

LOWBROWS, Highbrows, and National Defense

BY ELBRIDGE COLBY

THE other day a friend argued very strenuously with me against the plea for national defense, which is always advanced whenever a question is raised concerning the maintenance of an army and a navy. He said that this country is not in danger of attack and never has been in danger. He pointed out that the American colonists were really responsible for the Revolution because they resisted governmental methods employed by British representatives. Resisted them by accumulating arms. Started the war by firing upon "red coats" on a little march just outside of Boston and made the war a serious issue by indicting a king and declaring the colonial independence. We prosecuted what has been called a limited war against France in 1798-1800 by authorizing naval attacks upon her commerce. We resented British interference with our own commerce, ships, and sailors; and declared war against that country in 1812. We got involved in a boundary dispute with Mexico and moved our troops to the frontier line which we claimed, and then when our armed advance was resisted, we solemnly announced that a state of war existed by an Act of Mexico itself. In 1861 when certain states attempted to withdraw from the federal union, the North was not defending itself, but was really combining to subdue the South. In 1898 after our ultimatum to Spain had finally been accepted, we decreed a blockade, and voted our army and navy to support Cuban freedom. Our action was accepted by Spain as a declaration of war which Congress was compelled to antedate four days. Our real purpose in going to war with Spain was to put an end to the intolerable disturbances in that Caribbean Island which, continuing for years almost within sight of our shores, had become a menace to our peace and tranquility. In 1917 it was we and not Germany who declared war. All of these things, he said

—arguing that our pleas for self-defense are contrary to the facts of history.

It is interesting that such a plea as ours for National Defense should be so subject to attack on historical grounds. Yet it seems necessary to resort to a simple plea in order to reach the average mind of the average citizen. The normal man is best appealed to on his selfish side. To counteract the pacifist propaganda as to costs of military establishments and the monetary value of tax rate reductions, the defense advocate has to speak of protecting our shores from invasion and hostile occupation. Everyone understands self-defense. It is understood generally to be a sufficient excuse for homicide. It underlies the constitutional provision which prohibits search and seizure of a man's property without a legal warrant. We all have a strong sense of possession and like to retain what is ours. The "defense of hearth and home" is valid logic in the common minds of common men. Yet there is a sounder line of thought for more intellectual men.

The theory of national defense is combined closely with the whole principle of modern government. Even the liberal, socialistically inclined Ramsay MacDonald celebrates his initiation as British Premier by securing additional aircraft and cruiser appropriations from the British Parliament. A responsible statesman sees to the support of his government.

International lawyers are among the few people in the world acquainted with international affairs and with means of international communication and cooperation. They would naturally—one would think—be most likely to be interested in world-wide organizations. Yet those very international lawyers commenced their studies by scrutinizing the principles of national sovereignty, national independence, and national rights. Indeed, it is not too much to say that most of our distinguished international lawyers are among the most ardent nationalists we have in this country. One authority says the right of self-preservation is the first law of nations. Another authority says this right is the first of absolute and permanent rights, and serves as a fundamental basis for a great number of accessory, secondary or occasional rights. An essential condition for the continuance of wars, and therefore the continuance of the doctrine of national defense, is the doctrine of separate sovereignty. Israel Zangwill was perfectly correct when he said that the way to abolish war

was to do away with all frontier lines, custom houses, restrictions on immigration, and separate national sovereignties. So long as separate sovereign states continue owing no duties to higher organizations and insistently maintain their rights—so long as international law, not only permits, but actually emphasizes this condition—there will always be questions at issue between nations that are not justiciable. Arbitration treaties may be drawn. Arbitration courts may be established. Yet the arbitration treaties always exempt from their scope questions affecting national rights, policies, interests and honor. Arbitration courts have no compulsory jurisdiction and are without power to enforce their decrees. For some things the ultimate arbitrament is that of war. It is not by chance that the statuesque figure of justice bears a sword.

Almost one hundred years ago, when the Chief Justice of the Supreme Court handed down a decision nullifying the course of action taken by the State of Georgia against the Indian nation of the Cherokees, the gentleman then in the presidential chair remarked, "John Marshall has made his decision—now let him enforce it!" Georgia scoffed at the opinion of the Supreme Court. The mandate was never obeyed. The power to enforce the jurisdiction of the court did not operate. So long as there is no such power, or so long as such existing power does not operate, the courts are useless. But when there is such a power and it does operate, their opinions are the guides to policy. The armed power merely enforces the policy. Without the power, the policy is impotent.

