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Famous Article X

Samuel Plantz
Lawrence University

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Famous Article X.

Article X is the red rag which especially arouses the wrath of the opponents of the League of Nations. To them it is much like Jack Billings Seacrow which was so awfully scary that when the crows saw it they brought back to the field all the corn they had stolen. They seem to regard it as the open way to all sorts of national calamity and world disaster. We are told it will ~~make~~ ^{avert} wars rather than ~~start~~ them, that it will send our boys to fight and die in all parts of the world, that it violates the American constitution, and that it sacrifices our sovereignty to a supernatural

power. It is this article upon which in the long drawn out senate debate the "antis" especially concentrated their fire.

Three ~~of~~ ^{view of} things are very interesting in the fuss and fury that has gathered about Article X. One is the very able men who are diametrically opposed ^{in respect to} concerning its interpretation and desirability. Great Lawyers like Ex Pres. Taft, Ex Attorney General S. W. Wickenshaw, Senator John Sharp Williams, Attorney General Palmer, and great students of international law like Dr. George Wilson, Dr. Paul Reinsch and President A. Lawrence Lowell emphatically favor the article and regard it as "perhaps the most important article of

the Covenant," while on the other
 board very able lawyers like
 Ex-Attorney General Knox, Senator
 Lodge, Senator Tamm and
 others find in it the gravest
 objections and dangers. One
 second notable thing is the way
 able men have vacillated in
 judgment ~~of~~ concerning it.
 Thus Mr. Root on March 31st, 1919
 advised the retention of Article X.
 Later he ^{said} it was advisable in
 view of conditions in Europe to
~~agree to~~ retain it for a
 time, but suggested a five year
 limit after which ~~time~~ it should
 be reconsidered by any nation
 being given the chance to
~~cancel~~ withdraw from its obligations.
 Recently he has come out squarely
 against it. Mr. Hoover in an

address at Ireland Stanford University in Oct. 2, 1919 said of it: "There is no obligation for the United States to engage in military affairs." Recently he has expressed the opinion that it pledges us to the use of military force. Not long ago Pres. Schurman of Cornell University said that he believed the public "wants the peace treaty ratified without any textual modification." Later he has various modifications and especially on Article X which he thinks necessary. ~~That~~ The third interesting thing is that Article X which has developed such an uproar in the Senate has been accepted with ~~the~~ almost no criticism by the leading states-

men of forty one of the leading
 nations of the earth. Any obligations
 which this article puts upon us
 it puts upon all the other nations
 equally; but none have seen in
 it the terrible meanness which
 some of our politicians have found
 in it. Is not the judgment of
 the greater part of the civilized world
 more significant than that of a
 few American statesmen, blinded
 by political antipathies and party
 interests and wanting to win an election?

The writer of this article ~~has~~
~~never felt that Article X is above~~
~~criticism, and he has been willing~~
 to see ^{Article X} ~~it~~ eliminated, if that
 would secure the adoption of the
 League, but he does not share
 the apprehensions of its critics

concerning it, and would rather see it preserved than eliminated.

What is Article X and what fangs and venom are concealed in its words? Analyzing it we note this: It is an agreement between the League members to undertake to preserve peace. It limits this agreement to wars of external aggression. It further limits it to efforts to steal another nation's territory or destroy its existence. It agrees that in case of any such aggression or danger of such aggression the Council shall advise (not command, note you) upon the means by which ~~the~~ ^{the} obligation

~~The undertaken to stay the hand~~
 of a robber or life destroying
 state shall be ~~strict~~ fulfilled.

