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Nationalism. —
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Nationalism and Internationalism

A CHRISTIAN INTERPRETATION OF BASIC PRINCIPLES



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This Statement on Nationalism and Internationalism was prepared by the Most Rev. Aloisius J. Muench, S.T.D., Bishop of Fargo and Member of the Bishops' Peace Committee, and was officially adopted in joint session of the Catholic Central Verein of America and the National Catholic Women's Union at their annual conventions, held in St. Paul, Minn., August 18-22, 1944.

The teachings of the Sovereign Pontiffs are the principal source of this Statement. Cf. *Principles for Peace*, Bishops' Peace Committee, Distributors: Bruce Publ. Co., Milwaukee. References to this work found throughout the text of the Statement are by paragraph number.

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Preface

In a democracy public opinion must make its voice heard. Unless this is done, democracy is nothing more than a beautiful phrase.

The voice of the people, however, must express itself in terms of sound ideas. Many of the evils of our day are the result of unsound ideas sown in the decades and even centuries now past. Today these ideas are bearing their evil fruit.

The peace that is being prepared must rest on sound ideas. If false principles are given admission into documents of treaties, peace will not be secure. The experience of the last twenty-five years furnishes the proof for this statement, and all through history is written the failure of statesmen to give due attention to cardinal principles of morality for the making of a good peace.

With great wisdom Washington warned the American people in his celebrated Farewell Address that national morality can not prevail to the exclusion of the religious principle. Neither can international morality prevail, if in the relations of nation to nation the principle of religion is excluded.

A modern statesman, Dr. Antonio de Oliveira Salazar, Portugal's scholar-statesman, expressed this same conviction recently in other words: "Politics must bring economic interests in line with moral interests." Good statesmanship will seek to achieve this. The great tragedy of our day

goes back to the failure of statesmen to see in moral principles sure guides for the proper ordering of political and economic affairs.

To bring into proper balance the rightful interests of both nationalism and internationalism will be no small task for the statesmen of our day. Their task will be lightened, if they allow themselves in all humility to be guided by fundamental principles of the moral law touching on nationalism and internationalism.

This statement seeks to set forth such principles. For its preparation much help was received from *Principles for Peace, A World to Reconstruct*, and *The International Law of the Future*. Due acknowledgment is herewith expressed to the authors and publishers of these works on problems of peace.

Nationalism

NATIONS WERE founded according to the designs of Divine Providence. Pius XI stated this truth in a few words: "Nations have been made by God";¹ and Pius XII declared more recently that "nations are formed by divine disposition."²

In the plans of God each nation differs from the other in language, usages, customs, traditions, and culture. By virtue of this great variety each nation is enabled to make a special contribution toward the common good of mankind. Each nation, no matter how small, occupies a rightful place in the divine order of the human family established by God.

On this Christian truth, to which every page of history bears witness, is based what Benedict XV called "justifiable nationalism."³

1. Justifiable Nationalism

Nationalism in its good sense is nothing less than a form of patriotism. Patriotism has wider connotations than nationalism. Patriotism may be applied to one's country or fatherland, to one's town or city, and also to racial or tribal groups within one's country. Nationalism, on the other hand, has the definite connotation of love for and loyalty to one's nation. It is as modern as the nation-state is modern.

¹Pius XI, 1293.

²Pius XII, 1429.

³Benedict XV, 389.

Since patriotism is a Christian virtue, nationalism, too, shares in the qualities of this virtue. It involves love for one's nation, reverence for its historical traditions and for its cultural achievements, and loyalty to the nation's rightful interests. Nationalism, rightly conceived, is, therefore, in the words of Pius XI, "the nursery of many virtues."⁴

We do not, therefore, condemn but rather encourage such nationalism. It is our patriotic duty to do so. Through such nationalism the natural, inalienable rights of nations, small and large, weak and strong, are safeguarded. We reaffirm these rights to be primarily rights to life and independence. Every nation has the right to life, for "nations never die,"⁵ and "one nation's will to live must never be tantamount to a death sentence for another."⁶ To enjoy life and independence every nation must have the right also to enjoy freedom, integrity, and security. Nations must, therefore, be allowed to decide their own destiny and to develop and prosper according to their own genius and their own individual resources.⁷

The rights which justifiable nationalism may exact are nonetheless rights limited by duties. This we wish to emphasize. Rights of states are limited even as rights of individuals are limited. There are no absolute rights. The failure to recognize this has been in history the source of international conflicts. To be justifiable, nationalism must

⁴Pius XI, 1293.

⁵Benedict XV, 389.

⁶Pius XII, 1497.

⁷Benedict XV.

subject itself to the law of Christ, which rests on the twin pillars of justice and charity. These two social virtues set limits to unwarranted demands and exactions of nationalism. Without them nationalism runs to excess.

