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Reading the International Mind

International Public Opinion in Early Twentieth Century
Anglo-American Thought

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In 1939, E. H. Carr assailed those naive utopians who supposed that something called public opinion could usher in world peace. A generation of internationalists, he charged, had placed their faith in a "double fallacy": first, that public opinion would ultimately prevail, and second, that public opinion was always right.[1] After twenty years of crisis, and a failed League of Nations, such nostrums looked absurd. Carr hardly needed to argue against them, only to state them plainly. But had League supporters really been so naive? Carr had evidence. He rattled off quotation after quotation from US President Woodrow Wilson, British diplomat Robert Cecil, and others, all seeming to affirm what Cecil told the House of Commons about the League in 1919: "The great weapon we rely upon is public opinion … and if we are wrong about it then the whole thing is wrong."[2]

The whole thing did rely on public opinion, on a belief that public opinion could surmount international conflict. Yet that belief was not as straightforward as Carr suggested or as conventional usage ever since would imply. "Public opinion" today evokes the momentary preferences of individuals aggregated together, as expressed in scientific opinion polls. Such polls, however, came into being in the latter half of the 1930s, just when Carr was writing. Outside the United States, they became widely used only after World War II.[3] Until then, the internationalists Carr criticized possessed no reliable method for quantifying momentary mass preferences within their own nations, let alone across nations. And they knew it. When they invoked international public

opinion—staking the peace of the world on it in 1919—what did they mean, and what were they doing?

Carr at least recognized the importance of the discourse of public opinion, despite neglecting to theorize it. By contrast, subsequent scholars of liberal internationalism have sidelined the subject altogether, centering their accounts on world organization instead. Yet in the long-range history of internationalism, public opinion is as fundamental a category as world organization. Public opinion served as a discursive and conceptual frame for internationalist's projects well before constructing a permanent organization of states became part of their agenda during World War I. It signified, in part, the harmony of interest they assumed to be immanent in the world, beneath the violent clashes constantly on display. Through "public opinion," through its expression and enlightenment, international society would transcend power politics. On that much, liberal internationalists, ranging from diplomatic officials to legal and business professionals to peace activists, could agree. But what the public was, and how to discern its opinion, was another matter.

This chapter charts a genealogy of the concept of international public opinion in Anglo-American political discourse. It follows the lead of scholars who have reconstructed the diverse meanings of "public opinion" within national and transnational contexts since the eighteenth century.[4] These scholars have generally emphasized that, given its historical origins, "'public opinion' in its common usage is a positively Orwellian expression," as John Durham Peters writes.[5] Although public opinion is today manifested by solitary individuals answering surveys, the concept was formerly imagined as a form of collective rationality, often forged from deliberative debate (despite, or because of, the many categories of persons excluded from the public sphere). Notions of corporate will and cultivated reason also attached to the compound concept of *international* public opinion, although the latter presents a special case given the relative paucity of associational life at the international level.[6] The real conditions of international society before the twentieth century, then, make all the more important the illocutionary force of public opinion talk—who deployed it and to what end.

In anointing "public opinion" as the watchword of their new diplomacy, the founders of the League scarcely intended to anoint popular preferences as the guide of diplomatic practice. While trading on the term's democratic connotations, they valorized something closer to Kantian will or Hegelian spirit. Most important, they empowered national politicians to interpret public opinion through decision processes they declined to specify. In so doing, they elaborated on the usage of

"public opinion" by prewar internationalists, particularly liberal legalists, who for decades held up themselves as public opinion's arbiters. As invoked by these successive groups of internationalists, in short, the concept of international public opinion differed in several ways from that of momentary mass preferences. The "public" in an international context designated anything from states vis-à-vis each other to literate civil society to broad populations. Its "opinion" tended to be enduringly rooted, more akin to customs, norms, will, or spirit than to mere preferences obtaining at a point in time. Because these various meanings were seldom parsed, internationalist elites assigned to themselves the authority to articulate public opinion, regardless of actual public sentiment. In the name of public opinion, they exercised their own discretion, practicing a kind of Schmittian decisionism *avant la lettre*. Before Walter Lippmann launched his attack on "public opinion" in 1922, and Carr and others developed the critique into International Relations (IR) realism, opinions about public opinion were hardly egalitarian.[7]

This interpretation implies that mid-twentieth-century realists misunderstood, or misrepresented, the idealists they named and criticized. They charged that idealists, in thrall to popular judgment and legalist–moralist rules, evaded the policymaker's responsibility to decide.[8] But the so-called idealists were elitists, too. Both idealism and realism, not just the latter, elevated the ineffable discernment of leaders—except that if idealists dared not speak the name of their decisionism, realists were only too glad to do so. In this regard, the real break occurred not in the 1930s and 1940s but rather in the 1950s and beyond, when the decision, having been exalted as the locus of international relations, was claimed by "decision sciences" like rational choice and systems analysis, which jettisoned the Schmittian mystique of unconditioned judgment. By the same token, neither realism nor the decision sciences were responsible for removing the public from International Relations (or international relations). The public was barely there to begin with, a discursive entity above all. Before faulting the postwar social sciences for evacuating the public and its opinion from political life, one must begin by asking which prior version of "public opinion" one means.[9]

The Judgment of History: Public Opinion and International Law, 1870–1914

"Public opinion" featured in internationalist debates no less than a century before World War I began. Its rise accompanied the gradual spread of popular sovereignty within European states. Contrary to

Carr, however, public opinion as an international concept was not simply transposed from domestic doctrines of *laissez faire* liberalism, as though individuals within the civil state were easily analogized to states within the anarchic international arena.[10] Public opinion had a distinct career in the realm of international thought. It addressed concerns specific to international relations, and those who invoked it intended to shape the global power structure as well as advance transnational interests and solidarities that took form in an increasingly interconnected world, particularly across the North Atlantic.[11]

Following the Napoleonic wars, diplomats, newspaper writers, salon-lobbyists, and festivalgoers gathered at the Congress of Vienna and made claims in the name of public opinion.[12] In his chronicle of the Congress, Abbé de Pradt, Napoleon's former secretary, dramatized how statesmen had begun to take account of the wider public, to heed "a new power, called opinion, from the empire of which nothing can be taken, at the tribunal of which governments themselves incessantly appeal."[13] In accounts like de Pradt's, public opinion began its long career as an evaluative–descriptive term linked to reason and civilization and opposed to military force and power politics. Many emergent internationalists employed the term in a similar manner but, unlike de Pradt, believed that the great powers trampled "public opinion" rather than respecting it. In particular, Quaker peace societies, Cobdenite free traders, and Mazzinian nationalists defended what they called public opinion against its armed suppression by the Concert of Europe and Holy Alliance.[14]

