Forming Preferences on International Cooperation: Uncertainty and Executive-Congressional Control in the US Senate Debate on the League of Nations

Sabrina Arias and Julia Gray
University of Pennsylvania

September 2021

Abstract

How do state preferences emerge in the incipient moments of international cooperation, and what lessons do such moments offer for the fate of international organizations (IOs) today? Opening the 'black box' of preferences over international cooperation requires theories of how individual legislators as well as parties adopt positions on IOs, particularly in terms of their electoral and institutional incentives. The founding moments of IOs are a particularly fertile ground to examine how preferences form over IOs, as partisan preferences have yet to crystallize. But because legislative debate is usually circumvented in treaty design, we have few opportunities to explore the formation of those preferences. The 1919 US Senate debate on the League of Nations provides an opportunity to examine this moment of preference formation, and it is particularly puzzling because, at the time that the Treaty of Versailles reached the Senate, an estimated 80% of voters — along with interest groups, civic groups, and elites across party lines — supported the treaty, yet at the same time, significant uncertainty remained about the implications of the League, and the Senate voted it down. We argue that legislators responded to the uncertainties around international cooperation by attempting to wrest legislative control over the IO. The long-acknowledged tensions between the executive and the legislature can be leveraged as a partisan strategy, overwhelming even pressure from elites, constituents, and civil society. We use a text-as-data approach to estimate the dominance and number of topics that reflect Congressional To account for shifts in executive leadership, we leverage two different instances of Wilson unexpectedly being struck by Spanish flu (April) and a stroke (September) as exogenous shocks to the influence of the executive. Our findings suggest that even when the deck is stacked in favor international cooperation – with elite, interest-group, and constituent support – Congressional politics still hold considerable power to derail these agreements.

1 Introduction

What forms state preferences over international cooperation? Scholars readily acknowledge the complex nature of countries' foreign policy preferences, which arise from complicated interactions among elites, voting publics, economic interests, and public officials. Government officials are meant to absorb the often-contradictory preferences of those domestic groups and bring them to the negotiating table (Putnam 1988; Martin 2000; Koremenos et al. 2001). And yet the preferences of those groups are often undertheorised — particularly those of legislators, who are crucial to an agreement's ratification (Kelley & Pevehouse 2015) and implementation (Von Stein 2016).

This oversight is not an accident. Executives, mindful of the risks of involving legislatures in foreign policy, usually circumvent the legislature's discretion in this area. This circumvention occurs through institutions such as trade-promotion authority, in which the US Congress can only vote a preferential trade agreement up or down; in the realm of foreign policy more generally, legislatures can usually only ratify an agreement as written, not alter its contents. The fact that executives routinely shut legislators out of foreign policy deliberations means that their preferences are undertheorized in political science, usually reduced to arguments about their ratification behavior (Haftel & Thompson 2013). If domestic politics are considered more broadly in theories of IO formation, they usually take the form of elections (Schneider 2020) or institutional checks and balances (Mansfield et al. 2007; Spilker & Koubi 2016; but see Checkel 1997; Martin 2000). delegation to the president sheltered Congress from constituent pressure thereby facilitating the opening of the US economy(**?**)

We provide a framework for understanding legislative preference formation in the incipient moments of international organizations. Legislatures are the site at which state preferences are distilled, debated, and ultimately arrived at, with important consequences, as they establish the precedent for future decisions about international cooperation. We argue that when faced with the task of weighing competing preferences over an international issue area where the costs and benefits of cooperation are uncertain, legislators

will tend to favor institutional designs that assert their own control over international cooperation. This tendency can be effectively weaponized as *partisan strategy,* where party leaders can appeal to legislators' impulses to gain Congressional control, even in the face of pressures from constituents and lobbyists. These strategies will be particularly successful when government is divided and when the influence of the executive is diminished. This logic has been acknowledged in trade politics (O'Halloran 1994; Goldstein & Gulotty 2017) and for international cooperation more broadly, particularly when the legislature has leverage over an unpopular executive (Martin 2000).

We test this argument with a hard case: the 1919 United States Senate debate and vote over the League of Nations. It might sound surprising to describe this case as a hard test of the theory, since hindsight has cast this period as one of isolationism in the US (Wertheim 2020). Although current times suggest a US public that is largely indifferent at best, and negative at worst, toward international cooperation, the League was viewed favorably by most voting publics across the country and also enjoyed bipartisan support among political elites (Lavelle 2011). Indeed, the Republicans — representing the holders of capital — had a policy record of internationalism starting in the late 1800s. Furthermore, many civil society groups (such as the League to Enforce Peace as well as the Union League), religious and civic groups, along with business and economic interest groups engaged in lobbying in favor of the League. Finally, US President Wilson not only had a large role in the design of the treaty itself but did so on the tide of a broad mandate of all the aforementioned support and invested all of his political (and physical) capital towards getting the League ratified. As one account put it on the eve of his journey to Europe to help draft the treaty, "Never in the history of the United States has any President been as strongly supported in his large policies, regardless of party, as has President Wilson. He may go to Europe feeling that the country is behind him with hearty and sympathetic support," (Fleming 1932). To have the League shot down in the face of bipartisan political support and strong endorsement by a popular president, while publics found the League both salient and favorable, is puzzling.

Furthermore, the League itself was a groundbreaking concept: an organization — not a court or a political conference — meant to steward international cooperation. Although such IOs are commonplace now, the League was the first of its kind, meaning that there were few preconceived notions about the merits or demerits of such an organization (Wertheim 2018). The US exercised considerable leverage in the design of the League (Pedersen 2015), which should also suggest every incentive for approval.

We develop a theoretical framework to argue that particularly for new issues, legislators prefer to 'contract over uncertainty' (Koremenos 2005) by doing their best to exert control over the IO, and that concerns over control can incentivize blocking cooperation by the opposition party, despite public support. We suggest that even in the presence of strong incentives for cooperation, IO design plays a prominent role in legislative preference formation, and in particular, institutional features that bear on the distribution of power between the executive and the legislature are likely to be salient points of contestation. Legislators are more likely to block IOs when the adoption of the IO would lead to increased executive power — either by increasing the political capital of the executive by delivering a popular 'win,' or by increasing the substantive powers of the presidency relative to Congress. These conditions are particularly powerful when government is divided, and in the presence of 'shocks' to executive leadership.