2. Excessive Nationalism

Excessive nationalism has become "a veritable curse,"⁸ to use a striking phrase of Pius XI. Excessive nationalism speaks of the law of race and nationality, "as if law and justice,"⁹ wrote Pius XI, "could be sustained and founded on these particular types."

Against such false teaching, rampant among nations everywhere, we declare our adherence to the law of Christianity. This law overrides all particularistic claims of nations, since this law takes all nations into the universal embrace of justice and charity. It treats all nations alike; it sends out the same call to duty to all nations; it plays no favorites; it eyes with equal regard the rights of all nations "whatever be their territorial extent or their capacity for defense."¹⁰

We fear that excessive nationalism will once more ruin the chances for a good peace, for war is the prolific breeder of false ideas on patriotism. During wartime every means of propaganda is used to stimulate pride in one's nation. To achieve this purpose truth is used, but falsehood also. Enemy nations are put into the worst possible

⁸Pius XI, 1293.

⁹Pius XI, 1120.

¹⁰Pius XII, 1758.

light. Patriotism is stirred in the breasts of people to the point where by its excesses it loses its character as a virtue and becomes a vice.

Interested solely by motives of attaining a good peace we condemn whatever strengthens excessive nationalism. Unless its voice is stilled another war will ravage the world. For, its call is not to the practice of Christian charity, but to taking up of arms in fratricidal strife, and "from stained and devastated lands will be raised anew the voice of brother's blood."¹¹

The advocates of an excessive nationalism must not be permitted to have a place at the peace table. They will ruin the hopes and prayers of people everywhere for a good peace.

MILITARISTIC NATIONALISM

The danger now is that, flushed with victory, militaristic nationalism will strive to remain in control. If it succeeds to stay in power there will be no "progressive disarmament", for which Pius XII pleaded in his Christmas message of 1939. The mad race for armament will continue; crushing burdens of taxes will weigh down the citizens of countries everywhere; money will be used for engines of destruction instead of for works of construction; security will once more degenerate into insecurity. Huge armaments will breed suspicions, lead to the formation of power blocs, fan fires of animosity, hatred, and revenge, and thus, destroying good will among men, continue to imperil peace on earth. Peacetime conscription of

¹¹Pius XI, 1105.

youth will also follow upon militaristic nationalism's stay in power. Physical education is unfortunately given a militaristic turn. Of this Pius XI, turning to history as his witness, said that "military athleticism has always ended in the decline and downfall of nations."¹²

History teaches us to believe with firmest conviction that "nations must be delivered from the slavery imposed upon them by the race of armaments and from the danger that material force, instead of serving to protect the right, may become an overbearing and tyrannical master."¹³ The security of peace "requires a mutually agreed organic progressive disarmament, spiritual as well as material, and security for the effective implementing of such an agreement."¹⁴

For these same reasons, as well as for the protection of our youth against moral harm, such as has always come to youth from life in army barracks, we declare our opposition to compulsory military training once that the war has come to an end.

EGOISTICAL NATIONALISM

Excessive nationalism raises another danger for a good and lasting peace. This danger arises from what Pius XII called "the spirit of cold egoism."¹⁵ Of egoistical nationalism Pius XI had written: "It is indeed impossible for peace to last between peoples and states if, in the place of true and gen-

¹²Pius XI, 906.

¹³Pius XII, 1497.

¹⁴Ibid.

¹⁵Pius XII, 1644.

uine love of country, there reigns a hard egoistical nationalism, which is the same as saying, hatred and envy in the place of mutual desire for the good; diffidence and suspicion in the place of fraternal confidence; competition and antagonism in the place of willing cooperation; ambition for hegemony and mastery in the place of respect for all rights, including those of the small and weak."¹⁶

ECONOMIC NATIONALISM

Under the influence of egoistical nationalism nation-states will pursue their interests with selfish disregard of the rights and aspirations of other nations. It raises its fearsome head especially in the field of economics. Motivated by passions of greed and lust for wealth, it drives nations on to an economic imperialism that dominates smaller and weaker peoples, exploits them to its own advantage, and asserts might over all claims of right. It is inevitable that oppressed nations will nurse ill-will and hatred, and will leave nothing undone to throw off the yoke of slavery even though it should mean war with all its carnage and destruction.

Economic imperialism, clothing its schemes for domination under ideals of patriotism, in reality destroys it. For, it has no country, except "the country where profit is."¹⁷ Fostering an inordinate love for the goods of this earth, it becomes the fountainhead of international misunderstanding and rivalries. True patriotism is perverted by

¹⁶Pius XI, 1920.

¹⁷Pius XI, 1013.

it to ignoble ends, since love of country is made to justify acts in international relations that can not be justified before the bar of moral principles.

