

**NEW METHODS OF
ADJUSTING
INTERNATIONAL DISPUTES
AND THE FUTURE**

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BY

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"PROBLEMS OF INTERNATIONAL PRACTICE AND DIPLOMACY"

"LAW AND USAGE OF WAR" ETC.

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DEDICATED
TO
MY FRIEND AND FELLOW-CITIZEN OF DUNFERMLINE
ANDREW CARNEGIE
WHOSE WORK IN THE CAUSE OF LAW, AMITY
AND PEACE AMONG NATIONS
HAS EARNED
THE GRATITUDE OF MANKIND

P R E F A C E

THE present volume is intended to meet a want which has long been felt. There is no English book dealing with Arbitration and the other Pacific Methods of adjusting International disputes and differences as a part of the political system of nations, or endeavouring to determine the scope and limitations of these methods. In this volume an attempt is made to show in what respect they form part of the existing diplomatic machinery and the direction in which they are susceptible of development.

Arbitration is frequently appealed to, on the one hand, and condemned, on the other, as if the last words for and against it were that it is, should be or cannot be a substitute for war. It will be seen in this volume that, without exaggerated expectations, arbitration and the other methods which have been co-ordinated by the Hague Conferences serve many purposes which narrow the area of international dissension.

As regards the failure of peace methods in connection with the present war, the first sug-

gestion of mediation, by a strange contrast to her ultimate attitude, came from Germany. As Sir Edward Grey records in a dispatch to Berlin,¹ the German ambassador had told him that it would be a very desirable thing if Russia could act as a mediator with regard to Serbia. Four days later, Sir Edward Grey suggested at Berlin that simultaneous and joint action by Germany, Italy, France and Great Britain at Vienna and Petersburg might have a "mediating or moderating influence."² Then, on July 28, Austria-Hungary declared war against Serbia. Even, in spite of this precipitation, efforts to arrive at an effective mediation were continued by Sir Edward Grey on behalf of Great Britain, and by Herr von Bethmann-Hollweg, as he alleged, through the German ambassador in London, on behalf of Germany. It is certain that Great Britain, France and Italy were prepared to offer mediation in conjunction with Germany down to as late as July 29.

Germany objected, we then learn from Italy, to the mediation of the four Powers,³ and on the same date (July 29) the German ambassador assured Sir Edward Grey that the German Chancellor was working in the interest of mediation at Vienna and Petersburg.⁴

¹ July 20, 1914.

² Sir Edward Grey to Berlin, July 24, 1914.

³ Sir Edward Grey to Rome, July 29, 1914.

⁴ Sir Edward Grey to Berlin, July 29, 1914.

Then Sir Edward Grey authorised Sir Edward Goschen to make the following statement at Berlin :

And I will say this : If the peace of Europe can be preserved and the present crisis safely passed, my own endeavour will be to promote some arrangement to which Germany could 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. I have desired this and worked for it, as far as I could, through the last Balkan crisis, and Germany having a corresponding object, our relations sensibly improved. The idea has hitherto been too Utopian to form the subject of definite proposals, but if this present crisis, so much more acute than any that Europe has gone through for generations, be safely passed, I am hopeful that the relief and reaction which will follow may make possible some more definite *rapprochement* between the Powers than has been possible hitherto.

This was practically a further promise of mediation on the part of Great Britain for the purpose of assuring the permanent peace of Europe.

That these efforts at mediation broke down seems to have been due to the precipitation of Austria-Hungary in declaring war against Serbia and her declining to suspend the outbreak of hostilities. The rest follows as a consequence of this precipitation : Russia's precipitation to mobilise against Austria-Hungary for the protection of Serbia, Germany's precipitate espousal of the quarrel of Austria-Hungary, etc., till the

bulk of the world found itself at war, and only the United States and Spain, among greater Powers, remained free to offer any mediation at all.

The only suggestion of reference of any point to the Hague Court of Arbitration was that in the Serbian reply to the Austro-Hungarian ultimatum, in which the Serbian Government stated that if the Imperial and Royal Government were not satisfied, the Serbian Government, considering that it was not in the common interest to precipitate a solution, were ready, as always, to accept a pacific understanding, either by reference to the International Court at the Hague, or to the Great Powers which took part in the drawing up of the declaration made by the Serbian Government on March 18, 1909.

The history of the Hague Court of Arbitration and the Hague Conventions, like the history of all efforts to eliminate causes of war and diminish its horrors, is a record of discouraging abuse on the part of a class of writers and politicians who condemn all humanitarian progress as mere illusion of dreamers. Yet, there has never been such an argument in their favour as the present insensate war, and if there is a higher authority than the will of man in the shaping of man's destiny, the reaction after the war will assuredly not be in favour of these misguided writers and politicians