

THE AMERICAN PEOPLE WANT

PEACE

JUSTICE

NATIONAL SECURITY

Peace

There can be no real peace for the United States as long as other great nations may resort to war in pursuit of their national aims.

Justice

The people of the United States know that international justice will become possible only when nations are no longer permitted to make war to expand their boundaries or satisfy national pride.

National Security

A foreign policy to preserve peace under tolerable conditions is the first line of defense of our nation and all it stands for.

The Neutrality Act in its present form thwarts these deep-seated desires of the American people.

Under the Neutrality Act as now written we must either retreat before aggression and violence in a crisis or resort to war. There is no middle road. There is no room for positive measures short of war.

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WHAT WAS BEHIND THE NEUTRALITY ACT?

The idea of neutrality legislation is not new. The United States, like most other countries, has for a long time had laws to punish such violations of neutrality as recruiting soldiers for foreign armies. International law, also, recognizes a whole range of neutral rights and neutral duties. Neutral rights, especially on the high seas, were constantly violated during the World War by both sides. It is now generally recognized that the conditions of modern warfare make it practically impossible to guarantee privileges to neutrals during any large-scale war.

One of the reasons the United States went into the World War was to defend its neutral rights. Many people have thought that the United States government defended these rights because American bankers and munition makers had a big stake in the cause of the Allies. The investigations of the Nye Committee in 1934 made this point of view popular, and there was much agitation for laws to prevent American finance and industry from becoming tied up with the belligerents in a foreign war.

At the same time, international conditions were getting more and more unstable. Japan had conquered Manchuria and was nibbling at Chinese territory. In Germany Hitler had come into power as the leader of a movement that frankly sought to change the map of Europe. Mussolini began to make demands on Ethiopia in 1934 and started the invasion of that country in 1935. All this put the United States in an uncomfortable and uncertain position, and strong sentiment developed that this country should define ahead of time the position it would take in case of war abroad.

The first of the new Neutrality Acts was passed by Congress on August 31, 1935. On February 29, 1936, the law was extended with a few amendments, and on April 29, 1937, the present law was enacted.

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WHAT'S WRONG WITH THE NEUTRALITY ACT?

In terms of the desire of the American people for peace, justice, and national security, the Neutrality Act has several serious defects.

The list of war supplies whose export may be prohibited *does not include raw materials* like oil and scrap iron, which are essential to modern warfare. The cash-and-carry provision merely *limits their purchase to countries that have money and ships.*

The almost automatic operation of the law makes American foreign policy too inflexible. *There is no room to adapt our neutrality policy to international crises of varying types and degrees.* This legislation was drawn up with the World War in mind. It does not work at all in relation to the Far East and we can not be certain that future wars in Europe will follow the pattern of the World War. *The successful conduct of foreign affairs in the midst of international anarchy requires that the policies of great nations be flexible and adaptable.*

The operation of the embargo provisions *excludes the possibility of using methods short of war to discourage wars of aggression and prevent the violation of treaties.* Under the present Act *the United States can make no distinction between aggressor and victim and may actually aid the aggressor.* The victim of aggression is deprived of the right to buy arms and ammunition in this country and may not be able to obtain other materials unless it has money and ships. A potential aggressor, on the other hand, usually prepares well ahead of time. With money and ships it can obtain almost unlimited supplies of supplementary war materials in the United States. Such an arrangement *prevents the United States from throwing its strength on the side of international morality.*

IS THERE ANY GOOD IN THE NEUTRALITY ACT?

Yes. In several ways it marks progress in the development of American foreign policy.

The National Munitions Control Board provides a way to regulate the exportations of arms, ammunition, and weapons of war, and its creation *puts into law the principle that the munitions business is a matter of public concern.*

The embargo provisions *give weight to the proposition that it is as immoral to profit from other people's bloodshed as from the wars waged by one's own country.*

The temporary character of some parts of the law, requiring occasional reconsideration and amendment, permits *continual improvement* and shows that both Congress and the Administration are aware of the changing aspect of foreign policy; also, that they realize that such vital legislation should not be crystallized in a form that may soon cease to fit the needs of our foreign relations.

The provisions of the law governing the sale and shipment of munitions and supplementary war materials, the extension of loans and credits, the arming of American merchant ships, and the travel of American citizens *acknowledge the passing of the old conception of neutral rights and recognize the fact that the United States can not help being affected by major wars in other parts of the world.*

HOW CAN THE NEUTRALITY ACT BE IMPROVED?

When the cash-and-carry provision of the Act comes up for renewal, before May 1, 1939, the law should be amended along the following lines:

1. To permit the President, after proclaiming the neutrality of the United States under this Act, to *extend the embargo provisions to cover essential war materials as well as munitions.*

2. To permit Congress and the President to alter the terms of the neutrality proclamation

a. so that the embargo on munitions, loans, and supplementary war materials *may apply only to a state or states which make war in violation of a treaty with the United States*, thus leaving the victims of such state or states free to obtain supplies from this country.

b. so that the embargo may be revoked *in favor of a state or states determined by consultation with other governments to be victims of aggression*.

THESE AMENDMENTS WOULD

Preserve the gains already made by recent neutrality legislation and would restore some flexibility and adaptability to American foreign policy.

Accord with the spirit of the Constitution, which makes the President and Congress jointly responsible for decisions regarding questions of peace and war.

Emphasize the sincerity with which the United States advocates observance of treaties and the general rules of international morality.

THESE AMENDMENTS WOULD

Help to preserve **Peace** by increasing the risk involved in making wars of aggression.

Foster **Justice** by encouraging resort to peaceful methods instead of force to settle international disputes.

Promote **National Security** by helping to preserve peace and foster justice, and by enabling the United States to pursue a constructive foreign policy, based on the realities of the world situation.

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SUMMARY OF THE NEUTRALITY ACT OF APRIL 29, 1937

1. Embargo on the exportation of munitions
 - a. "whenever the President shall find that there exists a state of war between, or among, two or more foreign states"
 - b. "whenever the President shall find that a state of civil strife . . . would threaten or endanger the peace of the United States"
2. Prohibition on shipment in American vessels of supplementary war materials to belligerents, if the President finds that such restriction "is necessary to promote the security or preserve the peace of the United States or to protect the lives of citizens of the United States."
3. Requirement that the title to all goods purchased in this country by belligerents must be transferred to some foreign government, agency, or national, if the President finds such restriction necessary "to promote the security or preserve the peace of the United States or to protect the lives of the citizens of the United States."
4. Prohibition of loans to warring states or parties to civil strife, automatic on proclamation of the existence of a state of war or state of civil strife. Ordinary commercial credits may be exempted, and collection of funds for medical aid and civilian relief is permitted.
5. Exemption of American republics engaged in war against non-American states, unless an American republic is cooperating with an non-American state in such war.
6. Establishment of a National Munitions Control Board, to license the exportation of arms, ammunition, and implements of war, and enforce arms embargoes which may be applied under this Act.
7. Prohibition on shipment of arms to belligerent nations by American ships. Automatic on declaration of neutrality.
8. Authorization of special restrictions on the use of American ports as bases of supply by merchant vessels and submarines of belligerents.
9. Prohibition of travel by American citizens on vessels of states named in proclamation of neutrality.
10. Prohibition of arming of any American vessel engaged in commerce with any belligerent.

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