

THE LAW OF NATIONS AND THE WAR¹

THE German Chancellor, in his speech in the Reichstag on August 4, said : ' Gentlemen, we are now in a state of necessity, and necessity knows no law. Our troops have occupied Luxemburg, and perhaps are already on Belgian soil. Gentlemen, this is contrary to the dictates of International Law.' We start, then, with a clear admission that Germany commenced the present war with a violation of the Law of Nations by entering the territory of two States the permanent neutrality of which had been guaranteed by all the Great Powers of Europe, including Germany herself. The entry of German troops into Luxemburg and Belgium was not only a violation of the treaties guaranteeing their neutrality, but was contrary to Article 2 of the Fifth Hague Convention of 1907, which forbids belligerents to move across the territory of a neutral Power troops or convoys either of munitions of war or of supplies. We might, I think, add to the violation of treaties and of the common law of nations the further acts of entering French territory with armed forces, and so commencing hostilities, without any previous ultimatum to France or without any previous declaration of war, in accordance with the Third Convention signed at the Hague in 1907 by Germany and France, and subsequently ratified by both Powers. We might, I think, also add that, before war was declared by either Germany or

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