

VERBATIM RECORD

OF THE

Eighth Ordinary Session of the Assembly

OF THE

LEAGUE OF NATIONS

SIXTH PLENARY MEETING

THURSDAY, SEPTEMBER 8th, 1927, AT 10.30 A.M.

CONTENTS :

30. DATE OF THE ELECTION OF THE NON-PERMANENT MEMBERS OF THE COUNCIL.

Communication by the President on Behalf of the General Committee of the Assembly.

31. REPORT ON THE WORK OF THE COUNCIL AND OF THE SECRETARIAT.

Continuation of the Discussion.

Speeches by PROFESSOR VOLDEMARAS (Lithuania), M. HAMBRO (Norway), M. POLITIS (Greece).

President : M. GUANI.

30. — DATE OF THE ELECTION OF THE NON-PERMANENT MEMBERS OF THE COUNCIL : COMMUNICATION BY THE PRESIDENT ON BEHALF OF THE GENERAL COMMITTEE OF THE ASSEMBLY.

The President :

Translation : The first item on the agenda relates to a communication which I am asked to make to the Assembly on behalf of the General Committee concerning the date for the election of the non-permanent Members of the Council.

You will remember that at the beginning of yesterday morning's meeting I communicated to you the letter from the first delegate of Belgium containing a request for the re-eligibility of that State as a non-permanent Member of the Council. I proposed — and you were good enough to agree — to submit the question to the General Committee of the Assembly for the purpose of suggesting a date on which the Assembly should take a decision regarding the request for re-eligibility submitted to it.

The General Committee of the Assembly discussed this question yesterday and found that, according to the third paragraph of Article II of the resolution adopted by the Assembly on September 15th, 1926, regulating the election of the nine non-permanent Members of the Council and fixing the conditions of re-eligibility, requests for re-eligibility must be handed to the President of the Assembly "not later than the day before the date fixed for the election".

Accordingly the Assembly will be asked to take a decision upon all requests for re-eligibility submitted to it on the actual day on which it intends to hold the election of the non-permanent Members.

In consequence the General Committee considered that it would be best to devote the morning session of that day to the voting on requests for re-eligibility submitted to the Assembly, and the afternoon session to the election of the non-permanent Members of the Council.

As the General Committee had to fix a date for the voting and the elections it has thought fit to make a general proposal to the Assembly on this subject. This proposal, if adopted, would to a certain extent, and until the Assembly decides otherwise, be regarded as a rule which the Assembly would follow at future sessions. The election of the non-permanent Members of the Council would take place on the Monday following the opening date of the Assembly — that is to say, at the beginning of the second week of the session.

Adapting this rule to the special circumstances of the present session, the General Committee decided to suggest to the Assembly that the date for the election of the non-permanent Members of the Council should be fixed for to-day week — that is to say, Thursday next, September 15th — and not Tuesday as erroneously announced in the *Assembly Journal*.

If, therefore, the Assembly approves the proposals made, the voting on the Belgian request for re-eligibility will take place on Thursday morning,

and the election of the non-permanent Members of the Council on the afternoon of the same day.

If no delegate wishes to speak on this proposal, I shall consider it adopted.

The proposal was adopted.

31. — REPORT ON THE WORK OF THE COUNCIL AND OF THE SECRETARIAT: CONTINUATION OF THE DISCUSSION.

The President:

Translation: The next item on the agenda is the continuation of the general discussion of the report on the work of the Council, the work of the Secretariat and the measures taken to execute the decisions of the Assembly.

Professor A. Voldemaras, head of the Lithuanian delegation, will address the Assembly.

Professor Voldemaras (Lithuania):

Translation: Mr. President, Ladies and Gentlemen — On reading the report which shows the work done by the League during the past year, one is invariably struck by the comprehensive and varied nature of its activities. At the same time a single predominating impression emerges, and, after a survey of the varied and fruitful operations of the League organs, we turn instinctively to the one all-absorbing subject: the problem of peace.

This is easy to understand. When the League was first founded it was hailed more as the long-sought saviour of the world than as a political reality. During the darkest hours of the war the whole world felt that nothing but a league of nations could abolish war and establish for ever the reign of universal peace. Hence the demand that wars should cease with the creation of the League. The League eventually came into being, and, ever since that day, has been a perpetual source of joy and hope, and heartbreaking disappointments.

The first disappointment was that the Covenant failed to prohibit war absolutely, although it contained, it is true, provisions designed to prevent armed conflicts and to render the declaration of war more difficult.

The first ray of hope after this disappointment was the Geneva Protocol of 1924, but this hope soon faded, for the Protocol did not survive its birth.

Locarno buoyed us up again, but our joy was tinged with sorrow, for the onward march of peace, as the work of Locarno might well be called, was taking place outside the League, and voices were heard, outside the League and even within it, demanding a return to the Geneva Protocol.

If the newspapers are to be believed, certain impetuous and ardent spirits even go so far now as to demand the outlawry of war.

These are generous hopes, so far removed from actual reality that disappointment and pessimism are bound to follow, while the League will be discredited as a useless institution.

