

Should the League of Nations Cov

An Assembly Elected to Voice the Opinions of Peoples, Rather Than for Geneva . . . Reorganization in Regional Groups Als



stances incompatible with the purpose of the League. The object of the League in this connection, is to form a universal or a quasi-universal association of nations for the settlement of international affairs in accordance with equity. The object cannot be carried out if there are groups of nations inside the League who have obligations to each other to support common interests which may hereafter be challenged by other nations—by a section, large or small, of the League—and which should be examined without prejudice and without preliminary engagements. Otherwise, it is clear that the existence of the League does not render impossible the creation of opposing groups of nations. The balance of power is not done away with because it may be included in a general framework.

Naturally, it is possible to begin end less discussions as to precisely what engagements are incompatible with the general engagement of the Covenant. The article which follows that to which we have referred makes a number of exemptions. This would appear to be blowing hot and cold. Without entering into detail, which would provoke controversy, it may surely be said that the true conception of the League requires

THE IDEA OF REVISING the Covenant of the League of Nations is not new. It existed, so to speak, before the League was born, and it has never ceased to occupy the attention of students and well-wishers of the League. In the nature of the case it must be so. The organization did not come full-fledged out of the head of anyone. It was put together by men who had a number of contradictory designs. On the whole they made a remarkably good job of the League, but it was to be expected that there would be found anomalies and oppositions, and that some provisions would cancel out others.

At the beginning of 1919—and indeed long before—I was in very close touch with some of the authors of the Covenant. Personally, I was in disagreement with an admirable statesman who was my friend, for his influence was directed toward making the League a Super-State with forces of its own. Unfortunately, the League was to be composed of sovereign states, and this fact, to me, logically ruled out the notion of a Super-State, and consequently the notion of an international army.

Yet though his proposals were rejected, the conception did not disappear, and vestiges of his proposals are to be found in articles which call for "sanctions." Recent events have clearly shown that the threat of sanctions can only have the effect of revealing the material impotence of the League. Its members cannot act against themselves except on pain of disrupting the League.

It may well prove to be that the menace kept great nations out of the League at the beginning. Every nation is reluctant to incur unknown responsibilities in circumstances which cannot be

foreseen, and to pledge itself to obey blindly an institution which, after all, may be swayed by indefinable, and perhaps, on occasion, undesirable influences and interests. The powers which entered the League in reality brushed these clauses aside. They did not take them seriously. When, in fact, these clauses were brandished, they determined a secession which might easily provoke others. In my view, this conception of the League, though ineffective, has been mischievous.

On the other hand, to neutralize drastic action, the unanimity rule was invented. The League in major matters could do nothing unless everybody was in agreement. An overwhelming vote could be blocked by a single veto. This reduced the notion of the Super-State to final nullity. Unhappily, it also reduced the League itself to inaction.

Yet inaction is obviously no proper condition for the League of Nations. Political life calls for flexibility. There must be an eternal adaptation. A static League in a dynamic world may worsen matters. It may come to resemble the Holy Alliance. Its function might be regarded as that of stereotyping the treaties; and everybody knows that in a number of particulars the treaties should be modified. Perhaps the issue of war and peace depends on the ability of the nations to remove the disabilities that some of them placed on others in 1919. Quite possibly the League would incur an enormous responsibility were it to clamp the lid down on things as they are.

So, on one side, in one article, we have the members pledged to maintain the territorial dispositions of 1919—a pledge of doubtful wisdom. And, on the other side, in another article, the Assembly is

Wide World
The Assembly Hears Austria's Chancellor Dollfus. In the Front Row Germany's Delegates Listen Attentively. . . . At the Right is an Airplane View of the New League of Nations Building Now Rapidly Nearing Completion in Geneva.



empowered to advise the reconsideration of the treaties. It is surely the latter article which should have real utility. When it was framed it was praised because for the first time (according to the argument) a treaty had been made which acknowledged its possible defects, and made provisions for its own peaceful revision. Were this an exact statement, it would override the earlier article. But is it an exact statement? A careful examination of Article 19 throws considerable doubt on its efficacy. Presumably, unanimity is again needed, and even if it is attained mere advice is expressed to unspecified members of the League. Sound critics have asked whether, in present circumstances, revision of treaties is possible inside the League. When Turkey revolted against the Treaty of Sevres, the powers concerned drew up an entirely new treaty at Lausanne.