Using a text-as-data approach on a novel dataset of historical speeches, we build in three steps evidence for our argument that concerns over diminished Congressional power and uncertainty over the costs of cooperation led the Senate to reject the League. First, we use structural topic modeling to map trends in the debate, tracking the prevalence of concerns about congressional versus executive powers across speeches from prominent senators, swing votes, and senators for whom the issue was low salience, using the timing of their speeches as proxies for preference intensity. Isolating the rhetorical topic that captures the "reservations" put forward by Henry Cabot Lodge, we show that, first, the Republican elite was more consistently on-message with the topic of reservations, and this topic seemed particularly persuasive to Senators for whom the issue was low-

salience. Second, we use background characteristics of Senators as well as various proxies for their constituencies to test an alternative explanation that individual or constituency preferences explain legislative preference formation. Finally, we leverage "shocks" to the influence of the executive by analyzing the debate surrounding two instances of then-President Woodrow Wilson's sudden illnesses, one in April as the Treaty was first under debate in the Senate, and one in October when Wilson collapsed — and never fully recovered — during a speaking tour promoting the League. This presents a unique methodological opportunity to leverage exogenous shocks to examine variation in speech data.

Approaches to foreign policy that account for the contradictory incentives of the executive and the legislature are not new. Particularly in the study of US trade politics — where institutions such as "fast-track authority" explicitly constrain Congress's ability to sway indifferent legislators through the promise of advantageous amendments — the tensions between the interests of legislators and that of welfare-maximizing executives is clear in theory and practice (O'Halloran 1994; Goldstein & Gulotty 2017). However, such approaches are easy to understand in exclusively economic cooperation, when legislators must defend concentrated interests in their constituency that would experience material losses from trade openness (Grossman & Helpman 1994); they are less straightforward in the case of the kind of political and military cooperation offered by other forms of international cooperation. We expand on and broaden such findings, showing that even in less-obvious cases of proposed cooperation — and even when support for the IO is broad and bipartisan across constituencies — tensions between the legislature and the executive still present similar disincentives for legislators. This suggests that meaningful international cooperation is perhaps even more difficult to achieve than conventional wisdom suggests.

This paper bridges the literature on the sources of preferences for international cooperation (e.g. Moravcsik 1997; Keohane & Nye 1977), particularly those that stress the importance of organizational cultures in the formation of those preferences (e.g. Legro

1996; Checkel 1999; Drezner 2000; Finnemore & Barnett 2004), with the literature on US foreign policy preferences (e.g. Shapiro & Page 1988; Jacobs & Page 2005). We build on work that compares the dominance of the executive (Moe 1985; Milner & Tingley 2015) with that of the legislature (Weingast & Moran 1983) in policymaking.[1] We suggest that domestic politics — particularly the struggle for IO control between the executive and the legislature — may cut against even the most favorable conditions for international cooperation.[2]

2 The Difficulty of Studying Legislative Preferences over International Cooperation

The domestic politics of international cooperation has long been a fruitful area of scholarly engagement (Putnam 1988). Scholars acknowledge the importance of legislative cooperation across substantive issue areas, including security agreements (Schultz 2005; Kreps et al. 2018), environmental agreements (Spilker & Koubi 2016), and investment treaties (Haftel & Thompson 2013). However, most of this work focuses simply on ratification of international agreements — primarily because ratification is the primary legislative tool available (and the main observable outcome for researchers to examine). Most legislatures around the world simply have the power to ratify international treaties, not modify their contents.

The literature on legislative preferences on the European Union is vast (Hooghe & Marks 2005; Hix & Lord 1997; Ringe 2010; De Vries & Hobolt 2012), at the levels of both national legislatures as well as the European Parliament itself, and legislature preferences play a more decisive role in state positions on EU governance than the interests of socio-

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[1]Although many IO scholars do look at the role of legislatures in foreign policy (Haftel & Thompson 2013; Kucik & Moraguez 2017), they tend to focus on the legislatures' ratification once treaties are negotiated, rather than analyzing the content of the speeches to look at preference formation.

[2]Trade policymaking has evolved in the US to circumvent this reality, with the establishment of fast track, which can even be further commandeered by the executive through making trade agreements an executive action rather than a treaty.

economic pressure groups (Genschel & Jachtenfuchs 2014; Schneider 2020). Yet because of an assumed disinterest of US publics on the details of international cooperation (Guisinger 2017) as well as few outlets for legislators to consistently express those preferences due to their limited role in foreign policymaking (Martin 2000), the preferences of US parties and legislatures has yet to be systematically scrutinized, particularly in the incipient moments of international cooperation.

The literature on trade cooperation offers the most extensive academic theories and real-world policies that address the electoral incentives of US legislators with respect to international cooperation. Because trade should offer aggregate gains to mass consumers at the cost of losses to workers in import-competing sectors, legislators who represent those losing districts should oppose trade deals (Kucik & Moraguez 2017), particularly when legislators are electorally vulnerable (Canes-Wrone et al. 2002; but see Guisinger 2009). Indeed, institutions such as US executive fast-track authority — in which Congress can vote to authorize the president to strike trade deals and then present them to Congress for an up- or down- vote, with no further amendments or modifications — were created in response to these opposing electoral incentives in balancing aggregate welfare with localized harm. Similarly, a Democratic majority adopted the Reciprocal Trade Agreement Act of 1934, in which Congress gave up agenda-setting power over trade agreements to the executive in order to obtain politically favorable liberalization in the long term (Bailey et al. 1997).

Under this framework, it is relatively straightforward to predict which legislators might oppose trade cooperation based solely on anticipated material gains and losses for a given district. If they represent districts whose industries face competition from liberalized sectors under a trade deal, they would be motivated to oppose such a deal in the hopes of retaining office. In turn, legislators might support the same deal if exporters in their district would benefit from liberalized markets. For other legislators, the incremental consumer gains offered by liberalized trade might be secondary to their own partisan identity or personal ideology — but regardless, trade issues would probably be low-salience

for most voters not directly affected (Guisinger 2017).

