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A STUDY of the development of civilized society from primeval barbarism is interesting if for no other reason than as emphasizing the power of economic forces. The first law to be recognized by law interpreters and to be declared by law makers was that of self preservation or the law of self-defense. The first idea of this law seems to have been that men were natural enemies, and had no interests in common. This crude conception, however, gave way to the more rational recognition of the mutual benefits arising out of the peaceful intercourse of men. The realization of the dependence and interdependence of individuals was the touchstone which caused the formation of the family, the tribe and the state, and as these organizations assumed various but definite shapes, as their interests grew and the necessity for peace within the organization increased, the rights of man became identified with and subject to the rights of men. Individual reparation, might be obtained but only in a manner and by means which would not be detrimental to the rights of others. Tribunals were established where all might set forth their grievances, and obtain redress; interest multiplied and litigation increased but the omnipresent power that enforced the law's decree was the public interest which, as was realized, could be best subserved by orderly submission to superior authority. The unsuccessful litigant, desirous of an appeal to violent measures, was opposed by the rest of the community whose interests lay in peace. So long as men were merely independent individuals and under no social restraint their interests were their own and unshared by others, but as members of a society with their welfare indivisibly connected with the welfare of their neighbors, their interests were mutual, and violence was forced to submit to a curb. That the cause of

this result lay in no moral sanction, although morality may have aided in its development, that it was not dependent upon religious influence, although religion may have given its endorsement, is made clear by the fact that those who were forced to submit to peaceable measures were just those who were least susceptible to moral and religious influences. It was not sentiment that controlled society but the power of public interests which demanded and obtained recognition. The development was purely the result of economic conditions sanctioned by economic forces.

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In discussing international development an application of the principles which underlie the development of man as an individual to man as a member of society seems to be pertinent and inevitable. The position of man as a citizen of a nation may be regarded as similar to the position of a nation as one of the recognized sovereignties of the world. The sovereignty of man was supreme until restricted by an acknowledgment of a superior authority; the sovereignty of nations will be supreme until they in turn are restricted by their acknowledgment of some higher power. The forces which caused the individual to be merged in the nation have been claimed to have been economic; the forces which should cause the nation to become merged in a higher organization would seem to be economic also. The essential characteristics which appear in the development of man as an individual into man as a member of a family were repeated in the development of the family as a separate organization into the family as a member of a tribe, while the same characteristics appeared again in the development of the tribe into a state and of the state into a nation. It was the evolution of a less into a greater; the fusion of many of a lower order into one of a higher order, and there seems to be no reason why this evolution should cease. The forces which were at work then are at work now and the reasons which explained them seem still to be applicable. As individuals recognized that a separate existence was undesirable and as the generation of their relationship towards one another made such separate existence impossible, is it not natural to presume that nations, as they become better acquainted and more nearly identified with their neighbors, will recognize that separate existence in their case also is undesirable, and is it not possible that this development should cause such national individualism to cease? War means destruction of property and interruption of commerce and is opposed therefore to the welfare of nations and of the world. As international interests

increase and international commerce grows the dangers resulting from war will become magnified, and since what is best for the majority must eventually triumph it seems as if the forces which caused the individual litigant to submit to a peaceable and impartial hearing might operate upon the individual states also. The peace and welfare of the world might then be emancipated from the willful actions of one nation.

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What then may be said of the application of these principles to the proposed establishment of a permanent international court. Granting that an international organization and a permanent international court under certain circumstances are possible, are we justified in assuming that those circumstances now exist? Has international intercourse so far developed as to warrant the establishment of such a court; have international relations become so intimate and interdependent as to make possible the immediate realization of the poet's dream? The facts do not appear so. Instead of friendly competition we see hostile rivalry; instead of mutual concessions we see mutual selfishness. The position of the nations of the world towards each other to-day is one of watchfulness and suspicion, and there is still an individuality among them which would scarcely admit of the establishment of even a family of nations, still less of a more extended form of organization. The principle of the interdependence of nations is not yet developed and the general understanding seems still to be that each nation is for itself and each nation is against the other. The need or the desirability of amalgamation is not yet recognized.

While believing that international development has not yet so far progressed as to make probable prolonged peace or stability of international unions, the practical adjustment of the Venezuelan difficulty seems to point to the efficiency of the present system of special arbitration and to advocate its continuance, at least until international affairs may warrant, more than they do at present, a change to a more ambitious system. The circumstances indeed surrounding the controversy prove almost conclusively the impracticability of a successful operation of a permanent international court such as is proposed. It was a question of policy whether or not Great Britain should allow the United States to interfere in a dispute which only indirectly concerned her, and this was not a question which could be decided by a third party however justly. It was a question which either party might well have claimed to touch their sovereignty and so to be beyond the jurisdiction of any arbitral tribunal. The

