

THE KANSAS CONGRESSIONAL DELEGATION AND THE SELECTIVE SERVICE ACT OF 1940

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ON JUNE 13, 1940, the invading armies of Nazi Germany completed their conquest of Paris, thereby precipitating the unconditional surrender of the Republic of France nine days later. The sudden and unexpected defeat of France culminated a succession of dramatic military triumphs over Poland, Denmark, Norway, Luxembourg, the Netherlands, and Belgium and posed an imminent threat to the security of Great Britain. The reality of Nazi military power caused grave concern in the United States and convinced many Americans that it was imperative to strengthen the nation's armed forces.

On June 20, 1940, Sen. Edward R. Burke of Nebraska introduced a bill providing for the first peacetime program of military conscription in American history.¹ On the following day an identical bill was proposed by Rep. James W. Wadsworth, Jr., of New York.² Almost immediately the Burke-Wadsworth bill received prime news coverage throughout the nation and became the most significant and controversial issue facing the congress.

While the Burke-Wadsworth bill was being scrutinized by the house and senate, the 1940 presidential nominees of the two major political parties commented on the propriety of peacetime conscription. In formally accepting the nomination of the Democratic party for an unprecedented third term on July 19, Pres. Franklin D. Roosevelt informed his countrymen of his belief that "some form of selection by draft is as necessary and fair today as it was in 1917 and 1918."³ Four weeks later, Wendell Willkie, the Republican candidate for President, asserted that "some form of selective service is the only democratic way in which to secure the trained and competent manpower we need for national defense."⁴ While neither Roosevelt nor Willkie specifically endorsed the

Burke-Wadsworth bill, their agreement in behalf of the principle of military conscription seemed to minimize the possibility that the Burke-Wadsworth bill would be subjected to excessive partisan wrangling.

IN THE United States senate the Burke-Wadsworth bill was promptly referred to the committee on military affairs. The committee held five days of hearings in early July, and, after three weeks of reviewing the testimony of 51 witnesses, decided to report the bill favorably but with an amendment. Accompanied by a minority report signed by three committee members, the bill was sent to the senate floor on August 5.⁵

In the house of representatives the Burke-Wadsworth bill was likewise submitted to the committee on military affairs. The subsequent hearings lasted from July 10 to August 14, during which time 69 witnesses testified before the committee and 24 additional individuals or organizations forwarded written statements. Finally, after several executive sessions of the committee, a favorable report on the bill was issued on August 29. However, a minority report was signed by eight members.⁶

5. United States Senate, *Compulsory Military Training and Service—Report of the Committee on Military Affairs*, August 5, 1940 (Serial 10431).

6. U.S. House of Representatives, *Compulsory Military Training and Service—Report of Committee on Military Affairs*, August 29, 1940 (Serial 10444).

Opposite page—Clyde M. Reed (1871-1949), *above*, and Arthur Capper (1865-1951), *below*, represented Kansas in the U.S. senate during the debate on the selective service act of 1940. Reed, editor of the *Parsons Sun*, had served as governor before being elected to the senate in 1938. Capper, also a former governor, was first elected to the senate in 1918, wielding considerable influence through his publishing empire and as a leader of the bipartisan congressional farm bloc. Both Kansas senators were Republicans, had consistent records as isolationists on foreign policy questions, and opposed military conscription. Capper was especially active in the deliberations on the Burke-Wadsworth bill. In one speech in the senate he said he had received "upward of 6,000" letters, telegrams, petitions, and memorials from his state protesting enactment of the conscription bill and asked permission to put some of them in the *Congressional Record*.

1. United States Congress, *Congressional Record*, 76th Congress, third session (Washington, United States Government Printing Office, 1941), v. 86, p. 8680.

2. *Ibid.*, p. 8908.

3. Samuel I. Rosenman, comp., *The Public Papers and Addresses of Franklin D. Roosevelt, 1940* (New York, The Macmillan Company, 1941), pp. 293-303.

4. *Official Report of the Proceedings of the Republican National Convention, 1940* (Washington, 1940), pp. 380-394.

night. That is America's real danger. America must be on guard against such a threat. We hesitate to adopt his modern war technique of a small perfectly coordinated and mechanized spearhead which has proved its efficacy on the field of battle, but we embrace his diabolical political methods with pious utterances. We think that we must fight fire with fire. We hate Mr. Hitler, but we are about to strike our precious liberty a death blow by adopting his Prussian ideology of conscription. We are about to adopt his cold expressionless face as a model for our States, because of him, statesmen.

Mr. CAPPER. Mr. President, I am protesting on the floor of the Senate against the conscription bill in peacetime. I believe in national defense. I believe in the right of the States to have their own air force, and for building an adequate army for the national defense. I am not giving this program my best.

