

ference should be held every two years, designating 1917 for the next conference, and Washington again as its place of meeting. The Commission also created the Central Executive Council already alluded to, "whose duty it shall be to centralize and coördinate the labors of the Commission, to keep the several Sections in constant touch with one another, to carry out the conclusions of the International High Commission and the Pan American Financial Conferences, and to prepare the program, reports and all other material necessary for the holding of the second meeting of the International High Commission."

History, both recent and remote, should conclusively demonstrate that international harmony cannot depend on good will alone, or on what Lord Haldane characterized as *sittlichkeit*. It rests ultimately on the just regulation of mutual interests. There can be no international peace where these interests are not clearly recognized, duly respected and legally protected. There can be no possibility of international organization until common understandings exist concerning the practical problems arising out of the normal intercourse of nations. There is perhaps a danger in exaggerating the influence of economic factors in history, but there can be no doubt that human affairs cannot be regulated by sentiment alone.

The International High Commission on Uniform Laws is thus a most memorable step towards the elimination of misunderstandings and the establishment of intimate cordial relations between the nations of the Western Hemisphere. The United States Constitution owed its inception to an unofficial conference of delegates at Annapolis to consider the mutual economic interests of the States of the Confederation.

May we not reasonably hope that the Pan American Financial Conferences and the International High Commission may prove the logical first steps towards an effective organization of the American nations which shall be based, not on sentiment alone, but on solid interests clearly defined and protected by uniform legislation?

PHILIP MARSHALL BROWN.

THE SECRETARY OF STATE ON THE VIOLATIONS OF INTERNATIONAL LAW
IN THE EUROPEAN WAR AS THEY AFFECT NEUTRALS

For the first time since his appointment as Secretary of State of the United States, on June 23, 1915, Mr. Lansing delivered an address, on June 3, 1916, before the Jefferson County Bar Association at Watertown, New York. The occasion was remarkable, in that it was a meet-

ing of Mr. Lansing's associates in Watertown and in northern New York and of his friends in his home town, who had gathered to do him honor and to welcome his home-coming as only friends and neighbors can welcome a distinguished and a beloved townsman.

Mr. Lansing seized the occasion, as they say in diplomacy, to explain frankly and in some detail the policy of the United States as a neutral in the great war and the difficulties which beset the government in its endeavor to perform its neutral duties and to cause its neutral rights to be respected by the belligerents which, as always happens in moments of excitement, are more intent upon their rights than upon the performance of their duties.

The first part of Mr. Lansing's address deals with the situation produced by the war, and as this statement of facts and conditions forms the ground work of the address, it is given in Mr. Lansing's own words. Thus, he says:

The Great War has caused so many conditions, which are entirely new, and presented so many questions which were never before raised or even thought of, that it has been no easy task to meet and answer them. The relations between neutrals and belligerents were never more difficult of adjustment. It was never harder to preserve neutral rights from invasion by the desperate opponents in the titanic conflict, in which the power, if not the life, of the great empires of the earth is at stake. The peoples and governments at war are blinded by passion; their opinions are unavoidably biased; their conduct is frequently influenced by hysterical impulses, which approach to madness. Patience and forbearance are essential to a neutral government in dealing with such nations. Acts, which under normal conditions would be most offensive, must be considered calmly and without temper. It is an extraordinary situation and requires extraordinary treatment with a due regard for the mental state of those who are straining every nerve to defeat their enemies and to that end using every possible means to weaken them in their industrial as well as their military power.

In a nutshell the situation of our relations with Great Britain and Germany, the two Powers with which we have had our principal controversies, is this:

Germany, having developed the submarine as an effective engine of destruction, asserts that she cannot, on account of the resulting conditions, conform to the established rules of naval warfare, and we should not, therefore, insist on strict compliance. Great Britain has no sympathy with the German point of view and demands that the submarine observe the rules of visit and search without exception.

On the other hand, Great Britain declares that, on account of the new conditions resulting from submarine activity and the use of mines and from the geographical position of Germany, she cannot conform to the established rules of blockade and contraband, and we should not, therefore, hold her to strict compliance with those rules. Germany insists, nevertheless, that Great Britain be made to follow the existing law.

