

THE ARBITER IN COUNCIL

Francis Wrigley Hirst

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INTRODUCTION

THE death of my old friend, the Arbiter, has left me alone to arrange and edit a work, of which he is the principal author, without his supervision. Happily before the sudden illness which ended his long and useful life we had spent many hours together reading over and correcting the reports, and his own contributions had all been carefully revised. He particularly requested me not to let our friends, who took part in the discussion, alter the sentiments they had expressed. If that were allowed, he said, the dialogue would lose its vivacity and character. "You," he went on, "must correct the report as an editor, in the interest of the reader. Cast out rubble ; shorten where you can do so without altering the sense ; let there be as little repetition as possible ; for remember that the eye, tho' so much more rapid (and therefore with less excuse) is a far more impatient organ than the ear." The others all agreed ; the more willingly as the course proposed relieved them both of labour and responsibility. They only stipulated that their identity should be concealed. The names therefore are fictitious ; but I must beg the reader to believe that by this device veracity has been protected from the inroads of timidity and caution.

Certainly we all tried to speak without reserve, guided by a precept that the Arbiter had either recalled or invented for the occasion: "living is the art of making compromises, talking is the art of avoiding them."

I must not forget that the readers of this volume are utterly unacquainted with the Arbiter and his circle. Let me then first introduce the Arbiter. A hale old man of seventy-five at the time of our conference, Mr. Ashworthy came of a manufacturing family in the north of England. He was a careful steward of the great wealth he had inherited. Frugal in all his habits; economical, perhaps parsimonious, in small things, he was magnificently generous when great causes were at stake. His father had been a philosophic Radical—an advocate of adult suffrage and the ballot before the Whigs had begun to be Reformers—and, throwing himself heart and soul into the Anti-Corn Law movement, had become intimate with Cobden and Bright. Such were the traditions in which my old friend was brought up. As a young man he went with Cobden to the first Peace Conference at Frankfurt. In 1854 he was mobbed with his father for publicly protesting against the Crimean War. In 1857 he stood for a Lancashire constituency and was beaten because, following the leaders of the Manchester School, he denounced Palmerston's Chinese policy. In 1859 he was returned, and voted steadily with Cobden and Bright for "Peace, Retrenchment, and Reform." He remained in Parliament till 1885, when, disappointed by the performances of Mr. Gladstone's second administration, he determined to devote the remainder of his life to study and philan-

thropy. Mr. Gladstone's Irish policy took him by surprise, nor could he persuade himself to be a Home Ruler so long as his political master and friend, John Bright, remained alive. But the Armenian massacres and the Boer War taught him to sympathise more keenly with the small nations. It was in the summer of 1899, just before the Boer War, that I came to know him. My course at Oxford had been interrupted by family misfortunes. I had left in the middle of my third year without taking a degree, and after a course of shorthand had joined the staff of a great northern newspaper as reporter. In that capacity I attended a lecture given by Mr. Ashworthy on the Hague Conference. I knew that he had spent some time at the Hague during the Conference, and I expected a clear and popular description of the proceedings and their results. But the lecture far surpassed my expectations. It seized upon my imagination. It raised the whole subject to a higher plane. Orators who excite enthusiasm too often send the reasoning faculties to sleep. Perhaps Mr. Ashworthy was not an orator. At any rate the ground was carefully mapped out, the language good, the reasoning clear, and as he warmed to his argument his fervour was infectious. My editor only allowed two-thirds of a column for the address, but I tried my best to reproduce its effect, and with such a measure of success that Mr. Ashworthy wrote to the editor thanking him, and saying that he would like to make the acquaintance of the young man to whom he was indebted for the report. This was the beginning of a friendship to which I owe a regeneration of ideas. Many happy Sundays I spent in his country

home. There in quiet talks and walks he would tell me of his heroes, his ideals and his projects. On one of these rambles, in the spring of 1904, while we were deploring the want of some book that would help people to reason about war and peace, an idea suddenly struck him. "I'll call a conference," he said, "and you shall report it. I will be the Czar. You shall be the press, and the report shall be the book that is wanted."