We raise our voice in warning against this economic imperialism because evidence is beginning to appear that, despite high ideals of freedom and protestations of democracy, selfish nationalistic forces are at work to make economic matters the prime consideration in shaping the coming peace. Sacred principles for which this war is being fought are being relegated more and more to the background. Economic opportunism has swung itself into the saddle, and is riding roughshod over precious ideals of liberty. If peoples everywhere will not make their voices heard in behalf of ideals of liberty, the condition of the world may, and very likely will be, even worse than it was before the outbreak of the war.

ABSOLUTISTIC NATIONALISM

Another dangerous form of excessive nationalism is that of absolutism of the state. Absolutistic nationalism exalts the state to the point of deifying it, as Pius XI phrased it in strong terms, "with an idolatrous worship."¹⁸ It would give to Caesar the things that are not Caesar's but God's. The state is made omnipotent. It knows no law but its own law. The danger to peace arises from this that absolutistic nationalism breaks the unity of supra-national society; robs the law of nations of its foundations; leads to a violation of rights, because rights, according to absolutistic national-

¹⁸Pius XI, 1172.

ism, exist only by leave of the state; injures international stability through its own preposterous claims of stability; and destroys the possibility of useful and fruitful collaboration.

War exigencies strengthen absolutistic nationalism, especially in a war that is so completely total as is the present war. We express our deep concern over the growing trend toward state absolutism. It does not forbode a good peace. Therefore, we reaffirm the need of upholding the supremacy of the moral law in the face of states that consider themselves above all law. We are convinced that statesmen must use all their power and influence to restore the moral law to its rightful place in international relations if they would make a good peace. Their first concern must be to foster true moral culture. If they are primarily intent on the task of raising to higher levels the economic prosperity and the social well-being of underprivileged people, as commendable as these aims are, their efforts to secure a just and lasting peace will fail of success. A strong moral underpinning must be provided for the structure of peace which they are anxious to reconstruct in a war-weary world. Let them remember that it is "justice that exalts a nation, but sin that makes nations miserable."¹⁹ Peace is the work of justice.

¹⁹Proverbs 14, 34.

Internationalism

True internationalism presupposes true nationalism, for international relations are based on the autonomy and independence of nations. Nations have always existed under one form or another, and nations will always exist.

It is, therefore, a fallacy to suppose that nationalism and internationalism are opposed to each other. We dissent from the opinion advanced by some, in these days of much discussion on the reconstruction of the international order, that nations must give up their sovereignty and that all persons must become citizens of a world-state if lasting peace is to be achieved. Such cosmopolitanism is unsound; it does not face up to the fact that mankind is divided into diverse national groups; it predicates an utopia that can never become an actuality. For these same reasons we reject Marxian cosmopolitanism which, based on a system of worldwide communism, would make the workers of the world citizens of one large world state.

1. Solidarity of Mankind

Despite the diversity of nations with their different languages and their distinct cultures mankind is one. The unity of the human race is one of the cardinal points in Christian teaching. Mankind is one in its origin, one in its destiny, one in the equality of rights of a human person, one in

the bond of love that ties all men together as children of God and brothers in Christ.²⁰

The social body of mankind, wrote Pius XI, may be likened to the mystical body of Christ,²¹ which, in analogy to the human body, is composed of different members that are joined and knit together into a compact whole, each member functioning according to its particular purpose and yet all functioning together for the good of the whole.²²

The solidarity of the nations of the earth is so basic in Christian teaching that a rich variety of names has been used to express it. The Roman Pontiffs have spoken of the nations of the earth, banded together in a mutual, organic, and harmonious whole as "a commonwealth of nations, a city of nations, a congress of nations, a league of nations, a family of peoples, an association of nations, a community of nations, a confederacy of mankind."²³ Each title expresses a different phase of the intimate solidarity that exists among the nations of the world.

The principle of organic solidarity in the family of nations is generally accepted today. Nations are mutually dependent one on the other in many different ways. Still the principle has been rendered ineffective and inoperative by particularistic interests, by artificial monopolies of privileged parties, by egoistical nationalism which appears in politi-

²⁰Pius XII, 1404-1413.

²¹Pius XI, 999.

²²Ephesians 4, 16.

²³Benedict XV, 437, 453, 589, 597, 678; Pius XI, 1122; Pius XII, 1539.

cal, economic, and racial rivalries, and in general by a weakening of the consciousness of international solidarity.

We plead for a reawakening of the moral conscience to the end that nation-states will recognize their obligations toward the common good of all nations. The mere creation of an association of nations, be its form yet so ingenious, will be of little avail if the will to cooperation and to coordination of activities among nations is not fortified by reasonable and practicable measures for the assurance of international order. The organic balance among nation-states must be restored and maintained if peace is to be achieved and kept. We are fully aware that highminded and disinterested statesmanship will be required to reach this goal. The task is no small one, but the barriers to its achievement are not insuperable.

