

# The Organs and In the Body of the Work Operations of the Defunct League of Nations: Lessons Learnt

Dr. Idorenyin Eyo

*Augustine enefiokudoh*

(COURSE LECTURER)

LAW OF INTERNATIONAL INSTITUTIONS

(JIL 612)

Submitted: 01-09-2021

Revised: 09-09-2021

Accepted: 12-09-2021

## I. INTRODUCTION

The terrible losses of World War I produced, as years went by and peace seemed no nearer, an ever growing public demand that some method be found to prevent the renewal of the suffering and destruction which were now seen to be an inescapable part of modern war. So great was the force of this demand that within a few weeks after the opening of the Peace Conference in Paris<sup>1</sup>, an unanimous agreement was reached on the text of the Covenant of the League of Nations. Although the League was unable to fulfill the hopes of its founders, its creation was an event of decisive importance in the history of international relations.<sup>2</sup>

The League of Nations (LoN) represents an important milestone in the direction of achieving the age old global community aspiration of a global body saddled with the responsibility of promoting and sustaining global peace.<sup>3</sup> It was the first significant institution with a clear objective of maintaining global co-existence amongst the comity of nations. Born from the will of the 'victors' of the First World War, it was a collective design by its foundational member nations to avoid a repeat of a devastating war, and to establish peace

among its members. <sup>4</sup>Within the framework of the fundamental principles of the pact accepted by the founding nations, the members agreed to develop cooperation among nations and to guarantee them peace and security.<sup>5</sup>

After a number of notable successes and some early failures in the 1920s, the League ultimately proved incapable of preventing aggression by the Axis Powers in the 1930s. The onset of the Second World War suggested that the League had failed in its primary purpose which was to avoid any future world war.<sup>6</sup> The League of Nations therefore provided the blueprint for the new institution- the Organization of the United Nations (UNO), whose broad political structure and of course its fundamental principles within the international system, were all essentially drawn from the template of the League.

This seminar will consider the background leading to the emergence of the League of Nations, the Nation States Comprising; Organs of the League of Nations, Enabling Statutes and what hampered their effectiveness, the achievements and failures of the League of Nations, its limitations, why it became necessary for the establishment of the United Nations Organization, its composite framework and effectiveness in comparison, to that of the League of Nations, its efficacy and present day weaknesses.

## II. BEFORE THE LEAGUE OF NATIONS

<sup>4</sup><https://www.britannica.com/topic/League-of-Nations> last assessed on the 19<sup>th</sup> of February 2018

<sup>5</sup> ibid

<sup>6</sup> ibid

<sup>1</sup> The Paris Peace Conference in January 1919

<sup>2</sup> 'League of Nations International Organization; written by: The Editors of Encyclopedia Britannica LAST UPDATED: 1-29-2018

<sup>3</sup>The League's goals also included disarmament, preventing war through collective security, settling disputes between countries through negotiation, diplomacy and improving global welfare. See; <https://www.scribd.com/doc/38066047/The-League-of-Nations-Functions-and-Causes-of-Failure> last assessed on 19th February, 2018

### 2.1 Forerunner To The League Of Nations: The Inter Parliamentary Union<sup>7</sup>

The peace activists of the nineteenth century were very aware of the fact that in the long run, the results of their efforts would depend on the active involvement and cooperation of governments worldwide. They envisaged an “International Forum” where governments could get together and discuss international disputes rather than immediately resorting to the use of arms. In 1889, the Inter-parliamentary Union (IPU) was co-founded by William Randall Cremer, the British pacifist and Member of the Parliament, and Frederic Passy, the founder of the French “Ligue de la Paix” and Member of Parliament. Thus, the first truly international political organization, whose aim was to promote international arbitration and world peace, was born. As a result, a new kind of pacifism, based on parliamentary support, was established.

By 1914, one third of all members of the 24 State Parliaments had joined IPU, and their ultimate goal was to compel their Governments to resolve disputes by means of peaceful settlement and arbitration. IPU acclaimed with satisfaction the initiative of Tsar Nicholas II who had called the Peace Conferences held at The Hague in 1899 and 1907. IPU was directed by a Council headed by a President who was to have been both a Member and the President ex officio of the Executive Committee. All the annual IPU conferences served as forums by which States could “perfect” the process of international arbitration. The IPU Bureau transferred its operations from Bern to Brussels in 1911. It is now based in Geneva.

### 2.2 The International Peace Bureau<sup>8</sup>

Even though the International Peace Bureau (IPB) was not an officially recognized organization of member States, it can be considered a forerunner of the League of Nations because of its visions, its goals and its prominent activists. IPB

<sup>7</sup> UNOG Library, Registry, Records and Archives Unit

[https://www.unog.ch/.../\\$file/Historical\\_overview\\_of\\_the\\_League\\_of\\_Nations.pdf](https://www.unog.ch/.../$file/Historical_overview_of_the_League_of_Nations.pdf) last assessed on the 19<sup>th</sup> of February, 2018

<sup>8</sup> UNOG Library, Registry, Records and Archives Unit

[https://www.unog.ch/.../\\$file/Historical\\_overview\\_of\\_the\\_League\\_of\\_Nations.pdf](https://www.unog.ch/.../$file/Historical_overview_of_the_League_of_Nations.pdf) last assessed on the 19<sup>th</sup> of February, 2018

was an international body created to provide a “base of operations” for peace societies all over the world so that they could consolidate their efforts and organize annual Universal Peace Congresses. Its members consisted of the various peace societies that had been founded during the second half of the nineteenth century.

