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FTER THE WAR

BY

G. LOWES DICKINSON

LONDON
A. C. FIFIELD, 13, CLIFFORD'S INN, E.C.
1915

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IN a previous pamphlet, entitled "The War and the Way Out,"* I showed at length how this war, like other European wars, was caused by the working of a false theory of the State on the minds and passions of rulers, statesmen, journalists, and peoples. In the pages that follow it is my object to discuss in some detail the kind of settlement which will be needed at the peace, if such wars are not to recur again and again. But since men's ideas as to the kind of peace that is desirable are affected by their conception of the causes of the war, I must begin by some discussion of these. For an inadequate idea of the causes must lead to an inadequate idea of the remedy.

The causes of the war.

"Germany," we say, "made the war." Yes! But what is Germany? The German people? The peasants? The factory laborers? The millions of Social Democrats? They made the war? Is it likely? The German masses are as peaceable as those of every other country. Their soldiers complain of it. We are fond of quoting General Bernhardi, but we never quote the passage in which he explains why he wrote his book. He wrote it, he tells us, to counteract "the aspirations for peace which seem to dominate our age and threaten to poison the soul of the German people." Now that the

The German people did not want the war.

* Bonner & Co., 1, Roll's Passage, Chancery Lane, E.C.

war has come, the German people are fighting bravely, but they are fighting, as they believe, to protect their hearths and homes against the wanton aggression of Russia, France, and, above all, England. They are wrong. But that is what they believe. Like all the other peoples, they are fighting what they believe to be a war of defence. That is the tragic irony of it. Whoever made the war, it was not any of the peoples.

Why peoples are in the hands of Governments.

"Then, it was the German Government." The evidence seems to prove that it was. In any case, it was a very few men, working on and through the organs of the press. The peace of Europe was in the hands of some score individuals. They could make war; and the millions who were to fight and to suffer could not stop it. That is the really extraordinary fact. That is what is worth dwelling on. How could it happen? Why are the nations passive clay in the hands of their Governments?

First, because they do not know one another. They speak different languages, live different kinds of lives, have different manners and customs. They do not hate one another; but neither do they understand or trust one another. They do not feel that they belong together. Left to themselves, they would never, it is true, want to fight one another. They do not even think of one another; they are occupied with their own lives. But, since they do not know foreigners as they know one another, they can easily be made to believe that foreigners are their enemies. They do not think of them as real individual men and women. They think of them as a great solid mass, and attribute to this mass any qualities suggestion may put into their heads. So, at this moment, the ordinary Englishman believes that "the Germans" are treacherous, brutal, bloodthirsty, cruel; while the Germans believe that "the English" are cowardly,

hypocritical, mercenary, and degenerate. They believe these things because they are told to believe them by the people who want to make bad blood. And they believe them the more readily because they are at war.

The fact, then, that to every nation every other is "foreign," makes the peoples of Europe the prey of those who want to make wars. We see, in Germany, who these people have been. They have been professors, like Treitschke, militarists like Bernhardi, journalists like Harden. And in England, they have been a Maxse and a Northcliffe. The same kind of people are and have been at work in all countries for the same end. For years past they have been setting the Germans at the English, and the English at the Germans. The German literature against England we have brought into prominence since the war began. But what about the English literature against Germany? It was not so virulent, nor so persistent; but it certainly existed. Here is a specimen from one of our leading journals:—

> "If Germany were extinguished to-morrow, the day after to-morrow there is not an Englishman in the world who would not be the richer. Nations have fought for years over a city or a right of succession: must they not fight for two hundred and fifty million pounds of yearly commerce?"*

Policy, playing on ignorance.

Policy, playing on ignorance, that is the origin of wars. But why the policy? What is it aiming at? That, too, we must make clear.

We accuse Germany of making an unprovoked attack upon France and Russia, and we are indignant. But we forget that if Germany acted so she was acting in accordance with the principles and practice of Europe

* *Saturday Review,* September 11th, 1897. This passage is referred to in Prince von Bülow's book, "Imperial Germany," as illustrating English feeling against Germany. (P. 99, large edition of 1914, English translation.)

for centuries past. Our national hero, Lord Roberts, warned us that she would act just so. But he added, that she would be quite right, and that we ought to do the same.* When the Germans began to build their fleet there were not wanting Englishmen who urged us to pick a quarrel with her at once and destroy her fleet before she grew too strong. The conduct of Germany was monstrous. But it was not unique.† It was the conduct fostered by the European system. That system is one of armed States always expecting to be attacked, and therefore always ready to anticipate attack. We are engaged merely in one act of a long and tragic drama.

The history that led up to the war.

Let us look for a moment at the whole set of facts from which this war proceeded. In 1870 there was war between Germany and France, a war of mutual jealousy and fear, with no good cause behind it and no good end before. Germany was victorious. She took from France two of her provinces and left her burning for revenge. Germany had made a permanent enemy on the West. On her East lay Russia. Between Russia and Germany there was no cause of quarrel. They had co-operated to crush Napoleon, and since then had commonly acted in sympathy. There was no talk in all those years of Russian barbarism, nor of the inevitable conflict between Teuton and Slav. That idea was the effect, not the cause, of the hostility between the two nations. The cause was the alliance of Germany with Austria in her quarrel with

* "Germany strikes when Germany's hour has struck. That is the time-honored policy of her Foreign Office. That was the policy relentlessly pursued by Bismarck and Moltke in 1866 and 1870. It has been her policy at the present hour. *And, gentlemen, it is an excellent policy. It is, or should be, the policy of every nation prepared to play a great part in history.*"—Lord Roberts, at Manchester, 1912.

†I am not, of course, justifying the policy of Germany. I should be the last to do so. Nor am I referring in this passage to the invasion of Belgium, which, of course, monstrous as it was, was only a means to the main object, the invasion of France.

Russia. Russia and Austria were contending for the mastery of the Balkan peninsula. And this quarrel in the East was presently knit up with the quarrel in the West. To strengthen herself against Germany France allied herself with Russia. Henceforth a war in the East would make a war in the West. Italy had already joined Germany and Austria. But Great Britain was not yet involved. What brought her in was the building of the German fleet. We regarded it as a menace. Probably it was. At any rate we thought so. And to secure ourselves we joined hands with France and Russia. The Triple Entente faced the Triple Alliance in arms. The materials for the explosion were there. It was merely a question who should first drop the match. Our discussions as to who that was are not as important as we think. This year, we believe, it was Germany. But if it had not been Germany this year, it might have been Russia next. The war came out of the European system—the system of States armed against one another, and dominated by mutual suspicion and fear. While that system continues, war will continue. If we want to stop war, we must alter that.

The purpose of the war.

