Critical Examination of Peace Agencies Since 1919

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CRITICAL EXAMINATION OF PEACE AGENCIES
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I intend to consider the practical value of the various means aiming at the prevention of war that have been suggested or put into effect since 1919. Why since 1919? I do not think that international law was created in 1919. But, whether one wishes it or not, an effort, unprecedented until now, has been devoted to the study of the technique of peace. The struggle against war is no longer limited to sentimental effusions, or fireside dreams: it has become an object of science; even of applied science.

The program of the technique of peace is generally formulated today in three words: arbitration, security, disarmament.

Under the generic name of arbitration are included, in this case, all means of pacific settlement of international disputes: mediation, conciliation, arbitration properly so-called, and international justice.

Under the term, security, the following questions are designated: the prevention of the breaking out of a war if it is being prepared; the throttling of a war if it has already broken out; the prevention, in the event that a war has already broken out, of its achieving results that are held to be unjust.

Arbitration and security, must, in this program, open the way to disarmament, the philosopher's stone of politico-judicial alchemy.

I shall leave completely aside, within the limits of this article, everything that concerns arbitration and, likewise, everything that concerns disarmament in order to limit myself strictly to the problem of security.

The essential difficulty of the problem of security is that it involves an attempt to apply juridic means to the solution of political questions: that is, an attempt to square the circle.

The goal to be attained was set forth in the Fourteenth Point of President Wilson's message: "to obtain for all states, large and small equally, mutual guarantees of political independence and territorial integrity".

Territorial integrity is bound up with the state of territorial possession existing at a given moment. This state of possession has

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its origin in treaties concluded at the end of a war, which contain the conditions imposed by the victor, by means of force, upon the conquered state. The victor generally desires to preserve this state of affairs. In 1815 Prince Metternich wrote in a letter to his sovereign, the Emperor of Austria: "One of the first principles, I should even say the basis, of contemporary politics, is, and must be, quiet. Now, the fundamental idea of quiet is security in possession." That is the victor’s point of view. On the other hand, the vanquished state will not resign itself to the acceptance of treaties which it has been obliged to sign; and it seeks to have them modified. International Law does not furnish the solution of this antagonism: on the one hand it does not admit that duress is a cause for the nullity of international treaties; nor does it, on the other hand, admit the necessary perpetuity of treaties. While proclaiming the sanctity of treaties, international law makes them less rigid by the reservation, called in scholastic language "clausula rebus sic stantibus." It understands perfectly that immobility is incompatible with the nature of the existing world; it is quite ready to agree with Leibnitz that eternal peace will not be found outside of the graveyard!

At the end of every war the problem of security resolves itself for the victor into the maintenance of the existing state of affairs, and for the conquered nation, to a modification of this same state of affairs. There exists, from a juridical point of view, no manner of attributing more value to one than to the other of these two contrary conceptions. A treaty is not necessarily just because the victor was sufficiently strong to impose it, nor necessarily unjust because the conquered state had to submit to it. The subversion of existing treaties can be as contrary to justice as the maintenance of the same treaties, and vice versa.

Likewise, the problem of security, towards the solution of which the technique of peace seeks to apply juridical means, is essentially connected in its initial conception with the state of territorial possession, which is a political concept. Thus the juridical theorems of security must always be based upon a political postulate of varying content.

Formerly, moreover, less ambitiously, and, perhaps, more wisely, no solution of the problem of security was sought outside of political combinations. Security was sought in alliances. The events of 1914 and the following years have cast much discredit on alliances—whether rightly or wrongly, does not matter; this is not the place to discuss it. In 1919 alliances were condemned:
in the place of particular and permanent alliances, it was proposed that there should be substituted, whenever the need arose, a general and temporary alliance against the disturber of the juridical order: this great alliance would rise, so to speak, from the earth at the very moment when the international charter were violated, but would be dissolved as soon as the juridical order were restored. The structure of the international organization demands, therefore: that all states live within the bonds of a common juridical order; that respect for this common juridical order should set aside the pursuit of all individual aims outside the statutes of the Association; that every individual alliance be, therefore, in principle, suspect since it is directed towards individual aims; that the violation of the common juridical order immediately array against the violator all the other members until the violator be punished. By its very nature, every complete international organization includes a mutual guaranty.