By the mid-nineteenth century, these internationalists formulated manifold programs to transform international society. Through the "people-diplomacy" of free trade, open congresses, and national autonomy, states would express their true, harmonious interests and prevent disputes from arising.[15] Through disarmament and arbitration, states would resolve whatever disputes arose by discussion rather than war. Such formulae glorified a "public opinion" irreconcilable with the existing order of monarchical and aristocratic states. To many internationalists, therefore, the ideal of public opinion precluded rather than required international organization. Any practicable international organization would necessarily have great powers at its core and "public opinion" at its mercy.[16]

In the latter half of the nineteenth century, "public opinion" claim-making ascended to the centers of power in international politics—but not because pacifists or revolutionaries ascended as well. To the contrary, public opinion entered the vocabulary of reformist liberals who organized transnationally to construct international society

as a legalistic project. In the 1870s, the first international law society, the Institut de Droit International, formed in Europe, and British and American peace movements promoted the codification of law and the arbitral and judicial settlement of disputes.[17] Seeking to square their aspiration to transcend power politics with their confidence in the rising middle and professional class, liberal legalists articulated public opinion in a nonliteral, historico-cultural way. Although not necessarily contradicting the vague position of Benthamite advocates of publicity in the first half of the nineteenth century, they distanced themselves more explicitly from any support for popular decision-making.[18]

"Public opinion!" wrote Gustave Rolin-Jaequemyns, the Belgian founder of the Institut, in 1869. Rolin, echoing Blaise Pascal, hailed public opinion as "really and rightly the queen and legislator of the world," the "very voice of reason." But he was quick to clarify what he was not endorsing—namely mass preferences. "It goes without saying," Rolin wrote, "that by this word we do not mean to speak of wavering and ephemeral assessments, which introduce every day the passion, interest, and prejudice of the moment and an incomplete knowledge of facts." In fact, Rolin defined public opinion *against* momentary whims. As he continued, "we mean a public opinion that is serious and calm … that is gradually confirmed and generalized, becoming the judgment of history." Accordingly, the content of public opinion was to be adduced not from popular sentiment but, Rolin wrote, from "the collective opinion of enlightened men," like international lawyers themselves.[19] In this way, lawyers positioned themselves as the arbiters of public opinion, the bearers of the "conscience of the civilized world."[20]

That Rolin hastened to clarify his meaning of public opinion betrayed the existence of a more egalitarian version that stood in contrast to his own. Perhaps for this reason, not all likeminded international lawyers on the European continent deployed the terminology of public opinion. Some chose to ground international law in public "conscience" or "consciousness," or Hegelian "Geist," or "will" in the Kantian sense of rational self-legislation by the state. For instance, the Swiss lawyer Johann Bluntschli followed the Herderian teachings of jurist Friedrich Carl von Savigny that held that law, like language, emerged spontaneously from the historical process of a people's organic communal life.[21] Such historicism banished actual public preferences to irrelevance. It barely mattered, in a sense, whether international lawyers used the language of public opinion or conscience, consciousness, spirit, or will. Whatever formulation was said to ground international law, the whims of the masses were scorned, the public's preferences given no direct role in international governance.

In the Anglo-American world, the language of public opinion was rife. By the mid-Victorian era, the possession of a sensible and powerful "public opinion" constituted an important part of the national identities of Great Britain and the United States. Although gesturing beyond the opinions of ruling elites, "public opinion" connoted a cultivated public and a settled opinion. This remained the case whether the term referred to concrete social activity, including associational life and press discourse, or a more homogenous national will. In *The English Constitution*, Walter Bagehot lionized what he called "formed public opinion" and "corporate public opinion." He famously personified public opinion as "the opinion of the bald-headed man at the back of the omnibus," conceiving the public as male, mature, urban, mobile, and, Bagehot emphasized, educated.[22] Intellectuals like Bagehot, the editor of *The Economist*, could safely champion public opinion in part because of their own position in the British public sphere. They enjoyed influence in the pages of reputable periodicals, whose editorial lines were clearly identifiable and mutually legitimated politics and policy.[23]

In the United States, public opinion was theorized similarly, notwithstanding the judgments of European visitors Alexis de Tocqueville and James Bryce that public opinion was uniquely salient in American government.[24] In the nineteenth and early twentieth century, US commentators tended to conceive public opinion in sociological more than psychological terms and embedded their analyses of public opinion into analyses of the political process.[25] An influential treatment of public opinion was provided by Francis Lieber, a founder of US political science and Abraham Lincoln's jurist of the laws of war. While Lieber associated public opinion with the press and admitted the public could make poor judgments, true public opinion was for Lieber the will of the whole community, "influenced either by the modifying correction of time, or the talent or knowledge of those who are peculiarly able to judge upon the subject in question." Lieber directly distinguished this normative–descriptive version of public opinion from the "aggregate opinion of many individuals singly taken." The latter he dubbed "general" as opposed to "public" opinion. Insofar as it did not involve men influencing each other in the organs of the body politic, it was not public.[26]

Through the concept of public opinion, then, Anglo-American thinkers theorized not only democracy but nationalism as well. Unsurprisingly, they theorized internationalism through the same concept. In fact, the concept of public opinion performed special work in the context of international society by allowing late nineteenth century legal theorists to meet the Austinian challenge of the English analytical

school.[27] In the 1830s, jurist John Austin maintained that international law was not actually law because it was not commanded by a superior authority wielding force. Because no supranational polity existed to create legal code and coerce violators, so-called positive international law represented mere "positive international morality."[28] By the *fin de siècle*, most lawyers thought Austin wrong. Not armed force but "public opinion," they repeated, was the ultimate sanction of law, whether national or international. Because of public opinion, international law was law, and, for that matter, international society a society.

Given the legitimacy it conferred on international law and society, public opinion was a subject explicitly addressed by the most prominent lawyers and legalists of the turn of the twentieth century: Henry Maine, Lassa Oppenheim, and John Westlake in Britain, and Nicholas Murray Butler, John Bassett Moore, Elihu Root, James Brown Scott, and William H. Taft in America. Although often described as positivists, they are better understood as representing a school of historicist jurisprudence in line with the evolutionary social thought of the era.[29] They tended to idealize customary law because it emerged organically from the facts of social life, not from the imposition of abstract rules. Whereas Austin had recognized only statutory law to be real law, customs too inspired routine compliance. Sir Henry Maine, the pioneer of legal historicism, set forth an anthropological sequence in which customary law governed "primitive" societies and codification had to come at the right stage of social progress lest it impose excessive rigidity.[30] By concluding that the basis of law could be deference to custom, not physical compulsion, Maine placed international law on a footing as sure as domestic law.

