

**THE SOCIETY OF
NATIONS: ITS
PAST, PRESENT
AND POSSIBLE FUTURE**

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The society of nations: its past, present and possible future by T. J. Lawrence

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ITS PAST, PRESENT, AND
POSSIBLE FUTURE

BY

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TO
J. W. THOMSON WALKER, Esq.,
M.B., C.M.(Edin.), F.R.C.S. (Eng.)
IN THANKFUL REMEMBRANCE OF A GREAT BENEFIT
MOST GENEROUSLY CONFERRED
ON THE AUTHOR

PREFACE

As Reader of International Law in the University of Bristol I have the privilege of lecturing there from time to time on such subjects connected with the *Jus Gentium* as seem to need elucidation at the moment. Happily I am not condemned to adapt myself to the requirements of an Examination Schedule, but am free to dwell on what fills my own mind and interests my audience, without regard to its value as a winner of marks. In the enjoyment of this freedom I gave six lectures in the Autumn of 1917 on *The Society of Nations*. Their substance is reproduced in the present volume, and to a large extent their wording also. But I have added a considerable amount of new matter, and have felt myself at liberty to introduce references to events that have taken place since the course was concluded. In fact, the growth of opinion on the great issues at stake in the present world-conflict has been so rapid, that in order to keep pace with it I have had to rewrite entirely and lengthen greatly the fifth and sixth lectures, which deal with the much-discussed proposal to create a League of Nations. What I said in the Council Chamber of the University of Bristol is in the book, but not exactly as I said it. The lectures have undergone some excision and much amplification.

The relations subsisting between independent states, and the rules of conduct they should observe in their mutual intercourse, have been till lately deemed by the ordinary intelligent citizen matters far beyond his ken.

He supposed they were very difficult and obscure, and simply declined to trouble himself about them. Now, under stress of the miseries caused by the present war, quite a new attitude is taken up. There is a tendency to look seriously into these matters in order to discover remedies for the evils that are threatening civilisation itself because of the unsatisfactory nature of inter-state relations. Nothing but good can come of this awakening, if it is accompanied by some real knowledge of the conditions under which the problems to be solved have grown up, and the circumstances that must be reckoned with in any serious attempt at their solution.

In the lectures which follow I have tried to supply some outlines of this knowledge. They are an attempt to meet the needs of intelligent people who neither possess nor wish to possess the technical skill of the historian or the jurist, but nevertheless desire to learn enough of what has taken place between states during the course of recorded history to enable them to form reasonable convictions with regard to the possibilities of improvement, and the lines along which mankind may advance towards it. I have endeavoured to show that there is a real Society of Nations, that it grew up by a gradual process of evolution which can be followed historically, and that it was on the point of developing certain much needed judicial and legislative organs when the present war brought about a crisis in its life, and placed before it the choice of making a long step forward in the path of progress or heading back towards barbarism and misery. Finally, I have tried to indicate the true line of advance and the best means

of facilitating the march along it. My profound conviction is that the great fundamental factor in the whole complicated problem is moral and spiritual. If the nations are content to go on with their enmities and jealousies, their belief that the foremost places in the world, and the largest share of its material and intellectual good, are the prize of those who can most cleverly outwit and most efficiently outfight their neighbours, then there is nothing left for mankind but a swift descent into the abyss. But if they will substitute brotherhood for enmity, and mutual service for jealousy, and install justice instead of force as the ultimate arbiter in their disputes, they may rid the human race of some of its most crying evils, and inaugurate a better epoch of peace and prosperity.

In the early stages of the war I endeavoured to set forth some of these views in the pages of *Goodwill*, the organ of the British Council of the World Alliance for promoting international friendship through the Churches; and I am indebted to the Editor, the Rev. T. H. Rushbrooke, M.A., for permission to use a few small portions of my articles in the composition of the present lectures. To my lifelong friend Dr. Courtney S. Kenny, till lately Downing Professor of English Law in the University of Cambridge, and to my old pupil and valued fellow-labourer, Dr. A. Pearce Higgins, the learned editor of the last edition of Hall's *International Law*, I tender my grateful thanks for information which I should with difficulty, if at all, have obtained without their aid.

T. J. LAWRENCE.

Upton Lovel Rectory,
Wiltshire, England.
October 1st, 1918.

ANALYTICAL OUTLINE OF THE LECTURES.

LECTURE I.

The Origin of International Society.

Distinctions between the nation and the state. International Society involves

1. A considerable number of states.
2. The existence in each of ideas and standards sufficiently alike to enable them to understand each other and arrange for common action.
3. Territorial Sovereignty.

These essentials did not co-exist in the world till the period of the Renaissance and the Reformation, though long before we can discern a few customary rules applicable to war between states and to what we now call diplomacy.

The code which attempts to regulate interstate relations derived its rules originally from

Roman Law
Canon Law
Customs
Christian Morality

It came into being through the work of great writers, among whom may be specially mentioned

1. Francis Suarez (1548-1617), a Jesuit theologian.
2. Albericus Gentilis (1552-1608), a Protestant civilian.
3. Hugo Grotius (1583-1645), a Dutch Scholar, Jurist, Theologian, Publicist and Poet.

Grotius has been called the Father of International Law. A brief statement of what he accomplished.