

# Louis Ludlow and the War Referendum Crusade, 1935-1941

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The demand for a national referendum prior to a declaration of war was a twentieth century American phenomenon which reached its apex in the years immediately prior to World War II. The wide advocacy of such a plan at that time, both by a large segment of the American public and a substantial number of congressmen, has usually been interpreted by historians as a manifestation of the resurgence of isolationism and as an indication of the weakening of President Franklin D. Roosevelt's control of Congress. Although these explanations are valid in part, both tend to ignore the fact that the war referendum movement attained national prominence primarily because of the personal and persistent efforts of one United States congressman, Democratic Representative Louis Ludlow of Indiana. Historians have examined neither Ludlow's background, philosophy, and motives, nor his tactics when he sponsored a constitutional amendment providing for the war referendum. The purpose of this study is not to criticize or support the war referendum idea; rather, it is to investigate closely Ludlow's efforts to gain popular and congressional approval for his measure during the years from 1935 to 1941.

Louis Ludlow was born near Connersville, in southeastern Indiana, on June 24, 1873. While still in his teens he left this rural environment and journeyed to Indianapolis, where he was employed as a reporter on several local newspapers during the 1890's. In 1901, Ludlow was assigned by the Indianapolis *Sentinel* to the nation's capital, an appointment which marked the beginning of a twenty-seven year career as a Washington correspondent. Ludlow's journalistic achievements were formally recognized with his elevation to the presidency of the National Press Club in 1927.<sup>1</sup> Two years later he became the first newspaper correspondent to move directly from the press gallery to a seat in Congress. Campaigning as a Democrat, he was elected to the

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<sup>1</sup> A New York *Times* editorial writer, on November 13, 1928, p. 30, remarked that "Mr. Ludlow was Washington correspondent for so many newspapers that the count was never quite known." In addition to representing the Indianapolis *Sentinel*, Ludlow served as a correspondent, at one time or another during his press gallery career, for the Indianapolis *Star*, Columbus (Ohio) *Dispatch*, *Ohio State Journal* (Columbus), Cincinnati *Commercial-Tribune*, Louisville *Herald-Post*, Denver *Post*, Spokane *Chronicle*, and Savannah *Press*. For his affiliations with still other newspapers, consult the press gallery lists in the *Congressional Directory* (1901-1928). During the 1920's, Ludlow wrote three books: *From Cornfield to Press Gallery: Adventures and Reminiscences of a Veteran Washington Correspondent* (Washington, 1924); *In the Heart of Hoosierland: A Story of the Pioneers, Based on Many Actual Experiences* (Washington, 1925); and *Senator Solomon Spiffledink* (Washington, 1927).



**LOUIS LUDLOW**

Courtesy Indiana Division, Indiana State Library, Indianapolis

United States House of Representatives by Indiana voters of the Seventh District, which included Indianapolis and Marion County.<sup>2</sup>

Throughout his twenty years of congressional service, Louis Ludlow's political philosophy remained a unique blend of Christianity, Jeffersonianism, and isolationism. He firmly believed that "when everything else has failed it will be found that a sincere application of the principles of Christianity is the best solvent of the world's troubles."<sup>3</sup> In the midst of the depression of the 1930's, Ludlow suggested:

It would be well for America if each of us would create in his own being a spiritual department—a department of good works, if you please—to be devoted not to business recovery, as is the aim of all the new Washington bureaus, but to a recovery of the spiritual values. I am one of those who believe that the low estate into which we as a nation have fallen, with suffering and misery unprecedented and unspeakable, is largely due to a growing indifference to the things of the spirit. We have wandered far from God, and it is high time we should retrace our footsteps to the throne of grace.

America's greatest need today is the strengthening of its moral reserves. If everyone of us would shape his course of action by the precepts of Christianity, how simple government would become! No longer would it be necessary to enforce justice between man and man by the strong arm of government, and we could do away with most of our boards and bureaus. The decrees of justice would be engraven on men's hearts, and no enforcement officer would be needed save the silent monitor called conscience.<sup>4</sup>

Ludlow spoke often and reverently of his attachment to the principles espoused by Thomas Jefferson. The Indiana congressman insisted that "what America needs most of all in this twentieth century is a recrudescence of Jeffersonianism."<sup>5</sup> Like Jefferson, Ludlow was a firm believer in the equality of all men and in the ability of the people to make the ultimate decisions, a staunch opponent of strong executive power, and a consistent advocate of reduction in governmental expenditures. In foreign affairs, Ludlow was an isolationist, believing that the United States should maintain friendly relations with all nations, but should not become involved with overseas problems which were not its concern, particularly those which might lead the nation into war. In a speech of March 2, 1939, he concisely expressed his isolationism:

We have declared in the Monroe Doctrine that foreign nations must keep off of the Americas, but some of our Cabinet leaders and senatorial statesmen seem to forget that the doctrine should work both ways; that is to say, if it is logical and proper to say to foreign nations that they shall not interfere in the Americas it is logical and proper for foreign nations to say that we shall not interfere in their affairs. What is sauce for the goose is sauce for the gander.<sup>6</sup>

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<sup>2</sup> Because of changes in congressional boundaries and labels, Ludlow represented the Seventh District from 1929-1933, the Twelfth District from 1933-1943, and the Eleventh District from 1943-1949. Despite the changes in nomenclature, his constituency always included Indianapolis and vicinity. *Congressional Directory* (1929-1949).

<sup>3</sup> *Congressional Record*, 76 Cong., 1 Sess., Appendix, 9.

<sup>4</sup> Ludlow Speech, Indianapolis, October 28, 1934, quoted *ibid.*, 74 Cong., 1 Sess., 29.

<sup>5</sup> *Ibid.*, 76 Cong., 1 Sess., 4271.

<sup>6</sup> *Ibid.*, 2184.

The first six years of Ludlow's congressional career, from 1929 to 1935, yielded little of permanent significance. He did eventually receive a seat on the powerful House appropriations committee and became very popular among his fellow representatives, but otherwise he did little which distinguished him from most other congressmen. His greatest concern during this period seemed to be the increasing growth of federal power and administrative agencies, a tendency which he deplored and condemned on numerous occasions.<sup>7</sup> Four of the remaining measures in which Ludlow expressed interest prior to 1935 were of limited importance: a proposed constitutional amendment granting equal rights to women, which he sponsored on several occasions; anti-lynching legislation, which he strongly supported; the repeal of prohibition, which he firmly opposed; and the establishment of a Federal Industrial Commission, which he believed would "aid in the stabilization of employment in industry, agriculture, and commerce."<sup>8</sup> Ludlow's relative obscurity, however, ended abruptly when he assumed leadership of the war referendum movement in 1935.

The concept of a war referendum did not originate with Ludlow. During the period of neutrality prior to American entry into World War I in 1917, several members of Congress, undoubtedly reflecting the prevalent belief of the Progressive Era that the public should have a greater voice in the determination of important issues and fearing that the United States might be drawn into the European war, introduced in Congress several proposed constitutional amendments providing for a war referendum.<sup>9</sup> Typical was Senate Joint Resolution 227 introduced by Senator Robert L. Owen of Oklahoma on January 15, 1915, which stipulated: "No war of aggression shall be waged by the Army or Navy of the United States, except upon a declaration of war by the Congress of the United States, ratified and approved by a majority vote of the majority of the legal votes cast upon the question in a majority of the Congressional districts of the United States."<sup>10</sup> A few prominent political leaders,

<sup>7</sup> In a New York Times article of January 12, 1930, Section III, p. 6, entitled "Bureaucratic Rule Seen as Menace," he reprimanded local citizens for giving up the struggle against centralization too easily and urged them to renew their efforts. Ludlow's fourth book, *America Go Bust: An Expose of the Federal Bureaucracy and Its Wasteful and Evil Tendencies* (Boston, 1933), further illustrated his concern with loss of power at the local and state levels. For Ludlow's views on centralization, also see *Congressional Record*, 72 Cong., 1 Sess., 8401-405, 15236-38; and 72 Cong., 2 Sess., 4602-603.

