

**CARNEGIE ENDOWMENT FOR INTERNATIONAL
PEACE DIVISION OF INTERNATIONAL LAW. AN
INTERNATIONAL COURT
OF JUSTICE: LETTER AND MEMORANDUM OF
JANUARY 12, 1914 TO THE NETHERLAND
MINISTER OF FOREIGN AFFAIRS**

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Carnegie Endowment for International Peace Division of International Law. An International Court of Justice: Letter and Memorandum of January 12, 1914 to the Netherland Minister of Foreign Affairs by James Brown Scott

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JAMES BROWN SCOTT

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Carnegie Endowment for International Peace
DIVISION OF INTERNATIONAL LAW

An International Court of Justice

LETTER AND MEMORANDUM OF JANUARY 12, 1914,
TO THE NETHERLAND MINISTER OF FOREIGN
AFFAIRS, IN BEHALF OF THE ESTABLISH-
MENT OF AN INTERNATIONAL
COURT OF JUSTICE

BY

JAMES BROWN SCOTT

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Hague Peace Conference

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CALIFORNIA

Respectfully inscribed to
the three Secretaries of State of the United States,
ELIHU ROOT, ROBERT BACON, AND PHILANDER CHASE KNOX,
under whose administrations the steps set out in this little volume
were taken to create an International Court of Justice

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PREFATORY NOTE

In an address delivered on the first day of February, 1916, at Des Moines, Iowa, President Wilson said:

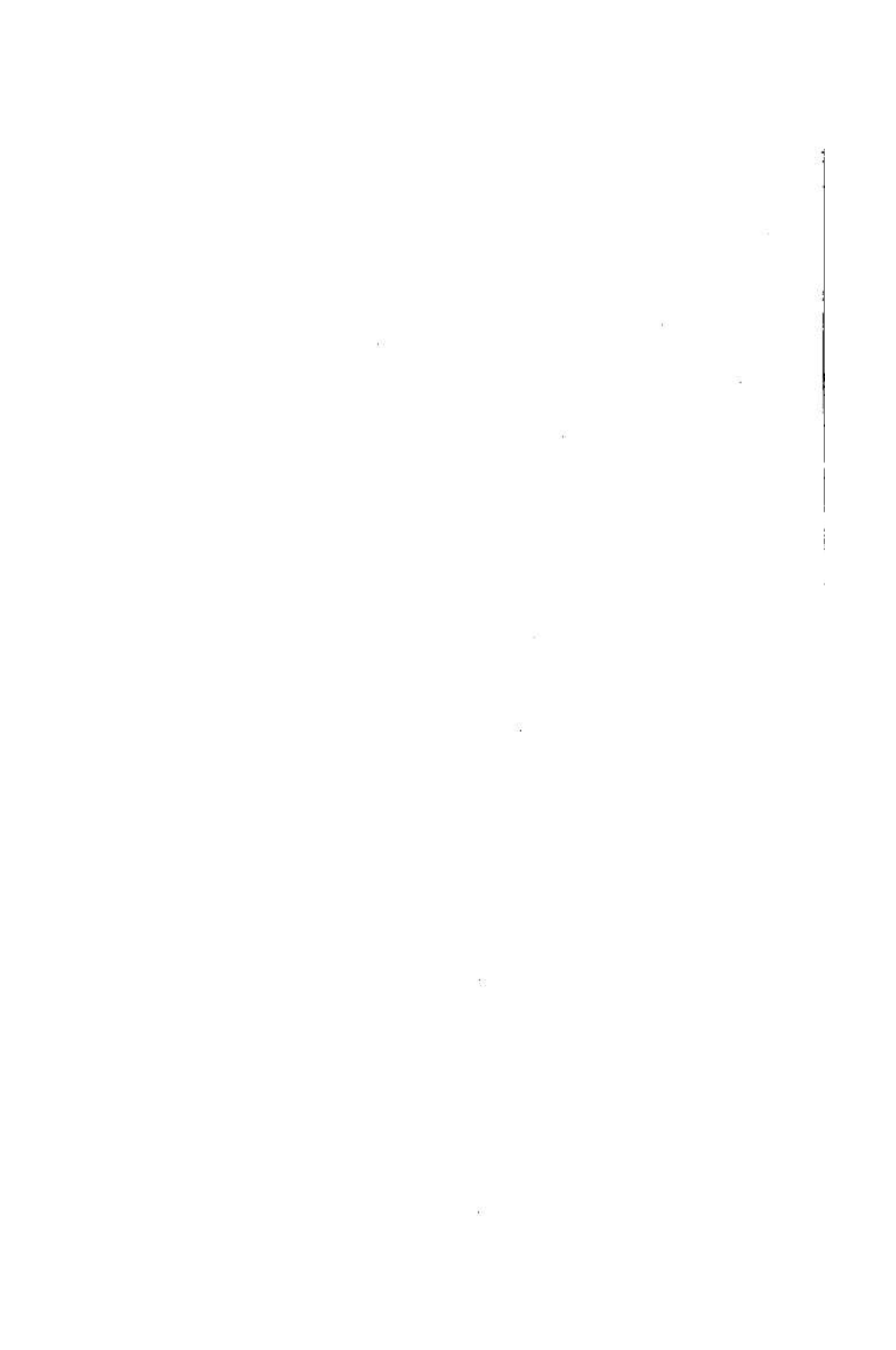
You know that there is no international tribunal, my fellow-citizens. I pray God that if this contest have no other result, it will at least have the result of creating an international tribune and producing some sort of joint guarantee of peace on the part of the great nations of the world.