In 1891, the Third Universal Peace Congress in Rome voted to formally install IPB at Kanonenweg 12 in Bern, Switzerland. The first President was the Danish pacifist and Member of Parliament, Fredrik Bajer, followed by Henri La Fontaine in 1907. Bertha von Suttner, the well-known Austrian pacifist, became Vice-President until her death in 1914. The Swiss pacifist and publisher, Elie Ducommun, was the Secretary-General until his death in 1906, after which he was followed by Albert Gobat (1906-1914) and Henri Golay (1914-1951).

In spite of their intense efforts, the First World War broke out, and during the war, most of the activities of the peace societies were severely restricted. Thus, the work of the International Peace Bureau was put on hold until 1918. After the war, it became very active in the “No More War!” campaign of the International War Resisters movement. With the foundation of the League of Nations in January of 1920, IPB lost much of its relevance, though it had reached its goal of establishing an international organization for the peaceful settlement of conflicts. In 1924, IPB executive office moved to Geneva, where it is still active, at 41, Rue de Zurich.

### 2.3 The First World War, The Women’s International League Of Peace And Freedom And President Woodrow Wilson’s “14 Points” Speech<sup>9</sup>

At the turn of the century, Europe was not only caught in an unstable web of precarious alliances; it also faced a variety of nationalist and ethnic disputes. Triggered by the assassination of Archduke of Austria Franz Ferdinand in Sarajevo on 28 June 1914, the ensuing war that resulted was thought to be a justifiable method of settling those disputes once and for all.

The First World War broke out that year at the end of August. It eventually embroiled most of Europe, Russia, the Middle East and the United States of America, among other regions, and it

<sup>9</sup> UNOG Library, Registry, Records and Archives Unit

[https://www.unog.ch/.../\\$file/Historical\\_overview\\_of\\_the\\_League\\_of\\_Nations.pdf](https://www.unog.ch/.../$file/Historical_overview_of_the_League_of_Nations.pdf) last assessed on the 19<sup>th</sup> of February, 2018

lasted four years. Linda Gustava Heyman and Anita Augspurg, despite being accused of treason, met with like-minded women from Belgium and the United Kingdom at the house of Dr. Aletta Jacobs in the Netherlands to organize an International Women's Congress to be held in The Hague in the spring of 1915.

Jane Addams, a member of the Women's International League of Peace and Freedom (WILPF), chaired the meeting of nearly 1,200 delegates from 12 countries and more than 700 guests. The meeting furthered two causes: suffrage, and the use of arbitration as a means of solving international disputes. Several resolutions against the war were registered, and a list of "18 Final Recommendations to End the War and Foster Peace" were submitted to the President of the United States of America as well as to other Heads of State who were involved in the war. Among other things, these resolutions demanded the self-determination of all peoples, the use of arbitration for the settlement of all international disputes, the democratic control of foreign affairs, disarmament, equal civil and political rights for women, and freedom of trade on land and sea.

The similarities of several of these recommendations with the "14 Points" of President Wilson's 1918 proposal for world peace are obvious. There are few speeches in history that influenced the world in the way Woodrow Wilson's Fourteen Points speech did. As the leader of the free world, Wilson addressed a global audience as he outlined the characteristics of an everlasting peace. His words were echoed in the policies of every major Western power for the rest of the 20th century. But, how did Wilson find himself in the most influential position in the free world and how did he develop these characteristics of peace?

The Fourteen Points are a list of moral guidelines that were developed by Woodrow Wilson as a response to the various causes of World War I. He declared these guidelines to the world in a message to Congress on January 8, 1918. When the war ended and the leaders of the victorious countries met to develop peace treaties and dole out punishments, the Fourteen Points were used as a basis for negotiations. The key features of the Fourteen Points include:

1. No secret agreements
2. Freedom of navigation on the seas
3. No economic barriers between nations
4. Disarmament of nations
5. Impartial decisions in regards to the colonies
6. The German Army was to leave Russia, and Russia would be able to develop its own political setup.

7. Belgium should regain her independence.
8. France would be liberated from any kind of occupation and would have Alsace-Lorraine returned.
9. All Italians should live in Italy and the borders of Italy should reflect the lines of nationality (in other words, if Italians make up the majority of the population, then that piece of land should be a part of Italy).
10. People living in Austria-Hungary should follow national self-determination.
11. The Balkan States should also be allowed to national self-determination and their independence should be guaranteed.
12. The Turkish government should govern only the Turkish people. For the non-Turks that were living in the old Turkish Empire, they should be able to govern themselves.
13. Poland should be recreated and should have access to the sea.
14. The League of Nations should be set up (the purpose was to guarantee political and territorial independence of all states).<sup>10</sup>

### III. HISTORY AND EVOLUTION OF THE LEAGUE OF NATIONS:<sup>11</sup>

It has been reported that during the World War I, numerous groups started organizing themselves to explore and look for meaningful ways to maintain peace and prevent future wars. Initially the effort was confined only to the private initiatives which later received the official support. For example, the League to Enforce Peace founded in 1915 in the United States (US), former President William Howard Taft as the important leader of this movement. A year later, President Woodrow Wilson addressed a meeting of the League to Enforce Peace, and gradually he came to endorse many of its principles. By January 1917, Wilson, in an address to the US Senate, advocated a "League for Peace" backed by superior collective force.

However, the idea of the actual League of Nations appears to have originated with British Foreign Secretary Edward Grey, and it was enthusiastically adopted by Wilson and his advisor Colonel Edward M. House as a means of avoiding

<sup>10</sup>Available at <https://study.com/academy/lesson/woodrow-wilsons-fourteen-points-definition-speech-summary.htm> last accessed on the 25<sup>th</sup> of April, 2018

<sup>11</sup>Alam Afroz; 'The League of Nations: Functions and Causes of Failure of

bloodshed like that of World War I, a little more than a hundred years after the foundation of the first peace societies in the United States and England and with the support of both countries Leagues to Enforce Peace, the idea of a League of Nations took form with the pledge to prevent future wars.