I do not propose to go into the merits or demerits of such a criticism. It is obviously exaggerated. These reproaches, however, are not without their value, for they act as a stimulant in the direction, if not of perfection, at all events of real improvement, and, as such, serve the interests of the League.

The importance of the problem to be solved, however, cannot be exaggerated. Visionaries may glimpse the beauty of universal and perpetual peace, but men of action must never lose their

grip of facts. Hence the real issue is not whether the conception of universal peace is beautiful in itself but whether it is capable of realisation. Let us not attempt what is beyond our strength. Any scheme to abolish war at one stroke may involve worse things than war, as experience has already shown. Members of the League, in order to elude the provisions of the Covenant when waging war against their neighbours, have even advanced the ingenious pretext that the Commander of the opposing forces is a declared rebel. If, under the present League system, a State can wage war without a formal declaration and even without acknowledging it, and can subsequently reap the ensuing benefits publicly, what would happen if all war were declared illegal? Such a pronouncement, instead of suppressing the evil, would set a premium on what I might call disguised war.

Accordingly, the League's main work must be not to adopt such a formula, attractive as it may appear, but to organise the elements of peace, which are already taking shape. This is a vast and lengthy work, but if the League fails to accomplish it, it is itself doomed. It augurs ill for the League's future that efforts towards the organisation of peace are being instituted outside the League, though it would be unjust not to acknowledge what it has already accomplished in this direction.

The problem of organising peace is a very complex one. It has been approached by the League from various angles — political, economic, legal and military. The League has done remarkable work in the legal sphere by organising international relations, though its efforts in other directions have proved less successful. At the present moment it is grappling with the formidable problem of disarmament and all that that problem connotes.

Enough will never be said or done in regard to this question; it is difficult, however, to accomplish anything. No nation arms lightly, for armaments mean financial burdens. A nation arms through fear of aggression. This brings us to the indefinable problem of security. I say "indefinable", for security changes with changing circumstances. What was thought sufficient for security yesterday no longer suffices to-day.

Nevertheless, I think that temporary solutions might be found — where security is concerned everything is temporary — which should make armed conflicts less probable and hence permit of the limitation of armaments. Whatever the relations between the countries of Central and Western Europe may be, it is clear that there is no danger of hostilities there. In Eastern Europe, however, there are States which owe their existence to the war — a condition of affairs which might easily lead to armed conflicts. In many cases the creation of these States was neither foreseen nor desired, and even experienced statesmen in other countries still question their powers of survival. It has been said, and the rumour persists, that certain neighbours not only desire the elimination of these young States but are even devising the means to bring it about.

Such oft-repeated ideas might easily give rise to conflicts which would soon develop into a general state of war. The security and integrity of these States thus constitute one of the important factors in the problem of general disarmament.

Further, there are in Eastern Europe nationalities — Lithuanians, White Russians and Ukrainians — that are perforce subject to several States; and their aspirations towards national unity — aspirations which no power on earth can check — contain the seeds of future warfare. Solutions

based on force cannot last, and the day will come when a new order will be established in those regions either through the peaceful revision of the present system or by armed force. That is the region in which armed conflicts must be forestalled. Once this has been done the way will be clear for peace, and, once peace is established on a firm foundation, disarmament will automatically follow. This aspect of the problem is deserving of serious consideration.

My task was to sum up the problem, not to submit ready-made solutions. I might mention, however, one solution which, in the Lithuanian Government's view, is calculated to prevent all danger of war. I refer to the neutralisation of the Baltic countries. So far as Lithuania is concerned, this solution has already been partially adopted.

In conclusion, I desire once more to proclaim our profound conviction that the existence of the smaller nations as organised States is bound up with the existence of the League, and that their fate depends essentially on the organisation of peace.

The President:

Translation: M. Hambro, delegate of Norway, will address the Assembly.

M. Hambro (Norway):

Translation: Mr. President, Ladies and Gentlemen—During this discussion on the report on the work of the Council and of the Secretariat, the main interest has been focussed on the question of disarmament, and the seemingly futile Conference for the reduction of armaments. Several speakers have mentioned the feelings of discouragement and anxiety that have been manifest in the last few months. The Norwegian Cabinet wants to express the disappointment of the whole Norwegian nation that those States which were represented on the Preparatory Commission for the Disarmament Conference have not succeeded in framing an agreement on the principles of that reduction.

On the other hand, my country recognises the complexity and vast extent of the problems involved and realises that immediate results cannot always be expected from the deliberations that take place. Like the distinguished representative of Japan, we expect much from patience, perseverance and the help of time. It is necessary to try and try again, so that old ideas and prejudices may be loosened and weakened in the minds of men—even of admirals and generals! It is important never to lose sight of those principles that should be fundamental to the League of Nations. In this spirit we welcome the proposal of the Netherlands delegation and attach some importance to the fact that it has been put forward by a State which is a highly respected Member of the Council.

I should like to add that we consider it most important that the Preparatory Commission should continue its work, and we think that the next session should take place in November as planned. We may have failures in front of us. We may make vain efforts and seem to waste our energies, but there is no other way of creating the moral and psychological atmosphere which will some day make success possible. It is our hope and desire that the League may not grow tired.

