Confronting US imperialism with international law. Central America and the arms trade of the inter-war period

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Abstract
This article analyses attempts to regulate the access to arms in Central America from the beginning of the World War I to the end of the 1920s. During these years, the USA was not only the politically and economically dominant force in the region – they were also the main provider of weapons. In a region where societies were reshaped by the integration into a global economy, political groups depended on the access to weapons to enforce their claims for power. This gave the US government the possibility to use arms exports as well as arms embargos to shape politics in the region. Within this setting, arms control through international law became a contested subject. The First World War boosted international debates about disarmament. The Wilson administration joined these debates with proposals, which would have enabled Washington to better control the flow of arms into the Western Hemisphere. Central American governments, on the other hand, joined disarmament negotiations in Geneva to shape international law in a way to restrict Washington’s influence in the region and to ensure equal treatment at the international level. The impact of this conflict was not limited to the Western Hemisphere, and it left its imprint on European disarmament policies. Thus, this article reveals how international arms control was inscribed at the same time in imperial and anti-imperial agendas in a region with formally sovereign states.

Keywords
Arms trade, disarmament, international law, anti-imperialism, imperialism, Central America

The imperial roots of international law have become the object of a fruitful and quickly growing field of interdisciplinary scholarship. Most of this research focuses on the function of international law as a tool of imperial rule, which played an important role in establishing a hegemonic world

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order. The existing scholarship concentrates especially on European and US–American lawyers.\(^1\) However, some scholars have turned their attention towards diplomats and international lawyers of states like China, Turkey or countries in Latin America – ‘states that have acquired some margin of autonomy to insert themselves strategically in the global economy and that aspire to move upwards’. Compared with their European and US–American counterparts, these diplomats and lawyers lacked geopolitical and economic means to ‘set the terms of global production and exchange’. And unlike colonised people, they had claim to concepts such as sovereignty and access to fora like the League of Nations or international conferences. The research on these lawyers asks how they appropriated international law to reform international legal rules in line with their own foreign policies, instead of examining how international law was imposed on non-European and non-US–American people.\(^2\)

This article brings the two perspectives together. It asks how international law became an embattled ground between those who tried to use it as a tool of imperial rule and those who wanted to shape it to confront imperialism. It does so by looking at attempts to regulate the access to arms in Central America from the beginning of the First World War to the end of the 1920s. During these years, the US became not only the politically and economically dominant force in the region, they were also the main provider of weapons. In a region where societies were reshaped by integration into a global economy, political groups depended on the access to weapons to enforce their claims for power. This enabled the US government to use arms exports and arms embargos to shape politics in the region. Within this setting, arms control through international law became a contested subject. The First World War stimulated international debates about disarmament. The Wilson administration joined these debates with proposals, which would have enabled Washington to better control the flow of arms into the Western Hemisphere. Central American governments, on the other hand, joined disarmament negotiations in Geneva to shape international law in a way that would restrict Washington’s influence in the region and ensure equal treatment at the international level. In this respect, even though several studies have already highlighted the role of international arms control as an instrument of imperial rule in colonial territories,\(^3\) this article provides a new perspective. It reveals how international arms control was integrated simultaneously into imperial and anti-imperial agendas, in a region with formally sovereign states.

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1. Just to mention a few of the main publications: M. Koskenniemi, *The Gentle Civilizer of Nations. The Rise and Fall of International Law 1870–1960*, Cambridge 2001, 98-178; A. Anghie, *Imperialism, Sovereignty and the Making of International Law*, Cambridge 2004; L. Benton / L. Ford, *Rage for Order. The British Empire and the Origins of International Law 1800–1850*, Cambridge, MA 2016; J. P. Scarfi, *The Hidden History of International Law in the Americas. Empire and Legal Networks*, Oxford 2017; B. A. Coates, *Legalist Empire. International Law and American Foreign Relations in the Early Twentieth Century*, Oxford 2016.

2. A. Becker Lorca, *Mestizo International Law. A Global Intellectual History 1842-1933*, Cambridge 2014, quote 18. On China see Z. Yin, ‘Heavenly Principles? The Translation of International Law in 19th-century China and the Constitution of Universality’, in: *The European Journal of International Law* 27 (2016) 4, 1005-1023.

3. R. W. Beachey, ‘The Arms Trade in East Africa in the Late Nineteenth Century’, in: *The Journal of African History* 3 (1962) 3, 451-467; J. A. Grant, *Rulers, Guns, and Money. The Global Arms Trade in the Age of Imperialism*, Cambridge, MA 2007; F. Brahm, ‘East Africa and the Post-War Question of Global Arms Control’, in: K. Bromber et al. (eds.), *The Long End of the First World War. Ruptures, Continuities and Memories*, Frankfurt a.M., New York 2018, 85-107; D. R. Stone, ‘Imperialism and Sovereignty: The League of Nations’ Drive to Control the Global Arms Trade’, in: *Journal of Contemporary History* 35 (2000), 213-230; D. Stahl, ‘The Decolonization of the Arms Trade. Britain and the Regulation of Exports to the Middle East’, in: *History of Global Arms Transfer* 7 (2019) 1, 3-19.
This article looks at the history of arms control in Central America from three perspectives: the first focuses on the measures and initiatives taken by the Wilson administration, the second on the anti-imperialistic agenda of the Salvadorian government during the first half of the 1920s and the third on the effects of this Salvadorian anti-imperialism on Europe. Wilson’s disarmament initiatives have been described by him and his biographers as attempts to create a more peaceful world.4 I will argue, however, that his proposal to incorporate arms trade regulations into international law was also meant to strengthen Washington’s control over the hemisphere, creating the instruments of US imperialism. These policies did not remain uncontested. While scholarship on inter-war disarmament policies focuses almost exclusively on European issues and naval disarmament, I will show how the government of El Salvador tried to make use of the Geneva negotiations about an arms trade convention to restrict US hegemony. This strategy affected the balance of power at the conference and subsequent negotiations and thereby helped to foster the political agendas of some European powers.

I. Controlling the Western hemisphere

The transformation of world economy by the so-called first globalisation at the end of the 19th century is the main framework in which the relations between Central America and the US developed between 1900 and the 1920s. The integration of the Central American societies into an economy dominated by the industrialised North Atlantic states was driven by reform-oriented elites in these societies, often labelled as liberals. They saw the establishment of an export-oriented economy as a precondition for progress. Consequently, traditional, more subsistence-oriented forms of agriculture in Central America had to be replaced by the production of coffee or bananas. The liberal elites thus often became allies of the entrepreneurs and governments of the industrialised states, who were looking for raw materials. At the same time, the Central American countries became the target of US investments. The United Fruit Company and Standard Fruit Company started acquiring land in Mexico, Guatemala, Honduras, Nicaragua and Costa Rica for their steadily growing plantations.5

The scramble for land in Central America and the transformation of its economies brought new tensions among different social groups. The influx of capital benefited not only the ruling elite but enabled the middle class to lift their living standard to a certain degree. Depending on the policies of the foreign companies, in some regions the peasantry, which was transformed into working class, enjoyed stable wages. These wages could exceed what the former peasants had earned when they had cultivated the land on their own. Still, the right to fair wages was not guaranteed, and in times of economic crisis the workers were the first to suffer from cuts. The aggressive acquisition of land by foreign companies removed the possibility to return to traditional forms of agriculture. Protests were brutally suppressed by the companies with the help of the national military or criminal gangs. Even the members of the liberal elite, generally in favour of foreign investments and an export-oriented economy, did not always receive the revenues they had hoped for. The infrastructural development, which the companies used as legitimation for their invasion of foreign territories, did not take into account the needs of the population but followed the interests of the

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4. See, for example, R. S. Baker, *Woodrow Wilson and World Settlement, Vol. 1*, New York 1922, 343-432; H. Notter, *The Origins of the Foreign Policy of Woodrow Wilson*, Baltimore 1937.
5. For an overview on the here described developments, see, for example, J. Carrière / S. Karlen, ‘Zentralamerika’ and H. W. Tobler, ‘México’, both in: W. L. Bernecker et al. (eds.), *Handbuch der Geschichte Lateinamerikas*, Bd. 3, Stuttgart 1996, 365-396, respectively, 257-274; M. T. Gilderhus / D. C. LaFevor / M. J. LaRosa, *The Third Century. US-Latin American Relations since 1889*, Lanham et al. 2017, 7-68.
companies. This contributed to a growing nationalism, anti-Americanism and anti-imperialism, especially among the educated elite.