The creation of the League was a centre piece of Wilson's Fourteen Points for Peace in 1918, specifically the final point: "A general association of nations must be formed under specific covenants for the purpose of affording mutual guarantees of political independence and territorial integrity to great and small states alike." The resulting Fourteen Points were presented in a speech before both houses of Congress and were intended to generate support for Wilson's vision of the postwar world, both at home and also among allies in Europe. Further, the president hoped that the promise of a just peace would be embraced by the populations in enemy nations and generate momentum for ending the war. The first five of the Fourteen Points dealt with issues of broad international concern. The next eight points referred to specific territorial questions.<sup>13</sup>

The Fourteen Points which have been itemized on page 3 of this work were subsequently adopted, with minor exceptions, by the Allied powers and committed to the establishment of a security organization as a part of their plans for peace.

On January 18, 1919, the peace conference, under the chairmanship of Wilson, convened in Paris. The Paris Peace Conference accepted the proposal to create the League of Nations on January 25, 1919. President Wilson was then made Chairman of the 19 member Commission established to formulate a list of rules and regulations for an international organization whose purpose was to preserve world peace through open diplomacy and global consensus. The resulting document was the draft of an agreement or Covenant between nations. Less than four months later, on 29 April 1919, the final version of the Covenant of the League of Nations was adopted, and it became Part I of the Treaty of Versailles.

In accordance with President Wilson's ideals, the Covenant outlined the League of

<sup>12</sup>Available at <https://history.state.gov/milestones/1914-1920/league> last assessed on the 12<sup>th</sup> of February, 2018

<sup>13</sup>Available at <http://www.u-s-history.com/pages/h1324.html> last assessed on the 18<sup>th</sup> of March 2018.

Nations' three basic objectives: to ensure collective security, to assure functional cooperation, and to execute the mandates of peace treaties. However, the League of Nations could only begin to function, formally and officially, after the Peace Treaty of Versailles came into effect, this is because the Treaty of Versailles was negotiated at the Paris Peace Conference of 1919, and included a covenant establishing the League of Nations, which convened its first council meeting on January 16, 1920.<sup>14</sup> Thus, the League of Nations was officially inaugurated on the 10<sup>th</sup> of January 1920. The 32 original Members of the League of Nations were also Signatories of the Versailles Treaty. In addition, 13 additional States were invited to accede to the Covenant. The League of Nations was open to all other States, providing they fulfilled certain requirements. Some of these were: having a clearly defined population, having a clearly defined territory, having an established Government and having the capacity to enter into relations with the other states.<sup>15</sup> Those which had obtained a two-thirds majority of yes votes cast in the Assembly were admitted. The headquarters of the League moved to Geneva on November 1, 1920, where the first general assembly of the League was held on November 15, 1920 with representatives from 42 nations in attendance.<sup>16</sup>

#### IV. THE LEAGUE OF NATIONS

The League of Nations was the first international organization whose principal mission was to maintain world peace.<sup>17</sup> Its primary goals, as stated in its Covenant, included preventing wars through collective security and disarmament and settling international disputes through negotiation and arbitration.<sup>18</sup> Other issues in this and related treaties included labour conditions, just treatment of native inhabitants, human and drug trafficking,

<sup>14</sup>Available at <https://www.khanacademy.org/humanities/ap-us-history/period-7/apush-us-in-wwi/a/the-league-of-nations> last assessed on the 18<sup>th</sup> of March 2018

<sup>15</sup>Available at <http://www.molossia.org/lsn/membership.html> last assessed on 19th March 2018

<sup>16</sup><https://www.scribd.com/doc/38066047/The-League-of-Nations-Functions-and-Causes-of-Failure>, last assessed on the 20<sup>th</sup> of February 2018

<sup>17</sup>Christian, Tomuschat (1995). *The United Nations at Age Fifty: A Legal Perspective*. Martinus Nijhoff Publishers. p. 77. ISBN 9789041101457.

<sup>18</sup>"Covenant of the League of Nations". The Avalon Project. Retrieved 30 August 2011.

the arms trade, global health, prisoners of war, and protection of minorities in Europe.<sup>19</sup>

The diplomatic philosophy behind the League represented a fundamental shift from the preceding hundred years as member Nations were willing to come under a common forum to discuss international peace and to find common grounds of security as against the warring attitude of the preceding years in resolving conflicts among nations. In the long run, the League lacked its own armed force and depended on the victorious Great Powers of World War I. France, the UK, Italy and Japan were the permanent members of the Executive Council to enforce its resolutions, keep to its economic sanctions, or provide an army when needed. The Great Powers were often reluctant to do so. Sanctions could hurt League members, so they were reluctant to comply with them. During the Second Italo-Abyssinian War, when the League accused Italian soldiers of targeting Red Cross medical tents, Benito Mussolini responded that "the League is very well when sparrows shout, but no good at all when eagles fall out."<sup>20</sup>

After some notable successes and some early failures in the 1920s, the League ultimately proved incapable of preventing aggression by the Axis powers in the 1930s. The credibility of the organization was somewhat weakened by the fact that the United States never officially joined the League and the Soviet Union joined late and only briefly.<sup>21</sup> Germany withdrew from the League, as did Japan, Italy, Spain and others. The onset of the Second World War showed that the League had failed its primary purpose, which was to prevent any future world war. The League lasted for 26 years; the United Nations (UN) replaced it after the end of the Second World War and inherited several agencies and organizations founded by the League.<sup>22</sup>

## 2.2 Aims and Objectives of the League of Nations

<sup>19</sup>See Article 23, "Covenant of the League of Nations", "Treaty of Versailles". and Minority Rights Treaties.

