

## CHAPTER III

1870

“HEAVY banks of cloud with occasional breaks of brighter sky over Europe; and all the plot, intrigue, conspiracy, and subterranean scheming, that had been incessant ever since the Crimean War disturbed the old European system, and Cavour first began the recasting of the map, was but the repulsive and dangerous symptom of a dire conflict in the depths of international politics. The Mexican adventure, and the tragedy of Maximilian's death at Queretaro, had thrown a black shadow over the iridescent and rotten fabric of Napoleon's power. Prussian victory over Austria at Sadowa had startled Europe like a thunderclap. The reactionary movement within the Catholic fold, as disclosed in the Vatican council, kindled many hopes among the French clericals, and these hopes inspired a lively antagonism to protestant Prussia in the breast of the Spanish-born Empress of the French. Prussia in 1866 had humiliated one great Catholic power when she defeated the Austrian monarchy on the battlefields of Bohemia. Was she to overthrow also the power that kept the Pope upon his temporal throne in Rome? All this, however, was no more than the fringe, though one of the hardest things in history is to be sure where substance begins and fringe ends. The cardinal fact for France and for Europe was German unity. Ever since the Danish conflict, as Bismarck afterwards told the British Government, the French Emperor strove to bring Prussia to join him in plans for their common aggrandizement. The unity of Germany meant, besides all else, a vast extension of the area from which the material of military strength was to be drawn; and this meant the relative depression of

the power of French arms. Here was the substantial fact, feeding the flame of national pride with solid fuel. The German confederation of the Congress of Vienna was a skilful invention of Metternich's, so devised as to be inert for offence, but extremely efficient against French aggression. A German confederation under the powerful and energetic leadership of Prussia gave France a very different neighbour."

— Morley, *Life of Gladstone*.

When the Duc de Gramont, the French Minister for Foreign Affairs, said in 1870 that France would not tolerate a Hohenzollern prince on the Spanish throne, the balance of power theory was suddenly revived and diplomatists saw the prospect of a boom in their business. There had been a lull at the Foreign Office, and armaments were somewhat depressed. Save for the murder of some British subjects by brigands in Greece the horizon was fairly clear of war-clouds. But there was nothing quite like the succession to the Spanish throne for raising animosities in the best regulated royal families. Actual military proceedings seemed to hang fire for some time, and Bismarck and Moltke became depressed. The latter saw no advantage to the Germans in deferring the outbreak of hostilities. A telegram from the King of Prussia, recording a conversation he had had with Benedetti, the French ambassador, at Ems, reached Berlin in time to enliven an otherwise dull dinner for the Fafner and Fasolt of the modern Valhalla. The story is an old one. Bismarck set to work to make the telegram read as it suited his aim. It was altered and published so that the new version should stir the laggard factions into strife. After Bismarck's editing, Moltke cried,

“Now it has a different ring; it sounded before like a parley; now it is like the flourish in answer to a challenge.” Soon after the garbled telegram was known to the world, the German artisan was packing up for Paris, and his outraged brother in France was labelling his luggage for Berlin. Royal brawls touch the shrine on the hearth of every labourer’s cottage in Christendom, and it must not be expected that any loyal labourer will sit down under the insult of any nation, not his own, attempting to interfere with the succession of any prince to a throne. The people of Britain, too, were deeply agitated. Soon the question of our neutrality disturbed the minds of statesmen and men in the street. Bismarck said:

“Great Britain should have forbidden France to enter on war. She was in a position to do so, and her interests and those of Europe demand it of her. He observed that if Germany should be victorious, of which he had every confidence, the balance of power in Europe would be preserved; but if France should unfortunately obtain the upper hand, she would be mistress of Europe and impose her law on other states. England could prevent this by her action now. . . .”

The French had hoped Britain would support their claim to interfere with the Hohenzollern intentions. Germany criticised our lapse from strict neutrality, because arms, and coals, and horses had been exported to France. Each belligerent looked for benevolent neutrality from Great Britain, but political opinion on the question was divided. The Queen, however, entered the lists and showed a better understanding of what strict neutrality meant than many statesmen did. She wrote to Lord Granville:

“The Queen would much regret that any misunderstanding should embitter the feelings between us and Germany, and would be glad to know if you think it would be possible to make any public declaration that would convince the German people that our object is to preserve a strict neutrality, and not in any way to favour France, but to treat both nations equally.”

