

call Christian theology is really Greek philosophy in a new application. One of the most important problems, therefore, is to inquire how far Christianity was developed, and how far it was transformed or modified by the medium into which it was brought.

And, in the second place, Greek philosophy was itself one of the greatest efforts of the human mind to reason freely on the highest subjects; in fact, we might say that it was the first effort made by men armed with all the weapons of speculative thought, and freed from all those outward and inward hindrances that prevent philosophical thought from being thorough and faithful to itself. And though we may have much greater knowledge of the world than the Greeks, and in some directions better methods of thinking, yet I do not think we can ever afford to neglect what has been done by Plato and Aristotle, by the Stoics, and by the Neo-Platonists. To study Greek philosophy is still a first essential for him who would trace the evolution of theology.

### THE HUGO GROTIUS CELEBRATION AT DELFT, JULY 4, 1899.

The appearance of the report of the Peace Conference at The Hague in 1899 by its Secretary Mr. Frederick W. Holls,<sup>1</sup> Member of the Conference from the United States of America, recalls vividly to mind a notable festive ceremony which took place during the meeting of the Conference and which lent a graceful historic sanction and significance to its proceedings. This was the festival in honor of the great Dutch jurist, scholar, poet, and statesman Hugo Grotius (1583-1645), given on the day of our greatest and most sacred national holiday, the Fourth of July, in the historic church at Delft, as a tribute from the American people to the Dutch, in recognition of the many elements of our national greatness which we have derived from them and of the many reasons for which we owe them gratitude.

The Dutch are closely connected with America by historical traditions. It was Hollanders that first settled on the banks of the Hudson (1609) and that founded the city of New Amsterdam (1614), now New York, and it was they who formed the backbone of our Revolutionary resistance in the Hudson river region. From Delft-Haven sailed the *Mayflower* bearing the Pilgrim Fathers who brought to America the principles of toleration which had grown up in them during their stay in the Netherlands and of which Grotius was an apostle. From Leyden through Delft-Haven and Plymouth Rock, and again through New Amsterdam, came the free public school. The Province of Friesland gave to our independence its first formal recognition, and it was a Dutch captain that first saluted the stars and stripes. Moreover, the United States of America took their name from the United States of the Netherlands. Said the Honorable Seth Low, the American Commissioner upon whom devolved the task of thanking the city of Delft for the hospitality accorded to the assembled guests: "We have learned from you not only that 'In Union there is Strength,'—that is an old lesson,—but also, in large measure, how to make 'One out of many.' From you we have learned, what we, at least, value,

<sup>1</sup> *The Peace Conference at The Hague, and Its Bearings on International Law and Policy.* By Frederick W. Holls, D. C. L., a Member of the Conference from the United States of America. New York: The Macmillan Co.; London: Macmillan & Co., Ltd. 1900. (Pages, 572. Price, \$3.00.) The addresses referred to in the present sketch are also to be found in a memorial pamphlet entitled: *Proceedings at the Laying of a Wreath on the Tomb of Hugo Grotius in the Nieuwe Kerk, in the City of Delft, July 4th, 1899, by the Commission of the United States of America to the International Peace Conference of The Hague.* The Hague: Martinus Nijhoff. 1899.



THE MIEVEVELD PORTRAIT.  
 (From the 1720 edition of the *De Jure Belli ac Pacis*.)

to separate Church and State ; and from you we gather inspiration at all times in our devotion to learning, to religious liberty, and to individual and national freedom."

