



The BOOK TRAIL

THE FAILURE OF INTERNATIONAL LAW

"A Quest for International Order," by Jackson H. Ralston. John Byrne & Co., Washington, D. C. 1941. 205 pp. \$2.

The records of nations, in their foreign relations, are more insanely criminal than those of the lowest domestic mad-dog gangster.

Jackson H. Ralston, an international lawyer sufficiently important to have served as Umpire of boards of arbitration between sovereign nations, tells us why the scrupulous observance of the code of States does not prevent wars.

International Law is as far removed from real law, as the rules of a game of parchesi. Real law is based on the fact that there is such a thing as right and wrong in human relations, and that wrong doing has inevitable consequences to the individual and his community. The individual is the unit of real law but the State, is the unit of International Law—the State, as separate from the human beings of which it is composed, superior to them and possessed of fictitious qualities of sovereignty, independence and equality. If international morality is to improve, says "A Quest for International Order," the welfare of the individual must be made the goal of International Law.

With his new basis for real international law,—justice—Judge Ralston quickly reaches the question of poverty and its cause. He does not, however, attempt to deal with that basic problem. "To the reader who desires to go to the bottom of things," he recommends first and foremost, Henry George's "Progress and Poverty." The framework of valid international rights is the author's concern in "A Quest for International Order."

Before man can have justice, he must want it. How much does the individual citizen want world justice? One reason our international morality has not improved since the days of predatory Kings is that individuals abandon their personal standards of self-respect when they begin to consider their international interests. We Americans still quote approvingly, "Walk softly and carry a big stick" and "My country, right or wrong." We must refuse, Judge Ralston tells us, to commit any act as an American which we would shrink from as a man.

The chapter on "Sovereignty, Independence and Equality" shows how these concepts of International Law prevent attainment of justice among governments. Are the desires of a "sovereign and equal" nation of a million population deserving of the consideration merited by one of a hundred million?

Under the heading "War," the author, after examining the causes of conflict, makes the novel comment that peace based on justice need not be enforced but exists automatically, as it does between the States of the United States.

In successive chapters, the importance of international good manners, and of the sharing of natural resources by nations through free trade and immigration are emphasized. The evils of intervention by one nation in the internal affairs of another, and the baselessness of the claim to extend national jurisdiction into foreign territory are illustrations. The validity of "National Interests" is proverbial and the statement is made that usually the word *private* should be substituted for *national*.

Regarding the rights of small nations, the author denies that they include, according to real International Law, the right to raise tariff barriers or to present obstacles of any kind to the international movement of goods. Recognition of this limitation of the right of self-determination would have preserved the independence of Czecho-Slovakia, Austria, Poland, the Baltic countries. Judge Ralston's eight-page chapter on "Versailles and Free Trade" told this reviewer more about the reasons behind the events in Europe since 1918 than I have found in all the rest of my reading on the subject.

Other topics expertly examined, first from the viewpoint of present International Law and then on the basis of real law, are Imperialism, Courts and Possible Developments of International Relations.

Some few of the hundreds of books we read in a life time are like keys—keys which open our minds to ourselves. On second reading I place "A Quest for International Order" in that category.

—JAMES W. LE BARON