It is pretty reading at this time, how Belgium stood as a neutral zone in 1870. To one whose heart is filled with loathing of the hellish business that has laid that busy country waste and crippled its brave population, nothing but bitter regret for the misdeeds of diplomatists is left, and a profound horror of the popular ignorance of the history of treaties.

The Treaty of 1839 was in existence in 1870; how then did Britain act in relation to it? What influence did she exert to keep Belgium free of bloodshed and all the woe she suffers to-day? What great mind was then at work? Is it too much to say that all the difference lies in the fact that Britain had a Granville then, and now she has a Grey? Our hands were free in 1870! and in face of the danger that either Germany or France might be tempted to gain military or territorial advantage in Belgium or Luxembourg, we were able to avoid dragging Britain into a European war.

When the *Times* published the text of the draft treaty which Benedetti submitted to Bismarck in 1866, the country was roused to a high pitch of Jingo fever. According to that document, in case the Emperor of the French should be led by circumstances to send his troops to enter Belgium or to conquer it, it was laid down that the King of Prussia

should “grant armed aid to France,” and support her “with all his forces, military and naval, in the face of and against every other power which should in this eventuality declare war.” And that was the conspiracy of the agents of two of the Powers which signed the Treaty of 1839! France evidently in 1866 did not place as much reliance on its sacred provisions as her Ministers do to-day. Some treaties are like great lies, in this respect: the older they grow the more revered they become. When that notorious political adventurer, Napoleon III, wrote to the Duc de Gramont explaining what to his recollection occurred when the conspirators met in 1866, he said:

“Bismarck said to Prince Napoleon in Berlin, ‘You seek an impossible thing. You would take the provinces of the Rhine which are German, and wish to remain as they are. Why do you not annex Belgium, where a people exists of the same origin and the same language? I have already said this to the Emperor; if he agrees with these views we will help him to take Belgium. As for me, if I were master, and if I were not troubled with the King’s obstinacy, this would be soon done.’”

Now Britain is fighting shoulder to shoulder with France because Germany has violated the Treaty of 1839! Morley in his *Life of Gladstone* describes the situation as it affected Britain:

“There were members of the Cabinet who doubted the expediency of England taking any action. The real position of affairs, they argued, was not altered: the draft treaty only disclosed what everybody believed before, namely, that France sought compensation for Prussian aggrandizement, as she had secured it for Italian aggrandizement by taking

Savoy and Nice. That Prussia would not object, provided the compensation were not at the expense of people who spoke German, had all come out at the time of the Luxembourg affair. If France and Prussia agreed, how could we help Belgium, unless indeed Europe joined? But then what chance was there of Russia and Austria joining against France and Prussia for the sake of Belgium, in which neither of them had any direct interest? At the same time ministers knew that the public in England expected them to do something, though a vote for men and money would probably suffice. The Cabinet, however, advanced a step beyond a parliamentary vote. On July 30th they met and took a decision to which Mr. Gladstone then and always after attached high importance. England proposed a treaty with Prussia and France, providing that if the armies of either violated the neutrality of Belgium, Great Britain would co-operate with the other for its defence, but without engaging to take part in the general operations of the war. The treaty was to hold good for twelve months after the conclusion of the war. Bismarck at once came into the engagement. France loitered a little, but after the battle of Worth made no more difficulty, and the instrument was signed on August 9th."

It is a nice point in international law how far Austria and Russia lent their sanction to the making of the Treaties of 1870. Anyway, the treaties signed by Britain, France and Germany were to continue for the period of the war and for a year after the termination of hostilities. It was the publication of the draft treaty of 1866 that threw upon the Government the necessity of "either doing something fresh to secure Belgium, or else of saying that under no circumstances would we take any step to secure her from absorption," so Mr. Gladstone said in laying the case before John Bright. In a later letter to Bright he said:

“You will, I am sure, give me credit for good faith when I say, especially on Lord Granville’s part as on my own, who are most of all responsible, that we take this step in the interest of peace. . . . The recommendation set up in opposition to it generally is, that we should simply declare that we will defend the neutrality of Belgium by arms in case it should be attacked. Now the sole or single-handed defence of Belgium would be an enterprise which we incline to think Quixotic. . . . If the Belgian people desire, on their own account, to join France or any other country, I for one will be no party to taking up arms to prevent it.”

He added that it would be a crime to stand aloof and see Belgium taken by another country to satisfy dynastic greed. Then Britain’s position would have been intolerable had she not been perfectly free from European entanglements.

