

THE UNITED STATES AND THE STATEMENT OF WAR AIMS

The call for a statement of the "war aims" of the various belligerents has behind it some motives which are not worthy of praise; but it is nevertheless true that the national purposes and objectives of those states upon which will fall the task of remaking the world after the present conflict are of vast importance, and particularly to international lawyers. Even the American people, though they are far from realizing it, must take an active interest in what is done by way of reconstruction, for their future will also be shaped by this reconstruction.

It is not easy to find accurate statements of these aims at present; it is not even easy for a state to know its own purposes since they will depend, upon the one hand, on the changing views of its own citizens, and, on the other hand, upon the aims of other nations. It will be recalled that President Wilson stated fairly definite aims for the United States and took active leadership in bringing them to general acceptance by other nations; yet these nations, when they had builded a structure of international law and order upon these premises, found that they were not, after all, the aims of the American people. Similarly, aims now stated by democracies may be altered by the tergiversations of public opinion; even the dictators may find that circumstances alter cases. In spite of these drawbacks to the inquiry, it may be possible to discover general directives, to look for uniformity or contrast, and to inquire how far the ascertained results harmonize with the wishes of the American people.

Prime Minister Chamberlain, on the first day of the war between Britain and Germany, said that so long as the Nazi Government exists and continues the same methods, there could be no peace in Europe: "We are resolved that these methods must come to an end. If out of the struggle we again reestablish in the world the rules of good faith and the renunciation of force, why, then, even the sacrifices that will be entailed upon us will find their fullest justification."¹ In a joint declaration between France and Britain, dated March 28, 1940, it was agreed "to maintain, after the conclusion of peace, a community of action in all spheres for so long as may be necessary to safeguard their security and to effect the reconstruction, with the assistance of other nations, of an international order which will ensure the liberty of peoples, respect for law, and the maintenance of peace in Europe."

Prime Minister Churchill, since his accession to office, has been unwilling to venture upon "elaborate speculations" as to the shape of the future; he does not, however, view with misgivings the increasing collaboration between Britain and the United States: "Let it roll on full flood, inexorable, irresistible, benignant, to broader lands and better days."

In view of the importance of the Labour Party in England, a paragraph from its declaration of February 9, 1940, deserves quotation:

¹ The quotations herein given, unless otherwise cited, are from a document issued by the Geneva Research Centre, entitled *Official Statements of War and Peace Aims. I. European Belligerents*. September 1, 1939 to August 31, 1940.

The Labour Party, therefore, demands that the peace settlement shall establish a new association or Commonwealth of States, the collective authority of which must transcend, over a proper sphere, the sovereign rights of separate States. This authority must control such military and economic power as will enable it to enforce peaceful behavior as between its members. . . . All nations, great and small, must have the right to live their own lives, free but coöperative within the framework of the new world order . . . a new world order, which applies these principles, can only be securely founded on Socialism and Democracy.²

Most of the expressions emanating from France were in terms similar to those of the French Premier (September 21, 1939), that the French were fighting because "they want to put an end to the ceaseless threats and alarms which obliged us in the course of one year to mobilize three times." Later, on April 3, 1940, Premier Reynaud said:

The authors of the Versailles Treaty might with profit have been inspired by the example of America wherein forty-eight sovereign states, free to organize themselves in the political, administrative and juridical domains, represent nevertheless throughout the world the widest territory of free commercial exchanges open to human activity. It is in this direction that Europe must steer if it does not want to perish.

Queen Wilhelmina of Holland, broadcasting to her subjects on July 28, 1940, told them

What is at stake in this war is the liberty of those all the world over who wish to work for the good of mankind, and to do so without being frustrated by the evil-doers. Those who think that the spiritual value acquired through the ages can be destroyed with the sword must learn to realize the idleness of such beliefs.

The first preoccupation of these nations is, naturally, to win the war; without this, they could not hope to establish such national objectives as they might have in mind. On the part of all of them, however, there is a wider interest than the mere achievement by war of a national policy. There is at the least an impatience against the use of violence between states; all are concerned with having a community of nations within which law and order may prevail; some would create a powerful organization for this purpose.

A different tone is manifest in expressions from Germany. The German leader refers constantly to German people, to frontiers, wealth, colonies, needs. In a speech made puzzling by inconsistencies, to the Reichstag on October 6, 1939, he spoke at length concerning Poland and then in more general terms:

We must try immediately to remove the consequences arising from the war, or at least to mitigate them. . . . These tasks can be discussed at a conference table—but they can never be solved there. If Europe wants calm and peace then the European states ought to be grateful that Germany and Russia are prepared to transform this area of disturbance into a zone of peaceful development. . . .

² Labour's Aims in War and Peace (Rand School Press, distributors), 1941, p. 93.

The implication—not newly expressed here—is that conferences are useless and that a strong hand will bring order; yet, a little further along in the same speech, he says that “the great nations of the continent must come together and hammer out, accept and guarantee such a settlement.” Field Marshal Goering (September 9, 1939) asserted that Germany does not recognize any governances, and that “our war aim is nothing less than to bring the German people back to their home country at last.” The purposes of Germany were somewhat more definitely stated by the Minister of Economics, Herr Funk, on July 25, 1940:

We shall in all spheres collaborate most closely with our ally Italy, and combine the German and Italian economic forces for the reconstruction of Europe. The question of the future economic order in Europe is therefore to be answered in the sense that we shall, after the victorious termination of the war, apply those methods in economics which brought us great economic successes before the war and especially during the war, and that we do not intend to allow the unregulated play of forces which caused German economy the greatest difficulties. . . . It is self-evident that the Reichsmark currency will occupy a dominating position therein. . . . The peace economy prepared in a comprehensive planning must guarantee a maximum of economic security to the greater German Reich and a maximum of consumption of goods to the German people in order to raise the national welfare. Towards this end German economy has to be directed.