This war, then, at its origin, was one of the many wars for power and position. The British, it is true, were passionately moved by the invasion of Belgium, and it is that that has made them unanimous in their support of the war. I throw no doubt on the genuineness of their feeling. But it was not the invasion of Belgium that made the war. The invasion happened as an episode in a war already begun. The origin of the war was ambition and fear. But the origin is not the same as the purpose. The purpose is what we choose to make it. What then is our purpose, now we are at war? This question has been little discussed, and there is little willingness to discuss it,

while the issue of the war hangs in the balance. But it is already clear that it will divide the nation. We are united in pursuing the war. We shall not be united in ending it.

On one point, no doubt, the peoples of the allied nations are agreed. The Germans must evacuate Belgium and indemnify her, so far as that can be done, for the martyrdom inflicted on her by one of the greatest crimes in history. That at least, if the Allies win. But what more? There are two ways of answering that question, and much of future history will depend on which is adopted.

On crushing Germany.

The one answer accepts frankly the traditional system. It assumes that the States of Europe must always be enemies, and always settle their differences by war. That being so, the only end it can conceive for any war is the weakening of the vanquished and the aggrandizement of the victors. It is thus that all former wars have been ended, and thus that they have always prepared new wars. The view I am considering accepts this consequence. It means to "crush Germany," in order to secure England. Quite openly it sneers at the profession that this is "a war to end war," the profession that the best of our youths have carried in their hearts to battle. Quite openly it justifies the militarism against which we have announced to the world that we are fighting. It approves militarism. All that it disapproves is the militarism of Germany. It wants to make us, too, a military Power, prepared by universal service for that next war which it proposes to make inevitable by the peace. This view, already frankly expressed by the "Morning Post," will, no doubt, when the moment is thought to have come, be urged also by the "Times," and its group of associated newspapers. It will be supported by educated people,

and will appeal to the passions of the uneducated. Let us then consider it.

We are to "crush Germany," or, as a "progressive" paper phrases it, we are to drive her, "at no matter what cost to ourselves in lives and money, into unconditional surrender."* That is, we are to carry on the war (if we can) far beyond the point at which the Germans have abandoned Belgium. Beyond the point, even, at which they have abandoned Alsace-Lorraine and even Posen. The Allies, as it is sometimes explained, are to "dictate terms at Berlin," whatever terms and however reasonable may be offered before they get there. A war which is destroying men as they have never been destroyed before, from which, at the best, the nations will emerge permanently degraded in their stock, poorer in physique, duller in intelligence, weaker in will than they went in, this war is to be protracted until the whole manhood of Europe is decimated, in order—in order to what? Let us ask in detail.

A nation cannot be crushed.

In order, we are told, that the Germans may "feel they are beaten." And then? They will be good in future? They will admit they were wrong? They will lick the hand that chastised them? Who believes it? The more completely they are beaten, the more obstinately they will be set on recovery. When France was beaten to the dust in 1870, did she repent for having provoked the war? No! She gathered up her forces for revenge. And, of course, Germany will do the same.

"But we shall prevent her!" How? By partitioning her? By disarming her? By changing the form of her government? All those things were tried by Napoleon, and none of them can achieve its purpose. A nation does not consist in its territory, or its armaments, or its government. It consists in the tradition,

* *New Statesman*, December 19th, 1914.

the character and the spirit of its people. While Germany wants to be one, while she wants to be strong, while she wants to be monarchic, nobody and nothing can prevent her. A nation has never been crushed by anything short of annihilation. Look at Ireland! Look at Italy! Look at the Balkan States! You may weaken Germany, yes; you may cripple her, for a time, as she, if she were victorious, could weaken or cripple us. What of it? She will rise from humiliation stronger for the reverse. We can no more crush her than she can crush us. And the attempt to do so can only lead to a new war.

The German version—crushing the Allies.

It may be easier for us to realize this point if we remember that there are Germans, too, who expect and desire to get peace out of this war; and they, too, hope to do it by crushing their enemies. Thus, for example, the "Frankfurter Zeitung" writes:—

> "One cannot count upon any other way of carrying out the idea of peace except by force. By that, of course, we do not refer to the evil generally connected with the word, but to something which has been expressed in various ways during the last few months; we wish to have as the result of this war a state in which the countries which have now attacked us shall for all time be unable to repeat their attack. Germany, peaceful, as its allies, has with them been entrusted with the historical mission of dictating a permanent peace to Europe. We are fighting primarily for existence, but still more for this—that there may be rest in Europe from vain, ambitious madmen and brigands, and that they may be shown, like all others, the fit and natural sphere to which they belong. They must be deprived once and for all of the desire to attack us; till then, not a word of peace! Then, and then only, can the law of peace, protected by forces which are strong and just, be established."

This is the German version of the same idea that is put forward on behalf of the Allies. Peace, say

we, by crushing Germany, since she is the only disturber of the peace. Peace, say the Germans, by crushing the Allies, since they are the only disturbers of the peace. But how does this view of the Germans look to us? Does it look like peace? Do we imagine ourselves lying down for ever, beaten, humbled and repentant, under the protection of an armed Germany? Well, as we feel about the German idea, so, we may be sure, do they feel about ours. That route does not and cannot lead to peace. Nothing can, except a radical change in the ideas and policy of the nations of Europe, and an expression of that change in a definite political organization.

The war for freedom and against domination.

Those, then, who really desire a settlement that will secure peace in the future, must abandon the idea of "crushing" Germany. Let us turn now to the other idea of our purpose in this war. We are fighting, say our best spirits, for freedom, and against domination. What do these terms mean? By domination we mean the imposition of rule by force, upon unwilling subjects. In the relation of man to man, the simplest form of domination is slavery. In that of State to State, its form is Empire.* It is one of the great contending powers in the tragedy of history. It is real; and also it has been championed as an ideal. Machiavelli is its philosopher, Carlyle its prophet, Treitschke its historian. Rome stood for it in the ancient world, Spain in America, England till recently in Ireland. And Germany stands for it now in Belgium. By freedom, on the other hand, we mean the power and right of individuals and of nations to live their own lives and unfold their own capacities. This does not imply that they should do simply what they like, but that the restrictions they

* I use this term in the sense of a system in which one State or nation imposes its power by force on other States or nations.

admit should be self-chosen and self-approved, with a view to the equal freedom of others. The formula is so familiar as to be tedious. But its meaning is infinite and profound. We have hardly yet begun to spell its first letters. It inspires the whole movement of democracy and all the wars of liberation. It is the other great protagonist of history; and, in particular, of the history of the last century. For that reason, it cannot be truly claimed as the principle of this or that nation. It has been contending in them all—at death grips with its enemy, also active in them all. These angels of light and darkness do not preside over different nations. They fight in each for victory.

The spirit of domination in Germany.