However, a new danger arose after the signing of the treaties. Austria was looking for an opportunity of getting even with Bismarck for the troubles of 1866. The Austrian Minister for Foreign Affairs hoped to drag Italy into the row. Russia was likely to side with Germany. Napoleon thought Denmark might be persuaded to join the fray and get Schleswig back from Germany. The squabble which began with the Hohenzollern claim to the Spanish succession seemed likely to involve the whole of Europe. Then as now, the initial trouble was lost sight of in the myriad complications set up by former affrays. Of course, in all these intrigues diplomatists were looking after “the interests of the people.” National “prestige” and “honour” were acclaimed by the proletariats in every capital of Europe. The imperial aspirations of France, so dear to the hearts of her revolutionists, ranked in ardour with the im-

perial desires of the small kingdoms and duchies of the German states, which were to lose their identity in the maw of Bismarck's scheme of confederation. The mixed populations of a "united" Austria spent sleepless nights thinking of their national "heritage," and Italy, with her people all of one mind, yearned for an opportunity of showing how highly she valued her "honour" by siding with Austria in the struggle. The success of Germany at the beginning of the war enabled Lord Granville to form a neutral league which kept the ring for the French and Germans. There is a fine passage in Fitzmaurice's *Life of Granville*, which bears directly on the wisdom of his action in forming the league of neutrals. It is strikingly appropriate here; besides, it bears repetition because it so graphically describes the position of Russia in European affairs forty years ago:

"It was argued in France that had Lord Granville pursued an opposite policy to that adopted, and had the Queen at his advice placed herself at the head of a militant league — so easy are such combinations on paper — Denmark, Italy, Austria, and Turkey would, with Great Britain, have forced conditions upon Count Bismarck, and been ready to bring Russia to a standstill in the event of the Czar coming to the rescue of the King of Prussia. According to these calculations not only would France then have been saved, but Great Britain herself would have escaped the humiliation of having subsequently to consent to the abrogation of the clauses of the Treaty of Paris relating to the neutralization of the Black Sea. If Lord Granville, such was the contention, had imposed an armed mediation on the combatants, and had practically dictated terms of peace to Germany, Great Britain and France could afterwards have joined hands against Russia, and the clauses of the Treaty of 1856 regarding the Black Sea would have been main-



tained in their integrity. In refusing so to act, Lord Granville, according to these critics, showed an absolute lack of foresight, and missed an obvious opportunity in the month of September, 1870. The argument, however, overlooks the main factor of the situation, the determination of Germany to refuse mediation, a determination plainly and openly declared. It also overlooks the fact, frequently forgotten by foreign writers when engaged in making a policy for Great Britain, that, in the famous words of Lord John Russell used in the debate on the case of Don Pacifico, the Foreign Secretary of this country is the Minister not of France, nor of Russia, nor of any other foreign country, but of Great Britain alone, and has to think first and foremost of her interests. The decision which Lord Granville had to take depended on the relative importance which as Foreign Minister he attached to the preservation of peace and to the maintenance of the Black Sea clauses. The former and not the latter was in Lord Granville's opinion the main object. It is certain that no intervention except an armed mediation could have produced any marked result, and an armed mediation would only have extended the area of disturbance. Nor can it even be assumed as a matter beyond doubt that a mediation in favour of France, even if successful, would necessarily have ended in the preservation of the Black Sea clauses, for an armed mediation would inevitably have thrown Germany into the arms of Russia even more completely than before the commencement of the war. It is idle now to speculate whether, under any circumstances, the clauses of the Black Sea Treaty could long have remained part of the public law of Europe; but what degree of sacrifice it would be wise for Great Britain to make in order to maintain them, if the other Powers would make no effort to do so, was a question which the British Government alone was competent to decide. On the assumption that the clauses were worth an effort to save, it is hardly possible to imagine any method more certain to have immediately led not only to their final loss, but to that

also of other and far more valuable provisions of the Treaties of 1856, than to have initiated at this date a gigantic struggle in which Germany, backed by Russia alone, would have been engaged in a hand-to-hand contest with the rest of Europe."

How national dispositions change under the guidance of diplomatists is one of the strangest things, outside the ultramontane forest where the lion will lie down with the lamb, that can be imagined. The fear then was the union of the arms of Germany and Russia. Then our Foreign Secretary was not the Minister of any country but our own. And a precept of the Foreign Office was that phrase which in our school-days we had to write in our copy-books one hundred times by way of penalty for some prank, "Mind your own affairs." Forty years back, our policy was a selfish one: our interests first. And it was good for Europe as a whole. Then, diplomatic humiliation was preferred to war; now we prefer a European cataclysm rather than diplomatic humiliation. In those days treaties were "scraps of paper," even when their dates were of that generation; now "scraps of paper" are holy writ, though their dates carry us back more than three score years and ten. Holy writ! Not all the religious bodies in this Christian land ever paid to holy writ half the attention we have lately paid to the Treaty of 1839.