From 1861 to 1865 the United States needed armed forces to suppress a rebellion. The doctrine of state sovereignty without our union had been a series of trouble ever since it was discussed in the Constitutional Convention of 1787. Intensified from year to year by the slavery question a conflict of ideas became a conflict of laws. The conflict of laws became a conflict of peoples until horizontal lines across the continent could have divided the respective forces. The conflict of the two peoples finally became a conflict of rifle and cannon. The conflict ceased to be an argument in constitutional law and became on the one hand a denial and on the other hand a support of the law of the land itself. From 1861 to 1865, as General Sherman later said, the Supreme Court was paralyzed. Its rights and decrees were treated with contempt south of the Potomac and the Ohio. It could not sum-

mon a witness or send a deputy marshal. Armed force was needed to restore the law. Right needed the aid of might.

In one sense this Civil War of ours was a defensive war. It was a war to support the Federal Union. In a military sense it was an offensive war, waged to subdue a revolution as McClellan said, "to crush a population." And here with this single conflict as an example we can see a clear distinction between defense of national policies and defense of a nation. To some simple-minded people national defense may mean the protection of hearth and home against an invader. To others, capable of thinking deeply, clearly, and broadly, it may mean the defense of our policies, of our government, of our citizens against annoyance, injustice and insult. So long as our national policies are defensive and not offensive, the war we wage in support of these policies will be a defensive war, whatever may be the character of the military operations. According to this distinction the American Revolution was a defensive war to maintain chartered rights and traditional liberties. In this sense, the War with France of 1798-1800, the War of 1812, and the War of 1917, were defensive wars to preserve our prestige and protect our people engaged in commerce overseas.

Defensives and offensives cannot be definitely determined as such on any circumstantial or contemporary grounds. We must go back to the causes and the antecedents, else our interpretations are merely superficial and for the occasion and the instance alone. When Lee invaded the North and struck, on two separate campaigns, towards Antietam and Gettysburg, he was tactically on the offensive, but strategically on the defensive. He invaded only to relieve pressure from the Richmond front. For the Confederacy, as I have said, the war was a defensive war, in defense of State sovereignties against the attempts of the North to compel adherence to the Union.

When British forces occupied the town of Castine, Maine, in 1814, our local inhabitants were on the defensive; the British were the invaders. If we look back far enough, we might say that the American Congress was the real offender, for it had declared war. And yet, if we investigate fully, we find that our declaration of war was really a defensive act, it was the last resort of a people whose principles of nationality had been continuously assailed by Britain. It was our only remaining means of arguing our point in diplomatic discussion. The war of 1812 was a defens-

ive war, in spite of our initiating the hostilities by declaring it formally, in spite of our attempts to invade Canada from Detroit and from Niagara. The very invalidity of purely military operations as a single criterion is admirably illustrated by that same conflict. The British invaded our territories at Plattsburg, Washington, Castine, and New Orleans. We invaded the British territory twice, at opposite ends of Lake Erie. The crossing of a frontier line is no standard of judgment for the determination of the offensive or defensive character of a war.

Suppose, for instance, that we should enter a war with a strong foreign nation. In a military sense, we should have to assume an initial defensive. With a population of over a hundred millions and a potential military manpower of over sixteen million, we would still be unready to act aggressively with our forces. With altogether only 500,000 trained citizens—about half of whom are officer material—and with a regular army of only 130,000 we would have to adopt a defensive position in readiness and protect our shores until we could assemble and train our personnel. This in a military sense. Yet the military situation is not the whole of it. We must go behind the military operations and discover what make them necessary in the first place. If the war we entered was brought on because we had conducted a political offensive in foreign affairs, it would be an offensive war. If it was brought on to maintain just and rightful defensive foreign policies, it could be a defensive war, whatever the character of the operations.