On various points we are making progress; we are moving forward slowly—imperceptibly perhaps, but we are nevertheless still advancing. I am glad to associate myself with those speakers who have seen in the Economic Conference one of the subjects on which progress has been made,

and who regard its work as a most important factor for the creation of an atmosphere of international understanding and peace. The Norwegian Government gives its full support to the principles laid down in the resolutions of that Conference, and will try, to the utmost extent possible, to realise those principles in the economic policy of the country.

Another subject on which progress has been made is that of the codification of international law. Various speakers have laid stress on this point, and the delegate for Colombia emphasised it with great warmth. The Norwegian Government attaches great importance to the efforts of the Committee of Experts, and we should look with grave anxiety on any attempt to obstruct or hinder the work that has begun and already aroused so much interest.

But in another field we have not advanced. It was well expounded in the eloquent speech of the first delegate of the Netherlands. He mentioned in that speech the fact that a current of opinion is growing more and more strong, especially on the other side of the ocean, towards what is called the outlawry of war.

The principle of international compulsory jurisdiction is an essential factor of these ideas; but in order to realise that purpose it is indispensable that the great Powers should not remain on one side but that they should do their whole duty in this matter. Only 16 States have accepted the optional clause of Article 36 of the Statutes of the Permanent Court of International Justice. One State (Brazil) has made its acceptance dependent on the ratification of the clause by two of the permanent Members of the Council, but so far none of the permanent Members of the Council have ratified. France has made an initial move; but that is all. The other Members of the League like to look to the permanent Members for guidance and would be glad to take them as an example. We are waiting and wondering.

There is another point of still greater importance. It was mentioned by the Netherlands delegation and it was well and strikingly put forward in the interesting speech made by the first delegate of Sweden. It is a question which is a cause of keen anxiety to every small State. An impression has been abroad during these last two years that there is within the Council a supreme Council, which meets at the same time as the Council but in private, to discuss the problems with which the Council itself is to deal later. It has even been said that regular agendas have been prepared for such meetings, and that in this way questions have been decided before they were submitted for consideration to the Council as a whole.

As mentioned by the Swedish delegation, no one would dream of reproaching statesmen with deliberating in private on problems directly interesting their own country, even if those matters concerned the League of Nations. But if this tendency should become accentuated, the League of Nations and its executive organ, the Council, would be exposed to the danger of losing control of affairs and would see themselves deprived of the possibility of accomplishing their high mission as safeguards of peace.

Nothing has more strongly emphasised the importance of the League and its Council than the fact that three great Powers have sent their Ministers for Foreign Affairs to the meetings of the Council and those of the Assembly. It is not unessential to remember, however, that they come to Geneva not only, or even mainly, because they are Foreign Ministers but also because they are members of the Council and under an obligation to the League.

One of the soundest principles of the Covenant is that an interested State is present as a Member of the Council when its affairs are being discussed, and every non-permanent Member has been justified in watching with jealousy the half private deliberations at Geneva.

It has been one of the main objects of these annual meetings to create a world opinion. That opinion has been created. Let us be careful not to provoke it against ourselves.

I do not think that the distinguished members of the Council have quite realised the impression that has been created by this procedure of secrecy, and perhaps I may be allowed to mention one small fact that may have some importance in this connection—a fact that has been commented upon freely in my country when our Parliament has discussed the work of the League. I refer to the strength of the diplomatic element at Geneva. Out of 120 delegates in 1924, 48 were active diplomats: in 1925, 50; in 1926, 54, out of 124; and the element represented by active politicians and statesmen has not been so strong as in the first Assemblies.

Indispensable as it is to have a strong diplomatic element, there still may be a feeling that the traditions of the diplomatic career are not in favour of publicity and openness, and even in the Council the diplomatic element is very strong. Of course it is difficult for oversea nations to send their leading statesmen to Geneva four times a year, but I think that Brazil set a fine example when the Government at Rio appointed a distinguished gentleman as a special representative to Geneva. Other nations have sent active diplomats to the Council. Without in any way detracting from their merits, we cannot but feel that it would perhaps give greater political weight to the deliberations of the Council if its members were not too closely tied to the diplomatic centres of the great Powers.

When venturing upon these critical remarks, I have had before me an example of what can be accomplished by the Council working in full publicity. One of the most difficult questions settled by the Council this year was the Saar problem. It was successfully debated in public, and, thanks to the wisdom and the moderation of M. Briand and Dr. Stresemann and every other member of the Council, a result was achieved which was not only to the credit of the Council but which inaugurated a new tradition in world politics. I think we were all proud of our Council on the Saar Day. It has provided a standard. It is for the Council to live up to it.

We believe in the Council and its work, and it is without enthusiasm that we would receive a proposal to reduce the number of its sessions.

Several delegates have mentioned political questions which had been left alone by the Council. Some of us are under the impression that this inactivity has some connection with the provisions of Article 16 of the Covenant. The highly distinguished first delegate for Persia laid stress on the importance of this article for his country, and I think a declaration from the Council on this point would be of great interest.

