

Russia in this matter. The letter was translated into Persian and circulated throughout the country — a step for which it is not certain that Mr. Shuster was personally responsible. Conceding that the letter, however true its charges, was a diplomatic blunder, and was in fact calculated to arouse a natural hostility in Persia against Russia, it is again difficult to see how the act can be construed as giving Russia the *casus belli* implied in an ultimatum. The letter was in no way an official document of the Persian Government, and to treat it as such was to take the position that a government is criminally responsible for the unauthorized acts of its agents — a principle clearly not warranted by international law. The Russian Government could properly do no more than treat the letter as it is common in international intercourse to treat published interviews of a similar character, *i. e.*, to protest diplomatically to the government whose officer has committed the act and to demand an official statement that the act was unauthorized. In no case, however, was any greater injury done to Russia by the letter other than that of its putting before the world certain acts of aggression which Russian officials are charged with having committed; such an injury could only give ground for war when a government has, upon investigation, found the charges to be false, and when it has been unable to obtain redress for them through diplomatic channels. As for the condition imposed upon Persia by the Russian ultimatum that Persia shall for the future appoint no foreigners to official posts without the consent of the Russian and British Governments (a condition modified later into a veto upon appointments), the demand put Persia in the position of either entering upon a war, which would be utterly disastrous to undertake, or of accepting terms which are a clear limitation of its sovereignty. The Mejliss has, however, accepted the terms of the ultimatum, and Mr. Shuster has been dismissed from his position as Treasurer General. The situation which results amounts in fact, if not in law, to a joint protectorate on the part of Russia and Great Britain over Persia under protest. *Fuit Ilium.*

MOROCCO

On November 4, 1911, the authorized representatives of France and Germany signed an agreement¹ granting to France the freedom of action in political matters which it has long hoped to obtain in Morocco. The

¹ Printed in SUPPLEMENT, p. 62.

negotiations culminating in the agreement were exceedingly delicate, extending as they did over a long period of time and threatening on various occasions to lead to open rupture; but statesmanship, patience, and an earnest desire to reach a solution of the thorny question, and a willingness to do so at the cost of forbearance and mutual concession, resulted in an agreement satisfactory to the two governments, although critics on both sides of the Rhine have blamed their governments and expressed no little displeasure with some of the terms of the agreement. To a disinterested observer the importance of the transaction lies not so much in the terms of the agreement as in the fact that France and Germany have agreed upon a question of foreign policy which affects their future relations in a coveted portion of territory, and which menaced at times the peace of the world. The result of the agreement, the terms of which will be presently analyzed, is to give France a free hand in Morocco in political matters, while France yields the German contention for economic freedom and equality of treatment. Each of the contending parties has gained its point, and in the agreement there is neither the elation of victory nor the bitterness of defeat. The compromise — for the agreement is a compromise of opposing interests — determines, and it is hoped upon a permanent basis, the relations of each in Morocco without the sacrifice of fundamental positions, and the cloud which for months darkened the political firmament has disappeared without apparent trace of its passage. The statesmen of both countries are therefore to be congratulated upon the satisfactory result of their labors, although it may well be a matter of regret that the agreement affects the future of a state which was not a direct party to the negotiations. In the absence of the official correspondence which passed between France and Germany, it is impossible to trace in detail the various phases of the negotiations which resulted in the agreement of November 4, 1911, but it is possible and sufficient for the present purpose to outline the conditions which suggested the agreement and to forecast in a cautious and tentative manner its probable results.

Bonaparte's Egyptian expedition failed of its immediate purpose to annex Egypt to France, but the scientific results of the expedition attracted the attention of the world. Champollion's discoveries unveiled its mysteries, laid the foundations of Egyptology, and made its absorption by a European Power a question of time. The failure of France to participate in the Egyptian expedition of 1881, which was ostensibly undertaken to restore order, gave England a free hand, and the Sphinx

now looks down upon the Briton firmly seated on the throne of the Pharaohs. The highway to India is practically an English province, and the declaration of April 8, 1904,² by which France agreed not to "obstruct the action of Great Britain in that country by asking that a limit of time be fixed for the British occupation or in any other manner," put an end to French ambitions in that part of the world. But the counter declaration by Great Britain, recognizing France's predominant interest in Morocco and leaving it freedom of action, "provided that such action shall leave intact the rights which Great Britain in virtue of treaties, conventions and usage enjoys in Morocco," opened up a future full of hope in the far West. Egypt was indeed lost, but the dream of a French empire from Tunis to the Atlantic seems the not unnatural consequence of the Anglo-French declaration and the Franco-German agreement of November 4, 1911. In the course of last summer, previous to the negotiation of the agreement, an influential French newspaper exclaimed:

Geography has taken us to the Mediterranean and History has fixed us there. France has taken a preponderant part in the three events which dominate the history of the Latin sea: the unification of Italy, the opening of the Suez Canal, and the Europeanization of North Africa. She is alone in being doubly a Mediterranean Power, for she has a long seaboard on either coast. She can group on the Mediterranean a naval force superior to the entire squadrons of her possible opponents. She is preparing by the negotiations, of which Morocco is at present the subject, a consummation of the plans which she has pursued for eighty years under different régimes and by varied means.

