intervention:²⁰ he had followed this policy in the Panama-Costa Rica boundary dispute in 1921 and he had not changed his mind by 1925.²¹) Howard then proposed a reservation to the Protocol specifically permitting consultation with the United States, because Britain must tell its League associates that sanctions could not be successfully applied over the opposition of the United States.

Hughes and his advisers pictured the Protocol as a rebirth of the nineteenth-century concert of Europe that had supposedly threatened the newly independent nations of Spanish America. The parallel between the Holy Alliance and the Protocol as drawn by the Americans is all the more striking because the Monroe Doctrine, enunciated against the former, seemed also to be in serious conflict with the latter. As a practical matter the Protocol could be called a "Holy Alliance" only if its adoption would convert the League of Nations into a concert that assumed and could enforce the right of intervention in the affairs of the Western Hemisphere and only if this right of intervention included the activities of a nonsignatory nation such as the United States. From the legal standpoint, the Protocol threatened the Monroe Doctrine and the Roosevelt Corollary by imposing on disputes in the Americas the unpalatable alternatives of League arbitration or sanctions. The realities of the matter appear to have been quite different. It should be noted

¹⁹ *FR*, 1925, I, 19-20.

²⁰ *International Conciliation, Special Bulletin II, Criticisms of the Draft Plan for the League of Nations* (New York, Apr., 1919), 692.

²¹ For a discussion of the Panama-Costa Rica dispute see Lawrence O. Ealy, *The Republic of Panama in World Affairs, 1903-50* (Philadelphia, 1951), 60-61.

fact they opposed it because they regarded it "rather as a possible cause of war than of increased security across the Atlantic."²⁹ Chamberlain was correct in stressing the importance of American opposition but by making this the main argument he carried the point too far. The fact was that the sweeping commitments of the Protocol, including its *de facto* guarantee of the 1919 settlement, were incompatible with Britain's view of the League and with its pro-German policy. The objections of the dominions were also a factor, though these (especially Canada's) rested partly upon the absence of the United States from the League and the Protocol.³⁰ Thus it can be concluded that American opposition to the Protocol reinforced rather than determined Britain's stand, which in effect killed the Protocol.³¹

Chamberlain's suggestion of special pacts was a sound one, for if the League could not be strengthened by the Protocol's universal approach, manifestly its basic principles could be used in narrower, regional treaties. With this type of treaty Britain could avoid conflict with the United States and dissension within the British Empire, yet achieve greater security. Formal negotiations for more limited arrangements began with the German note of February 9, 1925, to Great Britain,³² although, as we have seen, the British first broached the subject with a proposal of an entente to France. When, on March 16, the German ambassador to the United States, Baron von Moltke, asked Secretary Kellogg for objections to or suggestions concerning the proposed security pact, Kellogg refused comment, since the United States could not join.³³ After Chamberlain's statement at the League Council killed the Protocol, newspaper stories that the United States would call a disarmament conference augmented French disappointment. French Ambassador Émile Daeschner informed Secretary Kellogg on March 26 that

²⁹ 182, *House of Commons Debates*, 5S, 314-19 (London, 1925). The statement was made in support of the thesis that the Protocol would not encourage disarmament. Chamberlain's speech to the Commons described British objections somewhat more accurately than his statement to the Council. He pointed out that the universal obligations of the Protocol, requiring an increase in the British navy, was the main reason for the rejection.

³⁰ Edgar W. McNinnis, *The Unguarded Frontier: A History of American-Canadian Relations* (New York, 1942), 344-45; *The Diplomats*, ed. Craig and Gilbert, 38-39.

³¹ Gwendolen M. Carter, *The British Commonwealth and International Security: The Role of the Dominions, 1919-39* (Toronto, 1947), 118-23; Richard W. Lyman, *The First Labour Government, 1924* (London, 1957[?]), 176-79. Lyman states that since even the Labour cabinet of Ramsay MacDonald was divided about the merits of the Protocol, one cannot assume that the Labour government would have ratified it. The view that the United States figured importantly in the British decision is presented by Daniel S. Cheever and H. Field Haviland, Jr., *Organizing for Peace* (Boston, 1954), 126.

³² Hans W. Gatzke, *Stresemann and the Rearmament of Germany* (Baltimore, Md., 1954), 34; W. M. Jordan, *Great Britain, France, and the German Problem, 1918-39* (London, 1943), 213-14.

³³ *FR*, 1925, I, 20-21. Coolidge said much the same thing in a May press conference. *New York Times*, May 27, 1925.

