

It would be necessary to include some such provision in order to secure the necessary time for investigation, but most of the governments have preferred to make no reference to the subject and the omission is entirely agreeable to this government. The governments which signed the treaties containing this provision would doubtless have signed as willingly had the treaties with them omitted Article IV.

The treaty with Salvador provides in Article V that the convention shall continue for a period of five years and THEREAFTER REMAIN IN FORCE UNTIL TWELVE MONTHS AFTER ONE OF THE CONTRACTING PARTIES GIVES NOTICE TO TERMINATE IT. This form is followed in all the other treaties, excepting the treaty with the Republic of Chile, which prescribes for automatic renewal for successive five year periods.

In addition to the agreement for investigation in all cases, the treaties with the Dominican Republic and the Republic of Chile contain the provisions embodied in the arbitration treaties which the United States has negotiated with some twenty-six countries, the Dominican Republic and the Republic of Chile not having previously concluded arbitration treaties with the United States.

Appreciating the support which the members of your committee have given to this plan for the promotion of peace, and hoping for an early ratification of these conventions, I am,

Very truly yours,

W. J. BRYAN.

#### PROGRESS OF THE PEACE TREATIES

Following is an interview given out to the press July 26 by Secretary Bryan:

The president has laid before the senate for ratification a group of treaties, numbering about twenty, between the United States and the following countries: Salvador, Guatemala, Panama, Honduras, Nicaragua, Netherlands, Bolivia, Portugal, Persia, Denmark, Switzerland, Costa Rica, Dominican Republic, Venezuela, Italy, Norway, Uruguay, Brazil, Argentine and Chile. A treaty has been signed with Peru but it was signed at Lima and has not yet reached here. The text of the treaty with France has been agreed upon; also the text of the treaty with Great Britain, which is being submitted for approval to the various colonies of Great Britain. The treaties with Great Britain and France will be signed on the same day. China has announced her willingness to sign a treaty along the lines of the French or British treaty, copies of which have been sent to Peking for consideration. In addition to these, negotiations are being pushed to conclusion with several other nations. The president desires that these treaties shall be ratified, if possible, before adjournment. No effort has been made to secure uniformity in the language of the treaties. The general plan proposed a year ago last April embodied certain principles and this government expressed a willingness to confer with each nation separately as to details, being quite willing to accept any reasonable modification as to language, provided, the main principles were retained. These may be stated as follows:

1. That investigation shall be resorted to in all cases where the ordinary resources of diplomacy fail.
2. That the contracting parties reserve the right to act independently upon the subject-matter after the submission of the report.
3. That there shall be no appeal to force until the investigation is completed.
4. The commission is to be composed of five members, one chosen from each country from among its own citizens; one chosen by each country from another country, and the fifth to be chosen by agreement of the two countries from some third country. In a few cases provision is made for the appointment of the fifth member by the four members, or by some neutral power or tribunal in case the two countries cannot agree.
5. The investigation must be completed and the report submitted within one year, unless the contracting parties agree to extend the time.

The first and second propositions are closely related, the second being essential to the first; that is, the investigation can not be made to cover all cases without leaving to the contracting parties liberty of action at the conclusion of the investigation. In all our arbitration treaties there are certain exceptions, and in most of these treaties the exceptions are "The vital interests, the independence, and honor of the two contracting states, and the interests of third parties."

It is evident that these arbitration treaties

do not prevent recourse to hostilities with regard to the causes included in the exception clause. It is the intention of the treaties now being exchanged to close this gap and leave no cause for a declaration of war and the beginning of hostilities until there has been an investigation of the differences. By leaving the parties freedom of action, when the investigation is over, it is possible to make the investigation cover all causes. It is believed that an investigation will not only give time for the subsidence of passion and the restoration of calm and deliberate judgment, but that it will also be useful in separating questions of fact from questions of honor. These treaties ought to make war almost impossible.

Attention is called to the fact that these treaties contemplate the submission of disputes to investigation without further authority from the senate. In the case of arbitration each case must be submitted to the senate for its approval, even though it is a case which the parties agree in the treaty shall be submitted to arbitration. As arbitration binds the parties to an acceptance of the award, it is necessary under the constitution that the agreement providing for arbitration shall have the approval of the senate. Investigation, however, differs from arbitration in that it involves no agreement to abide by the decision; it is purely a diplomatic examination into the controversy and can be undertaken at any time at the request of either nation whenever the other diplomatic means fail to bring about a settlement of the dispute.

In most of the treaties the international commission is authorized to act upon its own initiative; that is, in case either party fails to ask for investigation, it may be proposed by the commission itself. This provision is intended to operate when feeling runs high and when the parties for any reason hesitate to ask for investigation. In a few of the treaties it is provided that the commission can only offer its services by the unanimous action of the members of the commission.

The first five treaties contain in Article IV the following:

"Pending the investigation and report of the international commission, the high contracting parties agree not to increase their military or naval programs, unless danger from a third power should compel such increase, in which case the party feeling itself menaced shall confidentially communicate the fact in writing to the other contracting party, whereupon the latter shall also be released from its obligation to maintain its military and naval status quo."

