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**"STATE OF WAR"**

**HOW DOES ABYSSINIA STAND?**

**OCCUPATION BY FORCE**

TO THE EDITOR OF THE TIMES

Sir,—Much uncertainty appears to prevail as to what is the exact position contemplated in the Covenant of the League of Nations with regard to sanctions imposed against a member resorting to war when the state of war has, for whatever reason, ceased to exist.

Article 16, in virtue of which members undertake to impose sanctions, only specifies breaches of the Covenant under Articles 12, 13, or 15. There is no reference in it to Article 10, which deals generally with guarantees against aggression. Nor is Article 16 concerned with the duration or termination of sanctions, which, it may be argued, would naturally cease to be maintained after the cessation of war, whether or not resulting from the pressure they were designed to exercise. There is no authority in the Covenant for retaining sanctions as a punitive measure. Those who advocate their continuance under actual conditions contend that there is implicitly authority to do so in Article 10, in which members undertake the obligation of preserving against external aggression the territorial integrity and independence of all members of the League. It is certainly there laid down that in the case of such aggression the Council shall advise on the means of fulfilling that obligation. The sanctions, however, adopted in execution of Article 16 were imposed on the ground that an act of war had been committed in disregard of Articles 12, 13, or 15. If Article 10 is now to be invoked to justify the continuance or intensification of sanctions after the cessation of war, the question arises whether such action is legitimate under the Covenant without a fresh decision of the Council to reimpose sanctions as a means by which the obligations of Article 10 shall be fulfilled. It is highly improbable that a proposal to take such a decision would find general support.

The enthusiasts of the League in its present form appear not infrequently to be quite unfamiliar with its implications, anomalies, and lack of clarity, of which the actual situation as I see it seems to offer another example.

I am, &c.,

RENNELL.

39, Bryanston Square, May 18.

**RULE OF LAW IN EUROPE**

**ARMED FORCE**

TO THE EDITOR OF THE TIMES

Sir,—Dr. Jenks is wrong in assuming that I regard "international armed force" as the only "panacea for the sickness of the League of Nations."

What I have always maintained is that armed force is an essential element if we propose to establish the rule of law in international relationships. The other essential is an Equity Tribunal or Commission; a permanent body whose function will be to adjudicate impartially upon all political disputes. Such a body is not an alternative to armed force, as Dr. Jenks seems to suggest. Obviously, it is complementary, for the simple reason that a Court is useless without a policeman, and that a policeman cannot function without a Court. In other words, the concept of equity and justice is an indispensable part of any collective system of security.

It is a truism that the rule of law can never become effective unless and until a combination of moral and physical force has been enlisted on the side of justice, and that in any dispute justice is impossible without the intervention of an impartial and disinterested third party entrusted not only with the interpretation but also with the revision of the public law. This principle was recognized in the Manchurian dispute, when a tribunal of independent persons, the Lytton Commission, was appointed to investigate the issues involved. Its report was treated as waste-paper because the sanctionist obligations of the Covenant were ignored. On the other hand, in the case of Abyssinia, a weak-kneed and irresolute sanctionist policy was attempted, but there was no internationally minded tribunal such as Dr. Jenks proposes, and the function of equity devolved upon political representatives on the Council, each of whom acted under the instructions of his own Government.

Dr. Jenks supports the thesis of an equity tribunal, but he is wrong if he imagines the findings of such a body will be respected and upheld unless simultaneously the potential forces of the League—financial, economic, and military—have also been mobilized on the side of justice. He tells us that an international armed force is not a possible, or even a desirable, remedy. May I suggest that it is at least preferable to a system of competitive armaments which is bound, sooner or later, to end in a new trial by battle?

Last autumn 52 nations joined in imposing financial and economic sanctions upon the aggressor, and seven Governments were prepared to enter into the Mediterranean Pact. Since then the Abyssinian debacle has proved the interdependence of economic and military sanctions. Therefore, if we resolve to profit from the lessons of this unfortunate experience, an international police force, at any rate in Europe, is not impossible. It all depends upon the will to cooperate and resolute leadership by one or more of the Great Powers, which is as vital now as it was in the World War, when the international organization of armed force was found to be both possible and desirable.

Dr. Jenks also tells us that such a development cannot be achieved without another world war. Perhaps he is right, but it seems an exorbitant price to pay. He apparently forgets that, since the people of Europe, including ourselves, choose to live in a state of anarchy and to indulge in a new armament race, the world war is bound to happen sooner or later in any case. As Theodore Roosevelt pointed out many years ago, the only way to prevent it is to organize force behind justice in advance of the crisis, not to go on drifting until the crisis is upon us.

I am, Sir, yours, &c.,

DAVIES.

Thorney House, Smith Square, Westminster, S.W.1.

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**RATING**

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