#### THE FESTIVAL.

The merit of having inaugurated this distinctively American festival in honor of the great Dutch Jurist, which the preceding considerations show to have been peculiarly appropriate, was due to the Honorable Andrew D. White, Chairman of the Commission of the United States, our present Ambassador to Germany, ex-president of Cornell University, and a historical scholar and publicist of wide erudition and culture. His commemorative address was delivered in the apse of the Grote Kerk of Delft in front of the tomb of Grotius and near that of William the Silent, before all the members of the Peace Conference, and all the members of the Dutch Government and the Diplomatic Corps accredited to The Hague, the Deans of the Law Faculties of the Universities of Leyden, Utrecht, Amsterdam, Gröningen, the Burgomaster and city authorities of Delft, and other distinguished visitors. The services were varied and elegant in character, embracing classical musical selections, magnificently rendered, and several minor addresses; M. Jonkeer van Karnebeek, the Netherlands delegate, presided; M. De Beaufort, the Dutch minister of foreign affairs thanked the Government of the United States for honoring his countryman; M. Asser, president of the Institute of International Law spoke of the contributions made by American statesmen to the development of the principles of international arbitration; and the Honorable Seth Low briefly and appropriately thanked all the persons whose kindness had made the occasion possible. At the conclusion of his formal address, Ambassador White deposited on the tomb of Grotius an exquisitely designed and permanent silver wreath bearing the 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 of The Hague, July 4, 1899." M. De Beaufort, the Dutch Minister of Foreign Affairs, then said:

"For the purpose of acknowledging the great merits of Grotius, a wreath has been placed, by order of the American Government, on his tomb. I sincerely hope that this fine and precious work of art will remain forever on the place where it is now fixed. May the numerous visitors to this church look on it with a sentiment of gratitude and admiration. May it act as a stimulus for future generations in their exertions in behalf of still further reforms in the practice of international law, and, last not least, may this wreath be an everlasting emblem of the friendly relations between America and Holland, and a guarantee of the unbroken continuance of that historical friendship of which America gives us on this memorable day such a splendid and highly valued testimony."

#### LIFE AND WORK OF GROTIUS.

Hugo Grotius was one of the most famed men of the seventeenth century, and like his illustrious countryman Erasmus was noted for the diversity of his accomplishments and his comprehensive literary power. He is one of the greatest prodigies in the annals of precocious genius, was a pupil of the celebrated Scaliger, and at an early age rose to the highest rank in his profession of the law, in historical writing, and as a statesman. Becoming involved in the warfare of the theological factions in Holland (the Arminians and Gomarists) he was imprisoned by Prince Maurice in 1619 at the fortress of Lovestein, from which he escaped later through the ingenuity of his wife, in a chest supposed to contain books and old linen. He

proceeded then to France, where he wrote and published (1625) his immortal work *De jure belli ac pacis*, which is the foundation of his fame.

Grotius's work, says Mr. Pattison in the *Encyclopædia Britannica*, "though not by any means the first attempt in modern times to ascertain the principles of jurisprudence, went far more fundamentally into the discussion than anyone had done before him. The title of the work was so far misleading that the *jus belli* was a very small part of his comprehensive scheme. In his treatment of this narrower question he had the works of Albericus Gentilis (1588) and Ayala (1597) before him, and has acknowledged his obligations to them. But it is in the larger questions to which he opened the way that the merit of Grotius consists. His was the first attempt to obtain a principle of right, and a basis for society and government, outside the church or the Bible. The distinction between religion on the one hand and law and morality on the other is not indeed clearly conceived by Grotius, but he wrestles with it in such a way as to make it easy for those who followed him to seize it. The law of nature is unalterable; God Himself cannot alter it any more than He can alter a mathematical axiom. This law has its source in the nature of man as a social being; it would be valid even were there no God, or if God did not interfere in the government of the world. These positions, though Grotius's religious temper did not allow him to rely unreservedly upon them, yet, even in the partial application they find in his book, entitle him to the honor of being held the founder of the modern science of the law of nature and nations."

And to quote a famous authority in political science, Bluntschli: "The elegance of his diction, the pearls from classical antiquity with which he adorned his pages, the temper of humanity which pervaded his argument, his effort to mitigate the horrors of the Thirty Years' War in the midst of which he wrote, and the warmth of his general sympathy for a moral as opposed to a material order, enlisted men's hearts on the side of his reasoning, while the deficiencies of his doctrine were not as yet detected."