2. Restoration of the Spirit of Peace

International solidarity must be given new life through the restoration of the spirit of peace. "A firm and steady policy of peace towards other nations is in fact impossible without a spirit of peace."²⁴

We are convinced that the first task of statesmen as well as of citizens must be to create an atmosphere of good will among nations. On good will depends peace. "Peace on earth to men of good will."

²⁴Pius XII, 1828.

Good will, however, can not thrive in an atmosphere of mistrust and hatred. These must be replaced as rapidly as possible by mutual trust and fraternal love. Accord among powers is not achieved "in the simple conclusion of a diplomatic document, but in a kind of continued creation by means of loyal collaboration, inspired by a reciprocal confidence and mutual esteem."²⁵

Peace is not assured by the mere signing of pacts and agreements. The recent history of treaties, which records an almost idolatrous worship of documents, is witness to this truth. Peace is a thing of mind and heart. It must flow from the spiritual sources of every individual into the life of the nation, and from there out into the nations of the world.

To create an atmosphere of peace must be the work of statesmen through governmental agencies which they inspire and direct, as well as the work of citizens through agencies such as the press, the platform, the radio, and the school.

But above all must religion be allowed to play its unique and sacred role of spreading the spirit of peace. To religion has come the supreme task of "widening the spaces of charity",²⁶ to use an apt phrase of St. Augustine. To religion has been given the mandate of establishing the Reign of Christ among the peoples of this earth.

In view of the important and indispensable role that religion is under obligation to play in giving vigor to the spirit of peace we can not understand why the way to the message of the Christian faith

²⁵Pius XII, 1607.

²⁶St. Augustine, Sermon 69, Migne, P. L. v. 38, C. 440.

is blocked by all sorts of legislative measures. "Youth is withdrawn from the beneficent influence of the Christian family, alienated from the Church, educated in a spirit contrary to the teachings of Christ, and imbued with ideas, maxims, and practices which are anti-Christian."²⁷

Nor can we understand that the evil spirit of secularism is not recognized for what it really is. The fateful consequences of secularism are in evidence on every side. The religion of Christ is neglected by increasing numbers; the supremacy of His law is contemned; and love of God is relegated to an obscure corner in the hearts of men. The results are seen in international affairs: bitter discord, burning hatreds, insatiable greed, and cruel selfishness. Peace can not live in such an atmosphere.

What is happening in the world is convincing proof that nations, lest they perish, must again learn to follow the ways of God as marked out by His commandments. Nations, too, like individuals are subject to His law. Indeed, in a certain sense it is much more important that nations search out and conform themselves to the will of God than individuals because on "nations rests a much greater responsibility for the consequences of their acts than on an individual."²⁸ Without the supports and sanctions of religion the rights of the strong alone will prevail, while the rights of the weak will be overpowered; and duties will be discharged only to the extent that it will be useful to do so. Under a system of irreligion rights and duties lose

²⁷Pius XII, 1764.

²⁸Pius XI, 797.

their meaning, their foundations having been destroyed.

3. *International Bill of Rights*

In war the sacredness of rights is much extolled, but as a matter of fact esteem for them is seriously undermined because belligerents are guided less by what is right than by what is useful. Utility and success are made the supreme guides in operations of war.

Therefore, among the first of peacetime tasks, will be the re-establishment of regard for the rights of nations small and large. We emphasized that last year in our *Declaration on Peace and Reconstruction*.

Nations are the subject of rights because, like individuals, they are personalities — collective, historical personalities. In the conduct of their affairs, internal and external, nations, like individuals, may make claims, that is, assert rights, in the interest of a proper discharge of their respective duties.

All nations, despite inequalities in respect to extent, size, or power, enjoy juridical equality; that is, each nation has the equal capacity to exercise its natural, inalienable rights and to demand that these rights be respected. Rights have an objective value; they are not dependent on subjective considerations, nor are they subject to the changing conditions of time or place.

Because rights are the granite pillars on which the international order must be based, it seems im-

perative to us that an International Bill of Rights should be drawn up at the earliest possible moment. Its basic principles should be expressed in clear, simple terms, and should therefore be drawn from the natural law. The statement should not be weakened by reservations that will open up loop-holes for evasion. In the formulation of the International Bill of Rights legalism with its enervating cautions and qualifications should not be allowed to have a voice. The power of the natural law should be permitted to have exclusive sway.

At the very head of such a Bill should be placed the clear statement that God is the source of all law; that all governments are subject to the dictates of His moral law as written in the reason of man; and that the law of nations, which is basic in all international relations, has its roots in God's moral law.

In this Bill of Rights definite assurance should be given that nations, small or large, strong or weak, have a right to life. This includes not only the right of access to the natural resources of the earth but also the right to religious liberties, and to cultural development in harmony with rightful natural aspirations and legitimate historical traditions.