In such utterances as these, there is little of cheer to the international lawyer; they postulate an order in Europe, if not the world, laid down from above. A similar idea may be gleaned from the profuse utterances of Japan, which indicate an intent to set up a “new order” in that part of the world within which the power of Japan would prevail, rather than a universal international law. The community of nations has thus before it a choice between consent and conquest, between a law agreed upon, and a law imposed by force from above. There is little doubt that the American nation would prefer an order based upon mutual consent—though it may well be noted that the democracies have not in the past been able to agree upon needed law, and that they, and particularly the United States, have indeed seriously embarrassed efforts in this direction.

It is surprising that no such clamor for statement of American national aims is heard. From the viewpoint of national defense alone, this is a serious omission. No business man would enter upon an expenditure comparable with that initiated by the American nation without having made some sort of a balance sheet. Apparently, we feel that it is sufficient to fight and win a war, even though we do not know what we hope to gain by fighting. Actually, it will not be enough merely to win this war. The increasing interdependence of nations, the competition of totalitarian systems, the impending threat of future war which requires continuous totalitarian organization to meet it—none of these difficulties and dangers will be remedied merely by

winning the war. We must be prepared to reestablish law and order in the community of nations, and unless we have made up our minds to do our share toward this end, we may as well not waste another war—as we wasted the one of 1914–1918—by throwing away the fruits of victory after we have gained them.

It must also be taken into consideration that other nations may find it difficult to state their aims until they know what the United States is willing to do. No international system capable of upholding order between nations can be successful without the United States in it, and the willingness of Britain to build and maintain such a system must depend upon whether the United States is willing to share in it. Otherwise, there may be nothing left for Britain to do but to make a harsh victor's peace, harsh enough to secure her against future danger from Germany. Furthermore, leadership in such a movement must be taken by the United States, since she would presumably be the most powerful state in the world, and since her record of persistent rejection in the past would discourage other states taking a lead without an indication of willingness on our part.

In his message to Congress of January 6, 1941, President Roosevelt looked forward to a world founded upon four essential human freedoms:

The first is freedom of speech and expression—everywhere in the world.

The second is freedom of every person to worship God in his own way—everywhere in the world.

The third is freedom from want—which translated into world terms, means economic understandings which will secure to every nation a healthy peace-time life for its inhabitants—everywhere in the world.

The fourth is freedom from fear—which, translated into world terms, means a world-wide reduction of armaments to such a point and in such a thorough fashion that no nation will be in a position to commit an act of physical aggression against any neighbor—anywhere in the world. . . .

The world order which we seek is the coöperation of free countries, working together in a friendly, civilized society.

These words of our chief of state will be regarded by other peoples as the expression of American aims; whether they can be so regarded depends upon whether they will be accepted and sustained by the American people. Both the President and the Secretary of State have on other occasions given much emphasis to the rule of law in the world, but they suggest no willingness on the part of the United States to share in the work of an international organization to uphold that law. Yet, insufficient as they are, we can not be sure that even this statement of aims will be upheld by the American people; they may, as they did in 1919, move in another direction, and thereby wreck hopes and plans founded upon such a statement.

Of all national aims, those of the United States most need to be stated; and in order to state them, they must first be ascertained. The world does

not wait so much upon the statement of British aims, as upon our own aims; there is little doubt that, as in 1919, the program of reconstruction can be shaped as the United States wishes. In the statement of those aims, the international lawyer should take a great interest, for they will constitute the foundation for the rebuilding of international law in the world.

CLYDE EAGLETON

THE APPOINTMENT OF ASSISTANT SECRETARY OF STATE G. HOWLAND SHAW
AND OUR FOREIGN SERVICE

The day of shirtsleeve diplomacy when the plums of the service were reserved for "deserving" politicians has passed. We now have a Foreign Service which is certainly the equal of any. The conduct of our foreign affairs has become too important to be entrusted to inexperienced hands. Even the few recent non-career appointments of ministers and ambassadors will always be supported by career men who know how to protect the chief of mission from error while they facilitate the formulation of the particular matters of policy which is the province of the non-career appointee to express. Of the score of ambassadorial posts, ten are now held by career men, and in the case of two others, London and Vichy, the appointees have had experience of value for their present missions, namely, Mr. Winant, because of his work as Director of the International Labor Office at Geneva, and Admiral Leahy because of his experience in various parts of the world and as Governor of Puerto Rico. Of the total of thirty ministers, one-half, or fifteen, are career men who have had previous service. In addition the Diplomatic Agent and Consul General at Tangier, Morocco, and the Minister Resident and Consul General at Bagdad, Iraq, are Foreign Service officers.

Now that Mrs. Harriman has terminated her brilliant service by resigning from a post no longer tenable, there is no woman of ministerial rank in the service. There are at present seven women among the 829 members of the career Foreign Service. When the commercial and agricultural attachés were consolidated with the career Foreign Service, it added five women to the two who had survived in the original career Foreign Service.¹ The Department has not favored the entrance of women. It is argued that women cannot meet the requirement that a Foreign Service officer should be available for any assignment and capable of fulfilling all of the duties of any post. It is argued that women cannot well be appointed to certain unhealthy and dangerous posts, and that in certain countries it would not be fitting to run counter to local prejudice by asking them to perform duties not usually discharged by women. On the other side it may be argued that even in the case of men, special qualifications are considered in making assignments and that the recognition of the especial qualifications of women for service in certain posts would not be a departure from this procedure. And it also is asserted that women are as capable as men of withstanding unhealthy climates. A more serious objection is the practical consideration

¹ See Reorganization Plan, *post*, p. 343, footnote 3.