The discontent with the influence of powerful foreign companies and the frictions among different groups within the Central American societies caused by the economic transformation were key factors contributing to unrest in the region. At the turn of the century, violent regime changes were a widespread pattern of political life in these countries. The revolutions strongly affected the US–Central American relations. The integration of the region into a world economy had not only attracted US capital but also people. Many US–Americans had migrated to Latin-American countries as owners or managers of companies and land. As anti-imperialist rhetoric and demands for nationalisation of property played a central role in many revolutions, foreign companies and individuals became a target of violence and expropriations. Against this backdrop, the US government’s foreign policy towards the Central American countries centred around the protection of the lives and properties of US citizens. To achieve this goal, it supported governments with an export-oriented agenda that promised to respect private property rights and also had the widest possible support among the population. The latter criterion was meant to lower the risk of social unrest. Interventions by the US’ military were the most controversial tools to influence Central American policies.6

There were also some more subtle means of informal US imperialism in the region, such as arms exports and their regulations. The Central American countries were not able to produce the weapons which were needed to implement power and enforce political decisions. They depended on the proliferation of arms by industrialised states. The US government, but also US–American companies, could take advantage of this situation by providing the political group they favoured with the means to implement their power. Washington could also decide to withhold weapons from certain political groups. These practices became a part of US policy in Central America at the turn of the 20th century.7

Yet, until now historians have overlooked the fact that the Wilson administration was the first to think not only about national but international arms trade regulations as a tool of informal imperialism. In December 1914, the US government submitted to the governments of Chile, Argentina and Brazil a proposal for a Pan-American pact. Besides a ‘mutual guarantee of political independence under republican forms of government and mutual guarantee of territorial integrity’, the proposal suggested a mutual ‘agreement that the government of each of the contracting parties acquire complete control within its jurisdiction of the manufacture and sale of munitions of war’. In a conversation held with the Argentinian Ambassador two weeks later, Colonel Edward House, Wilson’s most important political advisor for foreign affairs, made clear that ‘complete control’ meant ‘government ownership’ of armament factories.8

The Pan-American proposal raises some questions. Why did the government of a country with a decisively market-oriented liberal economy argue in favour of nationalising arms factories, and what did Wilson hope to achieve with this suggestion? Unfortunately, there are only a few sources that help interpret Wilson’s proposal regarding the manufacture of arms. The Pan-American Pact was not the result of a deliberation process within the State Department; it took shape in a conversation between Wilson and Colonel Edward House. To understand their

6. A. McPherson, The Invaded. How Latin Americans and their Allies Fought and Ended U.S. Occupations, Oxford 2014; idem, A Short History of U.S. Interventions in Latin America and the Caribbean, Chichester 2016.
7. E. Atwater, American Regulation of Arms Exports, Washington DC 1941, 35-62.
8. The White House, Washington, December 16, 1914, and From the Diary of Colonel House, December 29, 1914, in: Yale University Library Digital Collections, MS 466, Edward Mandell House Papers, Series II, Diaries, Vol. II.
reasoning, the proposal has to be examined against the backdrop of three different contexts: the relations between the states of the Western Hemisphere, Wilson’s domestic economic reform agenda, and an ongoing debate about the international arms trade.

The year before the outbreak of the World War I saw the first international debate about the private armament industry and international trade with its products. The German SPD, the French SFIO, as well as the Labour Party and Radicals from the Liberal Party in Britain, accused the armament industry of building an international ‘armament trust’. According to their accusations, this network of firms like Schneider, Krupp, Armstrong and Bethlehem Steel co-ordinated its business to foment war scares worldwide to increase profits. It became a widely shared belief that by nationalising the armament industry and thereby eliminating private profits from the production of arms would end armament races and reduce the danger of war. Peace activists brought this debate to the US. Wilson, Colonel House and some members of the cabinet who had close connections to peace organisations shared their interpretation. The Wilson administration maintained a strong scepticism towards big business and the concentration of capital in trusts. Anti-trust legislation was the cornerstone of Wilson’s economic agenda, and bringing the big armament firms under control was part of this policy. Wilson’s proposition to nationalise the armament industry has to be understood in the context of his anti-trust policies.

Yet another reason why Wilson adopted the suggestions to nationalise the private manufacture of arms is to be found in his foreign policy agenda towards Latin-American states and the developments in the region, especially in Mexico. Wilson often portrayed his policy as a new departure in US–Latin-American relations and emphasised that he would respect the sovereignty of Latin-American states. His Pan-American Pact proposal with ‘mutual guarantee of political independence’ and ‘territorial integrity’ is a case in point. However, the restriction of these guarantees to states ‘under republican forms of government’ shows that he actually picked up the policies of his predecessors who had intervened in support of governments they considered democratic. Mark Gilderhus has argued that Wilson went even further and embraced a broader involvement in the region than previous administrations, which had invoked the Monroe Doctrine in order ‘to keep Europe from securing political control of any state in the Western Hemisphere’. Wilson – sceptical as he was towards ‘big business’ – saw even financial control as a threat to the ‘weak states’ and consequently to the Hemisphere. He was eager to restrict the influence of ‘English oil interests or American mining interests or German commercial interests or French banking interests’ or ‘any

9. The debate was initiated by a speech by Karl Liebknecht at the Reichstag, which later was translated and published in France, Britain and the USA; Verhandlungen des Reichstages, Bd. 289, 143. Sitzung, April 18, 1913, 4910-4913; G. H. Perris, The War Traders. An Exposure, London 1913; W. Newbold, The War Trust Exposed, Manchester 1914; P. Snowden, Dreadnoughts and Dividends: An Exposure of the Armaments Ring, Report of the Speech by Philip Snowden, MP on the Naval Estimates, Westminster 1914; F. Delaisi, Le patriotisme des plaques blindées, l’affaire Poutiloff, Paris 1913. On the British debate: D. J. Newton, British Labour, European Socialism and the Struggle for Peace 1889–1914, Oxford 1985, 294-315; E. L. Woodward, Great Britain and the German Navy, London 1935, 495-517, especially 513 f. On the German debate: F. Bösch, ‘Krupps ‘Kornwalzer’. Formen und Wahrnehmungen von Korruption im Kaiserreich’, in: Historische Zeitschrift 281 (2005), 337-379.

10. R. S. Baker, Woodrow Wilson, Life and Letters, Neutrality, 1914–1915, New York 1927, 75 and 285.

11. M. I. Urofsky, Big Steel and the Wilson Administration. A Study in Business-Government Relations, Ohio 1968; L. G. Gerber, The Limits of Liberalism: Josephus Daniels, Henry Stimson, Bernard Baruch, Donald Richberg. Felix Frankfurter and the Development of the Modern American Political Economy, New York 1984, 140-146; B. F. Cooling, Gray Steel and Blue Water. The Formative Years of America’s Military-Industrial-Complex, 1881–1917, Hamden 1979, 183-199; E. M. H. Lloyd, Experiments in State Control. At the War Office and the Ministry of Food, Oxford 1924, 23.

12. M. T. Gilderhus, Pan American Visions. Woodrow Wilson in the Western Hemisphere, 1913–1921, Tucson 1986, 16-20, quote 18; B. A. Coates, Legalist Empire, 125-135.
other manifestation of so-called Big Business’. In fact, although Wilson criticised the interventionist approach of his predecessors, US foreign policy became even more interventionist during his presidency. This was due in part to the World War. Washington feared a German invasion, and it took advantage of the fact that the European powers were engaged in warfare to strengthen its foothold in Central American countries. At the end of the war, the US–American informal empire was better institutionalised than before.

What role did arms exports and their regulations play in this foreign policy approach? Wilson made his first experience regarding arms control with Mexico, where since 1910 different groups had been waging a civil war. He inherited the 1912 arms embargo against Mexico, which benefited President Francisco Madero, in power since 1911 with a government recognised by the US. His troops alone were able to import arms from the US legally. Shortly after Wilson took over the presidency, Madero was overthrown in a military coup led by Victoriano Huerta. The US President refused to grant Huerta recognition after the violent coup. He revoked all privileges and cut off the shipment of arms to all contending factions. Soon, the limits of this approach became visible. The US government asked the other American countries, the main European powers and Japan to follow its example. Nonetheless, arms kept flowing in from overseas, to the advantage of Huerta who controlled the Mexican ports. By the end of 1913, the Wilson administration increased the pressure on Huerta by insisting on his removal. At the same time, Huerta’s opponents came increasingly under pressure, which led Wilson to finally lift the arms embargo. Although legally impartial, this step was meant to enable the rebels in the north of Mexico to acquire weapons more easily through US arms dealers. Elton Atwater argues convincingly that the end of the embargo ‘marked the beginning of a positive program of intervention against the de la Huerta administration, and constituted a clear-cut example of how the power to regulate arms exports could be very effectively used to supplement an active foreign policy’. Not much later, in April 1914, the US Navy shelled the port of Vera Cruz in an attempt to stop a German ship carrying weapons. Once more, European arms exports to Mexico appeared to be a threat to US interests in the Western Hemisphere.

