"FRANK BILLINGS KELLOGG"

BY

ROGER G. KENNEDY

FOREWORD

BY

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In 1969, Roger G. Kennedy published a collection of biographical sketches of ten men, arranged in five chapters, each containing a pair of lives encompassing a particular period in the history of the American frontier. First, two early explorers, Giacomo Constantino Beltrami and Stephen Harriman Long; then two "political organizers," Henry Hastings Sibley and Alexander Ramsey; next two architects, Harvey Ellis and Daniel Burnham; then "two politicians of a rapidly solidifying social structure," Ignatius Donnelly and Frank Billings Kellogg; and, finally, two artists who "reflected the passing of the frontier," F. Scott Fitzgerald and William Gray Purcell.

Kennedy's portraits do not resemble matter of fact entries in a dictionary of frontier biography; instead they seek to reveal the personality and character of each man and, as such, they are impressionistic, insightful, occasionally complimentary, and oftentimes scathing. About his subjects, Kennedy writes in an introductory chapter:

> These men of the frontier were acutely self-conscious. By the time Minnesota, Wisconsin, and the Dakotas were settled it was no longer possible for an educated man to escape an awareness of how he should think of himself on the frontier, what his proper stance upon it should be. A literature of the West had grown up, and the ideals it set forth were a part of the intellectual inventory of all the men we will be watching through these pages, as they each in his own degree, were watching themselves. It is possible, therefore, to find in their

> stories not only a sequence of events but also a pattern of action; there was real history and also an imaginary, or hoped-for-history. For some of them there was, in the imagination, only a grey world of duty or a silver world of profit. For others, this West offered an occasion for the assertion of heroic character, brightly colored and proud.

This is an important clue to Kennedy's profile of Frank Kellogg. In it we see lessons Kellogg drew from his own life, from his impoverished upbringing near Rochester in the mid-1860s, to his accumulation of wealth and rise to national and international fame from the early 1900s to 1930s, when he served on the World Court. We also see how Kellogg accommodated himself or "adapted" to changes in the nation's economy and political environment — though, in several periods, he was unyielding in his opposition to public assistance to the very types of farmers and small businessmen he knew in southern Minnesota when he was growing up. And Kennedy notes differences between the flattering opinion of Kellogg by his contemporaries, reflected especially in a biography by David Bryan-Jones published in 1937, and the harsher reassessment of him in our own time.

When Kennedy published his "frontier" portraits in 1969, he was a lawyer for the Northwestern National Bank of St. Paul. In the following decades he moved between law, academia, foundation work, and government service. He published a torrent of books and articles on American history in popular magazines and scholarly journals. He is the author of *Minnesota Houses: An Architectural and Historical View* (1967); *Men on a Moving Frontier* (1969); *American Churches* (1982); *Greek Revival America* (1989); *Architecture, Men, Women and Money* (1985); *Orders from France* (1989); *Rediscovering America* (1990); *Mission: The History and Architecture of the Missions of North America* (1993); *Hidden Cities: The Discovery and Loss of Ancient North American Civilizations* (1994); *Burr, and Hamilton, and Jefferson: A Study in Character* (2000); *Mr. Jefferson's Lost Cause* (2003); and *Wildfire and Americans* (2006). He also served as General Editor and Prefaces for each of the twelve volumes of *The Smithsonian Guide to Historic America*. Forthcoming in 2008-9 are *When Art Worked*, *1934*, and a new edition of *Greek Revival America*.

In an extraordinarily diverse career, Kennedy was the Director of the U. S. National Park Service from 1993 to 1997, and Director Emeritus of the National Museum of American History, Smithsonian Institution, which he

directed form 1979 to 1992. He received his B.A. from Yale University in 1949, and his LL.D. from the University of Minnesota Law School in 1952. He was a founder and first chairman of the Guthrie Theater, a founder of the Library of America, and an honorary member of the American Institute of Architects.

Roger Kennedy died on Friday, September 30, 2011, at age 85. In a "Remembrance" of Kennedy in the Wall Street Journal published on October 1st, Stephen Miller wrote that he "transformed the Smithsonian National Museum of American History, renovating the 'nation's attic' to create a forum for conversations about U.S. history." In an obituary in the New York Times, Sandra Blakeslee wrote that Kennedy was "an ardent preservationist of the nation's cultural, historic and artistic heritage for much of his life." During his four years at the Park Service, Kennedy, who wore the service's official gray and green uniform to work every day, reduced the bureaucracy while opening eight new parks. "Parks are about stories, where we tell each other about common history," Miller quoted Kennedy as saying during an interview.