<sup>20</sup>Jahanpour, Farhang. "The Elusiveness of Trust: the experience of Security Council and Iran" (PDF). Transnational Foundation of Peace and Future Research. p. 2. Retrieved 27 June 2008.

<sup>21</sup>Ellis, Charles Howard (2003). *The Origin, Structure & Working of the League of Nations*. Lawbook Exchange Ltd. p. 169.

<sup>22</sup>Ginneken, Anique H. M. van (2006). *Historical Dictionary of the League of Nations*. Scarecrow Press. p. 174.

The League of Nations had four main aims.

### a. Firstly, it aimed to stop war:

It aimed to discourage aggression and deal with disputes by negotiation. The League planned to provide collective security by a community of power. In Article 10 of the Covenant of the League, members promised to defend the territory and independence of League members and to take action 'in case of danger'.

### b. The second aim of the League was to improve the life and jobs of people around the world:

Both by direct action to improve health and welfare, and also by encouraging trade and business – and it also worked to do this during the 1920s:

- I. it repatriated 400,000 World War One prisoners of war;
- II. it helped refugees in Turkish camps (1922);
- III. it worked to prevent leprosy, and took steps to kill mosquitoes to prevent malaria;
- IV. it closed down four Swiss companies which were selling illegal drugs;
- V. it attacked slave owners in Sierra Leone and Burma and set free 200,000 slaves;
- VI. Its economics experts helped Austria (1922) and Hungary (1923).

**c. A third aim of the League was disarmament:**and, although it failed in this, it organized one disarmament conference in 1923 (which failed because Britain objected) and another in 1931 (which was wrecked by Germany). However, in 1928, the League did arrange the Kellogg-Briand Pact, which was an Act of the League Assembly, signed by 23 nations and supported by 65, and which outlawed war.

**d. Finally, the fourth aim of the League was to uphold and enforce the Treaty of Versailles,** although it was not very successful in this. Over Vilna, the League ordered the Poles to leave in 1920, but was ignored and over Memel, the League tried unsuccessfully to make the Lithuanians leave in 1923.<sup>23</sup>

## V. NATION STATES COMPRISING THE LEAGUE OF NATIONS<sup>24</sup>

<sup>23</sup><http://www.johndclare.net/EL1.htm> last assessed on the 19<sup>th</sup> of March 2018

<sup>24</sup>Pericles, Lewis (2000). *Modernism, Nationalism, and the Novel*. Cambridge University Press.

Between 1920 and 1939, a total of 63 countries became member states of the League of Nations. The Covenant forming the League of Nations was included in the Treaty of Versailles and came into force on 10 January 1920. The League of Nations was dissolved on 18 April 1946, when its assets and responsibilities were transferred to the United Nations.

The League's greatest membership extent was from 28 September 1934 when Ecuador joined to 23 February 1935 when Paraguay withdrew with 58 members. At this time, only Costa Rica (22 January 1925), Brazil (14 June 1926), the Empire of Japan (27 March 1933) and Germany (19 September 1933) had withdrawn and only Egypt was left to join (on 26 May 1937). The members listed from earliest joining and alphabetically if they joined on the same day at this time were Argentina, Australia, Belgium, Bolivia, the British Empire, Canada, Chile, China, Colombia, Cuba, Czechoslovakia, Denmark, El Salvador, France, Greece, Guatemala, Haiti, Honduras, India, Irish Free State, Ethiopia, Italy, Liberia the Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Persia/Iran, Peru, Poland, Portugal, Romania, Siam, Spain, Sweden, Switzerland, the Union of South Africa, Uruguay, Yugoslavia, Venezuela, Austria, Bulgaria, Finland, Luxembourg, Albania, Estonia, Latvia, Lithuania, Hungary, Ireland, the Dominican Republic, Mexico, Turkey, Iraq, the Union of Soviet Socialist Republics, Afghanistan, Syria and Ecuador.

Of the 42 founding members, 24 including Free France remained members until the League of Nations was dissolved in 1946. A further 21 countries joined between 1920 and 1937, but 7 left, withdrew or were expelled before 1946. The USSR was the only country to be expelled by the League in 1939, following its invasion of Finland.

Some of the countries who withdrew were Brazil, Chile, El Savador, France, Guatemala, Haiti, Honduras, KIndgo of Italy, Empire of Japan, Nicaragua, Paraguay, Peru, Persia, Romania, Spain and Venezuela. Countries who joined were Austria, Bulgaria, Costa Rica, Finland, Luxembourg, Albania, Estonia, Latvia, Lithuania, Kingdom of Hungary, irish Free State, Abyssina, Dominican Republic. Mexico, Turkey, Kingdom of Egypt, Afghanistan and Ecuador.

## VI. ORGANS OF THE LEAGUE OF NATIONS

p. 52. [https://en.wikipedia.org/wiki/Member\\_states\\_of\\_the\\_League\\_of\\_Nations](https://en.wikipedia.org/wiki/Member_states_of_the_League_of_Nations)

The main constitutional organs of the League were the **Assembly**, the **Council**, and the **Permanent Secretariat**. It also had two essential wings: the **Permanent Court of International Justice** and the **International Labour Organisation**. In addition, there were several auxiliary agencies and commissions. <sup>25</sup>Each organ's budget was allocated by the Assembly the League was supported financially by its member states.<sup>26[64]</sup>

