

insure nations against various disasters, perhaps even war. The book is tentative rather than conclusive: "Its whole present purpose is gained, in fact, if it leads to a serious revision of its own imperfections" (p. xi).

The long standing comment of historical scholars that there was no English translation of the writings of Treitschke attracted little attention until recently, when events gave a prominence to his teachings which they had never before obtained outside of Germany. The lack has been partly remedied. *Treitschke, His Doctrine of German Destiny and of International Relations. Together with a Study of His Life and Work of Adolph Hausrath. For the First Time Translated into English.* Putnam's, New York and London, 1914. Pp. xi, 332, is a translation of the biography written by his friend, and of some of his own more characteristic writings. The wonderful eloquence of Treitschke's style is manifest even in translation, in the difference between the biography and that which he himself wrote. Hausrath's account is a meritorious story of the life of his friend, in which the principal merit lies in the personal touch which his reminiscences allow him to contribute, but it is in many places confused and obscure, and even at its best not to be compared with the wonderfully vivid and suggestive portrait in the third lecture of Cramb. The selections from Treitschke's writings are well chosen for the general reader, particularly those which have to do with the army, with international law, and with German colonization. An explanatory preface is furnished by Mr. Putnam himself.

#### WHO MADE GERMAN OPINION?<sup>1</sup>

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More terrible than an army with banners is the "people in arms;" for in these days that people is equipped with deadly weapons—nationalism, ambition, righteous indignation, revenge. The forging of that public opinion has been recognized abroad as a state task and as a responsibility of incalculable importance. If today the neutral onlooker is bewildered by the sight of several public opinions, fired by genuine zeal in behalf of diametrically opposed aims and based on mutually exclusive premises, it is evident that he is not only in the presence of irreconcilable interests, but is also enjoying unusual opportunities for

<sup>1</sup> Bernhardt, *Unsere Zukunft*; Oncken, *Deutschland und England*; Oncken, *Der Kaiser und die Nation*; Rohrbach, *Der deutsche Gedanke in der Welt*.

comparative study of that armament process by which this new war-implement, a people in arms, is produced. How and from whom do the peoples get the opinions that make them take up arms? Evidently here is a question of surpassing importance for the statesmanship of the future.

Whoever is constitutionally and internationally responsible for the bringing on of the present war, there is abundant evidence that it is not the Kaiser that is at war, not the Prussian military caste, but Germany. Furthermore the world knows now that German enthusiasm is not born of fear, of desperate defence against an overmastering fate: there is a positive ideal leading her. Her enemies call it aggression. It is not of much importance what she calls it; it is all-important for the world to know what this ideal is. For years, like every other people, Germany has been listening and reading and receiving guidance from those capable of giving it. The titles given in the footnote are presented as samples of the ingredients that thus went to make up that ideal in public opinion; as such they are of immense concern to one seeking to understand the present conflict.

The grim figure of Bernhardt has been made sufficiently familiar, in connection with his prognostications regarding the "Next War." This little brochure "Our Future" was brought out at the price of one mark, twenty pfennigs, for the avowed purpose of making those views accessible to *all* circles in Germany, and it includes comment on events subsequent to the more famous book. The first had been written with the purpose of enforcing upon an "unjustifiably optimistic" people the impending danger of an explosion such as was likely to bring on general war. In this brochure the issue of the Balkan war is recognized as having greatly damaged German prestige, both because of the connection of German officers with the Turkish army, and the altered situation for Rumania and Italy, but especially because Austria is left in an impossible situation regarding Servia, and because "it is scarcely to be supposed that the Triple Entente powers, borne on and impelled by public opinion, would not exploit their lucky situation in an attempt to use force upon Germany." The great crisis of our people requires sacrifice, to "maintain ourselves against a world of enemies, and make ready for a future that corresponds to our greatness and cultural significance." It should in fairness be observed that when he speaks of the Germans as "the real bearers of all modern culture," "as a culture-nation of the first rank, as *the* culture-nation *κατ'έξοχήν*," he is referring to the Germanic races, from whose influence he does not exclude Gaul and Britain and the nations that have grown up on those lands,

he only reserves an eminent and important, not exclusive position among the Germanic races for the present Germans, "together with the Scandinavian peoples."