But what types of incentives do legislators face in opposing or favoring international cooperation more broadly, not just economic cooperation? Although some scholars have considered the incentives of legislatures when facing international cooperation, particularly under divided government (Schultz 2005), the material interests in the case of general international cooperation are less straightforward than they are for trade. Many treaties focus on issues that affect aggregate welfare, such as national security, without necessarily incurring targeted losses. In such cases, what explains variation in legislators' positions?

In the absence of highly visible material losses from more general treaties, few studies offer specific prediction for what constituency interests might motivate legislative preferences for international cooperation, nor do many studies offer theories for the origins of party preferences on international cooperation.[3] What do we know about how legislators and parties adopt positions on IOs in a US context? Previous work shows evidence of a party politics explanation and a domestic constituency explanation. By co-opting out-party legislators, the executive can pass an IO through Congress with near-consensus (Carson & Conklin Working Paper). Preferences of domestic constituencies are expected to influence individual legislator's positions (and party positions, in the aggregate), but only when the IO is salient to those groups (Lavelle 2011). But when would we expect the features and design of an international institution to affect legislators' position-taking? And how can we explain the failure of these explanations to hold in the case of the League of Nations — an IO that was initially salient and popular, received bipartisan support from the Senate, and was an issue on which the executive expended substantial political capital, but which ultimately failed to pass in the Senate?

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[3]Karol & Thurston (2020) argue that legislators' background characteristics might drive their preferences for new issues, before partisan position-taking has crystallized, but that as party coalitions evolve, legislators may follow the cues of parties. See also Stimson & Carmines 1989 and Caughey & Warshaw 2018 on issue evolution.

3   Background on the Timeline of the League

After the armistice ending the military conflict of World War I was signed in November 1918, plans were immediately set in motion to develop an an institutional framework to prevent future conflicts. At the Versailles Peace Conference, beginning in January 1919, Wilson led international negotiators in developing the League of Nations Covenant as part of the Treaty of Versailles, outlining a general-purpose international organization with the aim of ensuring peace. In this early period of debate, the League enjoyed immense support among the press, the public, and prominent civil society organizations, including the highly influential League to Enforce Peace, the Chamber of Commerce, and the American Federation of Labor (DeBenedetti 1980, 92-3; Fleming 1932, 12, 165-171; Butler 1912; League to Enforce Peace 1916; Chatfield & Kleidman 1992). Even Senators across party lines who would later lead the staunchest opposition to the League, including Lodge himself, expressed early support (Fleming 1932, 23; Mervin 1971).

However, Lodge was able to leverage both his position as chair the Committee on Foreign Relations (with the power to appoint sympathetic committee members) and his role as Majority Leader to splinter the support for the League. He introduced 14 legal reservations to the treaty that would act as opt-outs for the US — a move that Wilson fervently opposed, as he feared it would lead other countries to introduce their own legal escape clauses and render the treaty powerless.[4] The introduction of legal opt-outs was an explicit strategy of Lodge to both assert Congressional control over foreign affairs — a principle that was enshrined in many of Lodge's reservations, which tended to call for Congressional approval but not executive approval, and to protect Congressional powers[5] — as well as to divide legislative and public opinion over the treaty, dragging out a legalistic debate in the Foreign Relations Committee before the matter could even be

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[4]Reservationists argued that reservations, unlike amendments, would not require a full renegotiation of the treaty. The legal implications of reservations were contested at length between the pro- and anti-reservations factions throughout the debate.

[5]These arguments often specifically targeted Article X of the League Covenant, the collective security mechanism. Reservationists argued that the Covenant violated the constitution, stripping Congress of its exclusive power to raise armies, levy taxes, and declare war (Fleming 1932, 143, 148; Margulies 1989)

considered on the floor of the full Chamber.[6] This is recounted in the memoirs of Senator James E. Watson (R) of Indiana, who revealed his discussions with Lodge in the summer of 1918:

> "'Senator,' I said to him, 'I don't see how we are ever going to defeat this proposition. It appears to me that 80 percent of the people are for it. Fully that percentage of the preachers are right now advocating it, churches are very largely favoring it, all the people who have been burdened and oppressed by this awful tragedy of war and who imagine this opens a way to world peace are for it, and I don't see how it is possible to defeat it.' He turned to me and said: 'Ah, my dear James, I do not propose to try to beat it by direct frontal attack, but by the indirect method of reservations.' ... He then went on to explain how, for instance, we would demand a reservation on the subject of submitting to our government the assumption of a mandate over Armenia or any other foreign country. We can debate for days and hold up the dangers that it will involve and the responsibilities we will assume if we pursue that course, and we can thoroughly satisfy the country that that would be a most abhorrent policy for us to adopt."

Historians have debated Lodge's motivations in orchestrating the defeat of the League,[7] but most agree that it came down to some combination of personal and partisan animus toward Wilson and genuine concern about the consequences of the League. Somewhat ironically, Lodge by some reports feared that the League would be a success and would be viewed by voters as a great achievement, giving the Democrats an edge in the subsequent

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[6]Irreconcilables, who dominated the Committee (by Lodge's deliberate appointment), explicitly engaged in delaying tactics, for example, requiring it to be read aloud in full. Senators Spencer and McCormick explicitly called for the Committee to delay as long as possible, as public opposition grew in their states (Fleming 1932, 298).

[7]Or, indeed, if Lodge's intention was to defeat the League at all, or if he sincerely believed that a League with the reservations program was desirable and wanted such a revised League to pass – in either case, without the delaying tactics of reservations and extended debate, Lodge believed that a swift vote would find the unamended League ratified (Fleming 1932, 207).

election (Fleming 1932, 75).[8] In addition to short-term considerations of Democratic credit claiming, Lodge also weighed the enduring balance of institutional power between Congress and the executive in articulating his position, seeking to protect the constitutional position of the Senate in foreign policymaking (Mervin 1971). Thus, Lodge's reservations were intended to subvert Wilson specifically and the executive generally, to "throw on the President the onus of [the treaty's] rejection"(Birdsall 1941, 50) — in other words, to preserve the reputation and leverage of the legislature at the expense of the executive. This strategy allowed Lodge to build a coalition in opposition to the treaty, comprising ideological isolationists, foes of Wilson, and "whatever members of the admitted majority favoring the Treaty could be lured into supporting any particular reservation" (McDougal & Lans 1945, 565). None of those groups was of themselves sufficiently large to form an opposition, but the tactic sufficiently united these groups.

