

THE RIGHTS OF NATIONS

by

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1.

The science of waging war belongs to the experts. The man in the street fulfilled his part when he obliged his rulers to accept the challenge of the totalitarian states. He continues to do his duty, dying. He will exercise his right when he demands the fruits of victory.

Conscious of this, the United Nations are studying the grave problems which faced the world in September 1939. Public opinion is tense, refusing to yield its right to take part in the debates: democracy in practice. The world has the right to live in peace, and to live better than it has done.

The Atlantic Charter and the solemn declarations of President Roosevelt and other statesmen promise exactly this to the man in the street: a life of peace, both spiritual and material. Without waiting for the end of the war, the Allied Governments, on the march, have entrusted to a number of different technical bodies, the preparation of economic and social blue-prints for the future, schemes which, in their application, would require real sacrifices and a human solidarity which will have to be forged through the social

education of men and the regeneration of their souls.

On the other hand, the complex problems of the fair distribution of raw materials, rationalisation of production according to demand, transport, correlation of exchanges, reconstruction of the devastated regions, supply of food and medical assistance to a hungry, depauperated and impoverished Europe, social insurances etc. are all material questions, difficult to solve indeed, but which must form part of a world design, with the goodwill and collaboration of all states.

These difficulties must be settled in such a way that all men can feel themselves free, not only politically, but economically. Political rights, freedom of thought and expression, freedom of conscience, all that is known by the "rights of man", must be complemented by guarantees of subsistence which will assure to the individual a decent life, with a guaranteed minimum wage, sufficient to meet his personal and family needs. In this respect the Beveridge Plan, should serve as a basis for study in this and other countries.

There is an increasing tendency towards the settlement, firstly, of the material problems of individuals and nations, considering, no doubt, that once these are solved, spiritual and political questions can await a later solution, and perhaps be indefinitely delayed in some cases.

But if the world demands a solution of the economic and social problems facing it, it demands no less a settlement of the fundamental spiritual ones. The danger lies, precisely, in that we may

get the matter out of focus and give preference to the first, the mutable questions, leaving aside those which, because they are eternal, need to be solved without delay, and forgetting that no economic reconstitution can succeed unless based on confidence in a future free from the threatening shadow of unsatisfied national greivances.

II.

Man is by nature sociable, and the satisfaction of his rights, both individual and family, is only possible in relation to his duties and services as an active member of the nation - the natural association formed by the extension of the family, the primary cell of society. The state is nothing but the political form laid down by man so that the nation may fulfil its purpose.

The nation and the individual are both complementary, and one cannot exist morally without the other. Hence, since all liberties are indivisible, there will be no justice whilst any particular nation is denied the right to liberty, even though the individual and family rights of its members are protected juridically.

Personal liberties must be complemented by a national association, also free, to which the individual feels united by the ties of race, language, history and tradition, and, above all by the will to belong to it.

The political independence of all nations who demand their liberty is, then, as indispensable as the liberty of the individual. If this premise is not accepted, the justice which humanity demands

of the victory of the democracies would be incomplete, since there can be no exceptions in the application of the ideas of freedom, to conform to national egoisms or historic prejudices.

The problem of the nationalities of Europe was not dealt with in its entirety at the 1919 Peace Conference. The questions then discussed only related to the defeated states.

Czechoslovakia would never have become a reality, if the Austro-Hungarian Empire had not been the ally of Germany. Czech independence was nearly denied when, firstly Prince Sixto (February-June 1917), then Count Mensdorff-Poilly (December 1917), and lastly, the Emperor Charles (February 1918) negotiated with the Allies, who were attempting to reach a separate peace with Austria-Hungary. If that plan had been successful, Czechoslovakia, by the tenth declaration of the fourteen points of President Wilson, confirming the British Prime Minister, Mr. Lloyd George's statement on 5th January 1918, would have had to be satisfied with autonomy granted by the Hapsburgs.

It seems entirely unjust that the right to national liberty and its degree, should be determined by the accidents of war or by opportunism.

After this war, the United Nations should not apply differing principles in the settlement of problems which are similar in law, whether they arise in the defeated countries or not. "Ubi est eadem ratio, eadem dispositio juris esse debet."