<sup>8</sup> *Congressional Record*, 74 Cong., 2 Sess., 9287-88, 10736-37; 72 Cong., 2 Sess., 4528-29; 71 Cong., 3 Sess., 842. Ludlow was especially incensed by the absence of a federal anti-lynching statute. In a June 20, 1936, speech, he maintained that "the crime of lynching is the ugliest, the blackest, the foulest blot on civilization, and our failure to take effective steps to wipe it out is a burning national disgrace." *Ibid.*, 74 Cong., 2 Sess., 10736.

<sup>9</sup> Thomas Hall Shastid, a Duluth, Minnesota, medical doctor, had proposed the war referendum as early as 1896. He was the author of several books and pamphlets, and over 2,000 newspaper and magazine articles appealing for the war referendum. Thomas Hall Shastid to Louis Ludlow, March 2, 1936, Ludlow Collection, Lilly Library, Indiana University, Bloomington. All manuscripts cited, unless otherwise noted, are in the Ludlow Collection.

<sup>10</sup> File on Senate Joint Resolution 227, 63 Cong., 3 Sess., Record Group 46, Records of the Senate, National Archives.

including William Jennings Bryan and Robert M. LaFollette, Sr. supported the war referendum proposal. In 1917, five days prior to President Woodrow Wilson's request for a declaration of war against Germany, Bryan sent the following plea to each member of Congress: "If you reach the conclusion that nothing but war will satisfy the Nation's honor, is it too much to ask that, by a referendum, you consult the wishes of those who must, in case of war, defend the Nation's honor with their lives?"<sup>11</sup> In February of the same year, Bryan observed: "If we could get the vote of the American people nine-tenths of them would say that we should defend ourselves, but that not a boy should be sent to Europe to fight under the banner of a European monarch or die under a European banner."<sup>12</sup> During the Senate debate over the declaration of war on April 4, 1917, LaFollette questioned, "Who has registered the knowledge or approval of the American people of the course this Congress is called upon to take in declaring war upon Germany? Submit the question to the people, you who support it. You who support it dare not do it, for you know that by a vote of more than ten to one the American people as a body would register their declaration against it."<sup>13</sup> Although the United States' intervention in the European conflict caused interest in the war referendum proposal to subside temporarily, the disillusionment of the post-World War I years and the disintegration of international peace machinery combined to attract new converts to the plan. In 1924, both the Democratic and the Progressive national conventions included planks in their platforms advocating a war referendum. The Democratic platform committee asserted: "Those who must furnish the blood and bear the burdens imposed by war should, whenever possible, be consulted before this supreme sacrifice is required of them."<sup>14</sup> Both these parties, however, were unsuccessful in the presidential election, and after that year a war referendum plank did not appear in the national platform of a major political party. During the 1920's, several resolutions advocating adoption of a war referendum were introduced in Congress, but there was little public support or enthusiasm for such a measure, and, like their predecessors of the World War I period, all of these proposals died in committee.<sup>15</sup>

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<sup>11</sup> Bryan to Members of Congress, March 28, 1917, quoted in *Congressional Record*, 65 Cong., 1 Sess., 147-48.

<sup>12</sup> *New York Times*, February 5, 1917, p. 4.

<sup>13</sup> *Congressional Record*, 65 Cong., 1 Sess., 228.

<sup>14</sup> *Official Report of the Proceedings of the Democratic National Convention: 1924* (Indianapolis, 1924), 243; Kirk H. Porter and Donald Bruce Johnson, *National Party Platforms, 1840-1964* (Urbana, 1966), 255-56.

<sup>15</sup> Between 1915 and 1930 war referendum resolutions were introduced in Congress by, among others: Senators Thomas P. Gore of Oklahoma, Edwin F. Ladd of North Dakota, and Clarence C. Dill of Washington; and Representatives Denver S. Church of California, Henry T. Helgesen of North Dakota, Charles A. Lindbergh of Minnesota, Joseph S. Wolff of Missouri, John M. Evans of Montana, and Hamilton Fish, Jr. of New York. *Congressional Record*, 65 Cong., 1 Sess., 6469; 68 Cong., 1 Sess., 92; 69 Cong., 1 Sess., 8342; 64 Cong., 1 Sess., 1930; 64 Cong., 2 Sess., 3466, 3734; 68 Cong., 1 Sess., 830; 70 Cong., 1 Sess., 98; and 71 Cong., 1 Sess., 3019. Citations here, and in succeeding notes, are given in the order of the names or events to which they refer.

The strong resurgence of isolationism during the 1930's, especially following the congressional investigation headed by North Dakota Senator Gerald Nye into the cause of American entry into World War I, created new interest in a war referendum. Many Americans were determined not to repeat the experience of World War I—an involvement which, according to the results of the Nye Committee investigation, had supposedly been caused by the influence of powerful munitions and banking interests and vicious foreign propaganda. These convictions found their most dominant expression in the mandatory neutrality legislation of the middle and late 1930's<sup>16</sup> and in the war referendum crusade during the years from 1935 until 1941. Ludlow was very much influenced by the results of the Nye Committee hearings. Early in 1935 he wrote to Senator Nye: "I have followed with approval and admiration your masterful expose of the machinations of munitions manufacturers who have not hesitated to foment strife and even to precipitate wars in order to satisfy their greed for gain. I am sure the entire nation applauds the major service you are rendering to humanity."<sup>17</sup> Ludlow publicly expressed his sentiments even more forcefully in an article published in *World Affairs*: "On reading these hearings one has a sense of utter shame that there are creatures who call themselves business men who are such strangers to the common impulses of humanity that they eagerly, by bribery and chicanery whenever necessary, promote wars to slaughter their fellow beings for the sake of filthy dollars."<sup>18</sup>

As early as 1924, Ludlow had expressed his dissatisfaction with the constitutional procedure for declaring war. In his autobiography he asserted that "the most monumental fiction in the American governmental system today is the provision in the Constitution which gives to Congress alone the power of declaring war." He then suggested that "the Constitution of the United States should be amended so as to provide for a referendum on war."<sup>19</sup> Yet during his first six years of congressional service he failed to take an active part in the war referendum movement. During the years from 1929 to 1935 the leading supporters of the war referendum in Congress were Representatives

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<sup>16</sup> Ludlow was also a strong advocate of mandatory neutrality legislation. In a House speech of January 8, 1936, he declared: "I plead for a neutrality policy based on law and against a neutrality policy based on the opinions or the whim of the President who may be occupying the White House when trouble arises." *Ibid.*, 74 Cong., 2 Sess., 162. During that year he introduced a bill which called for a presidential proclamation, to be issued upon the outbreak of hostilities, forbidding exports of all kinds to belligerents and prohibiting loans and credits to belligerents or to nationals of the countries involved. The penalty for violation of the proclamation was to be a \$10,000 fine or imprisonment up to five years, or both. Ludlow's proposal also provided that the presidential proclamation inform American citizens that they must travel on belligerent vessels at their own risk. Aliens seeking to interfere with neutrality were to be arrested and deported, and recruiting in the United States for belligerents was to be forbidden. Violators of the recruiting prohibition would incur the same penalties as those exporting goods or credit. Ludlow's bill died in the Committee on Foreign Affairs. *Ibid.*, 163-64.

<sup>17</sup> Ludlow to Nye, February 2, 1935.

<sup>18</sup> Louis Ludlow, "To End the Profits in Wars," *World Affairs*, XCVIII (March, 1935), 37.

<sup>19</sup> Ludlow, *From Cornfield to Press Gallery*, 405-406.

Hamilton Fish, Jr. of New York, James A. Frear of Wisconsin, and George B. Terrell of Texas.<sup>20</sup> Despite their efforts, little support accrued to the movement until Ludlow took command in 1935. In Ludlow's own words: "It was a defunct baby when I found it, but I have tried to breathe into it the breath of life."<sup>21</sup>

On January 14, 1935, Ludlow introduced his war referendum in the House of Representatives for the first time. The Ludlow Resolution had two major provisions:

Section 1. Except in the event of attack or invasion the authority of Congress to declare war shall not become effective until confirmed by a majority of all votes cast thereon in a Nation-wide referendum. Congress may by law provide for the enforcement of this section.