Lodge and his supporters centered the Senate's attention on the minutiae of the reservations, which focused on complex details of institutional design and shifted the locus of the debate from emotionally charged themes of war and peace. They further set a goal of drawing out the debate as long as possible to erode public support (Braden 1960). As the debate in the Senate dragged on throughout 1919, public attention to the League and enthusiasm for its ratification diminished. Margulies notes, "Public support for the League had been broad but shallow. Some of it now crumbled under the pounding of critics. And some League supporters simply become less ardent as they turned to other concerns, such as the rising costs of living," (Margulies 1989, 100). In an attempt to buttress public support for the League, the President embarked on September 4, 1919 on a barnstorming public speaking tour throughout the West, where Senatorial support was the lowest (Hero 1965).[9] Wilson believed (as did many Senators) that cultivating public support through direct appeals would force the Senate's hand towards supporting the League (Hogan 2006, 19, 66). While the speeches were well-received, a debilitating stroke

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[8]This is a far cry from the by-now accepted view that voters dislike IOs due to their ineffectiveness rather than their effectiveness.

[9]For more detail on Wilson's speaking tour, see Section 6.

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prevented Wilson from completing the speaking tour, and he was unable to sufficiently rally public opinion to make the issue more salient or to influence the outcome in the Senate (Hogan 2006, 21, 171), and the Senate rejected the Treaty by a vote of 38-53 on September 19, 1919.[10]

The position-taking by Senators also evolved during the course of the League debate through 1919 and 1920. Several distinctive coalitions emerged: Irreconcilables, led by Senator Borah, were unyielding in thier position against the League; Strict Reservation-ists, led by Senator Lodge, called for substantial modification to the proposed Covenant; Mild Reservationists, lead by Senator McCumber, favored interpretive reservations to the Covenant, and were willing to cooperate with Democrats to work towards compromise; and Supporters, lead by Senator Hitchcock, who favored adoption with no amendment (Braden 1960, 274-5). The Supporters of the League would need to collaborate with all of the Mild Reservationists and many of the Strict Reservationists to obtain passage; ultimately, they stood with the Irreconcilables, ensuring that the Covenant would not be rafitied.

Lodge and Borah were forceful advocates for their position on the floor, while Senate Democrats were relatively weak in advancing their cause. Instead of effectively parrying gambits to bog down the debate in details, Democrats relied on the efforts of Wilson to frame the case in favor and to develop the legislative strategy for passing the Treaty (Braden 1960, 278). Wilson was frequently directly engaged in lobbying efforts with key Senators (Fleming 1932). As Braden observes, "when the League was attacked, the Democratic senators reluctantly replied, but they never took the lead in advancing the cause. At moments of crisis the pro-Leaguers hurried to the White House for counsel, direction, and encouragement. And when Wilson collapsed in September 1919, they floundered hopelessly without his guidance. None of the Democratic senators seemed to catch the crusading spirit of their leader." (Braden 1960, 278-9)

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[10]The Treaty with the Lodge reservations was rejected by a vote of 39-55 the same day. A second debate was held the following winter, and the Treaty was defeated for the final time by a vote of 49-35 on March 19, 1920. For more detail on the voting outcomes, see Section 5.

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4 Core Hypotheses and Rival Explanations

Given that conditions seemed to favor a speedy adoption of the League Covenant – high levels of public support, robust executive leadership, and relatively little opposition by Senators in early 1919 – how did the Senate come to reject the League treaty by the end of the year? We suggest that the institutional conflict over control of foreign policymaking can shed light on this puzzle. We argue that legislatures must also confront uncertainty in the incipient moments of international cooperation, and that they respond to this uncertainty much like states do in the international bargaining process: by attempting to exert institutional control.

This impulse – for Congress and the President to wrestle for control in the foreign policymaking space – is well documented in the literature on Congressional-executive dynamics (e.g. Andrade & Young 1996; Peake 2001; Powell 1999; Schultz 2003; Edwards & Wood 1999). At the same time, individual legislators face several opposing pressures. Individual legislators' policy preference stem from their personal characteristics, their district demographics, group mobilization, and lobbying efforts from special interests. Particularly when all those factors point in favor of cooperation, one might anticipate that legislators would follow suit.

This highlights our core hypothesis about disruptions in executive influence, as follows:

- Shocks to executive influence should affect Congressional debate by:

    - Increasing the variation of topics discussed (in the absence of elite cues);

    - Increasing the prevalence of topics centered on Congressional control

    - Decreased influence of executive talking points in the speeches of senators from states that were outside the sphere of executive influence

This hypothesis is particularly relevant in the case of Wilson's influence with respect to the League. Because of his personal and professional investment in ensuring the passage of the treaty that he designed, he lobbied both the Committee on Foreign Relations as

well as the Senate directly to support the League, and also had few direct proxies in terms of Congressional leadership. A stroke also cut short Wilson's late-fall speaking tour to target states whose senators' support wavered, meaning that he was unable to rally public support in key states that had been on his speaking schedule. As such, any exogenous disruptions in Wilson's influence can be expected to scatter the debate and tilt it toward opposition talking points.

This brings us to the next step of our theory on preference formation overall, which is that uncertainty can also be leveraged as a successful *cross-partisan strategy.* Even in the presence of multiple pressures in favor of international cooperation, uncertainty over the costs of that cooperation is particularly potent in new issue areas.[11] When an international organization that is expected to be weak, the uncertainty over its potential effects on domestic control over foreign policymaking are minimal, and concerns about Congressional powers should be less salient to legislators. However, when the international organization is expected to be strong – or when there is high uncertainty about its likely influence – institutional design, and particularly levers of legislative control over the IO, are likely to be critical features to legislators in determining their likelihood of supporting ratification of the IO. To that end, the impulse to hedge against those uncertainties by building legislative control into international agreements can be a powerful strategy. Because Congressional checks are useful regardless of partisan identity, focusing the terms of cooperation on those checks can appear on the surface as a politically neutral strategy, thus undermining other sources of preferences at the constituent or elite level.