Nations must also be secured in their right to independence. Their sovereignty must be respected, and consequently they must not be forced into the role of satellite nations, nor must there be any interference with their internal affairs, so long as by their conduct of them they do not menace the rights of other nations or endanger the peace of

the world. This right to independence involves also the right to choose their own form of government, provided again that the rights of others are respected and that willingness to discharge duties owed fellow nations is preserved.²⁰

Intimately connected with the rights to life and independence are the rights to liberty, integrity, and security.

A nation that is denied the right of liberty is no longer independent; it has become a slave nation. Liberty implies exclusion of foreign interference. Of course, the right of liberty is not an absolute or unlimited right. It must be exercised with due regard to the rights of other nations. Liberty must never be used as a pretext or subterfuge to evade international obligations.

The right to integrity safeguards a nation primarily as to its territorial possessions. It may not be attacked wantonly and invaded, and may not be divided and despoiled. Small nations have found themselves too weak to resist the aggression of powerful neighbors. Again and again, in utter disregard of the moral law, has their neutrality been violated and their integrity ravaged.

Guarantees of security must be given in order that nations will be secure in their rights to life, independence, liberty, and integrity. Without such security there can be no tranquillity of order, and hence no peace. This security should be established on the basis of collective action so that violations of international order can be effectively opposed.

²⁰Leo XIII, 53; Pius XI, 997.

But all such measures of collective security will fail if nation-states lack a lively realization of their duties in international affairs. There has been too much emphasis placed on rights and too little on duties. Peace rests secure if duties are faithfully and loyally discharged.

4. International Bill of Duties

The first duty of nations is to God. Statesmen, who guide the destinies of nations, must pay tribute to the all-important truth that God is the Supreme Lawgiver. From Him all human law derives its sacred character. "From a lively faith in a personal and transcendent God there springs a sincere and unyielding moral strength which shapes the whole course of life," declared Pius XII. "For, faith is not only a virtue," he adds, "it is also the divine gate by which all virtues enter the temple of the soul to build that strong and tenacious character which does not falter before the rigid demands of reason and justice."³⁰

Recognition of the sovereignty of God inevitably leads to the recognition of the supremacy of the moral law in the affairs of men. The moral law has received mortal blows, and hence the law of nations has collapsed. The restoration of the juridic order, that is government by law based on God's moral law, is a prime, imperative duty of statesmen who will be burdened with the responsibility not only of making but also of keeping the peace.

³⁰Pius XII, 1762.

In view of God as Supreme Lawgiver and of the supremacy of His moral law, nation-states can not assert an unlimited and absolute sovereignty. They will recognize that the assertion of sovereignty has limits drawn by duties toward fellow nations. Even as individuals, sovereign in their natural, inalienable rights, must acknowledge social responsibility toward the common good, so also nation-states must limit their sovereignty by the social responsibilities they have toward the international common good. The principle of absoluteness of sovereignty is contradicted not only by reason but by all facts of history. It must be vigorously opposed by all who are concerned about the future peace.

Once that the limitations of sovereignty are honestly and unreservedly recognized, statesmen and citizens alike will see the merits and benefits of self-renunciation that "makes one give rather than take."³¹ Moved by its spirit, nation-states will open wide the way to international collaboration; exactions of rigid justice will be tempered, thus quenching the fires of bitterness and hatred that smolder in the hearts of men on whom justice has laid too heavy a hand; and peace will rest secure because its home has been moved away from the side of a volcano of revenge that may erupt at any time into fiery blasts of war.

Duties to the international common good require also respect for the truth, loyalty to the pledged word, and regard for the sacredness of pacts and treaties.

³¹Pius XII, 1370.

Unbridled propaganda resorts to a methodical distortion of the truth and to intemperate vilification of nations. Incalculable damage will be done to future cooperation of nations, if statesmen, as well as press, platform, and radio, do not hold high the standards of truth in international relationships. We do not recommend censorship by law or government decree, but we do recommend the setting up of an ethical code for all agencies of publicity and propaganda — a code that will set forth imperatives on speaking and writing of other nations in the spirit of truth. International good will must not be harmed by spokesmen who show no esteem for the truth.

Statesmen in particular have a sacred obligation to observe fidelity to the pledged word. The value of the given word has never been lower. Mistrust among nations is the sad and tragic consequence; minds are uneasy, and seek security in armaments. Because of the suspicions that have been aroused by mistrust, peace is trembling in constant anxiety. Tension of spirits is not conducive to a state of peace. Loyalty and fidelity to the plighted word are much in need of repair. Moral sanctions of the highest order are required to give them once more honorable standing in the commonwealth of nations.³²

Again and again have the Sovereign Pontiffs called attention to the great need of restoring respect for the pledged word, and hence for treaties. So long as pacts are not observed, peoples will feel insecure, and disarmament can not be realized. The threat of war will continue to hang over their

