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In the February issue of the "Naval War College Review," Mr. William Bader described the current congressional reaction against the broad use of executive authority in delineating U.S. foreign policy. In 1940 an important precedent was established for wide-ranging executive agreements by President Roosevelt's transfer of 50 antiquated destroyers in exchange for a series of long-term base rights in the Western Hemisphere. In doing this, President Roosevelt did not submit his action to Congress for its approval, although by the standards of international law a declaration of war by Nazi Germany could have been the ultimate response, among many, to the destroyer-bases deal. President Roosevelt's action continued and accelerated a trend which reached its full fruition in President Johnson's interpretation and use of the Tonkin Gulf Resolution.

DESTROYERS FOR NAVAL BASES: HIGHLIGHTS OF AN UNPRECEDENTED TRADE

An article prepared

by

Commander William H. Langenberg, U.S. Naval Reserve

Introduction. In early September 1940, the world was in a turmoil. The Battle of Britain was nearing its climax, and elsewhere throughout the globe international tension ran high. Election year strife was just beginning to augment the furor of isolationist-interventionist clashes in the United States. This background provided a fitting setting for the transmission of the following message to Congress by President Franklin D. Roosevelt on 3 September:

I transmit herewith for the information of the Congress notes exchanged between the British Ambassador at Washington and the Secretary of State on September 2, 1940, under which this Government has acquired the right to lease naval and air bases in Newfoundland, and in the islands of Bermuda, the Bahamas, Jamaica, St. Lucia, Trinidad, and Antigua, and in British Guiana; also a copy

of an opinion of the Attorney General dated August 27, 1940, regarding my authority to consummate this arrangement.

The right to bases in Newfoundland and Bermuda are gifts—generously given and gladly received. The other bases mentioned have been acquired in exchange for fifty of our old destroyers . . . ¹.

This action by the President created a heated controversy. Its legality and neutrality were openly questioned, and the *sub rosa* nature of the associated negotiations was severely criticized. However, as dramatic events in Europe and activities of a national election began to dominate newspaper space, the furor aroused by the deal gradually subsided.

Contemporary World Events. In order to view the destroyers-naval bases

trade in proper perspective, a brief review of contemporary world events seems desirable.

From the time of the defeat of Poland until April 1940, the European conflict was in a state of relative inactivity. On 9 April 1940, however, this temporary stalemate ended. Germany launched a blitzkrieg attack on Norway and Denmark which appalled the world by its startling success. One month later, on 10 May 1940, the invasions of Belgium, Holland, Luxembourg, and France began.

On the day the Germans marched into the Low Countries, Neville Chamberlain resigned his post as Great Britain's Prime Minister. He was succeeded by Winston Churchill, who immediately formed a new coalition Cabinet and prepared to lead his nation through its gravest crisis.

Meanwhile, the Nazi offensive made rapid advances. On 14 May the Dutch Army surrendered, and the German assault turned westward toward the classic battlefields of northern France. Armored mobile columns cut through north of the Somme to the English Channel. From there they proceeded northeastward to the Channel ports within sight of Britain itself. In only 11 days the Germans had accomplished what they had failed to do in 4 years of bitter fighting during World War I.

This was a brilliantly executed military campaign. It had an important secondary effect of creating panic and demoralization among the Allied forces. On 28 May, King Leopold of Belgium surrendered. The French Commander in Chief, General Weygand, attempted to form a line of defense at the Somme. This tactic was unsuccessful. On 4 June the British Expeditionary Force was evacuated from Dunkirk. The Germans then turned south toward Paris.

France did not long survive the Nazi onslaught. Paris fell on 14 June, and 3 days later the Petain government sued

for an armistice. Britain now stood alone in opposition to the Nazi enemy.

Inception of an Idea. The idea of procuring American warships for use against Germany was first suggested by French Premier Paul Reynaud. He was encouraged by the announcement on 16 April 1940 that the Anglo-French Purchasing Commission, which was negotiating for American arms, could obtain planes of almost any type then being produced for the military services in the United States.² As a result, he sent to Washington on 14 May a rather startling proposal that the American Government arrange for the "sale or lease of old destroyers."³

On the following day, Winston Churchill sent President Roosevelt an even more breathtaking request. Titriling himself "Former Naval Person," he wrote:

All I ask now is that you should proclaim non-belligerency, which would mean that you would help us with everything short of actually engaging armed forces. Immediate needs are: First of all, the loan of forty or fifty of your older destroyers . . .⁴

This cable from Churchill was the first he had sent to Roosevelt since becoming Prime Minister. It was also the first of a series which dealt with the subject of procuring American destroyers. These messages were to have considerable influence on consummating the trade.