People who read history and are accustomed to thinking in historical terms are slow to analyze current conditions. Consequently, for a long time it was thought that wars were the sport of kings. It was believed that they were essentially political in their causes. It was believed that increasing international communication and trade would tend to diminish international political differences. It was really not until the twentieth century that people began to understand that wars are principally economic in their causes. Prior to the World War, Mr. Brailsford's book, entitled, *War of Steel and Gold*, made the economic motive clear. Then Mr. Lippman told the people of this country how to recognize "The Stakes of Diplomacy" in European affairs. He pointed out, as a single example, that the financial interests of the Bank of Rome in a north African power-house, actually brought on the Italian-Turkish war which was portrayed in popular terms as a

contest between the traditions of ancient Rome and of the oriental race, between Christ and Mohammed. Since then Lionel Curtis, Mr. Bakeless, Mr. Lowes Dickinson, and Admiral Niblack have insisted that all wars are economic in their motives. We have come to recognize that the protection of citizens, traders and interests beyond our borders are the real causes of war. Speaking in New York in 1923, Secretary Hughes said that we did not like to relinquish our rights under the capitulations agreement, but that we could not go to war to protect the legal status of our citizens in Turkey. When nationalistic Turkey was concentrating towards the Dardanelles, evangelistic organizations who had previously pleaded for peace, promptly faced about and demanded armed forces to suppress the Turk. President Coolidge more recently said in New York, "We are seeking no acquisition of territory and maintaining no military establishment with unfriendly hostile intent. We have come to a position of great power and great responsibility. Our first duty is to ourselves. American standards must be maintained. American institutions must be preserved. The freedom of the people, politically, economically, intellectually, morally and spiritually must continue to be advanced. The world knows that we do not seek to rule by force of arms, our strength lies in our moral power. We maintain a military force for our defense, but our offensive lies in the justice of our cause."

War may sometimes be necessary, but it will be a war to enforce a policy and not a war conducted for the purpose of slaughter. Our troops may actually take the offensive, but so long as our diplomatic policy is defensive, it will be a defensive war. The army and the navy are not war-makers. When statesmen and people decide on war as a means to accomplish the national will, they call upon the army and the navy to uphold our policies against our opponents. In protecting our policies, we protect our nation.

National defense is not a thing in itself. Armies and navies are not maintained to bring on wars. The present excessive armament of France in the air will not cause a war with England, because the policies of those two countries are not bitterly in opposition, but merely divergent. There may be differences and conflicts of opinion, but so long as there is no direct antagonism, there can be no war. Armies and navies are but the instruments of statecraft, the last type of ultimata, where bayonets and

bullets serve as punctuation marks, and the professional decencies of campaigners take the place of the elaborate protocol and courtesies of polished diplomats. National defense is a mode of national action. The nation is the unit of action. Its policy is the cause of war. Military operations are merely the means by which the national will is imposed upon those who condemn or oppose it. Protection at our seaports may be effected by immigration restriction, or by actual exclusion laws. Protection of the Mexican frontier against marauding bandits, has to be effected by troops who patrol the desolate banks of the Rio Grande. If the rum runner invades our territorial waters, he is met by a coast guard cutter—which is armed. If many rum runners combine to destroy the armed ships which deny them passage across, or anchorage along, the marginal sea, the open revolt may be put down by the navy. If the foreign country whose flag the rum fleet flies, presses the issue, naval engagements may bring about a naval war or even a general war. When national policy declares that war actually exists between this country or another, protection becomes a matter needing broader and most intensive efforts. The popular spirit supports the national policy. The defense of policies, when war is flagrant, becomes in fact a defense of national territory.

Several years of agitation and counter-agitation have finally resulted in the pacifist organizations adopting their logical position. They are now frankly coming out and taking the so-called "slacker's oath" refusing to support their government in any war measures for any cause, thus definitely denying one of the primary obligations of citizenship. There are some of them even saying that immigration restrictions and exclusions should go by the board. The issue is not war or peace. The issue is definitely one of national allegiance and nationality. And, strange as it may seem, this very slacker's oath was supported by certain young student volunteers interested in foreign missionary service, who when they go abroad will be protected in China perhaps by the long arm and the strong policy of their own government. In China itself they will learn that a nation without organization of its national power is able neither to maintain peace and tranquility within its own borders nor to preserve those borders against the incursions of foreign peoples. In potential manpower, the United States is noted on statistical charts as the equal of China. In actual power, the United States is superior because of

our superior facilities for organization and our superior armament. China has betrayed her nationality. Shall we betray ours? China has a weak foreign policy. Shall ours be equally weak? China is over-run with foreigners and her aggravated people are restricted from entering many of the states of the world. Shall we likewise be over-run with foreigners, proselyted by missionaries and restricted from travel and settlement overseas? The answer lies in the strength or weakness of our desire to maintain our nationality and in our willingness to support and defend the national policies of the United States. It is a problem of loyalty and the national will of a self-governing people.