By what means may this guaranty be practically realized? By the employment, against the violator of the established juridical order, of economic or of military means. Economic means seem easier to employ than military assistance: the sacrifices demanded of the members of the organization seem less burdensome. It is simply a question of severing all relations, commercial and financial, with the state which must be brought to terms. But the effects of the economic arm are slow to be felt; all the more slow since the state against which they are to be directed will, in advance, have made all the arrangements in its power to render inoperative the effects of the blockade. It will be difficult to guarantee the strictness of the blockade; it can give results only on condition of being general. Finally, the economic arm has complex effects, incalculable incidences. Speaking of its employment, Sir Austin Chamberlain said, in 1925, before the Council of the League of Nations: "nothing allows us to believe that the guilty state will be overcome, nor even that it will suffer the most." The Covenant of the League of Nations provided for the use of the economic arm against states violating the Covenant: not only has the economic arm never been used, but even the League interpretation of the rules in accordance with which it may be used has always been restrictive.

There remain the military, naval, and aeronautical means. Their efficacy is evident. But the difficulty lies in the manner of their use. Should the use be general or particular, arranged and exercised against the violator of the juridical order by all the
members of the organization or by certain ones? At first sight the answer seems clear: the general engagement undertaken by all the members of an international organization to come to the aid of that one of their members who may be menaced, seems, practically, the surest as well as the one most in accord with the spirit of an organization which tends to condemn all individual alliances. Upon closer inspection, however, the efficacy of general action appears less certain. It is the characteristic of a treaty of general assistance that it be applicable in whatever hypothesis may arise; when these hypotheses exceed a certain number it is impossible for the treaty to respond to the requirements of all individual cases. Moreover, no action can be efficacious unless it has been concerted in advance: how could this necessity be met in a treaty of general assistance. It is hardly possible to imagine the heads of the general staffs of all the nations communicating all the details of their armed forces to all the other states which are members of the organization with the aim of preparing for possible action against any one of the other states, and, therefore, against their own country as well. Finally, an essential weakness of the general treaty of mutual assistance is concerned with the appraisal of the "casus foederis (the basis for joint action)." Who shall be judge of whether there has been a violation of law obliging the other states to act against the violator? If it be within the jurisdiction of a common body to declare that the case provided for by the guaranty has occurred, and that the states are under obligation to act, what has become of the member-states' sovereignty? If it be within the power of each state to make this decision it is almost certain that an agreement will be unobtainable and that action in common, obligatory on paper, will resolve itself on the one hand, into abstentions, and on the other, into individual actions, more or less discordant, and perhaps, even into conflicts.

Only individual obligations of guaranty and individual treaties of assistance offer a chance of effectiveness: the preparations for assistance being made in view of a given hypothesis, may be precise and adapted to the circumstances; it is possible to evaluate their effectiveness in advance; they may be put into effect immediately; the determination of the "casus foederis" will be simple, thanks to the previous discussions carried on by the interested parties. But one must not conceal the fact that any individual engagement of assistance or guaranty, in whatever form or under whatever name it may be (Treaty of Guaranty, Treaty of Neutrality, Treaty of Non-Aggression) is nothing but
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a treaty of alliance and that it is, under any circumstances, in contradiction with the fundamental idea of any general world organization or organization of any part of the world.

Thus, the practical consideration of the means applicable to the realization of security brings us back to the individual alliances condemned by the pure doctrine of an international organization.

As the political considerations and the individual ambitions of states move in the same direction as the practical exigencies of the effective functioning of the guaranties, the necessary consequence is the reconstitution, within a more or less short period, of individual alliances, even within the international organizations whose theoretical basis demands their condemnation.