These strategies can have particular success in the absence of leadership from the executive. Foreign policy is generally the domain of the head of state, and executive leadership is usually critical in the messaging and coordination of foreign policy. Further, the executive is able to more effectively able to marshal the public to support her position on IO ratification than is Congress (e.g. Andrade & Young 1996; Peake 2001; Powell

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[11]In the case of the League, the literal costs were also at issue: at one point in the debate Senator Spencer (R-MO) argued that the League would end up costing $1,194,591,000 annually, although the League's actual budget never exceeded $7,500,000.

1999; Schultz 2003; Edwards & Wood 1999). When the executive advocates in favor of IO ratification, it becomes more difficult for Congress to block ratification on the basis of institutional design concerns, which are less likely to be salient to the public. As such, if there are exogenous 'shocks' to executive influence, it will create windows where strategies of Congressional control have the opportunity to dominate other sources of preference.

Similarly, divided government also affords space for arguments in favor of Congressional control to hold sway over other pressures. If the party controlling the legislature has a different ideology than that of the executive, there may be a greater impulse to undermine the efforts of the executive to claim a foreign policy victory, and to preclude the expansion of executive control by the out-party. Alternately, there may be more genuine ideological disagreement over the nature of that foreign policy. Congressional control in the IO then would serve the multifold purpose of undermining consensus over the design of the agreement; derailing a cooperation effort that might provide the incumbent with a popular boost; and moving foreign policy closer to the preferences of the majority party.

This logic leads us to our key expectation: legislators are expected to leverage concerns about institutional authority in IO design when there is substantial uncertainty about the scope of the IO's influence over domestic foreign-policymaking, and are especially likely to do so in cases of divided government and weak executive leadership. We test this novel theory of legislator preference formation against three rival explanations drawn from existing theories: namely, that constituent concerns, personal ideology, or partisanship are the principal sources of Senators' preferences over IO membership.

If *constituent concerns* influence legislator preferences, legislators representing more isolationist constituencies (i.e. those that are more exposed to the costs of cooperation) should be more likely to oppose ratification of IOs (Kucik & Moraguez 2017). Legislators who are more electorally vulnerable should be more likely to attend to these concerns (Canes-Wrone et al. 2002; Hill & Hurley 2002). If legislators perceive IOs to be of low salience to their constituents, this could allow the legislator's *personal ideology* about international cooperation to shape the their preferences over IOs (Levering 1978; Shapiro

& Page 1988). In such case, legislators would be free to exercise their judgement based on individual views and beliefs, and individual background characteristics (for example, educational and religious background) would predict Senator preferences (Karol & Thurston 2020). If *partisan electoral implications* shape legislator preferences over IOs, out-party legislators would be expected to oppose ratification if they believe that obtaining ratification is expected to electorally benefit the incumbent, and these effects would be particularly strong for party leaders.

5 Measuring Preferences: Three Strategies

While our theoretical expectations are generalizable across situations when new IOs are presented to legislatures for approval, we examine them in the case of the Senate debate on the League of Nations treaty. To test our theory, we examine speeches given by Senators from February 1919 to March 1920, the core period on debate over the League. We extract specifically speeches that make reference to the League, resulting in a corpus of 29,649 speech-paragraphs drawn from 2,514 unique speeches. More details on the data collection and preparation processes can be found in the Appendix. We use this speech data to estimate several different quantities:

1. *Content of Speech:* Members of Congress have limited time, and are only able to allocate attention to issues which them deem to be priorities (Hall 1998; Jones & Baumgartner 2005). Proportions of speeches or number of speeches in a given time period discussing a topic have been widely used as a measure of a Member's attention to, and accordingly prioritization of, an issue (e.g. Andrade & Young 1996; Harris 2005; Quinn et al. 2010; Grimmer 2013; Hill & Hurley 2002). We can therefore assume that Senators who allocate more speech attention to the League have more intense preferences over its adoption: that is, if the League is a priority to a Senator, their preferences are assumed to be strong. To test our hypotheses about framing, coherence, co-optation, and issue linkage, we also estimate several

other measures of speech content, including sentiment, topic, similarity, entropy, and readability. Details on each of these estimators can be found in the Appendix.

2. *Timing/Existence/Length of Speech:* We posited above that Senators that give their first speech addressing the League earlier in the course of the debate have stronger preferences than those who give their first speech later. We therefore capture the date that each Senator gives their earliest speech on the topic of the League.

3. *Vote:* While text-based methods allow us to examine Senator preferences as they develop through the course of the debate, their final position is ultimately expressed in their vote on the matter at hand (Poole & Rosenthal 1985). We therefore obtain the Senate voting records on the League. However, there were many different Senate votes on many different versions and subsections of the treaty, and as such, identifying a firm "final" preference is not straightforward. This is especially complicated because senators received mixed cues on strategy; Wilson remained determined that the treaty had to be voted through without any reservations — not least because other countries were in the process of ratifying it in its extant form — whereas other key groups (such as the League to Enforce Peace) quickly became of the mind that a treaty with reservations was better than no treaty at all, and recommended adoption with reservations. These split elite cues, combined with the multiplicity of votes, means that voting is an imperfect metric of senators' true preferences.

There were several layers of votes. For example, prior to the formal opening of debate on the treaty in September, the Senate's Committee on Foreign Relations on August 23 voted to reverse the Shantung agreement (an extremely unpopular concession of land from China to Japan); and on August 26 it voted to recuse the US from all international commissions except for those on reparations. Once the Senate began its formal debate of the treaty in September, in a further vote, on October 2, Senators voted to reject amendments proposed by Senator Fall (R-NM) that would prevent the United States from serving on any international commission

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created by the treaty. On November 15, the chamber was still considering the treaty when for the first time in its history, the Senate successfully voted to invoke cloture, stopping debate on the treaty. Starting on November 7, Senators voted on each of the 14 Lodge reservations. Many reservations were drafted to contradict specific articles in the League, including Article 1 (blocking member withdrawal from the League of Nations without prior notice), Article 3 (giving the United Kingdom six votes), Article 8 (limits to armaments), Article 10 (the enforcement clause relating to collective security), Article 21 (territorial expansion, which the Senate argued went against the Monroe Doctrine of 1823), Article 22 (recognizing mandates rather than territories), and Article 23 (on human rights).