Sec. 2. Whenever war is declared the President shall immediately conscript and take over for use by the Government all the public and private war properties, yards, factories, and supplies, together with employees necessary for their operation, fixing the compensation for private properties temporarily employed for the war period at a rate not in excess of 4 percent based on tax values assessed in the year preceding the war.<sup>22</sup>

In a speech before the House, Ludlow explained the dual purpose of his measure: "First, it gives to the rank and file of our citizenship who have to suffer and die and pay the awful costs of war the right to decide whether there shall be a war. Secondly, it takes the profits out of war, and by removing the incentive of those whose hellish business it is to foment wars minimizes the probability of wars in the future."<sup>23</sup> Ludlow soon decided to eliminate the portion of his resolution which had called for the conscription of personnel to operate the war properties. As he explained in a letter to Senator Nye, "I felt that provision might create some antagonism and that it was unnecessary."<sup>24</sup> In March, Congressman Ludlow's office issued his first public letter urging support for the referendum. The letter encouraged individuals to pressure their congressmen, to obtain resolutions from groups, and to seek support from the press and radio. Denying that his resolution was a pacifist measure, the Indiana representative explained: "I am willing to die for my beloved country but I am not willing to die for greedy selfish interests that want to use me as their pawn."<sup>25</sup>

Following its introduction, the Ludlow Resolution was referred to the House Committee on the Judiciary, which had jurisdiction over proposed

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<sup>20</sup> *Congressional Record*, 71 Cong., 1 Sess., 3019; 73 Cong., 2 Sess., 104-109, 3522-23.

<sup>21</sup> U.S., Congress, Senate, Subcommittee of the Committee on the Judiciary, *Hearings, War Referendum*, 76 Cong., 1 Sess., (1939), 105.

<sup>22</sup> *Congressional Record*, 74 Cong., 1 Sess., 514.

<sup>23</sup> *Ibid.*

<sup>24</sup> Ludlow to Nye, February 9, 1935. This change had been suggested by some of Ludlow's correspondents. For example, see E. J. Unruh, executive secretary, Indiana Council on International Relations, to Ludlow, January 31, 1935; Ludlow to Unruh, February 6, 1935; and Ludlow to Dorothy Detzer, executive secretary, Women's International League for Peace and Freedom, May 20, 1935.

<sup>25</sup> Ludlow Public Letter, March 8, 1935, Ludlow War Referendum Scrapbooks (8 vols.), I, 41, Lilly Library. Hereafter cited as Ludlow War Referendum Scrapbooks.

constitutional amendments.<sup>26</sup> In June, subcommittee hearings concerning the measure commenced. Ludlow himself was the first witness, and he introduced the other advocates of his proposal to the subcommittee. Testimony favorable to the resolution was received from representatives of Congress, peace societies, colleges, labor, women's clubs, and the clergy. No witnesses appeared in opposition to the measure. In addition to the testimony of those who appeared in person, at Ludlow's request letters and messages from other supporters were included in the report of the hearings.<sup>27</sup> Former Secretary of State Frank B. Kellogg, who, along with French Foreign Minister Aristide Briand, had been largely responsible for the negotiation of the 1928 Pact of Paris, which attempted to outlaw war as an instrument of national policy, wrote, "I certainly believe that if a national referendum were required before the United States should engage in a war except in the case of repelling an invasion, it would go a long way toward preventing any war."<sup>28</sup> The proceedings of the subcommittee were completed in one day, but no action was taken by the Committee on the Judiciary, with the result that the Ludlow Resolution had not been brought to the House floor for consideration when the first session of the Seventy-fourth Congress adjourned in August, 1935.

When Congress reconvened early in 1936, Ludlow was still unable to persuade the judiciary committee to report his resolution to the House. In February, he decided to file a discharge petition in order to force the committee to release the war referendum measure. His loss of hope for a report from the committee was evident in a letter to Edward Keating, editor of *Labor* magazine: "It was apparent that the Judiciary Committee would do nothing with it, and the only way to make progress now is through a discharge petition."<sup>29</sup> Under House rules, the resolution would be discharged only if a majority (218) of the members affixed their signatures to the petition. By the conclusion of the second session of the Seventy-fourth Congress, in June, 1936, only seventy-two congressmen had signed Ludlow's petition. The *Indiana Democrat*, however, had no intention of abandoning his crusade. In

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<sup>26</sup> In a letter to Hatton W. Sumners of Texas, chairman of the judiciary committee, Ludlow explained why he wanted a constitutional amendment rather than a federal statute: "A statute might be repealed by the next congress, or the next day by the same congress. The same forces that maneuver the country into war would override or repeal all statutes that stood in their way. Only a constitutional amendment would have permanency and stability enough to accomplish the purpose." Ludlow to Sumners, April 3, 1935, File on House Joint Resolution 167, 74 Cong., 1 Sess., Record Group 233, Records of the House of Representatives, National Archives.

<sup>27</sup> U.S., Congress, House, Subcommittee No. 2 of the Committee on the Judiciary, *Hearings, To Amend the Constitution with Respect to the Declaration of War*, 74 Cong., 1 Sess. (1935), *passim*. One result of the hearings was the appearance of several errors in the transcript of the testimony of Goucher College history professor Mary W. Williams, author of *Anglo-American Isthmian Diplomacy, 1815-1915* (Baltimore, 1916). Professor Williams, quite annoyed, wrote Ludlow: "The fact that I had no chance to correct the stenographic report is cause for much mortification to me, for the printed statements read as if I had been insane." After enumerating various errors she concluded, "I trust that the undependable young man [transcriber] gets the reprimand which he richly deserves." Williams to Ludlow, August 10, 1935.

<sup>28</sup> Frank B. Kellogg to Ludlow, May 21, 1935, quoted in House Judiciary Subcommittee, *War Referendum Hearings* (1935), 75-76.

<sup>29</sup> Ludlow to Keating, February 27, 1936.

a public letter he remarked optimistically that "these seventy-two members comprise a fine nucleus of fighting support to carry on for the amendment in the next congress." He also promised: "If I am re-elected I shall reintroduce the resolution on the opening day of the next congress, and, backed by the fighting forces of members already pledged to its support, I shall push on earnestly, aggressively, and with all the energy I can command."<sup>30</sup>

Ludlow's attempts during 1935 and 1936 to gain consideration of his resolution were unsuccessful primarily because the nation was still preoccupied with domestic issues, such as Social Security, the National Labor Relations (Wagner) Act, and the Works Progress Administration. The Indiana congressman had attempted to organize support, but he lacked the backing of a strong national group which would be able to supply abundant funds and publicity. Few people took Ludlow's proposal seriously at this time, as evidenced by the lack of any significant opposition. Peace societies, in response to the Nye Committee revelations, were more concerned with securing mandatory neutrality legislation for the United States than with promoting the war referendum. Isolationism was a powerful force in America during these years, but its supporters, for the most part, had not yet adopted Ludlow's plan for keeping the nation out of war.<sup>31</sup>

By the beginning of 1937, it seemed that the Ludlow Resolution would never be discharged from the judiciary committee. Ludlow, however, persisted and introduced his proposal again during February. Following the advice of one of his principal supporters, William F. Bigelow, editor of *Good House-keeping* magazine, he further altered the resolution.<sup>32</sup> This time he separated the war referendum section from the property conscription portion and introduced them as separate resolutions on February 5.<sup>33</sup> The Committee on the Judiciary, however, still refused to report any war referendum proposal to the House for consideration, and Ludlow once more resorted to circulating a discharge petition. A combination of circumstances during 1937 helped to create a more favorable attitude in Congress toward the war referendum measure. The worsening global situation (for example, the outbreak of the Sino-Japanese War) and an intensive propaganda campaign begun under the auspices of the National Council for Prevention of War spurred an ever-increasing number of congressmen to sign Ludlow's petition. At the beginning of June, the petition contained 120 names; by the middle of July, 155 had signed. When Congress adjourned in August, 185 members were in the fold; but the Ludlow Resolution still remained in the judiciary committee.