The ideas which have been thus brought out by reasoning are strikingly confirmed by the experience of the last ten years of the activities of the League of Nations. This experience proves: (1) The impossibility of organizing effectively the general guaranty provided for by the Covenant; (2) by a necessary consequence of the failure of the organization of the general guaranty, the return to individual alliances, even more numerous than they were before 1914, either to insure or to prevent the working of the guaranty.

Article X of the Covenant of the League of Nations provides that all the states members of the League undertake to respect and maintain against all external aggression the territorial integrity and the political independence of all the members of the League. There can be nothing clearer than the text: the obligation to respect the territorial integrity of the other states, that is, that each state abstain from infringing thereon; the obligation to compel respect for the territorial integrity of the other states, that is, to take steps and to furnish the necessary means in order to achieve this effect. And, Article X of the Covenant adds: In case of aggression, of threat or of danger of aggression the Council shall advise concerning the means of assuring the execution of this obligation.

How has this Article X worked?

In May 1920 Persia suffered from the disembarkation of Bolshevist troops in one of its ports on the Caspian Sea. Persia was a member of the League of Nations; she asked the Council of the League of Nations to apply as an aid to Persia, the arrangements of Article X; called together in London in June, the Council gave Persia the comfort of wishing her full success in the negotiations which it bade her carry on with the Soviets. A few weeks
later, and again in connection with the Soviets, a new case presented itself for the application of Article X. Poland was invaded by the Soviet armies which had advanced to the gates of Warsaw: one of the states which were permanent members of the Council declared that it would take no part in the Council's undertaking any action based on Article X. The Poles were saved only through their own energy directed against the invader, in accordance with the strategic plans of General Weygand, sent in haste by France in view of the inactivity of the League of Nations.

Article X of the Covenant has not been put to the test a third time, probably because the two incidents following so closely the time when it went into effect, appeared conclusive. Well, Article X is, to use the words of the great inspirer of the Covenant, "the veritable backbone of the entire Covenant," the undertaking "without which the League would be only a superior debating-club." It has been impossible, however, either to apply Article X, to eliminate it, or to make unanimous the interpretation of it.

It could not be eliminated, for, without it, the Covenant would be without meaning as far as security is concerned. It could not be interpreted because its execution is necessarily handed over to the individual good will of each individual state: in effect, the Covenant obliges the signatories mutually to abstain from any act of aggression and mutually to defend each other against any act of aggression: but nowhere does it define what must be understood as aggression. Vain, moreover, has been every succeeding attempt.

The definition of aggression is not a problem belonging solely to the Covenant of the League of Nations. It is a problem of all times. It is the key-stone of the justness of war, which is itself from one point of view the crucial point of international law. Either it is necessary to pass a qualitative judgment on war, and from this judgment must flow all the consequences that it admits of; or international law must abstain from passing any qualitative judgment on war: and then it escapes from the bounds of law in the same fashion as an inundation, a cyclone, or a volcanic eruption. But, every qualitative judgment on war presupposes that there exists a definition or aggression.

The concept of aggression can be sought by following two different paths. The criterion of aggression may be sought in the justice of the war, in the causa of St. Augustine and of the doctors of the Church. Thus Gregory of Tours praised the wars
of the King of the Franks, Clovis, as so many acts of justice "for" said he, "he marched before the Lord with a righteous heart and did what was favorable in His sight." The world would find itself very much embarrassed today should it try to agree upon a substantial criterion of a just act.

Or else, the concept of aggression may be looked for amongst criteria of pure formality: Was the war begun after the proper sacramental procedures had been observed? In Rome, it was upon the so-called 'festialis,' a special class of priest, that the responsibility for these actions was placed. War in Rome was "just" if the "festialis" pronounced the ritual phrases and threw the lance on enemy soil. Once, to make matters easier, the Roman Senate caused a soldier of Pyrrhus' army who had fled to Rome to purchase some land in the "pomaerium." On this land, which had thus become enemy soil, the "festialis" carried out the customary ritual. It is to formal criteria that, today, international law must have recourse, for lack of any universal idea of justice. Did the belligerent states exhaust all the pacific methods for the settlement of disputes that were open to them before taking up arms? In view of the impossibility of determining whether or not a war is just, there will be an attempt to discover whether or not it is licit. The war of aggression is never lawful.