³²Pius XI, 1286; Pius XII, 1319.

heads. Pius XII has described the situation well: "In proportion to the degree in which disarmament is effected means must be found which will be appropriate, honorable, and efficacious in order that the norm, '*Pacta sunt servanda* — *Treaties must be observed,*' may once again enjoy its vital and moral function in the juridical relations between states. This norm has undergone many serious crises and has suffered undeniable violations in the past, and has met with an almost incurable lack of trust among the various nations and among their respective rulers."³³

It is crystal clear that moral factors alone can heal the wounds that have been struck pacts and treaties by amoral and irreligious governments of recent times. Laws can not remedy the evil because they, too, will not be regarded; and armed force will lose all power of coercion so soon as big powers, motivated by practical and utilitarian considerations, become violators of the treaties they signed. The foundation of justice is not armed might but fidelity, that is, unswerving loyalty to the spoken and written word. Statesmen must learn again that when they pledge their nation's word they make a promise not only to men, but also to God. "But that which is once gone out of thy lips, thou shalt observe, and thou shalt do as thou hast promised to the Lord thy God."³⁴ Let no one say that religion is not important in the practical affairs of men.

In line with fidelity to the pledged word is regard for the law of nations which prescribes that

³³Pius XII, Christmas, 1941.

³⁴Deut. 23, 23.

international treaties shall not in any way be annulled by the wilful action of one of the contracting parties. All too frequently treaties have been revised in recent times, and even abrogated, by the unilateral action of contracting parties. Owing to changed conditions, treaties stand in need of periodic revision, but such revision should be made by mutual action and consent of the contracting parties, and, if a fair settlement of the difficulties can not be reached, resort should be had to the Permanent Court of International Justice. The loss that a nation may suffer by such a procedure in its honor or in its possessions is small in comparison to the terrific losses that are suffered through war.

If peace is to be preserved, the duty of mutual collaboration among nations in political, economic, cultural, social, and religious matters is clear.⁸⁵ Nations in distress must be helped; social charity requires that. Weak nations must be strengthened; all nations benefit from strong, healthy members in the social body of nations. Poor nations must be allowed access to the natural resources of the earth, and outlets must be given to their teeming populations; all nations are enriched if living space is given to peoples in need of it.⁸⁶ Since earthly things play such an important role in the lives of men, a generous policy of economic cooperation is of vital concern to the international common good.⁸⁷ Economic imperialism, closed economies, narrow policies of self-sufficiency,

⁸⁵Pius XI, 1098.

⁸⁶Pius XII, 1693.

⁸⁷Pius XI, 1067.

trade barriers of a varied kind, discriminatory financial controls, selfish trade restrictions, favored nation agreements — these and similar measures create serious blocks in the circulatory system of international life. They breed discontent and ill-will; they give rise to countermeasures in the form of reprisals, nationalistic blocs, balance-of-power groupings, and other alliances that lead to international unrest, to insecurity, to armaments, and finally to war.

We urge an earnest re-examination of the duties that nations owe one another and favor the drawing up of an International Bill of Duties whose guiding principles should be given a place in the treaties that will be made upon the conclusion of the war.

5. *International Institutions*

Human life does not automatically put its varied activities into order. It is the function of human reason to effect order. Out of reasoned effort, based on the experiences of the past, international order must be created. For this, international institutions must be established.

CONFEDERATION OF NATIONS

Although many bonds of a varied kind link nations informally together, it is desirable that an international organization of all nations be created.

We favor the establishment of a Confederation of Nations on a universal basis, in which the sovereignty of each nation shall be respected and maintained. There must be no restrictions, nor exclusions, nor discriminations as to membership. This is in line with the principles contained in the Atlantic Charter which emphasizes that "all states, great or small, victor or vanquished, must be allowed the enjoyment of conditions necessary for prosperity, mutual collaboration, the abandonment of force, and the benefits of peace." Every effort should be made to bring all nations into the Confederation of Nations. No provisions should be made for withdrawals or for expulsion.

If not all nations join, such an international organization will hardly be effective; hostile counter groups may be formed; and new balance-of-power blocs will be created.

Other restricted groups, based on common mutual interests, or on historical relationships, or

on natural economic ties, should be permitted, so long as they do not pursue policies that run counter to those of the universal organization.

The method of organization will have to await the conclusion of hostilities because it is difficult to foresee what the international situation will be at that time. Nevertheless, plans should be made now. The problem of organizing a Confederation of Nations will be less difficult if it results from "a union between groups of States, the groups being first regional, then continental, and finally international. Such an organic and more gradual association of States would notably reduce the importance of the distinction between large and small countries."⁸⁸

GENERAL CONFERENCE

To make the Confederation of Nations effective, a General Conference should be organized. The Conference shall be competent to discuss and to make decisions on all matters of concern to the Confederation of Nations. The Conference shall be empowered to refer international problems to special institutions or agencies especially set up to deal with them.