Let us take the reverse of
 the article and see how it
 would read. It would ~~read~~ ^{be}
^{something} like this: The members of the
 League agree to permit wars
 of external aggression for the
 purpose of stealing another
 nation's territory or destroying its
 existence as a state; and the
 Council shall do nothing to
 interfere with such international
 robbery and murder. Do you
 who vote at Article X want to
 subscribe to this? Do you want
 the worse type of war to go on?
 Have you no interest in inter-
 national justice? If you have,

9

then why is it not reasonable for self-respecting nations that realize the injustice of wars of the kind covered in this article to agree together that they will do what they can to ~~prevent~~ put a stop to them and preserve peace? Certainly the hell of bad wars cannot be eliminated by the nations doing nothing about it, and if they do anything, what less ~~the~~ can they do than agree to ask their Council to advise upon the best means to deal with a case that may arise? A man who does not believe in Article X must believe in wars of conquest and the destruction of states; or he must believe that America should be so

supremely selfish and immoral
 as to stand by and refuse to
 do its part in helping forty one
 other nations in doing ^{do} away
 with national grand larceny and
 murder. He must believe that
 our participating in the recent
 world war was a blunder, ^{and a crime,} for
 the war Germany waged was
 exactly the kind of a war which
 is dealt with in Article X.

As a matter of fact the
 United States has for nearly a 100
 years been working under a law
 which embodies about the same
 principle, and is fully as dangerous
~~and~~ as Article X, namely the
 Monroe Doctrine. What is this
 famous policy? As originally an-
 nounced by President Monroe

it was a statement to the world
 that the United States would con-
 sider as an unfriendly act any
 intervention of European powers in
 the affairs of the Latin American
 republics. The doctrine has come to
 mean the assertion of a virtual
 paramountcy by the United States
 over the Western Hemisphere. As
 has been said: "There is no conting-
 ency possible under the operation of
 Article X that may not arise under
 the Monroe Doctrine - a doctrine
 that compels the United States to
 throw an army in the field in case
 South or Central America is attacked
 - even sending our troops to European
 soil if need be - and all this alone
 and without a single ally." ^{Hoping} ~~being~~
 a greater obligation why stumble
 at a loss?

Let us very briefly consider some of the objections made to Article X.

1. It is said this Article pledges us to keep the world in status quo and under it no change in territorial boundaries would be possible. It does nothing of the kind, but refers only to wars of external aggression for the purpose of probing another state's territory or destroying its existence. Under it there can be a revolution within the state, there can be a union with other nations to form a new state, there can be any changes that may be made by the self-determination of the such as voluntary concessions to another nation, citizens, and there can be any changes that may be affected ^{through} courts of arbitration. It relates entirely to external and not at all to internal aggression.

It does not, therefore, as Mr. Root says "enforce perpetually" the "decisions of Mr. Wilson and his associates in the year 1919," for any of the new states created can make any changes their people wish, or any changes their people in conference with other states agree upon.

2. Mr. Root also objects on the ground, "It is an attempt + + + to impose by force the judgment of the rulers of the present generation upon all future generations." The absurdity of this statement is shown by the provision ^{in Article I,} "Any member of the League may after two years notice of its intention to do so, withdraw from the League," and by the provisions of Article XXVI ~~pro~~ making any kind of amendments possible.

3. The objection is made that ^{the} article

in question pledge us to use our
 military force in any part of the world
 on matters with which we have
 no concern and hence would create
 wars rather than settle them.
 This criticism persistently overlooks
 the fact that Article X is limited
 to wars of external aggression for
 the purpose of robbing territory or
 destroying another nation's independ-
 ent existence. Have not wars of this
 kind been the worst in history, are
 they not uniformly vicious and to
 be universally condemned? If a nation
 has a territorial grievance is it not
 wiser to appeal to the League for a respec-
 ting of its claims, and abide by the
 decision of the representatives of the
 world rather than plunging into a war?
 Article X does not commit ~~the~~ ^{the} members

of the League & wars in unknown
future contingencies, but only to try
 to prevent wars in the known con-
tingency of trying to gain territory
by force rather than honourable and
just means.