But I protest that to saddle upon the people the necessary to saddle upon the people through the years upon the militaristic spirit, the military wake of military conscription. I say to those business men who profit by having a conscription bill that down the road they will be in the lands of Europe having their property by the state as well as the conscription of manpower. Making the individual the vassal of the state and the pawn of the ruler leads inevitably, though sometimes more slowly, to making all property, all finance, and all industry also the creature of the state. A conscript army, when it becomes large enough, in all history has proved to be a Frankenstein monster that turns upon and destroys its creators.

Mr. President, these views I have expressed are not the views of myself alone. I have received upward of 6,000 letters, telegrams, petitions, and memorials from my native State of Kansas protesting against the enactment of pending legislation to conscript an army in peacetime. These have come from individuals, from veterans' organizations, from farm organizations, from labor organizations, from church organizations, from businessmen, from cities, from towns, from farming communities, from isolated ranchmen, from fathers, from mothers, from young men.

I warn the Senate that the passage of this conscription bill in peacetime is more than a mistake; it may prove to be a tragedy. I will never vote for it, and I sincerely trust that a majority of the Senate will vote against its enactment.

I ask unanimous consent to have printed at this point in the RECORD, as a part of my remarks, a few of the many protests I have received against this legislation, which are typical of the great number of protests which have reached me recently.

There being no objection, the matters were ordered to be printed in the RECORD, as follows:

VETERANS OF FOREIGN WARS OF THE UNITED STATES.

CANEY POST, No. 1358.

Caney, Kans., August 8, 1940.

HON. ARTHUR CAPPER.

Senate Office Building, Washington, D. C.

DEAR SENATOR: I am writing you in connection with a conscription bill now under discussion in Congress, and we, the Veterans of Foreign Wars of the United States, do hereby most vigorously protest the enactment of a conscription law in peacetime. We do feel, however, that if such law is to be enacted that it be thoroughly studied, and we also recommend that the pay of these men to be conscripted should be not less than \$30, which was paid to World War veterans.

We also feel that the enlisted men should be given an opportunity to ascertain what results can be obtained by voluntary enlistment, and we earnestly request you to use all of your power which we believe you will—to reject any conscription bill at this time.

We wish to further call your attention to the plight of the disabled war veterans of the World War, who are now in terrible distress, who are unable to obtain work and have nothing to live

on or support their dependents. We suggest you mention this in your discussion on the floor of the Senate when this bill reaches the floor of the Senate, because we have had a lot of experience in dealing with this serious problem.

Trusting you will give this matter your most serious attention, which we believe you will; we know that you have been a friend of the veteran in the past and we feel that you will be in the future.

Yours very sincerely,

SAM B. WOODS.

TOPEKA, KANS., August 9, 1940.

Senator CAPPER,

Washington, D. C.

DEAR SIR: As secretary of the North Side Farm Bureau I am requested to write you commending you on your stand on the conscription bill. We are very proud to have you for our Senator.

Respectfully,

Mrs. O. D. WOODFORD.

KANSAS CITY, Mo., August 7, 1940.

Senator CAPPER:

Urging you to vote against bill S. 4164.

LODGE 669, BROTHERHOOD OF LOCOMOTIVE FIREMEN AND ENGINEERS.

GALENA LOCAL NO. 17,
INTERNATIONAL UNION OF MINE,
MILL, AND SMELTER WORKERS,
Galena, Kans., August 3, 1940.

Senator ARTHUR CAPPER,

Senate Office Building, Washington, D. C.:

DEAR SENATOR CAPPER: We are writing you in regard to the Burke-Wadsworth bill (S. 4164). We wish to advise you that Galena Local No. 17 is opposed to this measure.

We feel that this action would be contrary to our views as to true Americanism. We are certain that in case of need the American people will rally to the defense of their homeland.

With best regards, we remain,

Sincerely yours,

GALENA LOCAL NO. 17,
RICHARD W. MURRAY, Secretary.

WICHITA, KANS., August 9, 1940.

Senator ARTHUR CAPPER,

Senate Office Building, Washington, D. C.:

I am informed that the Burke-Wadsworth conscription bill will be up for consideration soon. If you will vote against favorable consideration of the transportation bill, it will be a great help to the transportation brotherhood.

E. L. BEARD.

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is, Kans., route

Branch; David

Ellen Phillips,

Phillips, Galena,

Kans., route 1;

Miss Margie Dixon, Columbus, Kans., route 2.

STATE OF KANSAS,

HOUSE OF REPRESENTATIVES,

Leavenworth, Kans., August 20, 1940.

HON. ARTHUR CAPPER,

United States Senator,

Senate Office Building, Washington, D. C.

DEAR SENATOR: It is my sincere belief that many of the younger men of Leavenworth are uninformed or misinformed about conscription, and I feel that you have presented the side of the opposition clearly and succinctly, logically, and honestly.

May I extend my individual and personal vote of thanks and confidence to you and may I state that I appreciate the stand that you have taken.

Respectfully,

EDWIN J. HOLMAN.

Member of Kansas House of Representatives.