Initial American Reaction. The initial reaction by President Roosevelt to the requests for destroyers was not encouraging to the Allies. On 16 May he cabled Churchill that the loan or gift of the vessels would require . . . "the specific authorization of the Congress and I am not certain that it would be wise for that suggestion to be made to the Congress at this moment."⁵ To William

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Bullitt, American Ambassador in Paris, he cabled that:

Any exchange of American destroyers probably unacceptable because of enormous sea areas which must be patrolled by us and would require Congressional action which might be very difficult to get. Our old destroyers cannot be sold as obsolete as is proved by fact, all of them are now in commission and in use or are in process of being commissioned for actual use.⁶

But this initial negative reaction did not last for long. The capitulation of the Low Countries, soon followed by the evacuation of Dunkirk and the armistice appeal by France, imparted a sense of urgency to the administration's program for aiding Britain by the sale or lease of war material. The transfer of destroyers began to appear in a new light.

Significant Developments—June 1940. By June 1940, favorable sentiment toward aiding England "by any means short of war" was prevalent in the inner circles of the Roosevelt administration. Only two Cabinet members, Secretary of War Harry Woodring and Secretary of the Navy Charles Edison, were laggards in this respect. Harold Ickes, controversial Secretary of the Interior, was the first among this influential group to urge the President to send obsolete warships to Britain. On 5 June he advocated selling "some of our obsolete airplanes and destroyers to England and France."⁷ As yet, however, President Roosevelt refused to be committed on the subject.

Legislative actions occurred during June which served both to facilitate and hinder the ultimate trade. Senator Morris Sheppard of Texas, Chairman of the Committee on Military Affairs, offered an administration-sponsored amendment to one of the pending defense

bills. It authorized the War Department to exchange unserviceable or surplus materials for others of which there was a shortage. This was an attempt to extend the "trade-in" method then used to supply the Allies with aircraft. By this system, "obsolete" planes were "traded-in" to the manufacturers for newer models. The older versions were then shipped to Britain. Senator Bennett Clark of Missouri, a vociferous isolationist, declared that the amendment was "an evasion of international law and of the Neutrality Act."⁸ Despite vigorous isolationist opposition, however, this measure became law on 2 July.

Meanwhile, an apparent obstacle to the destroyer transfer arose. Senator David Walsh of Massachusetts, Chairman of the Committee on Naval Affairs, obtained passage on 28 June of an amendment to the Naval Appropriations Bill. This section stipulated that

no military or naval equipment of any kind shall be disposed of by sale, exchange, or in any other manner unless the Chief of Staff and the Chief of Naval Operations first certify, for military and naval equipment respectively, that the property to be disposed of is not essential to the defense of the country.⁹

Another significant development also took place during this month. On 20 June, in a move ostensibly designed to broaden the bipartisan nature of the administration's foreign policies, President Roosevelt appointed two Republicans to key Cabinet posts. Henry L. Stimson was selected to replace Woodring as Secretary of War. Stimson, former Secretary of State under President Hoover, had the reputation of favoring strong support for the Allies. Frank Knox, who assumed Edison's office as Secretary of the Navy, was the former publisher of the anti-New Deal, pro-"all

aid short of war" *Chicago Daily News*.

While these events were occurring on the domestic scene, the war in Europe reached a critical stage for Britain. Italy entered the conflict on 10 June, and the threat of Italian submarines further jeopardized England's chances of survival. Churchill expressed his fears and reiterated his former request for destroyers in a cable to Roosevelt on 11 June:

I have already cabled you about aeroplanes including flying boats which are so needful to us in the impending struggle for the life of Great Britain. But even more pressing is the need for destroyers. Italian outrage makes it necessary for us to cope with much larger number of submarines which may come out into the Atlantic and perhaps be based on Spanish ports. To this the only counter is destroyers. Nothing is so important as for us to have 30 or 40 old destroyers you have already had reconditioned. We can fit them very rapidly with our asdies and they will bridge over the gap of 6 months before our wartime new construction comes into play. We will return them or their equivalents to you without fail at 6 months notice if at any time you need them. The next 6 months are vital... Not a day should be lost.¹⁰

