Stiftelsen norsk Nobelinstitutt

The Times Monday June 29 1936

LEAGUE REFORM

I.—THE LESSONS OF EXPERIENCE

WHAT THE COVENANT REALLY DOES

From Our League Correspondent

The tragic course of events in Abyssinia has led to general acceptance of the view that a reform of the Covenant of the League of Nations has become urgent. A study of the present position of the League and of the Covenant in the light of recent experience is being undertaken by the Secretariat, and this has its counterpart in work going on in the British Foreign Office and in the Foreign Ministries of many of the member States. The meeting of the Assembly in September will afford the earliest occasion on which the resultant proposals can profitably find expression.

It is thought that member States will desire to raise the question of League reform in the course of the general discussion which is a feature of each Assembly meeting. The Assembly, if it thinks fit, may then draw the lesson of the 16 years' experience of the League, taking into consideration the treaties by which the Covenant has been extended, and the success and failure of the methods adopted. Out of this a general declaration would be made in which the Assembly would seek to lay down the minimum principles upon which League membership is based and League action could be taken, such as unity, disarmament, the machinery of conciliation, definition of the aggressor, the minimum obligations incumbent on a member State, the Permanent Court, and such of the technical activities of the League as are of necessity world-wide. These would represent the principles which are not capable of regional treatment.

REGIONALISM

Within this framework regional agreements could be attempted, subject to special conditions where necessary. There is already the beginning of a Continental system in South America, and the nucleus of collective security in Europe. The principle might easily be applied to Africa, though Asia presents special difficulties, particularly in view of the chaotic conditions in parts of the Far East. The case of North America is not so formidable as it looks, since the United States has already taken a very considerable part in certain League activities of a universal character, notably in technical and disarmament work, and has at times cooperated directly with the Assembly and Council. Nor is it thought essential that regionalism should of necessity be restricted to continents. Other factors, such as the Pacific and the British Commonwealth of Nations, must enter into any review. Regionalism also has its own limitations, since too much of it might easily mean division into groups with conflicting interests. In the settlement of local disputes the regional outlook has the advantage of being the more easily able to take local conditions into consideration. But the conception of Geneva as a final court of appeal from regional decisions does not seem to find any favour.

It is considered essential that any reform should be undertaken by the League itself and should come from within. The hope is that it may be done without haste, so that the errors of 1919, when the Covenant was drafted against time for its inclusion in the Peace Treaty, may not be repeated. The method of special conference is to be avoided if possible. What seems to be regarded as the best course is for the Governments of States forming the League to make known their views, and afterwards for the League itself, through its proper organs of Secretariat, Committee, Council, and Assembly, to decide upon the appropriate course of action. The British Government have already expressed their approval of this course, subject to the proviso that they will consult the Dominions before stating their ideas to the League. The Covenant provides the procedure for its own amendment, one of the conditions of which is that any proposal to amend it must come from one or more Governments. The process is expected to be long and difficult, but has the appearance of being the most effective that can be devised.

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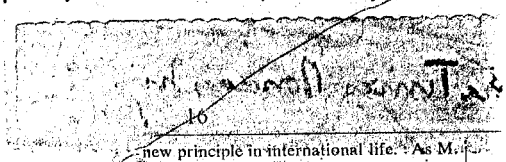
THE LIMITATION HANDICAP

Any examination designed to strengthen the Covenant will involve an inquiry into the reasons why it has failed. Tragic though the collapse of Abyssinia has been in the face of Italian aggression and the powerlessness of the League to intervene with success, there is no disposition to regard this failure as a reason for abandoning hope in the League or as obscuring its many successes in the past in the prevention of conflict. The League's failures have always been more spectacular than its successes, but it is from failure that the lessons of experience must be drawn. Only from frank recognition and close study can a stronger League be evolved. One outstanding cause of failure is that it has led a weak Power to rely upon its collective force, and to believe that this would be at call in the hour of need. The failure towards Abyssinia, it is argued, does not present a very good test case; the power of the League might have found different expression had the scene of the aggression been in Europe. Limitation of membership is also bound to handicap the League in its effectiveness; in fact, it cannot be immediately effective so long as it is not universal. Whether it can even be fully effective in Europe until its European membership is complete is also doubtful. Hence the British belief that the return of Germany is essential. If the League were complete in Europe the whole face of the twin problems of collective security and disarmament would be changed.

In spite of some weakening of heart in a few States which had placed their hopes of security solely on the strength of their fellow-members, the overwhelming conviction among the member States is that the League must go on. This conviction involves recognition of what the League is not as well as what it is and can do, and a good deal of cold thinking is the consequence. The Covenant in its preamble implies acceptance of the obligation not to resort to war. It also accepts international law as the guiding rule of conduct among Governments, with a corresponding respect for treaty obligations. But it does not impose equality, and it plainly recognizes that Great Powers have major interests. Thereby it implies leadership. It makes no pretence of abolishing war or inaugurating a reign of everlasting peace; it regards peace mainly as a negation of war. In extreme cases, indeed, the Covenant sets out to bring not peace but a sword. While it increases the difficulty and costliness of waging war, and still more the successful waging, it does not impair the sovereignty of States but only undertakes to examine situations containing a threat of war or likely to disturb the peace. It is there to assist consultation between nations. Insistence upon unanimity is evidence that its aim is the minimum right to protection. No State member can be required by a majority to take action.

The Covenant also provides for the friendly revision of treaties, an entirely



new principle in international life. As M. Avenol remarked on a recent occasion: "Had the French Government previous to 1914 publicly demanded a revision of the Treaty of Frankfurt, whereby Alsace and Lorraine were ceded to Germany in 1871, such an attitude, if persisted in despite Germany's protests, would have created a *casus belli*." Here is a measure of the distance traversed since the inception of the League.

The view that the League must go on is the outcome of a realization of the only alternative—a return to the conditions which prevailed when States had no other resource but war for a solution of grave international difficulties. The reign of the tooth and claw cannot be allowed; the choice is not between the League and a better system of international settlement, but between the League and anarchy. Failure to maintain the League means a relapse upon the old Concert of Europe and the balance of power, with progressive competition in armaments till the guns go off and the gas-bombs rain down of themselves. Isolation now offers nothing in the way of security, and can be practised, even with moderate safety, only by the most remotely situated Powers. For all others it is seen to involve the provision of force sufficient to withstand, not merely the strongest Power, but any combination of Powers. The League is the only potential safeguard against a situation of this kind.

(To be concluded)