



His life of sixty-seven years was full of achievement, and notable as were his services to his country, they could and would have been greater if the supreme opportunity had come to him earlier. Had his views as to the policy of Austria prevailed before the World War, or even during it, there might have been a great and powerful federation of nations composed of the peoples chafing under the yoke of the Dual Monarchy. In consequence of the World War they are indeed independent, but facing the old problems which had confronted them in the earlier days before their absorption into the domains of the Hapsburgs. Each stands by and for itself and they may "fall together." The future will show. The hope of Dr. Lammasch was that these various groups should form individual and separate nations, united upon a footing of equality in a confederation of states, under the dynasty of the Hapsburgs. Without the war this might have been feasible; in the first two years of the war, perhaps even in the course of 1917, this might have been possible; in the last days of October, 1918, when Dr. Lammasch became Prime Minister of Austria, it was impossible. The groups of peoples of which the Austro-Hungarian Monarchy was composed had grown weary of the war. They had broken or were breaking away from Austria; they had or were setting up for themselves or planning other combinations from which Austria and Hungary were excluded.

The late Emperor Karl had wished to make Dr. Lammasch premier in 1917, but the military party, which he had always opposed, and the Pan-Germanists, who always opposed him, would not hear of it. Would he have succeeded, could he have succeeded if he had been appointed then? We can never know.

In the field of international law Dr. Lammasch was more fortunate. Indeed in the administration of international law he was remarkably successful. He was technical delegate of Austria-Hungary to the First Hague Peace Conference of 1899 and to the Second of 1907, in both of which he rendered valuable but inconspicuous service. He was a member of the arbitration section of each, and in the Second Conference he showed himself a consistent advocate of compulsory arbitration. In the closing days of the Conference he was, however, silent, as Germany had forced Austria-Hungary to forsake the camp of arbitration and to oppose the proposed treaty of arbitration, which the overwhelming majority wished to but could not pass over Germany's opposition. It would have been better for Austria-Hungary

if it had followed the advice of its technical delegate and broken then and there with Germany on the subject of arbitration.

As a reward for his services at the First Conference, Dr. Lammasch was appointed by the Dual Monarchy a judge of the Permanent Court of Arbitration at The Hague which he had helped to create. His character and attainments were not only appreciated by his colleagues, but respected by foreign countries to such an extent that he was called upon to serve as a judge in four disputes submitted to the Court of Arbitration, and in no less than three of these cases he was president of the tribunal. These were (1) the Venezuelan Preferential case between Germany, Great Britain, Italy and Venezuela, decided on February 22, 1904; (2) the Muscat Dhows case between France and Great Britain, decided on August 8, 1905; (3) the North Atlantic Coast Fisheries case between Great Britain and the United States, decided on September 7, 1910; (4) the Orinoco Steamship Company case, decided on October 25, 1910. In these last three cases he was either president or umpire.

Dr. Lammasch was not therefore merely an advocate of peaceful settlement; he was a tried and trusted worker in this vast domain.

In the field of theory he has been as marked, indeed more active than in practice. He has delivered address after address on arbitration; he has issued pamphlet after pamphlet on the same subject, and he has written not a few monographs on the theory, practice, history and development of arbitration as applied in the past and as, in his opinion, it should be in the future. As a friend of peaceful settlement of international disputes, he was opposed to the Austro-Hungarian ultimatum to Serbia, and to the war or rather series of wars which was the logical if not inevitable consequence of that rash, unjustified and unjustifiable act. During the wars he came out strongly against the violations of international law which the Central Powers were committing in the conduct of their wars; he opposed Pan-Germanism and its program of annexations; he raised his voice against the campaign of hatred in which his own countrymen and the peoples of other belligerent countries were engaged, and he advocated the conclusion of the wars upon just principles. He accepted President Wilson's leadership, approved his fourteen points and his Peace Plan, translating into German and publishing his speeches and letters dealing with international peace, including the speeches at the Paris Peace Conference up to and including the one reporting the

first draft of the Covenant of the League of Nations on February 14, 1919.

Professor Redlich, in a brief address delivered on February 14, 1920, before the Austrian Society for the League of Nations, founded by Dr. Lammasch and of which he was honorary president, relates an interesting anecdote of his admiration for Mr. Wilson. When Professor Redlich was a student at the University of Vienna, in 1889-90, he took Professor Lammasch's courses, and he recalls that, in the first lengthy conversation which he had at the home of his teacher, Dr. Lammasch, who was also a great reader of English and American works, took a small volume from a book-shelf, handed it to the young man saying, "Take this and read it, it is a good work." It was Mr. Wilson's doctor's thesis on *Congressional Government*. Professor Redlich says that he often thought of this in later years when Mr. Wilson's name "filled the world." Later Dr. Lammasch was disappointed with the way things went at Paris, and well he might be; but he was apparently unwilling to blame the American President for many of the things that happened, saying that we do not as yet know what Mr. Wilson did, especially how much he prevented Mr. Clemenceau from doing.

Dr. Lammasch was an unwavering advocate of a league of nations. He did not believe it necessary to federate the world or to create a super-state. There should be a close and intimate coöperation of the states, which should bind themselves to peaceful settlement through commissions of enquiry, tribunals of arbitration and courts of justice. The obligations assumed should be enforced, as he ultimately came to the conclusion that the world could not rely alone on moral suasion, and required a physical sanction. In his scheme, however, the League was to be governed by law, as were the nations. The work of the Hague Conferences he always respected. They should be continued, and he could not understand why the Covenant contained no reference to them and why it did not provide for their continuance. He felt it to be unfortunate that the Hague Conventions were not specifically mentioned as remaining in force, although he did not doubt that they were. He was also disappointed at the casual way in which Article 14 of the Covenant referred to a proposed Court of International Justice. Still, however, he stood by the League, and in the little book which has appeared since his death,

*Völkermord oder Völkerbund*, he expressed the opinion that the choice lay between suicide or a league of nations.

He never lost faith in the triumph of justice between nations, and he confessed his belief, not once but many times, that international law would be taken up at the end of the war, where the war found it, and developed to meet the future needs of nations. Perhaps the best statement of his views as to this is an article in the *Deutsche Revue* for November, 1914, on International Law and the War:

Just as Moltke, upon the day following the battle of Sedan, returned punctually to his game of whist, which had been interrupted for several days, and merely said: "After this incident we will continue our game," so the scholars of the various states now at war will after the conclusion of peace meet at the customary time to resume their work, which was interrupted by the unpleasant episode, at the point where they were compelled to abandon it. Only the place of the meeting will at first probably be transferred for reasons of caution to a country which has remained neutral, in order that the *profanum vulgus* may not disturb it.

As soon as the thunder of the cannon has died away, the solidarity of the *human* interests, the conscience of which was dimmed in the minds of many during the war, will again become apparent to all.

Heinrich Lammasch was a great and good man and it was a misfortune for him, his country and the world that his advice was not listened to while it was still time, and that when he came to power it was too late.

It is never too late to furnish a good example, and that Dr. Lammasch did.

JAMES BROWN SCOTT.

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ALPHEUS HENRY SNOW (1859-1920)

In the death of Mr. Alpheus Henry Snow in New York City on August 19, 1920, the American Society of International Law has lost a friend of long standing and a valuable co-worker. Mr. Snow had been a member of the Society since the first year of its organization in 1906. As a member of its Executive Council, to which he was elected in 1910, he took an active part in assisting in the direction of the Society's affairs, rarely being absent from the meetings of the