John M. Houston (1890-1975), the only Democrat in the Kansas congressional delegation in 1940, was the only one of the nine-member delegation to vote for the Burke-Wadsworth bill in its final form. A former mayor of Newton, he was first elected to congress in 1934 during the first term of Franklin D. Roosevelt, and was reelected to four additional terms, serving until 1943. Representing a marginal district, Houston in 1938 had prevailed over his Republican challenger by only 510 votes and probably did not wish to be embroiled in the controversial issue of military conscription in peacetime. Although he finally voted with the majority in congress for the bill, he remained conspicuously silent during the lengthy and well-publicized deliberations on the issue.

Among the members of congress having the responsibility of considering the merits of the Burke-Wadsworth bill were the two United States senators and seven representatives from the state of Kansas. The nine members of the Kansas congressional delegation represented a state located in the geographic center of the nation. Although Kansas did not have a senatorial contest scheduled for 1940, all seven of its representatives were seeking reelection in that year.

Kansas' two United States senators in 1940 were Republicans Clyde M. Reed of Parsons and Arthur Capper of Topeka. Reed, a former

governor, was beginning his first term in the senate.⁷ Capper, also a former chief executive of Kansas, had been initially elected to the senate in 1918 and had thereafter attracted nationwide attention as a leader of the bipartisan congressional farm bloc.⁸ Both Reed and Capper had compiled consistent records as isolationists on foreign policy questions, and both had previously been regarded as unsympathetic to military conscription.

Virtually ignoring all other matters, the senate debated the Burke-Wadsworth bill for three weeks. The senate debates were frequently repetitious and occasionally acrimonious. The supporters of the bill insisted that military conscription was absolutely essential to assuring a strong national defense, while its opponents argued that peacetime conscription was not only unnecessary but also constituted a dangerous precedent. Sensing that they lacked sufficient strength to defeat the bill, the adversaries of conscription decided to offer a series of substantive amendments.

Reed was one of the least vocal members of the senate. Indeed throughout the two years of the 76th congress he seldom engaged in debates or delivered formal speeches. In brief statements, however, he indicated that he was quite skeptical about the wisdom of peacetime conscription.⁹ Reed was absent at the time of a vote on an amendment designed to delay military conscription until January 1, 1941,¹⁰ but he voted against an amendment extending conscription to industry.¹¹ Most importantly, Reed cast his vote for an amendment requiring that compulsory military training would be operative only in time of war or threatened invasion.¹²

Unlike Reed, Capper was an eager participant in floor debates and was especially active in the deliberations on military conscription. Warning that the Burke-Wadsworth bill would ". . . saddle upon the youth of America, which means through the years upon the people of America, the militaristic spirit. . . ."

7. Lawrence F. Kennedy, comp., *Biographical Directory of the American Congress, 1774-1971* (Washington, United States Government Printing Office, 1971), p. 1593.

8. A scholarly account of Capper's lengthy career is Homer E. Socolofsky, *Arthur Capper* (Lawrence, University of Kansas Press, 1962).

9. *Congressional Record*, v. 86, pp. 10298, 10847.

10. *Ibid.*, pp. 11137-11138.

11. *Ibid.*, p. 11112.

12. *Ibid.*, pp. 11035-11036.

Capper feared that the adoption of conscription might "... prove to be a tragedy." He elaborated on his grave concern over the possible consequences of the Burke-Wadsworth bill as follows:

Mr. President, I think that compulsory military service in peacetime is a step toward dictatorship, a long step toward ending our representative form of government. I think it is also a step toward war, a step toward waging war for the sake of war. At the present time, it may turn out to be a step toward participating in a war that I still believe is not our war.¹³

On August 27 both Reed and Capper voted in favor of a drastic amendment to the Burke-Wadsworth bill. This amendment provided that all future military training would be strictly voluntary and was in effect a substitute for the bill itself. Rejected by a margin of 56-22,¹⁴ the defeat of the amendment was decisive enough to guarantee that the Burke-Wadsworth bill would prevail in the senate without any major modifications.

The Burke-Wadsworth bill was finally brought to a vote on August 28. The bill was passed by a majority of 58-31 with Capper recorded in the negative and Reed not voting because of illness.¹⁵ The members of the senate then had to wait until September 7 before the house completed action on the bill.

UNLIKE the senate, the house allotted only five days for debate on the Burke-Wadsworth bill. The first three days were reserved for general discussion and the latter two days were set aside for the consideration of amendments. Because of the severe limitations on time, the speeches in the house were somewhat shorter than those in the senate. Regrettably, however, many of the house speeches were highly emotional in tone.

The Kansas delegation in the house consisted of six Republicans and only one Democrat. This ratio was in sharp contrast to the overall political complexion of the house where Democrats outnumbered Republicans 261-170. Indeed Kansas had an unusually high percentage of Republicans.¹⁶ Interestingly, five of its Republican members had withstood

President Roosevelt's landslide victory in 1936.¹⁷

Among the members of the Kansas delegation were Republican Reps. Edward H. Rees of Emporia, Clifford R. Hope of Garden City, and Frank Carlson of Concordia. Agreeing that peacetime conscription would be a serious mistake, Rees, Hope, and Carlson each decided to offer detailed explanations of their views on the Burke-Wadsworth bill.

