International Law Studies—Volume 21

International Law Documents

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10,000 tons, and no gun shall be carried by any such ship, other than a capital ship, with a caliber in excess of 8 inches."

The chairman stated that the American Government had no objection to the amendment proposed by Lord Lee.

Mr. Hanihara said he would like to have further discussion postponed until the afternoon or the following morning.

The chairman asked what was the pleasure of the committee. He assumed that what had been said that morning could be given to the press, each delegate having the privilege of looking over and correcting his own remarks, as they were to appear in the statement to the press.

Senator Underwood said that the subcommittee on Chinese revenue was to hold a meeting in the afternoon; he would therefore have to absent himself from the afternoon meeting of the committee.

The meeting then adjourned until Wednesday, December 28, 1921, 3.30 p. m.

TENTH MEETING—WEDNESDAY, DECEMBER 28, 1921, 3.30 P. M.

PRESENT.

United States.—Mr. Hughes, Senator Lodge, Mr. Root, Col. Roosevelt, Admiral Coontz. Accompanied by Mr. Wright, Mr. Clark.

British Empire.—Mr. Balfour, Lord Lee, Sir Auckland Geddes, Rear Admiral Sir E. Chatfield, Senator Pearce (for Australia), Sir John Salmond (for New Zealand), Mr. Sastri (for India). Accompanied by Sir Maurice Hankey, Capt. Little, Capt. Domville, Mr. Flint.

France.—Mr. Sarraut, Vice Admiral de Bon. Accompanied by Mr. Denaint, Capt. Oden’hal, Mr. Ponsot.

Italy.—Senator Schanzler, Senator Rolandi-Ricci, Senator Albertini, Vice Admiral Baron Acton. Accompanied by Marquis Visconti-Venosta, Count Pagliano, Commander Prince Ruspoli, Mr. Cesalia di Vegliasco.

Japan.—Prince Tokugawa, Mr. Hanihara, Vice Admiral Kato, Capt. Uyeda. Accompanied by Mr. Ichihashi.

The Secretary General, assisted by Mr. Cresson and Mr. Osborne.

Interpreter, Mr. Camerlynck.

1. The tenth meeting of the Committee on Limitation of Armament was held in the Columbus Room of the Pan American Union Building, on Wednesday, December 28, 1921, at 3.30 p. m.

2. There were present: For the United States, Mr. Hughes, Senator Lodge, Mr. Root, Col. Roosevelt, Admiral Coontz; for the British Empire, Mr. Balfour, Lord Lee, Sir Auckland Geddes,
Rear Admiral Sir E. Chatfield, Senator Pearce (for Australia), Sir John Salmond (for New Zealand), Mr. Sasstri (for India); for France, Mr. Sarrant, Vice Admiral de Bon; for Italy, Senator Schanzer, Senator Rolandi-Ricci, Senator Albertini, Vice Admiral Baron Acton; for Japan, Prince Tokugawa, Mr. Hanihara, Vice Admiral Kato, Capt. Uyeda.

3. Secretaries and technical advisers present included the following: For the United States, Mr. Wright, Mr. Clark; for the British Empire, Sir Maurice Hankey, Capt. Little, Capt. Domville, Mr. Flint; for France, Mr. Denaint, Capt. Odend’hal, Mr. Ponsot; for Italy, Marquis Visconti-Venosta, Count Pagliano, Commander Prince Ruspoli, Mr. Celesia di Vegliasco; for Japan, Mr. Ichihashi. The secretary general, assisted by Mr. Cresson and Mr. Osborne, was present. Mr. Camerlynck (interpreter) was also present.

4. The chairman, Mr. Hughes, said that the meeting was ready to proceed with the discussion of the resolution, as amended by Lord Lee, as follows:

“No ship of war other than a capital ship or aircraft carrier hereafter built shall exceed a total tonnage displacement of 10,000 tons, and no gun shall be carried by any such ship other than a capital ship with a caliber in excess of 8 inches.”