While these messages to Roosevelt concerning Britain's need for destroyers indicated the urgency of the situation, Churchill saved his trump card until later. On 24 June he wrote to Mackenzie King in Canada and emphasized the danger that, if England fell, there was the possibility that "Hitler would get the British fleet."¹¹ Four days later, in a cable to Lord Lothian, Britain's Ambassador to the United States, he stated:

Never cease to impress on President and others that, if this country were successfully invaded and largely occupied after heavy fighting, some Quisling Government would be formed to make peace on the basis of our becoming a German Protectorate. In this case the British Fleet would be the solid contribution with which this Peace Government would buy terms.¹²

These references to loss of the British Fleet served to bring England's crisis closer to American thoughts. With the world's largest navy at its disposal, Germany might actually expand the war to the shores of the United States.

A Trade is Conceived. The news that Britain was seeking American destroyers somehow leaked out to the press, and expressions of opinion on the subject began to appear.¹³ On 12 June Ernest K. Lindley, writing in his column for the *Washington Post* and other newspapers, suggested America run the risk of violating international law by convoying ships to England or, failing that, by "selling a flock of old destroyers to the British."¹⁴ Public opinion was not as yet very strong on the subject, however, largely through indifference and lack of information.

Within the administration, the possibility of transferring some destroyers now began to be given more consideration. In early July, Joseph Alsop, another Washington correspondent, was a guest for dinner at the British Embassy. A staff member confided to him some of the contents of Churchill's urgent appeals to Roosevelt for destroyers. Alsop, in turn, urged Benjamin Cohen, special assistant to the Attorney General, to use all his influence in support of the transfer of 50 or 60 such warships to England. From his information he felt that, without such naval reinforcement, Britain might not be able

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to hold the Channel against invasion.¹⁵

Cohen brought this idea to Harold Lckes, who, on 5 July "spent a lot of time arguing with the President that, by hook or by crook, we ought to accede to England's request."¹⁶ Roosevelt, however, was now bound by the National Defense Act of 28 June 1940. In reply to Lckes, he stated that the destroyers could not be transferred without a certification from the Navy that they were useless for defense purposes. In addition, he felt that such an action would be difficult since the Navy was reconditioning more than 100 of them for its own use.¹⁷

For the United States, however, the ramifications of a possible surrender of the British Fleet now began to assume greater significance. Lord Lothian cabled Churchill on 6 July that American opinion was becoming aware of this eventuality.¹⁸ Among the White House advisers this fear also increased in magnitude. There was general agreement in the administration that some means must be found to bolster Britain's sea defenses. But a feasible method to do this was not immediately apparent. Statutes and congressional opposition stood in the way.

The temporary impasse was ended in late July. For some time the Navy had been anxious to obtain sea and air bases on islands in the Atlantic and Caribbean. These were desired to safeguard approaches to the Panama Canal and strengthen hemispheric defense. Since Britain held title to certain islands which would be suited for this purpose, the administration conceived the idea to arrange some sort of exchange.

On 23 July President Roosevelt discussed this idea with Secretary of the Navy Knox. The President expressed opposition to taking title to the islands, thereby inheriting their political, ethnic, and economic problems. He preferred to ask the British and Colonial Governments to lease the sites.¹⁹ Roosevelt made no attempt to specify the terms of

such agreements, because he felt these could be arranged later. The President asked Colonel Knox, who was dining with Lord Lothian that evening, to sound him out on the proposal. Lothian, in turn, was expected to get the concurrence of Churchill. With a basis for negotiations thus established, the trade began to develop more rapidly.

Negotiations Begin. On 31 July Churchill again cabled Roosevelt directly:

It has now become most urgent for you to let us have the destroyers . . . for which we have asked . . . We have a large construction of destroyers and anti-U-boat craft coming forward, but the next 3 or 4 months open the gap of which I have previously told you. Latterly the air attack on our shores has become injurious . . . Destroyers are frightfully vulnerable to air bombing, and yet they must be held in the air bombing area to prevent seaborne invasion . . .