The victory of the democracies will guarantee - so humanity has the right to expect - long years of peace. But peace is not the

supreme ideal of mankind. It is only a means to an end. The ideal is perfection, and this cannot be until all rights are satisfied in justice. This idea is reflected in St. Augustine's famous definition of peace, "Tranquillitas ordinis". But no true order can exist without justice. If right and justice are not extended to all men and all peoples, great and small, through the satisfaction of their yearnings for liberty, compatible with the obligations imposed by the general good of all, the last resource of violated right will be insurrection, which is the extreme means of enforcing right. But, as peace, like liberty, is indivisible, humanity cannot allow the existence of causes of injustice which might result in the disturbance of peace in any corner of the world, not only through war between two states, but within a state itself, a member of a wider super-state society, the society of mankind. The world is going through a period of reconstitution, and the goal is perfect peace for humanity. Every prejudice which opposes the work of justice must be overcome.

Peoples, like individuals, have their own souls. It is the duty of humanity to see that the cultural contribution of the small nations is not lost to our civilisation, more than ever in need of spiritual and cultural variety in a world daily becoming more monotonous in the uniformity of its material progress. In the civic and political genius of the various races, and in the treasure of tradition of these peoples, humanity can find elements not to be despised for its moral regeneration.

Many of these national cultures are in danger of extinction in face of the attitude of a civilisation which has changed the order of human values. But if moral considerations are not sufficient to fix attention upon this problem, perhaps certain practical aspects of it may be. As Professor D. Saurat so aptly says in a recent article published in the "WORLD REVIEW" - there are in Europa a number of different cultural problems which need urgent attention, since, otherwise, they will constitute further dangers to the future peace of the world.

Perhaps some cases, such as the Flemish and the Alsatian, could be settled by the formula of cultural autonomy, since the existence of peoples not politically minded must be accepted.

The cultural and politico-cultural problems of Europe, however, are not all so easily solved, and it therefore follows that each one must be judged on its merits, being studied and settled justly, in a spirit of generosity. Standardised solutions cannot be applied to this question.

We should establish in the first place that

(a) There would be no diverse cultural and politico-cultural problems of the non-state nations of Europe, if the latter were not a reality.

(b) It is not logical to suppose that these problems would arise if these irredentist nations had not justifiable reasons for complaint against the states within whose boundaries they live.

Once (a) and (b) have been accepted, the solution to be applied to each case will depend upon the degree and justice of the complaint, and the measure of popular expression of it, whether exclusively cultural or a national movement demanding full sovereignty; and if the nation rises in rebellion against the state within which it lives, it is almost certain that that movement will be in direct proportion to the degree of oppression suffered.

The formula of cultural autonomy conceded by the state to certain groups who have no political conscience of their own nationality, may perhaps prevent this cause of discontent - when it is the only one - from becoming aggravated and taking on a political aspect. But such a solution would have no practical validity were it to be applied to other groups, having a clear consciousness of their own national personality and manifesting their determination to regain possession of their political sovereignty; once this was achieved they would themselves solve their own cultural problem, amongst others. The former want to be well governed; the latter want to be neither well nor badly governed: they want to govern themselves.

When the collective psychological phenomenon of discontent has arisen in a nation, and has gained sufficient popular support and public expression, the granting of cultural autonomy will not dispose of the problem. If, for example in the case of the Basque Country (Euzkadi, in the Basque language) to-day, as in Czechoslovakia in 1918, the will of the majority for national independence has racial and historical foundations, and has been sealed with the blood of tens of

thousands of their sons and the destruction of their towns - the Basques can never forget Gernika - nothing but the complete satisfaction of their yearnings for national liberty will be accepted willingly by this people.

Humanity must be just and generous, and recognise that all peoples, when they reach political maturity, have the right, already enjoyed by the great nations, to organise themselves politically into states. It would be distasteful to admit that to-day there should still be some value in the aphorism that liberties are not willingly granted to nations, but must be taken by force, meaning that the peaceful path to the attainment of freedom is closed to the small nationalities.

III.

There is one outstanding point in the conception of philosophy common to all the totalitarian states: It is the idea of war as a state of affairs natural to mankind and, therefore, necessary for progress, peace being considered as a mere accident, an interval between the acts of the endless tragedy of humanity.

This pagan conception can be based on no other instinct than that of material egoism, nor does it flourish in any other active element than hatred, which is, precisely, the negation of all human progress; the opposite to charity, the basis of the Christian doctrine, in the relations between men and between peoples.

The exaltation of war was also one of the traits which characterised the ancients, who justified the right of conquest and the

enslavement of the conquered.

