

July 18, 1959

Message to Congress - Hull + Neutrality

FDR Speech File

1231

July 13, 1939.

TO THE CONGRESS OF THE UNITED STATES:

I am advised by a vote of twelve to eleven that the Senate Committee on Foreign Relations has deferred action by the Committee on Neutrality legislation until the next session of the Congress.

I am enclosing herewith (or appending hereto) a statement from the Secretary of State of the United States, which I trust will receive your earnest attention.

It has been abundantly clear to me for sometime that for the cause of peace and in the interest of American neutrality and security, it is highly advisable that the Congress at this session should take certain much needed action. In the light of present world conditions, I see no reason to change that opinion.

July 14, 1939

CONFIDENTIAL: To be held in STRICT CONFIDENCE and no portion, synopsis or intimation to be published or given out until the READING of the President's Message has begun in the Senate or the House of Representatives. Extreme care must therefore be exercised to avoid premature publication.

STEPHEN EARLY
Secretary to the President

TO THE CONGRESS OF THE UNITED STATES:

I am advised that by a vote of twelve to eleven the Senate Committee on Foreign Relations has deferred action on peace and neutrality legislation until the next session of the Congress.

I am appending hereto a statement from the Secretary of State which has my full approval, and which I trust will receive your earnest attention.

It has been abundantly clear to me for some time that for the cause of peace and in the interest of American neutrality and security, it is highly advisable that the Congress at this session should take certain such needed action. In the light of present world conditions, I see no reason to change that opinion.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,

July 14, 1939.

STATEMENT ON PEACE AND NEUTRALITY BY
THE SECRETARY OF STATE

The cornerstone of the foreign policy of the United States is the preservation of the peace and security of our nation, the strengthening of international law, and the revitalization of international good faith. The foreign policy of this Government may be misinterpreted or it may be misunderstood, but it cannot be destroyed. Peace is so precious and war so devastating that the people of the United States and their Government must not fail to make their just and legitimate contribution to the preservation of peace.

The Congress has pending before it at the present time certain proposals providing for the amendment of the existing so-called neutrality legislation. Some of these proposed changes I regard as necessary to promote the peace and security of the United States.

There is an astonishing amount of confusion and misunderstanding as regards the legislation under consideration, and particularly with regard to the operation of the existing arms embargo.

I shall try to bring out as clearly as I can the important points of agreement and disagreement between those who support the principles contained in the six point peace and neutrality program recommended by the Executive branch of the Government and those who oppose these recommendations.

In substance and in principle both sides of the discussion agree on the following points:

1. Both sides agree that the first concern of the United States must be its own peace and security.
2. Both sides agree that it should be the policy of this Government to avoid being drawn into wars between other nations.
3. Both sides agree that this nation should at all times avoid entangling alliances or involvements with other nations.
4. Both sides agree that in the event of foreign wars this nation should maintain a status of strict neutrality, and that around the structure of neutrality we should so shape our policies as to keep this country from being drawn into war.

On the other hand, the following is the chief essential point of disagreement between those who favor the adoption of the recommendations formulated by the Executive branch of the Government and those who are opposing these recommendations:

The proponents, including the Executive branch of the Government, at the time when the arms embargo was originally adopted called attention to the fact that its enactment constituted a hazardous departure from the principle of international law which recognizes the right of neutrals to trade with belligerents and of belligerents to trade with neutrals. They believe that neutrality means impartiality, and in their view an arms embargo is directly opposed to the idea of neutrality. It is not humanly possible, by enacting an arms embargo, or by refraining from such enactment, to hold the scales exactly even between two belligerents. In either case and due to shifting circumstances one belligerent may find itself in a position of relative advantage or disadvantage. The important difference between the two cases is that when such a condition arises in the absence of an arms embargo on our part, no responsibility attaches to this country, whereas in the presence of an embargo, the responsibility of this country for the creation of the condition is inevitably direct and clear.

There is no theory or practice to be found in international law pertaining to neutrality to the effect that the advantages that any particular belligerent might procure through its geographic location, its superiority on land or at sea, or through other circumstances, should be offset by the establishment by neutral nations of embargoes.