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<sup>30</sup> Ludlow Public Letter, June 23, 1936, Ludlow War Referendum Scrapbooks, I, 115.

<sup>31</sup> Manfred Jonas, *Isolationism in America, 1935-1941* (Ithaca, N.Y., 1966), 136-205.

<sup>32</sup> Ludlow to Bigelow, February 17, 1937.

<sup>33</sup> *Congressional Record*, 75 Cong., 1 Sess., 947. Bigelow believed that there would be greater opposition to the conscription of property clause than to the war referendum itself and that it was best, therefore, to separate these provisions. Bigelow to Ludlow, February 19, 1937.

In late 1937, Ludlow and the war referendum advocates received an unexpected opportunity to secure the additional thirty-three necessary signatures, an opportunity of which they were able to take successful advantage. President Franklin Roosevelt had been largely unsuccessful in obtaining legislative approval of his program during 1937 and faced increased opposition in Congress, especially after his efforts to enlarge the Supreme Court in an attempt to secure judicial decisions favorable to New Deal measures. The President, therefore, convened Congress in a special session beginning November 15, 1937,<sup>34</sup> and Representative Ludlow resumed his quest for signatures. By December 12, the date of the Japanese attack on the American gunboat *Panay* in China, 205 congressmen had signed the discharge petition, and within the next two days the final thirteen names were affixed.<sup>35</sup> Shortly after the completion of the discharge petition, Congress adjourned for the Christmas holidays, and further action was deferred until January 10, 1938.<sup>36</sup>

Support for the war referendum was not strictly in accordance with political or geographical boundaries. Signers of Ludlow's petition included 151 of the 329 Democrats, 55 of the 90 Republicans, 4 of the 5 Farmer-Laborites, and all 8 Progressives. Sentiment for the proposal was strongest in the traditionally isolationist Midwest and weakest in the South, although significant numbers of supporters were to be found in all sections of the nation.<sup>37</sup> Generally, the war referendum was favored by advocates of mandatory neutrality legislation and an isolationist foreign policy and was opposed by the supporters of discretionary neutrality and an internationalist foreign policy. Many prominent individuals and organizations were involved in the debate over the resolution's feasibility and did not hesitate to use their positions and influence in an attempt to sway American public opinion. Organizational support for the Ludlow Resolution was strongest among church, pacifist, and educational groups such as the National Council for Prevention of War, the Women's International League for Peace and Freedom, World Peaceways, the Keep America Out of War Congress, the Fellowship of Reconciliation, the American Federation of Teachers, and the National Education Association.<sup>38</sup> Individuals flocking to Ludlow's cause included Representative Fish of New York, ranking Republican member of the House Committee on Foreign Affairs; Representative Maury Maverick, a Texas Democrat; Representative Everett Dirksen, an Illinois Republican; Senators Robert M. LaFollette, Jr. of Wisconsin, Nye of North Dakota, and Arthur

<sup>34</sup> Roosevelt's message of November 15, 1937, called for the passage of a new agricultural program, new wages and hours standards, certain conservation measures, and reorganization of the executive branch of government. *Congressional Record*, 75 Cong., 2 Sess., 5-7.

<sup>35</sup> *Ibid.*, 1516-18; *New York Times*, December 15, 1937, pp. 1, 20.

<sup>36</sup> Under House rules, discharge petitions containing signatures of a majority of the members had to be considered on the second and fourth Mondays of each month.

<sup>37</sup> *New York Times*, December 15, 1937, p. 20.

<sup>38</sup> House Judiciary Subcommittee, *War Referendum Hearings* (1935), *passim*; Senate Judiciary Subcommittee, *War Referendum Hearings* (1939), *passim*; and Jonas, *Isolationism in America*, 160-62.

Capper of Kansas; former Secretary of State Kellogg; Archbishop Michael J. Curley of Baltimore; Oswald Garrison Villard, former editor of *The Nation*; Bigelow; and two retired military officers, Major Generals William C. Rivers and Smedley D. Butler.<sup>39</sup> Moreover, the long range goals of Ludlow and those supporting his position were respected even by many who disagreed with the war referendum as a means to achieve them. Senator Elbert D. Thomas of Utah commented:

Few will be in disagreement with the objectives which the sponsors of this amendment attempt to achieve.

The sponsors are men who are definitely against war. They are men who would like to see war cease to be used as a medium of national action. They are men who have adopted the thesis that the American world is a large enough world for America's activity. They are men, too, who accept the theory that we were drawn into the last war by propaganda, by our own actions, by breaking our neutral position, and by not remaining aloof. They are men who know that the objectives of the last war were not attained, and that a resort to arms again would not bring benefits even to the victors. They are men who commonly urge the point that America should mind its own business.<sup>40</sup>

Of all those favoring adoption of the war referendum, the most zealous and persistent advocate undoubtedly was Ludlow himself. He took full advantage of his position in the House to present his ideas regarding the proposal, and to announce periodically the exact number of signatures on the discharge petition, and the names of new groups and individuals which supported his cause.<sup>41</sup> One of the most serious obstacles which he faced was the lack of necessary financial support which would allow him to give greater publicity to his resolution. His awareness of this problem was evident in a speech calling for assistance just prior to the adjournment of the House in 1935.

My own means are so limited that I cannot give the proposal the publicity which its merit warrants or the promotion that is necessary to bring it forward and make it stand out as an essential feature of the next legislative program, so I would be glad if persons of financial resources, who wish to do something worth while for humanity, would take the task in hand to see that funds are provided and organizations are established to bring the resolution to public notice in their respective communities and to urge those who are interested to ask their Representatives and Senators in the Congress to support it. Only by such combined and intensive efforts can success be attained.<sup>42</sup>

<sup>39</sup> *Congressional Record*, 74 Cong., 2 Sess., 3587; 74 Cong., 1 Sess., 12814; 75 Cong., 3 Sess., 192-96; 75 Cong., 3 Sess., 2410-11; House Judiciary Subcommittee, *War Referendum Hearings* (1935), 75-76; *Congressional Record*, 74 Cong., 1 Sess., 6248; Jonas, *Isolationism in America*, 160; *Congressional Record*, 75 Cong., 1 Sess., Appendix, 976; 75 Cong., 1 Sess., 1898-99; 74 Cong., 1 Sess., 6249. Ludlow corresponded with most of these supporters. For example, see Maverick to Ludlow, July 1, 1935; Curley to Ludlow, May 29, 1936; Capper to Ludlow, March 30, 1935; Ludlow to Fish, August 31, 1937; Dirksen to Ludlow, July 8, 1937; and Villard to Ludlow, April 12, 1937.

<sup>40</sup> Radio address by Elbert D. Thomas, March 5, 1939, quoted in *Congressional Record*, 76 Cong., 1 Sess., Appendix, 835.

<sup>41</sup> On April 16, 1940, Ludlow quoted the following message which he had received from Chief Natachee of the Pawnee Indians: "Your long talk was good and all good people should stand for your words and bill. May the Great Spirit help you to pass your bill to be a law soon." *Ibid.*, 76 Cong., 3 Sess., Appendix, 2536.

<sup>42</sup> *Ibid.*, 74 Cong., 1 Sess., 14551.