Nevertheless, there is truth in the idea that modern Germany stands for domination and modern France and England for freedom. The unification of Germany by war, under Prussian leadership, obscured, if it did not ruin, the German spirit of liberty. The governing and articulate classes became arrogant and aggressive. The mass of the people became passively acquiescent. They were content to formulate freedom instead of contending for it. They became the harmless pedants of democracy. Meantime, the Government pursued the ordinary course of empire. Wherever they ruled over people of alien race and ideals they set themselves to convert them by force into their own likeness. In Poland, in Alsace-Lorraine, in Northern Schleswig, they imposed on the unwilling natives their language, their education, and their "culture." In Posen they have been endeavoring for years to expropriate the Poles and substitute a German population. "No consideration for the Polish people," writes Prince von Bülow, "must hinder us from doing all we can to maintain and strengthen the German nationality in the former Polish domains." And he adds, with unconscious irony: "In our policy with

regard to the schools we are really fighting for Polish nationality, which *we wish to incorporate in German intellectual life.*" This is the traditional policy of empire. The British pursued it in Ireland, with far more vigor and ruthlessness, throughout the eighteenth century. But history has helped us, and we have learned from history. It is a chance, but a very significant chance, that made the outbreak of this war coincide with our final abandonment of the policy of coercion in Ireland. The British system now, so far as men of white race are concerned, is one not of empire but of free communities. And the spirit that has brought about this change will proceed, if we escape reaction, to inspire our policy in the great dependencies inhabited by alien races. Abroad as at home, the British have been learning the lesson of freedom. And there is good hope, if we are true to our tradition, that our victory may contribute to the expansion of freedom in Europe. In France, too, the long fight between antagonistic ideals has been inclining towards freedom. She, too, will join with us, we may believe, to confirm the liberty for which, throughout a century, she has been shedding her blood in civil strife.

The spirit of freedom in the Western Powers.

While, then, it is unhistorical and unjust to pretend that Germany, as such, stands for domination, and the Western Powers for freedom, yet we may say with truth that a victory of the Western Powers, so far as their influence can reach, should make for freedom, while a victory of Germany will make for domination. That is the ideal cause, rising above our need of self-defence, that may inspire us in our efforts for victory. But if it be that which we carry in our hearts—and the young, I believe, do—how must we endeavor, when the time comes for peace, to translate it into acts?

The ideal to be aimed at. Mr. Asquith's statement of it.

Mr. Asquith has given us the formula in words that cannot be too often repeated. For never, perhaps, has a responsible statesman had the courage and the wisdom to look so far and so generously ahead :—

"I should like, if I might for a moment, beyond this inquiry into causes and motives, to ask your attention and that of my fellow countrymen to the end which in this war we ought to keep in view. Forty-four years ago, at the time of the war of 1870, Mr. Gladstone used these words. He said, 'The greatest triumph of our time will be the enthronement of the idea of public right as the governing idea of European politics.' Nearly fifty years have passed. Little progress it seems has yet been made towards that great and beneficent change, but it seems to me to be now at this moment as good a definition as we can have of our European policy. The idea of public right : what does it mean when translated into concrete terms? It means, first and foremost, the clearing of the ground by the definite repudiation of militarism as the governing factor in the relation of States, and of the future moulding of the European world. It means, next, that room must be found and kept for the independent existence and the free development of the smaller nationalities—each with a corporate consciousness of its own. Belgium, Holland, and Switzerland and the Scandinavian countries, Greece, and the Balkan States, they must be recognised as having exactly as good a title as their more powerful neighbors—more powerful in strength as in wealth—exactly as good a title to a place in the sun. And it means, finally, or it ought to mean, perhaps by a slow and gradual process, the substitution for force, for the clash of competing ambition, for grouping and alliances and a precarious equipoise, the substitution for all these things of a real European partnership, based on the recognition of equal right and established and enforced by a common will. A year ago that would have sounded like a Utopian idea. It is probably one that may not or will not be realised either to-day or to-morrow. If, and when this war is decided in favor of the Allies, it will at once come within the range, and before long within the grasp, of European statesmanship."

Let us comment a little on this noble utterance and show how the ideas it voices hang all together. Those ideas are nationality, law, and peace. Let us remind ourselves of their meaning and connection.

Nationality. Nationality is a Janus, facing both ways. So far as it stands for the right of a people to govern itself, it stands for freedom. So far as it stands for the ambition to govern other people, or to destroy them, or to shape them into an alien mould, it stands for domination. Throughout history it has stood for both. Athens had no sooner beaten back the Persian attempt at domination, than she set out herself to dominate the Greek world. Rome won freedom at home in order to destroy it abroad. Free Holland, free England, set forth to conquer a world. Italy liberated falls upon Tripoli. The Balkan nations unite to expel the domination of the Turk, and divide to impose domination on one another. Finally, the German nationality is no sooner established in security than it threatens that of every other people. Nationality, then, is only respectable when it is on its defence. When it is waging wars of liberation it is sacred. When it is waging wars of domination it is accursed. It is, therefore, only an ideal when it is associated with law and peace; and it is only in that association that the Allies can desire to foster and secure it. They should seek, on the one hand, to deliver the nations that are suffering oppression, and, on the other, to prevent them in future from becoming oppressors themselves. To achieve this the mere rectification of frontiers will not suffice. Nothing but toleration carried through with faith and courage in every State can achieve it. Poland may be freed from Russian and German and Austrian domination; but that, of itself, will not free Polish Jews from domination by Poles. The Serbs may be freed from Magyar control; but that of itself will not free the Turks or Albanians or

Bulgars who may still be included in a greater Servia. It is impossible to make territorial boundaries correspond accurately with nationality. A change of heart is therefore as necessary as a change of frontiers and allegiance. Still, since changes of frontiers will and should be made, the Allies, if they stand for the ideal of freedom, must see that such changes are made with a view only to the desires and the well-being of the peoples to be transferred, and not to the aggrandizement of the victors. Every German colony that the English or French may take for the sake of their own power, will be a proof that they have abandoned the ideal of freedom. The English, through their Prime Minister, have said that they seek no territory. Let them prove it to the world, or stand self-convicted of hypocrisy.

The true meaning of peace.

