

**AMERICA'S CASE
AGAINST
GERMANY**

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America's Case Against Germany by Lindsay Rogers

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LINDSAY ROGERS

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Withdrawn

BY

LINDSAY ROGERS, PH.D., LL.B.

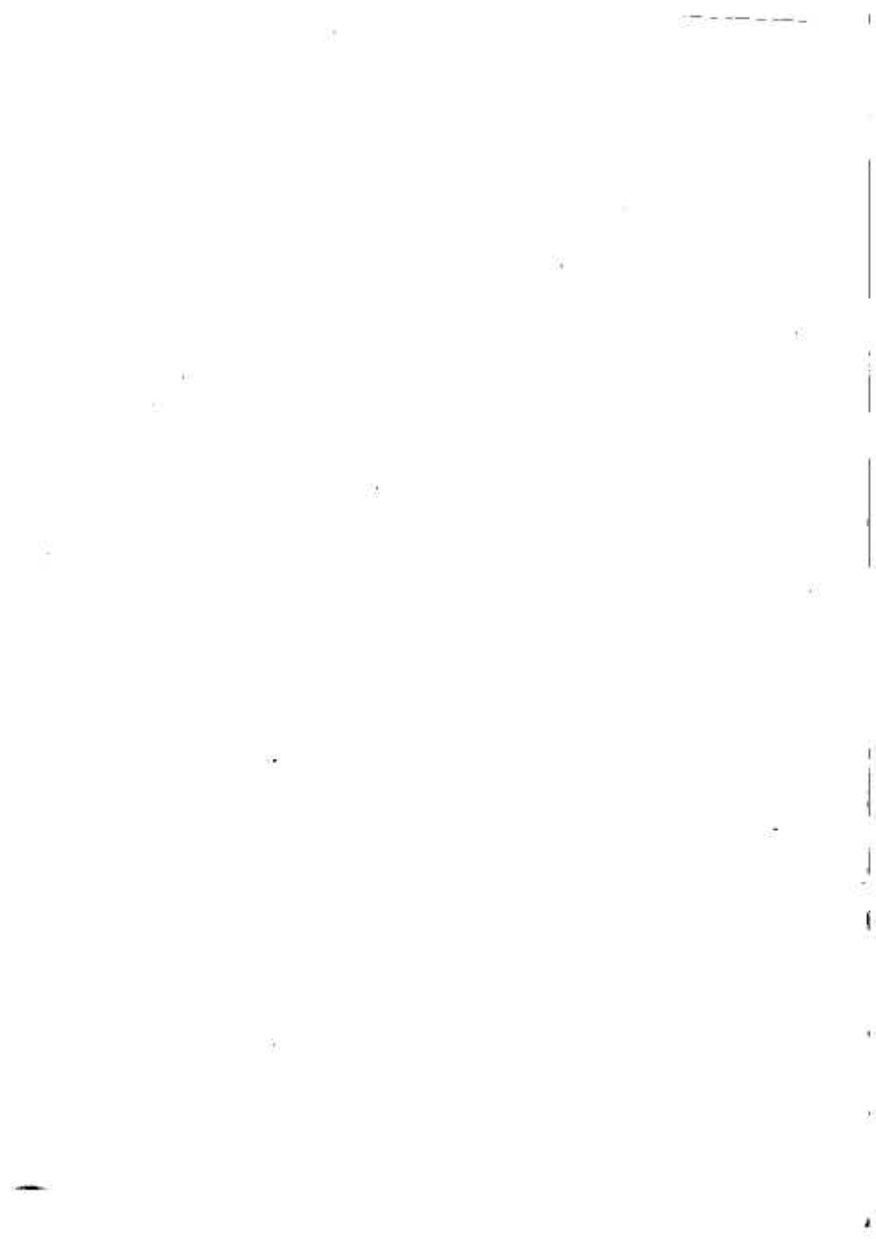
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NEW YORK
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681 FIFTH AVENUE

TO
MY FATHER AND MOTHER

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Dante Miller
12-10-35

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PREFACE

I HAVE attempted in the pages that follow to describe the origin and development of the controversy which was the immediate cause of war between the United States and Germany. The diplomatic exchanges dealing with the submarine issue are not accessible to every one; and in any event they contain so much verbiage and are so arranged that they will not be resorted to in order to secure a knowledge of the issues involved. I have sought to furnish a chronological account of Mr. Wilson's policy—narrative and explanatory, not critical or defensive, for it is too early to pass definite judgment.

There are unmistakable evidences that the justice of our case against Germany has not been clearly understood even by loyal Americans. If one reads the debates in Congress on the war resolution or armed neutrality, for example, he cannot fail to discover an amount of misinformation which is surprising and dis-

heartening. And so I have thought it worth while to give a treatment of the points of international law involved as brief and untechnical as is consistent with the necessity for explaining the legal grounds of the American position—particularly with regard to the submarine as a new weapon, not subject to established rules, the status of armed merchant ships, the problem of munition exports, and the difference between the English and German “blockades.” These are the problems which seem to have caused the greatest confusion of thought, and no attempt has yet been made to treat them together and to furnish the basis upon which war with Germany was inevitable.

In the introductory chapter I refer briefly to the fact that President Wilson has ascribed our participation in the war to the duty of fighting for peace, democracy, and liberty against a state which has committed terrible outrages on these ideals, and that there are grounds, other than the legal one, upon which our case against Germany may be rested. The formulation of a moral indictment is not here attempted; it has already been repeatedly

drawn up in the literature which seeks to explain the purposes of those nations which are now our Allies. Germany was guilty of a brutish invasion of human rights everywhere, and it was simply one phase of this—the callous assassination, not alone on the high seas, of noncombatant citizens of both sexes and all ages—which so aroused the indignation of America that war was inevitable. The mere unlawfulness of the submarine warfare was not decisive; that might have been overlooked. But it is nevertheless true that the purely legal issue is of fundamental importance, because if American citizens had not had a legal right to travel unmolested, even when on armed merchantmen; if American vessels, no matter with what cargoes, had not had a legal immunity from destruction until the lives of their passengers and crew were safeguarded, the United States would have been unable to protest against the war zone decree, to announce that Germany would be held to a “strict accountability,” and to consider the sinking of the *Lusitania* “deliberately unfriendly.” But for the fact that the United States could rest its