sanction which is continually attributed to the proposed court, if established, seems to be based upon the sentiment of public opinion or an indefinite fear of it, a "pious hope" that international comity is sufficiently strong and international honor sufficiently developed to ensure a recognition of the court's jurisdiction and a submission to its decrees. The actual condition, however, of international relations and the spirit which controls them seem hardly to justify such a hope. As recent illustrations of the tendency towards the peaceful settlement of international difficulties we have indeed the Venezuelan dispute, mentioned above, and the submission to arbitration of a dispute between two southern republics which was brought about by the friendly intercession of the United States. But as opposed to this evidence of the increasing fellowship of nations we have a rescission of the provision in the Shimonoseki treaty between Japan and China, which allowed foreigners to engage in manufacturing in China and by this rescission we have a restoration of Chinese exclusion. The recent proclamation of the President of the United States revoking his proclamation of January 26, 1888, by which German vessels were relieved from tonnage dues and other charges in American ports, is surely not to be taken as a sign of international friendship, especially as it is intended to be a retaliation for the alleged unfair treatment of American vessels by Germany. The position of each nation may be individually correct and justifiable, but in weighing it as evidence with other of a similar nature it would surely seem as if the petty and gross jealousies, the suspicions and ambitions which absorb European and perhaps even American politics, gave no great promise of an immediate millennium of peace on earth and the good will of men. A sentimental sanction of such a character seems ephemeral indeed when it is realized that the opposition at the present day of one great power to the decision of a permanent international court might well so further entangle the already snarled strings of international relationships as to render the enforcement of such decision hopeless and not to be expected. The court would then be merely a figure-head, a false idol, a mock symbol of a peace that in reality almost passeth our understanding and a benefit to no one but those whose tender sensibilities can find consolation in the shadow of their desires. The perhaps pardonable enthusiasm which prompts the advocates of the present movement towards a more extended system of international arbitration may be recognized in former treaties and confederations between kindred states and yet these attempts to establish a more perfect union without a corresponding centralization of an ade-

quate superior power have failed whenever put to the test. In the present instance the circumstances seem even less propitious than before, inasmuch as the ties of blood and community of territorial interests would be lacking in any such agreement between nations divided by the sea, by differences of race and of climatic conditions. There is also no immediate and present common danger which would force the half-hearted together, giving them common interests, and there is little or no recognition of that which would be best for the world in general as opposed to the interests of nations individually. Indeed, in this country, which is supposed to be the chief and most powerful advocate of international peace and justice, the victorious party in the last election seems to base its success to no inconsiderable extent upon its advocacy of the principle of Protection, which means a denunciation of the principles of Free Trade, an interruption of a freer action of commerce and consequently a repudiation of what might become a greater bond of union between the nations of the world, a bond far stronger and more real than any artificial symbol of peace which might be invented. Whatever our political beliefs may be it should be clear that the truth or falsity of the theory of Protection does not comprehend the point in issue; it is the existence of these theories and principles, of these conditions and circumstances, that causes hesitation and the belief that the time for the establishment of a permanent international court and for the federation of the world has not yet come. And indeed, it must be a federation which is established before such a court can be of much practical benefit. No mere precatory clause in a treaty, no mere treaty itself or even confederation can be productive of real permanent good except so far as it is evidence of a peaceful disposition. In order to stand the test of the disloyalty and discontent, which is sure sooner or later to arise among the members of an international organization, there must be established an international sovereignty with a positive sanction to sustain it, and to make this possible there must be a greater community of national interests, a higher sense of national duty, and a higher degree of international sympathy.

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THE recent election is an encouragement to advocates of democratic government and yet it furnishes much that merits most serious consideration. The experiment, for it must still be considered as such, of uniting so vast a territory as that of the United States under one general government, received indeed a decided endorsement through the result of the popular vote cast

in favor of conservatism, but perhaps the greatest encouragement is to be taken from the absolute submission of the defeated party. The conflict of principles even among those who live under the same climatic conditions and with virtually common interests is often sufficiently intense to justify uneasiness, but when to this natural difference of individual opinion is added a difference of latitude and longitude the Civil War is an example of what may under certain circumstances occur in consequence. It seems indeed most doubtful whether the United States, if they were now separate nations, could be united into one great power. It was chiefly due to their gradual growth that their organization was kept intact, and it is to their further development that we must look for a stronger and more perfect union. With a general government sufficiently strong to enforce obedience to its laws, each addition to the number of individual States was a corresponding addition to the strength of the federal sovereignty, and the fact that such an issue as was presented to American citizens in the last election could be decided in accordance with the principles of conservative government and that the result, unfavorable territorially at least to far more than half of the United States, was so peaceably received is proof of the present strength of our nationality. But when we consider the number of States whose interests are thought by the majority of their inhabitants to be antagonistic to the interests of their older and more developed sisters we must realize the difficulties which remain to be overcome before the emblem of our nation can be represented with the feathered wings of rest and security. It is interesting to notice the constitutional provisions which protect sectional interests and yet to perceive the bitterness with which this subject is even now discussed. "The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof; * * * no Tax or Duty shall be laid on articles exported from any State; * * * the citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States." Such are some of the constitutional safeguards against sectional favoritism and yet sectionalism is probably the gravest question in American politics to-day. The fact then that, in the case of such a vexed issue as was submitted to the popular vote in the last election, the result was so satisfactory should be a cause for some congratulation. The United States with its various and diverse interests may become an example to the nations of the world of the possibilities for international organization which may be theirs by right of economic development and evolution.