But who shall be considered the aggressor? Mere priority in the commencement of military operation has never been a conclusive means of determining the aggressor. The conditions of modern warfare have called for new difficulties. The imminence of war is no longer recognizable solely in troop mobilization; it can be discerned in the augmentation of the supplies of certain raw materials, in the intensification of the manufacture of certain articles, from the carrying on of certain financial transactions. If the nation open to attack neglects the necessary counter measures, it will be seriously out distanced on the day when the troop movements begin. Which of the two will be the aggressor? At what time will be said to occur aggression, menace of aggression, danger of aggression; three situations expressly referred to in Article X of the Covenant, without the least effort at defining them?

The definition of aggression—if not of the menace of aggression or of the danger of aggression—has been attempter several times since the making of the Covenant. The projected treaty of General Assistance, proposed in 1923 and almost immediately abandoned, attempted the negative method; being unable to say
what an aggressor might be, they tried to say who was not the aggressor. But this document proceeded simply by way of examples: it gave no definition, not even a negative one.

The Protocol of Geneva took up the task: it was born at the meeting of the Assembly of the League of Nations in 1924 on the initiative of Mr. Ramsay MacDonald. It never recovered from the mortal blow dealt it in 1925 by Sir Austin Chamberlain, the Foreign Secretary of Mr. Baldwin's Cabinet. The Geneva Protocol had taken over as a definition of aggressor a criterion suggested by the American professor, Mr. Shotwell, in the summer of 1924: in the event of hostilities being engaged in (the Protocol wisely refrains from saying by whom) that state shall be considered the aggressor which failed to observe the stipulated pacific procedures. In order that this presumption might be held valid in the case of any nation, a decision of the Council of the League, rendered by unanimous vote, and, therefore, almost impossible to obtain, was necessary. The method was ingenious, but the definition was incomplete, for all questions capable of causing wars were not submitted to procedures of pacific settlement.

Three or four years had passed since the Geneva Protocol had carried with it into the graveyard a new condemnation of the war of aggression—always without a definition of aggression—when there was signed at Paris on the 27th of August 1928 "The Multi-lateral Pact for the Renunciation of War" which I shall call, for the sake of brevity and in the European style, the Briand-Kellogg or the Kellogg Pact. I hasten to say that the new document—elaborated outside of the League of Nations—makes not even one inch of progress in the problem of the war on the war of aggression.

M. Briand's original intention was solely concerned with a simple bi-lateral treaty between the United States and France which would renew the previous treaties of arbitration and conciliation which were soon due to expire, and which would outlaw war in the two states' relations. The State Department believed that such a treaty would appear to be a treaty of alliance; it demanded a multi-lateral pact. It was in this direction that negotiations were commenced and they became terribly complicated. The outlawing of war in plain and simple terms and without further precision was possible in Franco-American relation; this simplicity disappeared in a treaty signed by fourteen nations. Each one of these countries set forth in documents of a different type the meaning which it intended to attribute to the proposed
text of the Pact, and which, moreover, all the countries were willing to sign. Italy expressed a desire to understand exactly the meaning and the extent of the document to which its assent was sought, and, while agreeing with the text which the Department of State had communicated to her, suggested the formation of a committee of jurists of the countries signatories of the pact in order to determine the situations which would result from the working of the Pact. Washington found the proposal unacceptable; even if the study had been undertaken, it would have achieved no success.