Kennedy's study of Kellogg appeared first as the second half of Chapter Five in *Men on the Moving Frontier: From Wilderness to Civilization—The Romance, Realism, and Life-Styles of One Part of the American West* (Palo Alto: American West Publishing Co., 1969). It has been reformatted; page breaks have been added. Photographs of Kellogg and a political cartoon by "Ding" Darling, depicting a scene in a "Museum of Antiquity" where politicians are hoisting a statue of "War" onto a pedestal engraved "Kellogg Treaty To Outlaw War," are omitted, but it is otherwise complete. It is posted on the MLHP with the permission of Roger G. Kennedy. ■

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IN

Men on the Moving Frontier

By Roger G. Kennedy

AMERICAN WEST PUBLISHING COMPANY

PALO ALTO / CALIFORNIA

1969

CHAPTER FIVE *

II

SOUTHWARD FROM IGNATIUS DONNELLY'S HEADQUARTERS at Nininger, across seventy miles of glacial moraine, across green-tufted mounds ringed with yellow where the rain and wind had worn through to limestone, there is a shallow, sloping river valley deep with brown soil. From a rugged pioneer farmstead in that valley, there came a constituent of Donnelly's who became the urbane and celebrated statesman, Frank Billings Kellogg.

He was twenty-eight years younger than Donnelly, and his timing was better. Donnelly had come west to get rich, had failed during one depression, struggled upward, failed in another, and had become the tribune of the impoverished farmers. Kellogg went west as a child in a poor family; he knew the savage prairie winter and the August heat that presses down upon crops and men and cattle, and bleaches the earth to grey dust. As soon as he could, he escaped to town to become a corporation lawyer. He was lucky in his relatives, and the business cycle was kind to him, and he was a virtuoso of the main chance.

Kellogg was as vain as Donnelly, but instead of permitting vanity to make him a maverick, he learned to adjust—adjust and be gracious—to fit in. Donnelly required the cheers of the populace; Kellogg preferred the quiet approbation of the elegant. Donnelly lived leaping up waterfalls, falling and leaping again. Kellogg was a swan, moving without strain about a warm pond in a formal garden, never making a ripple so large as to be unseemly.

For many years Donnelly and the young Kellogg were near neighbors, and later their public careers overlapped for twenty years. But I have found no comment by either upon the other. By coincidence, however, they were each given a decisive nudge in opposite directions in the same year by Cushman Kellogg Davis, who knew and made use of them both.

Davis had spoiled Donnelly's chance of defeating Alexander Ramsey for the United States Senate in 1875 but had done so with such subtlety that Donnelly supported Davis's successful [134] campaign for that office in 1887. The next year Davis deputized Congressman John Lind to assure Donnelly that if he would campaign for the Republican ticket, "your claims for recognition at the hands of the party will not be ignored." Donnelly was persuaded, even though he was warned of a trap by flinty Knute Nelson, then a backcountry Scandinavian lawyer: "The people who encourage you will do nothing for you….the Yankee blue bloods of the Twin Cities would never tolerate that a damned Norwegian without boodle should ever aspire to the U. S. senatorship, and you will before you are much older realize that an Irishman without boodle will be in the same fix." Nelson was right. Donnelly was treated as a turncoat, got little Republican support, and in the winter of 1889, wrote out of his humiliation and despair his terrible revolutionary vision *Caesar's Column*. (Nelson, who knew how to assay the times and trusted no man, was elected governor in 1892, senator in 1895, and remained solidly in power until his death twenty-eight years later.)

After mouse-trapping Donnelly, Davis took steps to shore up his position by bringing into his law firm his bustling young cousin, Frank Kellogg, who had been practicing law and politics in southern Minnesota. Kellogg had emulated Davis, crossruffing the public reform of political incidentals and the private advocacy of the essential interests of corporations. He had won a lawsuit against a flagging railroad company, had been elected city attorney of Rochester, Minnesota, then county attorney, and had been narrowly defeated in an effort to secure the Republican endorsement for attorney general of the state. He had accumulated the friendship and legal business of Rochester most powerful citizens, including the Doctors Mayo. In 1887 he was ready for the big city.

Some men train well. Cushman Davis chose a tractable associate. Frank Kellogg had a quick mind, a capacity for persistence in small things, and that sententious manner, that implication of rectitude, which was becoming preferred to wit among lawyers in the self-conscious cities of the West. The tutelage Davis would aid him to go all the way to the senate, the secretary-ship of the state, and the Nobel Prize.