There were then two votes on the treaty on 19 Nov 1919, both with (39-55) and without (38-53) reservations.

A final vote occurred when public opinion compelled the Senate to vote on the treaty again on March 19, 1920 — this time bringing in all of Lodge's reservations. The breakdown vote was 49 in favor (17 Strong Reservationists, 11 Mild (Republican) Reservationists, and 21 crossover Democrats who voted "yea") versus 35 against (22 loyal Democrats and 13 Irreconcilables, including one Democrat).

6 Discontinuities in Executive Leadership

Our core hypothesis centered on tests for the effects of *shocks to executive leadership*. We posited that Congressional attention to matters of IO design and legislative control should increase when executive influence weakens. We therefore examine the timing of Wilson's stroke as a discontinuity in the debate, reflecting a change from high to low executive influence, as Wilson had been instrumental in leading the pro-League campaign by Senate Democrats. As Margulies notes:

"Had Wilson retained his health, he might eventually have agreed to meaningful compromise [on the reservations]....Senate Democrats suffered a leadership

gap during Wilson's illness. Hitchcock could hardly take it on himself to deviate from the strategy that he had earlier developed and that Wilson had approved." (Margulies 1989, 109-110)

Public support for the League, which had initially been high, was ebbing by September.[12] Wilson believed that a direct appeal to the people could shore up their support and compel the Senate to vote in favor. He therefore set off on a whistlestop speaking tour, beginning in Columbus, Ohio on September 4. Between September 4 and September 25, Wilson made 39 speeches in 17 different states (Wilson et al. 1966). In every state Wilson visited, the speeches were well-received by large and supportive crowds. The speeches were also extensively covered (and often printed in full) in local newspapers throughout the country, and were generally lauded by journalists as successful in rallying public enthusiasm in favor of ratification (Hogan 2006).

Following the first leg of the tour, the New York Times reported that "[t]he people in the States through which Mr. Wilson has passed (Ohio, Indiana, Missouri, and Iowa) want the Peace Treaty ratified, and are absolutely opposed to any efforts to make the treat a 'football of politics' which may result in a moment's unnecessary delay," (The New York Times September 8, 1919). After giving speeches throughout the San Francisco area, the Times observed:

"President Wilson has gone far to break down the opposition to the Peace Treaty and the League covenant in this part of California, and when he left tonight for the southern part of the State it was the concensus [sic] of opinion among most observers that he had materially advanced the cause for which he came out to fight. California, in a sense, is the turning point of the tour, and the results which the President obtained in San Francisco and Oakland these two days are accepted by many as good evidence that the country will turn in resentment on any group of men who persist in a stand that would balk

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[12]See Section 3.

19

the treaty or render impossible America's effective participation in a League of Nations."(The New York Times September 19, 1919)

And two days later:

"President Wilson apparently has won the majority of the people of California over to the League of Nations, and advocates of the treaty and the League here, representing all political factions, confidently predict that if a vote were taken tomorrow the result in the State would be at least two to one for the acceptance of the President's program without drastic reservations....The progress which has been made here by President Wilson has been accepted as of the utmost importance in the nation-wide League fight, as it had....support for the League of Nations will grow rather than diminish as the public has an opportunity to digest more carefully his explanations." (The New York Times September 21, 1919)

Thus, it seems clear that Wilson's efforts in going public were poised to be highly successful in shaping the narrative on the League, and would have made it extremely difficult for the Senate to continue its legislative maneuvering on reservations. The rhetorical themes emphasized in these speeches would have likely been focal points to coordinate Democratic efforts in the Senate to capitalize on the shift in public opinion, working towards a speedy ratification of the unamended treaty. However, Wilson suffered a debilitating stroke after his September 25 speech in Pueblo, Colorado, and had to cancel the 5 remaining stops. To preserve his health, Wilson was largely sequestered from Senate Democrats, and was unable to effectively guide their rhetorical strategy or leverage the success of the speaking tour: in the absence of executive leadership to coordinate speaking points, Senate Democrats proved unable to block the better-coordinated efforts of the reservationsts and irreconcilaibles.[13]

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[13]Future analysis will deploy the speech data described in the previous section to quantitatively examine of the effect of this shock on legislator rhetoric.

7 Descriptive Empirics

NB: This analysis will be re-done with new data to be obtained in late 2021/early 2022.

7.1 Descriptives - Setting the Stage

The League was a major feature of the debate throughout 1919 and 1920: only nine Senators never engaged in the debate on the topic throughout this period. Timing does seem to be related to preference intensity: the most 'prominent' Senators in the debate (Hitchcock, Borah, Lodge, Underwood, Cummins, Fall, Pittman, Knox, Kellog, Poindexter, Penrose, Owen, Johnson, Reed, McCumber, and Swanson)[14] entered into the debate early (June and July), while many Senators did not make their first speech on the topic of the League until later in the fall (Figure 1). Prominent speakers also spoke on the topic more frequently and gave speeches that were slightly longer than average in length. In both the early and late period of the debate, however, the number of speeches given by Senators of both parties are relatively equal.

7.2 Timing, content, and coherence of speeches, across/within party and over time

We expect that Republicans should leverage concerns about Congressional power and concern about the design of the League in their speeches, while pro-League Democrats should be less likely to undertake such arguments. Indeed, we find that Republican speeches are more likely to discuss specific design features of the proposed League (although not statistically significantly so), as well as ideological concerns. For example, Senator Hardwick spoke on IO design on March 1, specifically addressing concerns about the balance of power between Congress and the executive:

> "Senators should stand firm against an Executive who had 'absorbed all power

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[14]'Prominence' was defined by analysis of primary and secondary accounts of the Senate debate leaders (e.g. Lodge 1925; Fleming 1932; Barth 1945; Margulies 1989). Prominent speakers are balanced across party, with 7 Democrats and 8 Republicans.