Admiral de Bon said he did not see the reason for the limitation of tonnage proposed by the resolution just read. It was apparently aimed at avoiding a confusion between cruisers and capital ships. The difference, however, Admiral de Bon believed, lay mainly in the caliber of the guns. If a vessel was not armed with guns superior to 8 inches, it fell naturally into the cruiser class. Why, therefore, create another distinction in tonnage which might be inconvenient?

Admiral de Bon explained further that it was his understanding that the conference contemplated that cruisers would be used as a means of communication with colonial possessions, and in this respect long distances must be covered. These vessels should, therefore, be able to offer sufficient conditions of well-being for their crews and passengers. In order to offer proper conditions of stability, they might also require a tonnage superior to 10,000 tons. When the difference between cruisers and capital ships had already been fixed by settling a maximum for the caliber of their guns, the admiral said that a priori he could see no sufficient reason for further restrictions. He was, however, merely anxious to elucidate the question, and this was the reason for his remarks.

Lord Lee explained to Admiral de Bon why he had considered it desirable to limit the size of cruisers. He agreed with Admiral de Bon that if the caliber of the guns was limited it was not likely that a cruiser could be designed which in effect would amount
to a capital ship. One main object of this conference, however, was to limit not only armament but the expenditure on armament. The possibility of a cruiser of 20,000 or 30,000 tons, bristling with 8-inch guns, and possible large enough to carry large bodies of troops to the colonies, was one which could hardly contribute toward the object he had just named. Great Britain, for example, was not in a financial position to bear the burden of such an expenditure. Admiral de Bon had said that 10,000 tons was rather small from the point of view of commodiousness and habitability. Speaking as a layman, the larger the ship he had to travel in the better he was pleased. He understood, however, that 10,000 tons was a very ample size for a cruiser, and this figure had been selected because at the present time no light cruisers of even this tonnage were being built in any country, and the British delegation therefore thought it was a good opportunity to put an end there and then to the development of this type of vessel. He was under the impression that the allowance was very liberal, in view of the tonnage being adopted for cruisers now under construction, and he hoped it would not be exceeded.

The chairman, referring to Lord Lee's remarks, said that he was advised that the new cruisers now building for the United States Government were of 7,500 tons burden. He had just been informed, subject to correction, that the French light cruisers were of 8,000 tons. Unless, therefore, an endeavor was being made to expand navies, it would be a wise thing to fix a limit which was only slightly larger than the navies were now providing and thus reach an agreement as to what would be reasonable for these craft.

The chairman asked whether the committee was ready to dispose of the matter or wished to postpone further discussion of it.

Vice Admiral Acton said that the Italian delegation very well understood the spirit which underlay the American proposal and the aim toward which it tended. A tonnage limit for ships other than capital ships must be fixed, and the conditions of armament must be defined. They could then and there accept the caliber of 8 inches. In regard to the tonnage of auxiliary craft the Italian delegation had telegraphed to their government and was awaiting instructions.

Mr. Hanihara said that as far as the Japanese delegation was concerned there was no essential objection to the adoption of the proposed resolution, particularly as to the limitation of the caliber of guns to be carried by light cruisers. He did not wish to delay matters, but Admiral Baron Kato expected to be present at the next meeting of the committee and he would greatly prefer it if formal action could be postponed until then.

The chairman said that with the committee's permission the discussion of the resolution would be postponed until the next
meeting. He understood the present state of mind of the committee to be that there was no objection, so far as the caliber of the guns was concerned, but that certain reservations but no decided objections had been made concerning tonnage. Definitive discussion of that matter would therefore be postponed, and the committee would then necessarily come to the subject of aircraft carriers. Before leaving the question of the submarine, however, he suggested that the committee return to the consideration of the appropriate action to be expressed by the powers concerned as regards the illegal use of submarines. As the committee was aware, it had been suggested that a resolution be proposed dealing with the present rules of law obligatory on submarines and with respect to the improvement and amendment of existing laws. He said he would ask Mr. Root to bring the matter to the attention of the committee.

Mr. Root said that the resolutions he was about to read were based on two lessons taught by the Great War. One fact which seemed very clear was that mere agreements between Governments, rules formulated among diplomats in the course of the scientific development of international law, had a very weak effect upon belligerents when violation would seem to aid in the attainment of the great object of victory. This had been clearly demonstrated in the war of 1914–1918.

