

**THE TURCO-ITALIAN WAR AND
ITS PROBLEMS, WITH
APPENDICES CONTAINING THE
CHIEF STATE PAPERS BEARING
ON THE SUBJECT**

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The Turco-Italian War and its problems, with appendices containing the chief state papers bearing on the subject by Sir Thomas Barclay

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SIR THOMAS BARCLAY

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STATE PAPERS BEARING ON THE SUBJECT

BY
SIR THOMAS BARCLAY

MEMBER OF THE INSTITUTE OF INTERNATIONAL LAW; AUTHOR OF "PROBLEMS
OF INTERNATIONAL PRACTICE AND DIPLOMACY"

WITH AN ADDITIONAL CHAPTER
ON MOSLEM FEELING

BY THE
Rt. Hon. AMEER ALI, P.C.

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PREFACE

HOWEVER warranted may be the indignation the war has excited, it is well to hear both sides on the subject; and alongside the question of the injustice of the war is that of bringing it to an early termination. This volume appears while the ultimate result seems still remote. The author hopes that it may contribute to the formation of a public opinion which more than the military and naval forces of either side may force a peace honourable to both belligerents and satisfactory, in some degree at least, to the public conscience of Western Europe.

The valuable and interesting chapter for which he is indebted to his friend, Syed Ameer Ali, shows how desirable it is that whatever terms are concluded, they should constitute an ample indemnity to Turkey. The author has been called to task for suggesting any other solution but Italian evacuation of Tripolitana and Cyrenaica, and, if justice prevailed in the history of nations, this ought, no doubt, to be the solution. As, however, it seems now too late to prevent the commission of the offence, the only course is for the offender to make amends, and this as between nations, in such

circumstances as those of the present war, can only be done by the payment of an adequate indemnity. The amount of the indemnity to Turkey, the public opinion of the British Empire can certainly influence.

In the Appendices will be found a number of documents forming a consecutive statement of facts which may be useful, apart from the immediate issues involved.

The author, in conclusion, has to acknowledge the courtesy of the editors of the *Manchester Guardian* and *Evening Standard* in allowing him to reproduce in several cases matter he had already used in articles contributed to their columns.

P.S.—Since completing this volume the author has been challenged by Turkish friends to draft tentative recommendations on the assumption that both Parties are willing to accept the mediation of Sir Edward Grey and that the Ottoman Government, out of deference to the British Government, would undertake to submit any terms he might suggest, whether approving of them or not, to the Ottoman Parliament. The author has, therefore, sketched out the following terms to show that a possible basis might be found within the provisions of the Hague Peace Convention and the circumstances of the case without committing

Turkey or her Government to the acceptance of any degrading conditions :—

Whereas, under Art. 3 of the Hague Convention for the pacific settlement of international disputes, 1899-1907, Powers strangers to the dispute have the right to offer their good offices or mediation, even during the course of hostilities ; and, under Art. 6, good offices and mediation, either at the request of the parties at variance, or on the initiative of Powers strangers to the dispute, have exclusively the character of advice, and never have binding force ; and, under Art. 7, if mediation occurs after the commencement of hostilities, it causes no interruption to the military operations in progress, unless there be an agreement to the contrary ;

Whereas Italy and Turkey are unhappily at war, and an Italian army is in occupation of the coast of Tripolitana and Cyrenaica, and Turkey is faced with the alternative of ceding the said provinces which, owing to Italy's command of the sea, she is unable to defend with any hope of ultimate success or of continuing the war indefinitely with all its attendant miseries and cruelties to a brave and loyal population ;

Whereas the Parties have agreed to the mediation of Great Britain and have further agreed to an armistice of three weeks for the purpose of enabling the British Government to formulate suggestions of settlement ;—

The British Government, having fully considered the cases of the contending Parties, makes the following recommendations :—

1. Italy shall cancel her decree of annexation of the said provinces and shall undertake to indemnify Turkey for any consequences thereof ;

2. She shall also undertake to indemnify Turkey for all damage, direct or indirect, suffered by the Ottoman Government or Ottoman subjects in connexion with the hostilities she has carried on in Tripolitana, Cyrenaica and elsewhere ;

3. She shall agree, in case the other Powers shall so agree, to release Turkey from the obligations imposed on her by the Capitulations ;

4. The amount of the indemnity payable to Turkey, in respect of the above two sources of loss, shall be submitted for assessment to the International Court of Arbitration at the Hague, such amount not to be less than (say) £T.5,000,000 ;

5. In consideration of the above undertakings and those set out below, Turkey shall agree to cede Tripolitana and Cyrenaica to Italy ;

6. Italy shall grant in perpetuity to the Mussulman inhabitants of the ceded provinces religious freedom and the right to the full external observance of their religious ceremonies ; enjoyment of the same civil and political rights as may be possessed by their fellow-inhabitants belonging to other religions ; the right to use the name of H.I.M. the Sultan, as Khalif, in public prayers ; recognition of Mussulman pious foundations (vakoufs) ; and untrammelled liberty of communication by Mussulmans with their religious heads at Constantinople, &c., &c.

T. B.

ATHENÆUM,

December, 1911.