The relations between the Assembly and the Council and the competencies of each were for the most part not explicitly defined. Each body could deal with any matter within the sphere of competence of the League or affecting peace in the world. Particular questions or tasks might be referred to either. <sup>27</sup>Unanimity was required for the decisions of both the Assembly and the Council, except in matters of procedure and some other specific cases such as the admission of new members. This requirement was a reflection of the League's belief in the sovereignty of its component nations; the League sought solution by consent, not by dictation. In case of a dispute, the consent of the parties to the dispute was not required for unanimity.<sup>28</sup>

### a. The Permanent Secretariat:

Established at the seat of the League at Geneva, comprised a body of experts in various spheres under the direction of the general secretary.<sup>29</sup>Its principal sections were Political, Financial and Economics, Transit, Minorities and Administration, Mandates, Disarmament, Health, Social (Opium and Traffic in Women and Children), Intellectual Cooperation and International Bureaux, Legal, and Information. The staff of the Secretariat was responsible for preparing the agenda for the Council and the Assembly and publishing reports of the meetings and other routine matters, effectively acting as the

<sup>25</sup>Available

[https://en.wikipedia.org/wiki/League\\_of\\_Nations](https://en.wikipedia.org/wiki/League_of_Nations) last assessed on the 19<sup>th</sup> of February, 2018

<sup>26</sup>"Budget of the League". University of Indiana. Retrieved 5 October 2011.

[https://en.wikipedia.org/wiki/League\\_of\\_Nations](https://en.wikipedia.org/wiki/League_of_Nations)  
<sup>27</sup>F.S Northedge, *The League of Nations: Its Life and Times, 1920–1946* (1986) p 1

<sup>28</sup>Northedge 1986, p. 53.

<sup>29</sup>Northedge 1986, p. 50

League's civil service. In 1931 the staff numbered 707.<sup>30</sup>

**b. The Assembly:**

The Assembly consisted of representatives of all members of the League, with each state allowed up to three representatives and one vote.<sup>31</sup> It met in Geneva and, after its initial sessions in 1920,<sup>32</sup> it convened once a year in September.<sup>33</sup> The special functions of the Assembly included the admission of new members, the periodical election of non-permanent members to the Council, the election with the Council of the judges of the Permanent Court, and control of the budget. In practice, the Assembly was the general directing force of League activities.<sup>34</sup>

**c. The League Council:**

The Council acted as a type of executive body directing the Assembly's business. <sup>35</sup>It began with four permanent members: Great Britain, France, Italy, Japan and four non-permanent members that were elected by the Assembly for a three-year term.<sup>36</sup> The first non-permanent members were Belgium, Brazil, Greece and Spain.<sup>37</sup> The composition of the Council was changed several times. The number of non-permanent members was first increased to six on 22 September 1922 and to nine on 8 September 1926.

Werner Dankwort of Germany pushed for his country to join the League; joining in 1926, Germany became the fifth permanent member of the Council. Later, after Germany and Japan both left the League, the number of non-permanent seats was increased from nine to eleven, and the Soviet Union was made a permanent member giving the Council a total of fifteen members.<sup>38</sup> The Council met, on average, five times a year and in

extraordinary sessions when required. In total, 107 sessions were held between 1920 and 1939.<sup>39</sup>

**d. Other bodies:**

The League oversaw the Permanent Court of International Justice and several other agencies and commissions created to deal with pressing international problems. These included the Disarmament Commission, the International Labour Organization (ILO), the Mandates Commission, the International Commission on Intellectual Cooperation<sup>40</sup> (precursor to UNESCO), the Permanent Central Opium Board, the Commission for Refugees, and the Slavery Commission.<sup>41</sup> Three of these institutions were transferred to the United Nations after the Second World War: the International Labour Organization, the Permanent Court of International Justice (as the International Court of Justice), and the Health Organization<sup>42</sup> (restructured as the World Health Organization).<sup>43</sup>

**e. The Permanent Court of International Justice:**

This Court was provided for by the Covenant, but not established by it. The Council and the Assembly established its constitution. Its judges were elected by the Council and the Assembly, and its budget was provided by the latter. The Court was to hear and decide any international dispute which the parties concerned submitted to it. It might also give an advisory opinion on any dispute or question referred to it by the Council or the Assembly.

**f. The International Labour Organization:**

The ILO was created in 1919 on the basis of Part XIII of the Treaty of Versailles. <sup>44</sup>The ILO, although having the same members as the League and being subject to the budget control of the Assembly, was an autonomous organization with its own Governing Body, its own General Conference and its own Secretariat. Its constitution

<sup>30</sup>"League of Nations Secretariat, 1919–1946". United Nations Office at Geneva. Retrieved 15 September 2011

<sup>31</sup>"Organization and establishment: The main bodies of the League of Nations". The United Nations Office at Geneva. Retrieved 18 May 2008.

<sup>32</sup>Northedge 1986, p. 72

<sup>33</sup>"Organization and establishment: The main bodies of the League of Nations". The United Nations Office at Geneva. Retrieved 18 May 2008.

<sup>34</sup>Northedge 1986, pp. 48–50

<sup>35</sup>Northedge 1986, p. 48

<sup>36</sup>Northedge 1986, pp. 42–48

<sup>37</sup>"League of Nations Photo Archive". University of Indiana. Retrieved 15 September 2011.

<sup>38</sup>"League of Nations Photo Archive". University of Indiana. Retrieved 15 September 2011.

<sup>39</sup>"Chronology 1939". University of Indiana. Retrieved 15 September 2011.

<sup>40</sup>Grandjean, Martin (2016). Archives Distant Reading: Mapping the Activity of the League of Nations' Intellectual Cooperation. In *Digital Humanities 2016*, pp. 531–534.

<sup>41</sup>"League of Nations". National Library of Australia. Retrieved 15 September 2011.

<sup>42</sup>"Health Organisation Correspondence 1926–1938". National Library of Medicine.