Few peoples have been free of that sin throughout the dark ages of history. In this respect, perhaps I may be allowed to mention one exception, the Basque Country, which, through the centuries, has maintained the doctrine of right and of democracy, conforming its conduct to these rules. Now it is suffering the consequences.

The Basque People, whose remnants still live to-day on both sides of the Western Pyrenees, along the coast of the Bay of Biscay, were in the earliest days of history already fighting to defend their culture and their territory against the Celts, Romans, Goths, Arabs, Franks and Castellians. They never conquered the territories of another nation, nor occupied their cities, nor carried off their women. When they were attacked by an invader, they fought until he was driven out of their land. Their victory never gave them the right of conquest over the vanquished.

That was the spirit which dictated the terms of the Kellogg Pact, undefined then, but very real in its inspiration of the Basques. The history of this nation - the oldest democracy in Europe - is an uninterrupted fight against the various Aryan peoples who attacked them. With the exception of the Arabs, who temporarily occupied one extreme of their present territory, all their enemies were Aryans. Tow opposing races and philosophies were face to face. The Aryan philosophy justified the right of conquest. The Basque philosophy repudiated that principle, they never adopted it as their standard. And it certainly was not through want of bravery in their sons, who knew

how to defend their race, their ancient language and their culture against the power of the Roman Empire.

In the Basque tradition, the seventh commandment of the Decalogue of Christ is a precept of natural law, applying not only to individual, but also to collective morality. In this fact there may, perhaps, be found the human motive which explains the fervent adherence of the Basques to Christianity, and perhaps also the reason why Basque democracy has never needed to use revolution in order to fuse into one single moral life, liberty and faith, the Christian commandment and their racial genius. The phenomenon observed in mediaeval Basque religious life - the Western European country which refused the Inquisition - is the same which is evident in its political life. According to Basque morality and historic practice, neither the conscience of the individual, nor the national, economic and territorial body of the conquered nations, could become the property of the conquerer.

There is a Basque tradition which faithfully reflects the spirit of the race. This is "the Malato Tree". This mythical tree grew on the frontier of the Basque lands. When foreign nations invaded their territory, the Basques could repel the attack, but, on reaching the "Malato tree", they buried their swords in its trunk, as a sign of respect for the rights of the defeated enemy, who preserved their right to life, national independence and the possession and enjoyment of their goods, without that right being affected by the chances of war.

This tradition is borne out by history: in 1160 with Sancho VI

the Wise, king of Navarre, when in Atapurca, after defeating Castille, he plunged his sword into a tree and said: "Thus far is our kingdom". This same standard of conduct is embodied in the Fuero (Constitution) of Biscay of 1575.

Whoever fights on the defensive always loses, in the long run. That is what has happened to the Basques. The "Malato Tree" marked the boundary of an ever diminishing territory. It explains why a Basque, Francisco de Vitoria, should be the founder of International Law, refusing to the Roman Pontiff and the Spanish Emperor, the titles of ruler over the Indians and their territories, and proclaiming human equality, not only for men but also for peoples, with all its juridical consequences.

With the errors of history abjured by the Aryan peoples, now converted to democracy, it can be stated to-day that the Allied Nations are fighting for the same principles enunciated throughout the centuries by the Basques, whilst force, conquest, violence and Aryan rage against the right of other men and peoples to life and freedom, are championed by Germany, whose Nazism is only a new philosophic dress for the old German national anthem: "Deutschland uber alles", embodying the Teutonic saying: "Und willst Du nicht mein Bruder sein, so schlag ich Dir den Schaedel ein".

It is essential that the Allies, who are to-day the interpreters of morality and international law, should repair the injustice suffered by the small nations of Europe, whose only crime has been in not accepting the philosophy of the law of conquest, "the natural

disease of princes" according to Plutarch, or "the duty of kings", according to Tacitus.

Even if it has been agreed that it would not be practicable to punish past conduct and crimes, it would in any case be inadmissible that, in the name of the Christian principles and international morality, justice and reparation should be denied to existing communities which have set the world an example by their conduct.

IV.

There are those who declare that the statesmen responsible for the Treaty of Versailles were too concerned to give political satisfaction to the small nationalities of Europe, creating states which have proved easy victims of Nazi Germany because they were incapable of military defence - has any particular state been sufficiently strong to wage war alone? - And with a simplicity lacking all logic and justice, from this fact the absurd conclusion is drawn that these small states have no right to exist. Would it not be fairer to declare that those who have no right to exist are the powerful states, artificially united for military power, and with a longing for the conquest of weaker peoples who value their liberty and are an example of democracy? I suppose Czechoslovakia and Poland were the aggressors and Germany the victim ...!