The settlement of Europe, in such a way as to deliver nationalities from oppression, so far as that can be done by political arrangements, and so far as territory comes up for readjustment, will itself make for the other great purposes of the war, the substitution of law for force, and therefore, and in consequence, the maintenance of peace. The only wars between civilized nations that are justifiable are wars of defence. But there can be no defence without offence. Let the nations, having acquired the right to govern themselves, do so in peace without aggressive ambition. That must be the rule for the new Europe: but it, too, implies in the first place a change of heart. It implies the abandonment of the base and crude ambition that hitherto has dominated States, and the substitution of the noble ideal of free and progressive personality. States hitherto have measured their worth in terms of population, territory, and power. That estimate leads them inevitably to war. For while they are governed by it, they must always desire to expand at the cost of one

another. Every war in Europe since the wars of religion may be traced to this cause. And even the wars so-called of religion were largely wars for power. The wars of nationality in the nineteenth century were reactions against this false ideal. Yet the nations that reacted have not discovered or pursued a truer one. There can be no peace, not even a genuine desire for peace, until men realize that the greatness of a people is to be measured by the quality of life of the individual citizens. A city like Athens or Florence is worth all the Empires that have ever been. A State of a few thousands, among whom should be found a Socrates, a Michelangelo, a Goethe, outweighs beyond all calculations one whose gross insignificant millions should be dragooned by the drill-sergeant and sophisticated by the University professor. The nobility of a people lies not in its capacity for war, but in its capacity for peace. It is, indeed, only because the nations are incapable of the one that they plunge so readily into the other. If they had the power of living they would neither endure to kill, nor desire to die. The task of peace is to create life, as the task of war is to destroy it; to organize labor so that it shall not incapacitate men for leisure; to establish justice as a foundation for personality; to unfold in men the capacity for noble joy and profound sorrow; to liberate them for the passion of love, the perception of beauty, the contemplation of truth. Of all these things war is the enemy. All men of great and profound experience have known it, not the teachers of religion only, but the prophets of secular life. Virgil, Dante, Goethe, Shelley preached peace no less than Jesus Christ, or Francis of Assisi, or George Fox. For peace is not merely a negative ideal, it is the condition of all positive ones. In war man seeks escape from life in blind intoxication. In

peace he discovers and fulfils life by impassioned reason. It is because our peace is so bad that we fall into war. But every war makes our peace worse. If men had given to the creation of life a tithe of the devotion they have offered again and again to its destruction, they would have made of this world so glorious a place that they would not need to take refuge from it in the shambles. It is our false ideals that make for war. And it is the feebleness of our intelligence and the pettiness of our passions that permit such ideals to master us. We seek collective power, because we are incapable of individual greatness. We seek extension of territory, because we cannot utilize the territory we have. We seek to be many, because none of us is able to be properly one. Once more we are witnessing now whither that course leads us. Once more we are witnessing the vast and vile futility of war. Once more we shall recover, reeling, from the horrible intoxication in which we have taken refuge, to look with dismay on our bloody hands, and the bloody work they have achieved. Once more we shall have a chance of learning the lesson. Shall we learn it? I cannot tell.

An appeal to the young.

But I hope. I hope because of the young. And to them I now turn. To you, young men, it has been given by a tragic fate to see with your eyes and hear with your ears what war really is. Old men made it, but you must wage it—with what courage, with what generosity, with what sacrifice of what hopes, they best know who best know you. If you return from this ordeal, remember what it has been. Do not listen to the shouts of victory, do not snuff the incense of applause; but keep your inner vision fixed on the facts you have faced. You have seen battleships, bayonets, and guns, and you know them for what they are, forms of evil thought. Think other thoughts, love other loves, youth of

England and of the world! You have been through hell and purgatory. Climb now the rocky stair that leads to the sacred mount. The guide of tradition leaves you here. Guide now yourselves and us. Believe in the future, for none but you can. Believe in the impossible, for it waits the help of your hands to become the inevitable. Of all the best hopes of civilization and mankind, the old, the disillusioned, the gross, the practitioners of the world are the foes. Be you the friends! Take up the thought and give it shape in act! You can, and you alone. It is for that you have suffered. It is for that you have gained vision. And in your ears for your inspiration, rings the great sentence of the poet:—

> "Libero, dritto e sano e lo tuo arbitrio,
> E fallo fôra non fare a suo senno,
> Per ch'io te sopra te corono e mitrio."*

* "Free, right and whole is thy will, and it would be error not to act at its bidding. Wherefore I crown and mitre thee Lord over thyself."

PART II.

An organization to secure peace.

I HAVE argued, in the previous pages, that the will to peace is the only sure guarantee of peace. But as, in the past, the will has been hampered by the machinery of European diplomacy, so in the future it may and should be confirmed by a change in that machinery. The system of alliances precipitated war; a general Concert must prevent it. We must create an organization by our will, and sustain our will by the organization. I will ask the reader, then, if his will is set upon peace, to go on with me and ask what programme we can put forward to convert will into practice when the new Europe is made after the war. For if it be not made so that it favors peace, it will be made so that it favors war. And which it will do depends in part upon the writer and the reader of this paper.

The civilized world was once politically united.

Let us note, first, for our encouragement, that the lamentable condition under which Europe has been suffering for many centuries past, was not always its condition in the past, and need not be in the future. There was a time, when the whole civilized world of the West lay at peace under a single rule; when the idea of separate Sovereign States, always at war or in armed peace, would have seemed as monstrous and absurd as it now seems inevitable. And that great achievement of the Roman Empire left, when it sank, a sunset glow over the turmoil of the Middle Ages. Never would a medieval churchman or statesman have admitted that the independence of States was an ideal. It was an obstinate tendency, struggling into existence against all the preconceptions and beliefs of the time. "One Church, one Empire," was the ideal of Charlemagne, of Otho, of Barbarossa, of Hildebrand,

of Thomas Aquinas, of Dante. The forces struggling against that ideal were the enemy to be defeated. They won. And thought, always parasitic on action, endorsed the victory. So that now there is hardly a philosopher or historian who does not urge that the sovereignty of independent States is the last word of political fact and political wisdom.

The Sovereign States and the Concert.

And no doubt, in some respects it has been an advance. In so far as there are real nations, and these are coincident with States, it is well that they should develop freely their specific gifts and characters. The good future of the world is not with uniformity, but with diversity. But it should be well understood that all the diversity required is compatible with political union. The ideal of the future is federation; and to that ideal all the significant facts of the present point. It is idle for States to resist the current. Their trade, their manufactures, their arts, their sciences, all contradict their political assumptions. War is a survival from the past. It is not a permanent condition of human life. And, interestingly enough, this truth has been expressing itself for a century even in the political consciousness of Europe. Ever since the great French wars, there has been a rudimentary organ, the "Concert," for dealing with European affairs as a whole. There is hardly an international issue for a hundred years past with which it has not concerned itself. It has recognized, again and again, not in theory only, but in practical action, that the disputes of any States are of vital interest to all the rest, and that Powers not immediately concerned have a right and a duty to intervene. Not once, but many times, it has avoided war by concerted action. And though its organization is imperfect, its *personnel* unsatisfactory, and its possibilities limited by the jealousies, fears, and ambitions of the several Powers, it represents a

clear advance in the right direction and a definite admission, by statesmen and politicians, that internationalism is the great and growing force of the present. What we have to do, at the conclusion of this war, is to discover and to embody in the public law of Europe the next step towards the ultimate federal union. We must have something better than the Concert. We cannot hope to achieve the Federation. What can we do? It would be presumptuous for any single thinker to put forward dogmatically his own suggestion as the best and most practicable. What I here set forth is, however, the result of much discussion and of much thought. I hope, therefore, that the reader may be willing to consider it seriously, whether or no he can endorse it.