Kellogg's authorized and dutiful biographer, David Bryn-Jones, commences his story by floating it upon the current of [135] an "essential…part of the American tradition, the story of the poor boy who achieves fame." Kellogg

was proud to say that his life was "a remarkable example of the 'log cabin to White House' history." In the Congressional Record he rejoiced that "I was born in the country, started to practice in a little country town in southern Minnesota, and traveled over the prairies of the West trying lawsuits, and I know that many, if not most, of the great lawyers of the United States have come from country towns." Rochester, the market center in which he practiced, was, he said, "an unknown village on the fringe of a far-flung empire....destined to become a great, rich country traversed by lines of railroads and dotted with opulent cities…" He saw no romance in the wilderness, no beauty in unturned earth. The frontier, he said, was "beckoning to the ambitious youth and promising golden returns," and the frontier kept its promises to him.

His childhood was classic. He grew up in Adirondack villages; there were, he recalled, "only three or four Democrats in St. Lawrence County…and no one knew who they were." When he was nine, his family moved west, by team and wagon, lake steamship, sleeper-less train, ferry, another sleeper-less train, another lake steamship, another train, another steamship, another train, a river steamer, then, as he remembered, by a work train from the Mississippi shore to Eyota, thirteen miles east of Rochester, where the track ran out.

> It was raining and snowing when we got there, and there was no hotel, but there was a store that had a loft over it…my father, my mother, my brother, my sister, and myself....all bunked on the floor….there was a board across a chair, and as I was tired and sleepy….I sat down on one end of it. The other end flew up in the air and a kerosene lamp that was on it was smashed in pieces, leaving us in complete darkness.

In later years, amid candle-lit splendor in his London mansion, having dined with the king and golfed with the Prince of Wales, he could recall that night in Eyota.

On the morning after their arrival a neighbor from their home town in New York brought them to the hamlet of Viola [136] by oxteam and wagon. There Frank slept with his brother in the attic, often shaking off the snow that drifted in through the shingles. That was the winter of 1865-1866. Ignatius Donnelly was in his second term in Congress, still the youngest member of the House. The Kelloggs were his typical constituents, single-

crop wheat farmers. “Not much was heard in Olmstead County about rotation of crops or diversified farming,” Kellogg later recalled.

The Kelloggs were poor. Frank wanted to become a lawyer and always regretted that he had had no formal education after he left school in 1873, in his fourteenth year. That was the winter that Minnesota weather again left its mark in his mind. He had taken a sleigh-load of wheat to the river port of Minneiska and had returned, as usual, up the deep-riven, oak-thicketed valley, to reach the prairie plateau at Elgin. Joe Richardson, a neighbor, warned him that there was a blizzard on the way, but he kept loading four-foot lengths of firewood to take home and, late in the day, started home in the face of the lashing snow. A search party found him at ten o’clock that night stuck in a snowdrift. He had walked twenty miles.

Kellogg was small and muscular, capable of great exertions and steely self-discipline. Minnesota winter provides a constant incentive to get rich enough to be warm in winter, and the drudgery of a frontier farm drove Kellogg to seek out the “golden returns” of the city. He was tough; he took no more risks than were absolutely necessary; and he put behind himself any feeling of companionship in the struggles and privations of the single-crop farmer. Good luck reinforced his upward striving while misfortune forced Ignatius Donnelly back down each time he sought prosperity, and it seems likely that there was in these two men a disposition toward divergent lives. Donnelly actually preferred swimming upstream; Kellogg caught the current of his time and rode upon it.

As soon as he could, Kellogg left the farm and began learning the law in the office of a Norwegian immigrant named H. A. Eckholdt. He milked cows and worked on neighboring farms to earn his keep: fifty cents a day during seeding, a dollar at harvest time. He later recalled that by “intense application” he learned enough Latin and law to pass his examinations; then by [137] “strict economy and hard work I managed to earn a living in my chosen profession.”

Kellogg customarily applied to himself the prefabricated phrases of the rags-to-riches myth. He was not imaginative, and it is likely that even if it had not been useful to him politically to clothe himself in these phrases, he might still have found it comfortable to buy a biography off the rack. Others recorded that during this period he was widening the space between himself and his boyhood associates by serving as a collection agent for farm

machinery companies, traveling "over the prairies of the West" in search of payments on delinquent notes. It was these same companies that were the least fastidious in employing any means necessary to dissuade the legislature from adopting Donnelly's restraints on their usurious interest rates.

Kellogg knew how hard life was on the prairie farm, how exposed the farmers were to blizzard, to price manipulation and rail rate discrimination, to falsified weights and grading; and he wanted to depart from such a squalid scene in all haste. Thirty years after he left the farm forever, he was willing to bestow upon his Senate colleagues an unusually self-congratulatory recital of his career, emphasizing the delights of life on a farm, but his speeches warmed considerably as he recalled the "golden returns" in the "opulent cities."

> The concentration of wealth, the marvelous accomplishments of science and invention, the increase in manufacture and world commerce, and the increase in communication and rapid transportation have afforded opportunities in the cities for large incomes, the amassing of great fortunes, and that, together with the attractiveness of city life, have taken from the farm much of the best blood of the nation.