The Netherlands treaty, which was the sixth treaty signed, omitted this paragraph, and it has been omitted from all subsequent treaties excepting that with Persia. The paragraph was suggested in the beginning in the belief that the nations might object to a year's investigation unless the treaty contained some provision which would prevent the time being used in preparation for hostilities. It will be noticed that the "parties agree not to increase their military or naval programs, unless danger from a third party should compel such increase, in which case the party feeling itself menaced shall confidentially communicate the fact in writing to the other contracting party, whereupon the latter shall also be released from its obligation to maintain its military and naval status quo."

This exception gives protection from the only danger that was suggested in the preliminary discussion of this form of treaty. In such case the party menaced has only to notify the other contracting party in order to be released from the agreement, and the release of one operates as a release of both. This government has expressed its willingness to include the above paragraph wherever it is desired, and it is equally willing to omit it whenever objection is made.

The above covers the essential points. The plan itself was endorsed by the committee, and we hope for an early ratification.

#### THE PEACE PLAN

(Reprinted from the American Journal of International Law, July, 1914.)

As the Journal has devoted two editorial comments to Secretary Bryan's peace plan—that is to say, the conventions negotiated by him as secretary of state with foreign countries, providing for commissions of inquiry to pass upon international disputes which may arise between them—it is not necessary to restate the terms of the treaties or the advantages which are expected to flow from their ratification and application in practice. The Journal, however, is pleased to print the following list of countries,

chronologically arranged, which have indicated acceptance in principle of the peace plan up to July 24, 1914, furnished by the courtesy of His Excellency the Secretary of State:

- |                        |                 |
|------------------------|-----------------|
| 1. Italy               | 18. Spain       |
| 2. Great Britain       | 19. Portugal    |
| 3. France              | 20. Belgium     |
| 4. Brazil              | 21. Denmark     |
| 5. Sweden              | 22. Chile       |
| 6. Norway              | 23. Cuba        |
| 7. Russia              | 24. Costa Rica  |
| 8. Peru                | 25. Salvador    |
| 9. Austria-Hungary     | 26. Switzerland |
| 10. Netherlands        | 27. Paraguay    |
| 11. Bolivia            | 28. Panama      |
| 12. Germany            | 29. Honduras    |
| 13. Argentina          | 30. Nicaragua   |
| 14. China              | 31. Persia      |
| 15. Dominican Republic | 32. Ecuador     |
| 16. Guatemala          | 33. Venezuela   |
| 17. Haiti              | 34. Greece      |

The following is likewise an official list, furnished by the secretary of state, of countries, chronologically arranged, which have entered into treaties endorsing the principles and details of the peace plan up to July 24, 1914:

- |                        |                    |
|------------------------|--------------------|
| 1. Salvador            | August 7, 1913     |
| 2. Guatemala           | September 20, 1913 |
| 3. Panama              | September 20, 1913 |
| 4. Honduras            | November 3, 1913   |
| 5. Nicaragua           | December 17, 1913  |
| 6. Netherlands         | December 18, 1913  |
| 7. Bolivia             | January 22, 1914   |
| 8. Portugal            | February 4, 1914   |
| 9. Persia              | February 4, 1914   |
| 10. Denmark            | February 5, 1914   |
| 11. Switzerland        | February 13, 1914  |
| 12. Costa Rica         | February 13, 1914  |
| 13. Dominican Republic | February 17, 1914  |
| 14. Venezuela          | March 21, 1914     |
| 15. Italy              | May 5, 1914        |
| 16. Norway             | June 24, 1914      |
| 17. Peru               | July 14, 1914      |
| 18. Uruguay            | July 20, 1914      |
| 19. Argentina          | July 24, 1914      |
| 20. Brazil             | July 24, 1914      |
| 21. Chile              | July 24, 1914      |

Treaties with France and Great Britain have been agreed upon and will, it is expected, be signed in a few days. It is thus seen that twenty-one treaties have actually been signed, and on July 24, 1914, twenty of these were laid before the senate for its advice and consent. As the senate committee on foreign relations has already approved them in principle, it is believed that they will shortly be ready for ratification. The treaty with Peru, owing to delay in transmission, will be sent to the senate later.

The provisions of the treaties differ, although the principle is invariably the same, and through the courtesy of the secretary of state the Journal is enabled to give the text of what Mr. Bryan regards as representative of the entire group, namely, the convention between The Netherlands and the United States of December 18, 1913. The preamble states—and the preamble is true in this case—that the United States and Her Majesty the Queen of The Netherlands are "desirous to strengthen the bonds of amity that bind them together and also to advance the cause of general peace." It would be a waste of time to comment upon this simple sentence, for since the Jay Treaty of 1794, which introduced arbitration into the modern practice of nations, the United States has been a leader, as well as a pioneer in the peaceful settlement of international disputes, and since the meeting of the First Peace Conference at The Hague in 1899 Holland has been and is the center of international development. It is perhaps not too much to say that the little city of The Hague has become the unofficial capital of the society of nations.

It may be permissible to quote, in support of these views, a passage from an address of Mr. Frederic R. Coudert, introducing His Excellency Mr. Loudon, then Netherland Minister to the United States, but now minister of foreign affairs of his country, who in his present capacity authorized the Netherland minister to negotiate the treaty in question with the United States:

There is in Europe one country—I was going to say a little country, but that is not the word, because if bigness consists of high principles, if it consists of altruism, if it consists of spiritual power, if it consists of standing for the right and for fairness among men,