In the negotiations which followed, Thiers gave utterance to a prophetic statement when he spoke to Lord Granville of the apathy shown by Great Britain. He referred to Britain's loss of dignity and "the danger to her and all Europe of the immense preponderance of Germany: more immediately to Austria, which must lose her German provinces; for

there was nothing that North Germany, with a population of 60,000,000, could not do, acting as a machine, and led by such a man as Bismarck." Europe had a foretaste of Prussian militarism; of its arrogance, its vindictiveness, its cruelty. And now it would be well for Britain to learn that the same sharp line which divided the political party from the military party in those days, still marks the line of cleavage between the parties to-day. While journalists and statesmen are lumping together indiscriminately everything which is of German origin, and blasting the whole life and thought of that people with one charge, it should be remembered that, after the war, we shall have a German Minister at the Court of St. James, and at Berlin there will be a British ambassador. Diplomatic relations are not broken off forever, no, no matter what the newspapers say.

Even Thiers, after a visit in 1870 to the Prussian headquarters, found, so Lord Lyons wrote, "that there was a political party and a military party, each clearly defined. The political party, with which Count Bismarck himself in a great measure agreed was desirous of bringing the war to an end by concluding peace on comparatively moderate terms. The military party held that the glory of the Prussian arms and the future security of Germany demanded that the rights of war should be pushed to the uttermost, and that France should be laid waste, ruined, and humiliated to such a degree, as to render it impossible for her to wage war again with Germany for very many years." Instead of doing everything now to embitter the best minds in Germany, how much better it would be to seek out the remnant of

the political party, and sow the seeds of the peace that some day must be consummated, and spread the spirit of amity that must rise again in the two peoples! It is difficult to do this so long as the god of battles is presiding over British interests, but the day may come when the people will forsake that brass deity and turn to the All-Father. France was sore in 1870, but France traded with Germany after the fighting was done.

Peace negotiations in 1870 had a tortuous and rather degraded road to travel. Bismarck said that Thiers, through a third party, proposed to make peace and cede Alsace and Lorraine in exchange for Belgium, by giving France to King Leopold, and that the Belgian King was most favourably disposed to the scheme. What schemes are now being hatched for grabbing territory, only diplomatists can say; but it is to be hoped that the Allies will not depart from the conditions laid down in the British House of Commons by the Prime Minister at the beginning of the war. We might look back to 1870 with some profit and remember what Gladstone had to say about the settlement:

“If the contingency happen, not very probable, of a sudden accommodation which shall include the throttling of Alsace and part of Lorraine, without any voice previously raised against it, it will in my opinion be a standing reproach to England. There is indeed the Russian plan of not recognizing that in which we have no part; but it is difficult to say what this comes to.”

Then later he prophesied a bad time for Europe as a result of the settlement:

“I have an apprehension that this violent laceration and

transfer is to lead us from bad to worse, and to be the beginning of a new series of complications."

Our freedom from Continental engagements saved us from innumerable troubles in those days. The position Lord Granville took up with regard to strict neutrality could only have been maintained so long as Britain kept her hands quite free of entanglements and secret engagements. Neutrality is a word that has been bandied about since the beginning of this war, but it had another quite different meaning when Lord Granville was at the Foreign Office. The policy of to-day has been one of benevolent neutrality, and it has perhaps been one of the chief reasons why we were drawn into the tragedy. Lord Granville defined the difference between strict neutrality and benevolent neutrality most clearly:

"It seems hardly to admit of doubt that neutrality, when it once departs from strict neutrality, runs the risk of altering its essence, and that the moment a neutral allows his proceedings to be biassed by predilection for one of the two belligerents he ceases to be neutral. The idea, therefore, of a benevolent neutrality can mean little less than the extinction of neutrality."

According to this definition the policy of the Foreign Office of to-day is preposterous, and the despatches of the Foreign Secretary to our ambassadors at Paris and Berlin, asking the French and German Governments to declare their intentions towards Belgium, were mere diplomatic subterfuge and pretext, done to hoodwink the people and Parliament. Our position was vitiated by the entente and the secret agreement entered into in 1906, when conversations between French and British military and naval ex-

perts were permitted by the very Foreign Secretary that put on the mantle of strict neutrality at the end of July. Can any one now doubt that our proceedings were "biassed by predilection" when our Foreign Minister exchanged letters with M. Cambon in November, 1912, which committed Britain to the obligations of war? Were we or were we not biassed when our ambassador at Petersburg was informed about the orders given to the fleet on July 27th?