Another fact established by the war was that the opinion of the people of civilized nations had tremendous force and exercised a powerful influence on the condition of the belligerents. The history of propaganda during the war had been a history of an almost universal appeal to the public opinion of mankind and the result of the war had come largely as a response.

The public opinion of mankind was not the opinion of scientific and well-informed men, but of ill-informed men who formed opinions on simple and direct issues. If the public could be confused, public opinion was ineffective; but if the public was clear on the fundamentals of a question, then the opinion of mankind was something which no nation could afford to ignore or defy.

The purpose of the resolutions he was about to read was to put into such simple form the subject which had so stirred the feelings of a great part of the civilized world that the man in the street and the man on the farm could understand it.

The first resolution, Mr. Root said, aimed at stating the existing rules, which, of course, were known to the committee but which the mass of people did not know, in such a form that they would be understood by everyone.

Mr. Root then read the following:

“I. The signatory powers, desiring to make more effective the rules adopted by civilized nations for the protection of the lives
of neutrals and noncombatants at sea in time of war, declare that among those rules the following are to be deemed an established part of international law:

"1. A merchant vessel must be ordered to stop for visit and search to determine its character before it can be captured.

"A merchant vessel must not be attacked unless it refuse to stop for visit and search after warning.

"A merchant vessel must not be destroyed unless the crew and passengers have been first placed in safety.

"2. Belligerent submarines are not under any circumstances exempt from the universal rules above stated; and if a submarine can not capture a merchant vessel in conformity with these rules the existing law of nations requires it to desist from attack and from capture and to permit the merchant vessel to proceed unmolested.

"The signatory powers invite the adherence of all other civilized powers to the foregoing statement of established law to the end that there may be a clear public understanding throughout the world of the standards of conduct by which the public opinion of the world is to pass judgment upon future belligerents."

This, Mr. Root said, was a distinct pronouncement on the German contention during the war in regard to the conflict between the convenience of destruction and the action of a belligerent under the rules of international law.

Mr. Root then read the following additional resolutions:

"II. The signatory powers recognize the practical impossibility of using submarines as commerce destroyers without violating the requirements universally accepted by civilized nations for the protection of the lives of neutrals and noncombatants, and to the end that the prohibition of such use shall be universally accepted as a part of the law of nations, they declare their assent to such prohibition and invite all other nations to adhere thereto.

"III. The signatory powers, desiring to insure the enforcement of the humane rules declared by them with respect to the prohibition of the use of submarines in warfare, further declare that any person in the service of any of the powers adopting these rules who shall violate any of the rules thus adopted, whether or not such person is under orders of a governmental superior, shall be deemed to have violated the laws of war, and shall be liable to trial and punishment as if for an act of piracy, and may be brought to trial before the civil or military authorities of any such powers within the jurisdiction of which he may be found."

Mr. Root said that, made between diplomats or foreign offices or Governments, these resolutions would be ineffective; but if they were adopted by the conference and met with the approval
(as would surely be the case) of the great mass of the people, the power of the public opinion of the world would enforce them.

It was hardly necessary for him to add that he did not ask that these resolutions should be acted on or discussed until copies of them had been distributed and until the delegates had had an opportunity to examine them.

The Chairman said that Mr. Root's resolutions would be put in form for distribution at once. Any action upon them could be deferred until they had been considered by the delegations. They seemed, however, simple and direct arguments in support of a thesis which had been ably stated. He thought, therefore, it might be the desire of the committee to discuss their general purpose on the spot, leaving their precise language to a later time.

Mr. Balfour said he was sure the chairman was well advised in suggesting that Mr. Root's proposals should be circulated in order that each delegation might examine not only the spirit which animated them but the words in which that spirit had been expressed. So far as he himself was concerned, however, having listened to Mr. Root's admirable exposition, he wished to express not only on his own behalf but he thought also on behalf of his colleagues, his warm sympathy both with the substance of the resolutions and their form.

