

**INTERNATIONAL
ARBITRATION AS A
SUBSTITUTE FOR
WAR BETWEEN NATIONS**

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International arbitration as a substitute for war between nations by Russell Lowell Jones

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BY

RUSSELL LOWELL JONES, M.A.

With a Preface by Professor Bernard Bosanquet, M.A., LL.D. D.C.L.,
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St. Andrews.

UNIVERSITY OF ST. ANDREWS.

RECTOR'S PRIZE ESSAY, 1907.

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MR. ANDREW CARNEGIE, LL.D., Rector of the University of St. Andrews, offered, in Session 1906-1907, five prizes for Essays on "International Arbitration as a Substitute for War between Nations."

The First Prize was gained by Mr. Russell Lowell Jones, M.A.

PREFACE.

I HAVE hopes that this volume, the work of a young graduate of St. Andrews, may prove to be a serious contribution to the subject of which it treats. It is the outcome of an amount of labour and original study unusual, I venture to think, in a Prize Essay. But my estimate of its value is based not so much on the author's knowledge, although I think that this is remarkable, as on his straightforwardness and common sense in dealing with the essentials of his problem. He has taken, as it appears to me, a strong, sagacious, and independent line, setting aside declamations, and addressing himself with notable vigour and lucidity to determining the question "What has in past history been done by international arrangements in the cause of peace? what is being done? and what, therefore, may we reasonably anticipate as possible to be done?" I have found his study valuable and helpful to myself, and I am inclined to think that very many of the public, interested in so great a subject, but lacking precise and expert knowledge, will find it valuable and helpful, as I did.

BERNARD BOSANQUET.

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International Arbitration as a Substitute for War between Nations.

INTRODUCTION.

IN the following essay I have attempted to deal with International Arbitration in a new way. The object I had in view throughout was to give as far as was in my power an outline of a rigorous reconstruction of the evidence. A sympathetic and thorough review of the arguments advanced by the various sections of those who have the abolition of war sincerely at heart has led me to consider that much of their pleading is rendered nugatory by violent declamation and useless denunciation. Those who have traced the history of Peace Societies, who have perused their tracts and annual reports, will see much to approve in that criticism of Mr. Ryder's that "Jingoism flourishes on nothing so well as upon"¹ such publications as they issue. I will cite one instance which, to avoid the charge of being captious, I have selected from a modern report of a Peace Conference. At Glasgow in 1901 Mr. W. T. Stead said, "I propose to add some explosive matter to the resolutions. The Hague Conference having recommended four different methods of avoiding war, . . . the Congress declares

¹ "Ethics of War." H. W. Ryder. *19th Century*.

that any State by refusing to adopt any one of them when proffered by its opponent loses its right to be regarded as a civilised power. In such a country, excommunicate of humanity, the Congress is of opinion that, while the war lasts, no public religious service of any kind should be held that is not opened by a confession of blood guiltiness on the part of that nation and closed by a solemn appeal on the part of the congregation to the Government to stop the war by the application of the Hague methods. This amendment is based upon the very simple and fundamental principle that no person should go before his God and ask a blessing with his hands dripping with his neighbour's blood. What is the good of the resolutions passed at the Hague when not one of us has the heart of a mouse to say Damn ! Damn !! Damn !!! on all the people who carry on war and bring down the curse of God on our heads."¹

Such utterances, and there are many more, do great harm to the cause of peace. The quiet workers in the field of pacific means of solving international disputes find themselves classed with men whose narrowness of outlook is only exceeded by the violence of their rhetoric. That this feeling of irritation against such futile declamation is widespread may be noted on all hands. M. de Maartens, the great jurist, fitly called the Lord Chief Justice of Christendom, is convinced that "the Utopians are the most dangerous enemies of the progress of International Law."² Our first conclusion, then, is that all future treatment of the problem must be vitiated neither by an extravagant Utopianism nor by an exaggerated sentimentality. Before leaving this section of peace advocacy we may note the sort of antagonism it raises. Joseph Conrad is the mouthpiece

¹ Proceedings of Glasgow Peace Conference, 1901.

² International Arbitration and the Peace Conference at the Hague. *North American Review*, No. 69, p. 604.

of the anti-Utopians in such a sentence as the following : "The dreams of sanguine humanitarians raised almost to ecstasy about the year 'fifty of the last century by the moving sight of the Crystal Palace—crammed full with that variegated rubbish which it seems to be the bizarre fate of humanity to produce for the benefit of a few employers of labour—have vanished as quickly as they have arisen. The golden hopes of peace have in a single night turned to dead leaves in every drawer of every benevolent theorist's writing table."¹

Leaving in abeyance for the meantime our future task of pointing out the inestimable service of the great advocates of peace in the past, and the useful work done by the societies they organised and inspired, we must make of our criticism a guide-post to a sober treatment of our subject and a warning against any such "bastard enthusiasm"² as will only serve to discredit our conclusions among the thoughtful and be fuel for the ridicule of the Jingo. There are minor faults of this class of propaganda which we can only enumerate, not from any love of destructive criticism, but to help us to avoid them. In addition to the violent language and excessive sentimentality there is a great parade of argument against minor manifestations of war, and complete neglect to attack the central problem. There is a tendency to make unwarrantable assumptions, such as, for instance, upon the attitude of the early Christian writers³ and a futile simplification of the points at issue.

¹ *Contemporary Review*, 1905. 2, I. Joseph Conrad.

² H. W. Howarth: "Plain words about the Czar's Gospel of Peace." *19th Century*, No. 45.

³ "Ethics of War." *19th Century*, No. 45, pp. 718-19. Cf. also "If it is of importance that those who have Christian objects at heart should understand one another, should agree where they can, and, where they cannot, at least have a distinct idea of their line of difference, then it is everyone's concern that this extravagant misconception of the doctrine of Christ and of the early Christian Church should be finally evicted from the manifestoes of the seekers after peace." See below.