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his government did not consider the Protocol dead and, in view of the German threat, believed disarmament impractical at that time.⁸⁴ And the next month Ambassador Howard at the request of Chamberlain raised the question of an American statement against the Protocol in order to influence the coming September meeting of the sixth League Assembly.⁸⁵

Secretary Kellogg was sufficiently concerned by these signs of life in the Protocol to ask the opinion of Senator Irvine Lenroot of Wisconsin, a member of the Foreign Relations Committee.⁸⁶ The Senator advised that the United States should not adhere to the Protocol, but that if it did not, the Protocol's claim of jurisdiction over nonmembers would nonetheless be a threat. An American refusal to submit a dispute to the League would create a presumption of guilt. The League would have the legal right, therefore, to coerce the United States for any action legitimately taken under the Roosevelt Corollary as, for example, the Haitian intervention of 1914. "This is a very serious situation," wrote Lenroot, "for . . . the Protocol places in very great jeopardy the Monroe Doctrine." Ambassador Fletcher meantime argued convincingly to Kellogg and Coolidge that the European states might put the Protocol into force without Great Britain.⁸⁷ Kellogg had hoped, as had Hughes, that the Protocol would fail; not because the United States could not defend itself, but because he "did not relish the idea of any foreign country demanding that we arbitrate the question of our control of Haiti, Santo Domingo, or . . . the question of any foreign country attempting to take possession of the customs of Central American countries in order to enforce debts, or . . . anything pertaining to the Panama Canal."⁸⁸ President Coolidge suggested an official pronouncement against the Protocol; the prob-

⁸⁴ *FR*, 1925, I, 10-11. Francis P. Walters, *A History of the League of Nations* (2 vols., London, 1952), I, 269-70.

⁸⁵ Memorandum of Kellogg, Apr. 28, 1925, NADF, 511.3B1/344½. For Kellogg's views on an American-sponsored disarmament conference and the prospects for the European security pact see his memorandum of April 30, 1925, *ibid.*, 500.A12/59a. David Bryn-Jones states in his *Frank B. Kellogg: A Biography* (New York, 1937) that the American attitude had no influence on British policy and that Chamberlain's approach to the then Ambassador Kellogg in February, 1925, was based on a desire to shift the blame for the failure of the Protocol to the United States. Although the February approach cannot be so lightly dismissed, Bryn-Jones's statement seems to describe accurately the April appeal to Secretary Kellogg. By April, Britain had publicly committed herself to an anti-Protocol policy.

⁸⁶ The covering letter is dated May 15, 1925, NADF, 511.3B1/345½. Lenroot regarded the Protocol as "an alliance to preserve the status quo." This alliance could be directed against the United States, and under the terms of the Protocol and the Covenant (Article XXI) the Monroe Doctrine would be subject to interpretation by the World Court, the League, or arbitrators. This seems to be the only reference to Article XXI, the Covenant's ambiguous statement about the Monroe Doctrine, in the official United States papers relating to the Protocol.

⁸⁷ Fletcher to Kellogg, May 19, 1925, NADF, 840.00/21. A letter of Fletcher to Kellogg, June 5, 1925, which I have not found, is mentioned in Kellogg to Hughes, June 19, 1925, Kellogg Papers.

⁸⁸ Kellogg to Fletcher, June 11, 1925, *ibid.*

lem was how it should be done. Although Kellogg prepared an address that mentioned the Protocol, Hughes's objections led him to hesitate.³⁹

Coolidge finally spoke out on July 3, at Cambridge, Massachusetts. But instead of condemning the Protocol he praised the Locarno negotiations.⁴⁰ Obviously Kellogg had now realized the desirability of encouraging a regional pact to replace the Protocol, as well as to promote European stability. In contrast to the cool response he received in March, the German ambassador was now cordially encouraged by the Department of State when he called to express appreciation for the Cambridge speech, which, he said, had been perfectly timed since it had assured Germany, France, and England of American interest. William R. Castle, head of the Division of Western European Affairs, urged the Germans to be conciliatory in negotiating with the French, and suggested that they would lose world support if they quibbled over French demands.⁴¹

Then, on July 30, Castle publicly reiterated American approval by saying that although the United States was not abandoning its policy of noninterference in European political affairs, it hoped "for the success of the European Security Pact."⁴² After the Locarno conference Coolidge himself expressed satisfaction with the resulting treaties,⁴³ while Kellogg informed the Danish and Italian ambassadors of American approval.⁴⁴ In his message to Congress on December 8 President Coolidge stated:

