

In these charges there is certainly truth; but I trust that you will allow one from a distant country to venture an opinion that, so far from being to the discredit of Grotius, this fact is to his eternal honor.

For there was not, and there could not be at that period, anything like a body of positive international law adequate to the new time. The spirit which most thoroughly permeated the whole world, whether in war or peace, when Grotius wrote, was the spirit of Machiavelli,—unmoral, immoral. It has been dominant for more than a hundred years. To measure the service rendered by the theory of Grotius, we have only to compare Machiavelli's "Prince" with Grotius's "De Jure Belli ac Pacis." Grant that Grotius's basis of international law was, in the main, a theory of natural law which is no longer held: grant that he made no sufficient recognition of positive law; we must nevertheless acknowledge that his system, at the time he presented it, was the only one which could ennoble men's theories or reform their practice.

From his own conception of the attitude of the Divine Mind toward all the falsities of his time grew a theory of international morals which supplanted the principles of Machiavelli: from his conception of the attitude of the Divine Mind toward all the cruelties which he had himself known in the Seventy Years' War of the Netherlands, and toward all those of which tidings were constantly coming from the German Thirty Years' War, came inspiration to promote a better practice in war.

To one, then, looking at Grotius from afar, as doubtless to many among yourselves, the theory which Grotius adopted seems the only one which, in his time, could bring any results for good to mankind.

I am also aware that one of the most deservedly eminent historians and publicists of the Netherlands during our own time has censured Grotius as the main source of the doctrine which founds human rights upon an early social compact, and, therefore, as one who proposed the doctrines which have borne fruit in the writings of Rousseau and in various modern revolutions.

I might take issue with this statement; or I might fall back upon the claim that Grotius's theory has proved, at least, a serviceable provisional hypothesis; but this is neither the time nor the place to go fully into so great a question. Yet I may at least say that it would ill become me, as a representative of the United States, to impute to Grotius, as a fault, a theory out of which sprang the nationality of my country: a doctrine embodied in that Declaration of Independence which is this day read to thousands on thousands of assemblies in all parts of the United States, from the Atlantic to the Pacific, and from the Great Lakes to the Gulf of Mexico.

But, however the Old World may differ from the New on this subject, may we not all agree that, whatever Grotius's responsibility for this doctrine may be, its evils would have been infinitely reduced could the men who developed it have caught his spirit,—his spirit of broad toleration, of wide sympathy, of wise moderation, of contempt for "the folly of extremes," of search for the great principles which unite men rather than for the petty differences which separate them?

It has also been urged against Grotius that his interpretation of the words *jus gentium*¹ was a mistake, and that other

¹ The right of nations, in other words, international law.

mistakes have flowed from this. Grant it; yet we, at a distance, believe that we see in it one of the happiest mistakes ever made; a mistake comparable in its fortunate results to that made by Columbus when he interpreted a statement in our sacred books, regarding the extent of the sea as compared with the land, to indicate that the western continent could not be far from Spain,—a mistake which probably more than anything else encouraged him to sail for the New World.

It is also not infrequently urged by eminent European writers that Grotius dwelt too little on what international law really was, and too much on what, in his opinion, it ought to be. This is but another form of an argument against him already stated. But is it certain, after all, that Grotius was so far wrong in this as some excellent jurists have thought him? May it not be that, in the not distant future, international law, while mainly basing its doctrines upon what nations have slowly developed in practice, may also draw inspiration more and more from "that Power in the Universe, not ourselves, which makes for righteousness."

An American, recalling that greatest of all arbitrations yet known, the Geneva Arbitration of 1872, naturally attributes force to the reasoning of Grotius. The heavy damages which the United States asked at that time, and which Great Britain honorably paid, were justified mainly, if not wholly, not on the practice of nations then existing, but upon what it was claimed ought to be the practice; not upon positive law, but upon natural justice: and that decision forms one of the happiest landmarks in modern times; it ended all quarrel between the two nations concerned, and bound them together more firmly than ever.

But while there may be things in the life and work of Gro-

tius which reveal themselves differently to those who study him from a near point of view and to those who behold him from afar, there are thoughts on which we may all unite, lessons which we may learn alike, and encouragements which may strengthen us all for the duties of this present hour.

For, as we now stand before these monuments, there come to us, not only glimpses of the irony of history, but a full view of the rewards of history. Resounding under these arches and echoing among these columns, prayer and praise have been heard for five hundred years. Hither came, in hours of defeat and hours of victory, that mighty hero whose remains rest in yonder shrine and whose fame is part of the world's fairest heritage. But when, just after William the Silent had been laid in the vaults beneath our feet, Hugo de Groot, as a child, gazed with wonder on this grave of the father of his country, and when, in his boyhood, he here joined in prayer and praise and caught inspiration from the mighty dead, no man knew that in this beautiful boy, opening his eyes upon these scenes which we now behold, not only the Netherlands, but the whole human race, had cause for the greatest of thanksgivings.

And when, in perhaps the darkest hour of modern Europe, in 1625, his great book was born, yonder organ might well have pealed forth a most triumphant *Te Deum*; but no man recognized the blessing which in that hour had been vouchsafed to mankind: no voice of thanksgiving was heard.

