The Abrogation of the
Russo-American Treaty of 1832—

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On December 17, 1911, the United States officially notified Russia of her decision to terminate the treaty of commerce and navigation which the two powers had drawn up in 1832. Credit for this act belongs to a small group which had campaigned publicly during 1911 for the abrogation of the treaty. How a mere handful of men succeeded in arousing American public opinion on a relatively obscure issue to a near “wave of hysteria,” how they forced the hand of an antagonistic administration, and what principal aim lay behind their fight for abrogation constitute an absorbing story of pressure politics.

I

Article 1 of the treaty provided:

There shall be between the territories of the high contracting parties a reciprocal liberty of commerce and navigation. The inhabitants of their respective states shall mutually have liberty to enter the ports, places and rivers of the territories of each party, wherever foreign commerce is permitted. They shall be at liberty to sojourn and reside in all parts whatsoever of said territories, in order to attend to their affairs, and they shall enjoy, to that effect, the same security and protection as natives of the country wherein they reside, on condition of their submitting to the laws and ordinances there prevailing, and particularly to the regulations in force concerning commerce.

In the last quarter of the nineteenth century, as the tsarist government plotted a course of economic strangulation and physical violence toward its own Jews, American Jews on Russian soil were subjected to various economic

1 I am grateful to Mr. Harry Alderman, librarian of the American Jewish Committee, and to Dr. Nahum Sarna, librarian of the Jewish Theological Seminary, for their kind cooperation. The following abbreviations have been used in the footnotes. AJYB—American Jewish Year Book; SP—Jacob H. Schiff Papers (Jewish Theological Seminary); AP—Cyrus Adler Papers (American Jewish Committee); Minutes—American Jewish Committee, Minutes of Executive Committee (Manuscript, American Jewish Committee); MP—Louis Marshall Papers (American Jewish Committee); MPP—Louis Marshall Papers, Photostat Collection (American Jewish Committee); PRFR—Papers Relating to the Foreign Relations of the United States; SD—State Department File 711.612 (National Archives); NYT—New York Times; AH—American Hebrew; CR—Congressional Record. Correspondence and memoranda in manuscript not part of specific collections of papers are from the general files of the American Jewish Committee.

2 PRFR, 1911 (Washington 1918), pp. 695-8


and residential restrictions. Russia disclaimed any violation of the treaty by this discrimination, for did not Article 1 say "on condition of their submitting to the laws and ordinances there prevailing"? Despite the fact that no intention of including Russian domestic anti-Jewish restrictions existed at the time the treaty was negotiated, and despite a counter-interpretation in American circles that Article 1 sanctioned no distinctions among citizens of the United States, Russia went one step further in the 1890's by refusing to visé the passports of American Jews.6

A brief against the tsarist regime began to take shape: 1) Russia violated the intention, at the very least, of the 1832 treaty by limiting the rights of a certain class of Americans, native-born as well as former Russian subjects; 2) Russia conducted a religious inquisition7 repugnant to American institutions by inquiring into the beliefs of those applying for visas; 3) Russia insulted the United States by not honoring its passports; 4) Russia attacked a sacred principle in the American code of liberties, freedom of religion. Protests against Russia's behavior came forth sporadically from the State Department and American diplomatic agents in St. Petersburg, and, in individual cases, Russia yielded. Congress, too, took note of the situation in several resolutions objecting to treaties which curtailed the rights of American citizens. Russia, however, never regarded the protests significant enough to warrant a retreat in principle.7

Obviously, those most interested in the treaty and passport questions were the American Jews. True, very few of the two million Jews in America in 1911 planned to visit or reside in Russia, and since Russia made exceptions on grounds of wealth and commercial position, even fewer were denied visas. To the leaders of the Jewish community grouped in the American Jewish Committee,8 Russian discrimination meant no personal inconvenience. It put them in a worse position, that of second-class American citizens. For so long as the United States effected no change in the tsarist attitude it was, albeit unwillingly, acquiescing in Russian made distinctions. And, they argued, why did the United States tolerate anti-Jewish discriminations when it would not have tolerated any other. As Louis Marshall stated in his famous address on the passport question:

If Russia should declare that no citizens of the United States residing west of the Mississippi or south of the Ohio, should receive the benefits of this


7 In 1893 Acting Secretary William F. Wharton used this phrase in a despatch to Minister Andrew D. White. Adler and Margalith, *op. cit.*, p. 237.

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7 Ibid., pp. 232-58. For the text of the numerous resolutions in Congress dealing with the question, 1879-1908, see *Termination of the Treaty of 1832 between the United States and Russia, Hearings before the Committee on Foreign Affairs of the House of Representatives, December 11 1911* (revised edition. Washington 1911), pp. 304-13

8 On the purposes and organization of the American Jewish Committee (hereafter referred to as Committee or AJC), see Schachner, Nathan, *The Price of Liberty* (New York 1948), ch. 2.
treaty, not only the South and the West, but our entire country would stand
aghast at the dishonor inflicted on the entire nation. If Russia should an-
nounce that it would not honor the passport of the United States when held
by an Episcopal or a Presbyterian, a Methodist, or a Roman Catholic,
our country would not look upon this breach of treaty obligation as a mere
insult to the Episcopalians or the Presbyterians, the Methodists or the Ro-
man Catholics of this country, but would justly treat it as a blow inflicted
upon every man who holds dear the title of American citizen.9

Until the spring of 1908 American Jews made no mention of abroga-
tion. They too hoped that diplomatic negotiations, with strong insistence by
the United States on an end to discrimination, would rectify the situation.
Pressure on party and government leaders increased during Theodore Roose-
velt’s first administration, after the Kishinev pogrom of 1903 had partially
exposed Russian brutality to the American public.10 Prominent Jews labored
successfully to get both Republicans and Democrats to adopt resolutions in
their party platforms of 1904 pledging equal protection under treaties to
all citizens.11 Roosevelt, perhaps at the reminder of influential banker Jacob
H. Schiff that the 100,000 votes of New York’s Jewish East Side might be
crucial in the forthcoming election, discussed the problem in his acceptance
speech as presidential nominee.12 Again in 1905, chiefly under the influence
of his kitchen cabinet member Oscar S. Straus, Roosevelt wrote Count Ser-
gius Witte on the beneficial results to Russo-American friendship if Russia
granted visas to American Jews.13

American Jews would have seized any opportunity to apply pressure
on Russia directly, but only an individual like Schiff was in a position to
do so. In 1904 Count von Plehve, the Russian Minister of Interior whose
department handled the Jewish question, invited the American banker to
confer with him on Jewish matters. Schiff consented on condition that re-
strictions against foreign Jews be rescinded. Whether von Plehve would have
been willing ultimately to trade concessions in exchange for Kuhn, Loeb and
Company’s cooperation in opening the American market to Russian securi-
ties remained undetermined, for the minister was assassinated before nego-
tiations proceeded much further.14

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I, 62, Schiff had voiced similar views to presidential nominee Taft in a letter of July 24, 1908
(SP).
10 Bailey, op. cit., pp. 179-83.
11 Adler, Cyrus, Jacob H. Schiff, His Life and Letters (2 vols. New York 1929), II, 146;
AH cxix, no. 1, May 14, 1926; AJYB, 5665 (1904-5), 283.
12 SP: Schiff to Theodore Roosevelt, July 31, 1904.
13 Oscar S. Straus Papers (Library of Congress): Roosevelt to Oscar S. Straus, August 16,
1905; Straus, Oscar S., Under Four Administrations (Boston 1922), p. 191. Count Witte
was then in the United States as head of the Russian delegation to the peace conference at
Portsmouth.
14 Adler, op cit., II, 123-8; Schiff used his power in the banking world to stymie Russia in
revenge for the persecutions of her own Jews. He wrote Lord Rothschild in 1904: "I pride
myself that all the efforts which at various times during the past four or five years have been
made by Russia to gain the favor of the American markets for its loans, I have been able
to bring to naught." Schiff also played a significant role in financing Japan’s war effort in
the Russo-Japanese conflict Ibid., I, 213-30; II, 122; Bailey, op. cit., p. 204.
In 1907 the turning point came in American Jewish thinking on how to solve the passport question. The State Department officially announced that Jews, whether they were formerly Russian subjects or not, are not admitted to Russia unless they obtain special permission in advance from the Russian Government, and this Department will not issue passports to former Russian subjects or to Jews who intend going to Russian territory, unless it has the assurance that the Russian Government will consent to their admission.

The AJC protested in shocked terms to Secretary of State Root that the United States was reversing its traditional stand and "seeks to . . . apply an unconstitutional religious test to upwards of a million of our own citizens, . . . thus practically justifying Russia in the violation of her treaty obligations and condoning her contemptuous disregard of the American passport." Though the State Department revoked the objectionable circular and even invited the Committee's views on a new draft, the Jews summed up Root's attitude as too Russophile to defend their interests, much less to force Russia to discontinue its discriminatory policy. A few months later, in May 1908, the Committee wrote a lengthy memorandum to President Roosevelt reviewing Russia's violation of the treaty of 1832 and suggesting that the government terminate the existing treaties with Russia and negotiate no new ones without assurance of Russia's compliance. (The other Russo-American treaty in existence was the extradition agreement of 1887, which was unpopular in the United States since its passage."

The 1907 circular was the catalyst in crystallizing the change in demand from diplomatic protest to outright abrogation, but other factors were involved. Even if Root continued the policy of his more sympathetic predecessors, that policy was at best defensive and unlikely after twenty-five years to effect any sudden change in Russia's attitude. Furthermore, with the increased volume of trade between Russia and the United States in the twentieth century, it seemed plausible that with the threat of abrogation Russia would feel the need for a treaty of commerce and either accept the American interpretation of the old treaty or agree to a new one embodying explicit assurances of equality. And, perhaps most important in the minds of lead-

18 AJVB, 5672 (1911-2), 23-7, Adler and Margalith, op. cit., pp. 278-81; Reznikoff, op. cit., I, 52-3.
19 AJVB, 5672 (1911-2), 28-33, Malloy, op. cit., II, 1527-31; Bailey, op. cit., pp. 156-9, 209-14. The 1911 campaign for abrogation began with the aim to terminate both the treaty of 1832 and that of 1887 (Reznikoff, op. cit., I, 68-9), but soon confined itself to the commercial treaty. Representative Herbert Parsons of New York, adviser to Marshall and staunchly on abrogation, opposed the inclusion of the extradition convention. Herbert Parsons to Louis Marshall, January 27, 30, 1911.
20 Cf. Williams, William A., American-Russian Relations, 1781-1947 (New York 1952), pp. 82-4, for a survey of American commercial interests and investments in Russia and post-abrogation pressures for a new treaty. For the growth of American commerce with Russia and the view that abrogation would spur Russia on to develop her own manufactures, see Hogan, John V., "Russian-American Commercial Relations," Political Science Quarterly, xxvii (December 1912), no. 4, pp. 631-47.
ing American Jews, the situation of Russian Jewry grew increasingly more intolerable.\textsuperscript{18}

The link between the plight of Russian Jewry and the flight over the treaty of 1832 has never been fully explored. Yet, only if abrogation is seen as the means to ameliorate the desperate situation of five million Russian Jews and not merely to guarantee visas for a handful of Americans, can the tremendous amount of energy expended by the American Jewish leaders to develop the passport matter into a national grievance be better understood. Thus, the real aim of American Jews behind abrogation was two-headed: to repudiate the status of second-class citizenship foisted upon them by Russian discrimination and to achieve the emancipation of Russian Jewry.

The logic was quite simple. Given the Russian promise that foreign Jews could not be treated any differently from native Jews, it followed that if foreign Jews were permitted commercial privileges equal to those granted other foreigners (and by treaty terms equal to those enjoyed by Russians), Russia would be forced eventually to accord the same privileges to her own Jews. The Pale of Settlement would crumble, and Jews would find their way unencumbered into most trades, professions, and other economic pursuits. Therefore, as the condition of Russian Jewry continued to deteriorate, it became all the more imperative to gain free entry for foreign Jews. Abrogation seemed to be the quickest way to compel Russia to grant equal rights to American Jews, which in turn would cause other nations to demand similar rights for their Jews,\textsuperscript{19} which in turn would unshackle Russian Jews.

It should be pointed out that the connection between equal rights for foreign and Russian Jews was not a private insight of the AJC. The editor of the American Israelite claimed that as early as 1879 he had realized that a treaty providing for equal treatment of foreigners would improve the conditions of native Jews, and he subsequently took up the matter with President Hayes and Secretary of State Evarts.\textsuperscript{20} In 1881, Secretary of State Blaine reasoned along similar lines to the British government when he called attention to the justification of intervening on behalf of native Jews.\textsuperscript{21} Schiff, who reiterated this position throughout the campaign for abrogation, said even before the organization of the AJC: "When foreign Jews are equally entitled to cross the Russian border with other foreigners, then the

\textsuperscript{18} The reign of Nicholas II was characterized for the Jews by oppressive economic disabilities and government planned pogroms which reached a high in 1903-6, 1907, the year of Root's circular, marked the return of complete power to the extreme anti-Semitic monarchist groups and the attendant evisceration of most revolutionary achievements. Dubnov S.M., History of the Jews in Russia and Poland (translated by I. Friedlaender, 3 vols. Philadelphia 1916-20), III, chs. 31, 35-7.

\textsuperscript{19} Marshall to Parsons, January 28, 1911; Schiff to Adolph S. Ochs, April 28, 1911, to N. Katzenelson, February 19, 1912; Hearing before the Committee on Foreign Affairs . . . December 11, 1911, pp. 80-1.

\textsuperscript{20} American Israelite, January 17, 1924.