As early as April, 1936, Ludlow had written to William Bigelow that his life was devoted to the referendum, and one year later he confided to the same correspondent: "My services are dedicated to the advancement of this peace legislation above all things else. There is nothing I can honorably do to promote it that will be left undone."<sup>43</sup> Between 1935 and 1938, Ludlow presented his arguments to the people of the United States by practically every available means. He devoted many hours to the preparation of radio addresses and newspaper and magazine articles which appeared in many diverse publications.<sup>44</sup> During the interim between the Seventy-fourth and Seventy-fifth congresses he wrote a volume entitled *Hell or Heaven*, the title suggesting that America's fate depended on the failure or passage of his resolution.<sup>45</sup> In addition, the Hoosier Democrat attempted by personal correspondence to increase the list of notable figures who had joined the crusade.<sup>46</sup>

Ludlow was thoroughly familiar with the logical and historical arguments in favor of his proposal. Not opposed to all conflict, he distinguished between just and unjust wars. In a speech on February 19, 1935, he observed:

There are some wars which as far as finite vision can discern are God-ordained and inescapable, such as the War of the American Revolution which was to enthrone in our social order great principles of human rights, and the War between the States, which was to write in blood and tears the fate of the institution of slavery, but history points out that a large majority of wars that have cursed the human race have been due to machinations and greed. It is to protect our children and our children's children and the remote generations of posterity for all time to come against a recurrence of these unholy wars that my amendment is directed.<sup>47</sup>

Arguing for his war referendum proposal he stressed the singular importance of the war decision, the excessive influence of the President upon American diplomacy, and the absence of any effective means of recording popular sentiment on questions of war or peace. Congress, he maintained, was extremely susceptible to diverse pressures, particularly from the Executive, when a declaration of war was being debated—much more susceptible, supposedly, than the public at large.

To declare war is the highest act of sovereignty. It is a responsibility of such magnitude that it should rest on the people themselves and should not be delegated to any man or any body of men. Under the present system whoever happens to be

<sup>43</sup> Ludlow to Bigelow, April 9, 1936, and April 3, 1937.

<sup>44</sup> Louis L. Ludlow, "The Peace Amendment," *Journal of the National Education Association*, XXVI (December, 1937), 285-86; Louis Ludlow, "To End the Profits in Wars," 36-42; Louis Ludlow and David J. Lewis, "Referendum on Making War?" *Christian Science Monitor Weekly Magazine Section*, January 5, 1938, pp. 1-2; Louis L. Ludlow and Charles I. Faddis, "Should We Vote on War?" *Forum and Century*, XCVIII (November, 1937), 238-42; and Louis L. Ludlow, *et al.*, "Who Shall Say When We Shall Go to War?" *Good Housekeeping*, CVIII (March, 1939), 24-25, 166-70.

<sup>45</sup> Louis Ludlow, *Hell or Heaven* (Boston, 1937).

<sup>46</sup> For example, see Newton Baker to Ludlow, September 12, 1935, Ludlow War Referendum Scrapbooks, I, 90C; John J. Pershing to Ludlow, October 19, 1937; Henry Mencken to Ludlow, February 26, 1935; and William Green to Ludlow, April 5, 1935. These four men rejected the Indiana congressman's plea for approval of the war referendum.

<sup>47</sup> *Congressional Record*, 74 Cong., 1 Sess., 2251.

President of the United States has it within his power so to coerce Congress that he can lead the Nation into any war, as President Polk led us into war with Mexico primarily for the purpose of gaining territory to the southwest. It is unfair to expect the Members of Congress, after all of the atmosphere of war has been created, to resist the terrific pressure and propaganda for war, thus subjecting themselves to the taunts and charges of treason that are always hurled at those who do not go along with the leaders in such circumstances.<sup>48</sup>

In response to critics' contentions that if such a referendum were desirable the founding fathers would have included such a provision in the Constitution of 1787, Ludlow countered: "I think the reason they did not is very simple and very apparent. At that time the means of communication were very limited. . . . The framers of the Constitution knew that under such circumstances a referendum on war was impracticable, if not impossible, so they placed the power to declare war as near to the people as they could under the circumstances then existing and lodged it in the Congress." Pointing out that that objection was no longer applicable, Ludlow concluded: "The true objection to a war referendum has been eliminated by fast trains, by air mail, and radio."<sup>49</sup> To impress upon his audience the urgent necessity of adopting his plan, Ludlow often exploited the dreadful possibilities of modern warfare, warning:

The very thought of what the next war will be like, with its cornucopia of horrors, its refinements of cruelty based on the amazing progress that has been made in the development of scientific warmaking processes; its aerial bombardments raining death from the skies; its lethal gases and disease germs produced with satanic ingenuity to torture and kill by wholesale civilians as well as the fighting forces—stagger the imagination, blinds the intellect, and sickens the heart of long-suffering humanity.<sup>50</sup>

In an appeal to the female population, the Indiana representative mourned the woman's role in war:

At the present time the women of America are out of the war picture, except for the privilege vouchsafed them of doing an awful lot of the suffering when war comes. And why should women not have a vote on declarations or war? Women go down into the valley of the shadow of death to bring our boys into the world. Why should they not have something to say as to whether their flesh and blood shall be hurled into the hell of a foreign conflict?<sup>51</sup>

Answering critics' charges that adoption of the war referendum would be a violation of the American system of representative democracy, Ludlow asserted:

Assumption of the war power by the people would not destroy or in any way impair the representative character of our Government. The argument so strenuously urged by opponents of the war referendum that the transfer of the war-making power from Congress to the people would break down our representative form of government is utterly fallacious and ridiculous. It would simply mean that in respect to the greatest and most tragic of all issues the people comprising our great American Democracy have themselves chosen to make the decision.<sup>52</sup>

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<sup>48</sup> Ludlow, "To End the Profits in Wars," 38.

<sup>49</sup> *Congressional Record*, 74 Cong., 1 Sess., 13172.

<sup>50</sup> Ludlow, "The Peace Amendment," 285.

<sup>51</sup> Ludlow, "Who Shall Say When We Shall Go to War?" 168.

<sup>52</sup> *Ibid.*, 167.

Ludlow optimistically predicted that success of his plan would insure a peaceful future for the United States: "I believe that if this amendment is adopted America will never enter another foreign war in the settlement of other people's quarrels, and perhaps will never enter another war of any kind, unless the need should come to wage a righteous war of self-defense."<sup>53</sup>

Ludlow was influential in the formation of the National Committee for the War Referendum, a new coordinating organization formed during the final months of 1937. Its purpose was to inform the public about the proposed amendment and to bring pressure on congressmen to pass the Ludlow Resolution. The committee's chairman was retired Major General Rivers, and the board of directors included Ludlow; Bigelow; William Allen White, editor of the Emporia (Kansas) *Gazette*; and Dr. John A. Ryan of the National Catholic Welfare Council. Also among the leaders of the group was Stephen Raushenbush, formerly chief investigator for the Nye Committee.<sup>54</sup> The crusade of the Indiana congressman continued to be strongly supported by the National Council for Prevention of War. This organization included over twenty affiliated pacifist groups, and used its abundant funds and influence to urge passage of the war referendum. Members of the council delivered speeches, wrote magazine articles, issued petitions and press releases, published pamphlets, and lobbied in Congress.<sup>55</sup> The effect of the crusade on the average citizen can only be estimated. The American Institute of Public Opinion asked a representative cross section of the American public: "In order to declare war should Congress be required to obtain the approval of the people by means of a national vote?" The percentage responding affirmatively during the period from 1935 to 1938 varied as follows: November, 1935, 75 per cent; September, 1936, 71 per cent; October, 1937, 73 per cent; and October, 1938, 68 per cent.<sup>56</sup> Despite this seemingly overwhelming popular support for the Ludlow Resolution, the vast majority of American newspapers were staunchly opposed to it and harshly criticized the measure, particularly after it became certain that the House of Representatives would vote on its consideration.<sup>57</sup>

Prior to Ludlow's successful completion of the discharge petition in December, 1937, outspoken critics of the war referendum resolution had not been numerous. On November 22, 1937, Ludlow remarked: "I have heard of almost no opposition coming from any quarter. I have been agreeably surprised by the apparent unanimity of sentiment with which the proposal is

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<sup>53</sup> *Congressional Record*, 75 Cong., 1 Sess., 98.