This is a frank account of our present situation and I am confident, now that you know exactly how we stand, that you will leave nothing undone to ensure that 50 or 60 of your oldest destroyers are sent to me at once . . . Mr. President, with great respect, I must tell you that in the long history of the world this is a thing to do now . . .²⁰

By this time Churchill's pleas were receiving more attention. At the Cabinet meeting on 2 August, the transfer of destroyers was discussed at length. In Roosevelt's own words, there was immediate agreement that "the survival of the British Isles under German attack might very possibly depend on getting these destroyers." But he also recognized that legislation would be

"necessary" to authorize any deal concerning the warships. The President felt that, if the British Government would give positive assurances that the British Fleet . . . "would not under any conceivable circumstances fall into the hands of the Germans," the opposition in Congress would be "greatly lessened."²¹

By early August the domestic political situation had also changed favorably for approval of the destroyer transfer. In June the Republican Convention had broken with isolationist control. The delegates had nominated an avowed internationalist, Wendell Willkie, whose ideas on assistance to Britain were "all aid short of war." In July, Roosevelt had accepted an unprecedented third term nomination. Both parties now attempted to appeal to the pro-English sentiment of the voters.

In order to facilitate passage of the necessary legislation through Congress, the Cabinet decided at the 2 August meeting to sound out Willkie's views on the transfer. Roosevelt agreed to call William Allen White, noted editor and head of the Committee to Defend America by Aiding the Allies. White, who was friendly with Willkie, was to seek his approval, together with that of Republican congressional leaders, and thus reduce the opposition to the measure.²²

Meanwhile, the proposal of exchanging naval bases for destroyers had been transmitted to Churchill by Lothian. On 3 August Churchill replied to his ambassador:

[The] second alternative, i.e., [granting of] bases [in British possessions], is agreeable, but we prefer that it should be on lease indefinitely and not sale. It is understood that this will enable us to secure destroyers and flying boats at once. It is, as you say, vital to settle quickly. Now is the time when we want the de-

stroyers . . . Go ahead on these lines full steam.²³

To the proposal for making a declaration regarding the disposition of the British Fleet in case of England's defeat, however, Churchill demurred. He believed Britain . . . "would not tolerate any discussion of what we should do if our island were overrun."²⁴ In a cable to Lothian he stated:

. . . It would obviously be impossible for us to make or agree to any declaration being made on such a subject. I have repeatedly warned you in my secret telegrams and those to the President of the dangers United States would run if Great Britain were successfully invaded and a British Quisling Government came into office to make the best terms possible for the surviving inhabitants. I am very glad to find that these dangers are regarded as serious, and you should in no wise minimize them. We have no intention of relieving United States from any well grounded anxieties on this point . . . Pray make it clear at once that we could never agree to the slightest compromising of our full liberty of action, nor tolerate any such defeatist announcement, the effect of which would be disastrous . . .²⁵

These developments limited the alternatives for any proposed destroyers-naval bases trade. Transfer of the warships was now coupled with the lease of sites for naval and air bases in the Caribbean and Atlantic.

Public Opinion Rises. Although preliminary negotiations on the destroyer deal were ostensibly *sub rosa*, the possibility of such action was widely known by early August. Attention was focused

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on the subject on 4 August, when Gen. John J. Pershing, Commander of the American Expeditionary Force in World War I, addressed the country on a nationwide radio broadcast. Pershing had been induced to make the speech by William Allen White's Committee to Defend America by Aiding the Allies.²⁶ He warned that "all the things we hold dear are gravely threatened," and stated that the best way for the nation to defend its heritage before it was too late was to aid Britain in every way within its power. The old warrior believed that this could be done immediately by providing the British or Canadian Governments "at least fifty of the overage destroyers which are left from the days of the World War."²⁷

The urgency of Britain's needs tended to change the opinion of certain influential Americans concerning the proposed warship transfer. Senator Key Pittman, Chairman of the Senate Committee on Foreign Relations, announced his support of the plan. In June, after the fall of France, he had been so sure that England would also topple before the German onslaught that he deprecated "futile encouragement to fight on," and advised the Churchill government to abandon the British Isles to Hitler and bring its navy across the Atlantic.²⁸

Further evidences of popular support for the idea were also brought forward. Senator Alben Barkley, the administration's Senate leader, presented a petition signed by approximately 15,000 citizens of his own state of Kentucky urging release of the destroyers to Great Britain.²⁹ Influential newspapermen began promoting the cause in print. These included Washington columnists Walter Lippman, Joseph Alsop, and Robert Allen; Frank R. Kent of the *Baltimore Sun*; Harry Bingham and Herbert Agar, publisher and editor, respectively, of the *Louisville Courier-Journal*; Geoffrey Parsons, chief editorial writer of the *New York Herald-*

Tribune; Russell Davenport, former editor of *Fortune* and now Willkie's campaign manager;³⁰ and the previously mentioned Ernest K. Lindley and William Allen White.