What assures a limitless pasture for the jurists' wisdom is, first, this: the majority of the original signatories of the Kellogg Pact did not proceed to the signature of the document until they had given the interpretations of the Pact by which they intended to determine the obligations which they considered that they had assumed; these interpretations are not in agreement with each other; the Kellogg Pact is open to adhesion by other states; certain other states (Turkey, Persia and Egypt, for example) announced their refusal to accept certain particular interpretations; certain other (for example, the Soviet Union) rejected all the interpretations and restricted themselves entirely to the text of the Pact.

I know very well that, in a statement to the Press on the 8th of August 1928 Mr. Kellogg declared that "the interpretations of the pact are in no way a part of the Pact and cannot be considered as reservations. The interpretations will not be deposited along with the text of the Treaty." It was in this manner that the proceedings were carried out. But we know very well, however, that it is to these "interpretations" that all the signatory states have subordinated their adhesion to the Pact, and the Kellogg Pact was ratified by the United States Senate only after it had taken official cognizance of the report wherein the Committee on Foreign Relations of the Senate, acting under the Senate’s authorization, had set forth the precise meaning which it had attached to the act of the 27th of August. These various interpretations are all equally valid juridically. There is one which—no matter what fate may hold in store for the Kellogg Pact—has gained a durable reputation: it is the interpretation of Great Britain. By its note of the 19th of May 1928, Britain formulated a sort of British "Monroe Doctrine" but which left undetermined the zones to which the doctrine is to be applied.

The interpretations to which the nations’ signatures have been
subordinated do not constitute the only difficulty raised by the Briand-Kellogg Pact. He is a lucky man who can tell what sort of wars the very text itself intends to outlaw! The Pact proclaims the outlawry of war "as an instrument of national policy." What does this mean? The simple notion of war is sufficient of itself to provoke serious questionings? Shall they be classed as wars those "exercises of international police" about which President Roosevelt used to speak, which the United States, he said, might be compelled to undertake, quite against its will, in flagrant cases due to chronic disorder or absence of control which had as an inevitable aftermath an overthrow of the laws of civilized society? But what is a war considered as an "instrument of national policy"? It cannot be a war of aggression, since such a war is nowhere defined; even less can it be a defensive war, since the legitimacy of such wars was formally acknowledged in the communications of the State Department preliminary to the signature of the Kellogg Pact.

I wish also to point out that any plan for the repression of a war undertaken in disregard of the Pact's provisions—supposing that meaning were established—is not to be found within the terms of the treaty. It marks a retrogression, therefore, from the point of view of the technique of peace from the position taken in the Covenant of the League of Nations, in Article X and XVI of which an attempt was made to establish sanctions, a regression from the attempts of the Draft Treaty of General Assistance and the Geneva Protocol. It has been said with justice that it is only "a sort of second Covenant with the difference that it stops at the preamble."

Before leaving the Kellogg Pact, I must briefly mention the manner in which it has been applied on the one occasion, if I am not mistaken, of its use. In 1929 a sanguinary encounter arose between China and the Soviet Union in relation to the Eastern Asiatic Railroad. Five months of armed conflict had already passed when the State Department took the initiative of proposing to the signatory states that they call to the attention of the governments of Moscow and Nanking the existence of the Multilateral Pact for the Renunciation of War. At that time the Chinese were already defeated and compelled to commence negotiations with the Soviets. Thus the only attempt to invoke the Pact was not very successful.

The lack of success met with by the various general attempts to solve the problem of security by means of organizing the obliga-
tions of the Covenant and of repressing what it terms "wars of aggression", has turned the European nations back to a search for individual solutions of the problem.

The Locarno treaties constitute the type of plurilateral regional ententes aiming at security. In place of general accords following an ideal plan there have been substituted particular arrangements deeply rooted in political relations.