These incidents show clearly that arms exports and arms exports controls played an important role in Wilson’s policies towards Central America, which were far more interventionist than his rhetoric suggested. His proposal of December 1914 that all American governments should ‘acquire complete control within [their] jurisdiction of the manufacture and sale of munitions of war’ has to be interpreted as an attempt to strengthen these policies by underpinning them with international agreements. The proposal was designed to enforce a foreign policy that many Latin-Americans denounced as imperialism.

The only explicit explanation for Wilson’s proposal can be found in House’s diary, which reveals a conversation with the Argentinian Ambassador. Asked for more information, House declared that ‘the reason for government ownership of munitions of war was to prevent manufacturers from inflaming popular sentiment and influencing governments to maintain excessive

13. The Papers of Woodrow Wilson, 1913–1914, Vol. 29, ed. by A. S. Link, Princeton 1979, 92 ff.
14. A. McPerson, A Short History, 72-94; C. Capozzola, ‘The United States Empire’, in: R. Gerwarth / E. Manela (eds.), Empires at War, 1911–1923, Oxford 2014, 235-253.
15. Atwater, American Regulation, 50-69, quote 68; B. DeLay, ‘How not to Arm a State: American Guns and the Crisis in Mexico, Nineteenth and Twenty-First Centuries’, in: Southern California Quarterly 95 (2013) 1, 5-23.
16. L. C. Gardner, ‘Woodrow Wilson and the Mexican Revolution’, in: A. S. Link (ed.), Woodrow Wilson and a Revolutionary World, 1913–1921, Chapel Hill 1982, 3-48; A. McPherson, A Short History, 73-77.
17. The White House, Washington, December 16, 1914, and From the Diary of Colonel House, December 29, 1914, in: Yale University Library Digital Collections, MS 466, Edward Mandell House Papers, Series II, Diaries, Vol. II.
This statement proves how strongly Wilson and his advisor were influenced by the debate about the armament ring that had been initiated by the European left. It also shows how this debate was adopted into Wilson’s foreign policy agenda. It fitted well with his goal to confront the financial interests of ‘big business’ in the Western Hemisphere.

However, taking influence away from ‘big business’ did not necessarily mean giving it to the Latin-American governments. The argument put forward by Gilderhus that Wilson’s agenda to prevent financial interests from dominating politics in the Western Hemisphere actually meant a strengthened US involvement is especially true if one considers the consequences governments control or even ownership would have had for Central American states. The US was the only country in the Western Hemisphere that could produce all types of armaments on its own; the Central American governments depended completely on arms imports to uphold their power. As long as weapons could be purchased through private companies and dealers, there was at least a certain degree of independence. If the governments of arms producing states gained full control over their exports, however, they would be in a better position to channel the flow of arms according to their interests and to monitor the arms build-up of smaller nations – not only in case of an embargo, but constantly and systematically. Wilson’s proposal to nationalise the arms industry would make the Latin-American states more dependent on Washington. The demand to acquire ‘complete control’ also increased the threat of US intervention. The Pan-American Pact envisioned by Wilson and his staff could serve as legitimation to send troops to countries whose governments were considered incapable of exercising the control demanded by the agreement.

Furthermore, the nationalisation of the armament industry would pose a serious threat to national security in times of war. A second argument House put forward to the Argentinian Ambassador was that ‘if the governments own armament factories, the question of the shipment to belligerent nations of munitions of war would be settled’. According to the conventional US–American interpretation, neutrality meant not to intervene in the business of arms exporters. As long as there was no embargo declared, they could deliver weapons to whomever they wanted. However, as soon as the industry was nationalised, the reverse would be true: a government delivering weapons to another one was considered to be taking side in a conflict. This is what House was saying: if the armament industry came under state ownership, it would be hard for non-producing states to acquire weapons from foreign powers in case of war.

The Wilson administration was completely aware of these implications, which were the reason why the Chilean government objected to the radical proposal. In a discussion between the President, House and Robert Lansing, who replaced Bryan as Secretary of State in October 1915, it was finally decided to drop the suggestion. A report of this discussion from House states only that for ‘reasons which the League of Nations Commission later were to find cogent, the abolition of private manufacture was deemed not feasible’. Based on the report of the Temporary Mixed Commission (TMC) mentioned by House, it was not so much the anticipated protest of the US’ armament industry that was considered as the main obstacle, but the criticism from non-producing states. Wilson, Lansing and House came up with a new proposal that

18. Ibid.
19. Ibid.
20. Atwater, American Regulation, 7-21.
21. The Secretary of State to President Wilson, Washington, April 21, 1915, in Foreign Relations of the United States (FRUS), The Lansing Papers, 1914–1920, Vol. II, Doc. 293.
22. Report of the Temporary Mixed Commission on Armaments, September 15, 1921, 11 f. in: The National Archives (TNA), FO 371/5529.
considered the interests of the Latin-American governments by suggesting an automatic arms embargo ‘in case of revolutionary attack upon an existing government’.23

However, Wilson did not bury his ambitious plan – he even scaled it up by including it in his deliberations for a post-war world order. When he wrote his draft of a league of nations’ covenant in 1918, he proposed ‘that munitions and implements of war shall not be manufactured by private enterprise or for private profit’.24 Again, it was clear that the design of this peace instrument would strengthen inequalities between the North-Atlantic industrialised powers and other states. Wilson was especially attracted by Jan Smuts’s proposal for a league of nations. Smuts had started his political career during the Boer War in South Africa, fighting the British forces. After the rendition of the Boer nations, he became a central figure in the process of integrating South Africa into the British Empire. In 1917, he was nominated by Lloyd George as a member of the War Cabinet. When asked to draft a scheme for a league of nations, he dedicated two of 60 pages to the problem of private arms manufacture. Taking up proposals of British peace activists, among whom he had close friends, he stated that the nationalisation was a ‘sound proposal’. Smuts was not naive. He saw difficulties arising: ‘where are the small States, who are dependent for supplies on the private munition factories in the countries of the Great Powers, going to get their armaments in the future?’ However, this did not worry him: ‘I am not much impressed with this sort of argument. To keep up the high temperature of the war atmosphere over the world for the sake of indulging the small Balkan and other States in their special form of sport will not appeal to the great democracies of the world’.25 Obviously, Smuts saw no irony in the fact that he was mocking the Balkan states for what he considered traditional bellicosity immediately after the ending of the carnage between the ‘civilised nations’. His argument makes it abundantly clear that those promoting the nationalisation of the arms industry in Paris were well aware of the proposal’s imperialistic implications. In a world where the production of arms had become so sophisticated that only a few countries possessed the required know-how, nationalisation would have increased the power of the arms producing states – or, in the words of Smuts, ‘the great democracies’.26

Wilson and Smuts, who together with Lord Robert Cecil represented Britain at the peace negotiations, did not manage to push through their ambitious plan for a prohibition of the private armament industry. In the face of resistance coming from the British Admiralty and the protest of smaller non-producing states at the peace conference in Paris, Wilson had to agree to change the wording. The covenant finally stated vaguely that private manufacture ‘was open to grave objections’.27

In the meantime, the Wilson administration kept using arms embargos as an instrument of informal imperialism – especially in Mexico. The Mexican Revolution, which had begun in 1910, was still underway when the war in Europe came to its end. Ever since 1912, Washington had been relaxing and tightening the arms embargo on Mexico according to its interests. After Venustiano

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23. C. Seymour, The Intimate Papers of Colonel House, Vol. I. Behind the Political Curtain, 1912–1915, Boston, New York 1926, 225. See also: The Secretary of State to the Argentine Ambassador (Naón), Washington, April 13, 1916, in: FRUS, The Lansing Papers, 1914–1920, Vol. II, Doc. 316.
24. R. S. Baker, Woodrow Wilson and World Settlement, Vol. 3, New York 1922, 86-89.
25. J. C. Smuts, The League of Nations. A Practical Suggestion, London, Toronto, New York 1918, 54-56, quote 55.
26. W. K. Hancock, Smuts. The Sanguine Years, 1870–1919, Cambridge 1962, 463; Swartz, Union of Democratic Control, 170 f.
27. Covenant of the League of Nations, Article 8. On the negotiations regarding this article, see Royal Commission on the Private Manufacture of and Trading in Arms, Minutes and Evidence, London 1935, 738-743; D. H. Miller, The Drafting of the Covenant, Vol. 1, New York, London 1928, 172, 307 and 357; idem, My Diary at the Conference of Paris with Documents, Vol. IV, New York ca. 1924, 306-317 and 626.
Carranza, one of the revolutionary leaders, had assumed the presidency through constitutional elections in 1917, Washington started to loosen the embargo again. Then, when Carranza decided to pursue the nationalisation of Mexico’s resources, the bilateral relations strained again. The new constitution enacted by his government declared oil to be the property of the nation and denied foreign companies the right to obtain drilling concessions. In 1918, Carranza took first steps to enforce these provisions by issuing several decrees. Consequently, the situation of US oil companies in Mexico became precarious in 1919.\(^{28}\) The Wilson administration was alarmed and started to put pressure on Carranza. Arms control was one of the instruments available. Henry Fletcher, who had been Ambassador to Mexico until January 1919, declared: ‘since I have been in the Department I have endeavoured to secure more liberal treatment of Mexico with respect to shipments of arms, munitions and raw materials for their manufacture, and I am succeeding in this respect. The refusal of the Mexican Government to grant our oil companies permits to drill, if persisted in, will seriously interfere with my efforts’. His successor was instructed to inform the Mexican government: ‘should the Mexican Government prove obdurate, it will encounter difficulty in securing further shipments of arms and munitions’.\(^{29}\) When this pressure did not bring any results, Washington withheld all permits for arms shipments to Mexico.\(^{30}\) They only started again after Carranza’s pro-American successor Álvaro Obregón settled the problem largely according to US–American interests.\(^{31}\)