As steps in this development, the government of Charles X, when tottering to its fall, sent an expedition in 1830 to Algiers, and, after years of conflict and difficulty, Algiers is incorporated in the French domain. In 1881 a protectorate was established over Tunis,³ and although this latter territory does not form a department, as in the case of Algiers, it is nevertheless French territory and likely to remain such. The acquisition of Morocco is but the final step in rounding out an African empire, and the establishment of a protectorate is not only foreshadowed by the Franco-German agreement, but was its immediate occasion.

In the earlier decades of the nineteenth century Germany was not in a position to thwart French ambition or to compete for Africa. Prussia

² Printed in SUPPLEMENT, p. 26.

³ For the treaty of May 12, 1881, between France and Tunis, see British and Foreign State Papers, Vol. 72.

had problems of its own nearer home. The exclusion of Austria from Germany proper, as the result of the war of 1866, the unification in 1870 of the German states in an empire dominated by Prussia, and of which its king is emperor, enabled Germany, no longer a geographical expression, to claim its share in the outlying portions of the world and to compete in the markets of the world for commercial supremacy. The wise policy of Bismarck, which made a friend of Austria and encouraged it to seek expansion to the south, relieved the new empire of fear from this quarter. The Franco-Prussian War gave Germany the control of the Rhine, which freed the new empire from dread of invasion from the west. Secure at home and respected abroad, Germany has entered upon a career of commercial expansion, as is evidenced by colonies in Africa, spheres of influence in Asia and a preponderating position in Constantinople. While not adverse to the acquisition of territory, as is shown by the cession to Germany of a portion of the French Congo as the consideration of the Moroccan agreement, German policy rather aims, it would seem, to secure the markets of the world for its industry and commerce. Hence its opposition to any action of France in Morocco which would exclude German products.

During the larger portion of the past eighty years in which France has extended its influence in Africa, Italy was a geographical and an historical expression; for, until the acquisition of Rome the states of Italy lacked cohesion and were not united under a centralized and national government. Italy did indeed object to the establishment of a French protectorate in Tunis, in 1881, but opposition from this quarter was not dangerous. The annexation of Bosnia and Herzegovina by Austria-Hungary in 1908 precluded that country from objecting on high moral grounds to a French protectorate in Morocco, and the ill-concealed ambition of Italy to establish itself firmly in Tripoli and Cyrenaica rendered it improbable that Italy would resent French aggression in Morocco. "A fellow feeling makes us wondrous kind."

Russia is ostensibly the ally of France, and, while it has not lost sight of Constantinople, its Persian projects render the event unlikely that the Czar would oppose French activity in Morocco, which differs in degree, not in kind, from his plans upon Persia. The Anglo-French declaration of April 8, 1904, previously referred to, reinforced by the Secret Articles of the same date,⁴ secured in advance the consent of Great

⁴ Printed in SUPPLEMENT, p. 29.

Britain to action of France in Morocco of a kind calculated to establish a protectorate.

The Anglo-French declaration recognized the interest which Spain has in Morocco "from her geographical position and from her territorial possessions on the Moorish coast of the Mediterranean," and as French ambitions were likely to meet with opposition from Spain, it was provided in Article VIII that the French should come to an understanding with the Spanish Government and that any agreement reached between the two should be communicated to Great Britain. The third of the Secret Articles of the declaration contemplated that Spain should become a party to the agreement, and stipulated that in this event certain advantages should accrue to Spain. Thus:

The two governments agree that a certain extent of Moorish territory adjacent to Melilla, Ceuta, and other *présides* should, whenever the sultan ceases to exercise authority over it, come within the sphere of influence of Spain, and that the administration of the coast from Melilla as far as, but not including, the heights on the right bank of the Sebou shall be entrusted to Spain.

Nevertheless, Spain would previously have to give her formal assent to the provisions of Articles 4 and 7 of the declaration of to-day's date, and undertake to carry them out.

