

**PRO NIHILO: THE
PRELUDE TO THE ARNIM
TRIAL. FIRST PART**

Published @ 2017 Trieste Publishing Pty Ltd

ISBN 9780649682416

Pro Nihilo: The Prelude to the Arnim Trial. First Part by Harry Arnim & Wilhelm Eichhoff

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Cover @ 2017

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FIRST PART.

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"That trick of State was a deep envious one!"

Henry VIII.

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Henry VIII.

LONDON:
CHAPMAN AND HALL, 193, PICCADILLY.
1876.

PREFACE.

SOME delay has occurred in the publication of these pages through deference to objections on the part of several persons who entertained doubts as to its opportuneness.

These objections were principally made by members of the former Conservative party, who relied upon Prince Bismarck's seceding from the National-Liberal Party and once more seeking support among the Conservatives.

Those gentlemen maintained that the negotiations with Herren von Blankenburg and Wagner, the endeavours of Herr von Wedell-Malchow, the occurrences at the election in Lauenburg, and various other matters of smaller notoriety left no room for doubting the sincerity of the Imperial Chancellor; his antipathy to the leaders of the National-Liberal party being, they said, a well-known fact. To many the sentiments had

been communicated which the Imperial Chancellor, at the conclusion of a dinner party, had expressed against Lasker to several members of the Conservative party. It was likewise patent that the attacks of Prince Putbus on Lasker resulted from the Imperial Chancellor's own prompting; and it was equally a fact that the Imperial Chancellor had in confidential circles stigmatised the famous May Laws as an act of folly.

It is of course possible that Prince Bismarck may once more join the Conservative party. His contemporaries have witnessed the readiness with which he changes front, and kicks from under his feet the ladder he has climbed. Neither must it be denied that the Imperial Chancellor is still capable, maybe, of rallying around himself the remnants of the Conservative party and of putting to account their votes against the Liberals.

But in case the Conservative party should only be possessed of vitality when its whole programme is summed up in the name of Bismarck, when its political cultus is naught but Pan-Bismarckism, it will do well to resist all attempts at resuscitation, and once and for ever to abdicate. Of such things as the Conservative party was at one time anxious to secure nothing can now be saved. To protect property against the revolution no specific Conservative party is needed.

The only worthy task left perchance, for the Con-

servative party to accomplish would be the reconquering of liberty.

To think of doing this under the leadership of "Duke" Bismarck would be absurd.

We cannot therefore allow ourselves to be deterred from the publication of this book out of consideration for the immature and inane aspirations of certain persons of Conservative proclivities.

Another reason entitled to notice, and which, as such, has consequently added to the delay, had reference to Count Arnim himself:—

"The publication of the book would injure him; the pending decision of the Supreme Court would be less favourable to him should the Imperial Chancellor feel aggrieved by its production; moreover, truth would assert itself even were nothing done to unveil it."

This argumentation, after long and mature cogitation, also proved absolutely incomprehensible. The Supreme Tribunal has to decide whether the Stadtgericht (Magistrates' Court) of Berlin had or had not jurisdiction, and whether or not thirteen documents were, in a legal sense, public documents.

Its learned conceptions regarding these questions cannot possibly be modified by the fact that matters

obtain publicity which have with them no connection whatever.*

Just as little can it be conceded that truth will assert itself independently of its demonstration by any one. It wieldeth not such power.

Truth is one, lies are manifold; therefore are lies more powerful than truth. Hence the greater facility possessed by falsehood of obscuring, distorting, falsifying the latter.

Truth, then, can prove victorious only when spoken to-day, to-morrow, the day after to-morrow, and so on, over and over again. Only when with a strong hand the mantle is removed under which truth was maliciously sought to be shrouded will falsehood, however multiplied its ramifications, be made to stand aloof.

For that reason also neither could the fear of the possibility of the Chancellor's discontent reacting on the Supreme Court, nor the confidence in the silent, secretly-working power of truth, have induced us to bury it untold.

Attention is claimed by a third consideration.

In the following pages some of Count Arnim's reports will appear in print. Their publication is justified by

* It is, however, probable that the Supreme Tribunal will have given its decision in the case before this book can appear. External circumstances will so much delay its publication that the court is not likely to be affected by such an influence as this book may probably produce on the Imperial Chancellor.

the plea of painful necessity, though contrary to every fair tradition in the annals of diplomacy.

But after the publication under the sanction of Prince Bismarck of an overwhelming amount of documents of a damaging character to Count Arnim, the tradition of diplomacy can no longer stand in the way of him whose sense of duty points to the necessity of defending the late ambassador.

However, we refrain in the following pages from giving publicity to a single document that has not already come under the notice of the Public Prosecutor, of the adjudicating law courts, of the defending counsel, and likewise of all officials of a lower degree who have had a hand in these matters.

Nay, more, the Public Prosecutor himself has demanded that these documents, with one solitary exception, be read in open court, Count Arnim, on the other hand, declaring through his legal advisers that it was immaterial to him whether they were read or not.* The Public Prosecutor having thersby admitted the innocuous effect of their appearance on the public mind, we are equally entitled to waive our own scruples. We do not

* Count Arnim did this because, according to the requisition of the Public Prosecutor, not only the reports published in these pages, but also other, altogether confidential, documents would have been read, which we keep back even now, as we are not disposed to follow the method of compromising other persons. It is, however, interesting to reflect that it is the Foreign Office itself which has supplied the materials for this book by its communication of the documents to the court.