Again, an article of the Covenant definitely forbids the formation of al-

each nation to come into conference with an open mind, and not in a series of groups which have signed contracts with each other. A distinction is made between offensive and defensive alliances. It is a distinction which is very fine. In reality, from the beginning there have been nations—among them France and the Little Entente—which while strongly supporting the League have likewise trusted to their alliances to make their views, which are based on the *status quo*, prevail.

Nor would it be difficult to discover other difficulties in the application of the Covenant, to discover other contradictions, which must not be taken as criticism of the League as such, but only of the too carefully balanced character of the Covenant, and of the resulting inability to tackle fundamental



The New League of Nations Building as It Appeared in the Original Sketch. Compare It With the Building as Shown in the Airplane View. From Left to Right, the Units of the Building Are to Contain the Secretariat, the Council Chamber, the Assembly Chamber—the High Portion—and the Rockefeller Library.

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problems. It may well be said that the trouble lies not in phrasology—which is simply a reflection of the cross-purposes of the members of the League—but in the lack of a clear conception, single and earnest, of those members; and that therefore verbal changes, on which agreement would be hard to reach, will not alter the diversity of the interests and purposes of the members.

NEVERTHELESS IT is certainly right to contemplate changes in the Covenant. The Covenant was a compromise. It does not impose itself as "sacrosanct." Nothing could be more absurd than to pretend that loyalty to the League implies loyalty to every letter and comma of the particular Covenant that was framed in 1919, if experience shows the desirability of a fresh drafting. Never should we forget that the ultimate aim is the establishment of peace—and by peace meant not a mere absence of war, the removal of the sense of grievance, and the reign of justice among the nations. Lip-service to the Covenant, which is only a form of words which may or may not be found to correspond to human needs, because the

League as it is now fashioned. There are, we may say, seven great powers—Great Britain, France, Germany, Italy, Russia, Japan, and the United States. Of these seven great powers the United States declined to enter the League; Germany was admitted, only to withdraw; Russia has been left outside; Japan has broken away; Italy is urging a recasting of the Covenant; France holds to the League on plainly stated conditions and Great Britain, which is pro-League, cannot envisage obligations which others discern in the Covenant.

At the best, we may say that two great powers truly stand for the present League, and they make reservations. The threat of a break-up of the League if any attempt is made to reshape the Covenant is therefore singularly inept. The threat is operating now, before a proposal for the reshaping of the Covenant was seriously brought forward. The proposal for reshaping is a policy produced by an existing crisis.

As long ago as 1921, a distinguished lawyer, Mr. F. N. Keen, in an excellent paper, put forward the following resolution: "That it is expedient that the League of Nations should appoint a standing commission to consider questions relating to the régime of the Covenant and to advise the League thereon."

Article 10, which guarantees territorial integrity, was useful—or should have been useful—in strengthening the sense of security; but it "seems to involve the risk that the members of the League may be subjected to an unreasonable liability unless adequate facilities exist for enabling the League to require that changes of territorial boundaries and of political status shall be made from time to time if and when reason and justice so dictate." It is questioned whether Article 19, which adumbrates such changes, sufficiently provides such facilities.

Further, even at that early date, it was observed that the unanimity rule would have deleterious effects. Majority rule is the law and condition of all living organizations. No company could ever do anything if a single shareholder could block all action. No government could carry out its functions if the most unimportant member was equal to the rest. In every Parliament a few dissentient voices are likely to be heard on every possible subject.

The conception of giving equal votes to all nations, whatever their status, their size, their responsibilities, may be

allowed. Let them have their vote and, if you please, let it be equal. But it is quite another thing to make their vote superior to that of all others in its negative import. That is not equality of voting. That is a monstrous inequality. It is a false notion of the democratic rights of small nations to make a minority of interests superior to a majority of interests. And when the cause is one of the peaceful organization of the world, it is surely apparent that the rights of minorities should be limited.

Signor Mussolini, on the other hand, would set up a hierarchy of nations. Just



By
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sary debate in which the problem of constructing a real executive organ is, for the first time, clearly posed.

For my part—and I must here take the precaution of asserting that I am expressing a purely

personal view which I elaborated at length 13 years ago both in The Christian Science Monitor and in the Atlantic Monthly—I think that though a more authoritative concert of the great powers is desirable for executive purposes, there must be a corollary in the institution of a more democratic Assembly.