Certain questions may come up in connection with the report of the Fourth Committee. New Under Secretaries-General have been appointed. I offer no criticism of any kind but should like to know from the Council whether it has been laid down as a principle that there should be an Under Secretary-General for every great Power, and that no such high position should be filled by a person of any other nationality.

In a notable article in *Le Journal de Genève* the other day, it was said that the debate on the

annual report was tending to become more and more only an exchange of complimentary banalities. I trust that the debate this year will not fall under that epitaph. But there is one thing that tends to diminish the general interest in this debate. We put questions that are not answered. We discuss the work of the Council, but the Council itself keeps silent. We cry into a grey void, but the leading Members stand aloof, observing an attitude which is rather disappointing for those who come here eager, sympathetic, with the greatest belief in the foresight, broad-mindedness, and wisdom of the first statesmen of the age. With great respect we request them to answer our questions, to enlighten our obscurity, to speak those words of hope or of warning which we are all longing to hear.

In the opinion of my country it is important to strengthen the influence of the Assembly as the supreme organ of the League, and it would certainly emphasise the importance of the Assembly if problems were openly discussed and not only brought forward. It is to accentuate the influence of the Assembly that the Norwegian Government has worked for proportional election. It was for the same reason that the Norwegian Government last year had to oppose the proposals for re-eligibility, and it is still its opinion that re-eligibility is undesirable, even where it touches States and individuals we admire and to whose service to the League we all do homage.

It was said in the memorandum presented by the Norwegian Government that under present conditions private conversations, underhand arrangements and agreements, more or less binding, interfere in the preparations for the elections and have a deciding influence as regards their result. This method is neither desirable nor safe, nor entirely dignified. It would be well if elections in the Assembly could not be thus mentioned, and I would suggest that next year the Council or the Secretariat should openly propose—and circulate its proposal for—the Chairmen of the Committees and the Vice-Presidents of the Assembly. There seems at present to be some confusion. Anonymous lists are circulated, and many delegates are more or less at a loss. The choice of somebody behind the veil droppeth as the gentle dew from Heaven, and even if we all believe implicitly in the discernment and discrimination of that somebody, the principle in itself is not a good one. My Government has instructed us to work with a view to assuring that constitutional methods of work are fully observed within the Council as well as in the Assembly.

Many delegates have offered their congratulations to the Council and the Secretariat and seem surprised at the work accomplished. I am not surprised. We are ambitious; we expect much from the Secretariat and from the Council, and in thanking them for what has been done, and has been admirably well done in many cases, we request them to do still more and fulfil our expectations and the expectations of the whole world in such a way that no great Power can long remain outside the League of Nations.

The President:

Translation: M. Politis, delegate of Greece, will address the Assembly.

M. Politis (Greece):

Translation: Mr. President, Ladies and Gentlemen—I feel it my bounden duty to address this Assembly frankly on the subject of the

criticisms which have been levelled against the League of Nations and the impatience which has been manifested as to its activity. I think it is vitally important to the cause of peace that the world should know there is no real justification for this despondent attitude.

For some time past — in the last three years; in fact, ever since the great effort was made in 1924, which, as you know, was not carried into immediate practical effect — for some time past, I say, pessimism and despondency have been displayed whenever the League has had to grapple with a difficult situation.

It has been said that the League has passed and is still passing through a critical period. It has been described as a period of growing pains and also as a constitutional or organic crisis. Then again we hear on some hands that it is due to a return to the diplomatic practices of the old concert of Europe, with a consequent diminution of the Council's prestige and authority.

Lastly, we hear it said that the world in general, growing more and more anxious on the subject of its own security, is urgently demanding that the League should provide guarantees supplementary to those provided in the Covenant.

It is not my intention here to speak of the critical situation alleged to have arisen through the enlargement of the Council. The changes made last year are still too recent to enable a really useful judgment to be passed on them. That very important matter, which is still far from settled, must stand the test of time, and if the results are not satisfactory it can always be considered afresh.

I desire, however — with your permission — to dwell at some length upon two other questions.

I cannot really credit the charge that the League has declined to deal with serious international questions of outstanding importance to world peace, or that certain States have tried to remove from the competence of the Council political problems of prime importance with which it undoubtedly ought to deal.

This charge might be justified if States interested in a dispute had been hindered or thwarted in their desire to have the matter dealt with by the Council in full accordance with the terms of the Covenant. It might be justified if the Powers which have the greatest influence over the League's destiny had preferred to settle their private differences by direct negotiations among themselves when the cause of peace would have been better served had the matter been brought before the Council.

I do not know of any instance of either kind, and I therefore consider the charge unfounded.

What is interesting, however, is the varied and complex psychology of the people who make these complaints. Some may be actuated by personal motives, not always genuinely friendly to the League; while on the other hand we have authoritative complaints, like those that have just been expressed here, which are made in sincere good faith and out of a feeling of loyalty and devotion to the League.

It seems to me none the less true, however, that the charges made are always based on mistaken conceptions of the part the League has to play and its present possibilities of action. It seems to me that they are falling into the error commonly made by keen lawyers when they regret that law is sometimes sacrificed by individual agreements when it might triumph if the case were settled in court. They forget the wisdom of that well-known maxim, true of all countries and all times, that a settlement out of court is far better than the soundest verdict.