She would also have to undertake not to alienate the whole, or a part, of the territories placed under her authority or in her sphere of influence.

But the non-accession of Spain was not to prevent the agreement between France and Great Britain from going into effect. (Article 4.)

A glance at the map shows the interest that Spain has in Morocco and the advisability, if not the necessity, of consulting it and acting in co-operation with it. The possession of Ceuta, the Alhucema Isles, the Chaferinas, Melilla, Peñón de Velez, etc., makes Spain deeply concerned in any modification of conditions in Morocco, and the traditional friendship which has existed so long between Great Britain and Spain, and the desire of France to be on good terms with its European neighbor, required that Spain be consulted as to prospective changes. Therefore the declaration stipulated that Spain should be consulted and that it be given an opportunity to adhere to the treaty. In accordance with this understanding the declaration was communicated to Spain by France, and on October 3, 1904,⁵ Spain adhered to the agreement. The adherence was preceded by a treaty of the same date defining the interests of France and Spain in Morocco, but the text of this treaty was not made

⁵ See declaration of adherence printed in SUPPLEMENT, p. 30.

public at the time.⁶ The agreement of November 4, 1911, will necessitate a readjustment of French and Spanish claims in Morocco, and negotiations are in progress to adjust outstanding claims inconsistent with the terms of the Franco-German agreement.

The Anglo-French declaration of April 8, 1904, may be considered as the starting point of the negotiations leading to the Franco-German agreement under discussion. The declaration seemed to have the approval of the Powers, but the events of 1905 showed that France, Great Britain and Spain had made a serious tactical blunder in not consulting Germany. The visit to Morocco of the German Emperor, who landed at Tangier on March 31, 1905, caused uneasiness, for he is reported to have declared that he had come "to enforce the sovereignty of the Sultan, the integrity of Morocco, and the equality of commercial and economic interests." However that may be, the Sultan rejected the reforms proposed by France, and, at the suggestion of Germany, issued an invitation to the Powers for a conference in order to consider the question. It is well known that M. Delcassé, the French Minister of Foreign Affairs, opposed the idea of a conference, but Germany insisted, Delcassé resigned, and France yielded. The Powers thereupon met in conference at Algeiras, on January 16, 1906, and remained in session until April 7th, when the Act of Algeiras was signed by the delegates.⁷ Without analyzing this important convention, it is sufficient to say that it recognized the dominant interest of France and Spain in Morocco, safeguarded the principle of economic equality, and negated the ambition of France to establish, either in law or in fact, a protectorate. The Sultan accepted the convention on June 18th, and the ratifications of the other Powers were deposited at the Spanish Foreign Office on December 31, 1906. The period following the conference was unfortunately marked by domestic troubles, the armed intervention of France, the deposition of the Sultan, and the accession of his brother, Hafid. The desire of Germany for the immediate recognition of Hafid took expression in the form of a circular to the Powers, dated September 2, 1908, which caused anxiety in diplomatic circles, and France and Spain insisted that Hafid's recognition should be conditioned upon guarantees from him that the Act of Algeiras would be respected. The views of these two govern-

⁶ This treaty, as well as other relevant documents, will be published in a subsequent issue when France and Spain have reached an agreement upon the Moroccan question.

⁷ For the text of this act, see SUPPLEMENT for January, 1907 (Vol. I), p. 47.

ments prevailed, the guarantees were given, and Hafid was recognized as Sultan in the beginning of 1909.⁸

From this brief account, it is evident that the intervention of Germany blocked the action of France contemplated by the parties to the declaration of April 8, 1904, although Germany did not succeed in discouraging France from continuing its efforts. The success of German diplomacy coupled, perhaps, with the feeling that French preponderance was inevitable, led Germany to come to an agreement with France, signed on February 9, 1909,⁹ in which Germany stated that its interests in Morocco were economic, that it recognized that the political interests of France were closely bound up with the maintenance of order and domestic peace in Morocco, and that it would not oppose obstacles to these interests. At the same time France declared itself as attached to the maintenance of the integrity and independence of Morocco, as determined to safeguard economic equality, and as determined not to interfere with the commercial and industrial interests of Germany. The literal interpretation of this agreement would have postponed indefinitely the realization of French hopes and ambitions in Morocco, but its negotiation served to relieve the tension which existed between the two countries. Disorder and lawlessness continued to mark the Sultan's administration, and in 1909 Spain sent a force of fifty thousand men to Morocco, defeated Hafid's army, and secured a treaty favorable to its rights and pretensions.¹⁰ The resources of the empire had been wasted by misgovernment and foreign complications. Money was needed to meet claims of European creditors; most of this money was advanced by France, which took occasion to negotiate an arrangement to settle pending difficulties between the two countries.¹¹

In view of the chronic disorder obtaining in Morocco, it can not be doubted that the establishment of stable government would be not merely in the best interests of the Powers, but of inestimable service to the Moroccans, who are plundered by officials, forced to take sides with various pretenders, and exposed to the armed intervention of their more powerful neighbors. It may be questioned whether an adequate native government could be easily established. A joint protectorate of the

⁸ See documents concerning the recognition of Mulai Hafid, SUPPLEMENT, Vol. III (1909), p. 101.

