

## MR. GORHAM'S REPLY TO MR. MATTERN.

*To the Editor of The Open Court:*

Allow me a few lines relative to Mr. Gorham's reply to Mr. Mattern in the April issue of *The Open Court*. It seems to me that Mr. Gorham is right within certain limits. In view of the collected evidence it is not possible to contend that the German army in Belgium has remained free of guilt. Nevertheless, it is my conviction that Mr. Gorham looks at the whole matter through English glasses—smoked glasses, penetrable only to certain rays of light. He is blind to the truth that Mr. Roland Hugins has well expressed when he said that "we do not have here white angels fighting black fiends, but human beings all smeared with the same scarlet."

There was no need for Mr. Gorham to refer to a Prussian law of a hundred years ago, in order to settle the question whether or not the civil population are entitled to offer armed resistance to an invader. According to Article 2 of the Annex to the Hague Convention of 1899, the civil population are entitled to do so, however, *only at the moment of invasion*. Has the occupation once been accomplished no civil person has a right to attack soldiers. In occupied territory, "Very generally acts of disobedience or hostility are made punishable with the penalty of death." (*American and English Encyclopedia of Law*, 2d. ed., Vol. 16, p. 157).

But the army of what country is likely to care for law if outnumbered by a hostile civil population? The British perhaps? Frederick F. Schrader, in one of his essays, (*Fatherland*, December 2, 1914) quotes from the *London Truth* an article by Lt. Morrison of the Canadian Artillery, as follows: "During the trek our progress was like the old times forays in the highlands of Scotland, two centuries ago. We moved on from valley to valley, lifting cattle and sheep, burning, looting and turning out the women and children."

The trek referred to by Lt. Morrison took place during the Transvaal war. The point I wish to make is that we may admit that the German soldiers have committed atrocities in certain sections of Belgium and at the same time ask whether any other army under similar circumstances would have acted in a more humane manner. In the Transvaal the British were fighting for extension of their colonial empire. They had no cause for desperation. The Germans in Belgium, however, knew very well that a defeat in the west would have meant defeat in the east; they had to save the women of Berlin from the fate that befell the women of East Prussia. Moreover, the Transvaal was but thinly populated and the invading army was smaller there than in Belgium, hence the points of contact were fewer, the temptation less.

Considering also what is known about the punishment for sniping during the Transvaal war and about the concentration camps of those days, the conclusions seems to be ineluctable that Europe would have been a thousand times worse off had the Germans not invaded Belgium, but the Cossacks and the Tommy Atkins, together penetrated central Europe; that after all the smaller of two evils has come to pass; and that no nation under the sun can turn to Germany and exclaim, "I am holier than thou!"

Should you think that what I have said might help to clear the thought on the subject, you are welcome to make use of these lines in *The Open Court*.

EMIL REACH.