Both governments have adopted the same arguments, based primarily on military necessity, and offer the same excuses for their illegal acts, but neither will admit that the other is in any way justified for its conduct.

After this statement of the effects and conditions as Mr. Lansing believes them to exist, and after giving the reasons which each belligerent advances or might advance in justification of its conduct, Mr. Lansing puts the very pertinent question, "What is the United States to do in these circumstances?" and, differing from most querists, he suggests the answer. Thus:

If we admit the arguments advanced are sound—and I am sure no one will deny that they are more or less reasonable—and submit to changes in the rules of naval warfare, we will be without any standard of neutral rights. Conceding that the rules can be modified by a belligerent to meet new conditions, how far can a belligerent go in changing the rules? Would not the liberties of neutrals on the high seas be at the mercy of every belligerent? As it is under the old rules, neutrals suffer enough when a state of war exists. They should not be further restricted in the exercise of their rights.

The only alternative, therefore, is for this government to hold firmly to those neutral rights which international law has clearly defined and to insist vigorously on their observance by all belligerents. In not the slightest degree can the settled rules be modified unless all the parties interested consent to the modifications.

If Germany finds it difficult or impossible to conform submarine warfare to the international naval code, that is her misfortune; or, if Great Britain finds it equally difficult to obey the rules of blockade and contraband, that is her misfortune. They certainly cannot expect neutral nations to submit without resistance to further invasions of their rights.

This has been the position of the United States from the beginning of the war. It has twice sought to obtain mutual consent from the belligerents to certain changes in the rules, but in both cases it failed and the suggestions were withdrawn.

Mr. Lansing next notes that the violations of international law result in the loss of life, on the one hand, and in injury to property, on the other. He calls attention to this fact and properly states that, although the loss of life and the injury to property result in each case from violation of the law of nations, nevertheless the seriousness of the violation depends in no uncertain degree upon its consequences; that is to say, whether it cause the loss of life or merely an injury to property. Thus:

It is true that the rights violated by the belligerents may differ in importance and, therefore, require different treatment. Thus the violation of the neutral right of life is a much more serious offense against an individual and against his nation than the violation of the legal right of property. There is no and cannot be adequate recompense for the wrongful destruction of life, but property losses may be satisfied by the payment of indemnities. If one belligerent violates the right of life and an-

other belligerent violates the right of property, can you doubt for a moment which one gives this government the greatest concern, or which one will call forth the more vigorous protest and the more earnest effort to prevent repetitions of the offense?

A government which places life and property on an equality would be generally condemned, and justly condemned.

In concluding his address, Mr. Lansing spoke feelingly to the friends and associates of his boyhood and his maturer years, and in so doing used language which is capable of a wider appeal and which is calculated to awaken a responsive chord in his fellow countrymen.

I know that you [he said], my friends and associates, all patriotic and thoughtful Americans, sympathize with me in the responsibilities which today rest upon me as Secretary of State. Whatever may happen in the uncertainties of the future I know that I can come back here assured of your friendly judgment and of a just estimate of the motives which have inspired my acts. Your friendship and your confidence I prize most highly. I hope that I may always merit them.

It should be and it is a consolation to the American people to know that, in these days of storm and stress, there is a calm and dispassionate, thoughtful and upright man in charge of the Department of State, not carried away by his feelings yet aware of their existence and not deaf to their voice, and desiring the friendship of his associates and the confidence of his fellow countrymen because he strives, earnestly and with singleness of purpose, to merit them.

JAMES BROWN SCOTT.

THE STUDY AND TEACHING OF INTERNATIONAL LAW

A report of the Standing Committee on the Study and Teaching of International Law and Related Subjects was presented to the American Society of International Law at the annual Meeting. The report of the Committee was unanimous and was approved by the Society.

This report was in continuance of the work begun by the Conference of Teachers of International Law and Related Subjects in 1914, which adopted sixteen resolutions for carrying out its wishes. So far as these were largely administrative, the resolutions were immediately carried out. Certain resolutions involving investigation and further consideration were referred to the Standing Committee. These resolutions in general referred to the plans for developing the study of international law and related subjects. The Committee was unfavorable to any attempt to standardize such study, but was favorable to the adoption of means for improving, extending and strengthening such study in a thorough manner. The course of events in the world since the Con-