Arms embargos like the one against Mexico were used throughout the 1920s as a foreign policy instrument. Washington tried to portray these policies as proof that its influence in the hemisphere fostered the cause of peace. In a press release in 1925, in the wake of an international conference on the arms trade, the State Department emphasised its desire to contribute to the ‘inauguration of an era of continuing peace and to aid in preventing the horrors of war’. It pointed to its arms embargos in the Western Hemisphere as an expression of these policies.\(^{32}\) Denouncing this statement as hypocritical would be misleading. Instead, it might be a reminder that peace in an imperial context can also be understood as the maintenance of existing socio-economic power structures. And the US’ arms trade policy in the region aimed to do just that.

### 2. Countering US Imperialism

How did Central American politicians react to the US’ role as the main arms supplier of the region and to Washington’s determination to use this position for protecting its foreign economic and political interests? An opportunity to confront US policies arose when the League of Nations’ Disarmament Section called for an international conference on the arms trade to be held in Geneva in 1925. The announcement of the conference coincided with the rise of imperialism as an interpretational framework for international relations within the Western Hemisphere. In the mid-1920s, Latin-American intellectuals, journalists and politicians started to include anti-imperialism in their vocabulary and political agenda. In Central America, this development was nurtured especially by the Mexican Revolution and the role Washington played in this war. While the US government promoted Pan-Americanism based on the anti-colonial, republican tradition of all countries in the Western Hemisphere, the Latin-American anti-imperialists emphasised

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28. J. M. Hart, *Empire and Revolution. The Americans and Mexico Since the Civil War*, Berkeley 2002, 334-341.
29. The Acting Secretary of State (Polk) to the Chargé in Mexico (Summerlin), Washington, April 11, 1919, *FRUS 1919*, Vol. II, Doc. 561.
30. Atwater, *American Regulation*, 79-83.
31. J. Meyer, ‘Revolution and Reconstruction in the 1920s’, in: L. Bethell (ed.), *Mexico since Independence*, Cambridge 2012, 201-240, here 206.
32. Department of State, For the Press, Immediate Release, May 5, 1925, in: NARA, RG 59, 500.A14, Box 5192, Folder 3.
mestizaje and the Hispanic culture as basis for a common identity opposed to the Anglo-Saxon culture. And while Marxist theories saw class struggle as the only way to confront the evils of imperialism, Latin-American anti-imperialists demanded to overcome rivalries between classes and nations and to act collectively against ‘yanqui domination’. Starting in 1924, anti-imperialistic leagues were founded all over Latin America, bringing together leftist, nationalist and liberal politicians and intellectuals.33

The arms trade conference in Geneva was an opportunity to put these demands into practice. Incidents such as the one in Mexico showed to Central American politicians that arms exports and controls could be used by the US to impose their policies. In early 1925, El Salvador started an initiative for an alliance of all Latin-American states at the conference. Unlike its neighbours, the small country on the Pacific coast was enjoying a time of relative stability. This was due in part to President Alfonso Quiñónez Molina’s successful strategy to build coalitions, in part for repressing labour unrest and strikes. While, in the other Central American republics, US companies possessed large plantations, the Salvadorian elite had managed to secure landownership for itself. The country was less dependent on US capital, and anti-Americanism was strongly rooted among the upper class.34 This helps explain why the Salvadorian government was among the strongest critics of US imperialism. It traditionally considered Washington’s interventions in the region a serious threat to national interest and security. During the US arms embargo against Mexico, El Salvador provided Carranza with weapons. In 1914, when Washington and Nicaragua were planning to build a naval base in the Gulf of Fonseca, the government of San Salvador successfully sued the US before the American Court of Justice. Many Nicaraguans opposed to their own government, and the occupation of their country by US marines therefore went to El Salvador, where they were welcomed with open arms and enjoyed good relations with the Salvadorian political elite. The anti-American consensus in El Salvador together with a considerable and vociferous group of Nicaraguan exiles created the ferment of an anti-imperialist foreign policy agenda during the second half of the 1920s.35

According to El Salvador, the goal of the Latin-American alliance at the forthcoming arms trade conference should be twofold: first to ensure that the participating governments of Latin America have full access to war material; and second to prohibit the ‘sale of such material to any other group, firm, corporation, individual, etc.’. In the eyes of the Salvadorian government, this was ‘the sole means of ending the Latin-American revolutions which are instigated in, by, and for the US’.36 The arms trade convention was meant to be an instrument ‘to prevent the US from recognising, in the event of civil war, that faction which it especially favoured and supplying it with arms’.37

Using the League of Nations as a forum to confront the interventionist politics of the US was not a new strategy. Several Latin-American states had joined the new organisation hoping to strengthen their own sovereignty by creating a counterweight to the dominant role played by

33. R. Deras, ‘Una Mirada al antiimperialismo latinoamericano desde la invasión norteamericana en Nicaragua y la fundación de la Liga Anti-imperialista de San Salvador (1926–1927)’, in: Revista Realidad 136 (2013), 281-328; D. Kersfeld, Contra el Imperio: Historia de la Liga Anti-imperialista de las Américas, Mexico 2012; A. A. Lauria-Santiago / J. L. Gould, To Rise in Darkness. Revolution, Repression, and Memory in El Salvador, 1920–1932, Durham 2008, 49-51.
34. J. Suter, Prosperität und Krise in einer Kafferepublik. Modernisierung, sozialer Wandel und politischer Umbruch in El Salvador, 1910–1945, Frankfurt a.M. 1996, 71-129.
35. Deras, ‘Una mirada al antiimperialismo latinoamericano’: idem., ‘La Liga Anti Imperialista de San Salvador Frente a la Intervención Norteamericana en Nicaragua (1926–1927)’, Tesis preparada para la Facultad de Postgrados, El Salvador, Mayo 2013.
36. Translation of an Editorial from El Dia (San Salvador), 25 April 1925, in: NARA, RG 59, 500.A14, Box 5194.
37. Grant-Smith, Legation of the USA in Montevideo, to the Secretary of State, 4 September 1925, in: ibid., Box 5196.
Washington in the Western Hemisphere. They were disappointed when the US decided to stay outside the organisation.\textsuperscript{38} Now, with the State Department’s approval to join the negotiations of an arms trade convention, a new opportunity arose to put restrictions on Washington’s interventionism with the help of the League of Nations.

The Salvadorian government entrusted Gustavo Guerrero with the negotiations. Guerrero, born in 1876, had shown his ability to oppose the powerful already in his early years. While studying law at the Universidad Nacional, he started with a friend a journal, which was critical towards the government. The president of El Salvador personally demanded their detention and expulsion from university. In protest, many renowned scholars resigned. Finally, though Guerrero was readmitted, he decided to finish his studies in Guatemala. After returning, he shortly served as private secretary to the president before being sent to Europe as a diplomat. From the turn of the century, he was in charge of the affairs with Italy, later becoming representative of his country to France, Spain, Italy and the League of Nations.\textsuperscript{39}

In 1925, after so many years in Europe, Guerrero was well connected in European diplomatic circles, including the French Foreign Minister Aristide Briand, whom he counted among his friends. This enabled him to opt for a high-profile strategy at the conference, even though the Salvadorian government could not afford to send more delegates to Geneva to support him. He was nominated and elected as the vice president of the conference as it began in May 1925. He immediately used this opportunity to push his agenda. His first speech made it very clear what he considered to be the main problem: ‘our task will be very difficult as we seek to establish some form of dependence as between non-producing States to the advantage of the exporting countries, and thus to create as between equal governments two groups, of which one would in practice control the other’.\textsuperscript{40} This statement not only reflected the experiences of Central American countries, it also showed how Guerrero hoped to create support for his agenda: by mobilising the support of other non-producing states like East European countries or China.

