

May 14, 1942

League of Nations. I observe that you say that you have always believed in the League of Nations. For my part I never did believe in it, so our ideas on this might well be at variance. However, I think that here our differences are more apparent than real. But I shall speak more of this later.

My dear Mr. President:

I refer again to your kind letter of March 28th last, and to my acknowledgment thereof with the statement that I could not at the moment give attention thereto because of our approaching General Conference, but in which I promised that as soon as I could I would comply with your request. When I wrote you that letter I expected to have fulfilled its promise long before this. However, so many matters have intervened that not until now has it been possible for me to complete the reading of the proof and collect together some thoughts which may be of some possible value.

In the first place, I should like to congratulate yourself and Hugh upon the doing of a very excellent and valuable piece of work. If it is published, as I hope it will be, I am sure it will do a very great deal of good.

I have read the book clear through; I have enjoyed it; I have profited much by reading it. It brings together in succinct form many related facts which most of us have neither the time nor the equipment to bring together. The philosophic comments on these facts are deep and far-reaching. They are put upon such a basis, they emphasize such principles, that all true Americans will be deeply interested therein. I am grateful therefor.

I wish to avoid making this letter as long as is the book, therefore I will begin by attempting to give short categorical answers to the specific questions which you propound.

(a) Do you consider it historically sound?

I must at once admit that my own history is so fragmentary and more or less casual that a statement on this precise question from me would not be worth much. In so far as I know, it is historically sound. Because the matter has a direct bearing on the great subject you treat of as the "will to peace", I venture to suggest whether or not you might not wisely refer to the part which Elizabeth of England played in elaborating, or at any rate conceiving, the plan of Henry the Fourth. Henry's Prime Minister, Sully, says that the conception of the plan was Elizabeth's.

(b) Do you agree with the conclusions?

Speaking generally, yes, I wholly agree with them. However, I am not sure that I thoroughly understand your conclusions regarding the

The Honorable
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League of Nations. I observe that you say that you two always believed in the League of Nations. For my part I never did believe in it, so our ideas on this might well be at variance. However, I think that here our difference might be more apparent than real, but I shall speak more of this later.

(c) Is it a sufficiently new and fresh approach to be important?

Yes, I think it is. While the most of my reading in recent years has been along wholly different lines from that of international relations, yet I am bound to say that I have not seen any discussion which was comparable to this in the way of giving the facts, interpreting them, and then working out of them the philosophy which you have given. I have found it interesting and most instructive, and exceptionally helpful.

(d) Would it be a substantial contribution to sound American thinking?

As I have already indicated above, I think it would be. It will not suit the New Dealers, the Communists, nor the emigre Jews from Germany, nor their friends and their converts, but I doubt very much whether you or any true American could write anything that would be acceptable to them. But for the true American this gives a new approach to vital problems which thoughtful people would welcome.

(e) Should it be issued now or await some other time?

I think it should be issued now. It is sufficiently pregnant with fact to stand reading and re-reading and really prolonged reflection. As you state in your letter to me, you and Hugh have put together thirty years of dealing with war and peace, and that in itself shows that the book cannot be disposed of over an after dinner cup of coffee. To delay issuing it until just before a peace conference would mean that it probably would receive scant attention because everybody would be too busy thinking about peace and its problems to spend much time in learning about either.

(f) What sort of reception do you think it would have?

2. Compulsory Arbitration

This is a point upon which my opinion is worth nothing. There is a great hollow in my head where my bump of public relations ought to be. I think one could guess without too much reason or too much vision, that it would be warmly received and welcomed by many, by the true Americans, but that on the other hand it would be hostilely received by the New Dealer groups already mentioned, and those Americans who have already been debauched by them. However, no real American could hope to write anything, to say anything, to advocate anything, or to do anything that would call forth their praise. I am at the point where I feel that