The principle of equality for all states shall be maintained, and yet, owing to inequalities in fact because of size, influence, or responsibilities, questions of classification of states, of representation, of manner and method of voting will have to receive careful consideration. For this precedents are available in the International Conferences of

⁸⁸Gonella, *A World to Reconstruct*, p. 267, Bruce, Milwaukee, 1944.

American States, in the Congresses of the Universal Postal Union, in the meetings of the League of Nations, and other special international gatherings.

We favor the creation of a General Conference for the purpose of establishing and maintaining international order in the interest of a good peace. The Conference should meet at least once a year, and at such other times as meetings will be needed to achieve the purposes of the Confederation of Nations. Permanent officials should be engaged to maintain a continuing policy of the Conference.

EXECUTIVE DIRECTORATE

A large body such as the Conference would be too unwieldy for effective action. Hence, a smaller body, which might be called the Executive Directorate, should be created to serve as the general executive organ of the Confederation of Nations.

The membership should be composed of representatives of the nations associated in the Confederation of Nations, and should be chosen primarily on the basis of ability and willingness to assume responsibilities in international affairs. In the selection of members consideration should be given to the importance of the roles of states in international affairs, to the main geographical divisions of the world, to the great ethnical groups, to different religious traditions, to the various types of culture, and to the chief sources of wealth. That problems will arise in the choice of members is inevitable, but rich historical precedents exist to show what is and what is not feasible and prac-

licable. The Conference should have the right to make the selection.

Since the Executive Directorate is the general executive organ of the Confederation of Nations it should be vested with large powers. These should not be used without close collaboration with the Conference, and in some matters concurrently with it.

In general, the Executive Directorate should take cognizance of the failure of states to perform their obligations, or of any use of force, or threat to use force, by a state against another, and to adopt whatever measures are necessary for the protection of the interests of the international common good; have power to organize effectual safeguards of a military, economic, or financial nature against states that resort to an unauthorized use of force or seriously menace the state of peace; prescribe measures in the case of internal conflicts that threaten to spread to other nations and thus endanger the peace; recommend to the Conference what means should be used against a nation that took up arms in disregard of definite treaties and covenants "to the severance of all trade and financial relations, the prohibition of all intercourse between their nationals and the nationals of covenant-breaking states, and the prevention of all financial, commercial, or personal intercourse between the covenant-breaking state and the nationals of any other state;"⁸⁰ enact new rules under international law and modify them as need may arise; fix its own rules of procedure; determine the budget and allocate the contributions to

⁸⁰Covenant of League of Nations.

be made by the governments of the Confederation of Nations for the covering of the costs of the Conference, the Directorate, and subordinate committees and agencies.

Moreover, the Executive Directorate should have power to give effect to any judgment of the Permanent Court of Justice if a state fails to give heed to it; take cognizance of disputes between states that are not pending before the Court; prevent their aggravation or extension; request the advisory opinion of the Court in certain cases; seek a friendly settlement; and publish all the facts relevant to the dispute together with recommendations deemed to be equitable and just.

Authority should also be vested in the Executive Directorate to advise the revision of international agreements, pacts, or treaties, on its own authority or upon appeal by one of the contracting parties. Unilateral revision of treaties is to be condemned as disturbing to the peace and provocative of war.

Finally, power should be given to the Executive Directorate to establish special agencies for the furtherance of a closer collaboration among all nations in matters touching on the size, type, and manufacture of armaments; on international trade; on production and distribution of food and raw materials; on international finance and investments; on international transport, particularly aerial, as well as international communications; on welfare of underprivileged people; on public health; on traffic in narcotics and dangerous drugs; on population problems in connection with emigration

and immigration; on trusteeship of colonies; on supervision of mandates; on cultural and scientific interchange. As need arises other agencies should be created.

PERMANENT SECRETARIATE

Permanent officials are needed to carry on the routine administrative work of the Conference, the Directorate, and subordinate agencies, to co-ordinate activities of the various agencies and institutions, and to keep up contacts with the respective governments.

For this purpose a Permanent Secretariate should be established whose members shall act in an international capacity and shall therefore pledge themselves to regulate their conduct in accord with the interests of the Confederation of Nations in disregard of instructions they might receive from any government.

All international engagements, no matter what their nature, should be registered with the Permanent Secretariate upon its entry into force, and the texts thereof should be published by the Permanent Secretariate.

PERMANENT COURT OF INTERNATIONAL JUSTICE

Owing to the general shattering of all international law in the course of the war it is more than ever imperative that the supremacy of this law for the regulation of affairs between nations be reestablished.

Within a few months of the outbreak of the war Pius XII in his five-point program for a good peace, declared that it is of the first importance to erect juridical institutions for the reorganization of the broken international order of law.