He commented on the draft convention which formed the basis for discussions. Article 2 introduced a general prohibition of arms exports and defined it as the purpose of the convention to formulate exceptions to this rule. Guerrero worried that this could be ‘interpreted as an explicit negation of the wholly legitimate right which every Government possesses of obtaining the arms it considers necessary for the security of its own country’. His counter-proposal was designed to ensure the support of the French and British delegations. They saw the arms trade convention as an opportunity to control by international law the influx of arms into their colonies. They insisted to create ‘special zones’, consisting of their colonies and adjacent territories, where the arms trade should be submitted to especially restrictive measures. Taking up the concept of ‘special zones’, Guerrero suggested to limit the effect of the general prohibition of arms exports as stated in Article 2 to ‘countries inhabited by backward peoples’.\textsuperscript{41} Tactical considerations were nonetheless only part of the reason why the Salvadorian diplomat made this racist proposal. Latin-American anti-imperialism did not question racial hierarchies; it only tried to redefine them. This made Guerrero’s anti-imperialism an unhelpful framework when it came to confronting imperialism on a global scale.

\textsuperscript{38} S. P. Duggan, ‘Latin America, the League, and the United States’, in: \textit{Foreign Affairs} 12 (1934) 2, 281-293; T. Fischer, \textit{Die Souveränität der Schwachen. Lateinamerika und der Völkerbund, 1920–1936}, Stuttgart 2012, see especially 107-126; A. McPherson / Y. Wehrli (eds.), \textit{Beyond Geopolitics. New Histories of Latin America at the League of Nations}, Albuquerque 2015.

\textsuperscript{39} J. M. Arévalo-Rengifo, \textit{El Salvadoreño que trascendió las fronteras: Dr. José Gustavo Guerrero}, San Salvador 2010.

\textsuperscript{40} Second Plenary Meeting, 5 May 1925, in: LNA, R 251, 43793, 43854.

\textsuperscript{41} Ibid.
Guerrero also had a problem with Article 3, which stated that export licences should only be granted to a government recognised by the exporting country. This formula suited the interests of the arms producing countries. Guerrero pressed for a revision: ‘I hardly like to consider the case which might arise in a country suffering from internal disorders and possessing a legitimate Government on the one hand and on the other a Government recognised as such by some States which desire the export of arms. How tragic it would be if each of these adversaries was receiving arms to enable them to carry out their work of destruction and to cover its own territory with misery and death’. As an experienced diplomat, he resisted the temptation to mention that in the eyes of his government this was exactly what the US was doing. Instead, he presented the hegemon of the north as an example to follow: in ‘its role of an elder sister, with all the experience and wisdom which it has gained and which it seeks to communicate to the other American nations’ – whoever was familiar with the debate about Washington’s interventionism could recognise the sarcasm in his words – ‘the USA has consistently refused to recognise Governments that have arisen as a result of a coup d’état or a revolution’. He went even further and proposed a formula which had been developed by the State Department – although in a completely different context. In December 1922, Washington had hosted a conference on Central American affairs, and on its initiative the signing parties had agreed to recognise only constitutional governments. Taking up the wording of this treaty, Guerrero proposed to allow arms exports only under the condition that ‘the acquiring Government has been constituted according to the form and constitutional usage in force in its own country’. This was obviously a smart tactical move, which for the US delegation was hard to counter. Guerrero could also count on the support of other non-producing states, who were eager to avoid becoming too dependent on the arms-exporting states’ decisions. Especially the delegations of Brazil, Turkey, Romania and China became vociferous proponents of a revision of Articles 2 and 3.

Guerrero’s proposal has to be interpreted within the context of a legal debate which captured the attention of particularly Latin-American international lawyers since the turn of the century: the problem of recognition. Liberal internationalists, who dominated the European debate, saw sovereignty mainly as a concept that had to be restricted by international norms to enable a peaceful settlement of disputes between different states. According to them, the recognition of states and governments should depend on other states or international organisations like the League of Nations. Latin America’s international lawyers, however, considered the liberal approach as a hegemonistic instrument of the Western states for keeping newcomers out of the international system. They rather preferred an approach that strengthened sovereignty, making recognition dependent upon the laws of the country in question. During the second half of the 1920s, Guerrero played a crucial role in this debate.

The US government, on the other hand, had a strong interest in not letting the convention restrict its ‘freedom of action’. On this premise, the State Department concluded that the wording of the draft convention, which in the eyes of Guerrero gave too much flexibility to the exporting states, was still too restrictive. Sure, it would give the US the opportunity to decide whether a certain government was to be considered legitimate. However, what if the US government, in case of internal

42. Conference for the Control of the International Trade in Arms, Munitions and Implements of War, Draft Convention, May 1925, in: LNA, R 231, 32639; see also Kellog to Senator Borah, 27 March 1925, in: NARA, RG 59, 500.A14, Box 5193.
43. Second Plenary Meeting, 5 May 1925, in: LNA, R 251, 43793, 43854.
44. Becker Lorca, Mestizo International Law, 305-352.
45. Department of State, Division of Near Eastern Affairs: Memorandum of Conversation between General Eltinge, Major Strong (War Department) and Mr. Dulles, 20 November 1924, in: NARA, RG 59, 500.A14, Box 5197.
upheavals in a Latin-American state, would like to support a certain political group without recognising it as legitimate government? Bound by regional treaties, Washington could only recognise constitutional governments. According to the interpretation of the State Department, ‘freedom of action’ included ‘permitting a shipment to a government in the Western Hemisphere not yet recognised by the US but to which it might be desirable to furnish the means of establishing its position and authority’. To retain enough flexibility in such situations, President Calvin Coolidge had instructed the US delegation to suggest in Geneva another formula, which was more or less in line with the liberal approach to recognition: exports should be permitted ‘to a government recognised by at least one of the High Contracting or adhering Powers’. The wording was designed to avoid restricting Washington’s ability to use arms exports as a foreign policy instrument in the Western Hemisphere, and also to prevent Latin-American states from using the convention to put restrictions on Washington’s ability to interfere in their domestic policies.

During the first week of negotiations in Geneva, the question of which government was to be considered as legitimate figured among the most intensely debated issues. During a break, delegates standing in the hallways of the conference centre could be overheard mocking the Latin-Americans. Some expressed the opinion that the question of illegitimate governments was only a domestic problem as these countries had always struggled with an unfortunate tradition of internal trouble. It is impossible to tell if these conversations were an attempt by the US delegation to incite sentiments against the Salvadorian proposal. In any case, Washington’s envoy Theodore Burton certainly had more effective means to promote US interests. The Uruguayan delegation played a key role in his strategy in Geneva. Although the decidedly pro-American attitude in Uruguay was declining by the mid-1920s, the government in Montevideo was still eager to maintain good relations with the US.

Enrique Buero, the Uruguayan delegate, used the conference to cultivate this good relationship. He worked closely with the US delegation and some of the proposals he submitted had been prepared in consultation with Burton and his team. This allowed Burton to maintain a low profile in some issues, avoiding that his proposals should be seen as manifestations of US–American interests. The submission of proposals through a Latin-American delegate also made it harder for the Salvadorian and other delegations to denounce them as instruments of US–American hegemony.

To be sure, Buero’s close co-operation with the US delegation was not only a way to cultivate good relations with Washington. The wording of the draft was from the perspective of non-producing states a threat to their sovereignty because it transferred the decision-making authority over arms transactions to the exporting government. The alternative that had been developed in advance by the League of Nation’s TMC on Armaments was in the eyes of the Uruguayan government even worse. It allowed the ‘sale to a government recognised as such by at least half of the High Contracting Parties’, thereby giving various foreign governments a right to decide over arms imports. The proposition of the US delegation to allow sales ‘to a government recognised by at least one of the High Contracting Parties’ was so lax that it gave ample flexibility to the producing countries. At the same time, this also meant that the non-producing countries would be dependent upon

46. Telegram from Burton to the Secretary of State, 13 May 1925; and Telegram from Department of State to AmMission Geneva, 14 May 1925 in: ibid., Box 5193.
47. Kellogg to Burton, Gibson, Andre T. Long, Colden LH Ruggles, 16 April 1925, in: ibid.
48. General Committee, Verbatim Report of the Fourth Meeting, 11 May 1925, in: ibid., R 252, 43073, 43921.
49. J. C. Knarr, Uruguay and the United States, 1903-1929: Diplomacy in the Progressive Era, Kent 2012, 115-144.
50. Hugh Gibson to the Secretary of State, 22 June 1925, in: NARA, RG 59, 500.A14, Box 5196.
51. Grant-Smith, Legation of the USA in Montevideo, to the Secretary of State, 4 September 1925, in: ibid.
52. Minutes of the Meetings of the Sub-Commission of the TMC hold at Paris, 24-28 March 1924, LNA, R 242, 39570.
only one foreign government of their choice. For Buero, this seemed to be an acceptable compromise.