anything that they do praise is shown by that very fact to be wrong. talk
 glibly about the compulsory arbitration of all differences between
 nations. Perhaps I might well stop here as having given you all of the
 reactions which you desired from me. However, your letter is susceptible
 of being interpreted as asking me for such comments as I care to make,
 and on this assumption I submit the following. I shall try to be as
 brief as I can for I do not wish to write a book. I do not venture to
 hope that my comments will probably bring anything new to your attention;
 they may suggest a new angle occasionally, or suggest an enforcement of
 something you have already said. so with reference to such conduct, and,
 therefore, no rule by which such conduct may be judged. It is with
 in mind 1. The "will for peace." sovereignty could, with wisdom, agree to
 arbitrate every question which might arise between it and some other
 nation. I think I agree with all you have said on this point. Unless
 the will for peace comes into the world there will never be a lasting
 peace. I think you might with propriety, and I believe with profit, en-
 large upon our past part in bringing into the world a will for peace.
 We began our national existence with an effort to provide for the peace-
 ful adjustments of our disputes with our Mother Country. I refer to the
 Jay Treaty. From that time on down until the present, almost, we have
 sought to settle our differences with other countries by peaceful means.
 I should think this fact might be elaborated a little more. or with
 wisdom, undertake beforehand to submit them to arbitration. For example:
 Suppose Again, what greater evidence could there be of our desire to
 have peace in the world than the fact that all these little Latin Amer-
 ican republics, from the Rio Grande southward, still exist. For at least
 three-quarters of a century we have been physically able to crush any one
 of them, or all of them combined. They have berated us, they have scoffed
 at and scorned us, they have traduced us, they have defied us, they have
 murdered our citizens after confiscating their property, and yet we have
 permitted them to live, we have continued our trade relations with them,
 and generally, perhaps too generally, treated them as our equals. Could
 there be any stronger evidence of America's will for peace than this?
 I know of no other nation that would have had the patience and forbear-
 ance which we have exhibited. It seems to me you might with propriety
 play this up a bit as showing America's attitude on this vital point.
 If we brought that issue into question. As a matter of our policy,
 therefore, 2. Compulsory Arbitration. beforehand to arbitrate such a question
 as this.

I venture to offer one or two observations upon this subject.
 I shall touch upon one phase which I rarely see mentioned. To the
 Anglo-Saxon mind in the field of domestic law it is scarcely possible to
 conceive of a situation arising which is not covered by some principle
 of the common law. We go forward in our dealings one with another in
 the certainty that there is a rule controlling such dealings to which
 rule we may apply for a decision of any difference which may arise be-
 tween us with reference thereto. This concept has colored a great deal

of our thinking upon the matter of international law. Many writers talk glibly about the compulsory arbitration of all differences between nations, they seeming to assume that there must be some law applicable to all dealings. This, of course, is not the fact. On the contrary, the fact is that in the field of international relations, particularly in modern times, there are a great host of international relations as to which there is no settled rule of conduct. In this situation we need not be surprised that nations are unwilling to agree to submit to arbitration, questions relating to their conduct where there is no rule by which they may shape their course with reference to such conduct, and, therefore, no rule by which such conduct may be judged. No nation having in mind its own independence and sovereignty could, with wisdom, agree to arbitrate every question which might arise between it and some other nation because it would not know as to many, many matters just how its conduct should be shaped while that conduct was in the forming, nor could it know how that conduct would be judged in an international tribunal. There is thus a definite limitation upon the matter of compulsory arbitration beyond which no nation could safely go. your final text you will find it consistent to take the position that any world organization for peace will. Furthermore, there are some matters which are in fact governed by rule and which so vitally affect the welfare, the independence, and the sovereignty of nations, that they could not with propriety, nor with wisdom, undertake beforehand to submit them to arbitration. For example: Suppose that before the war, Mexico had ceded to Japan the Magdalena Bay as a naval base, or had made a lease to Japan of that Bay. Such a lease would be an entirely proper international operation. Mexico would have a perfect right to make the lease, and Japan a perfect right to take it, under the rules of international law. The principles of the Monroe Doctrine might or might not be regarded by us as forbidding such a lease, but the Monroe Doctrine is not a principle of international law, it is a high policy of the United States which, as you point out in your book, has been observed merely because the United States was supposed, in the last analysis, to have the power to enforce it. We could not afford to undertake to arbitrate the question involved in the making and taking of such a lease, for the reason that if the tribunal were an honest one, a tribunal of integrity, they would inevitably make a decision against us if we brought that lease into question. As a matter of our policy, therefore, we could not undertake beforehand to arbitrate such a question as this.