\textsuperscript{21} Blaine said in part: "An amelioration of the treatment of American Israelites in Russia could only result from a decided betterment of the condition of the native Hebrew—that any steps taken toward the relief of one would necessarily react in favor of the other—" Adler and Margalith, op. cit., p. 206.
Russian Government will not long be able to insist on maintaining the scandalous restrictive laws against her own Jews.  Nor did the AJC conceal this aspect of the case. In their first letter broaching abrogation to Roosevelt, they pointed to the horrible plight of Russian Jewry which caused hordes of them to immigrate to the United States. Abrogation as a solution, the Committee wrote, might induce Russia to revise its domestic Jewish policy.

Indeed, Russia too had worked out the obvious syllogism from the premise of similar treatment of foreign and native Jews, though in public she rationalized that the removal of restrictions would result in massacres by the ignorant peasantry. But if the alternatives were rights for both or disabilities against both, it could only be the latter, for Russia was committed to antisemitism for economic, nationalistic, religious, and counter-revolutionary purposes. Like the American Jews, Russia did not care how few foreign Jews sought entry and residential privileges; the principle of keeping Jews out remained all important. The tsarist government and the American Jews were playing for the same stakes—Russian Jewry.

II

Neither President Roosevelt nor his State Department revealed their opinions on the Committee's memorandum of May 1908, but with a presidential election a few months away the Jewish leaders buckled down to obtain more positive commitments on the passport question. The party platforms reiterated their pledges of 1904, and William Howard Taft promised when accepting the nomination that "the Republican party and administration will continue to make every proper endeavor to secure the abolition of such distinctions, which in our eyes are both needless and opprobrious." More than political platitudes was achieved when Secretary of Commerce and Labor Straus visited Taft to provide him with labor statistics for his campaign. An important figure in the AJC since its inception, the cabinet member used the

22 SP: Schiff to Paul Nathan, August 12, 1904; also, to W.H. Howard, October 20, 1910, to Stephen S. Wise, November 17, 1910, to Ochs, April 28, 1911, to Louis Wiley, December 28, 1911, to Israel Zangwill, January 2, 1912, to N. Katsnelson, February 19, 1912. In the letter to Ochs, Schiff fully spelled out the broader aim of abrogation: "Our anxiety to see our Government take action should not be misunderstood. It is not because the Jewish people lay stress upon the admittance into Russia of a few hundred of their number who may annually wish to go there, but because of the conviction that the moment Russia is compelled to live up to its treaties and admit the foreign Jews into its dominions upon a basis of equality with other citizens of foreign countries, the Russian Government will not be able to maintain the pale of settlement against its own Jews. You see, it is a large question, involving the most sacred of rights, in the solution of which the United States should be too eager and proud to take the first and leading step."

23 *AJYB*, 5672 (1911-2), 28-9. *See also* Minutes, February 20, 1910, April 23, 1911; AP: Samuel Dorf to Henry M. Goldfogle, June 7, 1910; Leipnik, *op. cit.*, I, 103n-104. A variation on this theme was that abrogation would bring worldwide liberal opinion to bear upon Russia and her reactionary policies. James Creelman in *New York Evening Mail*, June 23, 1911: Joseph Chamberlin in *ibid.*, July 24, 1911.


25 *See* text, p. 10, Rockhill's warning to the American Jews.

26 *AJYB*, 5672 (1911-2), 37-8, 40.
opportunity to brief Taft on the Jewish grievances and to provide him with material drawn up by the Committee's foremost legal mind, Louis Marshall. Taft arranged for Straus to confer with his nephew, Hubert Taft, and with Joseph Garretson, both of the Cincinnati Times-Star, a paper owned by Taft's brother. Two days later the Times-Star published an article by Marshall on the passport question and ran an editorial suggesting that Russia's discriminatory practices might be stopped if the United States denounced the treaties of 1832 and 1887. This was no mean achievement for the Committee, because Taft's connection with the Times-Star was known, and, as Marshall put it, it was the "strongest expression which has ever emanated from any non-Jewish source in America, on the subject of the American passport and the course which should be pursued by our Government." The quid pro quo was obvious; the Jewish leaders would try to deliver the Jewish vote to Taft, and accordingly, Marshall sent copies of the Times-Star clippings to the Anglo-Jewish and Yiddish press for reproduction. That, however, was more a labor of love than a payoff. The powers on the AJC—men like Schiff, Straus, Marshall, Sulzberger—were staunch Republicans, and they valued positive statements on the passport issue not only as ends in themselves but as means to attract more voters to the Republican fold. Straus was quite serious in his letter to Judge Mayer Sulzberger, president of the Committee, when he summed up the results of his interview with Taft solely in political terms: "As good Republicans and friends of Mr. Taft I feel we have done our full duty."

Another seemingly positive gain came in a letter of October 19, 1908, to Schiff from Secretary Root wherein the latter wrote: "We have now communicated to Russia an expression of the desire of this Government for a complete revision and amendment of the Treaty of 1832. . . . We have expressed our views that such a course would be preferable to the complete termination of the treaty." After this disclosure the Committee became more discreet in advising pressure on the government, and in January they temporarily suspended action on the passport. However, the Roosevelt administration finished its term with no substantive accomplishment.

Despite this disappointment the Committee felt that it had the sympathy of the incoming administration. Taft had never consented to abrogation, but he had lashed out in campaign speeches and in his inaugural at foreign discrimination against American passport holders. In the summer

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28 MPP: Marshall to J.L. Magnes, September 16, 1908.
29 Ibid.; Joseph Garretson to Marshall, September 14, 1908; Cohen, op. cit., p. 298; Straus Papers: Straus to Mayer Sulzberger, September 13, 1908. Schiff, too, was talking as a Republican as well as a Jew when he warned Taft that William Jennings Bryan might promise drastic action against Russia and thereby swing the Jewish vote in New York and the New York electoral votes. SP: Schiff to William H. Taft, July 24, 1908. Though Schiff switched parties in 1912 and supported Wilson, Marshall remained pro-Taft. Resnikoff, op. cit., I, 75, II, 1152-5.
30 *JYB*, 5672 (1911-2), 40-1.
31 Minutes, January 1, 1909; Memorandum of a conference with Oscar S. Straus, December
of 1909, Judge Sulzberger and Dr. Cyrus Adler of the Committee conferred with Taft, Secretary of State Knox, and W. W. Rockhill, the new American ambassador to St. Petersburg. The Committee presented its case for abrogation, and Taft assured them that Rockhill would do everything possible to settle the question. Taft subsequently instructed Knox "to write to Mr. Rockhill and urge upon him the necessity for continued effort on his part to secure a complete recognition of the efficacy of our passports." The President's good intentions aside, the administration saw no reason not to promulgate an agreement with Russia in June 1909 regulating the position of corporations, stock companies, and other commercial associations.

The Committee had pointed out to the State Department that promulgation would make it harder for the United States to effect a reversal in Russia's anti-Jewish policy, but for the most part they refrained from applying any pressure upon the Taft government. Perhaps the administration would really live up to its promises, and besides, Ambassador Rockhill had warned Adler that agitation was inadvisable. But by February 1910 their watchful waiting seemed futile, and a restless mood prevailed at the meeting of the Committee's executive. Harry Cutler, assemblyman from Rhode Island who had recently conferred with Taft, defended the President's delay. Nevertheless, the majority could not see letting matters drift any longer. "We have been fed on similar promises and assurances for many years," Schiff remonstrated, and "four years more will pass and nothing will have been accomplished . . . We were simply licking the hands of the President. We do not respect ourselves sufficiently to come out boldly and demand our rights." Schiff was the most outspoken, but others suggested bringing the matter to Congress and enlisting the aid of non-Jews. Finally they agreed to ask the President for an interview, which would give him a last chance to act before the Committee began any agitation in Congress.

Subsequent events bolstered the Committee's determination to press for "the ruder method of denunciation" in place of "the mere platitudes of negotiation." At the end of March the Committee learned that when the question arose of extending the minimum rates of the tariff to imports from Russia, the Tariff Board felt that prior assurances should be obtained from Russia on equal treatment for American Jewish travelers. Since Russia discriminated against American Jews, and thereby against American interests, she should be barred from the enjoyment of minimum rates. Although the State Department added the Jewish question to a list of demands presented

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13, 1908; Reznikoff, op. cit., I, 55-6.
32 AJYB, 5672 (1911-2), 40-2; Adler to Sulzberger, August 5, 1908; Reznikoff, op. cit., p. 56.
33 AJYB, 5672 (1911-2), 45-6.
35 AJYB, 5672 (1911-2), 42-5.
36 Minutes, February 20, 1910.
37 Ibid. The letter to the President asking for an interview was sent February 24, 1910. AJYB, 5672 (1911-2), 46-8.
to the Russian ambassador, a presidential proclamation extended the minimum rates to Russia before any reply reached the Tariff Board.\(^8^5\)

In May came news of the expulsion of Russian Jews from Kiev. Twelve hundred families were affected, but Ambassador Rockhill called reports exaggerated and cheerfully asserted that Premier Stolypin and most Russian officials were "distinctly friendly" to the Jews. The United States would only irritate Russia by protesting, since this was an internal matter; as for the passport question, new regulations were being drafted. Simultaneously, Schiff heard from a close business associate who had important connections with the German embassy at St. Petersburg that the situation of the Jews had never been worse. Still, if the United States and the European powers protested, it might be possible to secure equal treatment at least for foreign Jews.\(^8^6\) It is superfluous to add which of these antithetical reports the Committee believed.

Interestingly enough, that same spring Taft asked Sulzberger and Schiff to suggest a successor to Rockhill when the ambassador would resign. The Jewish leaders sidestepped the offer.\(^8^9\) To imply that Taft's choice had failed might further antagonize the administration, and to choose any successor could bind them to the status quo of innoxious and ultimately futile diplomatic interchanges.

Meantime, complying with instructions from Knox, Rockhill completed a survey for the State Department on the Jewish question in Russia. Even if not inspired by Stolypin, the despatch was a victory for him. What emerged was a logical explanation of Russian antisemitism and a sympathetic account of the "liberal" desires of the reigning party necessarily curbed by mass anti-Jewish sentiment. Rockhill stated that opposition to equal civil rights for Jews had increased as a result of Jewish identification with the revolutionary movement, and that this hostility pervaded the thinking of the general populace, the governing classes, the Council of Empire, and the Duma. As a result, the more liberal impulses of the ministry were stifled, and it was futile to expect any legislative revision affecting native or foreign Jews. The French, British, and German governments were not pressing for such revisions, and the United States had not seen fit to pursue Root's suggestion of 1908 for a new treaty of commerce. Nevertheless, Rockhill was still hopeful. Since the Russian foreign office realized that the modification of restrictions on foreign Jews would remove a source of friction in its international dealings, it

\(^8^5\) AP: Herbert Friedenwald to Sulzberger, March 31, 1910 with enclosed memorandum.

\(^8^6\) SP: M.M. Warburg to Schiff, May 1, 1910. Warburg too thought it imperative to secure the rights of foreign Jews in Russia: "If we should achieve any amelioration of the situation in this regard, I believe that the indirect effect of putting an end to such differential treatment will also have an effect upon the treatment of Russian Jews." Fulton M. Brylawski to Friedenwald, May 15, 1910; Dubnow, op. cit., III, 157.

\(^8^9\) Memorandum of a conference between Mayer Sulzberger, Jacob Schiff, Cyrus Adler and President Taft, Secretary Knox, and Ambassador Rockhill, May 25, 1910; Reznikoff, op. cit., I, 80.
was studying the passport question, and amelioration might yet be achieved by executive action which did not require Council or Duma sanction.41

A month later, on May 25, Rockhill was in Washington at a conference including the President, Secretary Knox, and Committee members Sulzberger, Schiff, and Adler. Unlike previous meetings where Jewish demands drew forth sympathetic assurances, the administration was now arrayed in opposition to the petitioners. Drawing on Rockhill's despatch, the State Department had prepared a memorandum depicting the relatively calm situation of Russian Jewry and the desires of the ministry to relax restrictions. Rockhill added a specific warning to the American Jews that if foreign Jews received rights to travel throughout Russia, native Jews would have to enjoy similar privileges, and massacres by a hostile populace would ensue.

The Committee retorted that the State Department's information on the situation of Russian Jewry was wrong and that they were willing to risk the chance of massacres.42 Sulzberger then presented the Committee's plan: 1) the State Department should transfer the seat of negotiations to Washington, since nothing had been achieved in St. Petersburg; 2) the United States should intimate that it might be necessary to denounce the extradition treaty, which meant much to Russia but little to America; 3) if Russia persisted in her discrimination, the United States should terminate the 1832 treaty. Exports to Russia amounted to no more than seventeen million dollars, and while Russia would not suffer any heavier losses she would prefer to keep American friendship.43 Though left unsaid at the meeting, the Jewish leaders proposed to bring negotiations to Washington because they believed, in the light of the misinformation gathered on Russian Jewry, that the American ambassador was sucked into the court circles at St. Petersburg and kept in ignorance of true conditions. Furthermore, with negotiations in Washington under the direct supervision of the President, it would be easier to hold Taft responsible for their outcome.44

Taft instructed Knox to prepare a full memorandum on the subject.

41 SDF: W.W. Rockhill to Knox, No. 118—April 20, 1910 (included in Memorandum for the President on the Protection of American Citizens in Russia, January 9, 1911).

42 Indeed, the Committee asserted publicly that abrogation could not worsen the situation of Russian Jewry and might even improve it. Hearing before the Committee on Foreign Affairs . . . December 11, 1911, pp. 58, 75.

43 Memorandum of a conference . . . May 25, 1910. The Committee's figures for exports to Russia were much too low. According to a neutral source, direct exports amounted to over $38,000,000, and added to those American goods which reached Russia via English and German mercantile houses, the total came to over $65,000,000. Imports and exports together amounted to over $80,000,000 in 1910. Hogan, op. cit., pp. 635-6. Rockhill's estimates were even higher. See text, p. 16.