A neutral's hands must be free! — at no time since January, 1906, have our hands been free. Only a position of "splendid isolation" can leave a nation free to act in a strictly honourable way in affairs of this kind. There can be no impartiality where the policy of a country is fettered by secret understandings. The phrase "foreign friendships," used so often of late, is in itself an indictment; and, in connection with France, proves how absurd our position as a so-called neutral power was all through the negotiations since the murder of the Austrian archduke. What would Lord Granville have thought of our position as a "neutral" had he known of armament rings and touting diplomats? What would he have said of London newspapers encouraging their correspondents in foreign capitals to inflame Jingoism abroad, while the journals benefited from Russian money paid for supplements? No one can look through the report of Parliamentary Proceedings since 1906, and read the questions and replies regarding the Expeditionary Force without being impressed with the notion that we were committed up to the hilt to support France if she were attacked by a third Power. Neutrality! Neutrality was a term

to conjure with in Lord Granville's day; but since the policy of "foreign friendships" was inaugurated at the Foreign Office the term might just as well have been obliterated from the vocabulary of diplomatists.

As for the Treaty of 1839 which guaranteed the independence and neutrality of Belgium, its existence was never thought of by any one outside the Foreign Office since the close of the Franco-German War, until an excuse had to be found for our implication in this imbroglio. Anyway, no attempt was made to revive the treaties of August 9th, 1870. And for a very good reason; our understanding with France precluded the possibility of such a thing. The farce of asking France if she would observe the independence and neutrality of Belgium could only have been appreciated by Germany. On July 31st our fleet had nearly bottled up the German navy, and an invasion of the northern and western coasts of France was not probable. There was only one way the Germans could invade France, with whom she had no particular quarrel, and that was by violating the Treaty of 1839, and advancing her troops through Luxembourg and Belgium. No one knew that better than our Foreign Secretary when he sent his despatches to Paris and Berlin on July 31st. What is to be said of a foreign policy which aggravates a nation by hemming it in with secret understandings and plans of General Staffs, so that when it is attacked on its eastern frontier by a formidable foe (with whom we act in benevolent ways, and who with the other Powers is privy to the Belgian Treaty of 1839), and says to the aggravated country, "You must not use the only road left open for rapid movements against the ally of the nation on your eastern

frontier ”; while all the time in secret agreement with the Power on the western frontier to lend armed support in the event of an attack? A foreign policy that binds together for obligations of war three Powers signatory of a treaty of neutrality against two Powers also signatory of the same treaty, and which places one of these latter in an invidious position as a belligerent, is not based upon the policy of neutrality laid down by Lord Granville.

But in the event of one of the Powers signatory of the Treaty of 1839 violating the neutrality and independence of Belgium, were we bound to help lay waste its territory in process of chastising the initial violator? Under the terms of the treaty, our obligations were not defined. There is no provision in it which necessitates Britain sending troops into Belgium to make war on any Power that should violate its territory. The diplomatists who drew up the treaty knew what they were doing when they left the question of obligation open. They had no intention of committing their respective Governments to the obligations of war. The only possible way Britain could have insisted on all the Powers signatory of the treaty observing its provisions was by maintaining a position of strict neutrality. This would have enabled her to say that she would act against any one or more of the Powers who should violate Belgian territory, and that British action would be limited to Belgium only. In the Treaty of 1870 the obligations of Britain were clearly defined:

“The Queen on her part declares that if during the said hostilities the armies of France should violate that neutrality (Belgian) she will be prepared to co-operate with his Prussian Majesty for the defence of the same in such man-



ner as may be mutually agreed upon, employing for that purpose her naval and military forces to insure its observance, and to maintain in conjunction with his Prussian Majesty, then and thereafter, the independence and neutrality of Belgium."

In the same treaty our liability was strictly limited, and the area of our operations in the case of action laid down:

"It is clearly understood that Her Majesty the Queen of the United Kingdom does not engage herself by this Treaty to take part in any of the general operations of the war now carried on between the North German Confederation and France, beyond the limits of Belgium."

