

THE MINERAL SANCTION

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AS AN AID TO
INTERNATIONAL SECURITY

BY

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“ A retarding influence which in time may be considerable is the fact that no nation is really self-contained as to war supplies, and that with the vastly increasing demands of modern warfare, essential supplies in huge quantities must be obtained from all quarters of the globe, even by the nations most favored with domestic supplies. The problem of adequate preparation involves ways and means to keep these many channels open, which is probably beyond the power of the strongest nation. Realization of the appalling magnitude of the raw-material problem of preparedness may in time tend to delay hasty decisions to declare war.”—Professor C. K. Leith, *World Minerals and World Politics*, New York, 1931, p. 149.

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THESIS

1. Article XVI of the League's Covenant has proved to be too comprehensive and too drastic to employ without danger of disastrous repercussions. It is important, therefore, to dissect this compound economic, financial, and military group of sanctions ; so that appropriate parts of it may be defined for prompt use if necessary against a nation that is convicted by unanimous vote of the Assembly to be an aggressor within the meaning of Article XV.¹ Surely it is futile to possess an instrument that the member States of the League would never agree to use and faithfully to enforce. It is an ill-equipped workshop that has no hammer available but a steam-hammer, which the mechanics are afraid even to use.

2. A financial sanction, such as that implicitly contained in Article XVI, would naturally not be used except in extreme cases, because even the smallest of nations can hit back by defaulting on existing loans. Creditor nations would never agree among themselves to use a sanction of the sort.

3. For a nation that is not industrialised, an embargo on the supply of war munitions will generally be a sufficient menace ; that is, one that will certainly be used if the aggressor refuses to submit its grievance to the International Court of Justice, or to the Council of the League of Nations.

4. In this discussion it is suggested that an agreement among the nations to refuse supplies of minerals (and

¹ The essential parts of appropriate Articles are reproduced for reference on p. 93.

therefore metals, raw or manufactured) to an "aggressor" would be a more suitable way to restrain an *industrialised* Power that "resorts to war," because :—

(a) no industrialised nation can carry on without a continuous and sufficient supply of minerals, which may be wanted in enormously increased quantities for war ; and

(b) no country is self-contained as regards natural mineral supplies, and these cannot be made artificially, or be replaced by substitutes ; they must be obtained from other countries.

5. The advantages of this so-called Mineral Sanction are therefore :—

(a) It is one that will not require revision for an indefinite future, for mechanisation will continue to extend with the development of technical science ; and, as the League of Nations is necessarily a slow-moving machine, this is important ;

(b) it can be used to "freeze out" any aggressive Great Power that relies on accumulated war stocks to seize territory, or otherwise to take advantage of the moral effect of a sudden attack on a weaker or unprepared nation, in order to wield the usually effective diplomatic weapon of a *fait accompli* ;

(c) it need not interfere with ordinary trade, food supplies or with general finance ; and therefore

(d) it is not too onerous for the weaker nations faithfully to observe.

6. A sanction that can be put into operation immediately, and is likely to be defeated only to an unimportant extent by smuggling, will be so obviously a menace that no refractory nation will run the risk of losing by war what might be obtained, if its cause be just, in the International Court of Justice. A menace of the

sort will thus, in general, seldom or never be used at all ; it is a police precaution, not a military measure.

7. To use the Mineral Sanction, like any other specified embargo which is implicitly contained in Article XVI, will require :—

- (a) Authoritative definition by the League ; and then
- (b) legislation in each country authorising its executive Government to act immediately in accordance with the unanimous vote of the Assembly of the League.

8. Conferences for disarmament can succeed only if they follow, not precede, agreement regarding practicable and simple sanctions that can be and will be promptly applied to appropriate nations. Without this prior agreement to exercise the control of essential raw materials, even agreed scales of disarmament between industrialised nations will be out of date, because of technical developments, before they receive legislative ratification. Agreements regarding so-called equality in scales of armaments cannot be discussed fairly, except in an atmosphere of security ; and security cannot be assured at present because there is no recognised schedule of appropriate sanctions that members of the League can impose in unison.

9. Without the United States, it would be useless, naturally, to employ Article XVI in its present form against any nation ; but there is nothing to prevent the United States from adopting the Mineral Sanction in unison with members of the League. This indeed would be consistent with the action of the United States in instituting the Kellogg-Briand Pact for all nations, and in joining other countries to impose an arms embargo against Bolivia and Paraguay.

10. The Mineral Sanction is not applicable to all forms of international disputes ; nor is any other specific

sanction. Like medicines, each form of sanction should be applied only to appropriate cases on the advice of technical specialists. Sanctions that are mutually antagonistic lose, when compounded, their value as deterrents. That is what is wrong with Article XVI.