The system of Locarno is of British origin: it is directly connected with the failure of the Geneva Protocol. In 1925 Great Britain categorically refused to engage itself under the terms of the Geneva Protocol which might have forced her to take part in conflicts in any part of the world where, in the general interest, her naval power might be called on; but she was willing to conclude a treaty of guaranty limited to a region wherein her own security is compromised by any eventual conflict. In a communication to the Council of the League of Nations of the 12th of March 1925 Sir Austin Chamberlain declared that it was necessary "to fight against the danger of war undertaken as an instrument of conquest or revenge". To this end it is necessary to join together the countries most directly interested and those whose differences might give birth to conflicts, by means of treaties elaborated with the sole object of maintaining the desired peace between these nations. The solution of the problem of security must be found in regional ententes born from individual treaties of mutual assistance and reciprocal guaranties.

The Locarno system issued from this program. Great Britain thereby replaces by means of a kind of neutralization of the region of the Rhine the advantages which she received from the neutrality of Belgium solemnly established in 1839, which failed on the 3rd of August 1914 and has not been reestablished since then. Locarno seeks to stabilize the frontiers of the region of the Rhine by the institution of a system of pacific procedures to prevent conflicts between France, Belgium, and Germany, and the institution in this region of a guaranty assumed by Great Britain and Italy. This guaranty is, on their part, purely potential, for the organ which passes judgment on its application is the Council of the League whose decisions must be unanimous 'and of which both guarantors—Great Britain and Italy—are permanent members. "I do not think," said Sir Austin Chamberlain in the House of Commons, "that the obligations of Great Britain could be more strictly limited." The effective value of the Locarno Pact is left to the political spirit of Great Britain: that is, a land which faces
the European Continent, but whose frontiers on European coasts run on the North Sea and the Channel, or, more exactly, from Rotterdam to Le Havre.

Locarno marked the beginning of an orientation towards individual, realistic and political solutions of the problem of security. Since 1925 there has sprung up an abundant crop of bi-lateral treaties concluded under different names, treaties of guaranty, neutrality, non-aggression, assistance, and others; they have arrived at the point of binding almost all the countries of Europe into opposed political systems. Whether they are made between states members of the League, between members and non-members, or between states not members, in no case have the treaties tended to create a feeling of concord or calm.

In 1928, in face of this uninterrupted development of agreements individual in form and aim, the League attempted to take the new practice under its wing and to lead it into a path in conformity with the spirit of the Covenant. But to obtain this, the League had to throw overboard much ballast. In the two models of treaties of non-aggression, one bi-lateral, the other general, that the League proposed to its members in 1928, it incorporated the negative obligation of Article X, that which obliges the members of the League mutually to respect the other members’ territorial integrity. But the positive obligation contained in Article X, that of causing the other members’ territorial integrity to be respected and maintained against aggression no longer has the same absolute and unconditional form which the Covenant gave it: the engagement of military assistance is subordinated to the declaration made by the Council of the League of Nations—and hence, of necessity unanimous—that the adversary state has had undue recourse to war.

In 1919 the Covenant proclaimed the obligation to suppress a crime; in 1928 the text that the League of Nations proposes for its members’ signature pretty nearly contents itself with an absence of complicity!

Such is the deceptive history of the efforts consecrated during the past ten years or so to the problem of security. The failure of these efforts should not surprise us. To seek the solution of international security in definitions and mechanisms is valueless up to the very moment when those problems to which they are applicable can do without them. Sir Austen Chamberlain criticised the attempt to define aggression suggested by the Geneva Protocol: “I remain opposed,” said he, “to this attempt to define
the 'aggressor' because I believe it will be a trap for the innocent and a signpost for the guilty."

International problems, like social questions, are, basically nothing but moral questions. A traveler once spoke of certain inns in Spain where you get to eat what you bring with you. The law resembles these inns; it works according to ideas which it has not created; it limits itself to laying down the technical rules which allow these ideas to work, and to assure their realization in practice. International Law partakes of this character more than any other branch of law: in every civilized nation there exist forces capable of compelling the inhabitants, if not to true morality, at least to a moral attitude; these forces are lacking in international society, at least, as established institutions. Each country has the laws it deserves; each age has the international law which answers to its moral development. International law of today places an imposing number of useful instruments at the disposal of those who sincerely desire peace and understanding between nations; but these mechanisms carry with them all the means of ridding themselves of unfortunate commitments and leave to states the possibility of making in their obligations a choice according to their political interests.