There is, of course, nothing strange in a desire to avoid the unpleasant and seek riches and "attractiveness," but Kellogg harbored the delusion all his life that, despite his rejection of farm life, he was nonetheless still capable of understanding and speaking for the farmer. He truly regarded himself, as Harold Ickes once described Wendell L. Willkie, a simple "barefoot Wall Street lawyer." He repeatedly employed a formula about the farmer in his recorded public addresses: reverence for "the [138] supreme importance. . . of agriculture. In all times the prosperity and greatness of the nations of the world have been based upon agricultural pursuits….independent proprietors of the soil…the small farmer, the owner of the soil…." He could even borrow a Bryanesque turn of phrase on the right occasion, to contrast the yeoman and the city dweller: "The degeneration which is going on in the centers of population, like our large cities, is a terrible drain upon our nation, which is being made good from the blood, sinew, and brain of the land.... Show me a nation whose agriculture declines and I will show you a decadent nation."

But his attitude toward the farmer was that of the city creditor. He was opposed to "radical measures" to aid the farmer. His rhetoric about

"independent yeomen" did not seduce him into advocating expenditures to sustain the national bucolic museum he portrayed. He was always opposed to "men who are seeking…radical legislation": Populists, La Follette Progressives, or draftsmen of New Deal farm policies. He knew that "the farmers of Minnesota…have turned radical because of the prices of their products," but "all this twaddle about controlled inflation is nonsense" — this during a period of sharply declining farm prices. The seven-year-long farm depression of the 1920s and 1930s was, he thought, merely a panic, and it could be cured by "thrift and industry." His response to the ancient association of low prices, high debt, and deflationary policy was, as in all things, conventional. He was for hard work and "stabilizing the dollar." Whatever temporary distress could not be alleviated by thrift, would, he grandly assumed, come right in time: "the relative value of farm products and other products will eventually be worked out and adjusted through economic forces." He was proud that his own "conservative" measures as a senator prevented the "very radical legislation" advocated by George Norris and others to increase exports and elevate farm prices. The wisdom of these measures was not at issue. That they were "radical" was enough for him.

Kellogg had commenced his career forty years earlier. The great boom of the l880s was getting underway, and during its upward surge he was carried along. Then, when he needed an additional boost, he sought out Cousin Cushman to help him [140] through a difficult lawsuit, and he got the boost. He afterward spoke of "the life struggle of a boy in the simple… surroundings of the north country…and [his] rise to fame," of his own "interesting career." He congratulated himself as having been one of those who, "self-reliant, vigorous in body, trained in hardy schools, inspired by ambition," had achieved success in the city. He was proud to recall that once he had been "grubbing out a living on a frontier farm," but his recollection aroused no fervent feeling of kinship for those still at it. He was delighted to have come so far from all that, from all "them."

He had difficulty understanding why "they" did not regard such a paragon with the enthusiasm of the paragon himself; one reason may be that they perceived his patronizing attitude. Of the laboring classes he said in a campaign speech, "If we should have them make good American citizens, educate their children, and be an element of stability in the nation, they must be treated justly and have their fair share of the products of their labor." But woe be unto those who would seek by direct political action to improve their lot, who listened to "the fomentations of the radicals." "Revolutionary

propaganda" of their kind "stirs the muddy waters of discontent." He made little effort at rectifying the causes of discontent. "Time," he intoned, "cures many things."

Kellogg carried over into his public policies a smug sense of separation between those who were feckless or improvident toilers and those who were splendid and successful like himself. During the depression he was glad he could "hang on to…good-stocks" and observed with a curl of the lip former colleagues who were not of the elite, of a destitute lawyer friend he said, "He has always been improvident. Nevertheless it is a rather sad situation for a man to arrive at his age and with it nothing to do….we have to help a poor devil who is on the wrong side." (Charles Cleaver, Kellogg's percipient critic, has underlined the Calvinist implications of that final damning phrase.) Kellogg could use the same tone about a retired foreign service officer in those days before pensions: "The government doesn't owe him a living, but I am sorry for him nevertheless."

In 1930, as a director of the First National Bank of St. Paul—then an institution of unchallenged supremacy in the region, [141] dominating its competitors—he urged his colleagues to retire from any broad responsibility: "What is the object of our running a sound and conservative bank when we are assessed to pay the debts of rotten banks which have been recklessly managed?" From the battlements he looked out upon other, less-endowed institutions whose depositors were losing the savings of a lifetime, and he alone, it is said, voted at a directors meeting against a weekend's loan to keep another bank afloat while government funds, guaranteed by the Treasury Department, were on their way.