The opposition to the present substitute proposal joins issue on this point, and stands for existing rigid embargo as a permanent part of our neutrality policy. And yet by insisting on an arms embargo in time of war they are, to that extent, for the reasons I have stated, urging not neutrality, but what might well result in actual unneutrality, the serious consequences of which no one can predict.

Those who urge the retention of the present embargo continue to advance the view that it will keep this country out of war, - thereby misleading the American people to rely upon a false and illogical delusion as a means of keeping out of war.

I say it is illogical, because while the trade in "arms, ammunition and implements of war" is at present banned, the trade in equally essential war materials, as well as all the essential materials out of which the finished articles are made can continue. For example, in time of war, we can sell cotton for the manufacture of explosives, but not the explosives; we can sell the steel and copper for cannon and for shells but not the cannon nor the shells; we can continue to sell to belligerents the high-powered fuel necessary for the operation of airplanes, but we are not able to sell the airplanes.

I say it is a false delusion because a continuation of the trade in arms is a clearly recognized and traditional right of the nationals of a neutral country in time of war, subject only to effective blockade and to the right of belligerents to treat any such commodities as contraband. The assertion frequently made that this country has ever engaged or may become engaged in serious controversy solely over the fact that its nationals have sold arms to belligerents is misleading and unsupported. All available evidence is directly to the contrary. Every informed person knows that arms, as absolute contraband, are subject to seizure by a belligerent and that neither the neutral shipper nor his government has the slightest ground for complaint. There is, therefore, no reason to suppose that the sale of arms may lead to serious controversy between a neutral and a belligerent. Furthermore, under the proposals that have been made American nationals would be divested of all right, title and interest in these and other commodities before they leave our shores and American citizens and ships would be kept out of danger zones. As regards possible complications which might arise as a result of the extension of credits to belligerents or of extraordinary profits accruing to any group of producers in this country, it is wholly within the power of Congress at all times to safeguard the national interest in this respect.

Controversies which would involve the United States are far more likely to arise from the entrance of American ships or American citizens in the danger zones or through the sinking on the high seas of American vessels carrying commodities other than those covered by the arms embargo. In the recommendations formulated by the Executive as a substitute for the present legislation it was especially urged that provisions be adopted which would exclude American nationals and American ships from zones where real danger to their safety might exist and which would divest goods of American ownership, thereby minimizing to the fullest extent the danger of American involvement.

Those of us who support the recommendations formulated for the elimination of the embargo are convinced that the arms embargo plays into the hands of those nations which have taken the lead in building up their fighting power. It works directly against the interests of the peace-loving nations, especially those which do not possess their own munitions plants. It means that if any country is disposed towards conquest, and devotes its energy and resources to establish itself as a superior fighting power, that country may be more tempted to try the fortunes of war if it knows that its less well prepared opponents would be shut off from those supplies which, under every rule of international law, they should be able to buy in all neutral countries, including the United States. It means also that some of those countries which have only limited facilities for the production of arms, ammunition and implements of war are put in a position of increased dependence. During peace-time they would feel the compulsion of shaping their political as well as their economic policy to suit the military strength of others; and during war-time their powers of defense would be limited.

For these reasons those who are supporting the recommendations for the amendment of existing legislation recognize definitely that the present embargo encourages a general state of war both in Europe and Asia. Since the present embargo has this effect its results are directly prejudicial to the highest interests and to the peace and to the security of the United States.

In the present grave conditions of international anarchy and of danger to peace, in more than one part of the world, I profoundly believe that the first great step towards safeguarding this nation from being drawn into war is to use whatever influence it can, compatible with the traditional policy of our country of non-involvement, so as to make less likely the outbreak of a major war. This is a duty placed upon our Government which some may fail to perceive or choose to reject. But it must be clear to every one of us that the outbreak of a general war increases the dangers confronting the United States. This fact cannot be ignored.

I would emphasize that the course proposed through the substitute legislation recommended by the Executive is consistent with the rules of international law and with the policy of our own country over a period of 150 years. The basis for the recommendations made is the firm intention of keeping this country from being drawn into war. If there existed any desire to assist or to injure particular foreign countries this Government would not have been endeavoring persistently, within the limitations of our traditional policy, over a period of many years to do its utmost to avoid the outbreak of a general war. I earnestly hope that the Congress will lend the fullest measure of its cooperation in the endeavor to avoid war in the first place and to place this country in a position of the greatest security possible, should war break out. In the tragic event that peace efforts fail and that a major war occurs, there will be general agreement within the United States that every effort must be exerted to keep this country from being drawn therein.