44 Curtis Guild to Alice Stone Blackwell, May 6, 1911; SP: Schiff to Taft, February 20, 1911; Reznikoff, op. cit., I, 75; Minutes, May 29, 1910. The Committee began research into the question of removing negotiations from one capital to another under international law and usage (AP: Adler to Brylawski, May 26, 1910), and they continued to press this point to the President. AYJB, 5672 (1911-2), 51-3. According to Taft, however: "The consideration of that suggestion brought out that because of the necessity of referring such matters to the Russian Department of the Interior, which is the Police Department, there would be too many delays, and that course was not considered effective." Reznikoff, op. cit., I, 80.
for presentation at a cabinet meeting. As the months passed with no answer from the White House, the Committee weighed the idea of taking their demands to the public. Indeed, if the State Department rejected their plan they had no alternatives but to yield or to seek the support of public opinion. One magazine had already invited Sulzberger to prepare an article on the issue, and Lyman Abbott had agreed to support the Committee's case in the influential Outlook. Yet, a public campaign was a gamble fraught with many dangers. It would mean open conflict with the administration and a chance of losing power to bargain on future issues. Secondly, it would require a thorough education of the public, since even congressmen were uninformed on the problem. And, after the Committee spent the money and effort for education, they still would have no guaranty that the public would side with them. Thirdly, they feared raising any question which might appear as Jewish agitation and possibly cause an antisemitic reaction. Finally, if they lost after a public fight, their prestige with both the Jewish and general public would shrink considerably.

The Committee had never conducted a public campaign before and, in fact, the pattern of Jewish petitions to the government, whether in the interests of American or European Jewry, was generally that of secret diplomacy. Wealthy or politically prominent individuals asked favors or took up grievances, but always in the form of discreet pressure and behind-the-scenes bargaining. They deplored the mass meeting type of agitation and operated rather by personal contact and informal interviews, which never caused embarrassment or got out of control. Though critics within the Jewish community lashed out at this procedure which was not authorized by the community at large, numerous successes convinced the self-appointed Jewish representatives of the efficacy of their methods.

At the end of 1910, with the aid of Colonel Isaac N. Ullman, a Republican boss of Connecticut and associate of the President, the Committee forwarded material to the White House urging abrogation. Representative Herbert Parsons of New York also reviewed the passport matter in a letter to the President, advising Taft to endorse abrogation before it was effected by a Democratic Congress. These efforts were made in the hope that the President might bring up the subject in his annual message, but Taft ignored the passport question completely.

46 Minutes, September 26, 1910; Sulzberger to Straus, June 29, 1910; Schiff to Adler, June 10, 1910. Schiff wanted the Committee to make sure that Abbott was properly informed and "steered."
47 Sulzberger to Straus, June 29, 1910. Sulzberger wanted to know: "At what stage or period will we be free to use the public press without just offense to the Administration? In any event, is there a time when a notice of such intention to the Administration would be construed otherwise than as a threat? and, as such, be held a good cause to refuse further negotiations?"
49 AP: Harry Cutler to Adler, November 4, 9, 12, 1910, Adler to Cutler, November 8, 1910, SDP: Cutler to Charles D. Norton, November 24, 1910, Parsons to Taft, November 25, 1910.
sent its long awaited memorandum to the President spelling out its case against abrogation. America's commercial interests, her plans in the Far East, her negotiations with Japan involving immigration, and her desire to pursue the suggestion for a new treaty of commerce with Russia would all be injured by championing abrogation. According to Knox, more could be accomplished by "quiet and persistent endeavor." The Department followed up this note with a fifty-four page memorandum, including in full Rockhill's despatch on the Jewish question, on the history of the passport impasse.60

The Committee soon learned of Knox's general conclusions,61 and a public airing of the question appeared more desirable. If the President were not yet committed to the State Department's position, public opinion might jolt him into support of abrogation. If he chose to side with Knox, a public campaign aimed at congressional rather than executive action was the only way left to achieve abrogation. The opportunity presented itself when the Union of American Hebrew Congregations, the organization of reform Jewish communities, invited Marshall to address its convention on the passport matter. For a while the Committee hesitated, still wary of publicity, but Charles D. Norton, Taft's secretary, advised that a public address might help Taft in any action he might take. Upon this go-ahead signal Marshall consented, resolving to discuss the matter as one affecting the American people as a whole, and receiving assurances that no discussion would follow his address.62 Accordingly, on January 19 he officially opened the public campaign for abrogation.

III

Marshall's address63 set the pattern both in content and tone for the entire campaign. He began with an appeal to American pride, for he defined Russian discrimination against American Jews as an insult to the entire nation. Native born or naturalized, of Russian or non-Russian stock, all Jews were arbitrarily rejected. The Jew, Marshall continued, might look down upon his persecutors with pity and contempt, and suffer in silence as his ancestors did for centuries. But he is now more than a Jew—he is also an American citizen, and the hand that smites him inflicts a stain on his citizenship. It is not the Jew who is insulted; it is the American people. And the finding of a proper remedy against this degradation is not a Jewish, but an American question.

According to Marshall, the party platforms of 1904 and 1908 as well as

60 SDF: Knox to Taft, December 14, 1910 (with enclosure), Memorandum for the President on the Protection of American Citizens in Russia. The new treaty of commerce referred to the idea broached by Secretary Root in 1908. In the December memorandum the State Department also argued against abrogation of the extradition treaty of 1887.
62 SP: Schiff to Sulzberger, December 23, 1910; Marshall to Schiff and to Sulzberger in Reznikoff, op. cit., I, 57-9.
Taft's campaign speeches were admissions that Russia's attitude constituted an American problem. Legally Russia was in the wrong. Marshall cited judicial opinions affirming that treaties were to be interpreted in a broad and liberal spirit, and that neither party could construe a treaty to justify exceptions that both signatories had not agreed upon. By making exceptions to Article 1 of the 1832 treaty, Russia violated the compact. While the United States faithfully lived up to its treaty obligations, Russia inquired into the religion of American passport holders and refused to honor the passports of Jews. Since diplomatic methods had failed to remedy the evil, America's only recourse was to terminate the treaty. (The idea of war, Marshall injected, was preposterous; America's mission, like Israel's, was peace.) The treaties of 1832 and 1887 both included provisions for termination, but even if they did not, international law provided that a treaty could be abrogated under analogous conditions.64

Even commercial considerations, Marshall continued, could not gainsay the need for abrogation, for Americans would not sacrifice ideals for dollars. As for the possibility of American capital investment in Russia, the tsarist government had shown by its untrustworthiness that such investments would be most risky. Neither could the claim of Russia's historic friendship for the United States warrant continuance of treaty relations. If Russia had done anything to benefit America in the past, it had been motivated solely by political expediency, and America owed no favors to the tsarist regime.65

Marshall gave only a partial picture of the considerations tangential to abrogation. Obviously, he would not spell out the basic aims underlying the Committee's efforts. But he ignored other aspects as well: would threats or coercion effect a change in Russia's discriminatory policy, would abrogation act adversely on Russian or American Jewry, could abrogation fit into the United States' larger diplomatic pattern? Furthermore, even those areas which Marshall did cover could have another side.

The "other side" was best expressed in various memoranda formulated by the State Department largely from Ambassador Rockhill's despatches.66

64 This short legal brief by Marshall became a stock pattern reiterated over and again in subsequent expositions by advocates of abrogation. The legal arguments against Russia were worked out more thoroughly in an address (prepared with Marshall's aid) by Judge Rufus B. Smith and in a brief appended to a report submitted by the Committee on Foreign Affairs to the House of Representatives. These stressed the additional points that no intent to discriminate existed on Russia's part in 1832, that her construction of the treaty for its first thirty years affirmed its non-discriminatory character, and that a local law could not override a treaty obligation in the protection of foreign citizens. Smith, Rufus B., The United States Passport and Russia, A Paper Read before the Temple Club of Congregation B'nai Israel, Cincinnati, April 5th, 1911; MP: Marshall to Friedenwald, April 19, 1911: 62 Cong. 2 Sess., House of Representatives, Report No. 179, The Abrogation of the Russian Treaty, pp. 8-14.

65 The myth of the long-standing friendship between the United States and Russia had been attacked in 1905 in Oscar S. Straus' article, "The United States and Russia: Their Historical Relations," North American Review, cclxxvi (August 1905), no. 2, pp. 237-50.

66 SDF: Knox to Taft, December 14, 1910 (with enclosure), Rockhill to Knox, January 21, 1911, No. 461—January 30, 1911, No. 522—April 13, 1911. Some Reasons Why the Executive
In the first place, the Department regarded the passport matter as a strictly Jewish issue and abrogation as serving, in Knox’s words, “the interests of the Jewish population of the United States.” Secondly, to coerce Russia, so sensitive on the question of Jewish policy, “would be an act of unprecedented disdain towards a friendly nation, which could scarcely fail to arouse antagonism and challenge retaliation.” Not only would Russia remain unmoved in its treatment of foreign Jews and refuse to consider the proposal made in 1908 for a new treaty, but resultant ill-feeling would bring even additional hardships for both Russian and American Jews. The tsarist government would no longer make exceptions for prominent Jews seeking access to the country, and American Jews of Russian origin would lose their right of inheritance in Russia as guaranteed by Article 10 of the 1832 treaty. Besides, why should the United States bear the brunt of Russian displeasure at a time when European nations with large Jewish populations did nothing, especially in light of Russian cynicism which interpreted the government’s altruistic attitude toward Jews merely as a means of buying votes.

More important, abrogation would harm vital American interests. Rockhill estimated Russia’s annual consumption of American goods as close to $150,000,000 and American capital investments in Russia as more than $225,000,000. Not only would abrogation remove the United States from a most favored nation position and result in the levying of prohibitory duties on American products, but American companies in Russia would become subject to arbitrary administrative justice. Further capital concessions, now in the offing and sure to enhance American influence and prestige, would be out of the question. In retaliation Russia might also denounce the corporation convention of 1904.

As for the configuration of power politics in the Far East, Russia loomed increasingly important as a counterpoise to Japanese expansion. Abrogation would turn Russia against American policies in China, and the European powers would interpret America’s anti-Russian action as an identification with the Germanic group against the Triple Entente. American interests in the Near East and even her projects in connection with the Hague Court might suffer. All this, according to Rockhill, boded only ill for the United States. And, after all, were national interests to be subservient to a small group of individuals? Only twenty-eight American Jews resided in Russia, and the State Department knew of only four cases in five years where American Jews were denied admission into Russia. 88

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87 Ambassador Rockhill had predicted earlier that European nations would not follow suit. Memorandum of a conference ... May 25, 1910.
88 The State Department admitted that it had only casual knowledge of those visas refused, and other cases might have been overlooked in the Department’s voluminous correspondence. SDF Knox to Parsons, August 8, 1911. Besides, Jewish applicants might also have been turned down on technical grounds, and Russian discrimination may have frightened away would-be applicants.
Legal principles did not counterweigh diplomatic or commercial factors for, according to the State Department, Russia had not violated the treaty. The qualifying clause in Article 1 adequately covered the restriction on the entry of Jews. Once in Russia a foreign Jew was subject to regulations governing Russian Jews, for these were part of the "national treatment" extended by the treaty. An intra-departmental memorandum summed up the prevailing attitude:

The Department earnestly desires to secure for Americans of Jewish faith or race the rights of free access and unrestricted residence in Russia; but it finds its efforts in this direction embarrassed by what it considers an ill-advised agitation based upon the assumption that such rights are guaranteed by the terms of the existing treaty, and are withheld by Russia in violation of that treaty. The Department, however, is not of the opinion that the restrictions imposed by Russian law upon the entry and sojourn in Russia of foreign (including American) Jews constitutes [sic] a violation of any existing treaty arrangement between the U.S. and Russia; and it feels that this confusion of the rights we possess with the rights we desire, and the consequent insistence upon the allegation that Russia in exercising her natural sovereign rights is acting in breach of faith towards this country, is itself an obstacle to the attainment of the objects that this Government has in view.

Furthermore, how could the United States in all good faith gainsay Russia's right to regulate immigration when she was behaving the same way toward the Chinese and Japanese? Just as the United States, in an attempt to protect its laborers, emphasized its sovereign right to exclude certain aliens, so Russia sought to exclude Jews out of its own economic motives. Abrogation would only embarrass the government on all scores, and ultimately the problem, if let alone, would probably be solved satisfactorily by Russian ministerial action.

The State Department was not the sole critic of the advisability of abrogation, and the friends of abrogation were forced to amplify their arguments in the course of the public campaign. To hammer home the thesis that theirs was an American cause, the Committee recounted over and over how Russia also refused visas to Catholic priests and Protestant missionaries. As for possible adverse effects on Russian and American Jewry, the Committee was

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69 If "national treatment" did not include discrimination, the State Department argued that British Africans coming into the United States under analogous treaty provisions would be exempt from Jim Crow restrictions in the South and would thereby enjoy better treatment than a class of native American citizens. SDF: Some Reasons Why the Executive Should Not Favor . . . Denunciation [February, 1911].

