

**Woodrow Wilson, the Senate
and the League of Nations Fight
Introductory Essay
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The President cannot conclude a treaty with a foreign power without the consent of the Senate, but he may guide every step of diplomacy....He need disclose no step of negotiation until it is complete, and when in any critical matter it is completed the government is virtually committed. Whatever its disinclination, the Senate may feel itself committed also.

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The Senate has shown itself particularly stiff and jealous in insisting upon exercising an independent judgment upon foreign affairs....Advisers who are entirely independent of the official advised are in a position to be, not his advisers, but his masters; and when, as sometimes happens, the Senate is of one political party and the President of the other, its dictation may be based, not upon the merits of the question involved, but upon political calculations of advantage.

--Woodrow Wilson (1907)

Woodrow Wilson is often portrayed as having a failed presidency because of his inability in 1919 and 1920 to secure Senate ratification of the Versailles Peace Treaty after the Great War. Notwithstanding Wilson's remarkable domestic policy successes with his New Freedom legislation during his first term as president, he is perhaps better remembered for his unwillingness to brook any compromise with the Senate over the treaty and consequently becoming a victim of his own stubbornness.

There have been many explanations for Wilson's intransigence—declining health, a real hatred for the Senate generally and Senate Majority Leader and Foreign Relations Committee Chairman Henry Cabot Lodge (R-Mass.) in particular, and arrogant pride of authorship over the most contested aspect of the treaty, the League of Nations Covenant, and a genuine belief by Wilson that any perceived weakening of the charter would render the League useless before it was even organized.

Looked at from the other end, there are those who argue that the Republicans who controlled Senate after the 1918 elections had no intention to hand Wilson a victory on the treaty, no matter what compromises he might make: they were driven primarily by the partisan goal of undermining him and his party and thereby ensuring the success of their candidate for president in the 1920 presidential election.

While there is some evidence to support all of the above explanations, what is often forgotten in this narrative of failure is what was at the heart of the disagreement between the

president and the Senate. It was not just an institutional battle over the president's foreign policy powers and prerogatives versus the Senate's "advice and consent" role in making treaties. More importantly, it was over Congress' power under the Constitution to declare war.

Senators argued that by committing the U.S. as a member of the League of Nations (the Fourteenth of Wilson's "fourteen points") to defend any other member state that was attacked by another country, the League Covenant circumvented Congress' role in authorizing U.S. military interventions in the first place. Senators therefore proposed a number of reservations to the treaty (Lodge actually offered fourteen reservations in parallel to Wilson's fourteen points. But the most contentious debate and important reservations centered on the League Covenant's Article X collective security provisions which read as follows:

The Members of the League undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all Members of the League. In case of any such aggression or in case of any threat or danger of such aggression, the Council shall advise upon the means by which this obligation shall be fulfilled.¹

Moreover, Article XI, contained a corollary that went beyond aggression protecting only Members of the League: "Any war or threat of war, whether immediately affecting any of the Members of the League or not, is hereby declared a matter of concern to the whole League, and the League shall take any action that may be deemed wise and effectual to safeguard the peace of nations."²

The purpose of this essay is to assess what attitudes, predilections, and biases Wilson brought to this major confrontation with the Senate, as well as to evaluate just how genuine Republican objections to the treaty were and how much was simply partisan gamesmanship.

Professor Wilson on the Senate

The epigraphs to this essay are from a series of lectures Wilson delivered, while still president of Princeton, at Columbia University in 1907, and published as *Constitutional Government* in 1908.³ The first paragraph of the epigraph is from his chapter on the president, while the second is from his chapter on the Senate. While both quotes reflect Wilson's antipathy toward the Senate, and sympathy for the president, the second quote, taken alone, is out of context, for Wilson goes on in that chapter to offer a cautionary note of advice to the president.

If the House spurns the president's recommendations, Wilson wrote, the president can always appeal over its head to the people; "and, if public opinion respond to his appeal, the House may grow thoughtful of the next congressional elections and yield." The Senate, on the other hand, Wilson continued, "is not so immediately sensitive to opinion and is apt to grow, if anything, more stiff if pressure of that kind if brought to bear upon it."