The response of a man of this sort to the next decade was predictable. He was for a sharp cutback in governmental expenditure and vehemently opposed to any large program of relief. He admonished those who could not "sell some bonds" or "keep…good stocks" to await the beneficent workings of the economic forces which had, forty years earlier, helped to make him rich. "Congress cannot legislate prosperity," he said, and it should neither try to encourage it nor to succor the victims of its absence. "Readjustments must come through the natural result of economic forces….The great principles of supply and demand will take care of prices and production." Relief measures might erode "individual energy and enterprise," and he deplored them. "We are not wards of the government." Certainly he was not. "We are self-reliant, energetic, and resourceful people....the American people must help them-

selves….The main reliance is the generosity and the public spirit of the American people."

David Bryn-Jones, Kellogg's biographer made use of his subject's private papers and was never critical of his benefactor. But at one point he said of the young Kellogg:

> He did not have then, nor has he had since, "a minority temperament."….Later he would shape a personal philosophy, or find one, which would justify what at first was an instinctive reaction. He believed with Edmund Burke that loyalty to "one's own platoon" is one of the conditions of loyalty to those larger entities which claim man's allegiance.

Is there a rock showing through the smooth-flowing sorghum? Does the biographer wish to tell us something? Kellogg was [142] not one of those given to inconvenient personal loyalties. His loyalties were larger—to a "platoon." His platoon was amply endowed and willing to reward such loyalty. It merely required that one be adaptable.

Kellogg was adaptable. Impressionable, in fact. His private correspondence shows him glorying in dinner, golf, or a carriage ride with a celebrity, warmed by the consoling proximity of the rich (to borrow a phrase from F. Scott Fitzgerald) and heedful of the opinions of the titled in ways which would be touching in a debutante but pathetic in a middle-aged secretary of state. Politically, he moved from the gravitational field of one great man to that of another, and his own orbit bent to accommodate them. Ideologically, he called himself a Progressive, but he was as ready to move backward as forward with the opinions of his platoon

The degree to which he was not only loyal to, but a prisoner of, that platoon appeared in the last decade of his life when he was certain that its attitudes toward Franklin Roosevelt were representative of the populace. "In this part of the country it is hard to find a real Roosevelt supporter. The extravagance and waste of this administration are generally condemned….The people are sick and tired of those professional 'brain trusters' and of all the fool experiments of this administration. In my opinion it would be just simply a 'picnic' to carry Minnesota for the Republicans at the present time." A few months later Roosevelt defeated Alf Landon by a landslide.

He resented the efforts of "agitators" to "stir up" criticism of the prevailing order. In the 1920s he had responded to Robert La Follette's speeches against the Teapot Dome scandal as Alexander Ramsey's friends responded, in the 1870s, to Ignatius Donnelly's attacks on scandals of the Grant Administration. "I am mortified beyond measure that a few men greedy of riches and one or two corrupt officials can not only damage a great—I might say—two great political parties and encourage radicalism, but can destroy public confidence in the business of the country…That is no excuse for the Senate to make a spectacle of itself like a ranting, scandal-mongering old woman…."

It was not the crime but the consequences of its exposure which seemed to bother him the most. In the same way he was [143] offended by La Follette's angry attacks upon the Supreme Court after it had twice set aside efforts to regulate child labor. The Court, which was intent upon the preservation of property rights and what it called "freedom of contract," had stood athwart efforts of reformers from Donnelly's time through La Follette's to improve working conditions and protect children from exploitation. Kellogg never evidenced sympathy with the children, but he was out at daybreak in full armor to protect the Court against "agitators who are going up and down the land denouncing the Supreme Court and the Constitution." La Follette's "pernicious doctrines," in 1922, "strike at the very foundation of constitutional government."

Two years later he wrote his partner that he did not believe that "the American people can be carried away with such demagoguery and quack remedies and revolutionary tendencies as La Follette represents." There was some snobbery in his description of La Follette's Minnesota manager: "a man without any standing" in whose shipper's bureau "there is not a single shipper of any importance"—definitely not one of the platoon.

His emphasis upon "extravagance" and "thrift" arouses curiosity about the psychological basis of his conservatism. He was not conservative out of reverence for the past; he was not contemplative nor scholarly; he felt no stirring of ancient sympathies nor reverence for ancient institutions. Nor was he a conservative out of pessimism; he believed that "sound economic laws of a permanent character" would lead inevitably to progress. He was, instead, a retentive character, made anxious by change and relying upon riches—which he called "resources"—to provide comfort and stability. When World War I called for extraordinary exertions, he said, "It is

necessary in times like these to conserve our resources." In another speech he said, with some passion, "We must watch carefully the burdens we place upon our people so that we may be able with our resources—our splendid resources—to meet any of the exigencies which may arise in this unfortunate struggle."

