Problems of the international settlement

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PROBLEMS OF THE INTERNATIONAL SETTLEMENT
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INTRODUCTION

BY

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The papers included in the present volume (with the exception of the last three) are reproduced, and (where the original is not in English) translated, from the *Recueil de Rapports* published by the "Central Organization for a Durable Peace." This is an international association, founded at The Hague in 1915, to study and advocate such a settlement at the conclusion of the war as will guarantee a durable peace. Its programme is as follows:

1. No annexation or transfer of territory shall be made contrary to the interests and wishes of the population concerned. Where possible their consent shall be obtained by plébiscite or otherwise.

2. The States shall guarantee to the various nationalities, included in their boundaries, equality before the law, religious liberty and the free use of their native languages.

3. The States shall agree to introduce in their colonies, protectorates and spheres of influence, liberty of commerce, or at least equal treatment for all nations.

4. The work of the Hague Conferences with a view to the peaceful organization of the Society of Nations shall be developed.
The Hague Conference shall be given a permanent organization and meet at regular intervals.

5. The States shall agree to submit all their disputes to peaceful settlement. For this purpose there shall be created, in addition to the existent Hague Court of Arbitration, (a) a permanent Court of International Justice, (b) a permanent international Council of Investigation and Conciliation.

6. The States shall bind themselves to take concerted action, diplomatic, economic or military, in case any State should resort to military measures instead of submitting the dispute to judicial decision or to the mediation of the Council of Investigation and Conciliation.

7. The States shall agree to reduce their armaments.

8. In order to facilitate the reduction of naval armaments, the right of capture shall be abolished and the freedom of the seas assured.

9. Foreign policy shall be under the effective control of the parliaments of the respective nations.

Secret treaties shall be void.

With this programme may be compared that of the French Association de la Paix par le Droit, given on p. 200 below.

The circumstances of the war having prevented the meeting of international conferences to discuss and elaborate this programme, the method was adopted of appointing committees to collect information and draw up reports on the various topics involved. Hence the Recueil de Rapports, of which four large volumes have now been published, and from which the present selection has been made.

Almost all the papers here included were published in
1916, and therefore before the Russian revolution, the entry of the United States into the war, and the peace of Brest-Litovsk. Some statements, therefore, will be found to be out of date, and some comments which might otherwise have been expected will be missed. But insasmuch as the papers deal, not with the specific terms on which the present war can be ended, but with the principles which must govern the settlement, if it is to be durable, their value is not affected by this circumstance. That value, for English readers, consists perhaps mainly in the presentation of the views of continental thinkers, and especially of representatives of the small neutral States, upon some of the questions with which English and American writers have been prominently concerning themselves. It would seem, from these specimens, that while there is a remarkable general agreement as to the lines upon which international reconstruction should proceed, continental writers are, on the whole, more conservative than Anglo-Saxon, and more desirous to avoid a sharp breach with the past. It may be questioned whether this caution is really as prudent as it appears. For a disease as fatal and as violent as the international anarchy mere palliatives may be of little use. There must be drastic change, first in the spirit animating nations, and then, as a consequence, in institutions, if civilization is to be saved from the menace with which it is threatened. Such changes must derive their impulse not from Governments and Foreign Offices, but from the people. And an appeal to the people must be bold and uncompromising, in the manner of Mr. H. G. Wells, if it is to be effective. It is not, therefore, as popular propaganda that these papers are put forward. But they will be interesting to students, and to all who desire to come into contact
with continental views, and to estimate the degree and character of their divergence from those of Englishmen or Americans.

It will be seen that some of the papers are by Germans or Austrians. The fact that we are at war with these nations should not blind us to the fact—which is indeed the principal hope for the world—that the same desire for a durable peace which is felt among ourselves is felt also among the enemy peoples; that there too, even during the war, they have been pondering the problems and suggesting solutions; and that no final conclusions can be drawn, from the actions and aims of the militarist faction now in power, to the general character and purpose of the nations thus controlled.