Figure 1: Speech Timing as Preference Intensity: Sentiment scores for senators' first speeches

earliest_speech_v2.png
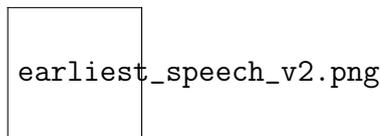
> that belonged to the States,' who had 'taken all the rights that belonged to
> the citizens and lodged them here in the Federal Government' and who had
> broken down the independence of the three coordinate branches of the Federal
> Government itself, 'usurped the powers of Congress.' " (Fleming 1932, 147)

Interestingly, there is no significant partisan difference in Senators' likelihood to discuss the reservations program: this is likely due to the fact that Republicans gave speeches *in favor* of the reservations, while Democrats gave speeches on the same topic but in opposition (Figure 2).

Topics favored by Republicans were more prominent in the debate and were employed with increased frequency over time, while the topic most relied on by Democrats – the economy – never gained traction as a major theme in the discussions, and other topics that Democrats were slightly more likely to favor – such as constituencies – declined in their prevalence over the course of the debate (Figure 3). Republicans as a bloc also appear to have been more effective in staying on message, coalescing around set talking points to effectively drive home their points. Through the major portions of the debate, Republicans gave speeches that were increasingly similar to their party leader, while Democratic speeches actually declined in similarity to their party leadership (Figure 5, left panel). In explaining the success of the anti-League coalition, then, we cannot discount the role that a coordinated and effective rhetorical campaign executed by the strong reservationists and irreconcilaibles may have played in swaying mild reservationists toward their side.

We have already seen that Republican and Democratic Senators spoke and voted differently on the League – clearly, partisanship was influential in determining Senators'

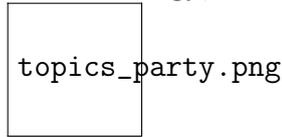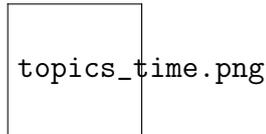Figure 2: Republican messaging distinct on ideology; Democrat messaging on economy

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topics_party.png
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Figure 3: Economy (D) never gained traction; R topics (ideology, IO design, reservations) shaped debate over time

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topics_time.png
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preferences. But how influential was partisanship relative to constituency-level preferences in shaping the Senators' views? To gain insight into this question, we examine several paired comparisons in which the two Senators representing the same state and from the same party ultimately voted differently on the League (Figure 4). In these cases, Senators who voted in favor of the League generally entered the debate earlier and made speeches more frequently, though interestingly did not employ more positive sentiment in their speeches than the Senators who voted against the Treaty.

Figure 4: Holding constituents constant: examining timing and sentiment in speeches by senators from same state who voted differently
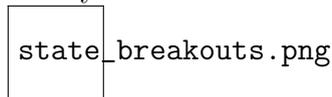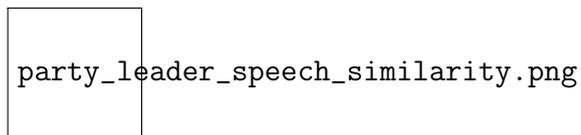
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state_breakouts.png
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Figure 5: Similarity of late (low-salience) speakers to party leaders (Pittman if D, Lodge if R) - late R speakers closer to party leader

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party_leader_speech_similarity.png
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8   Conclusions and Implications

This paper goes beyond a reassertion of the long-established tensions between the legislature and the executive. It also interrogates the formation of national preferences in

incipient issue areas. The debate over the League was more than just an arena of partisan tensions under divided government; it set the tone for US participation in international cooperation for the subsequent century. Even if the US remained heavily involved behind the scenes (Lavelle 2007), its public refusal of the treaty had implications for the League as well as for subsequent institutionalized cooperation.

The outcome of the Senatorial debate and ultimate rejection of the League had profound effects on the history of international cooperation. As McDougal & Lans 1945 put it, "The history of the Treaty of Versailles would have been very different if the United States had ratified it, since the treaty itself was largely shaped on the assumption that it would have behind it both the authority of the United States and the impartial influence of the United States as a constantly moderating influence in its enforcement," (McDougal & Lans 1945, 345). As such, the lack of formal US participation — even if the US remained heavily involved behind the scenes, in terms of both personnel and funding (Lavelle 2007) — took a toll not only on the League itself but on the US public perception of the merits and demerits of IOs. This example shows how lasting the influence of executive-legislative tensions can be on policy.

Developers of later international organizations learned importance of, first, circumventing the legislature in foreign policymaking, and, to a lesser extent, accounting for Congressional oversight in IO design in cases when proposed IOs were to have uncertain influence. Incorporating influences from Senate leaders, and particularly out-party leaders, co-opted the preference formation process in favor of the IO. These activities were as important as cultivating public support in obtaining ratification for the Bretton Woods Institutions decades later (Lavelle 2011; Carson & Conklin Working Paper). Public support and executive leadership alone are not enough to account for domestic ratification of IOs: we show that legislative support for institutional design is an equally important – if not more important – feature.

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9   Appendix

9.1   Data Collection and Preparation

The speech data for our analysis is drawn from the *Congressional Record* covering the period of the Senate debate on the League of Nations Covenant. We delineate the debate as beginning with President Wilson's presentation of the preliminary Covenant to Congress in February 1919 until the final defeat of the Covenant by the Senate in March 1920. Because the *Congressional Record* is published in batched volumes rather than at the day level for years prior to 1980, the exact time span of the dataset runs from February 12, 1919 to April 8, 1920, which includes portions of the 65th Congress, as well as the 66th Congress. Each volume is published in sections, which allows us to temporally identify speeches at the month level. We scrape and download these *Records*, which run thousands of pages. The *Record* is published as scanned images, so we then used optical character recognition (OCR) software to convert each document into a plain-text format. OCR on archival texts is a challenging task because of poor quality scans, so we iteratively worked to reduce the amount of noise in the text data. After comparing performance of several OCR engines, we selected ABBYY FineReader version 15 as the best performing.

We remove sections of the *Congressional Record* that contain non-speech material (e.g. petitions and memorials) using a regular expression-based search of section headings. We then segment the *Record* into individual speeches by Senators. We begin this process by separating the *Record* into paragraph-like units, which we do by identifying line breaks in the plain-text. This produces a dataset of 303, 245 paragraphs. After segmenting the *Record* into paragraphs and manually correcting some OCR artefacts, we must identify the speaker associated with each. Conveniently, each speech-turn is identified with the name of the Senator speaking (e.g. "Mr. BORAH"), which enabled us to use a regular expression to identify the speaker for each speech.