This was the rather short man with a noble face and an even nobler crop of prematurely white hair (much the same nobility as John Bricker's) who rose rags-to-riches to a seat in the United States Senate in 1916 as a Progressive and, finally, became an [144] international figure as the secretary of state who assembled the nations of the world to sign the Kellogg-Briand Peace Pact in 1928. How could such a man have such a reputation? How was all this possible for one in whose voluminous writings no granule of wit can be found, in whose interminable public speeches no fresh phrase, no original concept lightens the relentless redundancy?

At the outset one wonders how he came to be known as a Progressive. The term itself had a range of meanings. Kellogg's was on the cool or blue end of the Progressive spectrum, which advocated those reforms which had already become respectable. William Allen White knew many corporation lawyers like Kellogg, who were willing to accept an old Populist idea which had "shaved its whiskers, washed its shirt, put on a derby, and moved up into the middle of the class—the upper-middle class." Like White himself and Theodore Roosevelt, they took Populist proposals, blunted their edges, placed them in gift-wrapping of bright language, and made them attractive to a majority of the public. Wisconsin's Robert M. La Follette and Minnesota's Governor John A. Johnson, who were keeping score on the practical results rather than the rhetoric, noted that the Roosevelt-Kellogg Progressives "filled the air with noise and smoke, which confused and obscured the line of action, but when…quiet was restored, it was always a matter of surprise that so little had really been accomplished."

Tactically, Kellogg was perfectly fitted to benefit from the decline of potency in Minnesota's reform movement, which followed the deaths of Donnelly in 1901 and Johnson in 1909. He could serve the oligarchs and at the same time pose as a log-cabin-reared son of the soil. In a state still rent by antipathies among citizens, two-thirds of whom were first- or second-generation Americans, he was of old Yankee stock. He had an additional advantage: a chloroform dignity which quieted questioners. He could do so without hypocrisy because he apparently was so intent upon his own rise to

riches that he was blind to the present injustices which still occupied the attention of "radicals."

What was Kellogg's real attitude toward the trusts? He secured political advancement as a "trust buster" but was always a devout [145] advocate and companion of the proprietors of what the public meant by "trusts." Was his the view of the matter expressed by Mr. Dooley? "Th' trusts are heejus monsters built up be th' inlightened intherprise if th' men that have done so much to advance progress in our beloved counthry. On wan hand I wud stamp thim under fut; on th' other hand, not so fast."

Justice tempered with convenience. Kellogg stated his hardly passionate adherence to reform in his famous speech as president of the American Bar Association: "In the enactment and enforcement of those laws called for by a progressive people, lawyers should be statesmen....If we do this…we may maintain our influence in the councils of state and nation; and we may aid in shaping progressive legislation and add immeasurably to the wisdom of government. But if we refuse it will be done without us."

His political career is interesting in its clear expression of the temper of midwestern respectable opinion and also in its demonstration of how Sulla could look like Marius by carefully selecting his adversaries. His first national celebrity came from having successfully occasioned the collapse of the "Paper Trust." As Bryn-Jones admits, "The interests jeopardized in this case, in so far as there was jeopardy, were not those of the weak and impotent, but those of the newspapers and publishing companies capable of putting up a resolute [and expensive] defense." The "trust" was raising prices of newsprint; the publishers raised the cry of "monopoly." Kellogg, as attorney for the publishers, helped bring the prices down again and was compensated not only in cash but in the editorial adulation which led him to his next big case, against E. H. Harriman, lord of the Union Pacific. Harriman was, Bryn-Jones says, "regarded by the public as one of the bold, bad robber barons of the world of dubious finance."

Kellogg's biographer does not go on to say that Harriman was also regarded as a dangerous opponent by one of Kellogg's chief clients, James J. Hill, of the "Northern Roads." Harriman and Hill had been contending for power for twenty years, and Hill was not offended in 1908 when his lawyer was assigned the task of advancing, as special counsel, the Interstate Commerce Commission's efforts to curb Harriman. On the witness stand Harriman

made something of the fact that Kellogg was not so [146] fearsome a foe of Hill's combinations as of Harriman's:

> MR. HARRIMAN: You are on two sides of this Mr. Kellogg.
> MR. KELLOGG: Perhaps.
> MR. HARRIMAN: You have just come from Minnesota. You were arguing there the other way.
> MR. KELLOGG: All right; go ahead. You can say anything you please.
> MR. HARRIMAN: I wish I had you on my side.
> MR. KELLOGG: I do not think you need me. Now, Mr. Harriman. . . the evidence, etc.