The Salvadorian government was not alone in deeming this wording too vague to restrict the producing states’ ability to support insurgent groups. To make the convention an instrument of colonial control, Britain also had a substantial interest in more restrictive solutions. What if arms companies would induce the governments of small states to recognise a certain political group in the colonies as legitimate government? That way, even members of the anti-colonial resistance would be able to legally acquire weapons.\(^53\) It was one of the many paradoxes of the conference: the need to fight off the US’ proposal brought together Britain’s desire for imperial control with El Salvador’s anti-imperialist agenda.

Finally, all parties agreed on excluding from the convention the problematic question of how to define a legitimate government. The compromise simply stated that the ‘export shall be for a direct supply to the Government of the importing State or, with the consent of such Government, to a public authority subordinate to it’.

Note: No definition whatsoever was offered. Burton cabled: ‘I consider this formula satisfactory as it puts no obstacle in the way of allowing shipments to unrecognised but established governments’.\(^54\) Washington agreed. The compromise also had a couple of advantages for El Salvador. First, the question of whether the wording would give the US the desired freedom of action described by Burton now depended on further developments in the field of international law. In case of a controversy, according to the convention, the Permanent Court of Justice in The Hague would have to decide.\(^55\) Second, Guerrero had succeeded in avoiding a formula that would have made recognition of a government dependent on foreign governments. The compromise thereby, strengthened sovereignty rights, which was one of the main concerns of Latin America’s international lawyers. The importance of this extended well beyond the arms trade convention. Such a formula, once inscribed in an international convention, could easily become the blueprint for further treaties. Weighing gains and losses, it seems adequate to conclude that El Salvador had managed to secure the more tangible results in Geneva.

Before any progress was made in bringing the convention into force, however, the question of which political group was to be considered a ‘legitimate’ government for the purposes of importing arms became relevant again in Central America. In January 1926, the Nicaraguan General Emiliano Chamorro Vargas initiated a revolt and seized power from President Carlos José Solórzano. In accordance with the terms of the Central American Treaty of Peace and Amity from 1923, all Central American governments and the US refused to recognise him because he had not come to power constitutionally. After a while, Washington imposed an arms embargo. With increasing pressure, Chamorro finally agreed to step back, but instead of reinstalling the former government, he mandated the Nicaraguan Congress to elect a new president. While the Congress voted for Adolfo Díaz, Nicaragua’s Liberals gathered behind the former Vice President Juan Bautista Sacasa and set up a rival government. Washington recognised Díaz by the end of 1926 and modified its arms embargo to support his government. In the meantime, marines landed in Nicaragua to support Díaz and protect US citizens and property. The intervention lasted until 1933.\(^56\)

In El Salvador, Washington’s recognition of Díaz and the military intervention were heavily criticised among the public and gave rise to a new wave of anti-imperialist publicity and activism.

\(^53\) Telegram from Burton to the Secretary of State, 13 May 1925, in: NARA, RG 59, 500.A14, Box 5194.
\(^54\) Telegram from Burton to the Secretary of State, 14 May 1925, in: ibid.
\(^55\) Article 35 of the Convention on the Supervision of the International Trade in Arms and Ammunition and in Implements of War.
\(^56\) A. McPherson, The Invaded, 73-90; 213-237; idem, A Short History, 121-124.
Like Mexico, the Salvadorian government and press saw the liberal government of Sacasa as the only legitimate one. The US intervention induced Guerrero, who in 1927 was appointed as a Foreign Minister, to mount a new attack on US imperialism. At the Sixth Pan American Conference in Havana in 1928, together with the Argentinian delegation Guerrero pushed for a resolution against military intervention. He fought for his stance so ferociously that the US delegation came to consider him as one of the main threats to US interests. When Guerrero returned home, President Pío Romero Bosque, who was under pressure from the State Department, discharged him from his post. Still, he continued his work as Salvadorian delegate in Geneva.

The recognition of the Díaz government by the US showed not only that the problems raised by the arms trade conference in 1925 remained a crucial question strongly connected to Latin-American anti-imperialism. It also demonstrated that the failure to bring the arms trade convention into force had consequences for El Salvador’s foreign policy and limited its options to confront US influence in the region. Although a binding convention would presumably not have kept Washington from providing weapons to certain political groups in Central America, it would have given El Salvador a legal instrument to denounce those politics at the international level and to initiate proceedings before the Permanent Court of Justice – which it had successfully done on previous occasions.

3. Shaping European security policies

The consequences of El Salvador’s international anti-imperialism in Central America are only a part of the full picture. The struggle over US imperialism interfered with other geopolitical issues that were at stake at the arms trade conference. Apart from the question of legitimate government, there was another key item in El Salvador’s anti-imperialist agenda. One of the provisions of the draft convention was to create a system of publicity. In fact, the project of an arms trade convention as such was more about monitoring than restrictions. The draft suggested to create an International Office at the League of Nations for ‘the purpose of collecting, preserving and publishing documents’ regarding the arms trade. Furthermore, all signing states would be obliged to publish information regarding ‘quantities and destination’ of their arms exports. Publicity – so the underlying assumption – would help to create trust among nations and could serve as a first step towards disarmament.

For the non-producing states, publicity was more of a stumbling block because it threatened to establish new inequalities between them and the producing states. Publishing data regarding exports only would expose a comprehensive picture of the armaments of non-producing states while maintaining silence about the armaments industrialised states produced for its own use. From the viewpoint of Central American states, publicity would implement new hierarchies in the Western Hemisphere to their disadvantage. Guerrero was quick to join the first throng of publicity critics: there ‘is no reason why we should agree that producing countries should remain without the

57. Deras, Liga Antiimperialista, 18-49; J. M. Colby, The Business of Empire: United Fruit, Race, and U.S. Expansion in Central America, Ithaca 2011, 158.
58. D. Sheinin, ‘Argentina and the United States at the Sixth Pan American Conference’, Research Papers of the Institute of Latin American Studies, University of London 1991.
59. On the American pressure regarding the Salvadorian anti-imperialism, see W. R. Molina, ‘Censura Previa: Reducción a la Libertad de Prensa? El Salvador durante el Régimen de Pío Romero Bosque, 1927–1929’, in: Revista de Humanidades y Ciencias Sociales 5 (2013), 67-111.
60. Conference for the Control of the International Trade in Arms, Munitions and Implements of War, Draft Convention, May 1925, Article 8, in: LNA, R 231, 32639.
scope of a measure which ought to be of a general character and adopted in the common interests’.\(^{61}\)

Simply dropping the matter was impossible, as publicity was the main goal of the convention. The alternative was to establish equal treatment – another central concept defended by Latin-American international lawyers – between producing and non-producing states by also publishing information on the production of arms besides exports.

There was a provision of the League of Nation’s Covenant the non-producing states could rely on: Article 8, which Woodrow Wilson had introduced and which they had opposed six years earlier in Paris. While Wilson’s call for nationalising the armament industry had an imperialistic subtext, the compromise formula of ‘grave objections’ against ‘private manufacture’ inscribed into the Covenant could be turned into an instrument of equal treatment, into a source of legitimacy for manufacture publicity.

Since the Paris Peace Conference, the vague formula that ‘the private manufacture of arms’ was ‘open to grave objections’ had stirred an intensive debate, in the course of which Article 8 had acquired many different meanings. To understand how the non-producing states managed to give weight to their demand for equal treatment, we have to take a look at the development of this debate. By the end of 1920, the League of Nations’ Assembly had established a TMC to consider the problem of international disarmament.\(^{62}\) Articles 8 and 23 of the League’s Covenant provided the commission’s frame of reference, and the question of how to interpret these articles became one of the main objectives of the TMC.

When the TMC members first met to discuss the matter in August 1921, no one had an idea what the drafters of the Covenant had actually meant with Article 8.\(^{63}\) In this situation, the labour movement picked up Wilson’s orphaned article and gave it new meaning. The newly founded International Labour Organisation had been invited to send a delegate to the TMC, and Léon Jouhaux was chosen for this task. The internationally renowned trade unionist had a background in revolutionary syndicalism. Faced with the declining numbers of trade union members but also the Soviet October Revolution, he advocated for a new interpretation of the revolutionary process. He called for pragmatism and a definition of reachable goals. Instead of a socio-economic cataclysm, a controlled process of gradual changes should take place. They should start in the areas, which could cause the greatest potential damage to societies.\(^{64}\)

Within the TMC, Jouhaux quickly emerged as a vociferous proponent of the nationalisation of the arms industry. When it came to interpreting the ‘grave objections’, he repeated the arguments leftist politicians like the German Karl Liebknecht or Walton Newbold from Labour had brought up in the wake of the Great War. According to them, there had been an international armament trust fomenting war scares by playing off one country against another, increasing the price of armaments, and bribing governments. These evils could only be avoided by prohibiting the private production of armaments or by controlling it.\(^{65}\) Although Jouhaux recurred to the formula, which originated from Wilson, he meant something different. Wilson had seen the prohibition of private

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\(^{61}\) Second Plenary Meeting, May 5, 1925, in: ibid., R 251, 43793, 43854.