⁹ Printed in SUPPLEMENT, p. 31.

¹⁰ For text of this treaty, see SUPPLEMENT, p. 54.

¹¹ For text of this document, see SUPPLEMENT, p. 43.

Powers would be possible, but the verdict of history is against joint protectorates. The determination of France to acquire political control in Morocco is outspoken and of long standing, and at last Germany has yielded to French insistence, or at least has promised in the agreement of November 4, 1911, not to interfere, so far as it is concerned, with the political activity of France, provided that the principle of economic equality be accepted and enforced by France. When it is stated that the accord of February 9, 1909, between France and Germany, required thirty-two days for its conclusion, we are prepared to understand why the negotiations leading to the recent agreement were so prolonged and difficult. The fear that concession should be construed as a sign of weakness complicated a situation already sufficiently complex. Germany desired to come to direct terms with France without consulting other Powers; but the interest of Great Britain in the settlement could not be overlooked, in view of the declaration of April 8, 1904, by which Great Britain pledged to France at least its moral support in the realization of the latter's policy. The result was that relations between Germany and Great Britain became embittered, and, during the month of July of the past year, threatened to involve the two countries in war. The awful consequences which would result from a struggle between these two countries, the loss of life, and the economic ruin which it would entail seem to have given the parties pause before the final step was taken. Germany yielded to the representations of France, and consented to a recognition of the "right" of France, so far as Germany was concerned, to take political action in Morocco, provided economic equality was preserved. As a consideration for Germany's acquiescence, France bound itself to cede certain portions of the French Congo to Germany.¹²

The agreement of November 4, 1911, between France and Germany, abrogates by express terms any and all existing French and German conventions, treaties, or regulations in contravention of or inconsistent with its terms (Article 13). As the Madrid Convention of 1881 stands in the way, France and Germany agree to induce the signatory Powers to modify it (Article 12); and in like manner the Algeciras Act, which is an international convention, signed by twelve Powers, is to be communicated to them by France and Germany who pledge their mutual endeavors to obtain approval of the present agreement (Article 14). There may be considerable delay in securing the approval of the various

¹² For this part of the Moroccan agreement, see SUPPLEMENT, p. 4.

Powers to the agreement, and negotiations with Spain, by reason of its peculiar interests, may require much time; but given European conditions and the willingness of the great Powers, as evidenced by their history, to sacrifice the independence of a country in which they are not specially interested, it appears probable that their approval will be obtained without serious difficulty.

It may seem strange that two of the most advanced and most highly civilized Powers of the world, ancient or modern, should enter into an agreement affecting a third country (Morocco), which was not a party to the negotiations, for there is no evidence in the treaty that Morocco has agreed in advance to its terms. It will, it is believed, be persuaded or forced to yield: *voluntas principis facit jus*.

THE PENDING TREATY OF ARBITRATION BETWEEN THE UNITED STATES
AND GREAT BRITAIN *

On the 3d day of August, 1911, the pending treaty of arbitration between the United States and Great Britain¹ was signed by Secretary Knox on behalf of the United States, and by Ambassador Bryce on behalf of Great Britain, and the following day it was sent to the Senate for its advice and consent to its ratification. There has been comparatively little difference of opinion as to the advisability of negotiating treaties of arbitration which will bind the respective nations to submit their differences broadly and generally to this peaceful method of settling international disputes, and it may be said that public opinion in each of the countries is prepared for the widest possible extension and application of the principle of arbitration to any differences which may unfortunately arise between them and which the ordinary channels of diplomacy shall have failed to adjust.

While the general principle is thus admitted by the respective governments and their peoples, details of a domestic nature have given rise to much discussion and prevented prompt approval of certain provisions of the treaty. It is thought advisable to point out in this place the general purposes of the treaty, the means by which they are sought to be made effective, and to mention the points of controversy impartially by argu-

* In this comment the pending treaty between the United States and Great Britain is considered without reference to the French treaty, which is, however, identical in terms.

¹ Printed in the October, 1911, SUPPLEMENT, p. 253.