Nationality and the transfer of territory.

The preliminaries of peace must, I suppose, be settled between the belligerents; and it is probable, though very undesirable, that they will be settled behind the scenes by the same group of men who made this most disastrous and unnecessary of wars. For that reason, and because of the uncertainty of the duration and issue of the war, it is idle to consider how much territory may come up for settlement, nor how it may be disposed of. All we can say is, and it is essential that we should insist upon it, that the principle laid down by Mr. Asquith and endorsed, I believe, by everyone who has dealt with the subject, should be applied up to the limits of possibility; the principle, that is, that the interests and wishes of the populations it is proposed to transfer should be the only point considered, and that no Power should pursue merely its own aggrandizement. Beyond this, little can be said. But one or two points may be insisted on.

The restoration of Belgium.

First, it will be generally agreed that the Allies, unless they are utterly defeated, must insist on the restoration of the whole territory of Belgium and on such compensation

as money can give for the martyrdom that has been inflicted on her.

Germany and the Near East.

But further—and for this point I ask the earnest consideration of the reader—it belongs to the whole spirit of the settlement we are now considering that Germany shall be allowed her fair share of influence in the East. If, therefore, the Asiatic territory of Turkey comes into settlement, and if it is to be partitioned into spheres of influence,* then Germany should have her share in the Near East. To shut her out while aggrandizing Russia and France and Italy and England, would be to confirm what she has always maintained, that the other Powers pursue towards her a dog-in-the-manger policy, and would make it difficult, if not impossible, for her to settle down as a peaceable member of the European comity. A peace which will satisfy the Allies, supposing them to be victorious, will almost certainly deprive Germany of Alsace-Lorraine. If Poland is to be reconstituted, it must deprive her also of Posen. And in that extreme case, a compensation in the East would be as politic as it would be just. The objections that may be taken to such a course imply that view of the objects of the war which we have rejected, the view that it should end merely in the aggrandizement of the victors and the weakening of the vanquished.

The Kiel Canal.

It belongs, further, to the principle that we are advocating that England should make no attempt to appropriate the Kiel Canal, nor yet to transfer it to Denmark. I hardly suppose that any such measure would seriously be proposed. But it is well to make clear to ourselves what the facts are. The canal runs through a purely German territory, and the principle of

* I do not endorse this idea of a partition of Turkey except so far as it may be reasonably held that the populations concerned are favorable to it. But if the partition is made, I argue that Germany has as good a right to influence as any other Power.

nationality demands that the people of that territory should remain under German government. The neutralization of the canal is a different proposition, and might be considered, if it were practicable, and if it were accompanied by a general neutralization of important waterways, such as the Straits of Gibraltar and the Panama Canal. But to neutralize it against Germany, and as part of a policy of disarming Germany alone, would be contrary to the purpose we have in our minds.

A Congress of the Powers.

Let us suppose, now, that the preliminaries of peace have been settled, and settled, we must hope, on right lines. There should then be summoned a Congress to regulate the carrying out of them in detail, and to provide for the future peace of Europe. There is plenty of precedent for such a Congress. The Congress of Vienna followed the Treaty of Paris, and comprised representatives of every European Power. The Congress of Paris followed the Crimean War, and at that Congress Austria was represented, though she was not a belligerent, and questions quite irrelevant to the immediate issues of the war were under discussion. The future settlement of Europe concerns everybody. Many of the non-belligerents are directly interested in the territorial changes that are likely to be made. Many are interested in the fate of small States. All are interested in peace. This war is not only the belligerents' war, nor must the peace be only the belligerents' peace.

Immediately, then, on the settlement of the preliminaries of peace, there should be summoned a Congress of the Powers. To this Congress all the States of Europe should send delegates. But further, it is most desirable that the United States should take part in it. There is precedent in the Conference of Algeçiras. But if there were none, one should be created. It is, indeed, the best

hope for the settlement that peace will be brought about by the mediation of President Wilson. And in that case the United States will have a clear status at the Congress. It is the only Great Power not involved, or likely to be involved, in the war. And it is the only one that has no direct interest in the questions that may come up for solution.

An International Commission.

Assuming now that the Congress is assembled, what will be its business? First, to appoint an international commission to carry out the territorial rearrangements, on the principle of the interests and wishes of the peoples concerned. This will be a process long and arduous in proportion to the amount of the territory concerned, and the character of the populations. At the best, readjustments of boundaries and allegiance can only imperfectly solve it. But the best chance of a good solution is an impartial commission.

A League of Peace based on Treaty.

This, however, important though it be, should not be the main work of the Congress. Its main work should be the creation of an organ to keep the peace of Europe. From many quarters has come the suggestion of a "League of Peace." Mr. Roosevelt has proposed it. Mr. Asquith, as we saw, looks forward to it as coming "immediately within the range, and presently within the grasp of European statesmanship." And it was advocated, virtually, by Sir Edward Grey when he said:

> "If the peace of Europe can be preserved, and the present crisis safely passed, my own endeavor will be to promote some arrangement to which Germany will be a party, by which she could be assured that no aggressive or hostile policy would be pursued against her or her allies by France, Russia, and ourselves, jointly or separately."—(White Paper, No. 101.)

An idea thus endorsed not only by pacifists and thinkers, but by practical statesmen, is worth serious consideration. Let us try to give it some practical shape.

The Powers, I propose, should found a League of Peace, based on a Treaty binding them to refer their disputes to peaceable settlement before taking any military measures. The success of the League would depend on the number of Powers entering into it. A League, for instance, of Great Britain, France, and Russia would do little more than perpetuate the present Entente. A League joined by Italy would be in a better position. One joined by the United States might be invincible. But the thing to be most aimed at is the inclusion of the German Powers. And that is one of the main reasons why, in the event of a victory by the Allies, everything possible should be done not to alienate Germany from the European system.

The sanction of the Treaty. (1) Force.

But, it will be said, what is the use of relying on treaties when Germany has shown and declared that she regards them as "scraps of paper"? This raises the question of the sanction of the treaty; a question of great importance, and one which, unfortunately, divides those who believe in and desire peace. The one party—the extremer pacifists, and perhaps the more logical—say that treaties must be their own sanction. The whole point of peace is that men rely on law, not on force. And to attempt to secure peace by arms is, and always has been, the fundamental error of mankind. This attitude, I think, goes along with the complete and uncompromising application of Christian ethics. Those who hold it would probably say that force should never be resisted by force. They would expect to conquer force by meekness. They are the real Christians. And I respect and honor them in proportion to their sincerity. But I cannot go with them. What is more important, I know well that almost nobody goes with them; and that, in particular, no Government would act, now or in any near future,

upon such presumptions. It will be impossible, I believe, to win from public opinion any support for the ideas I am putting forward, unless we are prepared to add a sanction to our treaty. I propose, therefore, that the Powers entering into the arrangement pledge themselves to assist, if necessary, by their national forces, any member of the League who should be attacked before the dispute provoking the attack has been submitted to arbitration or conciliation.*

(2) Economic pressure.