That is true in private matters, and still more true in international relations. The cause of peace has nothing to gain by making every international dispute and difficulty the subject of a public debate, conducted with all the ceremony of the League's procedure. If the countries concerned can come to an understanding between themselves by way of reciprocal concessions, I am sure it would be folly to complain. I think we should rather be glad of it and congratulate ourselves that recourse to the Council, even when desired by one of the parties concerned, is not always in the interest of peace.

Public debates on rather delicate questions which touch on national susceptibilities are likely to aggravate the dispute and at the same time to impair the friendly relations between nations as well as the Council's authority and prestige, which must be so carefully safeguarded.

Recourse to the Council should be regarded as the extreme remedy, to be applied in cases where ordinary diplomatic action has failed. Indeed, even when ordinary diplomatic action is not immediately successful it is not always wise or in the best interests of peace to hurry the dispute before the Council. This should be done only when it is quite certain that the Council can really find a satisfactory solution. If there is any doubt at all in the matter it would be far better for the cause of peace that the question should be left temporarily in abeyance in the hope that time would bring the parties to a more conciliatory frame of mind.

Such, I submit, is the part the League should play, and such are the reasons why, in my opinion, those who complain that the League does not intervene on all occasions are taking too pessimistic a view, especially when they blame countries having heavy responsibilities for endeavouring at the outset to settle their disputes by mutual agreement before applying to the Council.

I explained just now what was, in my opinion, the general psychological reason for such complaints. I think, however, that there is yet another reason which requires to be pointed out, and that is that the nature and extent of the League's powers are much overstated.

There is a tendency to forget that the League is not a super-State or a Power capable of imposing its will on others; it is simply a free association for co-operative action among individual nations for the development and organisation of international life, of which the Covenant laid the foundation.

For the most part the League has no power, no light of its own — its light is mainly a reflection of that of its individual Members. Sometimes this light shines full upon the League, but at other times there falls upon it the shadow of chance obstacles which arise between it and the source of light.

In a word, the League, like every other human society or institution, is and can only be what its Members make it. They provide the driving force and guide the League on its way.

Those who are impatient because the League falls short of their ideals should blame not the League itself but the nations which are not yet sufficiently advanced to demand from it greater activity and power; when they are, these will not be refused them.

Let us not forget that the League's activities are conditioned by the international environment wherein it is placed. It is the environment in which the League acts that determines how it shall go along the path to peace.

In addition to the two reasons I have just given I should like to mention another, which

is a little more technical perhaps but is none the less important. I have often noticed that the waves of pessimism and scepticism on the one hand and of optimism and exuberant enthusiasm on the other which come into conflict in regard to the League both arise from a fundamental misconception due to divergent acceptations of terms, and, in particular, of the term "justice".

There are in fact two concepts of justice. One is the philosophical concept, the general idea which represents justice as innate in human nature and as the supreme force governing the world: that may be defined as immanent justice. I myself am a firm believer in immanent justice, and I am convinced that no human action which runs counter to the principles of our civilisation and our established beliefs will ultimately remain unpunished.

But this word "justice" acquires a narrower meaning when we are thinking, as we must in an organised society, of a special public service which renders justice.

In considering questions relating to the League, this distinction between immanent and distributive justice has not been drawn with sufficient clearness. Hence a confusion has arisen which has led to serious misunderstanding.

Peace, to be lasting, must be based on justice and law, and it is therefore generally assumed that justice must be the precursor of peace. Hence the League is expected to safeguard international justice in order that the nations may finally enjoy the blessings of peace.

In my view, however, this is reversing the situation and asking the League to accomplish the impossible; for if we think, as we should, not of immanent justice — which, I repeat, is the supreme force governing the world — but of distributive human justice, we are forced to acknowledge that in the League, the organisation of which has just been begun, as in all human societies — it is not justice which must be established first, but peace.

In no human society is it possible for a judge to interpret the law if there is no general acceptance of the law if the environment is not sufficiently pacific for the voice of justice to be heard.

We find that in every age, in every country — even the most civilised, even where justice has reached its highest degree of perfection, and where in peace-time it is normally and effectively administered — we find when abnormal conditions arise, when social peace is disturbed, when the atmosphere is tense with passion and with the spirit of war, the voice of the judge is no longer heard, for law is powerless to stem the force that sweeps everything before it. This has been proved in every revolution, in every insurrection, and *a fortiori* in every international war.

During international wars we may talk of immanent justice and often dream of it, and rightly so. We may also talk of distributive justice, but we must wait for the restoration of peace before we can enforce it.

What is true of organised justice, which presupposes the restoration of society to pacific conditions, is even truer when we are dealing with international relations, in which organised justice has hardly begun to make itself felt.

These are the circumstances, and the League cannot accomplish the impossible. All that can be expected of it is that it shall contribute to the establishment of peace and afterwards enforce the principle of justice.