The project was rapidly perfected. The Arbiter, as I shall always call him, had the gift of knowing whom and what he wanted. "We must have men trained in the art of making war by land and sea, as well as men who have thought out the means of preventing it. Let us hear what the church has to say, and the chapel, the law, and (with a smile) political economy." I laughed and said, "You must have a professor for that; I am only an amateur." "No!" he said; "this is not an academic subject. I once bought a text book on the law of diminishing returns, making sure that I had at last found a book on the economics of war. But I found nothing at all about it—only technical terms and mathematical diagrams. But you escaped fairly young from Oxford, and you are a practical fellow. You have to write about taxes and budgets and loans. I'll bet three turnips to a leg of mutton that you have had to think more on the political economy of war than all the professors put together." This bet always concluded a discussion, and we went on to settle the persons who should be invited.

The Arbiter had two favourite nephews whom I had often met at Oak Lodge. Reginald Case, K.C.,

was a successful barrister, with a conscience. I mean that his avarice for briefs was not insatiable. He never allowed his professional work to make him a drudge. "There is a drudgery," he said, "in law lucrative that I can never wholly submit to." Of modern lawyers Francis Horner was his favourite model. Rather than ruin his health or enslave his mind Case would refuse to undertake work for which he felt himself to be unqualified. He used to say that the happiness of every thriving advocate was ruined by his clerk, and would compare a barrister to the owner of a tied house, whose income depends upon the quantity and not the quality of the beer he sells. With his own clerk he had an arrangement like that which Messrs. Rowntree and Sherwell recommend for the manager of a model inn, and would threaten him with pains and penalties if he saw too many briefs on his table. He would seldom appear in court unless he thought that justice as well as law was on his side. Consequently he was able to be one of the very few men in large practice who maintained the ancient reputation of the English bar for learning. The Arbiter used to chaff him for his dry, unmoral way of looking at problems; but the value of getting the opinion of a truly professional mind on a problem that has so many legal aspects is enormous, and the Arbiter secretly delighted in these acute dissections of the subject in hand. It was arranged that our colloquy should be held early in October, towards the end of the Long Vacation, so that Case might be present and read a paper on International Arbitration. Case, I should add, was a Cambridge man. He had rowed in the Trinity Hall

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boat, and—a minor achievement in the eye of the College—had come out Third Classic in a particularly strong year. Lastly, he was a free thinker, and not at all inclined to let off religion easily at any time; least of all when his younger cousin Martin was present. Case was an excellent scholar. His favourite poets were Lucretius and Persius, and his favourite lines

Tantum religio potuit suadere malorum,

and

Virtutem videant intabescantque relicta.

Martin Truelove, the other nephew, was of a quite different type. A dreamy and rather emotional boy, he had somehow got a Balliol scholarship, of which, proving an inefficient machine for the production of proper answers to examiners, he was soon deprived by the Master. He is said to have been one of the half-dozen Balliol scholars that have taken Holy Orders in the last twenty years. He certainly has the liturgical instinct, and his truly religious spirit is quickened by doubts,—suggested by philosophy—that sometimes bring him to the verge of despair. It was a long time, I believe, before a certain clerical casuist in Oxford was able to persuade him to put a sufficiently wide interpretation upon the thirty-nine Articles. If I add that Truelove has often expounded unpopular causes, and has on more than one occasion denounced the doctrine, “my country right or wrong,” the Arbiter’s selection will have been sufficiently justified. Truelove promised to be prepared for a discussion upon the relations of Christianity to war between nations; and as Tolstoi’s letter in the *Times*

appeared not long before the conference we looked forward with special interest to this paper.