Rees, who had served his political apprenticeship in the Kansas legislature, in September, 1940, was completing his second of 12 consecutive terms in congress.¹⁸ Believing that peacetime conscription should be considered only as a last resort, Rees charged that the Burke-Wadsworth Bill endorsed a "... policy that is in direct opposition to that which has been followed by our Government throughout the years." Rees, stressing that never before in the nation's history had "... such far-reaching legislation been submitted to Congress in peacetime," construed the Burke-Wadsworth measure as "not the American way."¹⁹

Hope, who eventually established a record among Kansans for continuous longevity in the house, was the ranking Republican on the committee on agriculture.²⁰ Alluding to the Burke-Wadsworth bill as a departure from a tradition which had been maintained since the American Revolution, Hope warned that, if the United States imposed peacetime conscription, "... there certainly is some question as to whether we will ever get rid of it." Hope, denouncing the bill at considerable length, climaxed his remarks as follows:

No, it is not necessary for us to have conscription for self-defense, or for the defense of the Western Hemisphere. The only possible excuse for building up a large conscripted army is for offensive use elsewhere. In other

17. In 1936 Roosevelt had won Kansas by a 464,520-397,727 majority, carrying 80 of the state's 105 counties. Notwithstanding the magnitude of Roosevelt's victory, Kansas in 1936 had reelected four Republican congressmen and elected another Republican to a seat previously occupied by a Democrat.

18. Rees had served in the Kansas house of representatives, 1927-1933, and the state senate, 1933-1935. He was chairman of the house committee on post office and civil service, 1947-1949 and 1953-1955.—*Biographical Directory of American Congress*, p. 1595; *Congress and the Nation, 1945-1964* (Washington, Congressional Quarterly, Inc., 1965), p. 34a.

19. *Congressional Record*, v. 86, p. 11433.

20. A former speaker of the Kansas house of representatives, Hope had entered congress on March 4, 1927. He continued to serve on Capitol Hill until January 3, 1957, and chaired the committee on agriculture, 1947-1949 and 1953-1955. An interesting biographical sketch of Hope is James L. Forsythe, "Clifford Hope of Kansas: Practical Congressman and Agrarian Idealist," *Agricultural History*, Berkeley, Cal., April, 1977, pp. 406-420.

13. *Ibid.*, pp. 10477, 10975-10982.

14. *Ibid.*, pp. 11041-11043.

15. *Ibid.*, p. 11142; *Post*, Washington, D.C., August 29, 1940, pp. 1, 4.

16. In the states surrounding Kansas the Democratic representation in the house was as follows: Missouri 12-1; Oklahoma 9-0; Colorado 4-0; Nebraska 2-3.

Conscription in Peacetime

EXTENSION OF REMARKS

OF

HON. CLIFFORD R. HOPE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, September 6, 1940

Mr. HOPE. Mr. Speaker, I have given the present legislation and the entire question of peacetime conscription as much time and consideration as I have any legislation that has come up since I have been a Member of Congress. I realize that there are sincere people on both sides of the matter. My thought is that in war or peace, should be under conscription. We have never before found it in peacetime. We have not always found it in time of war. To enact conscription would be to depart from a tradition since the beginning of the Republic. In peacetime there certainly is no need for it. I do not think we will ever get rid of it. I do not think of the future as a country without conscription.

Furthermore, the conscription of industry is only one phase of the matter. Before the Senate an amendment for the conscription of industry in such a way as to establish a dictatorship in its final form will be considered. The chances are that whether or not it is a part of the end going to conscript industry, a complete military dictatorship will accept something of this kind. It is necessary, but certainly it should not even be considered in time of peace, unless considerations affecting our national safety make it imperative.

Just what is there in our present situation which makes necessary for us to enact this legislation? What is it that requires us to build up a conscripted army of 1,000,000 men more in addition to the more than 900,000 men who are serving in the United States Army, Navy, and Marine Corps either actively or in reserve? Up to now, at least, the thought of all military experts has been that our main line of defense is our fleet. We are a naval power separated from our potential enemies by 3,000 to 7,000 miles of water. We already have a more powerful Navy than any country other than England, a friendly nation. We have authorized and have under construction additional Navy units which will more than double the strength of our forces. We have just acquired sites for naval and air bases far out into the Atlantic, thus tremendously increasing the effectiveness of our defense. We have authorized and are now building the greatest air fleet in the world. It is true it will take time to complete our naval preparations. It will take time to build our air force, but both arms are growing stronger every day and within the next 2 years we should have the greatest air force in the world and our Navy will be vastly strengthened. Likewise, within that time, we will have developed our newly acquired naval and air bases.

To supplement these great defensive forces we need a comparatively small mobile Army. One which is equipped with the most modern type of weapons, strong coast defenses, and anti-aircraft guns, and thoroughly mechanized. We can easily recruit such an Army by voluntary methods and conscription is most certainly not necessary. Conscription is only necessary if we are going to raise an Army of from 2,000,000 to 4,000,000 men.

