

law properly so called is a command and its sanction is the power to enforce obedience to it. Applying this test he concludes that international law is not positive law. Sir Henry Maine says: "Some of Austin's disciples infer from his language that men always obey rules from fear of punishment. As a matter of fact this is quite untrue, for the largest number of rules which men obey are obeyed unconsciously from a mere habit of mind. Men do sometimes obey rules from fear of the punishment which will be inflicted if they are violated, but compared with the mass of men in each community, this class is but small. Probably it is substantially confined to what are called the criminal classes, and for one man who refrains from stealing or murdering because he fears the penalty, there must be hundreds of thousands who refrain without a thought on the subject." Because of their habit of mind, of the justness of their principles and the sincerity of their heart all nations save the Central Powers have respected international law. The Hun and Bulgar, Austrian and Turk have not refrained from stealing or murdering because they feared the penalty, for, blinded by their conceit, they challenged the power of the nations to enforce it. They might have learned this of retribution long ago from Von Logau, one of their poets—

"Though the mills of God grind slowly,

Yet they grind exceeding small;

Though with patience He stands waiting,

With exactness grinds He all."

The English and French speaking peoples are an agency to grind and to teach Germany that if it does not leave its neighbours, such as Belgium and Serbia and Russia, and respect their rights there are others who do and will defend them against brutal outrage, and mightily correct the offender, teach it that international law is positive law "based on the fundamental unity of human nature" and that the nations which bring forth the fruit of righteousness and respect international law are a rock of defence and refuge and whosoever shall fall on that stone shall be broken and on whomsoever it shall fall it will grind him to powder. To-day the stone is falling on those Central nations which loved themselves excessively and their neighbours not at all.