Historically conceived, customary international law became no different from customary domestic law, and the international treaty became akin to a domestic contract. The key task of the jurist was to ascertain when mere habit congealed into settled custom. It was "public opinion" that distinguished habit from custom. According to liberal legalists, a genuine rule of law existed when "the general *consensus* of opinion within the limits of European civilisation" favored it, as John Westlake, Maine's successor as Whewell Professor of International Law at Cambridge, wrote in 1894. What constituted a consensus of opinion? The practice of states furnished the best evidence, Westlake wrote, though such evidence did not interpret itself. Westlake elevated scholarly jurists as interpreters of state practice, as well as articulators of the "general consent of men, especially when the writer's reputation proves that he represents many persons besides himself."[31] Similarly, despite associating public opinion with the "man in the street" who found

himself "at the mercy of the press and the agitator," Lassa Oppenheim held that an international legal rule existed when "public opinion of the world at large approved of and expected this attitude"—that is, when, among other things, "all authoritative writers considered this attitude necessary."[32]

Strikingly, some lawyers welcomed the indeterminacy of international public opinion because it freed international society to develop organically and enabled international lawyers to guide that development. Westlake made a virtue of the common lament that international law lacked a legislature to enact law and a judiciary to interpret law. "Legislatures and judicatures, by the very fact of their fixing the law, are sometimes a hindrance to its improvement," he contended. If these institutions stifled historical development, "the living tissue of the law may become ossified." By contrast, international law benefitted from public opinion being its source and sanction. Uninhibited by political institutions, international law also gave lawyers a pivotal function that exceeded their domestic role. As Westlake put it: "If a branch of law is still free to develop itself under the influence of public opinion, the student has the power, and with it the responsibility and the privilege, of assisting in its evolution."[33] Institutions that actually registered public preferences were a hindrance. "Public opinion" worked best when the public remained vague, allowing learned lawyers to pronounce the public's opinion.

Whereas public opinion in a national context sometimes signified the communal formation of views through discussion and intercourse, this connotation became less operative and more metaphorical in an international context. International lawyers inferred common consent from the passage of time; when a practice became customary, they considered it approved by international opinion and a matter of international law. In fact, according to James Brown Scott, editor of the *American Journal of International Law*, custom need not be conscious in the mind of anyone and public opinion could be inferred from custom.[34] Therefore public opinion could exist without being consciously believed, let alone openly communicated.

A telling synonym for "international public opinion" was the "international mind," coined by Nicholas Murray Butler, the president of Columbia University and the Carnegie Endowment for International Peace. Although Butler usually used the terms interchangeably and favorably, he once clarified that the international mind operated when the world's "strong, brave, enlightened men" could "stand with patience and self-control in a post of high responsibility when a strong current of *public opinion* goes sweeping by, careless of consequences and

unrestrained in its expression of feeling." For Butler, the international mind was a normative "habit of thinking" that might as well resist the public will as follow it. His theory of internationalism regarded national opinion with the same suspicion with which theorists of nationalism regarded popular opinion: both were portrayed as selfish, emotional, and manipulable. Butler's antidote was an international elite—"sober-minded leaders of opinion"—positioned to swim against national and popular currents when they pulled in the wrong direction.[35]

In addition to being paternalistically interpreted by enlightened men, the public in liberals' "international public opinion" sometimes comprised states as opposed to individuals or groups of people. After all, the constituents of international society were in the first instance states. Even after one applied the domestic analogy, the international public contained fictive legal persons rather than, or along with, corporal persons. The lawyer and politician Elihu Root, a respected US senator and secretary of state, drew the domestic analogy explicitly. Within states, he argued, citizens ordinarily obeyed the law not for fear of imprisonment but rather "because they are unwilling to incur in the community in which they live the public condemnation and obloquy" that law breaking would provoke.[36] When Root transposed this logic to the international realm, it was states that feared condemnation and obloquy from other states. Transgressing law would leave a nation "without respect or honor in the world and deprived of the confidence and good-will necessary to the maintenance of intercourse."[37] Yet in the process of moving from the national to the international, Root shifted from moral-phenomenological to instrumental language, suggesting a diminished sociability. Whereas domestic public opinion caused individuals to suffer a "disgrace … more terrible than the actual physical effect," international public incentivized states to preserve their interest in intercourse.[38] In any case, in Root's international public opinion, the public was first and foremost the club of civilized states, in which the opinion of national publics (to say nothing of peoples not deemed civilized) might figure secondarily or not at all.

In sum, at the turn of the century, "international public opinion" signified nothing like the aggregated momentary preferences of individuals within a global public or across several national publics. Indeed, Anglo-American international lawyers had mixed feelings about the expansion of suffrage at home and the extension of democracy abroad, trends that empowered people ignorant of the rules of international law.[39] On the one hand, US President William H. Taft ardently promoted treaties for the compulsory arbitration of disputes, professing the utmost confidence in "international public opinion" to enforce the

judgments of the court. Carr highlighted this objective of Taft in *The Twenty Years' Crisis*.[40] But Carr passed over Taft's statement, in the same source Carr cited, that democratic states were more warlike than non-democracies because publics demanded retribution for small slights to national honor. As Taft declared, "Nice distinctions based on precedents in international law have more weight with learned statesmen representing a dynasty than with an angered people."[41] In Taft's conceptual universe, international public opinion could profit from less democracy, not more.

For all their enthusiasm for public opinion, Anglo-American liberal internationalists undertheorized the public and how it might form an opinion. The concept as they used it was not only vague but indeterminate, containing several incompatible meanings at once. The international public might consist of aggregated individuals, organic groups, or states in the diplomatic arena, and its opinion spanned from momentary preferences to unconscious customs. This indeterminacy had the virtue of allowing internationalists to bring rules of law into being through their own decisions, which they shrouded in the guise of interpretation.

By the same stroke, however, internationalists grounded their project in some notion of popular consent, which was not supposed to be reducible to the rule of elites. While rejecting the mass public's judgment in the present, they held out hope of enlightening the broad public in the future. Moreover, as the basis of legal and social norms, "international public opinion" had to be imagined as a discernable entity, and highly efficacious at that. Internationalists *did* repose faith in "public opinion" in contradistinction to armed sanctions. Because they believed elite men could discern a harmony immanent in the world, they evinced little interest before World War I in putting physical sanctions behind international law or erecting an international political organization. Instead, they promoted the voluntary arbitral or judicial settlement of international disputes. Before the war, liberal internationalists continued to assume that public opinion, or the enlightened men who pronounced it, sufficed to discipline national egoism and overcome power politics.