But what are the probabilities
 that Article X will involve us in
 wars all over the world. First there
 is no positive agreement to go to
 war in the article. There is an
 agreement to try and check wars of
 aggression. There is an agreement
 to refer any such case to the
 Council for advice. There is the
 implication that the advice will
 be ^{accepted but no such agreement.} ~~taken~~; but ~~no promise~~ The Council,
 if governed by the underlying principles
 of the League, will resort to all other
 means before bringing military

pressure & ~~the~~ ^{such as} protests, warnings,
~~from~~ ^{association} the body of nations, offers of ar-
 bitration, economic boycott which
 no nation could ^{long} stand, and if
 there is no other way ~~it~~ to control
 the offender, it might advise a
 combined military operation, but even
 then Congress would be free to accept
 or reject the advice, advice makes
 you, not command. The boycott
 will in any case be sufficient, for
 no nation can live when denied
 food, raw materials and trade
 relations with other powers. Second,
 there is no danger of war under
 Article X for no people on earth
 would be willing to face the
 overwhelming ⁱⁿ force of the combined
 military forces of the nations of
 the earth intent on perishing

it for the violation of its covenants
 how would it be willing to face
 the moral opprobrium of the world
 in a war of aggression for purposes
 of seizing territory or destroying an-
 other nation's existence. Third, this
 is rendered more certain by the
 fact that the League provides that
 nations shall be disarmed, only
 being given such military strength
 as may be necessary for internal
 protection. The great war machines of
 the past are over. Nations will not
 have the military force and equipment
 to go into wars of aggression. Fourth,
 the vitality of the League in ~~making~~^{making}
 improbable wars of aggression is seen
 in the workings of the Monroe doctrine.
 For nearly 100 years we have kept
 all European nations from wars of

aggression on the Western Hemisphere by the threat that the United States ^{would} ~~will~~ regard ^{such a war} ~~it~~ as an unfriendly act. If the United States can preserve peace by such a threat, certainly the combined powers of the world can do so by the warning of Article X. Fifth, there is another provision which abundantly protects the United States from being involved in any war into which it does not ~~not~~ choose to enter. Article X says in case of a war of external aggression the Council shall advise by what means the nations in the League shall act. The Council is composed of nine men, ~~seven~~ ^{by} five of whom are chosen by their governments and four by the Assembly. Of the five the United

States chooses one. This representative would act under the instructions of our government and will vote as our government desires him to do on all matters of importance. But Article V provides that decisions at meetings of the Council "shall require the agreement of all the members." This means that our representative by a dissenting vote can annul any proposed proceeding. This absolutely secures our government from being forced into any war without its consent. If Congress is afraid that our representative may act on his own initiative, or by the word of the president, it has two possible checks namely it can pass an act that our representative shall never vote

It involves us in war without the
 consent of congress, and it can
 fall back on its constitutional
 privilege of refusing to accept
 the "advice" of the council in
 declaring war. Sixth, Article X should
 be read in connection with ~~articles~~
~~XII, XVI and XVII.~~ the seven
 articles which follow. These articles
 cover agreements to arbitrate
 disputes, to refer to an inter-
 national court, to submit ~~to~~
~~the~~ ~~coun-~~ facts and testimony to
 the Council for its judgment,
 and in short provide the ma-
 chinery for the settlement of all
 kinds of differences, as well as state
 the procedure which shall en-
 force the keeping of the agreements.
 They lessen the probability of

war materially. Article X only provides for a remote emergency which may not have been provided for in the other articles of the Covenant.

Article X is a valuable feature of the League for it helps prevent the worst type of war; it assures the nations that they will be safe if they weaken their defenses by the reduction of their armaments; it covers possible emergencies not ~~so~~ provided for in the other articles; it helps protect France from what it fears most, a war of retaliation from Germany; it helps materially in working out the problems of reconstruction. Mr. Root some months ago plainly stated this fact. He said: "The allied nations in their Council

must determine the lines of reconstruction. Their determinations must be enforced. They may & make mistakes. Doubtless they will, but there must be decision and decision must be enforced. Under these circumstances the United States cannot quit. It must go on & the performance of its duty, and the immediate aspect of Article 8 is an agreement to do that."