Not far from Oak Lodge lived the Rev. Augustine Clarke, an Independent Minister, a man of extraordinary mental vigour. Bred up as a Roman Catholic Priest he won enormous popularity in Salford. But he soon refused, like Turgot, "to wear a mask all his life," buried himself in the country, and after years of study, chiefly I fancy of the divines and philosophers of the 16th and 17th centuries, proclaimed himself an Independent. I have often discussed the sects with him, and am pretty sure that his choice was dictated by three master passions: an ardent Republicanism; a belief that the complete local independence of each congregation is the only hope of spiritual progress; and an unbounded admiration for the sect which was the first to proclaim the doctrine of religious toleration. Milton and Grotius were his heroes. He promised the Arbiter that he would read a paper on International Federation. I suggested that Captain Seymour, an old school friend of mine, should be invited, so that we might not be without the aid of a military expert. Seymour is in the Intelligence Department of the War Office and I knew he had assisted in the preparation of the *Military Manual*. He is an excellent linguist, has translated the manuals issued by the German, French, Italian and Russian armies, and is often consulted by his chiefs as to the military rules and customs of other civilised nations. The Arbiter eagerly assented to this proposal, and suggested that I should invite Seymour to stay at Oak Lodge for a fortnight so that he might have a good spell of

shooting. Seymour joyfully accepted the invitation, and promised to contribute a paper on Modern Warfare. With regard to naval questions we were in no difficulty. Admiral Tracy de Vere lived close at hand. He and the Arbiter had married sisters. He was a fine old fellow, who had served as Midshipman in the Crimean War, and had only retired from the active list in 1895. He was one of those retired Admirals, who do not foment international discord by fiery contributions to the daily papers. In sentiment he was liberal and humane. Nourished and brought up on the ancient belief in the superiority of the British seaman, he had not forgotten the old tradition that the British Navy should be half as large again as the French. His contempt for naval panic-mongers, the old women of the Admiralty and Printing House Square, as he called them, was unmitigated; and we anticipated with some amusement the paper he promised, after much pressure, on Lord Selborne's Three Power Standard.

The Arbiter's Stock Broker in the City, Mr. Leopold Meyer, was in many ways a typical member of the Stock Exchange, sharing in all its excitements, and despondencies. If it was in a bullish mood the *Statist* was not more confident than Meyer. If there was a fit of depression he could be as lugubrious as the *Investor's Review*. An inborn talent for finance, improved by the excellent German education he had enjoyed at Frankfurt, and perfected by an experience of several years in Rothschild's houses, had given him a scientific grasp of the principles and practice of modern finance that raised him far above the ruck of city magnates. A man of genuine enthusiasms,

he was devoted to the free country of his adoption. He could see no flaw in her institutions, and this perhaps was the reason why he welcomed any plan for extending them to less fortunate communities. He was curiously susceptible to invasion panics and almost ridiculous in his denunciation of alien immigrants. In the early nineties he had joined the Army League, the Navy League and the Imperial Defence Association. He was also honorary colonel to the Devil's Own, having presented 16 mule harnesses and 80 telescopes to the corps, shortly after the outbreak of the Boer War. At that time I fancy his relations with the Arbiter were a little strained; for some letters had passed in which the Arbiter had made pungent remarks about the influence of South African millionaires upon British diplomacy. This hurt Mr. Meyer's patriotic feelings, and for some months their correspondence was confined to a few business notes. Insensibly, however, as the war dragged on, Mr. Meyer's opinions underwent a change. I do not think he ever admitted that he had been in error. But at the time I am speaking of he was again on the most friendly terms with the Arbiter; and willingly consented to represent the City at our "House in the Wood."

The ninth and last of my *dramatis personae* is William Browne, the learned Cambridge historian, a pupil of Lord Acton. He is said to be collecting material for a new history of civilisation from the 14th century, and he regarded the ten days which the Arbiter asked him to spend with us as an unjustifiably long holiday. He consented, however, on the understanding that he should be allowed

a room to work in from 5 to 9 every morning, where he would not be disturbed. He offered to prepare a conspectus of all the real and alleged causes of wars waged by civilised countries during the last two centuries, and was evidently disappointed when the Arbiter asked him to deal with the subject in a short essay, merely touching upon the principal wars and the principal reasons given for them. He also promised to read us something about the History of Duelling.