The League will only prove its full efficacy when the desire for peace has definitely taken root in the conscience of mankind. Till then it seems to me vain to seek in mere texts absolute guarantees of

security or practical guarantees against recourse to war.

I should like now to sketch briefly the evolution of the great human law which is urging civilised nations to abandon completely the barbarous weapon of force. The idea of resorting to force to repair an injustice or vindicate a right is inherent in every unorganised society. It is only as society becomes organised that this idea begins to lose ground, and finally, with the perfection of the social structure, falls into abeyance, and men no longer dream of resorting to force in vindication of their rights, since society provides them with other guarantees and other methods of procedure.

For many centuries past men have realised that, although force was unfortunately inevitable in any ill-organised society, it could only be tolerated in a legitimate cause. From the Middle Ages onwards the canonists' main endeavour has been to establish the essential and useful distinction between legitimate and illegitimate wars.

We should have advanced more rapidly towards this ideal of the categorical condemnation of illegitimate wars had it not been that in the sixteenth century the principle of absolute power triumphed in the government of the State, bringing with it as a natural consequence the idea of the unlimited right of the State to declare war whenever it saw fit. Despite, however, this claim of the State to be sole judge of the conditions under which it might resort to force, vital needs have continually reacted against the abuse of this remedy, and towards the end of the last century the general conscience had already become imbued with the idea that to resort to war when a pacific means of settling the dispute existed was an intolerable and unjustifiable abuse.

This idea emerges in the proceedings of the Hague Conference, but sufficient progress had not then been made for it to be possible to frame a law directly limiting the right to resort to war. Such limitations as it was proposed to establish were indirect, and sprang from the desire, expressed with increasing frequency to oblige States to employ pacific procedure.

The advent of the Covenant a few years ago precipitated this evolution. Instead of indirect limitations we had direct limitations, and the Covenant, in principle, prohibits war. It tolerates it — I do not say that it authorises it — it tolerates it only in exceptional cases, and among these cases the most important, the most serious, is the one mentioned in Article 15, paragraph 8, of the Covenant, namely, the case of a conflict bearing on questions which come within the domestic jurisdiction of one of the States concerned. Here, under the existing laws which recognise this principle of exclusive competence, the League is paralysed, the pacific procedure is inoperative, and war is always possible. When we reflect, gentlemen, that these domestic questions include the most serious and vital problems of the day, problems such as those concerning commercial outlets, raw materials, emigration, and the whole question of labour and unemployment, we realise at once what a tremendous gap is still left in the Covenant.

It was this gap that we were trying to fill three years ago when we drew up the Protocol. We had hoped, by making arbitration compulsory in every case and by declaring that a State that refused to submit to a peaceful procedure was an aggressor deserving of sanctions at the collective hands of society, we had hoped to fill in permanently that gap in the Covenant, which still allows of the possibility of war.

But you know what happened. The Protocol was never put into force. It was doubtless in

advance of its age. It was born of the enthusiasm of those who framed it and was probably not sufficiently in harmony with the world conscience to become a practical reality. But, as has been truly said, although the Protocol never came into force, it is not dead. Its principles have gone on living, and, what is more, have become an intrinsic element in the conscience of the nations.

Those principles have come to acquire such force that they led to practical results in 1925, when agreements were signed at Locarno by a number of States, in regard to one specific region, as part of a system which was descended directly from the Protocol.

There is little doubt that the system inaugurated at Locarno will in the near future be adopted in regard to other regions.

Nor is there any doubt — of this I am firmly persuaded — that the principles of the Protocol will gradually come to be applied on a vast scale, and a day will come, which I hope we shall all live to see, a day will come — I know not when, but come it certainly will — when the principles of the Protocol will be the law of the whole world.

Ladies and gentlemen, if such is our hope of the future, what of the present?

Three years ago the Protocol was judged impossible of realisation: can we to-day take up the study of the principles it embodies and apply them, if only in a limited or fragmentary manner?

The honourable delegate of the Netherlands thinks we can, and his belief is reflected in the proposal he submitted two days ago to the Assembly, the proposal that the principles contained in the Geneva Protocol should once more be brought up for study. If I have rightly understood the speech in which he introduced this proposal, the purpose in view, although not mentioned in the draft resolution, is to revert to the idea of general compulsory arbitration. This would be the idea of the Protocol with its fundamental basis of compulsory arbitration but without the system of sanctions.

While deeply admiring the great idea which inspired this proposal, I regret that I am unable to share its author's views. I do not believe that, in the present state of affairs, it would be wise or practicable to bring up the Protocol again. This belief is based on the fact that the obstacles which wrecked its progress in 1924 are still, so far as I can judge, unchanged.

There is not the least ground for supposing — still less for hoping — that those obstacles have become less formidable or that they could be removed by a fresh effort on our part. On the contrary, I believe that the basic idea of the proposal, which is, if I am not mistaken, the extension of compulsory arbitration, would meet with the same opposition as before and with the same results. My belief is based not only on the absence of any sign of real evolution in the attitude of the Governments concerned but also on the fact, of which there is abundant indication, that public opinion, as reflected in the responsible Governments, has not moved one step since 1924.