60 SDF memorandum by J.V.A. Mac Murray to A. A. Adee, August 31, 1911 (attached to Parsons to Knox, August 28, 1911).

61 Friedenwald to David Phillipson, October 9, 1911; MPP: Marshall to John Mueller, December 15, 1911; Termination of Treaty between the United States and Russia. Hearings February 16 and 22, 1911 on H.J.R. 284, pp. 4, 16; Hearing before the Committee on Foreign Affairs . . . December 11, 1911. pp 68, 78, 95; Treaty of 1832 with Russia, Hearing before the Committee on Foreign Relations, United States Senate, Sixty-second Congress, on S. J. Res. 60, December 13, 1911 (Washington 1911). pp. 6, 7; New York Evening Mail, June 29, 30, July 3, 8, 1911. Representative Morris Sheppard of Texas introduced a resolution aiming to secure the right of American missionaries in Russia. CR, 62 Cong. 1 Sess., p. 85.
ready to gamble. 62 Without a treaty Russia could refuse to recognize an American passport, but she had done that even with a treaty. American Jews did not care about their rights under Article 10, which could be disregarded as arbitrarily as Article 1, and how much real property could they have owned when subjects of the Tsar. 63 Legally, Article 1 might be construed literally in Russia's favor, 64 but there was no question that Russian practices on granting visas violated American institutions safeguarding liberty of conscience. 65 Nor could there be any analogy with American exclusion of Orientals, for that referred to immigration and not temporary sojourn under a treaty, and, besides, Chinese exclusion conformed with diplomatic arrangements between the two countries. 66 Finally, the Committee put no stock in hopes for ministerial action, for Russia held out vague promises only to forestall definitive progress. 67

The Committee never discussed American designs in the Far East, but they could not dismiss the commercial argument as superficially as Marshall had in his opening address. Besides the existing trade and the operations of trusts like International Harvester, Singer Sewing Machine, and Westinghouse, certain American circles looked for further concessions from the tsarist government. In 1910-11 industrial engineer John Hays Hammond visited Russia at that government's request to survey possibilities for American capital investment. 68 Ambassador Rockhill, who heartily endorsed dollar diplomacy in its application to Russia, summed up one business opinion: "We need Russia more than she needs us. We who are so clumsily struggling for new markets everywhere . . . have already great interests involved here, and still greater to come." 69

The AJC contended during its campaign, however, that even if Russia

62 President Taft and ex-President Roosevelt warned privately that a public campaign might stir up antisemitism in the United States. SP: Schuff to Ochs, April 28, 1911; Selections from the Correspondence of Theodore Roosevelt and Henry Cabot Lodge, 1884-1918 (2 vols. New York 1928), II, 413. Marshall, for one, rejected this argument: "If insistence upon rights of citizenship and of protection and equality with every other citizen can be productive of such a consequence, then we must bear it. We will have at least acted the part of men, and will have at least indicated that we no longer possess the clinging Ghetto spirit. No man who is not already an anti-Semite will become one, merely because his Jewish fellow-citizens are seeking the same rights which he possesses and which are assured to them under the Constitution, to which both have sworn fealty. We cannot get rid of anti-Semitism merely by speaking with bated breath, or by attempting to shield ourselves against the possible consequences of asserting our rights in a dignified manner." Reznikoff, op. cit., I, 105.

63 Marshall to Parsons, January 28, 1911; Hearing . . . on S.J. Res. 60, p. 23.

64 A defense of Russia's position was presented to the Committee by Professor F. I. Herriott of Drake University. His case rested on Russia's adherence to the doctrine of perpetual allegiance, her rights encompassed by the meaning of sovereignty, and the "on condition" clause of Article 1. F. I. Herriott to Friedenwald, March 17, April 1, July 26, 1911.


67 Friedenwald to Lee M. Friedman, June 8, 1911.


69 Herman Bernstein's interview with Ambassador Rockhill, May 23, 1911 (and published in NYT, November 27, 1911).
refused to negotiate a new treaty, abrogation would not destroy these interests. Commerce did not depend upon a treaty, and if Russia or America had anything to sell, abrogation would not keep the other from buying. Once an American entered Russia, violation of his rights constituted grounds for intervention by his government, and that too was independent of treaty relations. As for industrial plants, they functioned under Russian charters and abrogation would not interfere with their operations. Neither would capital investments suffer, since the same motives which prompted Russia to grant concessions to Americans would insure their protection.70 The Committee also pointed out that Russian commercial motives played a large part in her attitude on the passport, for visas were readily granted to Jews if they booked passage on Russian ships. In other words, tsarist practices also discriminated against American shipping interests.71

The Committee did not present an open and shut case for abrogation, but interestingly enough, the very fact that their campaign was public covered up for the shortcomings in their arguments. (Conversely, the administration's opposing views were weakened just because they were not made public. Secretary Knox did not mention American interests in the Far East even when he discussed abrogation with the chairman of the Senate Committee on Foreign Relations.)72 When the issue was put before the public in idealistic terms as a stain on America's honor and an affront to a liberal's sense of justice, other considerations became only legal pedantry or crass materialism. Besides its emotional appeal as a crusade against the forces of despotism, the issue was a safe one. Comparatively few Americans knew what was involved, and even fewer had conflicting interests. Politicians too could latch on to abrogation, since it was easy to arouse public sympathy where it cost nothing, and the campaigners carefully avoided partisan appeals. Though it might have been true that the Democratic House of Representatives used the Jewish cause to embarrass the administration, a Republican Senate voted for abrogation without a dissenting voice.73 Fortunately for the campaigners, they operated when liberalism in America was at high tide. Most people were morally indignant at Russian discrimination, and those who were not were loath to pit themselves against the popular currents in public.

IV

Upon the conclusion of his address, the Union of American Hebrew Congregations passed a resolution which Marshall had drafted in advance:

That it is the sense of this Council, speaking not as a representative of Jews,

71 AJYB, 5672, (1911-2), 30, 34-6, 59-60; Memorandum of a conference . . . May 25, 1910; Friedenwald to Louis Wiley, July 14, 1911; AP: Adler to Cutler, April 17, 1911; Hearing before the Committee on Foreign Affairs . . . December 11, 1911, pp. 35-6
72 SDF: Knox to Shelby M. Cullom, June 30, 1911. The Department officials thought it most prudent to disclose as little as possible on the issue (even to congressmen), and they hoped to avoid stirring up any additional public agitation. SDF: R. W. Flournay to E. E. Young, December 8, 1910, Knox to W. E. Chilton, March 31, 1911, A. A. Ames to Knox, March 31, 1911, F. W. Huntington-Wilson to Curtis Guild, September 5, 1911.
but as a body of citizens having at heart the preservation of the honor of the Nation, . . . that the President of the United States, the Department of State and Congress be respectfully and earnestly urged to take immediate measures, in conformity with the express terms of the treaties now existing between the United States and Russia, and in accordance with the law of nations, to terminate such treaties; to the end that if treaty relations are to exist between the two nations, it shall be upon such conditions and guaranties only, as shall be consonant with the dignity of the American people.  

Thus, the fight for abrogation entered a new stage; the public now assumed an active role in what heretofore had been private juggling between the AJC and the administration. From January until December, when abrogation was achieved, the Committee worked on two levels. It continued its private diplomacy and more discreet type of pressure while simultaneously conducting a major public campaign to evoke popular insistence throughout the country for terminating the treaty of 1832.

Marshall’s public appeal did not convince Taft, for simultaneously the State Department was building up its case. When Herbert Parsons announced his intention in mid-January of introducing a resolution for abrogation, Knox quickly relayed additional information to the President from Rockhill warning that such action would never accomplish its aim but would only injure American economic and political interests. On February 3, Taft and six cabinet members discussed the problem into the late hours of the night, and all arrived at the same conclusions. The Committee knew of these developments and consequently raised no false hopes when Taft invited several representatives from the Committee, the Union of American Hebrew Congregations, and the B’nai B’rith to confer with him.

By the time of the White House meeting (which, as Schiff later expostulated to Taft, was not a conference but only a forum for the President to expound his conclusions on the subject77), Taft had made up his mind. Pragmatically it would be foolish to abrogate the treaty. The United States had not acted against Russia’s interpretation for over fifty years; on the security of that treaty American commerce and capital investments had flourished; abrogation would subject these interests to Russia’s arbitrary control. Yes, Taft remembered the 1908 election pledges, and yes, he believed Russia’s position wrong (even though not all secretaries of state had thought so). But as President of the entire country he could not sacrifice the interests of many for a principle which would not be realized even if the sacrifice were made. Furthermore, though he welcomed Russian Jews to the United States, especially if they spread out in the west, abrogation might disrupt the normal

75 SDF: Parsons to Taft, January 16, 1911, Knox to Taft, January 25, 1911.
76 Parsons to Marshall, January 27, February 4, 1911; SP: Schiff to Adolf Kraus, February 9, 1911.
flow of immigration and make the plight of the immigrants more pitiful.\textsuperscript{78} Besides, he vaguely asserted, the situation in Russia would improve. Taft had been firm and detached but not unfriendly, but he erred badly by showing the delegates the memorandum from Rockhill which presented Russia’s case for discriminating against Jews. Incensed by this prejudicial statement and disappointed by Taft’s unyielding position, the Jews announced that the meeting merely strengthened their previous opinions. They left the White House knowing that abrogation would come about only if they could stir up enough pressure in Congress and the country at large to force Taft’s hand. Taft too remained adamant, reasserting privately: “I am President of the whole United States, and the vote of the Jews, important as it is, cannot frighten me in this matter.”\textsuperscript{79}

With an antagonistic President and State Department the AJC was more than pleased when Representative Parsons introduced his resolution for abrogation early in February. Marshall testified on its behalf before the Committee on Foreign Affairs, highlighting the same points he had made before the UAHC and affirming the hope that American action would arouse world opinion and eventually influence Russian policy.\textsuperscript{80} The Jewish leaders gratefully accepted the support given their cause by Parsons and Representative Francis B. Harrison of New York and roundly criticized their own coreligionist, Representative Henry M. Goldfogle, for equivocating before the Committee on Foreign Affairs on the need for abrogation.\textsuperscript{81} Parsons’ resolution died in committee—a death attributed to. Secretary Knox’s influence—and the AJC geared their sights to the next session of Congress and the more difficult task of seeing such a resolution through the Senate.\textsuperscript{82}

Meantime, the publicity campaign was getting under way. The first step was the distribution of Marshall’s address, and by mid-March thirty-two thousand copies had been circulated among Congress, state legislators, newspapers and magazines, politicians, educators, clergy, lawyers and judges, and even fraternal organizations. A covering letter to “the creators and leaders of public opinion in every part of the country” appealed to them “to use their power as writers, preachers, statesmen or men of affairs to present in cogent form to their several constituencies, the momentous questions in-

\textsuperscript{78} Taft later warned Simon Wolf that abrogation would increase immigration to the United States and arouse the anti-immigration groups. MP: Wolf to Marshall, July 17, 1911.

\textsuperscript{79} Reznikoff, op. cit., I, 78-86. A fuller account by Marshall of the conference, especially of the Jews’ reaction to the presidential statement, is in Minutes, February 19, 1911. AP: Adler to Friedenwald. February 17, 1911; Taft Papers: Taft to Guild A. Copeland, February 16, 1911. Taft reiterated his stand a few days later in a letter to Schiff. Wolf, op. cit., pp. 315-7.

\textsuperscript{80} CR. 61 Cong. 3 Sess., p. 2321: Hearings . . . on H.J.R. 284, pp. 11-21.

\textsuperscript{81} SP: Schiff to Taft, February 20, 1911, to Parsons, March 9, 1911; MP: Marshall to Wolf, March 4, 1911. Friedenwald to Marshall, March 27, 1911; Reznikoff, op. cit., I, 89-90. The Committee also turned for cooperation to two coreligionists in the Senate, Simon Guggenheim of Colorado and Isidore Rayner of Maryland. AP: Brylawski to Adler, January 28, 1911: MP: Friedenwald to Marshall, March 27, 1911.

\textsuperscript{82} AP: Friedenwald to Adler, March 1, 1911; SP: Schiff to Parsons, March 9, 1911; MP: Marshall to Wolf, March 4, 1911.
At the end of January Schiff took along a copy of Marshall’s address to a dinner of the executive of the Friends of Russian Freedom, and that society agreed to cooperate by establishing a bureau of information to furnish the press with news of political developments in Russia. By the end of February Dr. Herbert Friedenwald, secretary of the Committee, could report that as a result of the distribution of Marshall’s address resolutions had been introduced and would undoubtedly pass in the legislatures of New Jersey, New York, Wisconsin, and Arkansas. The Committee then set out to distribute Parsons’ pro-abrogation speech delivered in the House on February 22, for this had the added advantage of non-Jewish authorship.

More extensive plans for publicity developed in the succeeding months. Envisioning a campaign that would last for over a year, the Committee planned that “the matter should be given such publicity, that resulting agitation would be so active by the next presidential campaign that one of the parties would pledge itself to bring about the abrogation of the treaty with Russia.” The Committee sought professional advice from two of its friends most familiar with the publishing world, Samuel Strauss, formerly of the New York Globe, and Adolph S. Ochs of the New York Times. After much consultation a specially appointed publicity committee finally drew up a schedule in June on how to publicize the abrogation campaign. Adopting bits from both Ochs’ and Strauss’ points of view, the Committee decided to direct the writing of articles itself and to use a news agency to distribute the material to smaller journals. The plan also called for six to ten short articles on phases of the passport question, articles by carefully selected men to appear in half a dozen magazines, and statements by members of Congress who were known as friends of abrogation. In addition, agents of the Committee would contact editors of leading periodicals in all cities with a population of over 100,000 in an endeavor to obtain frequent editorial comment and special feature articles on abrogation.

The publicity schedule did not materialize exactly according to plan, since abrogation was achieved eleven months before the election of 1912, the theoretical terminal date for the campaign. Despite this telescoping in time, the campaign managed to embrace most of the salient points listed by the publicity committee. From June 23 through July 24 a series of short articles appeared daily in the New York Evening Mail which presented the
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case for abrogation in popular emotional terms. (Among the titles were "Czar Holds Inquisition in this City," "Russia Persecutes Christians, Too," "Russians Think Only the Dollar Rules in America," "Russian Murders of Jews Belie all Reform Pledges." The bulk were written by journalists Joseph Chamberlin and James Creelman on the basis of material supplied by the Committee, but statements were added by Congressmen William Sulzer, Champ Clark, Francis B. Harrison, Henry Goldfogle, and ex-Representative William S. Bennet. The Evening Mail series aroused sentiment in the New York state legislature for abrogation and brought forth additional support in the halls of Congress. Though the Committee produced no prominent magazine articles, it worked with newspapermen Herman Bernstein and George Kennan, and in this way pro-abrogation and anti-Russian pieces appeared in the New York Times and The Outlook. They also distributed newspaper articles written by officers of the Committee as well as a special feature on the passport question prepared for the American Jewish Year Book for 1911. In the drive for editorial support the officers of the Committee personally sought out editors and publishers they knew, in outlying districts they used friends to influence the local press. A note from the New York office to Atlanta showed the Committee's ability to appeal to sectional interests. Referring to the administration's support of John Hays Hammond's mission to Russia, which led to a scheme for the development of the cotton industry there, Friedenwald commented: "[It] shows how the administration has been putting aside the Passport Question in the interests of a few men whose schemes if pushed to the utmost would injure the southern cotton industry."