Probably the most significant survey of public opinion on the subject was a Gallup poll published in August. It pointed out that England needed destroyer ships to replace those which had been damaged or sunk and that the United States had some destroyers built during the last World War which were being put back into active service. Questioned whether the United States should sell some of these ships to England, the Gallup respondents replied: Yes, 61 percent; No, 39 percent.³¹

But all sentiment on the destroyer transfer was not favorable. Senator David Walsh was convinced that releases of the ships would not only violate Federal law but would be an act of war. There were also reports that high officers in the Navy Department believed that transfer of the vessels would weaken national defense.

A different sort of objection was raised by the *Dallas News*. It was concerned with the secrecy surrounding the entire transaction. In an open letter to President Roosevelt, the paper stated:

... No citizen of this country can be disinterested in the effect on our future of a defeat for Great Britain... Aid—the most effective aid that the U.S. can render without impairing our own national defense—may be unpopular at the moment because men and women do not understand the dire necessity. But if they were told, sir, their support and their conviction would be immediate in response.³²

This increased public interest in the destroyer transfer tended to impart greater urgency to the negotiations.

Progress is Made. As previously mentioned, Roosevelt had decided to ascertain Willkie's opinions on the warship transfer before bringing the necessary legislation before Congress. William Allen White had been designated to contact the Republican candidate on this subject. Archibald MacLeish, Librarian of Congress and member of the White House circle, was also involved. MacLeish was friendly with Russell Davenport, Willkie's campaign manager, and acted through him in an attempt to secure prior approval for the deal. MacLeish and White succeeded in determining that Willkie privately approved of the destroyer transfer and would not make a campaign issue of it.³³ But the Republican candidate failed to give the administration a blank check in negotiations, even though he approved of the objective.³⁴ He hesitated to commit himself completely while the entire subject was still cloaked with secrecy.

With the threat of partisan attack on the exchange thus diminished, the administration proceeded with negotiations. On 4 August Secretary of State Cordell Hull met with Lothian and discussed England's urgent need for the destroyers. Hull reemphasized the legal difficulties and probable time delays inherent in such a transaction, but reassured the British Ambassador the United States was giving the matter "attentive consideration."³⁵ The same day Hull sent to the President a memorandum relating to the sale of the warships and auxiliary vessels. It enclosed a proposed draft of a bill to be offered in Congress which would specifically authorize such sale. This draft had been prepared on 2 August by Green H. Hackworth, Legal Adviser of the State Department, and it had been approved by Judge Townsend of the Department of Justice. In discussing this proposed bill with Roosevelt, however, the President and Hull agreed that there might be two objections to sending it to Congress—one, that it would stir up

considerable isolationist antagonism; the other, that many weeks of discussion might pass before it could be adopted.³⁶ Leaving the talks at this preliminary stage, Hull left for Georgia on vacation. His place was taken by Under Secretary of State Sumner Welles.

At this juncture several members of the Cabinet, notably Attorney General Robert Jackson, vigorously supported by Secretary of War Stimson, persuaded Roosevelt that he need not submit the plan to Congress. Two weeks previously, on 22 July, Benjamin Cohen had transmitted a memorandum to the President, via Harold Ickes, which advocated similar action. At that time, however, Roosevelt "frankly doubted if Cohen's memorandum would stand up."³⁷ As time passed, however, these doubts dissolved under the increasing pressure from Churchill, particularly with respect to the possible loss of the British Fleet.

On 13 August the initial framework of a tentative trade agreement was developed during a conference between the President, Secretaries Knox, Stimson, and Morgenthau, and Under Secretary Welles. Roosevelt cabled this proposal to Churchill the same day:

... It is my belief that it may be possible to furnish to the British Government as immediate assistance at least 50 destroyers... it would be necessary, in the event that it proves possible to release the material above mentioned, that the British Government find itself willing to take the following two steps:

1. Assurance on the part of the Prime Minister that in the event that the waters of Great Britain become untenable for British ships of war, the latter would not be turned over to the Germans or sunk, but would be sent to other parts of the Empire

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for continued defense of the empire.