The Locarno agreements were made by the European countries directly interested without any formal intervention of America. . . . We have consistently refrained from intervening except when our help has been sought and we have felt it could be effectively given, as in the settlement of reparations and the London conference. The recent Locarno agreements represent the success of the

³⁹ "Some time ago the President suggested to me the advisability of making a pronouncement against the Geneva Protocol and asked me how it could best be done." Kellogg to Hughes, June 19, 1925, *ibid.* Kellogg was also concerned that the Protocol might affect the chances for Senate approval of American membership in the World Court, a step that the administration had requested in 1923. Although I have not found Hughes's answer to Kellogg's letter of June 19, 1925, his general attitude in the discussions with Howard in January, 1925, and his earlier advice to Coolidge as reported in this letter, indicate that he advised Kellogg against a forthright public statement of objections against the Protocol.

⁴⁰ This speech is in the *New York Times*, July 4, 1925. Coolidge said, "If the People of the Old World are mutually distrustful of each other let them enter into mutual covenants for their mutual security, and when such covenants have been made let them be solemnly observed no matter what the sacrifice." Edwin L. James wrote in the *New York Times* that Coolidge was keeping in close touch with the developments in the Locarno negotiations and that he had done much to influence both France and Germany to agree. July 20, 1925.

⁴¹ NADF, 793.00/87.

⁴² *New York Times*, July 31, 1925. I have not found Kellogg's letter of August 4 to Coolidge at Swampscott, Massachusetts, but have seen the latter's answering letter of August 6 in which he agreed that a statement on the Protocol was not desirable. A statement directly mentioning the Protocol was apparently under consideration.

⁴³ He said that Locarno was a "real achievement." *New York Times*, Oct. 17, 1925.

⁴⁴ Dec. 3, 1925, NADF, 500.A12/91.

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policy which we have been insisting ought to be adopted, of having the European countries settle their own political problems without involving this country.⁴⁵

He added that the United States was gratified by this regional approach, which promised substantial benefits to the world.

The failure of the Protocol prevented the disarmament conference from being held in June, 1925, until after Locarno. Late in 1925 the League took a new tack when it created a preparatory commission for the disarmament conference and included the United States as a member.⁴⁶ Much disturbed by American policy on the Protocol, Eduard Beneš, conferring with Lewis Einstein, American Ambassador to Czechoslovakia, in February, 1926, predicted failure for the preparatory commission because of American participation. France, he reported, insisted on including naval disarmament on the agenda, and Britain agreed to this only on condition of American membership. Beneš believed that the Protocol's failure had not broken the intimate relationship of disarmament and universal security. With some bitterness he said that the guaranteeing of no more than regional security at Locarno meant that disarmament was now an "essentially European question," or, in other words, impossible.⁴⁷

The unwillingness of Hughes and Kellogg to accept a disarmament effort based on general security agreements had helped prevent any disarmament. Had the Americans not opposed the Protocol—ratification of it was of course a political impossibility—they would have forced the Baldwin cabinet to consider more seriously amendment instead of rejection. Chamberlain could only feel gratified at American disapproval of the Protocol; British distrust of the League and American isolationism were walking hand in hand.⁴⁸

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⁴⁵ *FR*, 1925, II, xii-xiii, has the complete speech. Alanson B. Houghton, ambassador to Great Britain, suggested this statement as a way to check European attempts to limit American influence and also to quiet criticism at home. Houghton to Kellogg, Oct. 27, 1925, NADF, 500.A12/75. The failure to invite the United States to the Locarno conference produced some newspaper criticism.

⁴⁶ Walters, *History of the League*, I, 360-61.

⁴⁷ Einstein to Kellogg, Feb. 22, 1926, Calvin Coolidge Papers, Library of Congress. This letter was passed on to the President.

⁴⁸ Houghton believed that the success of Locarno forbade the United States from bringing a land disarmament conference (in which the United States was little interested) but not a naval disarmament conference to Washington (Houghton to Kellogg, Oct. 24, 1925, *FR*, 1925, I, 15). James T. Shotwell suggested in 1925 that the United States might declare its policy to be governed by principles identical with those of the Protocol, in order that the rest of the world could build a security system with some degree of confidence. *International Conciliation*, no. 208, *Plans and Protocols to End War: Historical Outline and Guide* by James T. Shotwell (New York, Mar., 1925), 104.