This little volume, published with the permission of the Honorable Robert Lansing, Secretary of State of the United States, because without his permission the official documents which it contains could not properly be made public, is intended to show the progress already made in creating the international tribunal, of which the President of the United States is such an earnest and such a convinced advocate.

In calling attention, as this little volume does, to the coöperation of Germany, France, Great Britain, and the United States in the cause of international justice, the undersigned ventures the hope that these four nations may soon again coöperate as fellow-workers in the cause of international justice, for they must needs coöperate in this cause if justice is one day to regulate the conduct of nations.

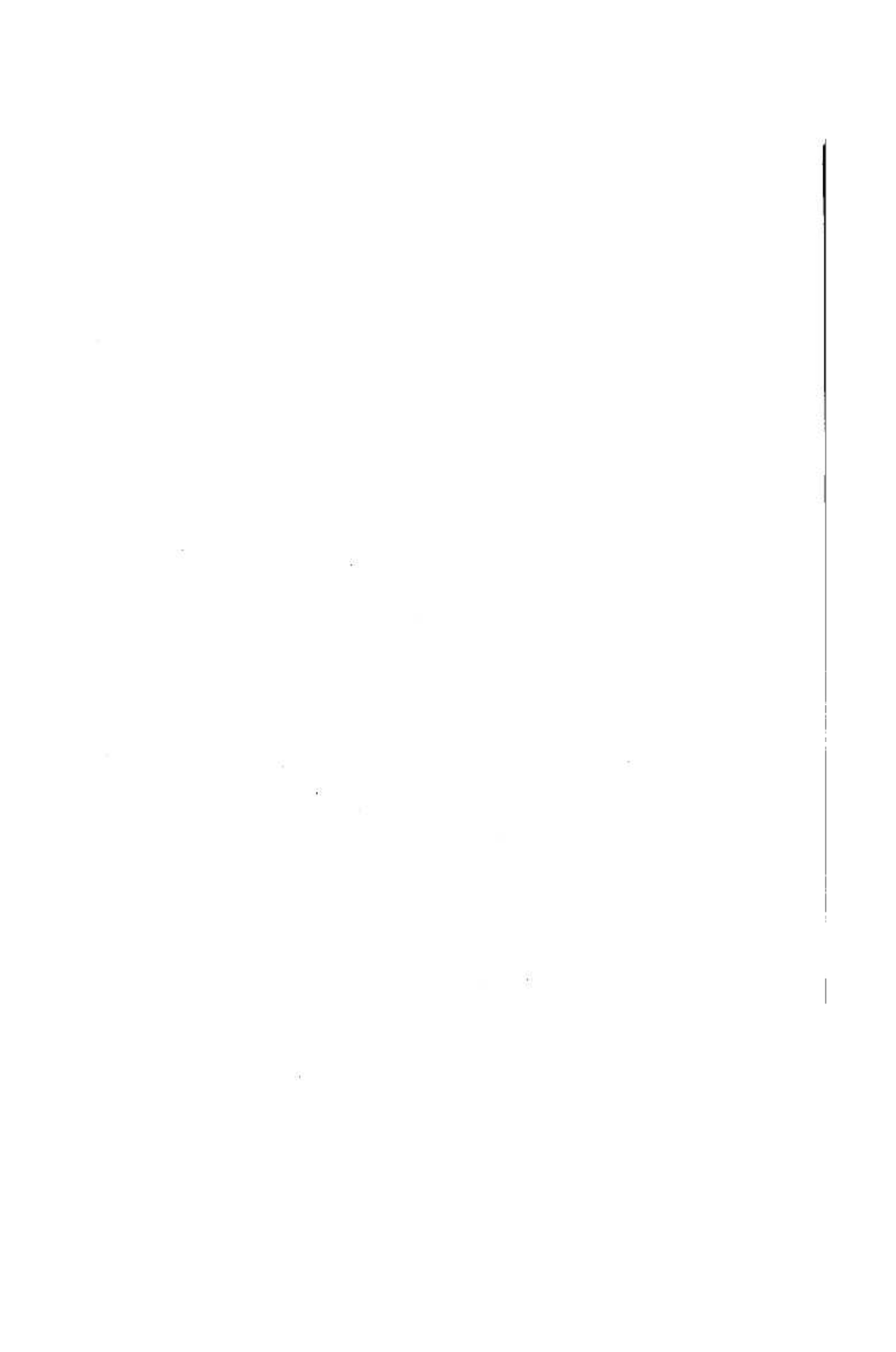
JAMES BROWN SCOTT,
*Director of the Division of
International Law.*

WASHINGTON, D. C.,
February 28, 1916.



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OFFICE OF
CONFERENCE

PROPOSED COURT OF ARBITRAL JUSTICE

Letter of James Brown Scott to His Excellency, Jonkheer J. Loudon, Minister of Foreign Affairs of the Netherlands, concerning the Establishment of a Court of Arbitral Justice

THE HAGUE, HOLLAND,
January 12, 1914.

MY DEAR MR. LOUDON:

In the course of an interview which you were good enough to give me at The Hague on October 2, 1913, you expressed an interest in a project, which I could do little more than touch upon at the time, for the present establishment of the Court of Arbitral Justice by and for the powers that might be willing to do so and its installation in the Peace Palace before the meeting of the Third Peace Conference. I stated, without going into details, that Holland, as the host of the proposed court, would naturally be a member of it, and I mentioned as possible contracting parties, in addition to Holland, the following countries: Germany, the United States, Austria-Hungary, France, Great Britain, Italy, Japan and Russia. The proposed Academy of International Law at The Hague, which has this day been agreed to, was the chief topic of our conversation, and I ventured, in connection with it, to suggest the possibility of creating the Court of Arbitral Justice, so that at the formal opening of the Academy, which we hope will take place in August of the present year, you might be able to announce that the eight powers, to which reference has been made, had, upon the initiative of Holland, agreed to constitute the Court of Arbitral Justice, to be installed, like the Academy of International Law, in the Peace Palace. You stated in reply that you thought well of the idea and you intimated your willingness to receive and consider a memorandum on the subject which I offered to prepare. This somewhat formal and forbidding document I now have the honor to hand you, in the hope that it may be of some service to you and that it may advance the cause of judicial settlement of international disputes, as it certainly will, if it should lead you to attempt the establishment of the Court of Arbitral Justice.

The difficulty which has heretofore stood in the way of its composition has been the inability or failure to hit upon a method of