

justice of its cause ; yet history is full of the defeats of justice on the battle-field.

In the theory of international law, all nations are equal. How inconsistent it is then that war, which can only decide which is stronger, should be expected to decide what is the law ! But an award is not as often as it seems to be a compromise. Prejudice, selfishness, and national pride are but glasses which colour or distort the object. An award of an impartial person, which to the parties seems a compromise, is often strict justice, and shows that each was right and each was wrong.

Nations sometimes refuse to negotiate, but are willing to abide by the decision of a third party. Before the third party has been able to give his opinion, they choose to agree in a settlement. Now, if we credit war with all the advantages which come from the treaty negotiated after the war, we ought certainly to give credit to peaceful arbitration for the settlement of all the differences which, after submission to an arbiter, are composed between nations for themselves. If this credit is given, we shall then find that arbitration has rarely failed to accomplish the desired object.

NEED FOR PRECISION.

The treaty of submission should express exactly what the parties intend to submit, how far the award may go and to what extent it will be binding. A commission with an equal number of members selected by each party, and an umpire appointed by some friendly sovereign, is perhaps the best court to which nations can submit all questions as to the amount of compensation, and many minor questions of international law.

It has been the custom to refer to some friendly sovereign all matters of boundary, all interpretations of treaties, and all important questions in the law of nations. But though this has been the practice, experience has shown that a commission composed of private individuals, adapted by education and life to the settlement of such questions, would be more likely to give a just and satisfactory award. This is the case, not because kings and emperors are unjust or ignorant, but because it is very difficult, among the comparatively small number of independent sovereigns, to find one who is not in a position to feel