The following notes on some of the authors may be of interest to the reader:—

Bernstein, Edward, is the well-known leader amongst the Minority Socialists in Germany. He is well acquainted with this country, having lived here for some years.

dé Jong van Beek en Donk, Jongheer Dr. B., is the Secretary of the Central Organization for a Durable Peace at The Hague, the body responsible for the publication Recueil de Rapports, from which most of the papers in this volume have been taken.

Fried, Dr. Alfred Hermann, born in Vienna in 1864, is the editor of Friedenswarte. He was awarded the Nobel Peace Prize in 1911, and is one of the most active workers in the International Movement. He established the Annuaire de la Vie Internationale in 1895, and has written voluminously upon questions of peace and war. Since the beginning of the present war he has resided in Switzerland.

Gide, Professor Charles, is the well-known Professor in the Faculty of Law in the University of Paris.

Hull, Professor William I., Professor of Law in Swarthmore College, U.S.A. Author of The Two Hague Conferences and their Contribution to International Law, 1908; The New Peace Movement, 1909; The United States and the Hague Conferences, 1910.

Lammasch, Dr. Heinrich, is a member of the Austrian Upper House, and one of the most prominent jurists in Europe. He is a member of the Hague Court, acting as one of the judges in four
different international disputes referred to the permanent Court of Arbitration. He has written on questions of international law and arbitration.

Lange, Dr. Christian L., born in 1869, is a prominent Norwegian, who since 1908 has been General Secretary of the Inter-Parliamentary Union, residing at its headquarters in Brussels. Dr. Lange was for many years Secretary of the Nobel Committee and Institute, where he organized the library of 15,000 volumes on international and national law and sociology. His position as Secretary of the Inter-Parliamentary Union has brought him into constant direct touch with political leaders and politicians of all nations.

Schücking, Professor Walter, Professor of Law at Marburg University. Professor Schücking has written many books on international law, the Hague Conferences, and world organization, and is a foremost authority on these in Germany.

Association de la Paix par le Droit. This society is one of the principal pacifist organizations in France, having twenty or thirty branches throughout that country. Its President is Professor Ruysen, of Bordeaux, and its periodical and ably conducted monthly review La Paix par le Droit, which title expresses largely the nature of its propaganda.

The subjects dealt with in the papers may be grouped under three heads—Nationality, International reorganization, and Democratic control. A few comments upon each of these headings may be useful.

I. Nationality.

It has been the claim of the allied nations from the beginning of the war that they are fighting for the rights of small nations, and for such readjustment, more or less radical, of the political map as will make a stable basis for that proposed League of Nations which is generally regarded, in those nations, as the foundation of a durable peace. In the paper by M. J. Gabryls, which opens this volume, there is printed a "Declaration of the Rights of Nationalities," characteristic of the French method of approaching these great questions. It is, in fact, a counterpart of the famous Declaration of the Rights of Man which heralded the great revolution. The general principle
is affirmed against the existing facts; and its recognition is demanded, without limitation or compromise. Such complete recognition implies first (in the words of the Minimum Programme) that "there shall be neither annexation nor transfer of territory contrary to the interests and the wishes of the population." If this principle were honestly adopted by all the belligerents, a principal difficulty in the way of the conclusion of peace would be removed. For it is the desire, on both sides, to appropriate territory belonging to the enemy for strategic, commercial, or other such reasons, that helps to prolong the war. The treaty of Brest-Litovsk and all that has followed from it shows how far the enemy Governments are from accepting the principle of "self-determination"; and, on the other side, the treaties entered into, since the war began, by the allied Governments show that they too have been pursuing aims of conquest. Such aims, if achieved on either side, must imperil, if not destroy, the future peace of the world. The only transfers of territory that can lay a foundation for a new world are such as are made simply and solely to satisfy the legitimate desires of the populations concerned. A declaration in the preliminaries of peace, in the sense of the first point of the Minimum Programme, followed by the constitution of an international court to investigate and determine the claims of nationalities, would be the proof, and the only proof that could be convincing, that Governments and nations really do adhere to the principles they have professed, and intend a world based not on force but on right.

What makes it so difficult to adopt this course, is the fact that all the great States comprise (with their dependencies) a number of nationalities, or of subject peoples; and while each group of belligerents is anxious to