

No one who has watched with care the most recent development of the arbitration movement can doubt that the trend of opinion, and especially on this continent, is now in favor of tribunals which have the character and authority of courts of law. It may be objected that strictly judicial decisions imply the sanction of force behind them, which may compel obedience. That may come, and some of us may yet live to see an international police force. But it is relevant here to point out that so far no case for the necessity of such a force has yet been made out. History is full of the stories of broken and violated treaties, but there is happily no record of the repudiation of an arbitral award. The pressure of the public opinion of the world is strong and growing stronger every day, and the risk of its displeasure will not be lightly encountered.

Meanwhile, I would draw attention in illustration of what I have called the new trend of the arbitration movement to the treaty inaugurated in May, 1908, between the five States of Central America, Guatemala, Honduras, Nicaragua, Costa Rica, and San Salvador. These five republics have combined to call into being a court of justice to

act as an arbitrator and last tribunal of appeal in all questions and controversies that may arise among the Republics of Central America, no matter what these questions and controversies may be, or what may have given rise to them, in case the respective departments for foreign affairs should not have found a common ground for an understanding.

The principal feature in the conception and plan of the Central American Court of Justice is stated to be

that it shall not at all be a mere Commission of Arbitration, but a genuine judicial tribunal, whose work shall be to sift evidence, consider arguments and pronounce judgment in all questions that may arise before it, acting, of course, in accordance with rigid justice and equity and with the principles of international law.

The new tribunal was not long in proving its usefulness. In July, 1908, it had before it a case in which Honduras made complaint that Guatemala and San Salvador were guilty of unneutral conduct in supporting revolution within her borders. Within six months of the first citation, judgment was given and war averted.

The creators of the Central American Court quote with approval the following statement made by Mr. Elihu Root:

What we need for the further development of arbitration is the substitution of judicial action for diplomatic action, the substitution of juridical