These provisions revealed the necessity of dispensing with the Treaty of 1839, which was useless for all practical purposes when the danger of invasion presented itself to Belgium in the days when Lord Granville was in control of the Foreign Office. Military operations have so far shown that Britain has had something else to do than protect the neutrality of Belgium within the area of Belgium. She is at present engaged in doing the very thing she engaged with his Prussian Majesty not to do in 1870: that is, take part in any of the general operations of the war. Under the Treaty of 1870, Britain could not have landed a drummer-boy on French soil. Our actions on the Continent since the outbreak of hostilities have no connection of any kind with the provisions of the Treaty signed in 1870.

It is not easy to say how the Treaty of 1870 affected the position of Russia and Austria as signatories of the old treaty. Their interest was only concerned with that of 1839, and the fact that they were

not parties to the new treaties raised a debatable point as to the validity of the old one. All the signatories of a treaty must agree to any alteration of its provisions. Did Russia and Austria agree in 1870 to the making of the treaties of that year? Morley says, referring to the situation in 1870, "What chance was there of Russia and Austria joining against France and Prussia for the sake of Belgium, in which neither of them had any direct interest?" In 1830 Britain's plan of preventing Belgium from becoming a French province was no easy business, for it destroyed the triumph of 1814-5 in making Belgium part of the kingdom of Holland. Russia and Austria were lukewarm parties to the affair; and Prussia knew then she was only a party to a deal of Palmerston's to dish Talleyrand. Let us be ordinarily honest. Let us for Heaven's sake get away from the neurasthenic slosh and tosh of "violating treaties," and think of our history in connection with numberless "scraps of paper." Nobody in the long-run is going to be taken in by our sanctimoniousness, our smug lifting up of hands to heaven as though heaven were a colony of the British Empire. "Things and actions are what they are," said Bishop Butler, in a noble passage, "and the consequences of them will be what they will be. Why then should we desire to be deceived?"

The hoary method of war first and law after is being repeated in this present complication. When the question of the legal position of the five Powers with regard to the old treaty is thrashed out after the war, there will be a rush for precedents. A diplomatic war broke out in Europe when Russia announced to the Powers in 1870 that she considered

herself no longer bound by the provisions of the Treaty of 1856. Mr. Odo Russell, who was sent by Lord Granville on a mission to Bismarck, at the headquarters of the German army in France, sounded Lord Derby and Lord Russell before he left England, and gathered from Lord Russell that he did not believe that the Black Sea clauses could be permanent and that he favoured modification. Lord Derby said, “He would fight for the neutrality of Egypt, but not for the neutrality of the Black Sea.” The actions of Lord Palmerston and his ministry were the cause of deep dissatisfaction in 1856, and Lord Granville was severely criticised for the part Britain took in 1870-1. It was said that he had tamely permitted Russia to flaunt her decision to disregard the Black Sea clauses in the face of all the Powers. Our diplomatic prestige suffered some humiliation on both occasions. In the Treaty of Paris, 1856, it was laid down that the annexed convention could not be annulled or modified without the assent of the Powers signatory of the Treaty. Russia’s decision was therefore a violation of that provision. The point of consequence here, however, is the fact that a Conference met in London early in 1871 where the Powers, including Russia, signed an agreement to recognize,

“that it is an essential principle of the law of nations, that no Power can liberate itself from the engagements of a treaty, nor modify the stipulations thereof, unless with the consent of the contracting Powers, by means of an amicable arrangement.”

If this declaration of the London Conference which defined an essential principle of the law of na-

tions still holds good, what becomes of the Treaty of 1839? That Treaty did not define the obligations of the Powers which signed it. The Treaties of 1870 modified its provisions by defining strict obligations without the consent of Russia and Austria. Did the actions of Britain, France, and Prussia, in 1870, according to an essential principle of the law of nations, make the Treaty of 1839 null and void? Mr. Gladstone described the new treaties as more stringent measures for the protection of Belgian neutrality than the general guarantee of 1839. The only way the apologists of our foreign policy of to-day can defend our action in making the neutrality of Belgium, as laid down in the Treaty of 1839, the *casus belli*, is by isolating that treaty and exempting it from the law that affected the Treaty of Paris, and the Agreement arrived at by the Powers at the London Conference of 1871, when the Powers recognized that "no Power can liberate itself from the engagements of a treaty, nor modify the stipulations thereof, unless with the consent of the contracting Powers."