<sup>43</sup>"Demise and Legacy". United Nations Office at Geneva. Archived from the original on 23 September 2011. Retrieved 15 September 2011.

<sup>44</sup>Northedge 1986, pp. 179–80

differed from that of the League: representation had been accorded not only to governments but also to representatives of employers' and workers' organizations. Albert Thomas was its first director.<sup>45</sup>

The ILO successfully convinced several countries to adopt an eight-hour work day and forty-eight-hour working week. It also campaigned to end child labour, increase the rights of women in the workplace, and make shipowners liable for accidents involving seamen.<sup>46</sup> After the demise of the League, the ILO became an agency of the United Nations in 1946.<sup>47</sup>

## VII. THE ENABLING STATUTES OF THE LEAGUE OF NATIONS

### The Covenant of the League of Nations<sup>48</sup>

With the ground thus well prepared, and under Wilson's resolute leadership, the conference was able to draw up, in a few days of intensive committee work, a document which it called the Covenant of the League of Nations. This text was published, as a draft, on February 14, 1919. It was subjected to various criticisms, especially in the United States, where Wilson's star was already on the decline, and also by the European neutrals, who had had no official share in the work. In general, however, it was well received. Although the first great impulse had already weakened and Allied unity had been impaired, a final amended text was adopted on April 28, 1919, by the unanimous decision of the conference.<sup>49</sup>

The Covenant was a short and concise document of 26 articles. The first seven articles established the constitutional basis of the new system. Article 1 defined the League's original members, which consisted of all the Allied signatories of the peace treaties and those 13 countries which had been neutral in the war, if the latter chose to join without reservation. Others could be admitted by a two-thirds majority of the

<sup>45</sup>Scott, George (1973). *The Rise and Fall of the League of Nations*. Hutchinson & Co LTD. ISBN 0-09-117040-0.

<sup>46</sup>Northedge 1986, pp. 179–80

<sup>47</sup>wein&Rüdiger 2000, "Origins and history". *International Labour Organisation* p. 167. Archived from the original on 27 April 2008. Retrieved 25 April 2008.

<sup>48</sup>[www.iilj.org/wp-content/uploads/2016/.../The-Covenant-of-the-League-of-Nations.pdf](http://www.iilj.org/wp-content/uploads/2016/.../The-Covenant-of-the-League-of-Nations.pdf) last assessed on the 20th of February, 2018

<sup>49</sup>UNOG Library, Registry, Records and Archives Unit

Assembly, and any member could withdraw after giving two years' notice.

Articles 2 to 5 created the directing organs of the League: an Assembly composed of representatives of all members and a Council composed of representatives of the United States, Great Britain, France, Italy, and Japan as permanent members, with four others elected by the Assembly. Articles 6 and 7 created a permanent Secretariat, provided for the expenses of the League, and named Geneva as its headquarters. Articles 8 and 9 dealt with armaments. All members undertook to reduce their armaments to the lowest possible level, to suppress the evil effects of the private manufacture of arms, and to exchange full information as to their existing armaments and their programs for the future. A permanent commission was provided to advise the Council on all military, naval, and air questions.

Articles 10 to 17 embodied what may be called the central and basic idea of the League: collective security, together with the various procedures for peaceful settlement of disputes. Each member undertook Article 10 to respect the integrity and independence of all the others and to join in preserving them against aggression.

Article 11 declared that any war or threat of war was a matter of concern to all members, whether directly affected or not; every member had the right to demand that the question be considered by the Council and, if necessary, to insist on an immediate meeting. By Article 12, all bound themselves to submit all serious disputes to peaceful settlement or to inquiry by the Council and in no case to resort to war until these procedures had had time to lead to a settlement. Even then, if no settlement were reached, they promised to wait a further three months before going to war. In other words not only did the Covenant of the League of Nations not prohibit war in certain circumstances, it expressly allowed war after a relatively brief cooling off period of three months after the rendering of a judicial or political decision. By so doing the covenant directed the emphasis away from the peaceful settlement of disputes in favour of war. This emphasis in the text of the covenant on war over the peaceful settlement of disputes reflects the general military spirit that pervaded the League of Nations and other international organizations during the interwar period.<sup>50</sup>

<sup>50</sup>Available at <https://books.google.com.ng/books> last assessed on the 20<sup>th</sup> of March 2018

Articles 13 to 15 and their respective provisions included the establishment of a permanent international court. Under Article 16 all members promised to join in common action against any other which made war in violation of the Covenant. This action was to take in all cases the form of economic sanctions as its primary coercive mechanism and, if this were not enough, of military intervention. This article also empowered the Council to expel a member which violated the Covenant.

Article 17 extended the system so as to provide protection against, and in certain conditions for, nonmember states. Article 18 was designed to meet the demand for open diplomacy. It required that all future treaties be registered with, and published by, the Secretariat. Article 19 empowered the Assembly to propose changes in existing treaties or situations which might be a danger to peace.

By Article 20 all members agreed that any treaty inconsistent with the Covenant was automatically abrogated and undertook not to enter into any such engagement in the future. Article 22 declared that the Covenant did not affect the validity of the Monroe Doctrine. Article 22 established the mandates system. Articles 23 and 24 corresponded to the proposals for worldwide economic and social cooperation under the authority of the League. Members undertook to act together in such matters as transport and communications, commercial relations, health, and supervision of the international arms trade and to bring existing international agencies, such as the Universal Postal Union, under the direction of the League. They agreed also to set up an International Labour Organization in order to "secure and maintain fair and humane conditions of labour." Article 25 promised support for the Red Cross.

Finally, Article 26 defined the procedure for amending the Covenant; an amendment, to be effective, must be ratified by a majority of the members, including all those represented on the Council.