Among the numerous individual cases of Russian discrimination cited during the campaign, the Committee also played up the experience of two of its own members. They told how Oscar S. Straus, ambassador to Turkey in 1909-10, had received special permission to visit Russia. Straus had only

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91 New York Evening Mail, June 24, 29, July 7, 11, 1911.
92 AP: Friedenwald to Samuel Strauss, June 19, 1911. The State Department unofficially answered a series of questions submitted by Chamberlin on the passport impasse, but the government's position on abrogation was not discussed. SDP: Memorandum by E. B. Young, June 15, 1911, and copy of questions and answers.
93 New York Evening Mail, July 3, 8, 11, 12, 13, 19, 22, 1911.
95 Friedenwald to Schiff, May 2, 1911, to George Kennan, July 7, August 1, 1911; MP: Friedenwald to Marshall, March 27, 1911; AP: Friedenwald to Adler, May 31, 1911. Kennan's attempt at a series of syndicated articles failed. George Kennan to Friedenwald, July 7, 1911. NYT, May 28 (magazine section), July 2, 1911 (magazine section); The Outlook, xcviii, July 1, 1911.
96 Adler to Friedenwald, July 23, 1911; Sulzberger Papers: Friedenwald to Sulzberger, June 5, 1911.
97 AP: Friedenwald to Adler, May 26, June 9, 1911, Samuel Strauss to Friedenwald, June 15, 1911, Adler to Friedenwald, October 10, 1911.
98 Friedenwald to V. H. Kriegshaber, October 13, 1911; Charles Jacobson to Adler, November 28, 1911; AP: Friedenwald to Adler, May 26, 1911.
99 Friedenwald to V. H. Kriegshaber, November 21, 1911. The Committee also watched what they wrote about the Russo-Japanese war for fear that references to Japan might alienate congressmen from the Pacific coast. Adler to Friedenwald, July 23, 1911.
toyed with the possibility of accepting the invitation extended to him by the Russian envoy in Turkey, but the story of Russia waiving its discriminatory rules for an American dignitary who was also a prominent Jew was seized on by the press. As Marshall stated in his address to the UAHC: "As a crowning insult, it [Russia] has but recently issued a special edict offering to an American Ambassador the privilege of entering its territory, notwithstanding that he was one of the Jewish persuasion." By a special act of grace, an accredited representative of the Government of the United States was tendered absolution for the crime of being a Jew, a favor which this experienced diplomat happily declined to accept.  

Harry Cutler's case also reached the halls of Congress and the House Committee on Foreign Affairs. Cutler, a member of the Rhode Island legislature, had applied for a visa to visit Russia but was categorically turned down when he refused to state his religion to the Russian officials. Although Cutler argued that as an American he would not submit to a religious inquisition, for thereby he would be violating his oaths of allegiance to both state and nation, the Russian consul-general remained firm. For Jewish purposes, however, Cutler's trip like Straus' probably proved more helpful by not materializing.

While they pressed for coverage in the newspapers, the Committee kept careful watch for any articles or editorials which might have affected their cause adversely. When the New York Tribune, in an editorial entitled "Diplomacy by Diplomats," questioned the efficacy of abrogation to remedy the wrongs perpetrated by Russia and advised Congress not to meddle where the State Department was best equipped to act, Marshall quickly protested. Though his letter was not published, abrogation by Congress as the proper answer to the passport question was ably defended by William S. Bennet and Herbert Parsons. Interestingly enough, Taft took time out to congratulate Hart Lyman, editor of the Tribune, for his "sane" view of abrogation, and the arguments the President enumerated reflected the same position he had taken at the conference with the Jews in February.

The friends of abrogation were more upset when "The Other Side of the Passport Question" by a "Veteran Diplomat" appeared in the New York Times magazine section for July 9. It was bad enough that the writer was a confirmed Russophile, who interpreted the passport question solely as one of a nation's rights to determine who might immigrate, who disassociated Nicholas II entirely from Russian antisemitism, and who explained antisemitism in Russia as a racial prejudice born of economic factors. Worse, indeed,

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100 Reznikoff, op. cit., I, 64-5; Hearing before the Committee on Foreign Affairs ... December 11, 1911, pp. 51-2; Cohen, Public Career of Straus, pp. 337-8.
101 CR. 62 Cong. 2 Sess., pp. 318, 475; Hearing before the Committee on Foreign Affairs ... December 11, 1911, pp. 51-5. Cutler originally thought of entering Russia without a visa and changing the consequences, but the Committee advised him to apply for a visa but not to disclose his religion. If the visa were refused, he would thereby "make news." AP: Cutler to Adler, April 11, 1911, Adler to Cutler, April 17, 28, 1911.
102 New York Tribune, April 8, 15, 14, 1911; Reznikoff, op. cit., I, 91-3.
103 Taft Papers: Taft to Hart Lyman [April 8, 1911].
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was the fact that the influential Times had printed it. Marshall, who publicly refuted each of the Diplomat's (=Cunliffe Owen's) points, added that such an article in the Times would undo much hard work in the fight for redress. The Jewish papers echoed these complaints, and even Adolph S. Ochs, then in Europe, concurred in a letter to his business manager: "It is most unfortunate that The Times of all newspapers should have been made the vehicle of so misleading a discussion of the Passport Question."104

Unpublicized but even more important to their publicity campaign was the Committee's criticism of the Associated Press. A syndicate serving scores of newspapers exerted considerable influence in enlightening and moulding public opinion, and the Committee viewed the expose of Russian despotic practices as a base on which to build pro-abrogation sentiment. At the end of 1908 the omission of reports by the AP on renewed anti-Jewish outbreaks in the Russian empire gave credence, according to the Committee, to the "anti-Semitic inclinations" of the syndicate and its subservience to the Russian government. The Committee had verified the facts of persecutions through Jewish sources and the United Press, and they could prove as well how the AP omitted stories in any way critical of the tsarist regime.105 The Committee approached Melville E. Stone, general manager of the AP, asserting quite candidly that "the Agents of the Associated Press in Russia and wherever Russian influence comes to the fore, are to a considerable extent controlled by the desires of the Russian Government as to the character of the news that should be sent."106 They also turned to Frank B. Noyes, president of the syndicate, but the matter rested until May 1911 when Oswald Garrison Villard, chairman of a committee to investigate charges against the integrity and efficiency of the AP, invited Herbert Friedenwald to testify for the Committee.107 With the help of George Kennan and other friends, Friedenwald diligently prepared his case. Using Russian papers and the London Jewish Chronicle, the Committee showed the inadequate and distorted news coverage of the AP during the preceding fifteen months. They also brought to light Stone's early promise to Russian minister von Plehve to give Russia favorable reporting as well as the pro-Russian bias of L. Tsanoff, the AP'S agent in St. Petersburg. As for AP reports repeating the notorious ritual murder charges against Russian Jews, Friedenwald showed how these aided

104 NYT, July 9, 1911 (magazine section, p. 13), letters to editor, July 11, 12, 16 (Parts III and IV, p. 11), 1911; MP: Marshall to Friedenwald, July 11, 15, 1911, Friedenwald to Marshall July 14, 17, 1911, Louis Wiley to Marshall, July 28, 1911; AH, lxxxix, no. 11, July 14, 1911. Similarly, when the Boston Evening Transcript printed an anti-abrogation article on April 1, 1911, the Committee, suspecting the "high sources" behind the article, prepared a reply to be delivered by journalist Bernard G. Richards to the editor of the Transcript. AP: Schiff to Friedenwald, April 5, 1911. Lee M. Friedman to Friedenwald, April 3, 1911. Friedenwald to Adler, April 7, 9, 1911.

105 Friedenwald to Schiff, December 25, 29, 1908, to Ochs, December 25, 27, 1908, to Oswald G. Villard, December 28, 29, 1908.

106 Schiff to Melville E. Stone, December 30, 1908, followed up by a detailed exposition in Friedenwald to Melville E. Stone, January 5, 1909. Friedenwald charged that since Stone's interview with the bear and subsequent decoration AP news "has borne the stamp of official Russian authority."

107 Sulzberger to Frank B. Noyes, March 5, 1909; Frank B. Noyes to Sulzberger, March 13, 1909; Oswald G. Villard to Friedenwald, May 1, 1911.
Russian plots to instigate pogroms. Following Friedenwald's testimony, Villard informed Stone: "It was the unanimous opinion of the Committee, which I was directed to communicate to you, that Dr. Friedenwald has a very strong case against the St. Petersburg correspondent on the ground that he sends 1) improper news, like the abominable ritualistic murder story; 2) that he sends stale matter, and 3) that he does not properly cover developments in Russia... Please understand that Dr. Friedenwald's protest is only partly pro-Jewish." Though Stone appeared more reasonable now, the Committee kept up its file on the AP despatches and continued forwarding information to Villard. Nonetheless, the situation did not improve. Tsanoff stayed at his post even though the Committee had pressed for his removal, and years after the abrogation campaign was over Mayer Sulzberger could still write that most of the AP's stories from St. Petersburg were probably lies.

Newspapers and magazines were the most obvious means to arouse the public, but the Committee utilized other channels as well. They continued to push for resolutions by state legislatures, and they drew up pro-abrogation planks for the various party platforms scheduled for November 1911. They disseminated unsolicited material which came to their hands—speeches by prominent men, resolutions in favor of abrogation passed by various organizations. Since Russia also refused entry to Roman Catholic priests and Protestant missionaries, a special sub-committee was appointed to seek the cooperation of the clerical bodies concerned, and additional material was circulated specifically among religious groups. Towards the end of the campaign, the Committee also encouraged pro-abrogation rallies in various cities. The most notable of these, held in New York under the auspices of the National Citizens Committee, included in its roster of distinguished speakers Woodrow Wilson, Andrew D. White, William Randolph Hearst, and

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108 Friedenwald to Julian W. Mack, May 2, 1911, to Adler, May 4, 1911, to N. I. Stone, May 10, 1911, to Oswald G. Villard, May 4, 1911, to Sulzberger, May 18, 24, 1911, to I. A. Hourwich, May 24, 1911; I. A. Hourwich to Friedenwald, May 6, 20, 1911; N. I. Stone to Friedenwald, May 18, 1911; George Kennan to Friedenwald, May 20, 1911.
110 Friedenwald to Oswald G. Villard, May 24, June 7, July 5, 1911, to George Kennan, May 24, June 7, 1911; George Kennan to Friedenwald, June 2, 20, 25, July 7, 1911; I. A. Hourwich to Friedenwald, June 19, 29, 1911.
111 Friedenwald to Oswald G. Villard, June 20, 1911, to Ochs, October 16, 1911; Sulzberger to Adler, July 22, 1914.
113 AP: J. W. Freiberg to Friedenwald, June 14, 1911, Samuel Straus to Friedenwald, June 15, 1911; MP: Abram I. Elkus to Marshall, May 1, 1911, Marshall to Friedenwald, April 10, May 9, 1911.
114 Minutes, March 19, 1911; Adler to Friedenwald, November 6, 1911; MP: Marshall to Friedenwald, November 18, 1911.
115 Friedenwald to Charles Jacobson, December 8, 1911; MP: Friedenwald to Marshall, November 14, 1911; AP: Elias Michael to Adler, December 11, 1911; Hearing before the Committee on Foreign Affairs ... December 11, 1911, pp. 96, 100.
Champ Clark. Once the Committee began its open campaign for abrogation, public sympathy mounted rapidly, and the number of petitions favoring abrogation which reached Congress in 1911 testify to the success of that publicity work.

The Committee widened its base of operations for the publicity campaign. They invited the active cooperation of the B'nai B'rith, particularly because of their popular strength in the west, as well as that of the Board of Delegates of the UAHC. Those groups also alerted their members to petition their congressmen to support abrogation and to labor for newspaper coverage of the issue. Petty jealousies among the organizations cropped up during the year, but officially the three groups ran the campaign jointly. Besides gaining additional resources, the Committee thereby avoided any major challenge from within the Jewish community to its handling of the passport question. Similarly, with the major organizations allied, attempts by an individual to conduct an independent lobby could be more easily discouraged. When a Chicago lawyer sought to appear before the House Committee on Foreign Affairs, Marshall stopped him in no uncertain terms: "It would be better to allow that part of our work to be conducted by the regular organizations which have the matter in charge and by those who have studied this subject, not only recently, but for years. The members of our committees are personally acquainted with many of the men whose action will be controlling, and we have no illusions on this subject." In final analysis, however, major strategy, financing, and overall direction remained in the hands of the American Jewish Committee, and the story of abrogation is basically theirs.

While the publicity campaign moved into high gear, the Committee skillfully pushed developments in Congress. This, indeed, was the harder side of

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116 The proceedings of the mass meeting on December 6, 1911 were included in Hearing before the Committee on Foreign Affairs . . . December 11, 1911, pp. 5-31.
118 AP: Friedenwald to Adler, April 4, 9, 1911, SP: Schiff to Adolf Kraus, March 24, April 3, 24, May 1, 1911, to Friedenwald. May 8, 1911, MP: Wolf to Friedenwald, May 2, 1911, Friedenwald to Wolf, May 3, 1911; Proceedings of the Union of American Hebrew Congregations, VIII (1911-5), 6873, 6986.
120 MP: Adolf Kraus to Marshall, May 20, 1911. Marshall to Edward Menkin, May 31, 1911. When Schiff walked out of the White House after the February 15 meeting with Taft, he told Marshall that he could draw upon him for $25,000 for publicity work; actually, $15,000 came from the Russian Relief Fund and $10,000 from Schiff personally. Reznikoff, op cit., I. 86; AP: Friedenwald to Adler, April 9, 1911. In the Committee's archives there is an undated form letter appealing to members of the Jewish Publication Society for contributions for the passport cause.
121 Adolf Kraus, president of the B'nai B'rith, maintained that Taft considered the work of that organization most important for abrogation. Kraus, Adolf. Reminiscences and Comments (Chicago 1925), pp. 191-2.
the abrogation fight, for the unknown factors of personalities and timing in Congress ultimately determined the outcome. The plan was to force the hand of the executive by having Congress pass a joint resolution for abrogation, and the Committee armed itself early in spring with precedents of treaties repealed by Congress and Supreme Court opinion pertaining thereto. Aware of more active opposition in the Republican Senate, the Committee prepared to begin their fight in the House. Before Congress assembled in special session on April 4, they arranged with Representative Harrison for him to introduce the resolution on abrogation. They also learned from Harrison that the new chairman of the Committee on Foreign Affairs, William Sulzer of New York, would be friendly toward abrogation.