Military force, however, is not the only weapon the Powers might employ in such a case; economic pressure might sometimes be effective. Suppose, for example, that the United States entered into such a League, but that she did not choose, as she wisely might not choose, to become a great military or naval Power. In the event of a crisis arising, such as we suppose, she could nevertheless exercise a very great pressure if she simply instituted a financial and commercial boycott against the offender. Imagine, for instance, that at this moment all the foreign trade of this country were cut off by a general boycott. We should be harder hit than we can be by military force. We simply could not carry on the war. And though, no doubt, we are more vulnerable in this respect than other countries, yet such economic pressure, if it were really feared, would be a potent factor in determining the policy of any country. It is true that no nation could apply such a boycott without injuring itself. But then the object is to prevent that greatest of all injuries, material and moral, which we call war. We can then imagine the States included in our League agreeing that any offender who made war

* It is in this case only that the Powers would be pledged to employ force, if other means fail. As will be seen below, it is not proposed that they should bind themselves to employ force to ensure the performance of an award of the Court of Arbitration, or the adoption of a recommendation of the Council of Conciliation.

on a member of the League, contrary to the terms of the treaty, would immediately have to face either the economic boycott, or the armed forces, or both, of the other members. And it is not unreasonable to think that in most cases that would secure the observance of the treaty.

An example of how such a treaty might work.

To get a clearer idea of how the arrangement might work, let us suppose it to have been in actual operation at the time this war broke out, and that all the great Powers, including the United States, had entered into such a League as I propose. Austria-Hungary's ultimatum to Servia would then have involved a breach of the treaty, and would have been prevented by the joint action of all the other Powers. If Germany had supported Austria, she, too, would have become the common enemy. We should have had then not only the Powers of the Triple Entente, but also Italy and the United States, leagued against the German Powers. If it had been foreseen, as in the case supposed it would have been, that that would happen, the German Powers, it is safe to say, would not have gone to war. What would have been the alternative? First, the immediate occasion of the war, the murder of the Archduke, would have been referred to an international commission of inquiry at the Hague. For the question of the responsibility for the murder is a purely judicial one, to be settled by evidence before an impartial tribunal. But, of course, behind the murder lay the whole question of the Balkan States and their relations to Austria and Russia. That whole question would have had to be referred to conciliation before war could take place about it. Only in the last resort, when every effort of peaceful settlement had been avoided, when a solution on just lines had been propounded and was before the public opinion of Europe, only then could war have occurred. Per-

haps war might then have occurred; but if so, probably on a much smaller scale; probably confined to Servia, Austria, and Russia, with the other Powers ready at every moment to intervene for peace.

It may still be urged that the Powers that have entered into the League will not, in fact, fulfil their obligation to intervene, by force if necessary, to prevent a breach of the treaty. But, if it be true, and be seen to be true, that peace is, at any moment, the greatest interest of the greater number of Powers, then we may affirm that interest will reinforce obligation and that the duty imposed by the treaty will be fulfilled. The violation of a treaty obligation by Germany must not make us suppose that no Power will ever keep treaty obligations. The most cynical may admit that they will be kept when and if the interest of a Power is on the side of keeping them. And, in this case, it would appear that generally the interest of the signatory Powers would coincide with their duty.

Let us now proceed to a more detailed consideration of the machinery of arbitration and conciliation to which it is proposed that the Powers should bind themselves to refer their disputes.

"Justiciable" disputes to be referred to arbitration.

Among the disputes that may arise there is a distinction, well recognized both in theory and practice, between those capable of arbitration and those requiring conciliation. The former are called "justiciable," and are such as can be settled by a quasi-legal procedure. Examples are the interpretation of treaties, or the application to particular cases of the rules of international law. The number of disputes which have, in fact, been settled by arbitration during the last century is very considerable. Two hundred and fifty is a conservative estimate.* Of these, no doubt, the

* See Fried, "Friedensbewegung," I., p. 291, and Darby, "International Tribunals," p. 47.

majority were trivial. But some were of a kind that might easily have led to war. For example, the "Alabama" case, and the Alaska Boundary case. Further, there is a Court of Arbitration, and a procedure, established at the Hague by agreement between the Powers. Arbitration is thus a recognized and organized fact. All we have to do is to extend and regulate its operation. The Powers entering the League of Peace should bind themselves by a general treaty to submit to arbitration all justiciable disputes without exception. Such treaties have already been made between certain Powers.* In particular, a treaty was negotiated in 1897 between the United States and Great Britain to submit to arbitration "all questions in difference which may fail to adjust themselves by diplomatic negotiations."† But the majority of arbitration treaties except certain matters. Thus, for example, the treaty between France and England of 1904 was an agreement to submit all disputes except those "touching vital interest, honor, or independence." But such exceptions seem to be superfluous when we are dealing with "justiciable" disputes. The "honor" of no country can be concerned in breaking either the terms of a treaty or recognized principles of international law. "Independence" cannot be touched by such cases. And "vital interests" will almost always come under the other heading of non-justiciable cases, which we are proposing to refer to a different body and a different procedure. All that seems

* Between Italy and Denmark, Italy and the Netherlands, the Netherlands and Denmark, Denmark and Portugal, Italy and Argentina, Italy and Mexico, the Central American States. See an article by Wehberg in the *American Journal of International Law*, Vol. 7.

† The treaty was thrown out by the Senate of the United States, but less from any objection in principle than because they were jealous of abandoning any of their power of dealing with cases of foreign policy as they might come up. For the treaty of 1914 see Appendix.

to be necessary here is to arrange for some procedure to determine, in case of difference of opinion, whether any given dispute is or is not "justiciable." This question might be submitted either to the Hague Court or to the Conciliation Council proposed below. And with that safeguard I believe there to be no valid objection to a general treaty between all the Powers to submit to arbitration all justiciable disputes.

Non-justiciable disputes to be submitted to conciliation.

But, of course, justiciable disputes are not those most likely to lead to war. The most dangerous issues are those where the independence or the "vital interests" of States are, or are supposed to be, involved. Perhaps in such cases, in the last resort, it may be impossible to avoid war, so long as the false notions of interest now current continue to prevail. But it would be possible to postpone it. And mere delay will often make the difference between peace and war. What precipitated the present war was, first, the ultimatum of Austria, with its forty-eight hours' time-limit, and then that of Germany, with its twelve hours' time-limit. The war was rushed. Under our proposed arrangements, this could not have happened. There would have been a period of delay, which might be fixed at not less than a year, during which the whole issue would be considered before a Council of Conciliation, a way out suggested, and the public opinion of all countries concentrated on the question and the proposed solution. I think it reasonable to suppose that, under such conditions, public opinion would not tolerate a war. At any rate, the chances of peace would be indefinitely improved.