2. An agreement on the part of Great Britain that the British Government would authorize the use of Newfoundland, Bermuda, the Bahamas, Jamaica, St. Lucia, Trinidad and British Guiana as naval and air bases by the United States . . . with the understanding that the land necessary for the above could be acquired by the United States through purchase or through a 99-year lease.³⁸

Churchill replied affirmatively to Roosevelt's proposal on 15 August:

We can meet both the points you consider necessary to help you with Congress and with others concerned, but I am sure you will not misunderstand me if I say that our willingness to do so must be conditioned on our being assured that there will be no delay in letting us have the ships.³⁹

The groundwork for the exchange was now completed. During his 16 August press conference, Roosevelt made the first official statement that discussions were taking place: "The United States Government is holding conversations with the Government of the British Empire with regard to acquisition of naval and air bases for the defense of the Western Hemisphere and especially the Panama Canal . . ."⁴⁰

No mention was made of a possible deal for destroyers. These negotiations continued to be shrouded in secrecy, and several obstacles remained to be surmounted before the trade could be completed.

Obstacles. The first major problem hindering further progress concerned the legality, under international law, for a neutral state to transfer warships to a

belligerent nation and, even more important, whether the President could do so without the approval of Congress. As previously mentioned, both the Attorney General and his assistant, Benjamin Cohen, had assured Roosevelt that such action was within his legal powers.

Realizing that submission of the proposed trade agreement to Congress would arouse considerable isolationist opposition and that time delays were inevitable in such a procedure, the President requested Attorney General Jackson to prepare a formal ruling on the subject. In respect to the naval bases-destroyer exchange, Jackson was asked to render a legal opinion on two questions: (1) whether such an acquisition could be concluded by the President as an executive agreement, and (2) whether the President had authority to alienate title to such ships, and, if so, on what conditions.⁴¹

In an eight-page ruling delivered to Roosevelt on 27 August, the Attorney General reviewed the question in light of existing statutes and advised the President that: (1) the proposed arrangement could be concluded as an executive agreement, and (2) there was presidential power to transfer title and possession of the proposed considerations upon certification by appropriate staff officers.⁴²

In handing down this opinion, the Attorney General held that the President was legally empowered to effect the acquisition of the bases by executive agreement, first, because as constitutional Commander in Chief he was responsible for the maintenance of all agencies of national defense at their highest efficiency; and second, because the conduct of foreign relations was vested in the President by the Constitution as part of the executive function.⁴³

In respect to the pertinent provisions of the Treaty of Washington (1871) and Article 8 of the Hague Convention XIII of 1907, which required that a neutral government take measures to prevent

the departure from its jurisdiction of any vessel intended to engage in belligerent operations, if the vessel were specially adapted within the neutral's jurisdiction to warlike use, Jackson also had an answer. He ruled that these restrictions did not apply "to vessels like the overage destroyers, which were not built, armed, equipped as, or converted into, vessels of war with the intent that they should enter the service of a belligerent."⁴⁴

The second major snag in negotiations arose when Churchill balked at the idea of a straight trade, destroyers for bases. His immediate problem concerned domestic politics. He realized that, in order to facilitate the exchange, Roosevelt would attempt to make it appear favorable to the United States. Thus the Prime Minister ran the risk of being held up as soft, as having been outwitted by the Yankees.⁴⁵ In Churchill's words:

The President . . . was of course increasingly drawn to present the transaction to his fellow-countrymen as a highly advantageous bargain whereby immense securities were gained in these dangerous times by the United States in return for a few flotillas of obsolete destroyers. This was indeed true; but not exactly a convenient statement for me. Deep feelings were aroused in Parliament and the Government at the idea of leasing any part of these historic territories, and if the issue were presented to the British as a naked trading-away of British possessions for the sake of fifty destroyers it would certainly encounter vehement opposition. I sought, therefore, to place the transaction on the highest level, where indeed it had a right to stand, because it expressed and conserved the enduring common interests of the English-speaking world.⁴⁶

By "place the transaction on the highest level," Churchill meant an outright gift of the base sites to the United States, ostensibly in return for a free gift of the destroyers. On this basis, negotiations proceeded.

