

# BLACKFRIARS

## A MONTHLY REVIEW

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### SETTLING EUROPE

THE process of settling Europe advances rapidly. The Russians in the East and the Americans and British in the South and West are successfully settling Germany. But even before Germany is settled with a knock-out blow from the Allies, we are rightly concerned with peace settlements and the problem of restoring order to the world. The preparations for post-war relief which have received much practical attention do not mean that we are counting our chickens prematurely. Such preparations for restoring the occupied nations to responsible independence, for overcoming the physical ravages of war as soon as possible, for administering justice, retrospective as well as reconstructive, cannot be separated from

the waging of a just war. War is a means, the most drastic and extreme means, of achieving an end, the noblest end of peaceful settlement among men. We may not fight to kill, we may not fight simply to overcome the enemy; we must fight to restore order, and therefore these preparations for post-war ordering are an urgent necessity.

The distinction between the waging of war and the final settling of differences between the various warring nations should however be drawn with precision. Quite distinct principles are employed in the just waging of war and the just settling of peace. Victory or defeat do not affect the second in the same way as the first. For a just war is the concern of the individual nations, a just peace of the brotherhood of man. If a burglar lays violent hands on me I am concerned to overpower him; but once overpowered I cannot dictate the terms of his final surrender and punishment—the police have to be sent for. The victor does not receive the power of dictating ultimate terms and the punishment of war criminals from the fact of his victory. In reference to post-war settlements people are writing to *The Times* about retributive justice as a 'positive moral duty incumbent upon all of us alike.' Left in those terms retribution is likely to become Lynch Law; and even if modified to 'incumbent upon all victorious nations' the settlement will be far from the right order of justice.

Dr. Breitenfeld in an important article contributed to *The Tablet* (June 30th, 1944) has pointed out that the modern conception of sovereign states with absolute rule has placed the punishment of war criminals beyond the reach of justice, since the only basis of a law for inflicting such penalties now resides in the positive enactments of the sovereign state. The practical application will soon become apparent in the different standards of England, America and Russia. And the same lawlessness applies to the general settlement among the nations after the war.

Some wider terms of reference is required than the individual will of the nations concerned. In our material age this fact is realised in the financial realm and great figures are being written down in large ledgers with a view to forming an international fund in order to stabilise the financial status of the nations concerned in the war. The chief difficulty here is that of the control exercised by the great powers; and the conference at New Hampshire gropes for some means of introducing 'legality' (cf. *The Times*, July 10th, 1944). But finance will not provide a basis for common law and order.

What is required is the objective law independent of the positive power of the individual states and a common objective authority to

administer that law. It is useless to say that the settlement should be arranged on the democratic principle, by the votes of the individual, victorious nations, each retaining its sovereign rights. Democracy is not the unstable agreement of a series of independent units. The authority of the elected representative does not come simply from the men who have put them there; otherwise he would not have the right to legislate for those who did not vote for him. His authority come 'from above' in every case of just representation. The same principles applies to the victorious nations. They can wage—with precarious justice—a war against an aggressor; but once the battle is finished they must call in a higher authority which can justly legislate for all, impose penalties and assess reward. This authority must have power over conqueror and conquered alike. A settlement on any other foundation will be merely an uneasy agreement which will last only as long as the individual nations are satisfied with it or if dissatisfied have not the power to break it.

There is then an urgent reason to look further afield for a basis of post-war settlement. The first step towards some more general standards and some wider authority than that of the sovereign state must be in the direction of a type of federal union in which the infinite power of the individual nation is restricted by its dependence on its neighbour nations. In this sense there is much to be said in support of a Federal Union of Nations or a glorified 'Empire' on the lines of the British Empire. But these agreements are ultimately as fruitless as the others unless behind that union there lies a spiritual background, a higher term of universal reference. No federation can bring settlement unless the agreement is based on something beyond the mere wills of those individual nations. In the same way the marriage contract does not provide a permanent basis of society if it depends merely on the wills of the two individuals, and not on the wider foundation of the nature of man.

There can be no hope of a European settlement after the war without some sort of international league. But if that is composed as the last league of nations of a group of sovereign states, whose contract has involved them in no curtailment of their supposed right to be a law unto themselves we shall waste our time in attempting it. Nothing short of a re-establishment of Christendom within which a general Christian ethic prevails can bring any true settlement. Unless grace is wedded with nature we shall be powerless to prevent the future of the flying bomb and the rocket missile being exploited to the speedy and utter ruin of the present civilization. The hope of a new Christendom is slight indeed.

THE EDITOR.