This apostle of Treitschke-ism deals faithfully with England and her significance for the Germany of today. To our surprise we are told that England established free trade because she could not dispense with German enterprise; that it is largely German merchants who make the greatness of Hongkong, Shanghai and Singapore. But it is England that blocks Germany's path to colonial dominion and the fulfilment of legitimate ambition for settlement-colonies, where German emigrants may found centers of German culture, and not be mere culture-fertilizer for the enrichment of other empires. England's great world-competitor, it seems, is to be the United States, and looking to the future wars for Canada and Panama she must have safety from rear-attacks, which requires destruction of the German fleet, "the Alpha and Omega of English policy." Could England and Germany come to an understanding it must be on this basis: England's renunciation of the world-hegemony that she now claims, a "practical, not only theoretical recognition of Germany's equal right beside Great Britain," also a few trifling corollaries such as a free hand for German expansion on the Continent, for a confederation of Middle Europe or a war with France, a redistribution of North Africa in favor of Italy and Germany, no hindrance to Austrian policy in the Balkans or to German economic activity in Nearer Asia, and "finally no more working against German sea-power and German acquisition of coaling-stations." German-English relations adjusted on such a basis would assure the peace of Europe, would be a powerful counter-weight against the growing influence of America, and would afford a strong protection against the less civilized East European Slav-dom, and the yellow millions of the Far East.

But he finds absolutely no chance of England's seeing the light; she has deliberately assumed this attitude against Germany, her whole foreign policy gets its orientation therefrom; she has taken on obligations to France and Russia; she has distributed her fleet and supporting stations with Germany in view, her whole community is resolved to maintain British supremacy on the sea, and believes that it is because of the hostile disposition of the German nation. Worse yet, England's interest is to bring on the general war *soon*, before the completion of the Kaiser William Canal, before the race in fleet-building exhausts her, before the Italian and Austrian fleets become inconveniently strong. Hence she desires to involve Austria and Russia in the Balkans, isolate

Germany, and thus get all the trumps into her own hand, meanwhile setting forth her policy "as a disinterested and unselfish one!"

Very different is Professor Oncken, a student of modern history, whose scholarly authority goes far beyond Germany and whose "objectivity" has been recognized by his inclusion among the authors of the Cambridge *Modern History*. Any relevant utterance of his therefore may be entitled to more weight, though it will have less wide reading than those of the chauvinist cavalry officer. On the 25th anniversary of Kaiser William's accession Oncken addressed the university community of Heidelberg on "The Emperor and the Nation." The man, the ruler, the statesman were very acutely analyzed with especial reference of course to his political environment as it has developed since 1888. He declares it to be the characteristic historical position of William II that he widened Germany's view, beyond the Continent to include the world. He "let the fresh wind of the salt sea, of colonial adventure, of world-commerce connections blow into the close atmosphere of a people living thickly crowded together." This "new course" brought new problems. "The grandson of Queen Victoria, the admirer of English maritime greatness and of the English manner of life, when he raised Germany to a real naval power, could not help arousing against us the excited opposition of England." Amid diverse criticisms from radical and nationalist parties even at home he has pursued his course; "we are in sure and uninterrupted progress, and it is in good degree the work of the Kaiser."

The other book of Oncken's is founded on a lecture delivered early in 1912 to a section of the Navy League. In the historical relations of England and Germany he finds a powerful argument for strengthening Germany's force—not the fleet as his hearers doubtless desired, but the army, a consummation that was reached the following year under the stimulus of the Balkan war. He holds that by a natural course of evolution the German nation has arrived at a position where, of all foreign affairs, the relation with England has become the vital question. For centuries it has been a fixed habit with England to maintain the balance of power on the Continent; by devising coalitions here, by giving assistance or sowing dissensions there, to prevent any continental hegemony that should neutralize the advantage of her insular position, should possibly close the Continent to her trade, should even attack and attempt to reduce her to insignificance. In pursuit of this policy England has long been in special relations with Germany, maintaining a tradition of alliance with Hapsburg against Bourbon, at other

times throwing her support to the Hohenzollern instead, combining with both Hapsburg and Hohenzollern against the French Revolution and Napoleon. In these alliances however he is at pains to point out that the German invariably had to ply the laboring oar, acting as the Englishman's soldier and guardian, and was sometimes (for example in 1711 and 1762) left outrageously in the lurch. Since Waterloo there has been little occasion for this policy of defence against continental hegemony, but to the old conditions requiring predominant sea-power for insular defence there was now added her new colonial empire of unprecedented spread, "founded ever more exclusively on the one condition of mastery of the sea."