Meanwhile, a statement by the British Prime Minister served further to hinder progress. On 20 August Churchill made a report to Parliament on the war situation to date. In it he not only omitted any reference to the destroyers, but pointedly disassociated the bases question from any other consideration. While Roosevelt had hoped that the Prime Minister would prepare his public for acceptance of the American proposal, what he did was the reverse.⁴⁷

On 22 August Churchill reiterated his position to Roosevelt: ". . . I had not contemplated anything in the nature of a contract, bargain, or sale between us. It is the fact that we had decided in Cabinet to offer you naval and air facilities off the Atlantic coast quite independently of destroyers or any other aid."⁴⁸

BIOGRAPHIC SUMMARY



Comdr. William H. Langenberg, U.S. Naval Reserve, is a graduate of the U.S. Naval Academy, Class of 1951. He served on a destroyer during the Korean war, and later had duty aboard an amphibious ship in the Atlantic and Mediterranean. After resigning his regular commission, Commander Langenberg earned an M.S. degree in industrial administration from Carnegie Institute of Technology. As a Reserve officer he has served training duty aboard destroyers, patrol craft, ammunition and supply ships, and amphibious vessels of various types. Commander Langenberg has been commanding officer of a medium surface division in Phoenix, Ariz. and later a large surface division in Dallas, Tex. He is currently attached to Naval Reserve Group Command 12-10(M) in San Jose, Calif.

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The next day Lothian cabled the Prime Minister that Sumner Welles had told him it was "utterly impossible for the President to send the destroyers as a spontaneous gift; they could come only as a *quid pro quo*."⁴⁹ The situation was now at a temporary impasse.

At this juncture Secretary of State Hull returned to Washington. On 23 August at a meeting of the Cabinet, the President told him: "Our negotiations with Britain on the bases and destroyers have bogged down. Please see what you can do."⁵⁰ Almost immediately Hull commenced a study of the difficulties so far encountered. He reviewed in a meeting with Lothian and Roosevelt the entire progress of negotiations to date.

On the morning of 26 August, Hull met with Green H. Hackworth, Legal Adviser of the State Department, and Judge Townsend of the Department of Justice. The three men sought some means to end the impasse. After a short discussion, Hackworth suggested that there might be a compromise between Churchill's desire for reciprocal gifts and the legal position binding the President to get something in return for the destroyers.⁵¹ His idea was that Britain could lease sites on Newfoundland and Bermuda as outright gifts, while the Caribbean bases were leased in consideration for the cession of 50 destroyers.

Hull transmitted this proposal to the President, who gave it his tentative approval. The following day, after a Cabinet meeting, Roosevelt held a special session with Secretaries Knox, Stimson, and Hull. The four men went over the initial draft carefully, made a few changes in phraseology, and then approved it. That night the proposal was reviewed again by another group. In addition to Hull and Knox, this meeting was attended by Adm. Harold Stark, Chief of Naval Operations, who had to certify under the act of 28 June that the destroyers were not essential to national defense, and Lord Lothian.⁵² Once

more the draft was approved.

Lothian transmitted this proposal to London. Churchill's 29 August reply differed in only a few details from the American version, notably in the addition of Antigua as a base site. The Prime Minister stated:

We are prepared in friendship and good will to meet your representatives forthwith, in order to consider the lease for ninety-nine years of areas for the establishment of naval and air bases in the following places:

Newfoundland	Antigua
Bermuda	St. Lucia
Bahamas	Trinidad
Jamaica	British Guiana

Subject to later settlements on points of detail . . .⁵³

In order to calm U.S. fears about the disposition of the British Fleet in case of England's surrender, Churchill devised the following statement for release to the American press:

You ask, Mr. President, whether my statement in Parliament on June 4, 1940, about Great Britain never surrendering or scuttling her Fleet "represents the settled policy of His Majesty's Government." It certainly does. I must, however, observe that these hypothetical contingencies seem more likely to concern the German Fleet or what is left of it than our own.⁵⁴

Consummation. The obstacles to consummation of the destroyer deal were now largely overcome. A final text of the agreement was prepared and approved. Admiral Stark gave it his certification. At the State Department a message for the President to send to Congress was drafted. Notes confirming

the destroyer-bases transaction were exchanged on 2 September between Hull and Lothian. On 3 September the President's message together with the destroyer-bases notes and the opinion by

the Attorney General concerning the legality of the transaction were communicated to Congress.

After nearly 4 months of negotiations, the trade was completed.

FOOTNOTES

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In times of peace the people look most to their representatives; but in war, to the executive solely.

Thomas Jefferson: Letter to C.A. Rodney, 1810