

for fear these questions may arise, arbitration is not always employed where it might be. The first advantage, then, of this resolution is that it secures an investigation of the facts and if you can but separate the facts from the question of honor, the chances are 100 to 1 that you can settle both the fact and the question of honor without war. There is, therefore, a great advantage in an investigation that brings out the facts, for disputed facts between nations, as between friends, are the cause of most disagreements.

TIME FOR CALM CONSIDERATION

"The second advantage of this investigation is that it gives time for calm consideration. That has already been well presented by the gentleman who has preceded me, Baron von Plener. I need not say to you that man excited is a very different animal from a man calm, and that questions ought to be settled, not by passion, but by deliberation. If this resolution would do nothing else but give time for reflection and deliberation, there would be sufficient reason for its adoption. If we can but stay the hand of war until conscience can assert itself, war will be made more remote. When men are mad they swagger around and tell what they can do; when they are calm they consider what they ought to do.

"The third advantage of this investigation is that it gives opportunity to mobilize public opinion for the compelling of a peaceful settlement, and that is an advantage not to be overlooked. Public opinion is coming to be more and more a power in the world. One of the greatest statesmen my country has produced — Thomas Jefferson, and, if it would not offend, I would say I believe him to be the greatest statesman the world has produced — said that if he had to choose between a government without newspapers and newspapers without a government, he would rather risk the newspapers without a government. You may call it an extravagant statement, and yet it presents an idea, and that idea is that public opinion is a controlling force. I am glad that the time is coming when public opinion is to be more and more powerful; glad that the time is coming when the moral sentiment of one nation will influence the action of other nations; glad that the time is coming when the world will realize that a war between two nations affects others than the two nations involved; glad that the time is coming when the world will insist that nations settle their differences by some peaceful means. If time is given for marshalling the force of public opinion, peace will be promoted. This resolution is presented, therefore, for the reasons that it gives an opportunity to investigate the facts and to separate them from the question of honor; that it gives time for the calming of passion; and that it gives a time for the formation of a controlling public sentiment."

A proposition relating to mediation was also before the conference and the committee reported in favor of combining the two as alternative propositions and in this form the resolution went through without opposition. The text of this resolution as amended was thus worded:

"If a difference should arise between the contracting parties which, by the terms of the convention, should not be submitted to arbitration, the parties shall not have recourse to any measure of hostility of whatever nature before having jointly or separately demanded, according to the circumstances of the case, either the constitution of an international commission of inquiry or the mediation of one or more friendly powers. This requisition shall be made, in case of need, comfortably to Article VIII of the Hague convention for the peaceful settlement of international conflicts."

From that time on, Mr. Bryan presented his plan wherever and whenever opportunity offered, and it was afterwards endorsed at an international peace gathering in New York and in 1910 at a public meeting in Edinburgh.

Later, when President Taft was negotiating treaties of arbitration with Great Britain and France, Mr. Bryan called at the White House and laid before the President and Secretary of State Knox his peace plan, a part of which, Mr. Bryan says, was incorporated in the treaties. Mr. Bryan further adds, in this connection, that the President very generously gave him credit for his suggestion in a public address which he made shortly afterwards in Nebraska.

The senate, it is well known, objected to these treaties, but on grounds immaterial to the pres-

ent purpose, and they failed of ratification in the form in which they were submitted.

When, after the election of 1912, Mr. Bryan was summoned to Trenton by Mr. Wilson, who tendered him the Secretaryship of State, the prospective Secretary of State laid the plan before the President-elect and told him that with his support the project would, he believed, be accepted by the world. The President, Mr. Bryan says, very heartily approved the proposal.

Shortly after Mr. Wilson's inauguration, Secretary Bryan submitted to the President a written outline of the plan and the President, after conferring with the Cabinet on the subject, authorized its presentation to the diplomatic agents of foreign nations represented at Washington, and Mr. Bryan, to remove possible misunderstanding with the other branch of the treaty making power, wisely took the precaution to confer with the Senate Committee on Foreign Relations before presenting it to the diplomats. On the 26th of April, 1913, the Ambassadors and Ministers residing at the national Capital met by invitation in the reception room of the State Department, and Mr. Bryan presented to each diplomat a written outline of the plan, after accompanying it with explanations. The plan, as thus presented, provides:

First, for the investigation of ALL disputes.

Secondly, for a permanent international commission. All of the treaties authorize the commission to act upon the request of either party and in a number of treaties the commission is empowered to act upon its own initiative, a provision which Mr. Bryan says he tried to incorporate in all of the treaties, but was unable to do so in every case. The reason for this desire and effort on his part Mr. Bryan illustrated by the following "story" which he recounted to the diplomats, to their amusement no doubt and perhaps to their edification: "A man was complaining to a friend that he found it impossible to drink moderately, because of the numerous invitations he received from others. The friend, to whom the complaint was made, suggested to him that the difficulty might be remedied by calling for 'sarsaparilla' whenever he found that he had all the whiskey he wanted." "But," said the complainant, "that is the trouble; when I get all the whiskey I want I cannot say sarsaparilla." Upon this anecdote, given in his own words, Mr. Bryan thus comments. "The application is easily made. At the time when investigation is most needed the parties to the dispute may be restrained from asking for investigation by the fear that such a request might be construed as cowardice. It is difficult for a nation to say "investigate" when it is angry. At such a time, therefore, the commission should be authorized to tender its services, and thus relieve both parties of embarrassment."