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On Monday, the 3rd of October, 1904, we had all duly assembled in response to our summons, in the roomy library at Oak Lodge. The Arbiter, wishing me to take part, had relieved me of the shorthand work, securing an experienced man from the staff of my paper; and the verbatim report upon which I have worked was supplied in this way.

Our host looked round the table with a benevolent smile, waited like a good business man for the clock to strike the hour, and then spoke a few words of welcome, which put us all at once at our ease. I do not think that I will place them on record; they were too flattering to the abilities of his friends to be repeated. The Arbiter, like most modest men, was always generous in his estimates of others, and more than generous—prodigal—when they happened to be his friends. In this case worldly wisdom, of which he had no small share, contributed to the compliments he dealt round. He knew that each would be the more eager to put his best into the common stock after hearing himself described

as a master of strategy, a renowned theologian, a truly learned lawyer, a worthy disciple of Lord Acton, the modern Ricardo, etc. How difficult it is to overfeed with praise. *Vere immensa est laudum cupido.*

But though I pass over the compliments, I must not omit some important sentences, which the Arbiter introduced with an ancient but apposite story. "A Greek sophist," he said, "was once giving a course of lectures upon the art of war, and on one occasion the Carthaginian general, Hannibal, happened to be in the audience. When the lecture was over and the applause had subsided, one of the class, full of enthusiasm, eagerly asked the great general for his opinion, feeling sure it would agree with his own. Hannibal answered that he had met in his life many foolish old men but never one so foolish as this sophist. It is a story we ought not to forget when we speak of war, or law, or diplomacy, or any art which we have not practised ourselves; and I thought in a conference like this, which will constantly revolve round naval and military matters, as well as law and theology, it would be well to invite a Hannibal to be present in the flesh—not merely to listen and criticise, but to contribute to our discourses. For the story of Hannibal and the sophist has a general application. The unprofessional man must always speak with caution about any particular craft, or art. He may have studied its principles, but if he has not been an apprentice he is speaking at a certain disadvantage. Nevertheless it is equally important to bear in mind the opposite truth. Though few men have practised more than one profession yet all are citizens, and as such, they

may not be incapable of passing judgment upon political questions—and politics is the supreme science and art, embracing all pursuits and callings and professions. Let us remember, too, that the professional man suffers from a disadvantage of his own; he is apt to neglect the things outside his calling. He is always looking with a microscope at what is after all only a speck among human interests; it is hard for him to regard it from the impartial standpoint of the outsider. He gets an exaggerated view of its importance. As citizens, therefore, and critics, we are under the same necessity or duty which Dr. Arnold imposed upon the historian, that of over-stepping professional barriers. We are bound to examine and judge of wars, of legislation, of religious disputes, and commercial controversies, though we cannot all be soldiers, seamen, lawyers, clergymen, merchants. A distinction has to be drawn, and the distinction—as Arnold put it—seems to be in the difference between the faculty of doing the thing and that of perceiving whether it is well done. The man who lives in a house can judge better than the builder whether it is good or bad. He learns by experience what chimneys smoke, where there is a bad draught or an inconvenient arrangement. Yet he may be, probably is, quite incapable of curing the chimney, or getting rid of the draught, or planning out a better arrangement of rooms.

Applying this principle, say, to the art of war, the unprofessional man cannot be an authority on tactics, or the actual handling of weapons and troops. When it comes to strategy, and the planning out of

campaigns, his criticism may be worth something ; and when it comes to the general conduct of war, and, above all, to the great question when war should be undertaken or avoided, *i.e.* in proportion as the powers of the mind come into play and the whole sphere of politics, morals, and economic expediency are in view, it is not merely right but essential that an unprofessional person should speak out—and express his judgment. Besides, it is surely for the taxpayer to judge whether a war is worth its price, and what sum should be paid for national insurance. In this discourse then we are all equals, though some of us have special qualifications in judging of details and plans and projects. There comes in the distinction between theory and practice, between policy and execution.”

Having thus tickled our vanity and put us on our mettle, the Arbiter read the address with which it had been arranged he should open the conference. He called it *The Causes and Consequences of War*.