Wilson went on to suggest that the president would be well advised to be "less stiff and offish," and "act in the true spirit of the Constitution and establish intimate relations of confidence with the Senate on his own initiative." Rather than presenting his plans to the Senate

as a *fait accompli* to be accepted or rejected by the Senate, Wilson wrote, the president should keep himself “in confidential communication with the leaders of the Senate while his plans are in course, when their advice will be of service to him and his information of the greatest service to them.” Wilson concedes that the policy that has made rivals of the president and Senate has shown itself in the president as often as in the Senate. If the Constitution intended, by giving the Senate and advice and consent function, to be a sort of executive council to the president, then, wrote Wilson, “it is not only the privilege of the President to treat it as such, it is also his best policy and his plain duty.”⁴

So why didn't President Wilson treat the Senate as scholar Wilson had recommended he should do in his most important final act as president: negotiating and securing Senate ratification of a peace treaty for which he was principally responsible? If the League of Nations, which he argued was critical to preventing future wars, was to be the crowning achievement and legacy of his presidency, why did he antagonize and alienate the Senate rather than reconciling it to his views? The short answer is that Wilson was too proud and arrogant to bend, and the Republican controlled Senate was against including a League of Nations in the peace treaty to begin with.

The Fourteen Points

On Jan. 8, 1918, Wilson first unveiled his fourteen point plan for a peace agreement before a joint session of Congress. The fourteenth point was rather vague and made no mention of an international body to enforce the peace. It read simply, “a general association of nations must be formed under specific covenants for the purpose of affording mutual guarantees of political independence and territorial integrity.” Meeting with former President William Howard Taft and another League of Peace leader in late March, Wilson restated his dislike for a specific league, saying he envisioned instead a series of conferences that might make it possible in the future to create machinery to enforce peace. But he added that it was unlikely the Senate would ever enter into an agreement “by which a majority of other nations could tell the United States when they must go to war.” According to biographer John Milton Cooper, Jr., Wilson was playing his cards close to the vest, and, probably already had in mind that spring reversing his position in a bold strike.⁵

In his Fourth of July address in 1918, Wilson outlined his vision of a post-war world based on four principles, the fourth of which was “the establishment of an organization of peace which shall make it certain that the combined power of free nations will...serve to make peace and justice more secure.”⁶

Republicans captured both houses of Congress from the Democrats in the elections that fall, gaining a 49 to 47 seat edge in the Senate. The armistice came just six days later. Wilson sent his trusted aid, Colonel House to Paris to begin negotiating, and Wilson himself left the day after delivering his state of the union address on December 18. Wilson considered choosing a prominent Republican to join the peace delegation, but gave little thought to choosing any Republican senators given the bad blood that existed, especially with Lodge, the soon-to-be Senate majority leader and Senate Foreign Relations Committee chair. Instead, he picked a token Republican, Henry White, a retired diplomat.

Biographer John Milton Cooper writes, “Wilson knew he would need Republican support for a peace settlement, but he was balking once more at practicing the kind of partnership with the opposition party that he should have understood.” The real reason he didn’t appoint any prominent Republicans to the delegation wasn’t because they were Republicans but because that he “wanted a free hand in the peace negotiations,” and Republicans “might get in his way.” Following the war with Spain, President William McKinley had included three senators on the peace delegation in 1898, two from the Republican majority and one from the Democratic minority, and they had reportedly help facilitate approval of the treaty.⁷

On the night of Theodore Roosevelt’s death, Jan. 6, 1919, Wilson stayed up all night on his voyage to Paris, and drafted a Covenant for the League of Nations that ran 22 pages and included 13 articles. This time the League did have teeth, with the contracting powers uniting in guaranteeing each other’s political independence and territorial integrity against external aggression. The Executive Council of the League, to be made up of the five great powers, and four rotating member nations, could recommend various means to address violations of the Covenant, including economic and financial boycotts, or the use of military or naval force. The first item of business at the Paris peace conference was the League of Nations, and Wilson was appointed to chair a League Commission to draft the League charter. The Commission’s recommendations were subsequently approved by the Council of Ten on Feb. 14. Wilson got almost everything he wanted.