Senator Schanzer said that, in the name of the Italian delegation, he could not but express the keenest sympathy for Mr. Root's proposal. Italy, being the birthplace of law, could but regard with the greatest pleasure everything which could contribute to the improvement of international law. The Italian delegates were not in a position at that time to consider the details of the proposed resolution, but when they were distributed they would be glad to do so with the greatest interest, in the hope that this conference would result in the establishment of provisions dealing with the use of submarines which would safeguard the requirements of right and of civilization.

Mr. Sarraut said that he rose less to comment upon the resolutions which had been read than to render homage to the high and noble spirit of which they were the expression. He especially desired to profit by the opportunity which was offered him to express the feelings of deep sympathy and admiration for Mr. Root which animated the French delegation. The French delegates had not been surprised at hearing the feeling terms in which Mr. Root had denounced the piratical acts committed during the war and against which France had been the first to protest.

In view of these observations, it seemed wise to the French delegates to wait until the document in question had been dis-
tributed and until they had been able to examine it with all the attention it deserved.

Mr. Hanihara said that he would be glad to have an opportunity to examine the text of Mr. Root's resolution. It was hardly necessary for him to add anything in regard to the feelings of sympathy and hearty accord with which the Japanese delegation views the aim and spirit of Mr. Root's resolutions.

The chairman said that it seemed to be the desire of the committee, beyond the cordial approval which had been expressed, to have an opportunity to examine and bring forward at a convenient time the proposal which was to be acted upon. The next point to be considered was the subject of aircraft carriers. In the American proposal, made at the opening session, it had been agreed that the total tonnage of aircraft carriers should be fixed as follows:

<table>
<thead>
<tr>
<th>Country</th>
<th>Tons.</th>
</tr>
</thead>
<tbody>
<tr>
<td>United States</td>
<td>80,000</td>
</tr>
<tr>
<td>Great Britain</td>
<td>80,000</td>
</tr>
<tr>
<td>Japan</td>
<td>48,000</td>
</tr>
</tbody>
</table>

If the same ratio for capital ships should be applied to aircraft carriers for France and Italy, the result would be as follows:

<table>
<thead>
<tr>
<th>Country</th>
<th>Tons.</th>
</tr>
</thead>
<tbody>
<tr>
<td>France</td>
<td>28,000</td>
</tr>
<tr>
<td>Italy</td>
<td>28,000</td>
</tr>
</tbody>
</table>

The American proposition had added a proviso that no country exceeding the quota allowed should be required to scrap such excess tonnage until replacement began, at which time the total tonnage of airplane carriers for each nation should be reduced to the prescribed allowance. Certain other rules had been proposed.

The chairman added that in view of the fact that aircraft carriers might approach capital ships in tonnage, it would be wise also to set a limit in this respect. It was now proposed not to lay down any ships of this character whose displacement should exceed 27,000 tons. This was the proposition which he now presented for discussion. He said that he thought he should add that what had appeared in the resolution regarding aircraft carriers should be deemed to be the same as that included in the resolutions respecting all ships of war except capital ships, i.e., that their guns should not have a caliber exceeding eight inches. If added to the resolution regarding aircraft carriers the latter would read:

"No airplane carrier shall be laid down during the term of this agreement whose tonnage displacement is in excess of 27,000 tons, and no gun shall be carried by any such ship other than a capital ship with a caliber in excess of eight inches."


Lord Lee said he had not anticipated such rapid progress that afternoon and had not expected to reach the subject of airplane carriers. This matter involved very technical considerations, and, if it was convenient to his colleagues, he would prefer to have an opportunity to discuss it with his technical experts before expressing an opinion. In saying this he did not wish to suggest that the British Empire delegation were not in complete sympathy with the principle of the limitation both of numbers and tonnage of airplane carriers. In view of the technical considerations involved, however, he would be glad of a short postponement until to-morrow before expressing a definite opinion on the resolution proposed by the chairman.

The chairman asked whether any other delegates desired to express their views in regard to the proposal, or whether it would be agreeable to adjourn until the following morning and continue the discussion then.