Each identified speaker is imputed for subsequent paragraphs until the next speaker is

identified, for a total of 173,108 distinct speech-turns. We match the speaker with meta-data including the Senator's state, party, age, DW-Nominate score, their vote on the League Covenant and reservations, as well as state-level metadata, including the state vote share for Wilson, trade and manufacturing data, and whether Wilson spoke in the state on his speaking tour. The presence of OCR errors resulted in some speeches being labeled with Senator names that could not be automatically matched with the metadata (e.g. "Mr. RORAH"). We implemented both automatic procedures (fuzzy match) and manual evaluation to match these cases with the correct identification. We also identify speeches by Senators that were 'prominent' in the debate on the League (Senators Hitchcock, Borah, Lodge, Underwood, Cummins, Fall, Pittman, Knox, Kellog, Poindexter, Penrose, Owen, Johnson, Reed, McCumber, and Swanson), as well as by Senators in the four different voting coalitions (strong Democrats, mild reservationists, moderate reservationists, and strong Republicans– mild and moderate reservationists together comprise the middle grounders).

Our analysis is interested only in Congressional speech that pertains to the League of Nations, so we implement a regular expression to subset the full set of speeches to only those which reference the League, which returns 3,925 speech-paragraphs.[15] We use these paragraphs to identify the 2,514 unique speeches in which they are contained, and use the full speeches (comprising 29,649 paragraphs) for our analysis. We remove any speech-turns that are identified as roll-call votes by extracting speeches with 25 or more Senator-name tokens (the $99.4^{th} percentile$, 179 cases).

9.2 Estimation

We conduct sentiment analysis using a dictionary based method, implementing the Lexicoder Sentiment Dictionary (Young and Soroka), which identifies negative and positive words and bigrams (which capture more complex structures). We calculate a normalized

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[15]Specifically, we implement a regular expression matching "[Ll]eague of [Nn]ations |[Tt]reaty of [Vv]ersailles |[Vv]ersailles [Tt]reaty |[Ll]eague [Cc]ovenant |[Cc]ovenant of the [Ll]eague |[Ll]eague of [Nn]ations [Cc]ovenant |[Ww]ilson[\']*s [Ll]eague"

sentiment score as the proportion of sentiment-words in each text. Normalized sentiment ranges from -0.1 to 0.17. We did not find notable differences in sentiment between Republicans and Democrats in their speeches on the League, likely due to the complexity of parliamentary speech, which is not well-suited for a dictionary-based sentiment analysis, nor did we find differences in sentiment towards the League between Senators in mixed delegations from the same state (that is, comparing sentiment of Senators in mixed-partisan state delegations).

We estimate a structural topic model (Roberts et al. 2014) to extracted topic proportion vectors for each document in our corpus. To prepare the data for topic model estimation, we remove punctuation, stopwords, numbers, and words of 2 characters or fewer, conduct stemming, and trim the term-frequency matrix to remove words that are extremely common and extremely rare, which would be uninformative in estimating the model, and remove the documents that have no tokens meeting these criteria (e.g. any documents that only contained stopwords or extremely common, and thus uninformative, words). Thus, there are ultimately 28,511 paragraphs from 2,514 distinct speeches. After testing several specifications to maximize held-out likelihood and minimize residuals (see Figure 6), as well as manually evaluating the performance of the different models, we select a specification with 8 topics, allowing topic prevalence and content to vary over time. We employ a spectral initialization and a ten iteration burn-in period. To label the topics produced by our model, we read the top fifteen highest-probability words and the top twenty-five documents with the largest proportion of their content falling under that topic and inductively constructed topic labels. We then extracted the topic label associated with the highest-probability topic for each document, which we used as the primary topic label for each document in our corpus. This allows us to examine how the topics of the League debate shifted in prominence over time, and whether certain Senators were more likely to use different topics (for example, by partisanship, voting coalition, or time of entry into the League debate).

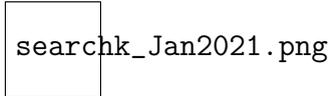To examine the similarity of different speeches, we estimate cosine similarity, which

searchk_Jan2021.png

Figure 6: Topic model diagnostics- selecting k, the number of topics to maximize held-out likeliood and lower bound, and minimize residuals

employs the cosine of the angle between the document-term matrices of documents to measure their similarity (unlike a word count similarity comparison, which would be biased by the length of different speeches). Results were comparable when jaccard similarity was estimated. We compare the similarity of speeches to those of their party leaders by estimating the similarity of each speech to all other speeches by co-partisans, the most temporally proximate speeches by co-partisans (the first speech given by a co-partisan in that month), all speeches by party leaders (Hitchcock for Democrats and Lodge for Republicans), and the most temporally proximate speeches by party leaders. We also compare Democrat's speeches to President's Wilson first major speech on his speaking tour, given in Columbus. Finally, we compare later speeches to earlier speeches given by co-partisans and party leaders. In addition to calculating the average cosine and jaccard similarity scores for Senators from each party, we also calculate the standard deviations of similarity to track whether speeches converge in similarity, either to the party's center or to the party's leaders. To that end, we also calculate entropy across the different topics, as well as the number of effective topics. Entropy, a measure of topical concentration, is defined as:

$$\eta = \frac{1}{log(n)} \sum_{i=1}^{n} p_i log(\frac{1}{p_i})$$

where P is a topic proportion vector of n topics, in this case, 7. Because entropy is a non-linear measure, we follow Shafer (2017) and linearize entropy to estimate the number of effective topics, defined as:

$$\tau = n^{\eta}.$$

We calculate the number of effective topics at the party-month level, as well as at the party level. We also evaluate similarity with a k-means clustering approach. Unlike cosine

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similarity, which computes textual similarity based on words used, k-means similarity takes as its input a term frequency-inverse document frequency matrix to cluster similar texts together.

Finally, we estimate speech readability to determine whether prominent speakers were more likely to employ easy-to-understand language. We calculate Flesch's Reading Ease Score (Flesch 1948), Flesch-Kincaid Readability Score (Flesch and Kincaid 1975), and Easy Listening Formula (Fang 1966) (see here for more detail).