In some respects the most pernicious of all of the bad elements of the Under these circumstances it is quite obvious that there is a definite limitation to any agreement which we could wisely make upon the matter of compulsory arbitration, and like territories of France.

3. Use of force under the Covenant. thoroughly dominated by righteousness there might be a peace resulting in the exchange of territory As I understand your treatment of the subject, you regard the

use of force as provided for in the Covenant, as the Covenant's greatest weakness. I wholly agree with you on this point. Indeed, so far as I am concerned, I can make this generalization: A peace based upon force, that is, a physically imposed peace, will never be a lasting peace, nor in all human likelihood a just peace, because by premise it is a peace of force, which means a peace that endures only because of force. But force means imposed restraint and compulsion. And these two bring, sooner or later, rebellion, and rebellion means more and another force, and opposing forces spells war.

Personally, I was always willing to follow along with the Covenant, provided they would take force out of it, and make the League a body for discussion, for investigation, even for determination of matters, even with wide discretionary powers, provided the enforcement of these determinations were left to moral sanctions rather than to sanctions of force.

I venture to express the hope that in your final text you will find it consistent to take the position that any world organization for peace which may be set up at the end of the war shall eliminate from its plan all sanctions of force, either economic or armed.

4. Aggressor.

The situation, to which I have already drawn attention, that would arise if Japan were to lease from Mexico the Magdalena Bay as a naval base, provides a situation where the term "aggressor" might become of great importance to this country. If such a lease were made and we should take, as I assume we would, forceful measures to prevent Japan from occupying this base, then, because the lease of the Bay by Japan from Mexico was entirely a proper transaction, we would become, by virtue of our forceful opposition thereto, an aggressor, and subject to all of the penalties which usually are regarded as necessary to be applied by the theorists against aggressors. Personally, I have always felt that this word "aggressor" is a very dangerous word in international relations, and I gather from your discussions that you feel much the same way.

5. Sanctity of the "status quo."

In some respects the most pernicious of all of the bad elements of the Covenant was Article X; it was obviously designed to perpetuate, first, the conquest then made from Germany by the war, and next, the imperial territories of Great Britain and like territories of France.

While I can conceive that in a world thoroughly dominated by righteousness there might be a peace resulting in the exchange of territory which would be a righteous exchange, I cannot conceive, as

among men as they were and as they are, a transfer of territory at the end of a war in which one party was victor, that would not involve the element of conquest. A status quo created by conquest will never be a stable status quo. Injustice and worse will always be involved in such a situation, and injustice will never be the basis of a lasting peace. Therefore, to set up a machinery, wholly or partly world-wide in its scope, to preserve the status quo of conquest, will always be to set up a vain hope. I repeat, so to preserve conquests of the past and the conquests of the then present, was the real purpose of Article X of the Covenant, with reasonable restraint and with no inconsiderable vision. But the concept involved in her dictum concerning the "burden" will at the end of World War Number One, the Principal Allied and Associated Powers undertook to act as judges to preside at the trial, as jurors to determine guilt and assess the penalty, and as sheriffs to enforce the judgment. In doing this they followed world-old precedents. This procedure makes perfectly clear why such adjustments at the end of wars never have resulted in permanent peace, did not result in a permanent peace in connection with the Treaty of Versailles, and never will result in permanent peace. To apply the same principles to private differences between individuals would, of course, be ludicrous and would be recognized as such by all men. Yet during all history men have solemnly set themselves about making such adjustments at the end of wars and seemingly have been disappointed that they did not work out. forgive me for over emphasizing it now, and if they ever do, they will do so over us. It has always seemed to me obvious that Article X of the Covenant embodied the provision that was the crux of the whole document, so far as our participation therein was concerned, as that participation was sought after by England and France, because they always counted, and always sought after, the man power of America to help them hold against any contender the territory which they had acquired from Germany at the end of the World War, as well as the vast areas which both France and England had acquired before that time by the same sort of conquest. Those who in Europe and America contend that if we had joined the League and had participated therein, the present war in Europe would not have occurred, mean, if they understand the situation at all, that if we had thrown into Europe a half a million or a million men right after the World War, and had equipped and maintained them, and had used them to compel the observance by all the powers, that is, all the vanquished powers, of the provisions of the Treaty of Versailles, then there would have been no war. I think they are right to this extent. There would have been no war at this time, but the injustices of the Versailles Treaty could not have been maintained indefinitely by any amount of man power from America, except upon the one condition of the extinction of the German people, and this, of course, a civilized nation could not contemplate. So far as I am concerned, I have far greater anxiety over

