

minant factor in human affairs! When nations seethe in the melting-pot of war the futility of paper contracts has received ghastly demonstration. But codes of law have their value for neutral nations in that they supply some standard whereby rights of trade and transit may be in a measure estimated, and the danger that threatens themselves, their goods, or their vessels—and it has proved such danger is increasing, not diminishing—may be adjudged, and a portion of the losses inevitable in a state of war may be avoided. One of the many suggestions that have been advanced is that an International Law Court might be established at the Hague as a central administrative Prize Court. In such a war as the one we are now engaged upon this would be of no greater use than individual Courts set up by the combatants. Belligerents as the parties interested, by juridical principle, could not sit on it. Neutrals would practically, if not theoretically, be in like case where decisions as to neutral rights were concerned. What remains? The Court might lay down a thousand laws as to contraband and neutral trading, but how would it enforce them? All the weightiest tomes and wordiest diatribes are of no avail when one is up against elemental passion and raw fact. War sweeps away the trappings of peace-made law, and only the shell and the bayonet can gainsay its verdicts. "The litigant," said Professor Cramb, "appeals to something higher than himself, while no free State sees anything higher than itself." It needs no lawyers' arguments to prove that "the entire world has, properly, a right to consider whether an alleged grievance is a justifiable and sufficient cause for making war. It has, further, a right to intervene when the alleged cause is unfounded." Legal splitting of hairs is a weird folly to the plain soldier. Who denies the right? And of what matter if they do? What value lies in moral sanction without the will for forceful suasion to compel the acceptance of a judgment? Once the will to intervene exists the act swiftly follows—but it usually takes more than an abstract theory of right or wrong to rush a nation into the adventure of war.