What No Man Else Knows: Public Opinion and International Organization, 1914–1920

In February 1919, Woodrow Wilson unveiled the Covenant of the League of Nations and explained to the world why the League would

succeed. The linchpin was international public opinion. "We are depending primarily and chiefly upon one great force," the American president proclaimed, "and this is the moral force of the public opinion of the world—the pleasing and clarifying and compelling influences of publicity." In the dawning age of public opinion, he continued, sinister schemes "may be promptly destroyed by the overwhelming light of the universal expression of the condemnation of the world."[42] To observers then as now, Wilson's words might evoke an image of mass publics rising up to register their views through the new machinery of the League. At the end of World War I, such rhetoric helped Western liberalism to compete with Bolshevism for popular allegiances in Europe and the global South.[43]

But the context in which Wilson spoke his words complicates their meaning. He was unveiling the Covenant because it had previously been veiled, drawn up largely by the heads of the four wartime victors. For months the leaders met privately in Paris, shut off from journalists and shutting out delegates from small states and colonial peoples. Furthermore, the Covenant described new machinery that answered first and foremost to states, not their publics. The main bodies of the League, the big-power Council and the universal Assembly, comprised appointees of state executives, not representatives elected by publics. How, then, did international organization come to look—both to contemporaries and to subsequent interpreters—like the obvious ally of public opinion, when it might have appeared the contrary?

To answer this question, one must not accept the self-presentation of the League as an unprecedented leap from secret diplomacy to a New Diplomacy guided by public opinion.[44] Wilson was less an innovator than an elaborator of the concept of public opinion developed by the previous generation of liberal internationalist jurists. Nor was he alone. The other drafters of the League Covenant, including Jan Smuts and Alfred Zimmern, invoked international public opinion in a similar, nonliteral manner. As we will see, even when they referred to the nonelite populace, they expected the public not so much to influence the League as the League would educate the public. To be precise, the politicians in the League's councils would interpret and mold public opinion. The New Diplomacy was new primarily insofar as it replaced the decisions of lawyers with the decisions of politicians.

Consider, first, South African General and Prime Minister Jan Christiaan Smuts. In the pamphlet *The League of Nations: A Practical Suggestion*, published in December 1918, he garnered support from the Imperial War Cabinet, Woodrow Wilson, and internationalist activists alike, aligning popular demands for international organization

with British interests in maintaining the empire and bringing the United States into the European balance of power.[45] Smuts did more than anyone to devise the Mandates system, through which the wartime victors divvied up former German and Ottoman colonies, with South Africa effectively annexing German South West Africa (postcolonial Namibia).[46] When Smuts addressed "public opinion" more than a dozen times in *A Practical Suggestion*, he did so as an unflinching imperialist steeped in Victorian paternalism.

Like Wilson, Smuts hung the fortunes of the League on what he called public opinion. "The league will never be a great success," he wrote, "until there is formed as its main support a powerful international public opinion." At one point, Smuts imagined that public opinion might rise up against the "clandestine ambitions of statesmen," who would have to cast votes publicly in the League. At the Paris Peace Conference, he mooted a proposal for the League Assembly to convene special meetings, at least once every four years, that included "representatives of national parliaments and other bodies representative of public opinion."[47] In the main, however, public opinion figured in Smuts's writing as something for the League to tutor, not to register. Under his plan for the League, only the great powers of the Council could make binding decisions. The Council would do the "real work" and set the agenda for the general Assembly, which would be a "powerful and influential factor in moulding international public opinion."[48] Public opinion required molding because the people, according to Smuts, were fickle. He lamented how the jingoistic press "whip up public opinion on every imaginable occasion" and insisted that because "national passions are easily inflamed," the Assembly must discuss only those subjects dictated by the Council.[49] Smuts sought the uplift of public opinion far more than he did its expression.

Smuts modeled the League on the British Empire, and he may have regarded international public opinion as a ward of the civilized statesmen who would occupy the councils of the new international organization. In emphasizing the League's "educative influence on public opinion," Smuts articulated an idealist philosophy of history in which the sphere of moral concern would gradually enlarge.[50] In his words, "The enlightened public all over the world will have to be taught to think internationally, to look at public affairs, not merely from the sectional national point of view, but also from a broad human international point of view." Aspiring to international enlightenment, Smuts denigrated British Parliament for exhibiting a "narrow national influence," a move that rebutted radicals who advocated the parliamentary control of foreign policy.[51] Here internationalism served to minimize

the authority of elected officials and the expression of public opinion. Smuts hoped that rather than weigh popular preferences and arbitrate among conflicting views, the League would cultivate a "fundamental unity of aims, methods, and spirit," a "singleness of mind."[52]

Conceiving public opinion so vaguely allowed Smuts to put the concept to special use in his international thought. His philosophical tome, *Holism and Evolution*, fashioned biological, social, and political history into a single trajectory wherein human units achieved ever-greater synthesis without sacrificing their particularity.[53] Smuts adored the white British Commonwealth of Nations for uniting the dominions while preserving the independence and nationality of each.[54] It was this formula, "co-operation on the basis of freedom," that Smuts wanted the League to follow.[55] "Public opinion" was one way of phrasing that invisible glue that would somehow bind the nations together without coercion. For Smuts, as for antebellum prewar legalists, public opinion contrasted with armed force more than it denoted positive content. This made public opinion a critical concept, but also a replaceable term. Thus Smuts could describe the "ever-increasing wholeness of our human relationships" in a 1934 lecture and not mention "public opinion" once.[56]

Alfred Zimmern, an adviser in the Political Intelligence Division of the British Foreign Office, was no more inclined than Smuts to see the League take its cues from mass preferences. During the war, Zimmern penned the Foreign Office memorandum that formed the basis of the Covenant draft of Robert Cecil, the British delegate at the Paris Peace Conference.[57] Afterward, as the first Woodrow Wilson chair in international politics at Aberystwyth, and then the first Montague Burton professor of international relations at Oxford, he became a foundational figure in academic International Relations.[58] Zimmern also led interwar efforts to educate public opinion, serving as deputy director of the interwar International Institute of Intellectual Cooperation.[59]