Peoples, like individuals, have their origin in God and the particular genius which distinguishes them bears the seal of their mission. Each people has its destiny to fulfil in the common task of humanity. And the spiritual contribution of the nations is not

measured by their territorial extent nor by the number of fanatical brutes mustered in motorised divisions.

V.

We do not advocate the artificial and enforced atomisation of Europe. We admit that in some states there may be nations which lack a political conscience and do not desire sovereignty. To force such peoples to proclaim their independence would be the very negation of the principle of liberty; but it would be equally unjust to deny it to the nations who desire it.

If humanity attempts to inaugurate an era in which all men, without exception, will be guaranteed the free development of their intellectual faculties, the formation of a political conscience in the natural human groups will be the inevitable result of the new system. Once this is applied, the world will witness a double process of the integration and disintegration of states.

Thus it is that, using the instrument of freedom, the apparently insoluble problem - the monster German state, product of the Prussian centralised conception brought about by Bismark for war and conquest - might perhaps by evolution tend towards a more stable and natural solution, thanks to that process to which we have referred. Were the historic German states restored to their political independence, and federated in the form they chose - it might happen that some of them would decide to federate in a different group - they would solve the grave problem of an endemic military pan-Germanism.

In our opinion, the political organisation of Europe must

necessarily be slow in readjusting itself to those opposing evolutionary processes. The machinery which regulates this peaceful and natural evolution - whatever it may be called - must be sufficiently flexible. Only the ruling principles and legal and coercive institutions indispensable to the exercise of freedom, should be established, broadly, and free from state prejudices, which reflect only national egoisms and private interests. This idea follows the lines of that of E.H. Carr, who writes in his book "Conditions of Peace": We must begin by creating the framework of an international order and then as a necessary corollary, encourage national independence to develop and maintain itself within the limitations of that framework."

It is essential not to hide the truth of what the application of the ideals of democracy, freedom and social justice, the declared war aims of the United Nations, will mean. These postulates are worthless if, in practice they do not lead us unflinchingly to the transformation of human society, not only in the political, but also in the social, economic and military field.

Liberty, for the individual as well as for the nation, can have no limitations other than those of the common interest, as opposed to the racial supremacy or class interest invoked by the materialist interpreters of history, whether Marxists or totalitarians.

Freedom is indivisible, and wherever the democracies restrict its normal development, they will be committing an arbitrary act, a measure of oppression, all the more infamous when done in the name of

that eternal ideal

The already constituted states dislike the idea of dismemberment, although their unity may, in some cases, have been the product of violence. But these prejudices ought to disappear as the world comes to accept the fact that in the economic and military field at least, the states will have to cede willingly - since the constitution of super-state bodies cannot be contemplated without willing cooperation and on terms of equality - a part of their sovereignty to regional confederations or super-state bodies which would cover extensive territories, according to some thinkers these would have to be world-wide, since it has been proved that states, even the most powerful, are incapable of solving these problems by themselves. There is general agreement upon the necessity for the permanent maintenance, after the war, of joint military and economic planning between states or groups of states.

It is becoming more and more clear that the traditional political independence of states must be made compatible with their interdependence and solidarity in all those problems of common interest which do not form the soul of the nation, the very essence of this human society, its untransferable core

Possibly the justice done by the allies after the first Great War, in restoring to Poland and Czechoslovakia their political sovereignty, will have to be complemented by the cession, freely, on the part of both, of a portion of their sovereignty, compatible with their full national liberty, to a confederation, which might perhaps

include even the Balkan states. A similar solution might also be found, by which the national states of, Euzkadi, Castille, Catalonia, Galicia and Portugal, could join the world concert, while each preserving its own personality, in spite of forming part, voluntarily, with other European States, of a western confederation conforming to geographical, historic, cultural or economic circumstances, and being based on the free will of the nations concerned.

The democracies have accepted the totalitarian challenge. The war imposed on them by the totalitarian beast of the Apocalypse is entering its decisive phase. The first faint rays of light are heralding the dawn of a new era for humanity. The democracies do not bear the major responsibility for this tragedy, but on the other hand, theirs will be the responsibility for the future peace. And history will demand a reckoning from them.