The Fight in the Senate Begins

Things would not go so easily back on the home front. Wilson cabled his aide Joseph Tumulty at the White House to ask members of the House Foreign Affairs and Senate Foreign Relations committees not to discuss the Draft Covenant until he had a chance to explain it to them. But that did not stop Republicans from denouncing the Draft Covenant before they had even seen it. Sen. Borah of Idaho declared that even “if the Savior of mankind should revisit the earth and declare for a League of Nations, I would be opposed to it.”⁸

Wilson returned to the U.S. on Feb. 25 to attend to the completion of business by the Congress prior to its March 4 adjournment. Republicans, still in the minority, held up action on appropriations bills in the hope that Wilson would have to call the new Congress into special session in March (instead of the usual December convening), so they could begin debating the peace proceedings. However, Wilson had no intention of doing that until the peace negotiations were completed. He did call members of the House Foreign Affairs and Senate Foreign Relations committees to explain the Draft Covenant on Feb. 26 (rather than break precedent and formally appear before Congress to testify on it). The following day Wilson spent two hours at the Capitol talking with Members of Congress and reporters. From all reports, no minds were changed.

Just before midnight on March 3, the eve before the adjournment of Congress, Lodge took to the Senate floor to offer a resolution denouncing the treaty as unacceptable to the Senate in its present form and calling for the conference to promptly conclude the treaty with Germany. A Democratic senator objected to calling up the resolution, and was upheld. However, that did

not stop Lodge from reading the names of some 40 senators who had signed on to the resolution—four more than would be needed to block ratification.⁹

The following night, Wilson spoke to a large crowd in New York, and came out strongly against his opponents in the Senate, vowing the League would be tied tightly to the peace treaty, because to separate them would destroy the whole vital structure. His strongly worded defiance only further exacerbated the situation in the Senate. Wilson did solicit further suggested changes from Republicans by cable on his voyage back to Paris, and incorporated several in the final draft. However, Lodge responded that the way to make changes was to convene the Senate so that it could offer its advice.

Wooing the Senate

When the treaty was finalized, Wilson returned to the U.S. in July, and decided to work an inside strategy first. After an on-the-record press conference July 10, during which he did not rule out reservations and expressed confidence the Senate would ratify the treaty, Wilson headed to the Hill to address the Senate and present the treaty to it. His 37-minute speech was uninterrupted, and reactions to it were predictably partisan. Afterwards he met with Senate Democrats and told them Article 10 did not infringe on Congress' power to declare war. He followed-up by holding one-on-one meetings at the White House with 22 Republicans and four Democrats between July 18 and August 1 (two other Republicans declined to meet with him). Senate hearings on the treaty began in August.

While Wilson's aides were recommending he take the initiative by demonstrating a willingness to accept mild reservations, Wilson balked in the belief that accepting some would only pave the way for demands to accept stronger, more objectionable ones. That did not stop some Democratic senators from attempting to build bridges to mild reservationists on the Republican side. However, Lodge, using former Secretary of State Elihu Root as an intermediary, soon brought his colleagues back into the fold by convincing them that only a "real reservation on Article 10" would limit American commitments to enforce collective security actions by the League. Wilson also dashed any hopes for bipartisan cooperation by telling an aide he "would have none of it." Eventually, all but one mild reservationist came around to Lodge's view on Article 10 and the whole treaty.¹⁰

Wilson met again at the White House with members of the Senate Foreign Relations Committee on Aug. 19, and after reading a statement, opened himself to questions. In addressing the most problematic issue, Wilson said Article 10 imposed "a moral, not a legal obligation" on the U.S., and left it to Congress to interpret what actions to take. He indicated he had no objections to reservations so long as they were not a part of the instrument of ratification since that would require other nations to approve them and create ambiguity about America's obligations.

The Public Campaign for Ratification

Having failed to change minds with this last encounter, Wilson decided to employ the outside strategy of taking his case to the nation. On Sept. 4, he embarked on a month-long whistle-stop tour through the Midwest and west. He gave 40 speeches in 21 days to wildly

enthusiastic crowds. He stoutly defended Article 10 as “the heart of the pledge we have made to other nations in the world,” and added that while he could accept “interpretive reservations,” he could not accept ones which would give the United States a position of special privilege or exemption.