When Congress convened Sulzer, Harrison (jointly with Goldfogle), Calder of New York, Allen of Ohio, and Byrns of Tennessee all introduced resolutions for abrogation. Of the five the Committee favored Sulzer's, since he phrased the question as an American rather than Jewish one. They immediately contacted him, suggesting minor revisions, sending him relevant material and documents, and requesting permission to testify should his committee consider the resolution. Sulzer, who announced his determination to present the resolution as soon as the House would be ready to take up the matter, enjoyed his own importance in the abrogation campaign: "I am going to abrogate the treaty or Russia must recognize all American citizens without regard to race or religion." However, when the Committee later learned that the resolution would not be reported out until December, they gathered that Representative Oscar Underwood, who virtually ruled the House, was not interested in bringing up abrogation, and they made a special note to publicize abrogation in Underwood's district in Alabama.

In the upper house the Committee expected some opposition from the Committee on Foreign Relations, but Senator Simon Guggenheim, another of their liaisons, assured them that if abrogation passed the House, nine or ten of the fifteen committee members would support it. Once the resolution reached the Senate floor, the Committee felt confident that public sentiment

128 AP: Brylawski to Adler, January 31, 1911; Friedenwald to Adler, March 20, 21, April 5, 7, 1911; MP: Friedenwald to Marshall, March 27, 31, April 6, 1911. Obviously, the President would have to sign any congressional bill, but if a joint resolution for abrogation passed "substantially," feeling was that the President would sign it or let it become law without his signature. MP: Friedenwald to Marshall, March 31, 1911.
129 MP: Schiff to Parsons, March 9, 1911.
125 MP: Marshall to Francis B. Harrison, March 31, 1911. Marshall specifically did not want to see Goldfogle rush in with his resolution, for he believed that Goldfogle was interested more in publicity for himself than in the cause.
126 MP: Francis B. Harrison to Marshall, April 2, 1911. Friedenwald wrote enthusiastically about Sulzer: "[H]e can be counted on at any time, ... and for our purposes there can be no better man in the chairmanship of the Foreign Affairs Committee." To Adler, April 5, 1911, AP.
128 Friedenwald to William Sulzer, April 11, 16, 1911; AP: Adler to Friedenwald, April 11, 1911; Friedenwald to Adler, April 18, 1911; MPP: Marshall to William Sulzer, April 11, 1911; MP: William Sulzer to Marshall, June 2, 1911.
129 Francis B Harrison to Marshall, June 3, 1911; AP: Adler to Friedenwald, July 5, 28, 1911, Friedenwald to Adler, July 31, 1911.
would force the Senators to pass it.130 At the beginning of the special session, Senator Charles Culberson of Texas introduced a resolution for abrogation,131 but Chairman Shelby Cullom of the Committee on Foreign Relations, convinced by Knox of the folly of abrogation, tried to postpone action on it at least until the next congressional session in December. This would give the State Department time to effect a change in Russia's policy, for Knox had assured Cullom of the real possibility of amelioration by Russian executive action.132 To help offset Knox's influence over the Senate group, the Committee established contact with Culberson as they had with Sulzer. The Senator, who was pressing for immediate consideration of his resolution, said he knew of the "dilatoriness of the State Department, and that Mr. Knox . . . has] a seeming contempt for the legislative branch of this government."133 Appearing at the end of July before the Committee on Foreign Relations, Culberson rejected the chairman's suggestion for postponement and queried Secretary Knox directly on the chances of securing the right of passport. His efforts proved futile. The State Department deemed it inadvisable to divulge the progress of negotiations, and Congress adjourned before Cullom's committee acted on the resolution. However, Culberson managed to salvage something. He informed the AIC of questions raised by certain senators about abrogation, and, more important, he secured Cullom's permission for a representative of the Committee to testify when the resolution would be considered in December.134

The Committee had its standard bearers in both houses of Congress, but it knew it had to muster additional support for any definitive action.135 Furthermore, the first session of the sixty-second Congress had ended without any shift by the administration. The State Department had impressed its views on the Committee on Foreign Relations; the President still believed that Russia was becoming more tolerant and would modify its policy;136 and Ambassador Rockhill was openly voicing his hostility to abrogation. In a series of talks with journalist Herman Bernstein, Rockhill declared that it was bad policy to argue the passport question with Russia, for the United States needed Russia economically and politically more than Russia needed America. All European nations had similar passport problems with Russia, and nothing could be done about it until Russia settled her internal affairs.

130 AP: Brylawski to Friedenwald, May 22, 1911. Friedenwald to Adler, July 18, 1911; Minutes, April 23, 1911.
131 CR, 62 Cong. 1 Sess., p. 125.
133 Marshall to Friedenwald, July 5, 1911: AP: Brylawski to Friedenwald, July 6, 1911.
134 SDP: F. M. Huntington-Wilson to C. A. Culberson, July 27, 1911; AP: Brylawski to Friedenwald. July 27, 1911, to Adler. August 3, 1911. Cullom pointed out that it was unusual to allow anyone not of the Senate or State Department to appear before his committee. AP: Brylawski to Adler. August 3, 1911.
135 They now had until December "to get our publicity work in and impress the Senate with the strength of public opinion." AP: Adler to Friedenwald, July 12, 1911.
As for the plight of the Russian Jew, that was only an economic question, and Jews had exaggerated reports of pogroms and persecutions.\textsuperscript{187}

No change in policy was expected by American Jews when Curtis Guild, former governor of Massachusetts, was appointed to succeed Rockhill. Half a dozen Committee members and friends sought in vain to influence him through interviews and by referring him to published articles on the passport question. Guild resented the large number of petitioners who attempted to impress him with the need for abrogation as well as their implication that if he left the United States without the proper briefing he would be lured into the Russian camp in St. Petersburg. He rejected the idea of abrogation unqualifiedly, and he privately construed the agitation for abrogation as prompted more by a desire to increase hostility between Russia and the United States than to benefit American travelers. He left the impression with the American Jews, however, that no matter what his intentions were he was powerless, for he had received no instructions on the subject from the President or the Secretary of State.\textsuperscript{188} Once in St. Petersburg Guild's handling of the problem was limited to obtaining Russia's consent to consider a general arbitration treaty which might have covered the passport question. True, even someone more interested in resolving the impasse might have encountered difficulties, for there was no foreign minister in St. Petersburg to approach until December, and anti-Jewish feeling in Russia was heightened after Stolypin was assassinated by a Jew.\textsuperscript{189}

Even before Guild arrived at his post, the press reported that the tsarist government had removed restrictions on American Jews seeking to enter Russia for business purposes. Taft received numerous laudatory wires on the success of his diplomacy, but, as the Committee attempted hastily to prove, it was all false. "The misleading despatches about the alleged intentions of the Russian government to settle the Passport question are all part of a game too old to deceive any but the gullible and those who desire to be gullible." They regarded the story as having emanated from the State Department or from a Russian press agency as a ruse to forestall congressional action on abrogation.\textsuperscript{190} (The State Department had queried Rockhill on the reports and had ascertained that they had no official confirmation.\textsuperscript{111} The Committee sent out statements refuting the story, but they were especially upset that American Jews were so quick to congratulate the President. As

\textsuperscript{187} Taft Papers: Taft to Otto T. Bannard, June 17, 1911.
\textsuperscript{188} Strauss Papers: Herman Bernstein to Strauss, October 11, 1911; \textit{N.Y.T.}, November 27, 1911.
\textsuperscript{189} Lillian D. Wald to Julian W. Mack, April 18, 1911; Friedewald to Alice S. Blackwell, April 21, 24, May 9, 1911, to Max Mitchell, April 28, 1911, to Curtis Guild, May 9, 1911, to Sulzberger, May 9, 11, 16, 1911, to Marshall, May 10, 1911; Curtis Guild to Alice S. Blackwell, May 6, 1911, to Friedewald, May 8, 1911; Sulzberger to Friedewald, May 10, 1911; Lee M. Friedman to Friedewald, May 11, 1911; AP; Friedewald to Adler, May 11, 16, 1911; SDF: Curtis Guild to Knox, June 29, 911.
\textsuperscript{189} SDF: Curtis Guild to Knox, No. 140 December 22, 1911.
\textsuperscript{190} \textit{Aff.} xxxix, nos. 4 and 5, May 26, June 2, 1911; Friedewald to Lee M. Friedman, May 28, 1911; Sulzberger to Friedewald, May 29, 1911; MP: Friedewald to Marshall, June 1, 1911; Marshall to William Sulzer, June 3, 1911, Wolf to Marshall, June 2, 1911; Reznikoff, \textit{op. cit.}, I. 93-5.
\textsuperscript{191} SDF: Willbur J. Carr to John Snodgrass, June 30, 1911.
Marshall wrote: "They are always ready to be patted on the back, to crawl on their bellies, to be undignified, and to seek an excuse for communicating with the powers that be, even though as a result of it they gain nothing but the contempt which they deserve."142

Marshall’s bitterness about fawning American Jews reflected certain internal strains behind the Committee’s uncompromising stand for abrogation. Adolph S. Ochs, described as having no definite stand on any Jewish subject, equivocated on abrogation. Though he was too influential to quarrel with, the *Times* could not be counted on as an asset for publicity.143 Simon Wolf of the B’nai B’rith and the UAHC played both sides; officially in agreement with the Committee, he urged, nevertheless, that pressure for abrogation be let up so that Taft would have more time to pursue his own tactics. While the President regarded him as an ally, he thus weakened Committee efforts.144 A later rift in the Committee’s solidarity occurred in October when Theodore Roosevelt entered the abrogation picture with an editorial in *The Outlook* proposing arbitration to solve the impasse with Russia. (The idea of arbitrating the treaty of 1832 had been reported during the summer by Wolf and Judge Julian Mack as having come from the President, but Marshall had quickly quashed that suggestion.145) In this instance Oscar S. Straus argued with Marshall for Roosevelt’s position, which in fact was Straus’ idea originally. The proponents of arbitration maintained that if Russia’s position were upheld, it would be time enough to abrogate. If Russia refused to arbitrate, she would thereby provide an additional reason for abrogation. Also, a proposal to arbitrate would obviate any anti-Jewish feeling arising if the treaty were abrogated without having exhausted all reasonable attempts at solution. More important, in the course of proceedings Russia’s cruelty and discrimination would be revealed to the world, and public opinion would force amelioration of these conditions. The anti-arbitration position held that it would be impossible to submit as evidence the conditions of the Jews in Russia, and that arbitration would only sidetrack abrogation. Besides, no question involving the rights of citizenship under the Constitution should be made the subject of arbitration. Moreover, if the arbitrating body decided against the United States, the entire campaign for abrogation would be stilled. Though careful to commend Roosevelt for his vigorous condemnation of Russia’s behavior under the treaty, Marshall publicly countered Roosevelt’s

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142 Friedenwald to Lee M. Friedman, June 8, 1911; MP: Marshall to Wolf, June 3, 1911; *AH*, lxxxix, no. 5, June 2, 1911.
143 Sulzberger to Friedenwald, May 29, 1911; AP: Friedenwald to Adler, May 26, 1911; MP: Marshall to Friedenwald, May 31, 1911; Friedenwald to Marshall, June 1, July 17, 1911.
proposal in a letter to The Outlook and privately criticized Straus for creating dissension among the Jews.146

VI

Throughout their campaign the Committee avoided any appeal in Congress to partisan politics. Had they sought a party label for abrogation, logic would have dictated Democratic affiliation. But although the Republican administration had failed them, the Committee thought it safer to seek strength in both parties.147 The top leaders of the Committee were loyal Republicans, and partisanship would weaken the Committee’s attempt to present the issue as a moral one. Furthermore, as Marshall explained when he advised Friedenwald not to attack the administration in the passport article which would appear in the American Jewish Year Book:

We cannot afford to antagonize the Republican party, which controls the Senate, and which numbers many who under normal conditions will vote with us; but who might resent the issuance of a document which reflects upon the leader of the party. Taft is a very obstinate man, and will be more apt to become actively hostile, if he feels that we are attacking him. . . . We need all the friends we can get; until the Republican party acts against us, we cannot afford to become adjunct of the Democratic party, or make the A.J.C. a cog in the campaign of that party.148

Accordingly, they brought their case before most prominent political figures; special efforts were made to secure the backing of Senator Robert La Follette, leader of the progressive forces, and Governor Woodrow Wilson, whose influence was rising within the Democratic ranks.149 Of course, the Committee could not shut its eyes to the fact that morally convinced or not, the Democrats would seize on abrogation as an anti-administration weapon. Schiff advised Republican leader Herbert Parsons quite bluntly that if the Republicans did not assume responsibility for “positive remedial action,” the Democrats would. True, Schiff equivocated, a Jewish vote should not and does not exist, but if the Jews became convinced that the Republican promises had been only campaign gestures, it would cost that party one hundred and fifty thousand votes in New York City alone.150

146 MP: Marshall to Friedenwald, October 16, 1911, Straus to Marshall, October 17, 1911; MPP: Marshall to Schiff, October 17, 1911, to Sulzberger, October 19, 1911, to Straus, October 21, 1911, to Wolf, October 24, 1911; Theodore Roosevelt Papers (Library of Congress): Straus to Roosevelt, October 24, 27, 911, to Jacob Saphirstein, October 24, 1911; The Outlook, xxx, October 14, November 4, 1911; Reznikoff, op. cit., I. 97-102. Andrew D. White argued the case for arbitration at the mass rally in New York on December 6. Hearing before the Committee on Foreign Affairs . . . December 11, 1911, pp. 7-12. Sulzer’s committee report of December 12 asserted that there was nothing to arbitrate. 62 Cong. 2 Sess., House of Representatives, Report No. 179, p. 5.