A Council of Conciliation.

The main difficulty here is the constitution of the Council of Conciliation. First, what kind of men should be members of it? Not, clearly, men of merely legal training, for the questions to be considered will not be merely legal. What is wanted is men of eminence,

experienced in affairs, capable of impartiality, and able to take a European rather than a narrowly national standpoint. It would not be easy to find such men, but it should not be impossible. One can think of several in this country.

The constitution of the Council.

The members of the Council should be appointed by whatever method the representative organs of the countries concerned might determine. But the important question then arises: Should they be delegates, appointed for a particular purpose, under constant instructions from their Governments; or representatives for a fixed term of years to act according to their best judgment? In the first alternative, we shall have a body similar to that which has represented the Concert of Europe again and again during the last century. Such a body may be and has been useful. In many cases it has avoided war, though in many it has failed to do so. But its functions have not been the same as those I am thinking of for the Council of Conciliation. It has not aimed at discovering the kind of solution of the questions before it which would commend itself to impartial and enlightened opinion as the most fair, reasonable, and permanent. It has aimed rather at bringing together conflicting egotisms and ascertaining whether or no, in the given conjunction, it is worth while for any one, or more, of them to appeal to force in face of the others. Sometimes, as in the case of the Crimean War, this question has been answered in the affirmative; sometimes, as in the case of the Belgian Revolution of 1830, in the negative. But no will for a permanent settlement on lines of justice has been present. The representatives of the Powers have acted under instructions, each of them considering only the supposed interests of his own State, and making concessions only when it seemed necessary to do so to avoid war, and when war for the moment did not appear to be a profitable

enterprise. Further, the decisions of such a conference were to be followed immediately by action. It was natural, therefore, that temporary expedients to get over a crisis should be adopted, rather than fundamental and final reconstructions. The function I propose for the Council of Conciliation is different. It will have no executive power, only the power to recommend the best solution. This, it would seem, would best be done by an independent body, of which all the members should take, as far as possible, a European point of view, and none a merely national one. When they had arrived at their decision, their duty would be ended. The question of its adoption would remain for a further stage.

Keeping in view these facts, I incline to believe that the most hopeful plan would be that the Council should have a permanent constitution, the members being appointed for fixed periods of time, and not for special issues, and acting without instructions from their Governments, although, of course, acquainted with their Government's point of view, and having the confidence of their nation. On such a Council there would be, if the League were large and comprehensive, a number of members whose Governments were not directly interested in the particular issue that might be before them, and who might, therefore, take a detached view. The representatives of the countries primarily interested would be able both to put their point of view and to modify it in deference to the general trend of feeling. And a solution might be finally suggested which could not be suspected of partiality. It would, of course, not satisfy fully all claims. But it would probably commend itself to the public opinion of the world. And that would be a great asset in its favor.

Still, it might be rejected by the parties most concerned. In that case what would happen? The whole question would then be one for diplomacy, and the

No treaty obligation to enforce an award.

Powers would be as free to act, or not to act, as they are now. I do not propose that they should be under treaty-obligation to enforce the award, or scheme, of the Council. In a Europe such as we may look forward to in which there should be a regularly constituted Federation there could, of course, be no place for war. But what I am here proposing is a preliminary step toward that. I am not abrogating national sovereignty nor ruling out war as impossible. I am merely endeavoring to make it a great deal less likely than it now is. And I think that the attempt in the present stage to make the enforcement of an award compulsory on the Powers would not make for peace. The Powers must act, in each case, as they can and as they choose. Very often they will find a settlement which avoids war. Sometimes they will not. But at least we may reasonably hope for a much more general will for peace than we get under existing conditions.

The appeal to public opinion.

The improbability of war, I believe, would be increased in proportion as the issues of foreign policy should be known to and controlled by public opinion. There must be an end of the secret diplomacy which has plunged us into this catastrophe. To say this is not, of course, to suggest that complicated and delicate negotiations should be conducted in public. But there should be no more secret treaties or arrangements of any kind, like, for example, the clauses of the Morocco Treaties whereby Great Britain, France, and Spain looked forward to the partition of that country while publicly guaranteeing its integrity and independence before the world; or like those military and naval "conversations" by which, in effect, the Foreign Secretary pledged our honor to defend France in certain contingencies, behind the back of Parliament and the nation. All nations ought to know and constantly be reminded

of all their commitments to other Powers, and all the complications which constitute the danger centres of Europe. I am aware of all that may be said about the latent Jingoism of crowds, and the power of an unscrupulous press to work upon it. But we have all that as it is. It is what Governments rely upon and call upon when they intend to make war. The essence of the present situation is that no other forces have time to organize themselves, because we are actually at war before we have begun to realize the crisis. With plenty of time and full knowledge the better elements of public opinion could be rallied. The proposed League of Peace would secure the necessary delay. If, then, at the last, the public opinion of any nations insisted on war, there would be war. But at least every force working against war would have come into play.

Non-interference with the internal affairs of any nation.

The objection is sometimes taken against our proposal that the League will be led to interfere in the internal affairs of its members, as the Holy Alliance did under the influence of Metternich. But this objection appears to rest on a misconception. In so far indeed as internal unrest in any State might generate international complications—as, for example, in the case of the oppression of the Slavs by the Magyars—it would be the duty of the Council of Conciliation to suggest a solution which would involve changes in the internal policy of the State in question. But the Powers included in the League would not be bound to intervene by force, if the solution should be rejected. And if any of them did, in fact, intervene, that would not be in consequence of the League, but in pursuance of a policy which they would have adopted in any case, League or no League. The only contribution made by the Council would be a wholly satisfactory one—a recommendation to a State pursuing an unsound policy, of a policy more sound and

more likely to lead to peace, a recommendation made by a body which might fairly claim to be supported by the public opinion of the world. Such a recommendation might be successful, and if it were, it would be all to the good. If it were unsuccessful, the result would be at least no worse than if the League had not existed. For the terms of the treaty confer on the members of the League no right, and impose no duty, to intervene by force in the internal affairs of the component States.

Limitation of armaments.