But if the dead, as we fondly hope, live beyond the grave; if, undisturbed by earthly distractions, they are all the more observant of human affairs; if, freed from earthly trammels, their view of life in our lower world is illumined by that infinite light which streams from the source of all that is true

and beautiful and good,—may we not piously believe that the mighty and beneficent shade of William of Orange recognized with joy the birth-hour of Grotius as that of a compatriot who was to give the Netherlands a lasting glory? May not that great and glorious spirit have also looked lovingly upon Grotius as a boy lingering on this spot where we now stand, and recognized him as one whose work was to go on adding in every age new glory to the nation which the mighty Prince of the House of Orange had, by the blessing of God, founded and saved; may not, indeed, that great mind have foreseen in that divine light, another glory not then known to mortal ken? Who shall say that in the effluence of divine knowledge he may not have beheld Grotius, in his full manhood, penning the pregnant words of the “*De Jure Belli ac Pacis*,” and that he may not have foreseen—as largely resulting from it—what we behold to-day, as an honor of the august Monarch who convoked it, to the Netherlands who have given it splendid hospitality, and to all modern states here represented,—the first conference of the entire world ever held, and that conference assembled to increase the securities for peace and to diminish the horrors of war.

For, my honored colleagues of the Peace Conference, the germ of this work in which we are all so earnestly engaged lies in a single sentence of Grotius’s great book. Others, indeed, had proposed plans for the peaceful settlement of differences between nations, and the world remembers them with honor: to all of them, from Henry IV, and Kant, and St. Pierre, and Penn, and Bentham, down to the humblest writer in favor of peace, we may well feel grateful; but the germ of arbitration was planted in modern thought when Grotius, urging arbitration and mediation as preventing war, wrote these solemn words in the “*De Jure Belli ac Pacis*”: “*Maxime autem*

christiani reges et civitates tenentur hanc inire viam ad arma vitanda.”¹

My honored colleagues and friends, more than once I have come as a pilgrim to this sacred shrine. In my young manhood, more than thirty years ago, and at various times since, I have sat here and reflected upon what these mighty men here entombed have done for the world, and what, though dead, they yet speak to mankind. I seem to hear them still.

From this tomb of William the Silent comes, in this hour, a voice bidding the Peace Conference be brave, and true, and trustful in that Power in the Universe which works for righteousness.

From this tomb of Grotius I seem to hear a voice which says to us, as the delegates of the nations: “Go on with your mighty work: avoid, as you would avoid the germs of pestilence, those exhalations of international hatred which take shape in monstrous fallacies and morbid fictions regarding alleged antagonistic interests. Guard well the treasures of civilization with which each of you is entrusted; but bear in mind that you hold a mandate from humanity. Go on with your work. Pseudo-philosophers will prophesy malignantly against you; pessimists will laugh you to scorn; cynics will sneer at you; zealots will abuse you for what you have not done; sublimely unpractical thinkers will revile you for what you have done; ephemeral critics will ridicule you as dupes; enthusiasts, blind to the difficulties in your path and to everything outside their little circumscribed fields, will denounce you as traitors to humanity. Heed them not,—go on with your work. Heed not the clamor of zealots, or cynics, or pessimists, or pseudo-philosophers, or enthusiasts,

¹“But above all, Christian kings and states are bound to take this way of avoiding recourse to arms.”

or fault-finders. Go on with the work of strengthening peace and humanizing war; give greater scope and strength to provisions which will make war less cruel; perfect those laws of war which diminish the unmerited sufferings of populations; and, above all, give to the world at least a beginning of an effective, practicable scheme of arbitration."

These are the words which an American seems to hear issuing from this shrine to-day; and I seem also to hear from it a prophecy. I seem to hear Grotius saying to us: "Fear neither opposition nor detraction. As my own book, which grew out of the horrors of the Wars of Seventy and the Thirty Years' War, contained the germ from which your great Conference has grown, so your work, which is demanded by a world bent almost to breaking under the weight of ever-increasing armaments, shall be a germ from which future Conferences shall evolve plans ever fuller, better, and nobler."

And I also seem to hear a message from him to the jurists of the great universities who honor us with their presence to-day, including especially that renowned University of Leyden which gave to Grotius his first knowledge of the law; and that eminent University of Königsberg which gave him his most philosophical disciple: to all of these I seem to hear him say: "Go on in your labor to search out the facts and to develop the principles which shall enable future Conferences to build more and more broadly, more and more loftily for peace."

And now, your excellencies, Mr. Burgomaster, and honored deans of the various universities of the Netherlands, a simple duty remains to me. In accordance with instructions from the President and on behalf of the people of the United States of America, the American Commission at the Peace

Conference, by my hand, lays on the tomb of Grotius this simple tribute. It combines the oak, symbolical of civic virtue, with the laurel, symbolical of victory. It bears the following inscription:

" TO THE MEMORY OF HUGO GROTIUS
IN REVERENCE AND GRATITUDE
FROM THE UNITED STATES OF AMERICA
ON THE OCCASION OF THE INTERNATIONAL PEACE CONFERENCE
AT THE HAGUE
JULY 4, 1899 "

—and it encloses two shields, one bearing the arms of the House of Orange and of the Netherlands, the other bearing the arms of the United States of America; and both these shields are bound firmly together. They represent the gratitude of our country, one of the youngest among the nations of the earth, to this old and honored Commonwealth,—gratitude for great services in days gone by, gratitude for recent courtesies and kindnesses; and above all they represent to all time a union of hearts and minds in both lands for peace between the nations.