The Covenant purported to cover each of the main proposals which had emerged during the preparatory period—collective security; arbitration and judicial settlement, including the creation of an international court; international cooperation or control in economic and social affairs; disarmament; and open diplomacy.<sup>51</sup>

<sup>51</sup>Available at <http://lawcare87.blogspot.com.ng/2014/02/point-out-main-functions-and-causes-of.html> last accessed on 20th February, 2018

## VIII. OPERATIONS AND ACTIVITIES OF THE LEAGUE OF NATIONS

### Main functions of League of Nations:

The primary responsibility of the League of Nations was to maintain world peace and security by preventing world war. In order to maintain world peace and prevent world war the League of Nations acts on behalf of the all member states. Under the charter the powers and functions of League of Nations include the followings:

**First:** The foremost function of League of Nations was to promote international co-operation and to achieve world peace and security.

**Second:** The League of Nations may assist in the settlement of disputes amicably and without resort to war.

**Third:** The League of Nations was to formulate plans for establishing a system to regulate armaments and to use such arrangements for enforcement action under its authority.

**Fourth:** The League of Nations was to maintain international relations by friendly relations through mutual understanding and partnerships among Member-states.

**Fifth:** The League of Nations was to preserve external aggression as against the territorial integrity and exercising political independence of all Members states of League of Nations.<sup>52</sup>

Although it did not have a military force of its own, the league prevented or settled a number of conflicts and disputes in the 1920s. In fact, it was the activities of the league in the 1920s that made it appear to many people that it had some long-term prospects for success. The league played a major role in the resolution of a dispute over the Aaland Islands between the governments of Finland and Sweden. In 1925 it got the Greek government to withdraw from Bulgaria and resolved a border dispute between the governments of Turkey and Iraq. Several other activities of the league are worth considering here.

### 8.2 Political Activities <sup>53</sup>

<sup>52</sup>Available <https://www.encyclopedia.com/social-sciences-and-law/political-science-and-government/united-nations/league-nations>. <http://lawcare87.blogspot.com.ng/2014/02/point-out-main-functions-and-causes-of.html>

<sup>53</sup>*Osmanczyk, Edmund Jan; Mango, Anthony (2002). Encyclopedia of the United Nations and International Agreements. Taylor & Francis. ISBN 0-415-93924-0.*

**International conflicts**  
**The settlement of disputes**  
**Developmental Activities amongst nations**  
**Disarmament efforts**  
**International integration**

The League of Nations' primary objective was to settle disputes by any means other than outright war. However, reaching this objective depended on the willingness of the sovereign States in question to cooperate with the League of Nations and to respect the maxims of the Covenant. By the time it folded, more than 60 international disputes had been brought before the League of Nations. During the first 10 years of its existence, only eight of the 30 disputants resorted to hostilities or war. Some of the peaceful settlements included:

- i. 1920: the Aaland Islands.** After the Russian Revolution, Finland declared its independence and sovereignty over these Islands. However, its Swedish-speaking population claimed it had the right to vote for Swedish governance. Before it could develop into an armed conflict, both parties accepted the solution offered by the League of Nations. Though autonomy under Finnish rule was continued, important guarantees were granted to the Aaland Islands, and demilitarization under League of Nations observance was carried out.<sup>54</sup>
- ii. 1922: Vilna:** Both Lithuania and Poland were claiming sovereignty over Vilna, and in 1922, the League of Nations was called in. Despite the Council's recommendation that the city be placed under Lithuanian rule however, the disputing States were unable to reach an agreement acceptable to all. Consequently, when the Conference of Ambassadors redefined the Polish border in 1923, Vilna became part of Poland.<sup>55</sup>
- iii. 1923: Memel:** After the First World War, this previously Baltic port on the Eastern frontiers of Germany was taken over by the Allies under a provisional administration responsible to the League of Nations' Conference of Ambassadors. After a coup d'état, the port was under Lithuanian sovereignty. Special privileges were granted to the mostly German

population as well as to Poland, which received the right to use the port for transit and trade.

**iv. The Greco-Bulgarian conflict (1925) and Leticia (1932)**

There existed in the Covenant a provision that empowered the League of Nations to take action and even impose sanctions within specific guidelines in order to settle international disputes brought before the Council by any one of its Member States. One such case arose when, in 1925, a border conflict broke out between Greece and Bulgaria that threatened to escalate into an all-out war in the Balkans. The Bulgarian Government appealed at once to the League of Nations (under Article 10 of the Covenant) and an Extraordinary Session of the Council was called, and subsequently held in Paris. Aristide Briand, the representative of France, acted as Chairman. Under the observation of the British, French and Italian military attachés, the hostilities ceased and the evacuation of the territory occupied by Greek forces was carried out without incident. This conflict is but one of the few in which the system as outlined in the Covenant was successful; **a conflict was identified, the Council met without delay, a fair hearing was given, and a general agreement arrived at for maintaining the peace and providing justice for all concerned.**<sup>56</sup>

A more complicated example of an international dispute requiring the League of Nations' assistance was that which took place between Colombia and Peru over Leticia, a remote border district in the Upper Amazon valley. After several attempts to solve the problem on a regional level, the Peruvian and Colombian delegates finally turned to the League of Nations for assistance in 1933. However, it was only after Luis Sanchez Cerro, the Peruvian president, was assassinated that an agreement could be reached. After the ownership of the Letician territory was transferred to an International Commission for one year, it was returned to Colombia.<sup>57</sup>

**v. China: The Manchurian crisis of 1932**

On 19 September 1931, the League of Nations was made aware of an incident provoked by anti-Japanese activists at the Japanese-owned South Manchurian railway line in China. Consequently, the Japanese army invaded the Chinese province of Manchuria. China immediately appealed to the world's powers for their intervention. Under the chairmanship of

UNOG Library, Registry, Records and Archives Unit

<sup>54</sup> UNOG Library, Registry, Records and Archives Unit

<sup>55</sup> Osmanczyk, Edmund Jan; Mango, Anthony (2002). *Encyclopedia of the United Nations and International Agreements*. Taylor & Francis. ISBN 0-415-93924-0.