Kellogg, and Kellogg alone, is the authority for the story that another client, Judge Gary of U. S. Steel, tried to dissuade him from contending with Harriman; that Kellogg offered to resign his counselship for the giant corporation; and that Gary, who, says Bryn-Jones, "formed a truer estimate of him as a result," tore up that paper and the two "remained friends." *

It was Kellogg's next great case—forcing the Rockefeller brothers and their partners to break up the Standard Oil Company into a number of smaller companies—which established him as *the* trust buster. There were three results of the celebrated Standard Oil case. First, where the Sherman Act had proscribed any combination in restraint of trade, Kellogg argued and won the case by inserting the modifier "unreasonable," thereby investing the Supreme Court with the jurisdiction to decide which restraints were reasonable and which were not. Second, it inconvenienced the Rockefellers. Bryn-Jones adds his gloss: "Kellogg…labored persistently and courageously....True the problem of the trust remained, and still remains; the problem of the Standard Oil Company remained….but at least one important step toward solution had been taken." And, third, Kellogg became a hero. One enthusiastic journalist wrote in 1911: "There is no lawyer in the country whom criminal wealth more fears today."

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* This is very like Kellogg's story of his refusal to accept appointment to the Senate Foreign Relations Committee at the cost of a promise to support Henry Cabot Lodge. Kellogg related how he told Lodge: "I won't make any promises of that kind. I Cannot. I have never made such a promise in my life and am quite sure I never shall." He had a number of such stories.

Kellogg felt that this progressive reputation denied him the [147] post of secretary of war in President Taft's cabinet, but it did gain him, in 1916, the Republican nomination for the United States Senate, heading off the prospect of a more progressive candidate like Governor Adolph O. Eberhardt or a "radical" like the elder Charles A. Lindbergh. Cushman Davis had taught him the fine art of heading off—of timely adaptation. One can suppose that Kellogg was less aware of his footwork than the cynical old master, but he was capable of very intricate maneuvers. In the years 1910 to 1912, for example, he retained the friendship of William Howard Taft and of Theodore Roosevelt. Roosevelt, in voluntary exile in Africa, was in frequent correspondence with Kellogg, asking his judgment "on the political situation in the West." At the same time, Kellogg could walk frequently in the rose garden with Taft. Archie Butt, who was present on one such stroll, reported that Kellogg advocated to Taft the withholding of patronage appointments to Roosevelt's friends in the West and that he gave Taft "a full account….as he described it, of 'The Back from Elba Plot'" to return Roosevelt to these flowery precincts as occupant of the White House.

Kellogg joined another walk-out of the Republican Convention in 1912, where he had unsuccessfully supported Roosevelt's disputed delegates against Taft's, but he handled the matter so subtly that he received a telegram from Taft on the next day saying, "A thousand thanks my dear Kellogg….I know how much you personally had to do with the admirable results of the convention." Taft, of course, was in Washington, away from the convention, and had a poor political intelligence service.

It is impossible to make consistency out of Kellogg's senatorial career. He introduced numerous agricultural bills of apparently conflicting purposes—some, it appears, from a fear that "it will be done without us." He was one of a number of moderate senators who swung back and forth like water in a ship's bilge as the debate on the League of Nations tilted first one way and then the other. In 1922 he was denied the reelection which Folwell says "he had a good right to expect" by if new Farmer-Labor coalition. President Harding then sent him to the Conference of American States in Chile and later appointed him ambassador to the Court of St. James.

Kellogg went to Europe with prejudices about nations neatly [149] divided, hermetically sealed within their boundaries. Each seemed to him to have a distinctive and, apparently, homogeneous character. He respected men who "know the Mexicans" or "understand the Chinese." He already "knew" the

Germans: "The Hun has not changed in two thousand years. Civilization may have sharpened his lust for conquest and power, and knowledge and science increased his instruments of destruction, but he is a Hun at heart…." The British, on the other hand, are "polite…have tremendous courage…are mighty jealous of their commerce." Later, as secretary of state, he was glad that "Poindexter wired me…that the Peruvians are particularly susceptible to 'palaver' and very responsive to treatment which they describe by the word 'simpatico.'" The Montenegrins were "hardy"; the French and Italians derived their vitality from the fact that they are an agricultural people.

These were the conventional attitudes of his platoon; despite his great opportunities, he did not enlarge his thinking. Speaking of Germans as Huns or France as prosperous because it is "a working country" was enough to gratify a luncheon club audience, and Kellogg asked little more understanding of himself than that. He apparently believed that nations are discrete entities, each having its own character. Perhaps it was because he wanted each nation to "develop its own nationality" that he said in the middle 1930s that Hitler merely "needed a good spanking" but was not a serious threat to peace. "I haven't taken this talk about war in Europe very seriously. It seems to me that Hitler is rattling sabers and strutting up and down the platform largely for the benefit of Germany….When you stop and think about it, what has Germany got to go to war about?"