While reflecting optimism about the public's capacity to be educated, Zimmern's work also reflected his suspicion of the public as it actually existed. Early in World War I, he ruled out schemes for world government on the grounds that they presupposed "an educated public opinion incomparably less selfish, less ignorant, less unsteady, less materialistic, and less narrowly national than has been prevalent hitherto."[60] It was because he distrusted the past and present condition of public opinion that Zimmern designed the League to be an "impalpable Something," impotent by itself and effective only when the peoples of its member states acquired a unified will.[61]

In advancing cautious notions of both public opinion and international machinery, Zimmern drew on his education at late-nineteenth-century Oxford. There neo-Hegelian reformists surrounding the moral philosopher T. H. Green critiqued classical liberalism for conceiving of man atomistically. Zimmern imbibed this Oxford communitarianism, melding the historicist and organicist thought of Hegelianism, the ethical bent of classicism, and a liberal fear of state power. Zimmern's eclectic intellectual fusion took historical progress to come from the natural evolution of civil society, guided by feelings of ethical responsibility toward the whole.[62] What Zimmern valorized might be termed "public opinion," but it better resembled spirit.

Zimmern himself lectured on the "international mind," not public opinion, in 1926. He defined the international mind as "the habit of intellectual integrity," the application of reason and open-mindedness to all matters.[63] In theory, anyone could access the international mind, though depressingly few succeeded because of the innate reluctance of the human mind to confront disagreeable thoughts. The international mind was decidedly not an aggregation of multivalent preferences; it was a single moral truth and spiritual feeling, nurtured through the practical experience of life.[64] Bringing it about was no job for the common man (much less woman), at least at his present level of enlightenment. Zimmern continually called for international education, to which his Lamarckian leanings lent further significance.[65] When he expressed confidence in public opinion, it was in the belief that "public opinion at the present time does not function in foreign affairs," as Zimmern said even in the heady atmosphere of Geneva 1928.[66] National publics had only just begun a long journey toward the formation of an international opinion. For the foreseeable future, the peace of the world would depend on the judgment of statesmen with moral authority.

If any founder of the League placed confidence in momentary mass preferences, it might seem to have been Woodrow Wilson. Historians have highlighted the idealism and distinctiveness of the American president's international ideas, known as Wilsonianism. Alas, historians have seldom connected Wilson's international vision, articulated during his presidency, to the body of thought he produced as a political scientist.[67] One must square the Wilson who championed international public opinion with the Wilson who wrote, in 1895, "The people should not govern; they should elect the governors: and these governors should be elected for periods long enough to give time for policies not too heedful of transient breezes of public opinion."[68]

An admirer of Edmund Burke and Walter Bagehot, Wilson, in his formative years, developed an organicist understanding of social

and political evolution.[69] To this he added a loose neo-Hegelian te-leology, which made Burkean organicism not conservative but pro-gressive because the future direction of society could be discerned and its realization hastened. As a graduate student at Johns Hopkins University, Wilson was influenced by economist Richard Ely and historian Herbert Baxter Adams, both of whom had studied under Bluntschli in Heidelberg.[70] In his own extensive theorizing, Wilson echoed Bluntschli's view that the will of the state is "the one national will, which is different from the average will of the multitude"—in other words, emphatically not summed mass preferences.[71] Despite dubbing his object of study "modern democracy," Wilson was fun-damentally a theorist of nationalism. In his telling, all nations passed through four stages before becoming mature democracies, in which the people were self-conscious and self-directive, able to think and act as a "whole."[72]

Wilson considered it "ridiculous" to think the people could formu-late an opinion on each political issue. For one, they lacked the time. More importantly, the masses were too fickle and thoughtless simply to be followed. History proved "that the will of majorities is *not* the same as the general will: that a nation is an *organic* thing, and that its will dwells with those who do the *practical* thinking and organize *the best concert of action*: those who hit upon opinions *fit to be made prevalent*, and have *the capacity to make them so*."[73] As Wilson implied, the general will could be discerned through the introspection of enlightened men more directly than through an analysis of public preferences. Though Wilson shied from such openly elitist phrasings, his view amounted just to this. Leaders, as he wrote, had to "distinguish the firm and pro-gressive popular *thought* from the momentary and whimsical popular *mood*, the transitory or mistaken popular passion."[74]

What separated thought from mood, firmness from whimsy? Wilson offered no answer, except that it was up to the leader to deter-mine, by his special intuition, the general will. The leader "must have such sympathetic and penetrative insight as shall enable him to dis-cern quite unerringly the motives which move other men *in the mass*." Wilson clarified that this ideal leader "need not pierce the particular secrets of *individual* men: [he] need only know what it is that lies wait-ing to be stirred in the minds and purposes of groups and masses of men."[75] Had scientific polls been available to Wilson, he would have found them valuable but not decisive. Reading true public opinion re-quired "sympathetic and penetrative insight" rather than knowledge of individual preferences. The leader tapped the latent, potentially unexpressed or inexpressible desires of the nation. These were desires

of the whole community, construed as more than the sum of individual minds. In the end, the leader, by virtue of his position, could rest assured that he discerned public opinion, however intangible, "quite unerringly."

Wilson's vaunted "public opinion" was therefore shot through with paternalism. In his view, leaders had wide latitude to shape the public's desires and ignore its stated preferences. "Men are as clay in the hands of the consummate leader," Wilson wrote.[76] "How we *cheat* ourselves by living in subjection to public opinion when we *might make it*!"[77] As a matter of fact, Wilson, like many progressive intellectuals, entertained the suspicion that the people wanted to be told what to think. The public sought "a President whom it trusts can not only lead it but form it to his own views."[78] To devise the public's views, the leader did two things. He "interpreted" the general will and foresaw glimpses of the future ("across the mind of the statesman flash ever and anon brilliant, though partial, intimations of future events," wrote a young Wilson). Then he educated the people, in effect to inform them of their own collective will.[79] Framing leadership as an act of interpretation, Wilson cleared space within democratic theory for unconditioned decisions.

As a political scientist, Wilson clearly minimized the normative significance of the momentary preferences of the public, the main exception coming in the election of leaders. Nor did his valuation of "public opinion" change when he entered elective politics. In 1909, before running for the New Jersey governorship, Wilson contended that leaders do not simply repeat "the talk of the street-corners or the opinions of the newspapers." To the contrary:

> A nation is led by a man who hears more than those things; or who, rather, hearing those things, understands them better, unites them, puts them into a common meaning … a man in whose ears the voices of the nation do not sound like the accidental and discordant notes that come from the voice of a mob, but concurrent and concordant like the united voices of a chorus, whose many meanings, spoken by melodious tongues, unite in his understanding in a single meaning and reveal to him a single vision, so that he can speak what no man else knows, the common meaning of the common voice.[80]

For Wilson, the people may disagree, but in fact they possess a single common will, which the politician alone is able to interpret.