The only reason for even considering the creation of such a tremendous army is that there are fears that Hitler may conquer England, capture the English fleet, and attack this country within the next few months. In that event it is

argued that we will not be able to prevent the landing of an army on this hemisphere and we must, therefore, be prepared to fight it out with land forces.

Such an argument might much better have been made 3 months ago, or even 2 months ago, than today. The victorious march of Hitler had not been interrupted up to that time and the confused and perplexed military experts of the world were in more or less of a state of panic. They envisioned the conquest of Britain as the next inevitable step and the capture and the destruction of the British fleet as a logical consequence. Granting that there was some justification for such a belief 2 or 3 months ago, there is no justification for it today. The likelihood of invasion is growing less every day, and if there is to be an invasion

all—or ever, it must come within the next 3 weeks. Mr. Hope is now talking about a 5-year war instead of being in England by August 15, as he promised his people a few

ago. Furthermore, if England should be defeated and invaded, we have the assurance of Winston Churchill that the British will not be surrendered or otherwise be permitted to fall into the hands of Germany. Therefore, at this moment it is extremely improbable that a German attack can be expected any time soon. The same thing applies to the totalitarian powers, for all of whom our Navy is a match under present conditions.

In assuming that we should lose entirely the protection of the English Navy and the very improbable situation would develop whereby we might lose control of the sea, it requires a tremendous stretch of the imagination to envision the landing of any troops in this hemisphere. As a well-known military writer, Hanson W. Baldwin, has recently stated in Harper's magazine, the maximum force that could be transported, even if we lost control of the sea, would be 50,000 men and that the transportation of this small number of men would require 375,000 tons of shipping, and that, once they landed, half of the tonnage

Clifford R. Hope (1893-1970) served in congress for 30 years, the longest tenure of any Kansas house member. First elected in 1926, he was reelected for 14 consecutive terms before retiring in 1956. The highly respected ranking Republican on the committee on agriculture, Hope denounced peacetime conscription, and an extension of his remarks was printed in the *Appendix to the Congressional Record*.

needed to supply 1,000,000 men would require at least 1,000,000 tons of shipping. Britain against conscription could transport any time short of a year in Europe ended the war whatever. Chicago Tribune said that what would be his article, which was a naval expert's

states in effect that any attempt of invasion with a force of less than 1,000,000 men would be suicidal, and that to equip such an army would require 1,500 tanks, 1,800 scout cars, 200,000 other types of motor vehicles, and 7,500 planes. At sea such an army would need 1,000 transports of an average of 10,000 tons, 200 freighters of an average of 5,000 tons, 500 supply ships of an average of 7,500 tons, and 250 oil tanks of an average of 8,000 tons. No country or group of countries in the world could within a reasonable period of time furnish such an amount of supplies or shipping. In addition, any country or combination of countries attempting such an invasion would have to have a fleet sufficiently prepared to drive our Navy from the seas.

No, it is not necessary for us to have conscription for self-defense, or for the defense of the Western Hemisphere. The only possible excuse for building up a large conscripted army is for offensive use elsewhere. In other words, it means that we contemplate getting into the war. There can be no other possible justification. The American people are willing to spend whatever may be necessary and to make whatever other sacrifices that may be necessary to defend this country. I do not believe, however, that they are willing to have peacetime conscription and dictatorship foisted upon them, perhaps forever. I, therefore, expect to vote against the bill.



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Carlson, whose 30 year congressional career was interrupted only by two terms as governor of Kansas, was a member of the prestigious committee on ways and means.²² Citing his decision on the Burke-Wadsworth Bill as the "hardest vote" he had faced during his years in the house, Carlson was ". . . firmly convinced that the enactment of this legislation will forever change America from a free, peace-loving Nation to a military dictatorship." He insisted that the bill carried with it the following three fundamental changes to our traditions:

First, we abandon the time-honored traditions of a peace-loving, liberty-loving people and adopt a military despotism.

Second, a division of our citizens into two classes, namely, the military and ruling class and the common citizen whose freedom and future will be regimented and restricted.

Third, we place the financial burden of a military nation on our economic structure that will enslave us in the future.

Carlson terminated his sharply worded comments with the ominous prediction that, if the youth of the nation were conscripted and placed in a military environment, ". . . war will inevitably follow."²³

Conspicuously silent throughout the period the Burke-Wadsworth bill was being considered was the sole Democrat on the Kansas delegation, Cong. John M. Houston of Newton. Representing a marginal district, Houston in November, 1938, had prevailed over his Republican challenger by a mere 510 votes.²⁴ In view of his narrow reelection plurality and the realization that the boundaries of his constituency were almost certain to be altered as a consequence of the census of 1940, Houston probably wished to avoid being identified with



Frank Carlson, Concordia, the only Kansan ever to serve the state as state legislator, congressman, governor, and senator, won 13 elections during his 40 years in politics. First elected to congress in 1934, he was a member of the prestigious committee on ways and means in 1940 when American involvement in the European crisis was imminent. He called his decision against the conscription bill the "hardest vote" he had faced during his years in the house.

such a controversial issue as military conscription in peacetime.