By that time, of course, Kellogg was known as the proponent of the Kellogg-Briand Peace Pact, in which sixty-two nations solemnly renounced war as an instrument of national policy. He wished this treaty to serve as his testament. It has been roughly treated by critics as diverse as Drew Pearson, who wrote a book to prove that it was a good idea but not Kellogg's, and George F. Kennan, who regarded it as a prime example of that "legalistic-moralistic" approach to foreign policy which made it difficult for American secretaries of state between the two great wars to deal forthrightly with specific power problems. [150]

The evidence seems fairly plain that Kellogg was skeptical about such a treaty when it was proposed as an exchange of assurances only between France and the United States. He was still resistant when a number of articulate peace groups took up and broadened the idea to include all nations. His memoranda to President Coolidge cautioned against accepting the idea; he wrote Elihu Root that "there is a tremendous demand in this country…for the so-called outlawry of war. Nobody knows just what that means." But as

more and more petitions came across his desk, together with enthusiastic letters from prominent platoon leaders, and even Senator Borah was ready to persuade the Foreign Affairs Committee that it was a noble idea," Kellogg began to concede. After the committee, under Borah's urging, recommended the treaty, Kellogg made it his own and fought for its passage. There can be no doubt that he came to believe that it would have a "moral effect…upon the peoples of the world," that it would make it more difficult for nations once again to go to war.

It had additional virtues from his point of view. It required no radical measures like that "framework of supergovernment," that internationalism "of some extreme, impractical dreamer," which he had feared at the time of the League of Nations debate. It had no enforcement procedures, could upset no one, and make no demands for a change in the established ways of doing international business. It "must depend upon the good faith of nations." Raised as he had been in a frontier society where there was a desire by respectable people to establish "law and order" as quickly and firmly as possible, in which property rights were exchanged by contract and where everybody believed both in contracts and in property, he found it easy to believe that international society was like that, too. Treaty obligations, he thought, "are as sacred as the private obligations which arise between man and man….they lie as the very foundation of peace and good order…." There were those who wanted some things more than law and order—those who would use his treaty as a cover for their preparation for war. Self-righteous, narrow in vision, he persuaded many of his countrymen that they could rest secure while such a treaty set forth the rules. Meanwhile, Hitler, Mussolini, and Stalin prepared for a game without rules. [151]

Frank Billings Kellogg was a celebrity and, in his lifetime, a popular hero. He carried into international affairs a set of assumptions which might have had some value to some Minnesota magnates during prosperous times but were dangerous delusions in a larger world. He discouraged tough deterrence of real threats to peace by his insistence that words and signatures were enough. "The moral influence of an idea," he said, "is greater than the power of armaments in maintaining peace."

Kellogg, suave and sanctimonious, could not understand why Winston Churchill said in 1932: "I cannot recall any time when the gap between the kind of words which statesmen used and what was actually happening in many countries was so great as it is now." There had always been that gap in

Frank Kellogg's life. He was lucky that it never closed in upon him.

Ignatius Donnelly had an apocalyptic vision of terror in the streets, bloodshed, and the destruction of luxury in a revolt of the landless and comfortless. Kellogg could see no such dangers abroad or at home. Such forebodings were the agitation of a crank. Kellogg was well and the world was well. He was content and the world must be content. He was a creature of easy rectitude, knowing apparently no agony of conscience, no doubt about the society which had rewarded him so amply. On his upward path he went surrounded by his own cocoon of satisfaction. He cannot fairly be called brave, for he never suffered from a conviction which was not accepted by powerful men about him. He had intelligence and energy. He had among the men of his platoon a reputation for being a practical man, though he, and they, were working in clay on the brink of a volcano.

Bibliographic Notes

[192] Frank B. Kellogg has had a biographer, David Bryn-Jones, who did not chew very hard on his material *Frank B. Kellogg: A Biography* (1937). A much better treatment of the effect of his attitudes upon foreign policy is an unpublished Ph.D. thesis by Richard Cleaver (1956). In understanding blue and red Progressivism, I found most useful the following: Otis L. Graham, Jr.'s *An Encore for Reform* (1967) and Russell M. Nye's *Midwestern Progressive Politics* (1951), though, of course, there is much on the subject — the literature on Theodore Roosevelt, Woodrow Wilson, and times is inexhaustible.

Kellogg was, for one so celebrated, the recipient of very little scholarly attention. A spate of books discussed the Kellogg-Briand pact, but those interested in the man will have to turn to the voluminous Kellogg papers at the Minnesota Historical Society. Mr. and Mrs. Kent Kreider of Hamline University have turned to them with a will and with a capacity for

imaginative reconstruction and illuminating analogy which promises a great historical essay when their labors are done.

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