Appreciating the multiple valences, but profound paternalism, of Wilsonian "public opinion" makes sense of seeming contradictions in Wilson's conduct as a peacemaker. Wilson did, after all, undertake extraordinary measures to publicize treaties and canvass public

sentiment. In his Fourteen Points address, he vowed to settle the war by making "open covenants of peace, openly arrived at," that would permit "no secret understandings of any kind."[81] Most remarkably, in May 1919, Wilson sent a commission to the Middle East for the purpose of determining the "real wishes and true interests" of formerly Ottoman populations regarding their political future.[82] The resulting King-Crane Commission toured the greater Syrian region for forty-two days, meeting hundreds of delegations and collecting more than a thousand petitions. One scholar infers from this incident that American politicians, epitomized by Wilson, "conceived of 'public opinion' as the gross aggregate of individual opinions freely expressed rather than a consentient position articulated by an elite."[83]

Yet Wilson ignored the commission's detailed report after he received it in August 1919.[84] The King-Crane report became public only three years later, when it was published under the headline: "A Suppressed Official Document of the United States Government."[85] Whatever purpose Wilson originally intended for the commission—he dispatched it late in the peace conference, when Britain, France, and Italy pressed claims to ex-Ottoman territory—he evidently did not regard popular opinion to be dispositive of true "public opinion," nor did he send equivalent commissions elsewhere. More broadly, Wilson and the other big powers negotiated the major issues of the peace in the secret Council of Four. Wilson even tried unsuccessfully to designate minutes of these negotiations as "private conversations" not to be deposited in official state files.[86]

Such conduct does not so much make Wilson hypocritical as it reveals tensions within the concept of public opinion that he upheld. "Public opinion" signified expressed mass preferences *and* latent moral spirit, the latter divined by elected officials. But despite appealing to both meanings, Wilson consistently prized spirit over preferences. While believing that actual mass preferences could inform him, he nonetheless reserved the right to override public judgment—in the name of public opinion. When Wilson claimed that the Paris Peace Conference was "the first conference in which decisions depended upon the opinion of mankind," one suspects the opinion of mankind mostly meant Wilson's own.[87]

Reflecting the neo-Hegelianism of his teachers, Wilson's guiding light was "the spirit of the age," as he termed it.[88] In actuality, the zeitgeist provided slight guidance. What did the spirit demand? For what measures were the people organically ready? Expressions of public preferences could help fill in these abstractions, but the ultimate criterion of judgment was the decision of Wilson himself. In 1889, Wilson

recorded reflection in his diary on how and why he analyzed politics. It is a task, he wrote, "not of origination, but of interpretation. Interpret the age: i.e., interpret myself. Account for the creed I hold in politics." Wilson envisaged himself the embodiment of his age: "Why may not the present age write, through me, its political *autobiography*?"[89]

In espousing public opinion, the founders of the League followed in the footsteps of legalist internationalists who valued elite interpretation above mass expression. If anything, they proffered an even more pronounced decisionism than their forebears because they wanted politicians to interpret ineffable spirit where jurists preferred to formulate legal rules. Considered in this light, wartime references to international public opinion did not centrally engage with questions of political representation; the subject fits only tangentially into the theme of "democratizing foreign policy," where scholars have placed it.[90] Rather, the discourse of public opinion served to sustain a traditional mystique of the leader who embodies the sovereign authority and will of the nation. It deserves to be located in the genealogies of (inter)nationalism, sovereignty, and elitism more than that of democratic theory.

Still, even though the decisionist invocation of public opinion had roots in nineteenth-century liberal internationalism, that tradition contained other possibilities that Wilson and his cohort largely bypassed. "Public opinion" *could* refer to the preferences of a voting public. And as a synonym for peaceful intercourse and immanent harmony, "public opinion" could be arrayed *against* the free play of politicians to conduct diplomacy and wield force. Indeed, when World War I broke out, liberal internationalists on both sides of the Atlantic offered peace plans along precisely these lines. But the League's founders rejected these alternatives. Their unspoken decisionism best explains their location within the spectrum of liberal internationalist thought.

In contrast to Smuts, Zimmern, and Wilson, one set of wartime internationalists took "public opinion" relatively literally, making their central demand the popular control and parliamentary oversight of foreign policy. The most prominent such group was the Union of Democratic Control (UDC) in Britain, led by radicals and Labourites including Ramsay MacDonald, E. D. Morel, Arthur Ponsonby, and Charles Trevelyan.[91] To the UDC, the growth of democracy within nations contradicted how "the people remain helpless and inarticulate" in international affairs. Although the government pledged to be "guided by public opinion," Ponsonby wrote, "no steps whatever are taken to ascertain what the people think."[92] Under the UDC platform of 1915, Parliament would approve every "Treaty, Arrangement, or Undertaking" in foreign policy; any transfer of territory would require

the "consent, by plebiscite or otherwise," of the population concerned; and states would join an international organization that would deliberate and make decisions in public.[93] UDC members also proposed that states send members of parliament, rather than appointees of the executive, to represent them in a new international organization. In February 1919, at the initiative of MacDonald, the Labour and Socialist International called for national parliamentarians from every political party to sit on the councils of the League; then the League would become "not an alliance of Cabinets or Governments but a union of peoples."[94] UDC members were not uncritical of the present state of public opinion, but they blamed governments and the press for keeping the people in the dark.[95] They believed the people, when given responsibility and information in a systematic fashion, to be as capable of making decisions as their leaders, and more likely to choose peace.

After the war ended in November 1918, however, the leaders of the victorious Allied powers declined to invest greater formal authority in the voting public or directly elected representatives, whether within or across nations. The most they did to conform with the UDC's view was to advance the principle of publicity by mandating the publication of treaties in Article 18 of the Covenant.[96] But as Zimmern explained, he and the League's founders rejected the democratic control of foreign policy not merely because they thought the public as yet was unready to assume the role of decision-maker. Rather, so-called democratic control struck Zimmern as *un*democratic. In a tortured talk on "public opinion," he claimed that democratic control harked back to the "rigid constitutions" of the eighteenth century, when rulers sought checks and balances against their publics. Zimmern argued such constitutions were outmoded now that the electorate had expanded and education had diffused. There was nothing to gain, Zimmern declared, by "introduc[ing] an element of delay and of further complexity which interferes with the power of Governments to keep up with the rapid movement of events." The League of Nations was "better adapted to modern conditions" without a rigid constitution than it would be with one.[97] Here Zimmern laid bare the monism of his nationalism and thus his internationalism. In his view, state representatives fully embodied their public's opinion, such that direct public expressions added nothing to (or somehow detracted from) the calculation of public opinion. Furthermore, Zimmern's concern with preserving timely decision-making betrayed the absence of public judgment in his notion of public opinion; instead, he was defending the independent judgment of politicians in situations not yet fathomed by the public.