The new imperial Germany was of itself no menace to England. For want of sea-power it was harmless. On the other hand the age-long Franco-German hostility was as good as free life insurance to England, it "allowed English policy for the time even the luxury of complete isolation without danger." But after the period of supposed German "satiety" came Bismarck's colonial expansion of the '80s, in regions which England would fain have regarded as spheres of her own future interest. Simultaneously tension with France regarding Egypt and with Russia regarding Afghanistan and India was at its height. "Only an incomparable conjunction of world politics, constructed in masterly fashion by Bismarck, threw into our lap at that time German East and South-west Africa, Kamerun and New Guinea." "The German colonial policy is not an outcropping of chauvinistic and aggressive imperialism, it does not rest on the desire for profits of a capitalistic imperialism, it is simply the expression of a social-economic necessity." "In the service of this colonial policy we have created a fleet." But other people had other views. England saw "the mightiest continental power creating a great fleet; and remembering the systematic preparation for the wars of 1866 and 1870-71, she asked, against whom are the Germans preparing the fleet?" Hence, he concludes, founded in part on her own guilty conscience, England developed her Germanophobia, her dread of invasion, of a new hegemony, to be thwarted and crushed if possible by the customary measures. There followed the general liquidations with France and Russia, the alliance with Japan, the attempts to tamper with Constantinople and Prague and Pest, the agreement of parties at home, of Grey's foreign policy with Lansdowne's, the conversion of the whole Foreign Office and diplomatic service to King Edward's doctrine of isolating Germany.

"It was the Moroccan crisis that brought home to us the reality

of this new and successful system." Kiderlen-Waechter's play was rightly directed to the attainment of compensations in equatorial Africa; but in order to win he had to demand a share of Morocco instead, and let loose the pack of Pan-Germanists baying for Agadir. To the latter the outcome was a bitter disappointment, and the game was a risky one throughout. "But one thing may not be disputed: England's intervention diminished our chances of profit say by one-half, not out of special ill-will, but in fidelity to the fundamental idea of her policy inaugurated in 1904." We (Germany) experienced the pressure of an intervention which essentially weakened our pressure upon France. "In all parties and groups of the German people (including the Social Democrats) the feeling is sharpened that that must not happen again." Pacifist missions of clergymen, parliamentarians and journalists are vain: "I doubt if any groups or parties remain among us ready to enter into the service of the *pax Anglica*." "We must bethink ourselves of a more effective means of persuasion: that is the strengthening of our armament."

Professor Oncken's reasons for urging that the substantial increases be in the army rather than in the fleet have to do rather with English than with German public opinion. A scheme for naval aggrandizement would require a long time for realization, but its very publication would immediately start England to laying down two cruisers for every one of ours. "There is a maximum of fleet strengthening—on that we give ourselves no illusions—which might hurry England immediately to a declaration of war," a result embarrassing to us in view of the present state of Heligoland and the Kiel Canal. But of most importance is this consideration: an important body of radical opinion in the British parliament and people has been tending toward rebellion against Sir Edward Grey. "This opinion figures often as humanitarian-sentimental," the pro-Boer dislike of reaching mastery by crushing the weak. But there is also grave questioning if Grey is not paying too dear for England's opposition to Germany alone; reference is made to Persia and Mongolia; "He endures and submits to everything except a peaceful rapprochement with Germany." And what return has this policy brought? "Germany's deep resentment, chronic danger of invasion, an immense increase of fleet burdens and a never ending bill of expense in Asia." "Louder and louder sounds the cry G. M. G. (Grey must go)." . . . "Nothing would call out so quick a *reversal* of this rebellious feeling, nothing would bring before the English nation so true a justification of the policy of Sir Edward [a consummation eminently undesirable, from Germany's point of view]—as a German fleet bill on the

grand scale at this time." On the other hand everything recommends a strong increase of the army. It is easier to bear financially, and could be realized almost immediately. But also it involves the best assurance against English aggression, by holding France in check, cooling the revanche-ambition. But even more directly. "We know that the English in case of war think seriously of the application of their military force on the Continent, across the sea that they rule; we know their plans to land in Belgium, and if possible, allied with the French, fight against us another Waterloo." To increase Germany's army means not to raise England's panic, but to reduce her ill-will. "The inclination to negotiate is on the increase in English public opinion. Let us take care to strengthen it, with foresight and emphasis. . . . This means [army-increase] is the one adapted to weaken our world-opponent in the place most dangerous for us, the system of his continental balance of hostile forces. It is the means that serves the ultimate purpose of all policy,—peace."

Read in late 1914 this seems like bitter irony, but it is indubitably one of the elements on which ante-bellum German public opinion was fed. Its contradictions are obvious, but on one point there is certainty, *si vis pacem, para bellum*; with what result the world now knows—and condemns. If a generation of Germans has been taught to worship force as the highest reason, victorious expansion as national glory, Bismarckian diplomacy as statesmanship, what shall the harvest be, from such sowing of the wind?