Lord Lee said that he had another question of the same character which he would like to raise, namely, the subject of limitation in the maximum caliber of the gun to be employed on board warships in the future. Perhaps it would be more convenient to the committee if he were to put forward a definite proposal on the subject, but he could say at once that his proposal would take the form of a limitation to the largest caliber of gun now mounted on board any ship of war, namely, 16 inches.

Lord Lee's proposal read as follows: "That no warship shall carry a gun of greater caliber than 16 inches."

The chairman said that the United States Government was ready to accept the proposal, and asked whether the other delegates were ready to express themselves thereon.

Mr. Hanihara accepted the proposal.
Admiral Acton accepted the proposal.
Admiral de Bon made no objection.

The chairman stated that it would therefore be considered as unanimously approved that no warship should carry a gun of a larger caliber than 16 inches.

The chairman stated that he understood that so far as capital ships were concerned the committee was in complete accord except as to the replacement program, upon which subject a chart was being prepared. It would be unwise to discuss in committee such a technical and detailed matter and it was therefore understood that the naval experts would prepare a replacement chart with the understanding that in case any questions of principle or policy arose on which they might not agree, the matter should be referred to the full committee. When that had been done the question of capital ships might be considered as disposed of, and
the other questions which had been raised could be discussed on
the following day.

The meeting then adjourned until December 29, 1921, at 11 a.m.

ELEVENTH MEETING, THURSDAY, DECEMBER 29, 1921, 11 A. M.

PRESENT.

United States.—Mr. Hughes, Senator Lodge, Mr. Root, Senator
Underwood, Col. Roosevelt, Admiral Coontz. Accompanied by Mr.
Wright and Mr. Clark.

British Empire.—Mr. Balfour, Lord Lee, Sir Auckland Geddes,
Rear Admiral Sir E. Chatfield, Sir Robert Borden (for Canada),
Senator Pearce (for Australia), Sir John Salmond (for New
Zealand), Mr. Sastri (for India). Accompanied by Sir Maurice
Hankey, Capt. Little, Capt. Domville, Mr. Mousley, and Mr.
Malkin.

France.—Mr. Sarraut, Vice Admiral de Bon. Accompanied by
Mr. Kammerer, Mr. Denaint, Capt. Odend’hal, and Mr. Ponsot.

Italy.—Senator Schanzer, Senator Albertini, Vice Admiral
Baron Acton. Accompanied by Marquis Visconti-Venosta, Count
Pagliano, Commander Prince Ruspoli.

Japan.—Admiral Baron Kato, Prince Tokugawa, Mr. Hanihara,
Vice Admiral Kato, Capt. Uyeda. Accompanied by Mr. Ichihashi.

The secretary general, assisted by Mr. Pierrepont and Mr. Paul.
Interpreters, Mr. Camerlynck and Mr. Talamon.

1. The eleventh meeting of the Committee on the Limitation
of Armament was held in the Columbus Room of the Pan Ameri-
can Union Building on Thursday morning, December 29, 1921,
at 11 o’clock.

2. There were present: For the United States, Mr. Hughes, Sen-
ator Lodge, Mr. Root, Senator Underwood, Col. Roosevelt, Admiral
Coontz; for the British Empire, Mr. Balfour, Lord Lee, Sir Auck-
land Geddes, Rear Admiral Sir E. Chatfield, Sir Robert Borden
(for Canada), Senator Pearce (for Australia), Sir John Sal-
mond (for New Zealand), and Mr. Sastri (for India); for France,
Mr. Sarraut and Vice Admiral de Bon; for Italy, Senator
Schanzer, Senator Albertini, and Vice Admiral Baron Acton; for
Japan, Admiral Baron Kato, Prince Tokugawa, Mr. Hanihara,
Vice Admiral Kato, and Capt. Uyeda.

Secretaries and advisors present included: For the United
States, Mr. Wright and Mr. Clark; for the British Empire, Sir
Maurice Hankey, Capt. Little, Capt. Domville, Mr. Mousley, and
Mr. Malkin; for France, Mr. Kammerer, Mr. Denaint, Capt.
Odend’hal, and Mr. Ponsot; for Italy, Marquis Visconti-Venosta,
Count Pagliano, and Commander Prince Ruspoli; for Japan, Mr.
Ichihashi.