No peace will ever be a permanent peace which requires a great

international force to preserve it, and the highest considerations of international policy and of international morality require that there shall be no attempt to maintain a peace which requires such an expenditure of man power and force. Just how you might wisely do it, perhaps you may not wisely do it, but I do feel that your book is not complete, and will be.

6. From my point of view you have treated entirely too tenderly the part which England has played in world affairs. During of the centuries she has gorged herself to repletion with conquest. It is true that in the main she has exercised her power and prerogatives as victor with reasonable restraint and with no inconsiderable wisdom. But the concept involved in her dictum concerning the "white man's burden" will not operate in the modern world. It involves a smug superiority which does not exist, as the war to date seems to prove. Great Britain has sowed as many dragons teeth as any nation in the inclined world. It should hope you might find it possible to make this entirely clear. So, the harvest which they will reap will be as dire, if not more so, than any they have reaped in any other country in the world.

7. The considerations just stated bring me to another point, the color hate which just now is dominant in the world. For the building of this color hatred the British and ourselves are primarily responsible. We both have had a supercilious contempt for all men of color. We have not hesitated to show it, in season and out of season. This lies behind the hatred of the Japanese for us. They will never forgive us for our treatment of them, and if they gain any ascendancy over us they will repay us tenfold. If one may believe the press reports, there is little loyalty in India for Britain. Our treatment of the Filipinos was far better and apparently they very much prefer us to the Japanese. It seems to be questionable whether the East Indians will prefer Britain to the Japanese. As showing Germany's will for peace, you might find it possible to develop a little more fully, and concretely, Germany's. In saying this I would not wish to be understood as advocating the mixation of the races. I am wholly against this. I believe in a pure white race, but I believe in justice to the colored races, a justice they have not heretofore had, and feel that justice to them is indispensable to a peaceful world. As the far more reasonable attitude on disarmament which was taken by Germany than was shown by Britain and France, I would wish you might feel it wise to develop this idea a little more in your book so that if we, ourselves, make or control the making of this peace, we may, in its terms, seek to remedy this cause for future world war.

This is a question that in one aspect, as it seems to me, should be considered.

8. While in one sense not strictly within the purview of your book, yet I feel it would be a great mistake for you to fail to take into consideration and to offer some discussion covering our domestic situation. So far as I am concerned, I have far greater anxiety over

our domestic situation after the war than I have over our international situation. Every extradition treaty is that we do not extradite a man for a political offense. Over the centuries this has been found to be a just and humane. While I do not see just how you might wisely do it, perhaps you may not wisely do it, but I do feel that your book is not complete, and will not present a full and true picture, unless you set out the sinister effect which the Jews had in connection with the drawing up of the Versailles Treaty, in the development of the situation which led to the present war, and in the conduct of this war since it has begun. I undertake to pass judgment upon and execute leaders of enemy belligerents we shall. In so far as I can judge the situation, they are completely dominating our entire governmental policy at this time. They are brilliant, they are able, they are unscrupulous, and they are cruel. They are essentially revolutionary, but they are not statesmen. I am inclined to think that they, as a race, are sowing dragons teeth in this country, and if so, the harvest which they will reap will be as dire, if not more so, than any they have reaped in any other country in the world. I should hope you might find it possible, if you sense the same danger, that I sense, to say something that would arouse our people to their danger. themselves have determined to march.