Thirdly, for the sake of impartiality, that the commission be made up of ONE SUBJECT OR CITIZEN FROM EACH NATION TO BE CHOSEN BY THAT NATION, and one subject or citizen to be chosen by each nation from a foreign nation, and a fifth to be selected by agreement of the two contracting nations.

Fourthly, for a year's time for investigation and report, during which the parties are not to declare war, or resort to hostilities.

Fifthly, for the reservation by each of the nations of the right to decide for itself, at the conclusion of investigation, what action it will take.

MOST IMPORTANT FEATURES IDENTICAL

The resemblance between this plan and the plan intended for labor troubles is, as Mr. Bryan says, very apparent. The two most important features are identical; the investigation of ALL disputes and the reservation of the right to act independently—the second, in Mr. Bryan's opinion, being necessary to the acceptance of the first.

The great trouble with treaties of arbitration has been and is that they leave exceptions—questions of honor, questions of independence, vital interest, and interests of the third parties. It is, however, impossible, as Mr. Bryan himself admits, to eliminate these exceptions, in the present state of public opinion, and his plan is intended to close the gap, as it were, and to leave undiscussed no dispute which may indeed become the cause of war but which should not result in war during the year allowed for investigation and report.

It is also obvious that the plan resembles that proposed for labor disputes, inasmuch as the commission is permanent and each party is

allowed to select from among its citizens a member of the commission.

After sufficient time had elapsed for the diplomatic representatives to communicate with their respective countries, Mr. Bryan took up with each country the negotiation of a separate treaty along the line proposed. No attempt was made to enforce the use of any particular phraseology. On the contrary, the nations were assured that the United States stood ready to consider any changes in detail that might be suggested, as Mr. Bryan's desire was to embody in conventional form the provisions necessary to secure the submission of ALL disputes to investigation before resort to force.

FIRST TREATY SIGNED

The first treaty was signed with Salvador on the 7th of August, 1913, and thereafter treaties with Guatemala, Panama, Honduras, and Nicaragua in the order named. These treaties, it may be added, contained a provision that the parties should not change their military or naval programs during the period of investigation, but this clause, objected to by the European nations, was struck out of the five treaties by the senate at the time of their ratification, so that the treaties are as a series and as a whole practically uniform.

The Netherlands was appropriately the first of the European nations to sign one of these treaties with the United States.

Only one nation, Mr. Bryan says, objected to any vital principle, and that nation finally yielded its objection to the all-inclusive character of the treaty.

On July 24, 1914, Brazil, Argentina and Chile signed simultaneously. On September 15, 1914, France, Great Britain, Spain, and China likewise signed simultaneously, thus in one day bringing, as Mr. Bryan is accustomed to say, something like nine hundred millions of people under the influence of these treaties which their negotiator believes will tend to make war a remote possibility between the contracting parties. These four treaties, Mr. Bryan adds, had been, practically agreed upon for some time, but the contracting nations waited on one another, wishing to sign at the same time. The delay in this instance was apparently due to the desire and the present policy of Great Britain to submit drafts of proposed agreements to its self-governing dominions, in whose favor the treaty contained a clause permitting the withdrawal of the Imperial and the substitution of a Colonial Commissioner chosen by the colony affected.

The treaty with Russia was signed on October 1, 1914. Austria-Hungary, Belgium and Germany endorsed the plan, Mr. Bryan assures us, but they did not enter into treaties embodying it, although, to quote Mr. Bryan's exact language on this point, "the same earnest effort was put forth to negotiate treaties with them which was employed in securing treaties with the other nations, and the plan was offered to all nations alike without regard to population, extent of territory, or relative influence".

From an examination of the list it will be noticed, as Mr. Bryan stated to the undersigned: "that nearly all of the nations of large influence are included and the nations which have not endorsed the principle have, as a rule, been restrained by circumstances which readily explain their failure to give endorsement. For instance, Mexico has not until very recently had a government recognized by the United States. Between us and Japan there is an unsettled dispute relating to the California alien laws, and Colombia, the only country in South America which has not signed the treaty, failed to do so because another treaty awaited ratification by the United States".

The principal argument in favor of Mr. Bryan's plan, are, to quote his exact language instead of paraphrasing it:

"First, that it gives time for passion to subside and for reason to resume her sway—a time for cooling off. European diplomats have asserted that a week's time for consideration would have prevented the present war. Our plan gives fifty-two weeks.

"Second, it gives time for separation of questions of honor from questions of fact, inasmuch as the line between these two kinds of questions is apt to be obscured in times of excitement.

"Third, it gives time for the peace forces of the world to operate.

"While the treaties do not make war impossible they make it a remote possibility. Nations are not apt to go to war after a year's time