A second challenge to the political discretion of leaders came from legalists, who wished to replace politics with law, and decisions with rules. Whereas advocates of the democratic control of foreign policy blamed the diplomatic system for being unrepresentative, legalists faulted it for being expedient. Building on the prewar promotion of voluntary arbitration, they proposed to codify international legal code and, in a dramatic innovation, to obligate and militarily enforce the judicial settlement of disputes. By 1917, this model of world organization, espoused by ex-President Taft's League to Enforce Peace (LEP), ranked as the preeminent plan for the postwar world in the United States and commanded significant popularity in Britain and France.[98] But when the official League covenant came out, it co-opted and occluded the legalists' blueprints. Although many LEP members favored US membership in the League, the arch-legalist Elihu Root recognized the eclipse of his cause. The new League of Nations, he lamented, "rests the hope of the whole world for future peace in a government of men, and not of laws, following the dictates of expediency, and not of right."[99]

Despite assuming too stark a polarity between politics and law, Root was correct to detect an antilegalistic ethos behind the Covenant. "I don't want lawyers drafting this treaty," Wilson snapped when his secretary of state directed two lawyers to develop an outline.[100] The drafters of the Covenant believed only politicians could discern true "public opinion" and shepherd its development. Law was too rigid and confining; it shackled those who would interpret and guide the growth of common spirit, although it could play a subordinate role. As Zimmern wrote, "law courts and arbitration machinery are neither designed nor expected to breed sympathy and understanding between rival litigants. They can but follow and consolidate the swifter advance of the international spirit in more fruitful and less contentious spheres of activity."[101] Again, the desire to preserve the power of national political leaders to make decisions distinguished the League from the popular and elite-legalist alternatives promoted by contemporaneous liberal internationalists. The Covenant created, in Wilson's words, "not a strait-jacket, but a vehicle of life"—for politicians most of all.[102]

During World War I, liberal internationalists yoked the longstanding ideal of public opinion to the new objective of international organization. Opposed in the nineteenth century, public opinion and international organization now would go together. Yet the League failed to confront the contradictions between the two, producing attenuated versions of each. On the one hand, international organization seemed necessary because public opinion appeared insufficient

to prevent war. Understood as mass preferences, public opinion was not to be trusted, and understood as immanent spirit, public opinion required material sanctions to strengthen it. On the other hand, international organization could be only so strong if it were imagined as a vehicle for a fictive public opinion. The League's founders worried that new international machinery constantly risked stifling the growth of common consciousness. Thus they both introduced forcible sanctions into the Covenant and denied force would have to be used, with Wilson baffling the US Senate by declaring the League's enforcement provisions to be "binding in conscience only, not in law."[103] The amalgam of public opinion and international organization, unstable from the start, would not survive long.

The Interwar Apotheosis: Untried and Found Wanting?

Never mind original intent, one might argue: the interwar experiment in international government ended up mobilizing a public opinion far more participatory and egalitarian than what the drafters of the Covenant envisioned. Having put "public opinion" front and center, they could not control the semantic indeterminacy they harnessed. As historians have recently shown, nongovernmental international organizations proliferated in the twenties, partly because they could participate in the official organizations of Geneva.[104] By the early 1930s, an American political scientist counted hundreds of groups "dealing with practically every subject of interest to human beings."[105] The largest, the British League of Nations Union, boasted a mass membership exceeding four hundred thousand people.[106] Through the Secretariat's Information Section, the League invited popular scrutiny of international politics, publicizing all manner of materials in addition to the treaties required by the Covenant.[107] Not least, the League devised procedures for receiving thousands of petitions from individuals subject to the minorities and mandates regimes. Although these were screened and ventriloquized, petitions provided individuals with direct contact to international society for the first time. They fired jurists' hopes of establishing a "right of petition" under international law.[108] The panoply of actors that converged on interwar Geneva took seriously the power of a public opinion that went beyond governmental representatives. How "public opinion" was manifested and contested in particular contexts deserves further scholarly exploration.[109]

On the whole, however, popular involvement in international governance remained circumscribed. Mass electorates gained little

formal authority under the League.[110] And if legitimating the League
as a fount of public opinion opened up unforeseen possibilities, it
also came at a price. When the League experiment did not prevent
World War II, public opinion appeared to be implicated. Already in
the 1920s, social scientists used psychology to demonstrate the irra-
tionality of the masses. Intellectuals like Walter Lippmann doubted
the capacity of publics to rule themselves—a newly overt rejection of
"public opinion," albeit a less substantial break with previous ortho-
doxies than Lippmann portrayed at the time and scholars thereafter
have assumed.[111]

It was the catastrophe of the 1930s that sullied international public
opinion even among the faithful. The breakdown of collective secu-
rity, first over the Manchuria crisis and fatally over the Italian inva-
sion of Abyssinia, discredited international public opinion conceived
as a peaceful sanction opposed to armed force.[112] The rise of totali-
tarian powers, coupled with the hobbling of liberal democracies in
the Depression, discredited international public opinion understood
as an immanent harmony or civilized conscience. By indicating the
susceptibility of publics to state propaganda, the same conditions
discredited international public opinion interpreted as mass prefer-
ences.[113] The world crisis besieged all three meanings of public opin-
ion. By 1938, Nicholas Murray Butler despaired that "international
law, like international morality, has disappeared in a fog."[114] Butler
had lost his international mind.