Given a League of Peace, a limitation and reduction of armaments might follow. It might, indeed, be introduced even if no such League were formed. For economic exhaustion might lead the Powers, after this war, to attempt seriously the limitation which was the immediate object of the first Hague Conference, but which was rejected as impracticable. It is most desirable that they should do so. Yet it seems clear that, whatever basis of limitation were laid down, there would be plots to evade it on the part of one or another Power, so long as there is no security against sudden and unprovoked attacks. Such security might be given by a League of Peace. I do not see how it could be given otherwise. Nor would a mere limitation of armaments, in itself, prevent such attacks. It would make war less destructive; it could not make it impossible, or even improbable. Desirable, therefore, though this measure may be, it would seem that it would naturally follow or accompany, rather than precede, a League of Peace.

In any case, Governments should cease to employ private armament firms. I am aware that there are technical and economic reasons to be urged against this course. But I believe them to be outweighed by the fact, now sufficiently proved, that the private firms

deliberately encourage the growth of armaments, in order to get orders for their goods.

Conclusion.

The suggestions here put forward are not intended to be more than a sketch of what might be immediately practicable at the peace. They do not profess to represent in themselves an ideal. For political arrangements cannot constitute an ideal, they can at most give it opportunity to realize itself. I hope therefore, that after meeting the opposition of the sceptics and the practical men, I shall not have to meet that of the idealists. Some day, I hope with them, a Europe will come into being in which there will be neither enemy States nor rival armaments. But the time is not yet. There are many forces working in that direction, if only they had time to do their work. I want to give them breathing space. For what happens, under present arrangements, is that during years of peace the movement of civilization proceeds, in its two inseparable aspects of social reform and international organization. Pacifists grow hopeful and active. Commerce, travel, art, literature, science, begin to unite the nations. Armaments appear ridiculous, and wars, what they are, crimes. But the enemy is watching. Silently, behind the scenes, he has been preparing. In a moment he strikes, and the work of a quarter of a century is undone. Let us be under no illusions. While there is war, there can be no secure progress. If we want society to develop into anything good, we must stop war. That, in itself, it is true, will not give us the ideal. But it will remove a main obstacle to it. Change of will, change of ideas, moral and spiritual development, that is what we want, I agree. But we can no longer afford to rely only on that. For before that has become strong enough to make war impossible, war arrives and destroys the development. A device to avoid war, even

though it be, in a sense, only mechanical, is therefore none the less essential. Then, within the peace thus secured, the new Europe may slowly be built up. Otherwise, those who want no new Europe can always sweep away its rudiments by force. I ask, therefore, the support of idealists, as much as of practical men. I ask the support of all except those who believe that war itself is the ideal. Of those who believe in peace these men are the only ultimate enemies. But they cannot be converted. They must be circumvented. And what I suggest would, I believe, be a way to circumvent them.

APPENDIX.

Recent treaties concluded by the United States serve to illustrate and support the project outlined in the text. The parties to the treaty bind themselves to refer their disputes to an international commission, and not to declare war or begin hostilities until the commission has reported. The text of the treaty between the United States and Great Britain is appended.

TREATY BETWEEN THE UNITED KINGDOM AND THE UNITED STATES OF AMERICA WITH REGARD TO THE ESTABLISHMENT OF A PEACE COMMISSION.

Signed at Washington, September 15, 1914.

[*Ratifications exchanged at Washington, November* 10, 1914.]

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, and the President of the United States of America, being desirous to strengthen the bonds of amity that bind them together and also to advance the cause of general peace, have resolved to enter into a Treaty for that purpose, and to that end have appointed as their Plenipotentiaries:—

His Britannic Majesty: The Right Honourable Sir Cecil Arthur Spring-Rice, G.C.V.O., K.C.M.G., &c., His Ambassador Extraordinary and Plenipotentiary at Washington; and

The President of the United States: The Honourable William Jennings Bryan, Secretary of State of the United States;

Who, after having communicated to each other their respective full powers, found to be in proper form, have agreed upon and concluded the following articles:—

ARTICLE 1.

The High Contracting Parties agree that all disputes between them, of every nature whatsoever, other than disputes the settlement of which is provided for and, in fact, achieved under existing agreements between the High Contracting Parties, shall, when diplomatic methods of adjustment have failed, be referred for investigation and report to a Permanent International Commission, to be constituted in the manner prescribed in the next succeeding article; and they agree not to declare war or begin hostilities during such investigation and before the report is submitted.

ARTICLE 2.

The International Commission shall be composed of five members, to be appointed as follows:—

One member shall be chosen from each country by the Government thereof; one member shall be chosen by each Government from some third country; the fifth member shall be chosen by common agreement between the two Governments, it being understood that he shall not be a citizen of either country.

The expenses of the Commission shall be paid by the two Governments in equal proportions.

The International Commission shall be appointed within six months after the exchange of the ratifications of this Treaty, and vacancies shall be filled according to the manner of the original appointment.

ARTICLE 3.

In case the High Contracting Parties shall have failed to adjust a dispute by diplomatic methods, they shall at once refer it to the International Commission for investigation and report. The International Commission may, however, spontaneously, by unanimous agreement, offer its services to that effect, and in such case it shall notify both Governments and request their co-operation in the investigation.

In the event of its appearing to His Majesty's Government that the British interests affected by the dispute to be investigated are not mainly those of the United Kingdom, but are mainly those of some one or more of the self-governing dominions, namely, the Dominion of Canada, the Commonwealth of Australia, the Dominion of New Zealand, the Union of South Africa, and Newfoundland, His Majesty's Government shall be at liberty to substitute as the member chosen by them to serve on the International Commission for such investigation and report another person selected from a list of persons to be named, one for each of the self-governing dominions, but only one shall act—namely, that one who represents the dominion immediately interested.

The High Contracting Parties agree to furnish the Permanent International Commission with all the means and facilities required for its investigation and report.

The report of the International Commission shall be completed within one year after the date on which it shall declare its investigation to have begun, unless the High Contracting Parties shall limit or extend the time by mutual agreement. The report shall be prepared in triplicate; one copy shall be presented to each Government and the third retained by the Commission for its files.

The High Contracting Parties reserve the right to act independently on the subject-matter of the dispute after the report of the Commission shall have been submitted.

ARTICLE 4.

This Treaty shall not affect in any way the provisions of the Treaty of the 11th January, 1909, relating to questions arising between the United States and the Dominion of Canada.

ARTICLE 5.

The present Treaty shall be ratified by His Britannic Majesty and by the President of the United States of America, by and with the advice and consent of the Senate thereof, and the ratifications shall be exchanged at Washington as soon as possible. It shall take effect immediately after the exchange of ratifications, and shall continue in force for a period of five years, and it shall thereafter remain in force until twelve months after one of the High Contracting Parties has given notice to the other of an intention to terminate it.

In witness whereof the respective Plenipotentiaries have signed the present Treaty and have affixed thereunto their seals.

Done in duplicate at Washington on the fifteenth day of September in the year of Our Lord nineteen hundred and fourteen.

(L.S) CECIL SPRING-RICE.
(L.S.) WILLIAM JENNINGS BRYAN.

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