I must also refer to the impression sedulously created to the effect that the sale of arms, munitions and implements of war by this country is immoral and that on this ground it should be suppressed in time of war.

As a matter of fact almost all sales of arms and ammunition made in recent years by our nationals have been made to governments whose policies have been dedicated to the maintenance of peace, but who have felt the necessity of creating or of augmenting their means of national self-defense, thereby protecting otherwise helpless men, women and children in the event that other powers resort to war. In the face of the present universal danger all countries, including our own, feel the necessity of increasing armament, and small countries in particular are dependent upon countries like the United States which have the capacity to produce armaments. Our refusal to make it possible for them to obtain such means of necessary self-defense in a time of grave emergency, would contribute solely towards making more helpless the law-abiding and peace-devoted peoples of the world. If such action is moral, and if, on the contrary, sales of the means of self-defense for the protection of peaceful and law-abiding peoples are immoral, then a new definition of morality and immorality must be written. This task might be left to the proponents of the arms embargo.

I must also refer to another impression created by propaganda to the effect that the abandonment of the arms embargo would increase power of action on the part of the Executive branch of the Government and conversely that the maintenance of the embargo would serve as an additional check on the powers of the Executive. It is difficult to see how either of these propositions could possibly hold true. An impartial granting of access to American markets to all countries without distinction gives the Executive no additional power to choose among them and to commit this country to any line of policy or action which may lead it either into a dangerous controversy or into war with any foreign power.

The legislative proposals which were recommended to the Congress through the communications which I transmitted to Senator Pittman and to Congressman Bloom on May 27 providing for the safeguarding of our nation to the fullest possible extent from incurring the risks of involvement in war contemplate the elimination of the existing arms embargo and are as follows:

- (1) To prohibit American ships from entering combat areas;
- (2) To restrict travel by American citizens in combat areas;
- (3) To require that goods exported from the United States to belligerent countries shall be preceded by the transfer of title to the foreign purchasers;
- (4) To continue the existing legislation respecting loans and credits to belligerent nations;
- (5) To regulate the solicitation and collection in this country of funds for belligerents; and
- (6) To continue the National Munitions Control Board and the licensing system with respect to the importation and exportation of arms, ammunition, and implements of war.

This six-point program was the best that could be devised after much painstaking thought and study, and after many conferences with members of the Congress, of how best to keep this country out of a conflict should it arise. It rests primarily on the established rules of international law, plus the curtailment of certain rights of our nationals, the exercise of which is permitted under international law but which might lead to controversies with belligerents and eventual involvement in foreign wars.

There has thus been offered as a substitute for the present act a far broader and more effective set of provisions, which in no conceivable sense could breed trouble, but which to a far greater extent than the present act would both aid in making less likely a general war, and, while keeping strictly within the limits of neutrality, would reduce as far as possible the risk of this nation of being drawn into war if war comes.

In connection with our foreign affairs, I think all must agree that, unless a spirit of collaboration and co-operation characterizes the relations between the Executive and Legislative departments of the Government, the peace and other vital interests of this country will inevitably be jeopardized.

Having spent the best years of my life as a member of the two Houses of Congress, I have the warmest feeling of friendliness toward the membership of, and the greatest respect for, the Legislative Department, and, in that spirit, I earnestly hope for the closest possible cooperation in matters affecting our country's best interests and its security in the present grave international situation.

At this time when critical conditions obtain throughout the greater part of the world I am sure that we are all equally persuaded that while the fullest measure of constructive criticism is helpful and desirable, and is of course most welcome, partisanship should play no part in the determination of the foreign policy of this country.

In the present situation of danger a peaceful nation like ours cannot complacently close its eyes and ears in formulating a peace and neutrality policy, as though abnormal and critical conditions did not exist. The entire question of peace and neutrality at this serious juncture in its possible effects upon the safety and the interest of the United States during coming months is of the utmost importance. This question should, in my judgment, receive full and careful consideration and be acted upon by this Government without unnecessary or undue delay.