<sup>54</sup> Ludlow Public Letter, December 22, 1937, Ludlow War Referendum Scrapbooks, IV, 452A; Ludlow to Bigelow, December 4, 1937; Ludlow to Rivers, September 29, 1937, and December 9, 1937; and Rivers to Ludlow (telegram), December 11, 1937.

<sup>55</sup> Frederick J. Libby, executive secretary, N.C.P.W., to Ludlow, April 2, 1937.

<sup>56</sup> George Gallup and Saul Forbes Rae, *The Pulse of Democracy: The Public Opinion Poll and How It Works* (New York, 1940), 315. Information on the number who responded is not available.

<sup>57</sup> For a summary of editorial opinion on the war referendum proposal, see Manny T. Koginos, *The Panay Incident: Prelude to War* (Lafayette, Ind., 1967), 87-91.

being received.”<sup>58</sup> However, with the realization that public and congressional support for the measure had increased substantially, opponents moved quickly in an attempt to prevent its consideration. Within the Roosevelt administration, principal opposition came from the President himself, from Secretary of State Cordell Hull, and from Assistant Secretary of War Louis Johnson.<sup>59</sup> In the House of Representatives, Speaker William Bankhead of Alabama, Majority Leader Sam Rayburn of Texas, judiciary committee chairman Hatton Summers of Texas, and Democrat Emanuel Celler of New York led the critics of the war referendum proposal.<sup>60</sup> The administration’s condemnation of the resolution received strong support from two influential Republicans: Alfred Landon, the party’s 1936 presidential candidate, and Henry Stimson, secretary of state during the Hoover administration.<sup>61</sup> Their opposition doubtlessly caused some of Ludlow’s Republican adherents to reconsider their decisions. Organizations strongly critical of the war referendum proposal included the American Legion and the Veterans of Foreign Wars.<sup>62</sup> Typical of the attacks made by the critics of the Ludlow Resolution was the speech given by Assistant Secretary of War Johnson before the University Club in Los Angeles on January 5, 1938. Johnson maintained that enactment of the war referendum would reduce the President “to a mere figurehead in international affairs,” and cause the State Department to be “shorn of its influence,” the Navy to be “scuttled,” and the Army to be “licked without firing a shot.” Johnson predicted: “Instead of perpetual peace . . . we would have constant war. Our property would become booty for the international buccaneers and our shores an invitation to ruthless invaders.” Labeling Ludlow’s plan an “untried innovation in the orderly governmental processes of our country,” the assistant secretary of war condemned the war referendum as the “very antithesis of representative government.” Johnson insisted that the average citizen lacked the training, experience, and time to consider properly the great questions of government policy, and that the war referendum would take valuable time to conduct when time was “the one essence of battle we can least afford to waste.” A final criticism was that the holding of a referendum would lead to a divided nation at a moment when unity was essential.<sup>63</sup>

Ludlow never directly attacked the President,<sup>64</sup> always maintaining that while Roosevelt had no evil intentions, it was entirely possible that a future

<sup>58</sup> *Congressional Record*, 75 Cong., 2 Sess., 244.

<sup>59</sup> *Ibid.*, 75 Cong., 3 Sess., 277; *New York Times*, December 16, 1937, p. 19; and *Congressional Record*, 75 Cong., 3 Sess., Appendix, 126-28.

<sup>60</sup> *Congressional Record*, 75 Cong., 3 Sess., 277, 281, 1477-80, Appendix, 464-65.

<sup>61</sup> Landon to Franklin D. Roosevelt, December 20, 1937, quoted in *New York Times*, December 22, 1937, p. 14.

<sup>62</sup> *Congressional Record*, 75 Cong., 2 Sess., Appendix, 485; 75 Cong., 3 Sess., Appendix, 97-98.

<sup>63</sup> *Ibid.*, 75 Cong., 3 Sess., Appendix, 126-27.

<sup>64</sup> Ludlow supported most of Roosevelt’s domestic policies and often expressed his admiration for the New Deal leader. As early as May 26, 1933, Ludlow said of Roosevelt: “I echo a thought that is widely prevalent throughout the world today when I thank God for this splendid man and for the promise held forth in his ‘new deal.’ Millions upon millions of disconsolate and sorely laden human beings . . . are

President might very well possess more sordid motives and plan to maneuver the country into war against the wishes of the majority of citizens. According to Ludlow, "No stauncher friend of peace ever occupied the executive office than President Roosevelt, but after all, the period of one President's service is but a second in the life of a nation, and I shudder to think what might happen to our beloved country sometime in the future if a tyrant of Napoleonic stripe should appear in the White House, grab the war power, and run amuck."<sup>65</sup> The President did not expound on the subject of the Ludlow Resolution—perhaps to avoid giving added publicity to a measure which would greatly weaken the Chief Executive's discretion in the conduct of foreign relations. Shortly after Ludlow introduced the measure for the first time in January, 1935, he wrote to the President, explaining the proposal and asking for support: "I do not know of any more fitting cap-sheaf to your great program of social benefits than this proposed constitutional amendment would be, and I hope and pray that you may see your way clear to give your powerful support to it, or to some similar amendment."<sup>66</sup> In reply Ludlow received a note from Louis M. Howe, Roosevelt's secretary, merely acknowledging receipt of the letter.<sup>67</sup> As early as January, 1936, Ludlow sensed Roosevelt's dissatisfaction. Writing to Bigelow, the Indiana congressman said: "I am of the opinion that the President does not favor the proposal, though I have not received any rejection from him."<sup>68</sup> In December, Ludlow again wrote to the President asking for his endorsement:

I submit that this proposed war referendum would complete the democratic processes in the spirit of the Bill of Rights and would be in exact harmony with the wishes of Thomas Jefferson and Andrew Jackson if they were alive today. When the Constitution was framed the means of communication were so poor that a war referendum was obviously impractical. We are now living in a different age when communication is marvelously rapid and when the President, sitting before the microphone in the White House, talks simultaneously to all America. We are now ready for the war referendum. As a crowning achievement of an administration so signally dedicated to the service of humanity, I would rejoice if you would use your great name and influence to complete the democratic processes by democratizing the war power.<sup>69</sup>

This time Roosevelt himself sent Ludlow a note simply acknowledging receipt of the letter.<sup>70</sup> Following Ludlow's success with his discharge petition, Roosevelt

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receiving the inspiration of renewed faith when they turn their eyes toward the present occupant of the White House at Washington." *Ibid.*, 73 Cong., 1 Sess., 4389. In late 1934, Ludlow wrote to the President: "Your administration is already secure in history. In my judgment you have made a name as a humanitarian second only to Jefferson and Lincoln. No President since Jefferson has done more for the laborer and the common man than you have done. You have written into the social structure certain great and salutary reforms and practices and there they will remain forever." Ludlow to Roosevelt, November 19, 1934, quoted *ibid.*, 74 Cong., 1 Sess., 14813.

<sup>65</sup> Ludlow, "The Peace Amendment," 285.

<sup>66</sup> Ludlow to Roosevelt, January 21, 1935, Franklin D. Roosevelt Collection, Roosevelt Library, Hyde Park, New York, PPF 2007.

<sup>67</sup> Howe to Ludlow, January 24, 1935, *ibid.*

<sup>68</sup> Ludlow to Bigelow, January 5, 1936.

<sup>69</sup> Ludlow to Roosevelt, December 21, 1936, Roosevelt Collection, OF 274.

<sup>70</sup> Roosevelt to Ludlow, December 29, 1936, *ibid.*

was asked by a reporter whether he thought a war referendum was consistent with representative government. His terse reply was simply "No!"<sup>71</sup>

Other opponents were even less kind. House Speaker Bankhead and Representative Celler, who had been chairman of the judiciary subcommittee which had held hearings on the Ludlow Resolution in 1935, intimated that strong alien influences supported Ludlow. Celler maintained that the Nazi Germans favored the resolution because it would "destroy all of our effectiveness, moral and otherwise, in any foreign difficulty." Both congressmen agreed that Ludlow and his followers were not parties to any such plot, but only "enthusiastically misguided."<sup>72</sup> The idea that Ludlow's motives were sound but his proposal ridiculous was suggested by Representative Byron Harlan of Ohio:

This is one of those proposals that is so hard to argue against because the people who make the proposal mean so well, and as a class are such fine citizens.