\(^{62}\) On the TMC see A. Webster, ‘Absolutely Irresponsible Amateurs’: The Temporary Mixed Commission on Armaments, 1921–1924’, in: Australian Journal of Politics and History 54 (2008) 3, 373-388.

\(^{63}\) TMC, Sub-Committee 1, Manufacture by private enterprise of munitions and implements of war, 4 August 1921, in: ibid.

\(^{64}\) J. N. Horne, ‘L’Idée de nationalisation dans les mouvements ouvriers européens jusqu’à la deuxième guerre mondiale’, in: Le Mouvement social 134 (1986), 9-36; J. N. Horne, Labour at War. France and Britain, Oxford 1991.

\(^{65}\) Temporary Commission for the Reduction of Armaments, Sub-Committee No. 1: Manufacture by private enterprise of munitions and implements of war, 13 August 1921, in: LNA, R 194, Doc. 15429.
manufacturing as an instrument to control the Western Hemisphere and to reform capitalism through anti-trust legislation. For Jouhaux, it was a part of a revolutionary project to overcome capitalism.

Jouhaux’s memorandum left a strong impression. On his suggestion, the League’s Commission on the Reduction of Armaments concluded ‘that the general question of armaments can neither be dealt with nor settled without including the question of private manufacture’. Shortly thereafter, the TMC was entrusted with drafting a scheme for an arms trade convention. Jouhaux took the opportunity to push for an integrated treaty, which should also deal with the issue of the private manufacture of arms. Still, when a Sub-Committee came together in February 1924 to produce a first draft of the convention, which should serve as a basis for the 1925 arms trade conference, Jouhaux’s opponents succeeded. Especially the British members of the TMC were altogether uninterested in production control. Their main argument was that the US would be very unlikely to come to the negotiating table if production control was on the agenda. Instead, it was decided to develop a separate convention on the private manufacture of armaments. In other words, the decision to exclude this issue from the arms trade conference had been already taken well before negotiations started in May 1925 in Geneva.

However, shortly after the draft was adopted by the TMC, elections took place in France and an alliance between the Radical-Socialist Party, the socialist French Section of the Workers’ International (SFIO) and other smaller left-republican parties came to power. Suddenly Jouhaux, as one of the country’s leading trade unionists, enjoyed good relations with representatives of the French government. The cartel des gauches took up his suggestions against private manufacture and integrated it into the French disarmament strategy. Before 1924, French governments had seen international disarmament as a threat to national security and had done everything to sabotage any steps in this direction. However, during its last months in office, the conservative government of the bloc national began to develop a more pro-active disarmament approach. Instead of opposing disarmament, the Quai d’Orsay came up with disarmament proposals that integrated French security concerns. This new approach was to be continued by the cartel des gauches.

As it turned out, Jouhaux’ revolutionary politics could easily be adapted to French security politics. France’s main concern was Germany. Reports about the Reichswehr’s rearmament efforts were taken very seriously. Paris knew that German companies were co-operating with foreign companies to keep pace with technological developments in the field of armaments. For instance, a Dutch company funded by the German government constructed submarines on the basis of German schemes. International control of private manufacture – not its prohibition as demanded by Jouhaux – seemed a fitting instrument to bring more transparency into the production of arms in Europe and to hold governments accountable for what private armament companies were producing on their territory.

There was nothing that could be done to reverse the TMC’s decision to pursue two separate conventions – one on arms trade and one on manufacture. To make that worse, while by the

66. Commission on Reduction of Armaments, First Sub-Committee, Report of Jouhaux, 27. August 1921, in: ibid., 15387.
67. Minutes of the Meetings of the Sub-Commission of the TMC hold at Paris, 24-28 March 1924, in: ibid., R 242, 39570.
68. P. Jackson, ‘France and the Problems of Security and International Disarmament after the First World War’, in: Journal of Strategic Studies 29 (2006) 2, 247-280.
69. B. Forsén / A. Forsén, ‘German Secret Submarine Exports, 1919–35’, in: D. J. Stoker / J. A. Grant (eds.), Girding for Battle. The Arms Trade in a Global Perspective, 1815–1940, Westport 2003, 113-133. On other projects, see M. Zeidler, Reichswehr und Rote Armee 1920–1933. Wege und Stationen einer ungewöhnlichen Zusammenarbeit, München 1994, 89-106.
70. ‘La fabrication privée des armes’, Le Temps, 18 February 1925.
beginning of 1925 preparations for the arms trade conference were well underway, there was not even a draft on private manufacture that could serve as a basis for discussions. The Quai d’Orsay therefore decided to use the conference on arms trade for pursuing its project to regulate the private manufacture of armaments. Joseph Paul-Boncour, head of the French delegation, dedicated the largest section of his opening speech to this issue, insisting that ‘it would have been more logical … to have settled the question of the private manufacture of arms before undertaking this question of the traffic in arms, since it is the manufacture which is the source and origin of the articles which we are seeking to control. If we desire to put an end to this clandestine trade, it would perhaps have been easier to attempt to strike it at its source in the factories than to wait until the products of those factories are scattered over sea and land throughout the whole world’. He subsequently urged, ‘that this Convention must simply be regarded as prefatory to a further Convention’.71 With this focus on production control, it was only logical to include Jouhaux as a critic of private manufacture in the French delegation.

The non-producing states became all of a sudden relevant to France. Their complaint that publicity, if only applied to arms exports, would deepen inequalities between industrialised and non-industrialised states, and their demand that production should also be submitted to publicity, perfectly fitted with the French agenda. Together, they could make a strong case for production control. The French delegation made it clear right from the start that it saw the arms importing states as close allies.72 Building on Wilson’s concerns about private manufacture, an alliance emerged at Geneva, bringing together the non-producing states’ call for equal treatment – which in the case of El Salvador had an anti-imperialist subtext – with the international labour movement’s revolutionary agenda and France’s security concerns.

The delegation of the Kingdom of Serbs, Croats and Slovenes was the first to come up with an amendment. It proposed with the support of France Latin-American and East European countries to make it dependent upon the conclusion of the convention on the manufacture of arms whether the arms trade convention can come into force.73 When this proposal was declined, Brazil introduced the suggestion to broaden the scope of publicity to the manufacture of arms.74 The British fiercely opposed any mention of ‘manufacture’ in the text. Their main ally was the Belgian delegation, which represented a small state with a powerful arms industry.75 The former Belgian Prime Minister Henri Carton de Wiart had been chosen as President of the conference, and he now used every procedural move he could ‘to rule any mention of manufacture out of order’.76 However, most importantly, there was a strong consensus in Geneva that an arms trade convention without the signature of all the main arms producing powers would be futile. Possessing the means of production gave Britain and Belgium a strong position. It was clear that the convention would not contain any provisions, which ran counter to their interest. The cartel des gauche had a strong desire to make the arms trade convention a success – as a proof of how serious it was about disarmament

71. Verbatim Report of the Fourth Plenary Meeting, 6 May 1925, in: LNA, R 251, 43793, 43854.
72. On French alliance policy with regard to disarmament, see K. Hovi, ‘Security Before Disarmament, or Hegemony? The French Alliance Policy 1917–1927’, in: R. Ahmann / A. M. Birke / M. Howard (eds.), The Quest for Stability: Problems of West European Security, 1918–1957, Oxford 1993, 115-126.
73. Verbatim Report of the Eleventh Meeting of the General Committee held on Wednesday, 20 May 1925, in: LNA, R 252, 43073, 43921.
74. Telegram Lord Onslow (Delegate, Geneva) to the Foreign Office, 26 May 1925, in: TNA, FO 371/11035.
75. L. Hilbert, ‘Waffenexport. Aspekte des internationalen Waffenhandels nach dem Ersten Weltkrieg’, in: J. Heideking / G. Schulz (eds.), Wege in die Zeitgeschichte. Festschrift zum 65. Geburtstag von Gerhard Schulz, Berlin 1989, 415-432.
76. Telegram Lord Onslow to the Foreign Office, 27 May 1925, in: TNA, FO 371/11036.
but also as an instrument to control arms flows in Europe. To achieve these goals, the French delegation had to sacrifice its desire to mention arms manufacture within the convention. Finally, the delegates agreed to include the issue in the final act of the conference, not in the convention itself: it would be ‘desirable that the international aspect’ of arms production ‘should receive early consideration’ by the signatories.  