International lawyers have gone so far in defining our position under the old treaty as to say that we should have accepted the German guarantee of Belgian integrity and independence at the close of the war, though technically the spirit of the treaty were violated by Germany in despatching troops across the territory. Britain was not in any way empowered by the treaty to declare war against Germany because she asked Belgium for a free passage for her troops. Why were only Germany and France asked the question? Why were Austria and Russia ignored? Russia was every bit as much an ally of

Britain and France on July 31st as she is to-day. Is there a European law? Surely all history teaches us that with nations it is only a question of time when each in turn will say with Alexander I, "What do you suppose that all your parchments and your treaties signify to me?" Ashley says, "During the Crimean War we sent a remonstrance to Holland on her violation of neutrality in supplying arms to Russia, and then discovered that our own Ordnance Department had been ordering from the Dutch large quantities of gunpowder."

The sublime faith that nations have from time immemorial placed in the efficacy of treaties is one of the features of nineteenth century diplomacy. Consider the faith of the Belgian Government in the Treaty of 1839! On August 3rd, the Belgian Government decided not to appeal to the guarantee of the Powers; but within twenty-four hours the King of the Belgians telegraphed to King George to exert diplomatic intervention, and no reference was made in the telegram to the Treaty of 1839. Belgium knew from the beginning that in the event of a European war Germany must advance against France through Belgium. Yet on August 2nd our Foreign Secretary said the Cabinet had not decided whether the neutrality of Belgium should be made the *casus belli*! On August 1st our ambassador at Brussels was told by the Belgian Government that they were in a position to defend themselves against intrusion, though the relations between Belgium and her neighbours were excellent, and there was no reason to suspect their intentions! Nevertheless, Belgium was something of an armed camp at Easter, 1914. There is a discrepancy somewhere; for huge prepara-

tions for war seem unnecessary when a country has no reason to suspect the intentions of her neighbours, and her relations with them are excellent.

Belgium, however, thought it well to be prepared for all emergencies. No doubt her faith in European law needed armed support. We know now that for eighteen months at least the Belgian Government had been preparing for the day when Britain and France would be engaged together in a European war. Alone, Belgium was no match for Germany. Which Power then did she fear? Why should a neutral nation, with an abounding faith in the law of nations, pass, within five years, two laws to increase her military establishments? In January, 1910, she raised her war forces from 140,000 to 180,000, and in November, 1912, she raised her war army from 180,000 to 340,000. What is the good of diplomacy? What is the good of treaties, old or new, if distrust is to be the result of all efforts at neutralization and the making of friendships? There is nothing quite so preposterous in the annals of foreign affairs as the arming of Belgium, this neutral state, against a nation which had guaranteed her neutrality. Does it not prove that the moral value of a treaty depends on the weight of armament behind it? Treaties are to blame for the desolation of Belgium; and the treaties, or alliances, or ententes, or engagements, or whatever diplomatists call them, that have been the cause of all the dreadful havoc, are those which united France and Russia, and united Britain and France. These engagements have been feared from the first by all men who look beyond the point of their noses. The policy of the British Foreign Office, ever since secret arrangements were en-

tered into with the French and Spanish Governments in 1904, has been the most sinister menace to the peace of Europe.

When the war is over international lawyers may be asked to define the position of a neutral state that acts in conjunction with signatories of its Treaty of neutrality against other signatories before its provisions are in any way violated. Fitzmaurice, in dealing with the negotiations of the Powers in connection with the Suez Canal, said:

“The world knew of the ‘neutralization’ of Belgium and of the Black Sea; and it had heard of the neutralization of the Republic of Cracow. But the essence of those and other analogous arrangements was the exclusion of the military and naval forces of the Powers from entry upon the neutralized territories and seas.”

If the essence of the Belgian treaty was the exclusion of the military and the naval forces of the Powers how could the *casus belli* of this war be the Treaty of 1839, when Britain was engaged to France and Russia against Germany and Austria before Germany invaded Belgium? Well may some curious people ask the very pertinent question, Would Britain have taken action against the French if they had been the first to invade Belgium? Diplomatic circumstances alter international cases. How they have altered over a period of half a century beats all the ideas of topsy-turvydom that Gilbert or Lewis Carroll ever dreamed of. Take Egypt: Lord Derby in 1871 would fight for the neutrality of Egypt. In 1857 Palmerston wrote the following to Lord Clarendon:

“PICCADILLY, March 1st, 1857.