Such a juridical institution exists in the Permanent Court of International Justice established at the Hague in 1900. During the years of its existence it did outstanding work. "This Court," writes Gonella, "which is autonomous, may be regarded as the most fortunate attempt at international jurisdiction."⁴⁰ Its powers should be not only maintained but also extended.

In addition to hearing cases of legal dispute and deciding on them, it should be given the power to revise treaties upon application of any party to a dispute. "Human frailty renders it difficult, not to say impossible," Pius XII sagely remarks, "to foresee every contingency and guard against every danger at the moment in which treaties are signed; passion and bitter feeling are apt still to be rife. Hence, in order that a peace may be honorably accepted and in order to avoid breaches and unilateral interpretations, it is of the first importance to erect some juridical institutions which shall guarantee the loyal and faithful fulfillment of the conditions agreed upon, and which shall in case of recognized need, revise and correct them."⁴¹ Changes of fact in a rapidly changing world must be taken into account. Treaties must not be enforced if injustice be thereby done or if the enforcement endangers the peace. Yet no nation should cause any

⁴⁰Gonella, *op. cit.*, p. 259.

⁴¹Pius XII, 1497.

breach to be made in a treaty by unilateral action. Such action easily leads to war. It should seek a pacific settlement of the problems that have arisen with another nation. The just demands of nations deserve to be examined in a friendly spirit with a view to meeting them "by an equitable, wise, and amicable revision of existing treaties."⁴²

If friendly means have been exhausted and no amicable settlement has been reached, the aggrieved nation should have the right of appeal to the Court.

Furthermore, the Court should be given compulsory jurisdiction. Up till now the Court could decide cases of legal dispute only if nations agreed to take their controversy before the Court. Special agreements between nations, parties to the controversy, should no longer be required. After exhausting friendly and pacific means for the settlement of the controversy, any nation, party in the dispute, should have the right to take its case before the Court. The decision should be final and obligatory. While the Court is not an enforcement body, appropriate and effective powers for the enforcement of the decision should be conferred on the Executive Directorate.

In brief, the Court should have jurisdiction to advise the General Conference and the Executive Directorate in legal matters under dispute; to clarify and interpret international law; to give declaratory judgments with respect to existing treaties or agreements; to hear and decide disputes in which nations are in conflict as to their re-

⁴²Gonella, *op. cit.*, p. 232; Pius XII, 1497.

spective legal rights; and to codify this law in conformity with the highest principles and tested practices of international jurisprudence.

PERMANENT COURT OF ARBITRATION

Another important juridical institution is a Permanent Court of Arbitration. Not all controversies are of a legal nature; many are financial and economic.

Sometimes states will agree to submit their dispute to a special commission or tribunal. But if no agreement is reached, cases not legal in nature shall be referred to the Permanent Court of Arbitration. In the interest of peace, arbitration should be made compulsory. Twenty-seven years ago Benedict XV voiced the need, on several occasions, of a Court of Arbitration with compulsory jurisdiction.⁴⁹

Arbitration should be required either by a decision of the General Conference or the Executive Directorate, or even upon the demand of any nation having reason to fear an outbreak of a conflict that will affect its interests.

OTHER INTERNATIONAL INSTITUTIONS

International life is very complex. In order to bring order into its affairs, coordinate activities, promote neighborly and friendly relations, and foster the prosperity of nations, large and small, it is necessary to organize international life.

⁴⁹Benedict XV, 525, 536, 549.

A good beginning was made with many international organizations created to deal with matters of concern to the nations of the world. Among the prominent ones are the Universal Postal Union (1874), the International Bureau of Weights and Measures (1875), the Union for the Protection of Artistic and Literary Works (1896), the International Labor Organization (1919), and the International Telecommunication Union (1932). In addition to these organizations created by interested states many other organizations for the promotion of friendly, scientific, and cultural relations have been created.

All these international agencies, whether of a public or private character, should be maintained and fostered.

Others arising out of new postwar conditions will have to be established, especially in financial and economic fields. It is by no means too early to start with the planning of such organizations now. The lessons of the past will be valuable. On this point Pius XII remarked: "Hence, in creating or reconstructing international institutions, which have so high a mission and such difficult and grave responsibilities, it is important to bear in mind the experience gained from the ineffectiveness or imperfections of previous institutions of the kind."⁴⁴

But the best intentions and the most carefully worked out plans for peace among nations are foredoomed to failure unless the spirit of Christ, the Prince of Peace, gives life and authority to the

⁴⁴Pius XII, 1497.

dead letter of international agreements. Peoples and those who govern them must weigh their responsibilities according to the sacred and inviolable laws of God; they must truly hunger and thirst after justice if they are to be blessed with peace; they must bind together all their aspirations and works in international life with bonds of love. Justice and charity remain still, as they always will be, the indispensable requisites for a good and enduring peace.



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