To be sure, this was much less than the French–non-producing alliance had hoped for, but at least it was a way to keep the idea of a future convention on the manufacture of arms alive. During the following years, El Salvador together with France and Czechoslovakia became one of the main proponents of manufacture control at Geneva. Right after the signing of the Convention on the Arms Trade, Guerrero – who had become a key figure in the League’s Third Committee on disarmament – used the Sixth Assembly of the League of Nations to submit a resolution on this issue. Pointing to the wording of the past conference’s final act, he reminded the delegates in Geneva that they had agreed on the desirability of a manufacture convention. The resolution adopted by the Assembly requested the Council to ensure that a draft would be prepared as ‘speedily as possible’. While during the next years the great powers were not able to agree on a draft convention, it was Guerrero who raised the issue at every possible opportunity. Like most non-producing states, El Salvador refused to ratify the arms trade convention, and Guerrero threatened that this would remain so until a convention on manufacture was signed.  

The pressure maintained by Guerrero was helpful for French efforts to integrate production control into a system of European security. With his engaged and frequent speeches at committee meetings in Geneva, Guerrero gave credibility to the Quai d’Orsay’s argument that an arms trade convention without production control would be futile. This is not to say that Guerrero simply acted as a puppet for French interests. On the contrary, when the date of the conference was discussed, Guerrero became a fierce opponent of French attempts to make the question of manufacture a part of the upcoming disarmament conference. He was convinced that including the issue with a project as ambitious as the disarmament conference was bound to delay it too long. He proved to be right. The disarmament conference was not to take place before 1932, and the issue of arms manufacture was treated as a secondary issue even until 1934.  

Due to this delay, El Salvador’s achievements with regard to the question of legitimate government did not pay off either. Not only El Salvador’s quest for a convenient definition of legitimate government proved to be a failure, but also their efforts to achieve equal treatment. Even though the arms trade convention never came into force, the negotiations laid the foundation for a yearbook on the arms trade published by the League’s disarmament section. Based on freely accessible data and the information provided by members, the book informed about exports and imports. From the perspective of El Salvador, the yearbook was nothing else than an instrument for solidifying a hierarchical world order. The country refused to contribute in any way to this publication, providing no numbers on its imports. Only when production control finally became an issue at the disarmament

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77. Onslow to the Acting Secretary of State, 6 June 1925, in: ibid., 11037.  
78. Records of the Eighth Ordinary Session of the Assembly, Meetings of the Committees, Minutes of the Third Committee, Geneva 1927, 10.  
79. Records of the Seventh Assembly. Meetings of the Committees. Minutes of the Third Committee, Geneva 1926, 12-13; Records of the Eighth Ordinary Session of the Assembly, Meetings of the Committees, Minutes of the Third Committee, Geneva 1927, 13-14; Records of the Ninth Ordinary Session of the Assembly, Meetings of the Committees, Minutes of the Third Committee, Geneva 1928, 41-46.  
80. Ibid.; Committee on the private manufacture of Arms and Ammunition and of Implements of War, First Meeting, 14 March 1927, in: TNA, FO 371/12611; Minutes of the Meeting of the Special Commission for the Preparation of a Draft Convention on the Private Manufacture, 30 August 1928, in: LNA, R 2378.
conference in 1932 did the government change this policy.\(^81\) El Salvador’s experience with the negotiations on arms trade and arms manufacture fitted into a broader pattern. While many Latin-American countries had joined the League of Nations because their governments saw it as a forum to gain more political autonomy and to strengthen sovereignty, most of them became disillusioned in the course of the 1920s.\(^82\) El Salvador finally gave up on its attempt to shape international arms regulations for the purpose of countering US dominance in the Western Hemisphere. After Guerrero left Geneva in 1931 to become a judge at the International Court of Justice, the matter was not taken up again by his government.

France, on the other hand, managed to secure at least a short-term success. The German Navy together with firms like Krupp kept extending their co-operation with foreign firms building ships and armaments to undermine the peace treaty.\(^83\) It counted as an important victory for France when the Quai d’Orsay managed to make the control of arms manufacture an issue at the disarmament conference. Guerrero’s interventions at the League of Nations significantly contributed to achieving this goal. For a short time, it even seemed possible to reach an international agreement. When the disarmament conference threatened to fail, the General Secretariat, together with France and this time also with the US and Britain, developed plans to achieve at least the signing of a convention on both arms trade and arms production. This plan was buried when German rearmament became more and more threatening from 1935 onwards.\(^84\) However, even if there were hardly any tangible results in the end, a closer look at the arms trade and production negotiations reveals that El Salvador’s anti-imperialism contributed to shaping European affairs and helped further the agenda of an imperial power.

4. Conclusion

To what extent is the story of these failed attempts to regulate the international arms trade relevant? In the first place, it provides another perspective on the question of disarmament in the inter-war period. There are two main interpretations of the disarmament projects of European and US–American pacifism and liberal international lawyers. The older, critical realist interpretation considers them too idealistic, ignoring the realities of power politics.\(^85\) The revisionist, more benevolent interpretation sees these proposals as important attempts to create a more just and peaceful world.\(^86\) A closer analysis of Wilson’s arms trade policies and Guerrero’s criticism of publicity reveals yet another side of the liberal internationalist propositions: by creating peace they had the potential to perpetuate hierarchical power structures.

\(^{81}\) League of Nations, *Statistical Information on the Trade in Arms, Ammunition, and Material of War*, Geneva 1926–1933.

\(^{82}\) A. McPherson, ‘Anti-Imperialism and the Failure of the League of Nations’, in: McPherson / Wehrli (eds.), *Beyond Geopolitics*, 21-32.

\(^{83}\) D. J. Stoker, *Britain, France and the Naval Arms Trade in the Baltic, 1919–1939: Grand Strategy and Failure*. London 2003, 151-164.

\(^{84}\) See documents in LNA, R 4200.

\(^{85}\) See, for example, W. Lippmann, *US Foreign Policy: Shield of the Republic*, Boston 1943, 47-58; R. E. Harkavy, *The Arms Trade and International Systems*, Cambridge, MA 1975, 211-239.

\(^{86}\) C. Lynch, *Beyond Appeasement. Interpreting Interwar Peace Movements in World Politics*, Ithaca 1999; C. J. Kitching, *Britain and the Geneva Disarmament Conference. A Study in International History*, Basingstoke 2003; A. Webster, ‘Making Disarmament Work: The Implementation of the International Disarmament Provisions in the League of Nations Covenant, 1919–1925’, in: *Diplomacy and Statecraft* 16 (2005) 3, 551-569; idem, ‘The Transnational Dream. Politicians, Diplomats and Soldiers in the League of Nations’ Pursuit of International Disarmament, 1920–1938’, in: *Contemporary European History* 14 (2005) 4, 493-518.
The story of failed attempts to regulate the international arms trade reveals something about how the hegemonic powers managed to reaffirm their dominance in a changing international system. The outcome of the negotiations in Geneva helped to confirm imperial dominance and to maintain policies that were to the disadvantage of smaller states. El Salvador put a lot of effort into its attempt to make use of the newly established post-World War order with its international forum. Up to a certain point, it seemed that this strategy could work. Besides establishing alliances with other non-producing states, there was also an opportunity to get the backing of one of the great powers. In the end, it proved to be impossible to break the de facto veto of the other big powers. This fits into a broader pattern of international politics at the League of Nations. As Zara Steiner observed with regard to the Balkan states, even ‘supposedly highly rational and scientific policies’ of some smaller states were very limited in their effectiveness. Instead of explaining changes in the structure of international politics, the case of El Salvador demonstrates why so much remained the same after the foundation of the League of Nations. Perhaps the most poignant outcome of El Salvador’s anti-imperialist agenda was to be found in Europe, where it contributed to strengthen France’s position. It is true that the US did not succeed with all of its objectives either. Wilson did not manage to inscribe a strong prohibition of the private manufacture of arms into the League’s Covenant. However, while El Salvador’s failure in Geneva had consequences for its attempts to confront US imperialism in the region, Wilson’s failure did not seriously damage Washington’s ability to use arms control as an instrument of foreign policy in the Western Hemisphere.

As tempting as it might be, it would be misleading to assume that one could draw clear lines of distinction between imperialist and anti-imperialist approaches to arms control. The ‘grave objections’ against the private manufacture of arms codified in Article 8 of the League’s Covenant are a case in point. First conceived as an instrument to rescue capitalism through reform and to strengthen imperialist control, it became a source of legitimization for those who pursued a revolutionary or anti-imperialist agenda. The lines became even more blurred in the course of negotiations. Pushing his anti-imperialist agenda by building alliances, Guerrero sided with imperial powers in their call for special rules for regions ‘inhabited by backward people’. Guerrero’s desire to keep Washington from supporting insurgent groups brought him close to the British delegation and its effort to establish rules that would prevent the independence movement in their colonies to acquire weapons. The issue of arms control adopted many different meanings, thereby facilitating some improbable alliances.

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87. Z. Steiner, *The Lights that Failed. European International History, 1919–1933*, Oxford 2005, 293-309, quote 299.