#### AMBASSADOR WHITE'S EULOGY OF GROTIUS.

Ambassador White spoke at length and authoritatively of Grotius's life and work from the standpoint of an American; and we give below the principal passages of his address. After referring to the predecessors of Grotius and to the unorganised state of prior opinion in public law, he said:

"Grotius's great mind brooded over that earlier chaos of opinion, and from his heart and brain, more than from those of any other, came a revelation to the modern world of new and better paths toward mercy and peace. But his agency was more than that. His coming was like the rising of the sun out of the primeval abyss: his work was both creative and illuminative. We may reverently insist that, in the domain of International Law, Grotius said, 'Let there be light,' and there was light.

"The light he thus gave has blessed the earth for these three centuries past, and it will go on through many centuries to come, illuminating them ever more and more.

"I need hardly remind you that it was mainly unheeded at first. Catholics and Protestants alike failed to recognise it,—'The light shone in the darkness, and the darkness comprehended it not.' By Calvinists in Holland and France, and by Lutherans in Germany, his great work was disregarded if not opposed; and at Rome it was placed on the Index of books forbidden to be read by Christians.

"The book, as you know, was published amid the horrors of the Thirty Years'

War; the great Gustavus is said to have carried it with him always, and he evidently at all times bore its principles in his heart. But he alone among all the great commanders of his time stood for mercy. All the cogent arguments of Gro-



*Alex. D. White*

United States Ambassador to Germany, Ex-President of Cornell University and Chairman of the American Commission to the Peace Conference at the Hague in 1899.

tius could not prevent the fearful destruction of Magdeburg, or diminish, so far as we can now see, any of the atrocities of that fearful period.

"Grotius himself may well have been discouraged; he may well have repeated

the words attributed to the great Swedish Chancellor, whose Ambassador he afterward became, 'Go forth, my son, and see with how little wisdom the world is governed.' He may well have despaired as he reflected that throughout his whole life he had never known his native land save in perpetual, heartrending war; nay, he may well have been excused for thinking that all his work for humanity had been in vain, when there came to his deathbed no sign of any ending of the terrible war of thirty years. . . .

"Yet we see that the great light streaming from his heart and mind continued to shine; that it developed and fructified human thought; that it warmed into life new and glorious growths of right reason as to international relations; and we recognise the fact that, from his day to ours, the progress of reason in theory, and of mercy in practice, has been constant, on both sides of the Atlantic."

Referring to the deficiencies of Grotius's ideas from the present point of view Mr. White continues:

"It has also been urged that the system which Grotius gave to the world has been utterly left behind as the world has gone on; that the great writers on International Law in the present day do not accept it; that Grotius developed everything out of an idea of natural law which was merely the creation of his own mind and based everything on an origin of jural rights and duties which never had any real being; that he deduced his principles from a divinely planted instinct which many thinkers are now persuaded never existed, acting in a way contrary to everything revealed by modern discoveries in the realm of history.

"It is at the same time insisted against Grotius that he did not give sufficient recognition to the main basis of the work of modern international jurists; to positive law, slowly built on the principles and practice of various nations in accordance with their definite agreements and adjustments.

"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 had 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 this 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."



VIGNETTE TO GROTTIUS'S GREAT WORK *De Jure Belli ac Pacis* (1625).  
(Reproduced from the edition of 1720.)

Ambassador White then proceeds to more technical points :

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

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Finally Ambassador White casts his glance into the deep abyss of the past, and his historical clairvoyance enables him to see the consummation of Grotius's ideals in the great Peace Conference he was at the time attending. His imagination conjures up the spectacle of the shade of William the Silent looking down with approval upon Holland's great son, and he says :

"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 recognised 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 to 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.*'

"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 civilisation with which each of you is intrusted; 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, or fault-finders. Go on with the work of strengthening peace and humanising 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.'"

T. J. McCormack.