147 Marshall to Friedenwald, July 8, 1911.

148 MP: Marshall to Friedenwald, July 11, 1911.

149 MP: Marshall to Friedenwald, September 12, 1911; Friedenwald to Adler, September 25, 1911, to N. I. Stone, November 29, 1911; N. I. Stone to Friedenwald, November 29, 1911.

In the fall the Committee stepped up the personal suasion side of their campaign. A delegation of leading Philadelphia Jews reviewed the passport situation in a conference with Senator Boise Penrose of Pennsylvania and received his promise of active aid in denouncing the treaty. He further suggested that Jewish societies throughout the country publicly petition their respective senators. Thereupon, the Committee urged its members to arrange meetings similar to that held in Philadelphia and to publicize such meetings. A veritable scorecard was kept on the standing of the pivotal legislators. Letters went to and from the Committee’s office on progress in securing positive commitments on abrogation. Cyrus Adler toured the south and established contact with Charles Jacobson of Little Rock who promised to deliver the votes of seven southern states. By the end of November Schiff, noting Underwood’s pledge to support Sulzer’s resolution, predicted easy passage for the resolution: “It almost looks as if it was becoming fashionable to be on our side.”

Schiff himself exploded a minor bombshell at the conference of leading New York Jews with Senators Elihu Root and James A. O’Gorman. Disgusted by Root’s insistence on diplomacy rather than abrogation, Schiff revealed that Gregory Wilenkin, Russian financial agent, had told him in the fall of 1910 that arrangements had been made with John Hays Hammond to form a syndicate of American manufacturers to export American products to Russia and to construct American plants there. When Schiff pointed out that Hammond was an engineer and not a manufacturer, Wilenkin answered: “I know, but we selected him because he is a friend of President Taft.” Besides marking Taft as an accomplice of American commercial interests, Schiff’s point was that Russia dared to influence the American President. Though some of Schiff’s colleagues feared that his story might obscure the passport question, they found means to exploit it. Since part of Hammond’s mission to Russia was to create cotton fields in Turkestan, thereby making Russia a potential rival of the United States, Judge Sulzberger advised that this information be brought to the attention of every representative and senator from south of the Mason-Dixon line. Furthermore, since Hammond was engaged in commercial negotiations between two states, which consti-
tuted public affairs, he should not have had any private interests in those negotiations unknown to the President.165

By mid-November the administration admitted the seriousness of the pressure for abrogation. Ambassador Guild’s idea for a general arbitration treaty was shelved, and Washington notified the embassy in St. Petersburg that abrogation was certain to pass during the coming congressional session. When a delegation of Jews conferred unofficially with Taft and Knox in regard to Taft’s treatment of the problem in his annual message for 1911, the President agreed that while he would not urge it he would approve abrogation by congressional resolution. The Secretary of State was more accommodating, too, promising to impress the Russian ambassador with the need for immediate action and, if that failed, to confer again with the Jewish leaders.166

The Committee, suspicious of Taft’s change of heart, watched for new moves by the administration to block their plans.167 But Knox no longer tried to save the treaty. Realistically appraising the tide of public opinion in favor of abrogation, the Secretary now hoped to reach a joint agreement with Russia on terminating the treaty and on planning for a new one within the year between notice of termination and final lapsing. Knox knew of the sentiment in Russia against abrogation, the unwillingness of Russia to negotiate on matters affecting Jews, and the warnings from both Rockhill and Guild168 of possible reprisals, but even so he saw a chance to effect a mutual understanding. The new Russian ambassador to the United States, Boris Bakhmetev, appeared eager to maintain cordial relations with America, and Guild reported in November that while Russia did not want it construed as indicative of concessions, she was prepared to admit foreign Jews on legitimate business purposes. Furthermore, Knox had not changed his mind on the legality of Russia’s discriminatory policies; he was not going to demand amelioration as a matter of right but as one of comity and political expediency. A mutual agreement on these grounds would obviate any insult to the tsarist government and any bitterness between the two countries which was bound to come in the wake of congressional action.169 What remains questionable is why Knox had not pursued this policy earlier, for in March the

165 Adler to Friedenwald, November 18, 1911; Sulzberger to Friedenwald, November 19, 20, 23, 1911; MPP: Marshall to Wolf, November 18, 1911.
166 MPP: Marshall to Sulzberger, November 17, 1911; SDF: wire [State Department to Curtis Guild], November 18, 1911.
167 Sulzberger to Friedenwald, November 23, 26, December 5, 1911. On November 26 Sulzberger wrote: "Perhaps, in the long run, we would be better off with his opposition than without it. Our cause can never be won until the United States wholeheartedly determines to put commercial interests behind principles instead of before them. This administration is, I believe honestly, opposed to this course. If it appears, however inactively, to have contributed to the passage of the Abrogation resolution, it will find its own way to make it practically worthless."
168 Guild warned the Department of Russian reprisals in wires on November 21 and December 1, 1911, in SDF.
169 SDF: Knox to Boris Bakhmetev, December 6, 1911, to Curtis Guild, No. 66-February 6, 1912. In a lengthy memorandum to the President on November 28 (SDF) Knox defended Russia’s behavior principally on the grounds of the fundamental sovereign right of the government to determine the immigration of aliens.
second Assistant Secretary of State had predicted that Congress would pass a resolution for abrogation.\textsuperscript{160} Either the Secretary never seriously thought the abrogation campaign would succeed, or, as has been suggested, the State Department was not convinced (as Rockhill was) of the need for cooperation with Russia in the Far East.\textsuperscript{161} In any case, with the approval of the Russian ambassador, Taft announced in his annual message on December 7 the progress of negotiations with Russia on the passport question and the possibility of concrete gains by the time Congress reconvened after the Christmas recess.\textsuperscript{162}

Knox’s plan to forestall congressional action proved futile. The Committee was not deterred by the more amenable attitude of the executive, especially after they learned from Senator James P. Clarke of the Committee on Foreign Relations of how Knox had misinformed that committee about Russian discrimination. Confident of favorable action in the House, the Committee concentrated in the final weeks before Congress convened on applying pressure on key members of the Senate.\textsuperscript{163} Congress, too, moved ahead despite the President’s message. On December 4 Chairman Sulzer of the House Committee on Foreign Affairs had reintroduced his resolution, and hearings were held a week later. Seventeen witnesses spoke for abrogation, with the Committee personally represented by Mayer Sulzer, Louis Marshall, Oscar S. Straus, Harry Cutler, and Jacob H. Schiff. Buttressing their case with numerous references from diplomatic history, international law, and Russian history, they presented a stirring and convincing plea to a most sympathetic group of congressmen.\textsuperscript{164}

Two days later the House of Representatives discussed the resolution, and the Congressional Record on the debate reads as if most members could not wait to express their horror of Russian barbaric practices, their eulogies of the Jewish people and of American Jews in particular, and their insistence upon the inviolability of the rights of American citizens. Representative James R. Mann, while proudly claiming “Jewish blood,” had objections to abrogation, but he too promised a favorable vote. When Congressman Samuel W. McCall of Massachusetts counseled abrogation only if arbitration failed, his colleague, William F. Murray, assured the House that McCall did not reflect the spirit of Massachusetts. The vote was never in doubt; 301 to 1.

\textsuperscript{160} SDF: A. A. Adee to Knox, March 31, 1911.

\textsuperscript{161} Williams, op. cit., pp. 65-6, 71-2, 78-9.

\textsuperscript{162} PRFR, 1911, pp. xxii, 695.

\textsuperscript{163} Adler to Friedenwald, November 25, 29, December 1, 1911, to Schiff, November 28, 1911; Charles Jacobson to Marshall, November 26, 1911, to Adler, December 2, to James P. Clark, December 5 1911; Friedenwald to N. I. Stone, November 29, 1911, to Schiff, December 5, 1911, to Charles Jacobson, December 8, 1911; AP: Adler to M. M. Cohn, December 1, 1911, Brzowski to Adler, December 4, 1911, Friedenwald to Julian W. Macx, December 3, 1911.

\textsuperscript{164} CR, 62 Cong. 2 Sess., p. 13; Hearing before the Committee on Foreign Affairs . . . December 11, 1911, pp. 31-194. Straus drew upon his past experience as minister to Turkey to show how Turkey used Russian discrimination as a defense of her own attempts to discriminate among American citizens. Hearing before the Committee on Foreign Affairs . . . December 11, 1911, pp. 69-70, Hearing . . . on S. J. Res. 60, p. 38; New York Evening Mail, July 20, 1911.
the lone dissenter was Representative George R. Malby of New York. The resolution for abrogation read:

That the people of the United States assert as a fundamental principle that the rights of its citizens shall not be impaired at home or abroad because of race or religion; that the Government of the United States concludes its treaties for the equal protection of all classes of its citizens, without regard to race or religion; that the Government of the United States will not be a party to any treaty which discriminates, or which by one of the parties thereto is so construed as to discriminate, between American citizens on the ground of race or religion; that the Government of Russia has violated the treaty between the United States and Russia, concluded at Saint Petersburg December eighteenth, eighteen hundred and thirty-two, refusing to honor American passports duly issued to American citizens, on account of race and religion; that in the judgment of the Congress the said treaty, for the reasons aforesaid, ought to be terminated at the earliest possible time; that for the aforesaid reasons the said treaty is hereby declared to be terminated and of no further force and effect from the expiration of one year after the date of notification to the Government of Russia of the terms of this resolution, and that to this end the President is hereby charged with the duty of communicating such notice to the Government of Russia.165

Sulzer's resolution went to the Senate on December 14 and was referred to the Committee on Foreign Relations on condition that it be reported out by December 18. (The committee had already heard the testimony of Marshall, Sulzberger, and Straus on December 13 when they spoke on Culberson's resolution for abrogation.) Friends of abrogation insisted on prompt action, for if notice of termination were not given by January 1, the treaty would remain in effect until January 1, 1914.166 At this point Knox stepped in. Certain of favorable action by the Senate and aware that a presidential veto would only stir up further agitation without changing the outcome, he yet hoped to ward off the insult to Russia inherent in the House resolution. He wired Guild on December 15 to relay to the Russian foreign office a notice of termination couched in terms stressing the friendly relations between the two countries. Knox also hoped for Russia's consent to a public announcement by him on how both countries considered the treaty imperfect and that they would endeavor to negotiate a new one before January 1, 1913. (That course of action to be urged upon the Russian foreign office was decided upon at a conference of Taft, Knox, and Bakhmetev. Bakhmetev was still uninstructed by his government, for Knox had told him on December 6 that the matter would carry over until after Christmas.) This conciliatory move was also too late, for Minister Sazonov indignantly interpreted the notice as an unprompted affront to Russia's self-respect, although he understood that it aimed to prevent even more disagreeable action by Congress. Accordingly, Russia would not even entertain the thought of consenting to a

166 Ibid., pp. 369-73; Hearing . . . on S. J. Res. 60, pp. 3-41.
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public announcement. Knoch did manage to halt action on the House resolution, however, for on December 19 the Senate unanimously endorsed the executive notice of termination in a resolution more soft-spoken than Sulzer’s. The House agreed to these amendments the following day, and thus, by January 1, 1913 the treaty of commerce and navigation between the United States and Russia would be out of existence.

VII

Russia reacted to abrogation with astonishment and resentment. In light of America’s larger commercial and political interests, she could not comprehend how a moralistic crusade could dictate diplomatic action. It seemed more plausible to her suspicious reasoning that America was attempting by abrogation to force her to change her internal policy concerning her own Jews. The tsarist government resented the tone of Sulzer’s resolution, and no qualitative distinction was made between that and the President’s milder approach. Anti-American and antisemitic feelings ran high. Right-wing political parties staged anti-American meetings, organized boycotts of American goods, and petitioned for one hundred per cent tariff reprisals. Additional discriminatory regulations were imposed on Russian Jews and demands arose to increase the restrictions against American Jews. Though the government and general populace did not endorse all these hostile manifestations, abrogation did bring the end of Hammond’s plans for concessions, the cancellation of a proposed trip by the Russian fleet to the United States, and an entente between Russia and Japan. Furthermore, not only did the European countries not follow American action, but England and Germany encouraged the rift between the United States and Russia and sought to reap the political and economic benefits therefrom.