Three Senate opponents of the treaty, Senators Borah, Johnson and Reed, set out on their own speaking tours, following in the president’s path. They too drew large crowds. As historian Lewis Gould notes, “the contest for popular opinion was a draw.” Moreover, the strategy for Wilson’s tour was not clear as he did not attempt to win over Republican senators and instead denounced his Senate opponents as “absolute contemptible quitters.” The President “would have been better served,” says Gould, “sitting across the table from his foes and seriously negotiate a compromise on the treaty.”¹¹

Instead, the president’s rigorous speaking schedule took its toll on his health, and the campaign had to be cancelled three-quarters of the way through when Wilson collapsed of exhaustion in Pueblo, Colorado. Shortly after returning to the White House, Wilson suffered a stroke that paralyzed his left arm and leg.

The Final Votes in the Senate

The Senate began debating and voting on reservations to the treaty in early October, and finally, on November 19 1919, imposed cloture on itself to close discussion of the treaty—the first time the new Senate had been invoked. Lodge’s reservations were defeated, 35 to 55, and then the treaty without reservations was defeated 38 to 53. Wilson’s reaction was to urge that the 1920 presidential election be made “a great and solemn referendum on the treaty.” Since that would be a difficult issue to isolate in national balloting for president, another Senate vote was taken on the treaty with reservations on March 19, 1920. This time it at least received majority support, 49 to 35, still 20 votes short of the two-thirds vote needed. Twenty-three of the 47 Senate Democrats supported the treaty with the Lodge reservations.

While Wilson would have liked to have been the Democratic nominee again, his health was still not good enough to permit it. Instead, the Democrats nominated Governor James M. Cox of Ohio who went on to take a huge drubbing in the popular vote at the hands of Senator Warren G. Harding, also of Ohio. If the vote was in any way considered a referendum on the treaty, it was a huge repudiation of Wilson and his policies. Harding called for, “a return to normalcy,” and that seemed to fit America’s mood better than the prospect of more entangling alliances with Europe through a League of Nations.

Conclusions

Wilson as president forgot the lessons he had taught as a scholar and professor when it came to dealing with the Senate. The mutual antipathy between Wilson and Lodge did not help matters at all when control of the Senate reverted to the Republicans in 1919; and Republicans had no enthusiasm for Wilson’s League of Nations proposal to begin with. While the treaty would probably not have been ratified so long as the League was a part of it, both sides only exacerbated matters by poking partisan sticks in each others’ eyes. Wilson could have made

some prominent Republicans part of his negotiating team, but passed up that opportunity for greater bipartisan cooperation. Moreover, he could have accepted some reservations to make clear what he had already conceded, and that was that Congress' constitutional role in declaring war could not be bypassed by a League of Nations recommendation to use military force.

Nevertheless, Republicans vilified the League as taking away America's sovereignty and its independent determination over whether to go to war, while Wilson vilified Republican opponents of the League for putting the nation on a course for another great, and final war that would end the world as we know it.

What ultimately spelled the difference in the League debate was the mood of a war weary electorate, once again turning inward in a neo-isolationist posture. Republicans exploited and capitalized on that mood; Wilson seemed oblivious to it given his self-righteous confidence in the correctness of his vision for world peace. As Wilson biographer Daniel Stid puts it, "Wilson might well have tried to take the nation in a direction that it was not yet prepared to go." In any event, concludes Stid, "in the end, Wilson was not prepared to share in any significant way the treaty-making power that he was convinced was rightfully his and upon which his policy depended. The irony, or rather the tragedy, of Wilson's defeat was that he could have predicted it himself."¹²

Endnotes

¹ Woodrow Wilson's *Case for the League of Nations*, "compiled with his approval by Hamilton Foley" (Princeton: Princeton University Press, 1923), Appendix F, 256.

² Ibid.

³ Woodrow Wilson, *Constitutional Government* (New Brunswick, New Jersey: Transaction Publishers, 2002; originally published by Columbia University Press, 1908), 77-78; and 139.

⁴ Ibid, 139-40.

⁵ John Milton Cooper, Jr., *Woodrow Wilson: A Biography* (New York: Alfred A. Knopf, 2009), 422, 429-30.

⁶ Ibid, 441.

⁷ Ibid, 456-458.

⁸ Ibid, 477.

⁹ Ibid, 477-80.

¹⁰ Ibid, 513-14.

¹¹ Lewis Gould, *The Most Exclusive Club: A History of the Modern United States Senate* (Cambridge, Mass.: Basic Books, 2005), 88.

¹² Daniel D. Stid, *The President as Statesman: Woodrow Wilson and the Constitution* (Lawrence, Kansas: University of Kansas Press, 1998), 151, 161.