9. I wholly agree with what I understand to be your position that the utter wiping out, extinction, of the German people is not to be thought of in this day of ours. All of the precepts of a two thousand year Christianity forbids this. Since that disposition of the question is out of the way, the only other disposition is that which you suggest, namely, a peaceful Germany. I think you might say a little more about this than you have said, that is, I think you might enlarge the point a bit. And in this connection, and as showing Germany's will for peace, you might find it possible to develop a little more fully, and concretely, Germany's past willingness to disarm, or perhaps better, to join any movement that furthered disarmament. You and Hugh are so fully familiar with this subject that I will not even suggest anything further about it. But the American people have so completely forgotten, under the impact of British and our own propaganda, the far more reasonable attitude on disarmament which was taken by Germany than was shown by Britain and France, that a full reminder of the facts would be most useful.

As belligerents we berate one another in these terms. When existence is involved. 10. Punishment of leaders. This is a question that in one aspect, as it seems to me, demands as careful consideration as any matter you have raised. The principle involved has to do with the punishment of men for political views and activities. My own thinking on the subject is perhaps colored by the fact that for years I handled in the Department of State all

matters of extradition, and one of the fundamental principles of practically every extradition treaty is that we do not extradite a man for a political offense. Over the centuries this has been found to be a just and humane principle. In the main, this has worked out to the benefit of all peoples and of humanity, generally. It has enabled progress to be made in developing the blessings of liberty. The international attitude has likewise had some restraint in dealing with domestic political offenders. We did not execute as traitors after the Civil War any Southern leaders. If internationally we now abandon this principle and undertake to pass judgment upon and execute leaders of enemy belligerents we shall give color to the use of the same methods in domestic matters and thus, in a way, sanction the "blood purges" which have been carried on in Russia to such a frightful extent, and to some extent, at least, in Germany. Furthermore, I am not fully persuaded, so far as my own thinking goes, that leaders are wholly responsible for the course which the people take. The problem involved is much like the old problem of which was first, the egg or the hen, but I am inclined to the thought, myself, that leaders do not so much mark out the path which the nation, or the people, follow, as merely urge them along the road which the people themselves have determined to march.

I was very happy to see the stand which you take on the question of indemnities. I thoroughly approve of it. No lasting peace ever has been, or ever will be, built upon indemnities.

Of course, behind all this philosophy of indemnity and punishment is the false premise that man has sufficient wisdom, knowledge, and understanding to pronounce a just judgment against a nation or a people. Man cannot do this because he is finite; the problems involved are infinite; and finite mind cannot handle infinite problems. God, alone, can do that. That is why the Lord said, "Vengeance is mine; I will repay." My convictions on this are as firm and as deep as any that I have. I am as sure of them as I am that I live.

11. One of the most terrible and terrifying elements of the present world situation, as it appears to me, is this: Every nation and every people is persuaded that this is a war for their very existence. As belligerents we berate one another in these terms. When existence is involved, or is at stake, every nation and people does just what every individual does, namely, he takes whatever measures are necessary in order to preserve life. In war, this means, that there are no "thou shalt nots," as to means and methods, and there is no end to the savagery which each side will employ. I do not know that there is anything that can be done about it. Certainly, so long as the Jew hatred of Hitler is the dominating factor in our situation, a hatred that involves "an eye

for an eye, and a tooth for a tooth", it will be difficult for us to do anything about it. But perhaps if you were to emphasize a little more than you have done, the fact that the world will still remain after this war is over, that peoples will still live upon the face of the earth thereafter, and that they must get along together somehow, it might do something toward this end.

I apologize for this long letter. I am conscious of the fact that though the suggestions I have made, and the comments that I have given may be of little or no help to you, nevertheless, they have given me an opportunity to ease my mind, and in that respect, at least, I am the gainer.

I do hope you will print the book, for I am sure it will do much good, and will lead those who read it into straight thinking.

With the kindest regards and well wishes, I am

Faithfully yours,

JRC:BJM

J. Reuben Clark, Jr.