Debate on the Burke-Wadsworth bill was terminated on September 7. Suspecting that the bill would pass the house, the opponents rallied around an amendment offered by Rep. Hamilton Fish of New York. The Fish amendment would have postponed conscription for 60 days, during which time the government would be directed to engage in a sustained attempt to increase the number of voluntary enlistments necessary to maintain maximum military strength. Notwithstanding the determined opposition of the house leadership, the Fish amendment was adopted by a 207-200 majority. Interestingly, the margin of victory was provided by the seven to zero vote of the Kansas delegation.²⁵

25. *Congressional Record*, v. 86, pp. 11748-11749; *Post*, Washington, D.C., September 8, 1940, pp. 1, 12.

21. *Congressional Record*, v. 86, p. A5502.

22. Carlson was a member of the house, 1935-1947, governor of Kansas, 1947-1950, and United States senator, 1950-1969. From 1953 to 1955 he was chairman of the senate committee on post office and civil service.—*Biographical Directory of American Congress*, p. 706; *Congress and the Nation, 1945-1964*, p. 32a.

23. *Congressional Record*, v. 86, p. 11432.

24. The 1938 vote had been as follows: John M. Houston (Democrat) 43,990; Stanley Taylor (Republican) 43,480.—*Guide to U.S. Elections* (Washington, Congressional Quarterly, Inc., 1975), p. 787.



Edward H. Rees (1886-1969) represented Kansas' fourth district in congress 12 successive terms. First elected in 1936, he quickly rolled up an anti-administration voting record and in 1940 voted with the other Republicans in the Kansas delegation against the Burke-Wadsworth bill. He was convinced that the selective service act was not "the American way."

Although encouraged that the Burke-Wadsworth bill had been considerably weakened by the inclusion of the Fish amendment, most Kansas congressmen remained steadfastly opposed to any future peacetime conscription. On the final roll call the bill was approved 263-149. Within the ranks of the Kansas delegation, however, it received the support of only Congressman Houston.²⁶

IN ADDITION to the Fish amendment, there were several relatively minor differences between the house and senate versions of the Burke-Wadsworth bill. In order to reconcile these differences a house-senate conference committee was appointed. Designated to serve on this committee were six senators and five representatives, all but one of whom were members of the military affairs committees in their respective bodies.²⁷

26. *Congressional Record*, v. 86, pp. 11754-11755; *Evening Star*, Washington, D.C., September 8, 1940, pp. 1, 8.

27. *Congressional Record*, v. 86, pp. 11755, 11792.

After reaching agreement on the various points, the conference committee submitted its report on September 12. While both the senate and the house compromised on specific provisions of the bill, the major change involved the deletion of the Fish amendment. Thus, the essential features of the Burke-Wadsworth bill, as originally introduced in late June, had been preserved.²⁸

With a minimum of debate the senate considered the conference report on September 14. Although many senators were absent on that date, the report prevailed by a margin of 47-25. Consistent with their previous votes, Kansas' two senators, Reed and Capper, remained firmly opposed to the Burke-Wadsworth bill.²⁹

Later the same day the house adopted the conference report on the Burke-Wadsworth bill by a 233-124 majority. As in the roll call a week earlier, Congressman Houston was the only member of the Kansas delegation to vote in the affirmative.³⁰ The Burke-Wadsworth bill was thereupon signed into law by President Roosevelt on September 16.³¹

The conference report on the Burke-Wadsworth bill was favored by 280 members of congress and opposed by 149 members. Thus, the bill in its final form commanded the support of 65.3 percent of the members who voted.³²

ALTHOUGH it might have seemed somewhat unusual that such a high proportion of Kansas congressmen opposed the Burke-Wadsworth bill, an analysis of the composition of the delegation probably furnishes a partial explanation why these senators and representatives voted as they did. The Kansas delegation was predominantly Republican in political affiliation, and it was noteworthy that nearly two thirds of the Republicans in congress voted

28. U.S. House of Representatives, *Selective Training and Service Act of 1940—Conference Report*, September 12, 1940 (Serial 10445); *Evening Star*, Washington, D.C., September 13, 1940, pp. 1, 3; *Post*, Washington, D.C., September 14, 1940, pp. 1, 4.

29. *Congressional Record*, v. 86, pp. 12160-12161; *Post*, Washington, D.C., September 15, 1940, pp. 1, 8-9.

30. *Congressional Record*, v. 86, pp. 12227-12228.

31. *The Statutes at Large of the United States of America, 1939-1941* (Washington, 1941), v. 54, pp. 885-897; Merton G. Henry and Marvin A. Kreidberg, *History of Military Mobilization in the United States Army, 1775-1945* (Washington, United States Government Printing Office, 1955), pp. 577-580; *Post*, Washington, D.C., September 17, 1940, pp. 1-2.

