

## A REJOINDER TO MR. J. MATTERN.<sup>1</sup>

BY CHARLES T. GORHAM.

MR. MATTERN does not seem to have fully appreciated my point as to atrocities. It is that, even assuming the Belgian outrages to have been unprovoked and unauthorized, they were not illegal *according to German military law*, and therefore the excuse of "relentless" retribution does not hold good. Certainly I do not admit that they ever took place "wholesale," as Mr. Mattern asserts; if any whatever occurred (the evidence is extremely meagre) they must in the nature of things have been far less culpable in persons defending their country against aggression than on the part of invaders. They were infinitely less shameful than the shocking and barbarous retaliation, especially as the Germans were ravaging a weak country which Germany had pledged herself to protect. With the point in question (the justification by German military law of such attacks) the Hague Conventions have nothing to do, but I am not in the least surprised to find that a German advocate is not ashamed to appeal to conventions which Germany is daily defying.

Mr. Mattern wonders that I prefer to accept the statements in the Bryce Report rather than the sworn evidence of Germans. I do so because so many Germans have been proved to be liars. The conviction for perjury of the German who swore the *Lusitania* was armed is only one instance. The German reports of the naval "victory" furnish another. And there are plenty more. Is Mr. Mattern aware that the Bryce Report is fully confirmed by the first-hand evidence of M. Massart? Does he know that the German adjutant of the governor-general of Belgium has admitted the German excesses, and stated that they were deliberately inflicted as a "warning"?

<sup>1</sup> See *The Open Court* of July, 1916, "In Reply to Mr. Charles T. Gorham," with reference to still earlier articles.

The labored argumentation about the *New Statesman* article is wasted. It is a little annoying to bring forward an authority and then find that he has turned against you. If Mr. Mattern is unable to see that the *New Statesman's* recommendation to suspend judgment and a disbelief in mere rumors cannot possibly "dispose of" specific charges detailed subsequently and endorsed by the same paper, I can only hope that time will clear his vision. That there were "myths" about maimed children I admitted in April. Does that show that all accounts of German barbarities are "myths"?

The quotations from British writers as to relentless warfare seem to be misapprehended. Any one who understands the English character would naturally assume that they refer to warfare against combatants (that is a presupposition underlying the British idea of warfare); they do not refer to the slaughter of women and children.

I did not contend that the treaty of 1839 "imposed a binding obligation" on Britain to make war in defense of Belgium. But it gave Britain and the other signatories, including Germany, the right to do so if hostile aggression rendered it necessary; it certainly did not authorize attack on Belgium. The necessity did not arise in 1870 because, as Mr. Mattern says, "there was absolutely no danger of either France or Prussia crossing into or marching through Belgium." In August 1914 Germany threw over the "scrap of paper" which she had confirmed in 1870. France and Britain adhered to it, as they were perfectly justified in doing. The fact that Mr. Mattern, while blaming Belgian outrages discredited the far better authenticated charges against the Germans, warranted me in stating that he looked with equanimity on their invasion of Belgium, and his reply fully confirms the inference. I beg to inform him that the *Standard* was *not* the "organ" of the "British Government."

In his account of the incident mentioned by Bédier (whose book I have not read) Mr. Mattern does not deny that the occurrence actually happened, but shows (or rather implies) that the offender was punished. Crime cannot properly be punished unless it has been committed, but I entirely agree that the passage as to punishment should not have been suppressed. For the credit of the "humane" German army I hope that many other offenders were punished, but I "hae my doots," in view of the German evidence. It is a favorite but stale device of German partisans to allege that unwelcome evidence is a "concoction" of the enemy.

I have nothing to say about the Baralong affair, except that, if the German accounts are true, it seems to have been a brutal

imitation of German methods previously used against us. It is natural to retaliate, I admit, but, "*Que messieurs les assassins commencent.*"

Permit me to add that the personal tone adopted by Mr. Mattern does not impress me as being precisely that of a gentleman.

#### MR. MATTERN'S REPLY.

Mr. Gorham's "Rejoinder" as printed above hardly calls for a response except perhaps with reference to his statement that in 1887 the *Standard* was *not* the organ of the British government. Mr. Gorham and I apparently fail to agree as to the exact meaning of the term "organ," and to show my willingness to meet my antagonist half way I herewith declare myself ready to substitute for the phrase "organ of the British government" the wording of Sanger and Norton (*England's Guarantee to Belgium and Luxemburg*, London, George Allen & Unwin Ltd. [1915], p. 99), who state that "at that time the Conservative Party was in power and the *Standard* was its principal organ."

In answer to the rest of Mr. Gorham's "Rejoinder," including his closing remark, I refer those interested to the former stages of our controversy and especially to Mr. Gorham's "few lines in reply to Mr. Johannes Mattern's article in *The Open Court* for December" of April last and to my article "In Reply to Mr. Charles T. Gorham," *The Open Court*, July, 1916. Only after a careful re-reading of at least these two will Mr. Gorham's present "Rejoinder" be fully appreciated.

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