The State Department kept informed on Russian opinion in reports from its diplomats, and it counseled a policy of watchful waiting. The embassy in St. Petersburg was to remain passive, ready to listen to any Russian views but not to solicit them or to argue America’s position. When Guild sug-

110 SDF: Curtis Guild to Knox, No. 280—June 17, No. 303—July 5, No. 337—August 5, No. 349—August 17, No. 415—November 1, 1912.
111 SDF: Curtis Guild to Knox, December 20, 1911, Knox to Curtis Guild, December 22, 1911, No. 66—February 6, 1912.
gested that it might relieve tension if he could let it be known that the Senate consented to abrogation because the treaty was so obsolete that both countries violated it, Knox demurred. "The incident is closed, and in any event the deliberations of the Congress are a domestic affair." The Department wanted a new treaty, but that looked impossible at least for a while. The United States would not accept any treaty which ignored the issues of American Jews and naturalized citizens, and a resentful Russia was obviously not prepared to negotiate on those questions. 173

As the months passed, the earlier predictions of the executive on abrogation seemed to come true; an unfriendly Russia, a decline in trade, antisemitic reprisals in Russia. 172 A year after abrogation Taft laughed privately at the joke on the Jews; rabbis were preaching how the United States had scored a victory against bigotry and intolerance, but America and the Jews, and not Russia, had lost out by abrogation. 173 Taft had felt throughout 1911 that he was caught between Russia's inertia and the political demands of an annoying minority. However, there had been alternative courses of action open to his administration. If they seriously sought cooperation with Russia in the Pacific, they could have informed the leaders of Congress and the AJC that abrogation would injure vital diplomatic interests. In this way agitation by the Jews would clearly label their cause as un-American. It was this very reason of diplomatic commitments by their respective governments that effectively restrained European Jews from similar agitation. Or, the State Department could have shown a willingness for close cooperation with Russia and have negotiated earlier on the expediency of joint termination. In this way Russia's suspicions of American motives might have been allayed. But by its inaction until November the Department had lost any control over the matter. It had misjudged the significance of government-sponsored antisemitism in Russia just as it had the popular appeal of the abrogation campaign in America. 174

In some quarters abrogation even caused an adverse reaction to the American Jew. Business firms querying the State Department about the commercial situation in Russia directly or indirectly blamed the Jews for forcing abrogation despite no real treaty violations by Russia. 175 Reactionary

172 A study prepared by J. B. Osborne of the Bureau of Trade Relations summarized the decline in trade. SDF: Memorandum For The Secretary Relative to the Adverse Influence of the Prospective Treaty Termination on American Commercial Interests in Russia, July 16, 1912; also reported by Curtis Guild to Knox, SDF: No. 337—August 5, No. 415—November 1, 1912.


174 Cf. Bailey, op. cit., pp. 229-2. In the State Department files used for this paper there is no mention by officials in Washington of the connection between abrogation and the emancipation of Russian Jewry. Ambassador Guild, however, grasped this point, for he told Sazonov on December 15 that the aim behind the Sulzer resolution was to induce Russia to abandon the restrictions on her own Jews. Guild defended Russia on these grounds, too: freedom for foreign Jews would dictate freedom for Russian Jews, and that would necessitate a radical change in Russian domestic and foreign policy. SDF: Curtis Guild to Knox, No. 131—December 15, 1911, No. 286—June 17, 1912.

175 SDF: P. F. Hazen to W. P. Dillingham, December 23, 1911, Hart Parr Co. to State Department, May 15, 1912; Memorandum For The Secretary Relative to the Adverse Influence of the Prospective Treaty Termination on American Commercial Interests in Russia, July 16, 1912.
Russian circles saw abrogation as the victory of American Jewry (a conniving, powerful, anti-American group who had contributed nothing to the building of the country but who managed to supplant Americans in key professional and commercial positions) out to free Russian Jewry (a parasitical class which, if left unrestricted, would mercilessly exploit the Russian masses) so that Russia too might be dominated by Jews. Since the American Jews controlled the media of publicity, and since they held the balance of power between the Democratic and Republican parties, they were able to ram through the anti-American scheme of abrogation at the expense of a helpless government and unsuspecting public. These views, along with a defense of Russia’s behavior under the treaty and her negative attitude toward the United States after abrogation, appeared in a pamphlet which reached the State Department in 1912. Though obviously a distortion of basic facts to fit the twentieth-century standard antisemitic formulae, it gained the ear of the Department. John V. A. Mac Murray, assistant chief of the Near Eastern bureau, passed it along to Knox as a “candid, temperate, and fair” appraisal of Russia’s case on the treaty. Mac Murray, who had served previously in the St. Petersburg embassy, had handled the passport issue during 1911, and in intradepartmental memoranda had revealed himself as pro-Russian in the dispute. Other officials did not completely go along with the view that Russia’s behavior was sanctioned by the literal terms of Article 1, or that American exclusion of Chinese paralleled Russian exclusion of Jews, but Mac Murray’s position had triumphed. After abrogation he watched the reports sent in by Ambassador Guild and Consul-General Snodgrass; Guild’s I-told-you-so accounts of anti-American episodes contrasted with Snodgrass’ more optimistic evaluation of anti-Americanism as reflecting the views of only a small fraction of Russians. Mac Murray questioned only Snodgrass’ reports, and when the latter wrote that the anti-American boycotts were instigated by the Russian government though not supported by the people, Mac Murray rebuked him for “slashing” charges. With both Guild and Mac Murray pro-Russian on the treaty and tending to point up Russia’s unfavorable reaction to abrogation, those obviously to blame for any dis-

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176 Egert, B. P., The Conflict between the United States and Russia (St. Petersburg 1912). Guild also reported that Russian cartoons depicted Uncle Sam as a Jew. SDF: Curtis Guild to Knox, No. 223—April 4, 1912.

177 SDF: J.V.A. Mac Murray to Knox, April 24, 1912.


179 SDF: J.V.A. Mac Murray to A. A. Adee, August 31, 1911, A. A. Adee to F. M. Huntington-Wilson, August 31, 1911, memorandum of [Frederick] Van Dyne on “Construction of Article I of Treaty of 1832 with Russia”—November 25, 1911; memorandum by J. V. A. Mac Murray, November 15, 1911, which became the basis for Knox’s final summation against abrogation—Knox to Taft, November 28, 1911.

180 SDF: John Snodgrass to Knox, December 30, 1911, February 24, March 3 (with attached notation by Mac Murray of March 21), March 14, March 28, June 6, 1912. J. V. A. Mac Murray to J. B. Osborne, March 21, 1912, to Wilbur J. Carr, April 13, 1912. Wilbur J. Carr to John Snodgrass, April 15, 1912.
turbance of American-Russian relations were the initiators of abrogation, the American Jews.\textsuperscript{181}

But the American Jews and their pressure campaign could not alone have accounted for abrogation. Two other factors helped determine the outcome of the passport question: the inaction of the State Department and the receptive public audience. While the Department took no decisive action vis-à-vis Russia or the friends of abrogation, American public opinion was a positive asset in the drive to end the treaty. Awakened earlier to Russian discrimination by the exposures of the transit prison camps and the pogroms of the previous decade, America had protested Russian practices in the famous petition on Kishinev and in the extradition cases of Jan Poureyn and Christian Rudewitz.\textsuperscript{182} Though America had its tradition of humanitarian diplomacy which condoned official protest on behalf of foreign groups,\textsuperscript{183} this instance involved American citizens and could arouse more than just humanitarian sympathy. Those interests which might have opposed abrogation on commercial grounds remained surprisingly quiet; congressmen made no reference to petitions against abrogation, and not one witness testified in favor of the treaty before Senate or House committees. The general public saw the issue basically outlined in moral terms—another wrong perpetrated by despot Russia in derogation of the rights of American citizens.\textsuperscript{184}

As for the American Jews, in the first flush of victory theirs was a joyous mood. Schiff reacted with most fervor: "We have just passed through an episode which, in my opinion, is of greater importance than anything that has happened since civil rights were granted Jews under the first Napoleon, or since English Jews were admitted to Parliament. ... For the first time, Russia, that great Colossus, has received a slap in the face from a great nation, which act, I cannot help thinking, must be of the greatest consequence in the history of civilization." The Committee doubted whether any popular reaction would arise to their principle of no discriminatory treaties, but ever cautious, they prepared to keep watch on any negotiations for a new treaty with Russia.\textsuperscript{185} Through party platforms of 1912 and 1916 and in communications to American diplomats, they consistently reaffirmed their de-

\textsuperscript{181} Assistant Secretary of State Huntington-Wilson published his memoirs in 1945, and as late as that he was still bitter about the abrogation campaign and "how an energetic minority, perhaps not even truly representative of the wisest and best of their own section of our population, could, through pressure on the press; attempt to sweep aside national policy in favor of fancied self-interest." Huntington-Wilson, Francis M., \textit{Memoirs of an Ex-Diplomat} (Boston 1945), p. 234.

\textsuperscript{182} Bailey, \textit{op. cit.}, pp. 123-35, 179-84, 214.

\textsuperscript{183} Adler and Margalith, \textit{op. cit.}, p. xxii. Ambassador Guild explained this aspect to Sazonov: "[The] nation was ... more easily appealed to by questions of sentiment when the appeal was made on the ground of humanity and civilization than any other nation in the world; and that, whether mistaken or not, if they believed in a cause they were ready to make any sacrifices for the accomplishment" \textit{PRFR}, 1911, pp. 696-7.

\textsuperscript{184} Bailey, \textit{op. cit.}, pp. 217-8, 223. Admittedly, many continued to view the passport situation as a Jewish problem. Chairman Cullom of the Senate Committee on Foreign Relations opened his committee's hearings by calling for testimony on "the Jew question." \textit{Hearing} ... on \textit{S. J. Res} 60, p. 3.

\textsuperscript{185} Minutes, December 25, 1911; \textit{AJYB}, 5673 (1912-3), vi.
mands for the guaranty of equal rights.\footnote{Adler and Margalith, op. cit., pp. 289-90; Cohen, Public Career of Straus, pp. 423-5; MPP: Marshall to Victor Rosewater, June 1, 1912, to Sulzberger, June 19, 1912, to Wolf, September 26, 1912, to Joseph Stolz, December 14, 1912, to Woodrow Wilson, March 18, 1915; SP: Schiff to Woodrow Wilson, March 25, 1915, Woodrow Wilson to Schiff, April 1, 1915.} Whether Russia would have eventually yielded to terms satisfactory to the Committee remains conjectural, for the tsarist government collapsed before a new treaty was negotiated.

The Committee’s victory in abrogation was largely vitiated by the inability to arouse protest movements against Russia in countries abroad. The Committee wrote to leading European Jews outlining the methods they had used in their campaign, but the diplomatic situation on the eve of war prevented any similar agitation.\footnote{Friedenwald to William Sulzer, December 22, 1911; Salomon Reich to Schiff, December 31, 1911, to Friedenwald, January 29, 1912; SP: Schiff to Paul Nathan, January 22, 1912; MPP: Marshall to J. E. Chamberlin, February 2, 1912, to Herbert Bentwich, March 2, 1912. In three identical letters (December 21, 1911, probably written by Jacob Schiff) the Committee appealed to Salomon Reich of the Alliance Israélite Universelle in Paris, Claude Montefiore of the Anglo-Jewish Association in London, and Paul Nathan of the Hülfsverein der Deutschen Juden in Berlin: “What...is now needed more than anything else to make the action which our Government has taken as effective as we would wish it to become, is that the Government and people of England, of France and Germany, all or either, follow the lead of the United States, and show to Russia that it can no longer treat international public opinion as a negligible quantity. I know conditions, especially political, are entirely different in Europe from what they are here, but let me remind you that, even here, less than a year ago, it appeared as if we were fighting for a forlorn hope, and that a handful of men have brought about the result which has now been so gloriously attained; and let me express the hope, particularly at this time of the Maccabean Festival, that there will be some Maccabbeans in Europe, who will take up this fight, and help to carry to a conclusion what we have begun.” In 1913 the American chargé d’affaires at St. Petersburg reported that Lord Rothschild was asking for British action but that the British ambassador in St Petersburg ruled against it on political and commercial grounds. SDF: Charles S. Wilson to William J. Bryan, July 9, August 1, 1913.} Therefore, despite the expectations of American Jews, abrogation never did start the chain of events which was to turn world opinion against Russia and to lead to the emancipation of Russian Jewry.\footnote{The position that abrogation ultimately promoted the cause of Jewish emancipation in Russia by inflicting injury upon Russian autocracy while simultaneously strengthening liberal sentiment there is presented by Max J. Kohler, op. cit., pp. 705, 734.}

In the last analysis, therefore, American Jews won only a partial victory by abrogation. Their long-range goal of relieving the plight of Russian Jews was not attained, but other points were scored. The American Jewish Committee, showing its ability to organize an effective pressure group, succeeded in erasing the stigma of second class citizenship foisted upon American Jews by government acquiescence in Russia’s treaty interpretation. Equally important, the campaign demonstrated to Jew and non-Jew the possible political consequences of minority battles for specific causes.
THE UTILIZATION OF CENSUS TRACT DATA IN THE STUDY OF THE AMERICAN JEWISH POPULATION

By Ira Rosenwalke

Until the second quarter of the present century the student of urban population had few authoritative published data at his disposal on the stratification of diverse ethnic, religious, or social groups in large American cities. However, with the gradual acceptance of the census tract system by the Bureau of the Census and by local agencies much more information pertaining to small areas and neighborhoods within the metropolitan cities has become available. Census tracts are defined as "small, permanently established geographic areas into which large cities and their environs have been divided for statistical purposes. Tract boundaries remain the same for a long time so that statistical comparisons can be made from year to year and from census to census."¹ The size of the average tract tends to vary somewhat from city to city. The typical tract has over four thousand people; it was originally laid out to achieve some uniformity of population characteristics, economic status, and living conditions.

Data presented by census tracts provide material widely perused by those concerned with the ecology of the city. Studies of the nature of urban areas, where Negroes predominate or where foreign-born groups of various nationalities have concentrated, have been designed by social scientists from census tract data, as have reports on the heterogeneous nature of various areas with regard to such factors of population composition or demography as age structure, sex, occupation, family size, and level of education.

In this paper an effort is made to demonstrate how, to a certain extent, the utilization of census tract data may be applicable to the study of the Jewish population in many metropolitan areas.

Attempts to study the population characteristics of a religious group through the use of statistics for small areas are not a recent innovation. In fact, the germinal idea for undertaking such studies led directly to the conception of the tract method. Dr. Walter Laidlaw, founder of the New York Federation of Churches (now the Protestant Council of New York City) at the turn of the century, was convinced that "unanticipated population movements and a general ignorance of neighbors and neighborhoods were gravely hurting church and synagogue efficiency."² Having seen churches built in areas that were shortly depopulated by industrial advance or invaded by persons of other faiths, Dr. Laidlaw was convinced that a clear view of population composition and population change in small areas was neces-