If you consult the list of States that have ratified the optional clause concerning the compulsory jurisdiction of the Hague Court, you will find that they number only fourteen and that, among those fourteen acceptances, several are still conditional.

These circumstances hardly warrant the hope that there is at present any likelihood of overcoming the obstacles to compulsory arbitration.

There is another point. Granting a change of opinion, it seems probable that there would still be objections to resuming the study of the Protocol without the sanctions, for, as I said three years

ago and as I say again to-day, I cannot conceive of compulsory arbitration as an element of security, unless accompanied by an adequate system of sanctions.

Furthermore, we are faced not only with the impossibility of compulsory arbitration on a general scale, not only with the impossibility of accepting arbitration as an element of security without the accompaniment of sanctions — both formidable obstacles to the realisation of the magnanimous proposal which has been submitted to us — but when we try by means of this proposal to fill the gap in Article 15, paragraph 8 — a gap the seriousness of which I have already indicated — we recognise the inadequacy of the procedure recommended; for compulsory arbitration is inconceivable in the present state of society, and even if accepted in the case of all other disputes, is inadmissible in regard to the special category of questions and affairs of purely domestic import.

This was so evident that three years ago, when we endeavoured to assert the principle of arbitration generally, we had to recognise that we could not modify Article 15 and were indeed compelled to confirm it; the Council unanimously declared that the question submitted to its consideration really came solely within the domestic jurisdiction of one of the States concerned. Your decision is unassailable, and no one could go against it without exposing themselves to sanctions at the hands of the whole League.

There is no reason to suppose that all those States which three years ago asked for this confirmation of the principle of national sovereignty in domestic affairs are now of another opinion or are willing to accept compulsory arbitration in questions of this kind.

A formula prohibiting all wars — that is, all wars of aggression — and seeking to define the aggressor by means of arbitration, while maintaining Article 15, paragraph 8, of the Covenant in its present form, would still leave the gap in that article exactly as it is to-day owing to the absence of sanctions which, under the Geneva Protocol, rendered the system possible. Moreover, in addition to this defect, which I cannot too strongly emphasise, there would be a great danger of giving the public the impression that we had progressed, whereas in point of fact we should have lost ground.

My conclusion on this point is that we should be hindering rather than serving the cause of the Geneva Protocol if we tried to take it up in fractions or segments, eliminating at the same time those features which are most practical from the point of view of application. The time is not yet ripe. Wisdom counsels us to wait, to wait patiently in the belief that public opinion will soon declare itself; and when that day comes we shall see the Protocol an international reality, no longer in fractions or segments but in its full splendour and with its effectiveness unimpaired.

There has been talk these last few days of another scheme, designed, it would appear, to obviate the drawbacks attaching to the Netherlands proposal, and less ambitious and more limited in its purpose, albeit of considerable moral force: it is no less than a declaration by the representatives of the forty-seven States assembled here that the peoples have accepted as a canon of belief the principle that every war of aggression should be prohibited and deemed an international crime.

The proposal appears particularly acceptable at first sight because it would simply mean the confirmation of an opinion enunciated by the Assembly five years ago. It is just five years since the idea of a war of aggression as an international crime first found expression here. That idea has been reflected in our decisions and,

gathering strength in its course, has now entered so deeply into the conscience of mankind that efforts are being made on every side to consecrate it in a solemn text.

It has been suggested that the declaration might be on the lines of the Paris Declaration of 1856 prohibiting privateering. But if this idea takes shape we must beware of over-hasty comparisons. In the Paris Declaration the proclamation that privateering was henceforward prohibited acquired the force of law and had behind it the strength of strict and powerful sanctions. Any privateer who subsequently put to sea in defiance of the Declaration could be held guilty of the crime of piracy and punished under the laws governing that crime.

In the present case, if I have rightly understood the idea, the suggestion is that all wars of aggression shall be declared "illicit", but without any provision for sanctions or compulsory arbitration, or even a definition of "aggression".

What would be the fate of a declaration of principle couched in such vague terms? It would, I believe, bear some analogy to those great principles which, before being incorporated in legislation, were used as a preface or even a preamble to constitutions — principles which possessed a certain mystical significance borrowed from across the ocean and which owed their origin to the peculiar character of eighteenth-century philosophy.

The rights of man were proclaimed before the political foundations of the State were ever established, because those rights were deep-rooted in the conscience of mankind. Until the constitution was adopted and its practical character affirmed these principles were not enforced. They remained as solemn declarations addressed to the human conscience rather than to the instruments of justice.

They were in the nature of moral rather than juridical principles.

A declaration unaccompanied by any definition of aggression and unattended by compulsory arbitration, proclaiming to-day, without any greater prospect of success, that a war of aggression shall henceforward be deemed a crime and shall accordingly be prohibited in the relations between all civilised nations — such a declaration would belong to the same category.

I do not deny that such a declaration would be of moral value. On the contrary, it would, in my view, have just the value of those super-constitutional principles of which I have spoken. Just as those principles require practical force from the constitutions and laws which follow in their train, so a declaration of this nature would derive practical force from the Covenant and from such special agreements as might be concluded between the States parties to a dispute.