What Butler ruefully gave up, the next generation aggressively
dismissed. Around World War II, realists constituted themselves in
opposition less to international organization—which they could sup-
port, if expectations were kept modest—than to international public
opinion in all its guises. Faith in public opinion seemed to embody
the perils of transplanting the tenets of liberal democracy in the alien
soil of international affairs, where no amount of rational discussion
or neutral adjudication could transcend politics and war. In this re-
spect, realists, from across the left–right political spectrum, truly and
profoundly diverged from their predecessors: they considered and
rejected "public opinion" as an alternative to forcible sanctions and
an immanent harmony of interest. In the process, moreover, they de-
veloped a critique of the discourse of public opinion. In 1948, Hans
Morgenthau unmasked "world public opinion" as representing little
more than the opinion of whoever claimed its warrant. He wrote:

> when a nation invokes "world public opinion" or "the conscience
> of mankind" in order to assure itself, as well as other nations, that its

> international policies meet the test of standards shared by men every-
> where, it appeals to nothing real … world public opinion becomes the
> mythical arbiter who can be counted upon to support one's own, as well
> as everybody else's, aspirations and actions.[115]

Realists like Morgenthau might well have stopped there. If public opin-
ion had functioned merely as Morgenthau claimed—as a device for
universalizing parochial interests, without consulting actual publics—
realists would have possessed little reason to deprecate publics or their
opinion. Untried, public opinion could hardly be found wanting.

In the event, realists did not stop there. They also disparaged "pub-
lic opinion" literally conceived, as though all liberal internationalists
had wished to delegate decision-making to the masses. Morgenthau
himself lumped together Woodrow Wilson, "the perfect interpreter
of liberal thought," with the Union for Democratic Control: all lib-
eral internationalists, in Morgenthau's telling, had favored the disas-
trous "democratization of foreign affairs."[116] Ironically, Morgenthau
echoed Wilson in conflating elite-defined public opinion with actual
mass decisions. His realism inherited the conceptual indeterminacy
of Wilsonian "public opinion" with the normative signs reversed.
Because the *discourse* of public opinion had failed to prevent war, re-
alists concluded that popular rule had failed too.

Thus they prescribed more elitism, not less, for the future. Realists
deemed the public incapable of uplift, discarding liberal international-
ists' chary optimism that mass publics could be educated eventually.
Now the rulers would rule, the deciders decide, shorn of pretense. Yet
in discarding international public opinion, even as discourse, realists
laid bare the chasm between the concentrated control of political de-
cisions and the normative expectation of popular control. Thinking
they had rescued elite judgment from oblivion, they would expose it
to fresh challenge, both from social movements in search of democ-
racy and from social scientists who tamed the decision as a rational
choice or a cybernetic process. "Little do they know," as Morgenthau
wrote of nations, "that they meet under an empty sky from which the
gods have departed."[117]

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Notes

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  3. Laura Beers, "Whose Opinion?: Changing Attitudes Towards Opinion Polling in British Politics, 1937-1964," *Twentieth Century British History* 17, no. 2 (2006): 177-205; Michael X. Delli Carpini, "Constructing Public Opinion: A Brief History of Survey Research," in *The Oxford Handbook of American Public Opinion and the Media*, ed. George Edwards III, Lawrence Jacobs, and Robert Shapiro (Oxford: Oxford University Press, 2011), 284-301; Michael Korzi, "Lapsed Memory? The Roots of American Public Opinion Research," *Polity* 33, no. 1 (Fall 2000): 49-73; Sarah Igo, *The Averaged American: Surveys, Citizens, and the Making of a Mass Public* (Cambridge, MA: Harvard University Press, 2007), 103-49.
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  5. John Durham Peters, "Historical Tensions in the Concept of Public Opinion," in *Public Opinion and the Communication of Consent*, 21.
  6. Existing treatments of the concept of public opinion in international society include Hans-Martin Jaeger, "'World Opinion' and the Founding

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8. Judith Shklar, "Decisionism," in *Rational Decision,* ed. Carl J. Friedrich (New York: Atherton Press, 1964), 3–17.

9. Contra Daniel Bessner and Nicholas Guilhot, "How Realism Waltzed Off: Liberalism and Decisionmaking in Kenneth Waltz's Neorealism," *International Security* 40, no. 2 (Fall 2015): 87–118; Andrew Jewett, *Science, Democracy, and the American University: From the Civil War to the Cold War* (New York: Cambridge University Press, 2012).

10. For the varieties of the domestic analogy, see Hidemi Suganami, *The Domestic Analogy and World Order Proposals* (Cambridge, UK: Cambridge University Press, 1989).

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12. Brian Vick, *The Congress of Vienna: Power and Politics after Napoleon* (Cambridge, MA: Harvard University Press, 2014); Glenda Sluga, "Women, Diplomacy and International Politics, Before and After the Congress of Vienna," in *Women, Diplomacy and International Politics since 1500*, ed. Glenda Sluga and Carolyn James (London: Routledge, 2016), 120–36.

13. M. de Pradt, *The Congress of Vienna* (London: Samuel Leigh, 1816), 25.

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22. Walter Bagehot, *The English Constitution* (London: Oxford University Press, 1867), 31, 50, 203, 286; see Thompson, *British Political Culture and the Idea of 'Public Opinion'*, 35–41.

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24. Gunnell, "Democracy and the Concept of Public Opinion," 271–76.

25. Korzi, "Lapsed Memory," 51–56.

26. Francis Lieber, *Manual of Political Ethics* (Boston, MA: C. C. Little and J. Brown, 1839), pt 2, 370, 438–39.

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29. See J. W. Burrow, *Evolution and Society: A Study in Victorian Social Theory* (London: Cambridge University Press, 1966); Peter Stein, *Legal Evolution: The Story of an Idea* (Cambridge, UK: Cambridge University Press, 1980); Casper Sylvest, "The Foundations of Victorian International Law," in *Victorian Visions of Global Order: Empire and International Relations in Nineteenth-Century Political Thought*, ed. Duncan Bell (Cambridge, UK: Cambridge University Press, 2007), 47–66.

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32. Lassa Oppenheim, "The Science of International Law: Its Task and Method," *American Journal of International Law* 2, no. 2 (April 1908): 324, 338. On Oppenheim, see Mónica García-Salmones Rovira, *The Project of Positivism in International Law* (Oxford: Oxford University Press, 2013), 43–119.

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35. Emphasis added. Nicholas Murray Butler, *The International Mind: An Argument for the Judicial Settlement of International Disputes* (New York: Scribner, 1912), 98–99, 102, 105.

36. Elihu Root, "The Sanction of International Law," *American Journal of International Law* 2, no. 3 (July 1908): 452.

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42. Woodrow Wilson, Address on Unveiling the League Covenant, Paris, 14 February 1919, in Woodrow Wilson, *America and the League of Nations: Addresses in Europe* (Chicago, IL: Rand, McNally, 1919), 164.

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81. Woodrow Wilson, "Address to a Joint Session of Congress," 8 January 1918, *Wilson Papers*, vol. 45, 536.

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106. Helen McCarthy, *The British People and the League of Nations: Democracy, Citizenship and Internationalism, c. 1918–45* (Manchester: Manchester University Press, 2011), 4.
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