32. The original bills had been supported by 63.8 percent of the house membership and 65.2 percent of the members of the senate.



Thomas D. Winter
(1896-1951)



William P. Lambertson
(1880-1957)



Ulysses S. Guyer
(1868-1943)

Thomas D. Winter, William P. Lambertson, and Ulysses S. Guyer made up the balance of the Kansas congressional delegation in 1940. Winter, Girard, was Crawford county attorney before his election to congress in 1938. He served in the house three terms. Lambertson, first district, 1929-1945, was known as a farm bloc leader and was active in farm organizations and in state politics as a legislator. Guyer, an attorney, judge, and mayor of Kansas City, was elected to fill an unexpired term which ended in 1925. In 1926 he was returned to congress where he served until his death in 1943. Like their Republican colleagues in the senate and house, the three recorded their votes in opposition to the principle of peacetime conscription.

against the conference report on the Burke-Wadsworth bill.³³ Moreover, Senator Reed and six of Kansas' seven house members had less than two years earlier been elected or reelected to congress as harsh critics of the Roosevelt administration. Consequently, it should not have been especially surprising that these same congressmen who had repeatedly objected to Roosevelt's domestic programs might also have been inclined to oppose his military and foreign policy measures.

Most importantly the members of the Kansas delegation, like most of their colleagues throughout the Midwest, were strongly isolationist on foreign policy questions.³⁴ In January, 1938, Kansans in the house by a seven to zero margin had supported the Ludlow resolution, a proposal mandating a nationwide referendum as a precondition to a declaration of war.³⁵ In November, 1939, subsequent to the Nazi conquest of Poland, the Kansas delegation by a seven to one majority had opposed repeal of the arms embargo feature of the neutrality bill.³⁶ Finally, in August, 1941, less than four months prior to the Japanese attack on Pearl Harbor, the delegation by the overwhelming ratio of seven to none voted against the continuation of military conscription with two not voting.³⁷ Thus, the opposition among Kansas congressmen to the Burke-Wadsworth bill was consistent with the overall pattern of resisting legislation which threatened to facilitate American involvement in international disputes.

During the 12 weeks while the Burke-Wadsworth bill was being considered by the house

and senate, the highly respected Roper, Cantril, and Gallup Polls reported that American public opinion approved military conscription by margins ranging from 52.6 percent to 69 percent.³⁸ Notwithstanding the gravity of the European crisis and the conclusive results of the numerous congressional rolls and the impressive findings of the Roper, Cantril, and Gallup surveys, the Kansas congressional delegation remained overwhelmingly opposed to military conscription. Indeed only one of nine Kansans favored the conference report on the Burke-Wadsworth bill. Thus, 88.9 percent of the Kansans in congress were unwilling to assent to military conscription at a crucial juncture in the nation's history.

AS PREVIOUSLY mentioned, Kansas did not have a senatorial election in 1940.³⁹ All seven of its representatives, however, were engaged in quests for reelection. When the votes were tabulated on November 5, all were reelected. Except for Houston, the sole Democrat, their margins of victory were quite substantial.⁴⁰ There is scant evidence to warrant the conclusion that a single congressional contest in Kansas was decided primarily on the basis of the Burke-Wadsworth bill, and it was noteworthy that six of the state's seven representatives in the fateful summer of 1941 were recorded in opposition to the continuation of military conscription.

During the lengthy and well-publicized deliberations over the Burke-Wadsworth bill the nine members of the Kansas congressional delegation had ample opportunity to express their opinions on the crucial issue of military conscription. A review of the house and senate debates indicated that some Kansas congressmen either resorted to emotional rhetoric or tended to minimize the dimensions of the Nazi

33. In congress the conference report on the Burke-Wadsworth bill was favored by 226 Democrats (80.1 percent) and 53 Republicans (35.1 percent).

34. In the nearby states of Nebraska and Iowa the congressional delegations opposed the Burke-Wadsworth bill five to one and seven to two respectively. Altogether Midwestern congressmen voted against the bill 89-31 (74.2 percent).

35. Defeated 209-188, the Ludlow resolution had received the support of 47.4 percent of the house membership and 100 percent of the Kansas delegation.—*Congressional Record*, v. 83, pp. 282-283; Manfred J. Jonas, *Isolationism in America, 1935-1941* (Ithaca, Cornell University Press, 1966), pp. 161-163; Robert A. Divine, *The Illusion of Neutrality* (Chicago, University of Chicago Press, 1962), pp. 219-221.

36. Attempts to delete the arms embargo repeal provision were rejected 243-172 in the house and 55-24 in the senate. Favoring retention of the arms embargo were 39.7 percent of the members of congress and 87.5 percent of the Kansas delegation.—*Congressional Record*, v. 85, pp. 1356, 1389; Ray Allen Billington, "The Origins of Middlewestern Isolationism," *Political Science Quarterly*, New York, March, 1945, pp. 44-64.