“My dear Clarendon,

“As to the Emperor’s schemes about Africa, the sooner Cowley sends in his grounds of objection the better. It is very possible that many parts of the world would be better governed by France, England, and Sardinia than they are now; and we need not go beyond Italy, Sicily, and Spain for example. But the alliance of England and France has derived its strength not merely from the military and naval power of the two states, but from the force of the moral principle upon which that union has been founded. Our union has for its foundation resistance to unjust aggression, the defence of the weak against the strong, and the maintenance of the existing balance of power. How, then, could we combine to become unprovoked aggressors, to imitate in Africa the partition of Poland by the conquest of Morocco for France, of Tunis and some other state for Sardinia, and of Egypt for England? And, more especially, how could England and France, who have guaranteed the integrity of the Turkish Empire, turn round and wrest Egypt from the Sultan? A coalition for such a purpose would revolt the moral feelings of mankind, and would certainly be fatal to any English Government that was a party to it. Then, as to the balance of power to be maintained by giving us Egypt, but we do not want the burden of governing Egypt, and its possession would not, as a political, military, and naval question be considered, in this country, as a set-off against the possession of Morocco by France. Let us try to improve all these countries by the general influence of our commerce, but let us all abstain from a crusade of conquest which would call upon us the condemnation of all other civilized nations.”

It would be difficult for the fiercest opponent of present foreign policy to crowd into the same space a blacker indictment than time itself has made of the fine sentiments of Palmerston set down in that



letter. Egypt! What memories the name brings in a flash to the student of foreign policy. Den-shawi! The partition of Morocco! Shades of Algeciras and Agadir! And all that has been done or sanctioned by Britain up to this year would in 1857 "revolt the moral feelings of mankind and would certainly be fatal to any English Government that was a party to it!" What a commentary on the electors of to-day!

After all, known treaties are the least significant work of diplomatists. What is written down in them may some day be revealed; but secret agreements and tacit understandings made by the agents of Governments may be without end, and their true import never reach the people until they are at each other's throats. To what base commitments nations have been pledged by their diplomatists, the records of the nineteenth century give us but an inkling. The cross purposes of the chancelleries seem to be without limit. Driblets of information left behind by ambassadors and secretaries of legations frequently show that what is one nation's meat is another's poison. Lord Granville seems to have been an exceptional man; one who kept this country fairly free from entanglements. The difficulties of his position in the eighties may be gleaned from this passage from Fitzmaurice:

"Good relations were now restored with Germany and France; but if a struggle was to take place with Russia, Italy was also a factor to be taken into account. By the Triple Alliance of 1882 the German Government was assured of the support of Austria-Hungary and Italy against any attack by Russia or by France. By the subsequent Treaty of 1884 with Russia a further security had been

obtained by Germany against a French attack. The substance of this Treaty, though not actually known, was probably suspected by the Italian Government, and her statesmen apprehended that Germany, once assured of the neutrality of Russia, might in the end attach a diminished importance to the friendship of Italy. They consequently desired, by means of an understanding with Great Britain, to obtain a further security for their northwestern and maritime frontier against France, and hoped to secure it by offering effective military support in Egypt, in return for an assurance of naval aid in the Mediterranean in case of a French attack on Italy. Advantageous as such an offer in many respects might appear, Lord Granville adhered to the view that British policy consisted in avoiding entangling bargains with particular Powers in Egypt. The choice, in his opinion, still lay between the European concert and individual action by Great Britain. In the financial negotiations, it has been seen, he had supported the proposals of Lord Northbrook for the latter. He had ended by having to consent to the former. But he had at least escaped joining in an Anglo-French guarantee."

The changes which have taken place since that time, so vast and opposite they are, fill one with amazement that the foul idols of diplomacy, no matter by what name they are called, should be superstitions still in the minds of the British people. What diplomacy cost Britain in the twenty years, since Bright congratulated the audience at Birmingham in 1864 to the year when Gordon set out on his mission in Egypt, must be incalculable. And what did the British masses get in return? In 1884 the burning domestic questions were the franchise, education, land, the Church, and Ireland. Since 1864 some little progress, very little, had been made. Russia still threatened the peace of Europe and was

a danger to western civilization and individual liberty. The work of foreign affairs entailed enormous sacrifices of blood and money. The peerage increased by scores; the cost of poor-relief, infant mortality, insanity, all increased. Social evils spread; the slum in the towns and the unsanitary cottage in the country became the forcing-houses of consumptives. The army of the unemployed had its battalions in every town in the land. But more and more money was found by the churches for foreign missions; and slowly the work of converting the heathen to a Christian method of life made progress, and the bayonet and high explosives were the symbols that impressed the peoples of Asia and Africa that England was the land of the free.