The topic proposed by Dr. Rohrbach is "The German Idea in the World:" "the moral ideal substance of Germanism as formative power in the present and future of the world." "There is on this basis [moral ideal] a continuing process of selection of the fittest among world peoples, who succeed in realizing a bit of human progress by stamping their national ideal upon the world." The author is a man of very wide and long continued travel (in Africa, Turkey and China) and is a member of the teaching body of the Berlin College of Commerce. Publication at one mark, eighty pfennigs, makes the book available for universal reading.

The real aim of the book is not, as its title might suggest, an analysis of those elements of civilization that are characteristically German, but rather to put the crucially important question, "Is the Anglo-Saxon type destined to attain sole mastery in those parts of the world where development is still in flux, or will so much room still remain for Germanism that it also shall appear as a determining factor of future civilization, here and beyond sea? Furthermore we must make sure (1) what

we are in a position to do in order to elevate the German idea in the world, (2) what liabilities burden the nation, that must be reckoned with politically?" A ringing challenge is made to England, in full, admiring, frequently expressed consciousness of the worthiness of her steel, German traits that hinder are pitilessly exposed, and the sum of it all is an inspiring appeal for self-sacrificing effort, not in a combat of arms, but in fair, constructive, competitive service to civilization, by rival but mutually tolerant states.

National *growth* is shown to be a question of life or death, not necessarily a matter of boundaries, but one of world-intercourse, of trade with colonies or other peoples, of markets for the sale of manufactures, for the purchase of food. And it must be free growth; not a colonial empire and world-trade by England's grace, but self-maintaining, self-defending, not presumptuous but proportionate to Germany's significance and achievements. If antagonists choose to fight her in order to maintain monopoly, that is against Germany's desire; it is unnecessary from the world's point of view, but the possibility must be reckoned with—and prepared against.

Many disadvantages under which Germany suffers in the competition are described, some historical and external, such as Germany's pre-occupation with religious wars and attainment of national unity while other states had safe leisure to acquire world-empire and consolidate the power for keeping it: some internal and present and therefore fit to be preached against, such as extreme divisiveness in party and church, defective capacity for coöperation in industry; caste-pride and officialism, exclusion from political power of great social forces by the proscription of the social democracy, privilege to land-ownership, monopoly of the diplomatic service by the nobility; Prussian "brutality under the mask of snobbish smartness;" parochial narrowness of view, inability to think and act on the world scale as the English do, niggardliness in colonial investment and support of missionary effort, so efficient an instrumentality in spreading the Anglo-Saxon idea in the world.

As to colonies the author has good hopes, and from long residence and observation brings many sage bits of advice: there is to be no such rooting out of the aborigines as in America and Australia; the black is indispensable to the white, he is to serve him, and civilization requires that his resources be exploited by those who know how, with not too nice regard for native land-titles; the colonial administration is learning by experience, but there should be less Prussian bureaucracy, more elastic



self-government; South Angola is to become German as soon as Portugal comes to the point of letting it go, and it is to be expected that (not by force but by agreement) there will be still further revision of African boundaries in Germany's favor. He has a lively appreciation of the significance of such a frontier to the nation's life, of England's advantage, long enjoyed, from a considerable flow homeward of persons experienced abroad, soldiers, missionaries, merchants, officials, the national vision thereby sensibly and incalculably widened.

One-fourth of the book is taken up by the chapter on "Our Foreign Policy," which however, takes the form of an outline of recent events and an account of the other powers in their relations to Germany. It is a drama of contest with fate: "the fate of Germany is England": but the heavy villain of the piece turns out to be King Edward VII. This rival of Bismarck must needs "encircle" Germany with his alliances, and therein he is only meeting England's need, felt with increasing strength during the last decade and a half, to maintain her supremacy at sea against the one who challenges it. Working on the grandiose scheme of an empire stretching unbroken from South Africa to Australia, the Cape to Cairo railway completed by an annex from Cairo to Calcutta (!), King Edward recognizes the German-Austrian-Turkish entente and proceeds to create one to match it—Anglo-French-Japanese-Russian. Ready to buy German East Africa, to recreate Mesopotamian civilization, to divide up Persia, to bestow the califate of the Moslems on some British vassal prince, he would rearrange the scheme of the Bagdad railway so as to make it protect Egypt against Turko-German attacks (though from such arrangement Turkey would reap little economic advantage and much political detriment), and he would even risk a crisis by arranging with Russia an operation which should dismember Turkey, setting up an autonomous Macedonia. These plans miscarried by reason of the two great events of 1908, Turkey's revolution and regeneration and Austria's annexation of Bosnia, in which premature crisis Russia, yielding before the Kaiser's "shining armor" was tried and found wanting as an element of nefarious British policy. England had administered to her in 1904-05 a Japanese "cure"; it had taken only too good effect, so that her convalescence was now found to be still far from complete.