37. Approved by the precariously narrow margin of 203-202 in the house and the distinctly more substantial majority of 37-19 in the senate, the continuation of military conscription was supported by only 12.5 percent of Kansas congressmen.—*Congressional Record*, v. 87, pp. 7074-7075, 7126; *Post*, Washington, D.C., August 13, 1941, pp. 1, 4.

38. The Elmo Roper poll, published in July, 1940, indicated the following nationwide viewpoint on military conscription: favorable 52.6 percent; unfavorable 37.9 percent; undecided 9.5 percent. The Cantril poll, conducted on July 20, 1940, provided the following statistical compilation on conscription: favorable 69 percent; unfavorable 27 percent; undecided 5 percent. The following Gallup polls reflected the levels of American support for conscription: 64-36 percent (June 24); 67-33 percent (July 29); 66-34 percent (August 11). *Fortune*, Supplement, July, 1940; Hadley Cantril, "America Faces the War: A Study in Public Opinion," *Public Opinion Quarterly*, Princeton, N.J., September, 1940, pp. 387-407; George H. Gallup, *The Gallup Poll; Public Opinion, 1935-1948* (New York, Random House, 1972), pp. 226, 229, 234, 236, 238.

39. Notwithstanding their isolationist records, Capper and Reed were reelected by 57.1 percent (1942) and 57.8 percent (1944) respectively.—*Guide to U.S. Elections*, p. 492.

40. Houston was reelected by 5,585 votes, while the Republican majorities varied from 10,872 to 32,831.—*Ibid.*, p. 792.

military triumphs in Europe. Nevertheless, the overwhelming majority of Kansas congressmen were genuinely opposed to the principle of peacetime military conscription. In voicing their convictions in the house and senate chambers and casting their votes on the Burke-Wadsworth bill they were undoubtedly reflecting the prevailing sentiment of the 1,905,299 citizens of Kansas.

APPENDIX A SENATE COMMITTEE ON MILITARY AFFAIRS

MAJORITY REPORT

Vast appropriations have been made for national defense to provide mechanized equipment and other defensive weapons which are necessary for adequate protection. These mechanized forces must be manned by trained and competent men. The training of these men must begin now. It cannot be postponed to an indefinite future date. At this time the Army needs a sufficient number of men to conduct operations with large bodies of men, thus learning coordination and cooperation between the various arms and the smaller units. There are many Reserve officers who cannot obtain proper experience unless training can be conducted with larger numbers of troops in the field. The great lesson of the last six months is that perfect coordination and teamwork between all groups insure victory. Teamwork cannot be had without practice. The need for men now is imperative in order to conduct a proper training program. The people of this Nation are demanding adequate national defense for their protection. This legislation provides the only satisfactory means of providing that protection.

MINORITY REPORT

Regimentation of American life as provided for by the Burke-Wadsworth bill in peacetime is abhorrent to the ideals of patriotic Americans and is utterly repugnant to American democracy and American traditions. No proof or evidence was offered to indicate that all of the personnel needs of the Army and Navy cannot be obtained on a voluntary basis in the traditional American peacetime manner. A one-year voluntary enlistment will provide more men for such training than can now be cared for with existing military equipment.

Voluntary enlistment should be given a thorough trial

before any Hitlerized method of peacetime conscription with its far-reaching implication of militarism and imperialism is adopted as a permanent policy in erica. After a thorough and fair trial, if the voluntary enlistment plan fails in part or in whole, then before it is too late the minority will gladly support conscription, but not before.

APPENDIX B HOUSE COMMITTEE ON MILITARY AFFAIRS

REPORT

The measure is designed to place our armed forces on land and sea and in the air in position to enable it to protect the continental United States from invasion or aggression from any foreign foe. We believe that inasmuch as billions of dollars have already been appropriated by the Congress for the acquisition by the Army and Navy of a vast amount of modern mechanized implements of war, arms, and munitions, that it would be a crime against the country and its people if we did not at the same time provide in a substantial way for the fair and impartial training of sufficient manpower to enable the Government, in case of war or attempted aggression, to use and operate these implements of warfare, arms, and munitions in defense of the rights of the people of the United States.

We therefore submit that the bill ought to be enacted speedily and that time is of vital importance.

MINORITY VIEWS

We have become accustomed to the growing usage of the term "total defense" without realizing its full implications. "Total defense" can have only one logical final meaning. It means the use of our entire manpower and our entire economy, under an arbitrary centralized control, for the primary if not the sole purpose of establishing a military machine. Under authorizations already extended to the Executive, that machine will be immense. Under the mounting pressure which might well follow, it will be difficult to resist further authorizations—if the Executive is then still observing the formality of asking congressional authority.

The minority holds, therefore, that this proposal, and others inevitably to follow, to conscript manpower, conscript the farmers, conscript industry, conscript labor to run industry and conscript the wealth of the Nation is not only unnecessary at this time to the adequate defense of the country, but that it is a distinct and dangerous departure which will lead inevitably to the destruction of the American form of government in a totalitarian, military economy.