Democracy and authority are the two poles of all government. The trouble with the Assembly is that it has never been sufficiently democratic. How are its representatives appointed? They are appointed by the governments. They utter the national viewpoint. Much as Prime Ministers and Foreign Ministers should be welcome in the executive organ, I have always felt that it was a mistake to bring them or their representatives into the Assembly, on the pretext that if they could there agree something would be done. In point of fact there is no guarantee that anything will be done, and therefore they do not enhance the prestige of the League. The function of a Foreign Minister is primarily to put his country first. The Assembly, too, becomes a League of Foreign Offices. Surely this is a mistake.

In other words, the Assembly should be a conscience for the world. It should not have any official ties. It should be internationally minded. At any rate, it should represent the peoples. It should be elected by direct popular vote—perhaps proportionately to the size of the population. How should such a direct popular vote be taken? There are many ways. There might be a plebiscite in each nation. There might be a special organization to which all citizens could adhere, and which would actually nominate the representatives.

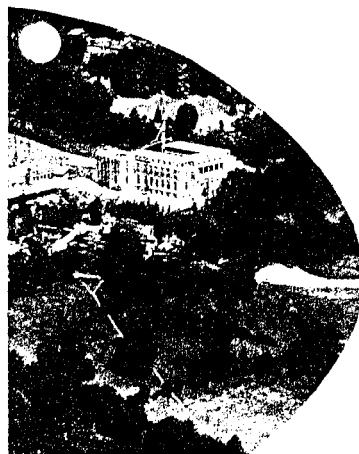
However it is worked out, such an Assembly could be constructed on far less official lines, and could deliberate far more freely than at present. It would have a platform. It would possess an influence. Its popular character would, in the long run, weigh considerably on the decisions of the executive bodies.

Finally, in this all-too-brief glance at the possibility of reorganizing the League of Nations in such a manner as to make it at once more authoritative and more democratic, we should not overlook the proposal which I, myself, made many years ago, and which I find was elaborated by Mr. Bolton C. Waller, who won the prize in the competition set on foot by Mr. E. A. Filene of Boston, for plans for the restoration of peace and prosperity in Europe.

This tentative proposal is for the reorganization of the League in regional groups. At present it deals chiefly with European political affairs. One-half of its members are European. One-third belong to South and Central America. About a fifth are divided over the rest of the world, and of this fifth nearly half are members of the British Commonwealth. Now this distribution involves a good deal of make-believe. Some non-European countries have remained aloof from the League for fear of being implicated in European discussions. Others have interfered in matters in which they are not really concerned. Moreover, European countries are placed in difficulties when South American problems arise.

It may well be that the League, in adopting a system of regional groups for regional affairs, while ready to employ its whole organization for world affairs, could thereby attain greater and truer universality.

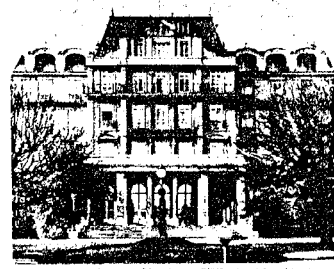
At any rate these questions are now open to debate.



M. Avenol, Secretary-General of the League, is in conversation with M. Georges Bonnet (Right), French Finance Minister. M. Avenol recently succeeded Sir Eric Drummond, who resigned after having served from the inception of the League.

Keystone

IN ANY CASE we should not go too far and too fast. At present, though objection may be taken to the Italian proposal, it should be regarded simply as the opening of a vitally neces-



A LA MEMOIRE DE WOODROW WILSON PRESIDENT DES ETATS UNIS FONDATEUR DE LA SOCIÉTÉ DES NATIONS LA VILLE DE GENÈVE

Keystone

A Glimpse of the Present Home of the League of Nations is Shown Here, With the Tablet Erected by the City of Geneva Honoring Woodrow Wilson as the Founder of the League.

Covenant happens to suit particular national interests, is not to be regarded as praiseworthy. Such fidelity may be contrary to the larger fidelity to the essential aims of the League.

Again, it is argued that to touch the Covenant would be to break up the League. Why? If we may accept as a hypothesis that the League has not been completely successful, then it is undoubtedly our duty to seek out the causes and to correct any mistakes which we may now discover.

For that matter, there is unquestionably a danger of the break-up of the