As, and in proportion as, the Covenant or such agreements proved instrumental, with the help of sanctions, in enforcing the prohibition to engage in wars of aggression, the principle would pass from the category of moral to that of juridical enactments.

It would also have an educational value, for nations, like individuals, live and learn from day to day, and the great law of imitation rules the world. If some solemn text were adopted, proclaiming war an international crime, this idea, which is derived from the conscience of mankind, would be driven home with added force, and men would gradually learn to look with horror on wars of aggression and would awaken in their Governments an equal horror of such wars.

This educational factor might perhaps prove of greater value in international progress than the moral factor to which I have just referred.

But however wholehearted, however ardent a supporter I may be, within these limits, of a declaration of this nature, it seems to me essential to avoid a misunderstanding which might lead to fatal consequences. Public opinion must not be allowed to believe that such a declaration would in any way serve as a practical guarantee of security. The question of security would be untouched: it would remain just where it stands to-day, under the Covenant and the regional agreements, with just the same guarantees and just the same uncertainties. Nor could we, on the strength of such a misunderstanding, ask the States to make concessions which they would readily agree to if real practical guarantees of security were forthcoming.

This, then, gentlemen, is my conclusion. The more deeply we study the great problem of peace the deeper becomes our conviction that the remedy for the ills which afflict the world is not to be found either in texts or in formulas, however magical the properties we may ascribe to them. The remedy must be sought elsewhere at the very root of the disease. We must manage to formulate rules for the settlement of disputes which to-day, owing to the imperfection of human laws, are left to the discretion of the individual States, or to the outcome of struggles and shifting policies, and which gradually become so embittered that they end in war.

Every aspect of this problem has been examined and discussed here in the course of the last eight years. Our progress has been gradual, but we have now reached the stage where the road lies clear before us. In accordance with the spirit of the Covenant we endeavoured in the first instance to bring about a reduction in armaments as the necessary condition for a genuine and lasting peace. But we soon realised that no reduction in armaments is possible without real security.

Our efforts were then directed to that end. We endeavoured to define the conditions of real security and were led to the conclusion that security cannot exist apart from justice.

That is the idea at the root of the Protocol. But we found, even when drafting the details of the Protocol, that the cycle was not yet complete. If security is a necessary preliminary to disarmament, and if security itself is founded on justice, justice in its turn is based on the existence of law; for it would be a great mistake, where the vital interests of peoples are concerned, to trust to the rather vague and personal feeling of a judge basing his verdict on grounds of equity.

Laws are necessary, precise and unequivocal laws, capable of giving to the Governments sufficient guidance as to the grounds on which a judge would base his verdict when a dispute is brought before him.

And now the conclusion reached after this long and circuitous journey is as follows: There are some who, in their over-eagerness, may think that no useful results have been obtained: but those who reflect see the immensity of the task accomplished in diagnosing the problem of peace and at learning that disarmament leads to security, security to justice, and justice to the complete establishment of the rule of right. In this field the League has a great part to play. It has a great mission which it has already taken in hand with signal success, although without receiving the recognition which, in my opinion, it has deserved.

By the conferences which have met under its auspices, by the diagnoses it has given for the benefit of individual States, as well as by the patient and erudite work of its admirable technical organisations, the League has, in the course of the last eight years, enriched several branches

• of international law with new rules, whereby disputes may now be settled which formerly offered insuperable difficulties, because they were held to lie exclusively within the sphere of internal judication. Furthermore, new diagnoses and new formulas for rules of international law are continuously in process of elaboration in the ever-active laboratories of the League. This is the great service which the League is rendering to the nations of the world; and at the same time it is accustoming those nations to see that their individual interests and the general world interest are coincident and interdependent, and is showing them that their own interest lies in helping to create this new system of law. • •

The peace ideal has long been acclaimed in the name of pure reason; but we can find no firmer basis for the final triumph of that ideal in the name of sentiment than by showing that the interests of the nations ultimately lie in the establishment of peace on a foundation of right and justice.

The League of Nations is thus building up, gradually and stone by stone, a broad and firm foundation for its future edifice, and for that reason we are justified in putting all our trust and confidence in it.

The League is, in my opinion, endowed with

inexhaustible resources and extraordinary adaptability. Adaptability is perhaps its greatest and its finest quality; for this adaptability enables it to adjust itself to all the necessities of the hour without giving up a single one of its appointed tasks or in any way jeopardising its future development. It is like a young oak, which may bend under the storm but in which nevertheless there still rises the rich sap whereon its future strength depends. The life principle of the League is the spirit of conciliation, of justice and of equality, and that spirit daily gains in strength. The uninitiated, the unobservant, may not notice this; but those who have eyes to see know and rejoice in the work which has been going on here day by day for the last eight years.

It is on this fact that I found my unshakable faith in the League's high destinies. In that faith I should like to cry out the strength of my conviction alike to the impatient who chafe at the slowness of progress and to the unbelieving who find in this slowness food for their pessimism. I should like to sum up that conviction in the old maxim which was the solace of my ancestors in their trials and difficulties: "Wait in patience".

The Assembly rose at 1.0 p.m.