Competition in naval armaments naturally occupies the author's deep attention, and he constructs a fascinating argument on plausible evidences: its soundness depends on their real validity, and the comparative weight to be apportioned to them, all of which we are not yet

in a position to estimate conclusively. It runs somewhat as follows: Germany's phenomenal industrial and commercial growth have not only required corresponding development of a fleet to protect them, but have occasioned England's fear that her *supremacy* is threatened; the First Lord of the Admiralty assures Germany of England's peaceful intentions, but tells her that England's fleet is *necessary* to her existence, while Germany's is only a luxury (possibly tempting its possessor to aggressive use); but for evidence against these peaceful assurances the author cites witnesses, from Monck and the elder Pitt down to Arthur Lee, the *Army and Navy Gazette*, the *Morning Chronicle*, and the *Saturday Review*, all supposed to show Britain's desire to attack Germany's fleet (perhaps unawares, as at Copenhagen in 1807) at any rate before it is too strong, capture her trade, enriching every Englishman thereby, turn over Germany's continental possessions to Russia and France to seek their compensation; and thereby ensure the *pax Anglica*. *Germania est delenda*. The author does not suppose that this chauvinism really constitutes English opinion, but he recognizes its existence and influence as a factor, along with Churchill's peaceful assurances, and protests that Germany cannot live on such balance of factors in a foreign nation's opinion. England lets go without protest Roosevelt's desire for an American navy "second to none," but is aggrieved at Germany's naval preparation, and insists on laying down two keels to one. "We do not think of disputing the superiority of the English fleet to ours. . . . But at that moment when by 'supremacy' they understand that our vital interests in whatsoever part of the world . . . must yield to theirs, they compel us to fight them for our future, and that means for our national existence. If they would prescribe to us how far we may go in the world to spread our national ideal we should be cowards and fools to regard this prescription as binding for us without an appeal of arms. . . . What we need, and what we must have under all circumstances, with or without the good will of England, is a fleet of such strength that if England attacks, even in case of an immediate favorable outcome she risks her position on the sea. We must have so many ships that in all human probability even if England has conquered us, she will by her losses have given up her superiority over the other sea-powers still at hand. No English policy can let it come to that." From the German standpoint this is nothing but proper defense; it gives opportunity to both countries: "If the English will not admit that, but maintain their 'supremacy' in the sense of absolute superiority, even for attack, they show therein

that they are not willing to allow us political and national equality in the world. It is they, not we, who turn the screw of naval armaments higher and higher."

Military conquest is held to be no part of the German idea: if it were, that idea might be more easily communicated to the mob; but for practical and moral reasons that is out of the question. Germany is seeking higher, more real values. There is plenty of room in her colonies, in world-commerce, and especially in countries just now opening to western civilization, in the peculiar circumstances of Turkey and China, for peaceful realization of the German nation's task, "to permeate those parts of the world accessible to us with the spiritual meaning of our national ideal." England and Germany may share side by side in conquests of peace.

If Germany deceived herself by paying too much attention to what is only a portion of English opinion, if from a reading of striking but irresponsible and misrepresentative forth-puttings in the press she has imagined an England monstrously unlike the real, a mere hideous caricature, we may draw the obvious conclusion that nations' judgments of each others' purposes and ideals are subject to heavy discount before they can be used as foundations for policy; but equally necessary is it in the present case that Americans do not deceive themselves into thinking that Treitschke created German opinion: it is a very various compound, including among many other elements its Rohrbach as well as its Oncken and Bernhardi.

#### DECISIONS OF STATE COURTS ON POINTS OF PUBLIC LAW

*Initiative and Referendum.* State vs. Superior Court. (Washington, Sept. 21, 1914. 143 Pac. 461.) The determination of local officers that signatures attached to referendum petitions are genuine, is the decision of a political question and not reviewable by the secretary of state, to whom such determination is to be certified. The review by the court of the action of the secretary of state is confined to jurisdictional questions. A number of the legislative provisions regarding forms of petitions (number of names on each sheet, etc.,) are held to be directory only.

*Initiative and Referendum.* State vs. Osborn. (Arizona, Sept. 18, 1914. 143 Pac. 117.) Courts can not restrain by injunction the