The gentleman from Indiana [Mr. Ludlow] is about the most lovable character we have in this House. Everybody likes him. He would not do a thing intentionally to harm this country; neither would the man who proposed the Townsend bill, nor the man who proposed the Coughlin idea or the Frazier-Lemke bill, or any other of those queer notions designed to appeal to the emotions of small blocs of people.<sup>73</sup>

Other critics charged that many congressmen had signed the discharge petition merely because of their friendship with Ludlow, and not because of any sincere desire to see his proposal become part of the Constitution.<sup>74</sup>

As January 10, 1938, the date set for the vote on the Ludlow Resolution,<sup>75</sup> approached, both sides planned their final strategies. Ludlow suffered a setback on January 7, when 60 of the 218 signers of his discharge petition met and decided to try for the necessary votes three days later as scheduled. They believed that the chance of victory was good and that, even if the proposal was defeated, publicity for their cause was assured, the crusade could be continued, and victory perhaps could be secured at a later date. Ludlow, on the other hand, favored a postponement of the vote, hoping that increased popular support would accrue to the resolution during the longer interval. He was also uncertain whether all of the 218 signers of his petition would back the measure on January 10, and wanted additional time in which to persuade and pressure possible recalcitrant colleagues. A further consideration was that a delay would disassociate the war referendum issue from events abroad (such as the *Panay* incident) and possibly prevent an opposition

<sup>71</sup> *New York Times*, December 18, 1937, p. 3.

<sup>72</sup> *Ibid.*, December 20, 1937, p. 20; January 8, 1938, p. 4.

<sup>73</sup> *Congressional Record*, 75 Cong., 3 Sess., 131.

<sup>74</sup> *Ibid.*, 163.

<sup>75</sup> Only a majority vote was needed to secure consideration of the measure by the House, but passage of the constitutional amendment itself, of course, would require a two-thirds majority in both the House and the Senate and approval by thirty-six state legislatures or special ratifying conventions.

accusation that Ludlow was embarrassing the American government in its conduct of foreign relations.<sup>76</sup>

Ludlow decided to appoint a "steering committee" to consider amendments to his resolution that might improve its chance of passage.<sup>77</sup> As a result, the war referendum measure was redrafted on January 9. The revised form provided that a referendum was not necessary if an attack was "immediately threatened" or if a "non-American nation" threatened to invade any nation in the Western Hemisphere.<sup>78</sup> It was this alternate proposal that was presented to the House of Representatives the next day. Congressman John A. Martin of Colorado expressed the opinion that this late and radical change actually hindered rather than improved its prospects for passage. According to Martin, "The proposal of the substitute was a serious admission against the original proposition on the part of its sponsors."<sup>79</sup> President Roosevelt meanwhile had arranged for Postmaster General James A. Farley, who was also chairman of the Democratic National Committee, to telephone Democratic House members to enlist their support against Ludlow. Farley recalled that "some members frankly said they were unable to go along with the administration. Other members said that in deference to my request, they would stand by the administration and vote in the negative."<sup>80</sup>

On January 10, Ludlow obtained recognition from Speaker Bankhead and called for a vote on the question of discharging the war referendum resolution from consideration by the judiciary committee. House rules limited total debate time to twenty minutes on this type of question. Prior to the balloting, Speaker Bankhead read a letter from President Roosevelt, who termed the resolution "impracticable in its application and incompatible with our representative form of government" and explained that "such an amendment to the Constitution as that proposed would cripple any President in his conduct of our foreign relations, and it would encourage other nations to believe that they could violate American rights with impunity. I fully realize," Roosevelt continued, "that the sponsors of this proposal sincerely believe that it would be helpful in keeping the United States out of war. I am convinced it would have the opposite effect."<sup>81</sup> Majority Leader Rayburn warned that if the House voted to discharge the Ludlow Resolution "it would make the

<sup>76</sup> Ludlow War Referendum Scrapbooks, IV, 518; *New York Times*, January 8, 1938, p. 4. Congressman Celler was one critic who levelled such a charge. Celler to Oswald Villard, December 14, 1937, quoted in *Congressional Record*, 75 Cong., 2 Sess., Appendix, 494-95.

<sup>77</sup> The "steering committee," in addition to Ludlow, consisted of Representatives Hamilton Fish, Jr. of New York, Harold Knutson of Minnesota, Knute Hill of Washington, Samuel B. Pettengill of Indiana, Caroline O'Day of New York, Gerald J. Boileau of Wisconsin, and Herman P. Kopplemann of Connecticut.

<sup>78</sup> *Congressional Record*, 75 Cong., 3 Sess., Appendix, 207.

<sup>79</sup> *Ibid.*, 187.

<sup>80</sup> James A. Farley, *Behind the Ballots: The Personal History of a Politician* (New York, 1938), 362. Congressman John Robsion of Kentucky commented: "I have never seen greater pressure exerted than was on this particular matter." *Congressional Record*, 75 Cong., 3 Sess., Appendix, 112.

<sup>81</sup> Roosevelt to Bankhead, January 6, 1938, quoted in *Congressional Record*, 75 Cong., 3 Sess., 277.

most tremendous blunder it has ever made since the formation of our Government under the Constitution."<sup>82</sup> At the conclusion of the brief debate a voice vote was taken. Bankhead ruled that those opposed to consideration of the resolution were in a majority. Ludlow wisely demanded a roll-call tally, but the final tabulation showed 188 favoring consideration and 209 opposed to it. Republicans voted for consideration 64-21, but Democrats opposed it, 188-111. The 8 Progressives and 5 Farmer-Laborites all favored consideration. Of the 218 congressmen who signed Ludlow's discharge petition less than one month earlier, 154 voted for consideration, 54 opposed consideration, 7 abstained, 2 had resigned from Congress, and 1 member had died.<sup>83</sup> Consequently, the Ludlow Resolution remained with the judiciary committee, from which it never emerged. The Roosevelt administration had won its battle, but the shift of a mere eleven votes would have turned defeat into at least a temporary victory for Ludlow and the war referendum advocates. In the closeness of the vote, New Deal historian William E. Leuchtenburg has observed a measure "both of the President's tenuous control of foreign policy and, as late as 1938, of the hardrock strength of isolationist sentiment in America."<sup>84</sup>

Considering the defeat only a temporary setback, Ludlow continued to press for enactment of the war referendum resolution. Bitterly he described the proceedings of January 10: "The scene in the American Congress on that day paralleled the scene in the Roman Senate when Brutus' dagger struck down Caesar, except that the dagger of Brutus went to the heart of a tyrant while the dagger thrust of intolerance in the American Congress went to the very heart of democracy."<sup>85</sup> Later, he still maintained his belief that the value of his proposal would eventually be recognized by the nation:

Great reforms move slowly, but we believe we have made a valuable contribution to peace and have rendered a service to the cause of democracy in advancing this proposal. We believe that in the long sweep of years this proposal will be vindicated; that although years and even decades may intervene before those who have to fight and die may be allowed to render their verdict on participation in foreign wars, they will ultimately attain that goal.<sup>86</sup>

Ludlow apparently bore no animosity toward the Roosevelt administration because of his defeat. He distinguished between what he called the "loud, raucous, rampant opposition of the special interests . . . which frequently resorted to mean and untruthful attacks . . ." and the opposition of Hull and Roosevelt, which he respected because they were "honest and sincere."<sup>87</sup>

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<sup>82</sup> *Ibid.*, 281.

<sup>83</sup> *Ibid.*, 75 Cong., 3 Sess., 282; 75 Cong., 2 Sess., 1518. Among those who signed Ludlow's petition but voted against consideration were Maury Maverick and Lyndon B. Johnson of Texas.