It is too frequently believed that peace must result from the interdependence of peoples. The interdependence of peoples does really exist: an economic crisis in one has a repercussion in another. But the interdependence of peoples is a simple material fact; it is by no means a solidarity of peoples, which is a moral concept. It even happens that interdependence and solidarity are in inverse ratio to each other.

Great illusions result from the commonplaces about peace which are current. It can be said that pacific commonplaces have become standardized throughout the world; it is not through them that peace will be established. Peace will only arise from the will to have peace. But that depends on a great many on the line conditions connected with unfair competition which now prevail without regulation in the international field.

If this will is lacking amongst all peoples, peace will only be maintained by the action, as energetic as is necessary, of those who have this will in their relations with those who lack it. It is the idea at the basis of the organization of all societies of civilized individuals. It is strange that when it is a question of the society of nations the same idea is not held to be valid.

The nations have not yet reached this idea, upon which repose
the individual societies, that injustice done towards one is a menace to all. The repercussion of injustice is propagated in international society by waves infinitely slower than those of national societies: the activities of the policeman and the judge are not there to aid in the propogation of these waves. I do not overlook that the causes of war are much more deepseated than any international formal organization can reach. My time does not admit a discussion of unfair competition which makes international relations such as they are.

It does not suffice that war be proclaimed an international crime. This proclamation will be valueless until it is accompanied in international society by sanctions corresponding to those which exist in national societies.

The treaties which have fulminated against war have not dared to set up sanctions of this nature. The most progressive texts (the Draft Treaty of Mutual Assistance, the Geneva Protocol) suffered from an astonishing lack of accord (one which no internal legislation has ever permitted) between the crime and its punishment.

War was qualified as an "international crime" and it was treated like a simple civil case where the malefactor whose plans had failed, would only have to pay reparation for certain damages.

At the beginning of the 17th century Crotius had stated the principles of a true international criminal law: there are criminal nations as there are individual criminals. Both should be punished. Sir Austen Chamberlain announced the same idea when he criticized the absence of sanctions in the Geneva Protocol. "It is possible that the act of aggression has been unprovoked, carried out barbarously, that it be the deed of a tyrannical and corrupt government. Ought we, therefore to erect as a principle that the League of Nations shall do nothing to prevent the recurrence of these crimes, except to demand money?"

The problem is, certainly, redoubtable, for the application of sanctions supposes not only force, but likewise justice, objectivity and absence of passions. These qualities presuppose amongst the nations a degree of moral elevation which they have not yet achieved, even if they will achieve it some day. Up to now it is only the consciousness of an immediate common danger and immediate common interests which have created common action. Peace has not yet been conceived of as the common material and moral interest of all nations.
While awaiting such time as moral perfection shall be the lot of humanity, or—and this would, perhaps, suffice—of all governments, there will be no peace in the world until the day when a certain number of states, attached to the idea of Peace, with an elevated conception of justice, and representing material forces evidently superior to those of the states who believe it to their interest to disturb the peace, will be able to declare themselves ready to join forces in common action against any state whatever which shall try to settle its own quarrels instead of submitting them to the international judge and accepting his decisions. As an American statesman said, “it would be necessary that all countries find it to their interest to uphold the law, desire that the law be observed, and act in consequence.”

There you have the problem. It is not in the construction of mechanisms more or less complicated and learned. To place one’s hopes for the maintenance of peace in a simple soulless machine is to show as much imprudent candor as did the “verger” whose story I read somewhere.

“The present Church of the Holy Trinity in Guildford occupies the site of an earlier building which was destroyed in 1740, when the steeple fell and carried the roof with it. One of the first persons to be informed of the disaster was the verger. ‘It is impossible,’ he exclaimed, ‘for I have the key in my pocket!’ ”