<sup>84</sup> William E. Leuchtenburg, *Franklin D. Roosevelt and the New Deal, 1932-1940* (New York, 1963), 230.

<sup>85</sup> *Congressional Record*, 75 Cong., 3 Sess., 9242.

<sup>86</sup> *Ibid.*, Appendix, 207.

<sup>87</sup> *Ibid.*, 9241.

Speaking of Roosevelt's role in the defeat of the resolution, Ludlow commented: "I have no complaint of the President for throwing the tremendous force of his administration in the scales against my resolution. . . . I grant to him the same honesty of purpose I claim for myself. I am sure he follows the dictates of his conscience, just as I seek to follow the dictates of mine."<sup>88</sup> In addition to reintroducing his resolution in the House during each Congress until 1941,<sup>89</sup> Ludlow worked with a group of senators who had introduced similar war referendum proposals in the upper chamber.<sup>90</sup> He had hopes of seeing a war referendum plank in the 1940 national party platforms, and was enthusiastic when the America First organization backed his plan and continued to offer its support as late as 1941.<sup>91</sup> Less than four months prior to the Pearl Harbor attack on December 7, 1941, Ludlow complained that the House judiciary committee was "smothering my resolution, just as it has been doing since 1935."<sup>92</sup>

Despite the introduction of similar measures in the Senate, interest in the war referendum proposal waned in the late 1930's as the situation in Europe became more critical. In a letter to Major General Rivers, Ludlow's aide, Raushenbush, described the situation less than five months after the near victory in the House: "We got out some letters to a few people on our lists to see whether there was still any interest in the referendum . . . but there is almost none . . . a few dollar bills trickle in."<sup>93</sup> The entry of the United States into World War II sounded the death knell for the war referendum movement, and such a measure was never seriously considered after 1941.

Although he did not abandon his war referendum plan, Ludlow tried in other ways to keep the United States free from involvement in World War II. On January 3, 1939, he proposed a resolution providing that the United States should take the lead in suspending naval construction and should call an international conference to discuss limitation of armaments. On March

<sup>88</sup> Senate Judiciary Subcommittee, *War Referendum Hearings* (1939), 102.

<sup>89</sup> *Congressional Record*, 76 Cong., 1 Sess., 185; 77 Cong., 1 Sess., 20.

<sup>90</sup> Ludlow to Nye, January 5, 1939; Ludlow to Capper, December 27, 1940; and Capper to Ludlow, December 31, 1940. On February 25, 1938, a war referendum resolution similar to Ludlow's was introduced by Senators Homer T. Bone of Washington, Arthur Capper of Kansas, Bennett Champ Clark of Missouri, Vic Donahey of Ohio, Lynn J. Frazier of North Dakota, Herbert E. Hitchcock of South Dakota, Robert M. LaFollette, Jr., of Wisconsin, Ernest Lundeen of Minnesota, James E. Murray of Montana, Gerald P. Nye of North Dakota, Henrik Shipstead of Minnesota, and Burton K. Wheeler of Montana. The proposal, after dying in committee in 1938, was reintroduced in 1939, and hearings were held on the resolution beginning on July 6 of that year. As a result of these hearings the Senate judiciary committee voted to report the measure without recommendation. On October 27, 1939, just prior to the passage of another neutrality act by the Senate, an amendment in the form of a war referendum resolution was presented by Senator LaFollette. After considerable debate it was rejected by a 73-17 vote. *Congressional Record*, 75 Cong., 3 Sess., 2410-11; 76 Cong., 2 Sess., 986-1000; Senate Judiciary Subcommittee, *War Referendum Hearings* (1939), *passim*.

<sup>91</sup> Nye to Ludlow, April 10, 1940; Ludlow to Senator Robert F. Wagner, April 5, July 11, 1940; and General Robert E. Wood to Ludlow, February 11, 1941.

<sup>92</sup> Ludlow to Mary W. Williams, August 25, 1941.

<sup>93</sup> Raushenbush to Rivers, May 30, 1938.

13, 1939, he offered a bill proposing a national referendum on the question of peacetime conscription. On February 27, 1941, he introduced a resolution calling on the President to invite representatives of Western Hemisphere nations to meet in Washington and attempt to mediate the European conflict.<sup>94</sup> The day following the Pearl Harbor attack, Ludlow, although he voted with all of his colleagues except one for the declaration of war, summarized his own feelings of frustration:

I think that our entire foreign policy in recent years has been fundamentally wrong, in that it has utterly disregarded the wise advice of Washington, Jefferson, and other founding fathers against foreign entanglements. I want the record to show, as it does show, that I have not, by any acts of mine contributed in any way or at any time or in any degree to what I believe to be this erroneous policy of world involvement. I have opposed, and whenever Congress was allowed a vote, I have voted against every one of these deviations from correct principles because I wanted America to remain free, strong, and independent, and at peace with the world. By no act of mine have I contributed to the deplorable situation that now confronts us.<sup>95</sup>

As World War II drew to a close, Ludlow resumed his efforts to assure permanent peace. On July 20, 1945, he introduced a resolution urging an immediate international agreement to eliminate compulsory military service and proposing that the President, secretary of state, and United States representative to the United Nations should work for an international agreement whereby all nations would adopt a war referendum. On September 5, 1945, he proposed a resolution urging action by the United Nations to ban the atomic bomb as an instrument of war. Finally, on November 12, 1945, he offered a bill providing for the creation of a cabinet level Department of Peace and Good Will.<sup>96</sup> These proposals, like his aforementioned prewar measures, all died in committee. Yet, it was still a war referendum for the United States which captivated Ludlow's imagination until the end of his life. In July, 1945, he again suggested adoption of such a measure:

I am not offering this resolution now for immediate disposal but for consideration in connection with long-range post-war plans. Now is not the time to urge a vote upon it but when we are again at peace with the world, I shall press it with every ounce of my energy and with every scintilla of hope and faith that I can muster to the cause.<sup>97</sup>

Although he did not reintroduce his war referendum amendment after the war, he did speak reverently and fondly of it until the very end of his long congressional service in 1949. On August 4, 1948, he reminisced:

Looking backward, I cannot escape the belief that the defeat of the resolution was one of the tragedies of all time. The leadership of the greatest and most powerful nation on earth might have deflected the thinking of the world into peaceful channels.

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<sup>94</sup> *Congressional Record*, 76 Cong., 1 Sess., 37, 2681; 77 Cong., 1 Sess., Appendix, 904-905.

<sup>95</sup> *Ibid.*, 77 Cong., 1 Sess., 9527.

<sup>96</sup> *Ibid.*, 79 Cong., 1 Sess., 7890, 8337, 10616, 10619.

<sup>97</sup> *Ibid.*, Appendix, 3320.

Instead we went ahead with tremendous pace in the invention of instruments of destruction, frightful bombing planes and, most awful of all, the atom bomb. . . .

It is now too late for war referendums. World peace psychology has been forfeited forever. The nation that wins the next world war will be the one that is quickest on the trigger with its fast bombing planes and atom bombs. Largely by our leadership we have ushered in a new age of world insecurity, but I cannot help thinking what might have been.<sup>98</sup>

Although the war referendum crusade ended in failure, it is nevertheless important to recognize the campaign as a measure which Ludlow and others believed would assure world peace. Ludlow's otherwise undistinguished career would have marked him for historical anonymity, but he gained limited recognition because of his dedicated work for the war referendum, not only as a United States congressman, but also as an author and publicist who appealed directly to and won the support of a large segment of the American public. A *Newsweek* magazine staff writer offered perhaps the best summary of Ludlow's brief moment of glory: "For eight years . . . he remained about as obscure as the average Congressman. Then suddenly . . . his long-cherished constitutional amendment . . . made him an international figure and the despair of national statesmen."<sup>99</sup>

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<sup>98</sup> *Ibid.*, 80 Cong., 2 Sess., Appendix, 4853.

<sup>99</sup> "Vote 'X' for War," *Newsweek*, X (December 27, 1937), 13.