<sup>56</sup> Emphasis mine

<sup>57</sup> "Covenant of the League of Nations". *The Avalon Project*. Retrieved 30 August 2011.

Aristide Briand, and with the active participation of the United States of America which had thus far refrained from recognizing the League of Nations as a global mediator, the Council attempted to negotiate a peaceful solution. However, neither the Council nor the Assembly were able to agree on the imposition of sanctions of any kind, which in accordance with the Covenant, could have been used against any Member State that had violated the principles of the League of Nations.

Four months after the initial outbreak of hostilities, the Council dispatched an Inquiry Commission to China under the leadership of the British diplomat, the Earl of Lytton. On the advice of the Lytton Report (September 1932), the League of Nations refused to recognize Manchukuo as a genuine State and proposed a series of measures to re-establish the status quo. While China accepted the League of Nations' recommendations for restoring peace in the area, Japan did not and, as a result, withdrew from the League of Nations in 1935.<sup>58</sup>

#### v.i. Ethiopia (Abyssinia)

In 1933, the Fascist Government of Benito Mussolini planned its attack on Ethiopia with the intention to expand the colonial territory of Italy, despite the fact that in 1928 it had signed the Italo-Ethiopian Treaty of Friendship, Conciliation and Arbitration. In December of 1934, a clash occurred between the armed forces of the two States at Walwal on the Ethiopian side of the frontier with Italian Somaliland. Mussolini declared the incident "an act of self-defence" and, therefore, not subject to arbitration. Compensation was demanded in addition to formal recognition of the area as Italian.

When this was refused by Emperor of Ethiopia Haile Selassie, the case was taken as a *casus belli* by Italy. As a Member of the League of Nations, Ethiopia brought the case before the Council, but in order to continue his pursuit of expansion, Mussolini ignored all League of Nations proposals in order to continue to mobilize his military forces in the northern Ethiopian state of Eritrea. Rounds of talks in Geneva proved futile, a clear indication that the Council was unable to protect a small Member State from the interests of a larger and more influential one and, as a result, oil sanctions that would have halted Mussolini's military endeavors were not imposed. Thus, armed with a deadly combination of superior weaponry and poison gas, Italy was able to launch an attack on Ethiopia in December of 1935.

Once Addis Ababa fell in May of 1936, Emperor Haile Selassie, who was in Geneva at the

time, went to the Assembly and again asked the League of Nations for help, but to no avail, as Italy's conquest had been formally recognized by most countries. However, Mussolini's declaration of war on France and the United Kingdom provoked the latter into facilitating the Emperor's recapture of his country, and by 1941, the Ethiopian Government was back in power and Ethiopia became an independent.<sup>59</sup>

### 8.3 International reconciliation and disarmament

#### i. The Geneva Protocol and the Disarmament Conference of 1932

Disarmament was one of the most important questions to be considered by the League of Nations. The condition, however, was that Germany would agree to the Treaty of Versailles and would be the first country to reduce its arms in accordance with the Treaty. The Advisory Commission and the Temporary Mixed Commission (later replaced by a so-called "Coordination Commission") were bodies entrusted with the creation of a plan for disarmament. The issue was discussed in each Assembly and in many sessions of the Council and other special meetings, but all these efforts failed in the end.

One of the main obstacles faced was the belief of the main Powers that their security depended on maintaining a level of armaments equal or even superior to those of their neighbours. They also preferred to determine their own needs in armaments. Another problem was that the Soviet Union and the United States of America, not being members of the League of Nations, did not take part in the process until 1932. Thus, the 1922 Draft Treaty of Mutual Guarantees and the 1923 Treaty of Mutual Assistance, piloted by Lord Cecil with the close cooperation of Edouard Benes and the French delegation, were not accepted in the Assemblies.

The new more liberal Governments in France under Edouard Herriot and in the United Kingdom under Ramsay MacDonald brought a new spirit to the disarmament negotiations and as a result the fifth Assembly adopted the Geneva Protocol on the Pacific Settlement of International Disputes, in October 1924, proposing the general disarmament of all nations linked with compulsory arbitration and security guarantees. It also pledged that a general Disarmament Conference would be convened shortly. This Conference eventually

<sup>58</sup> *ibid*

<sup>59</sup> UNOG Library, Registry, Records and Archives Unit

convened in 1932 and lasted, with a short interruption, for two and a half years. Despite numerous petitions and public demand for disarmament, the countries were not ready to sacrifice their security. Thus, the Conference was a failure.<sup>60</sup>

## IX. THE SUCCESSES OF THE LEAGUE OF NATIONS:<sup>61</sup>

### a. International Cooperation

The League of Nations was the first international organisation to unite as many important fields as possible of human life under one roof. Yet, as well as standing for a number of innovations that smoothed the path for the work of the United Nations and established the League of Nations as a participant in the processes of globalization, it embodies European rivalries, the continued existence of colonial structures, and the inviolability of national rights of sovereignty

### b. Trade expansion

It helped to encourage the formation of trade unions and to improve working conditions, pensions and minimum wage schemes among member nations across the world. This organization continued up until the end of world war two.

### c. Development of international principles

The League of Nations promoted the adherence by member nations to all international treaty obligations and the firm establishment of the understandings of international law and policy as the actual rules of conduct among governments. By accepting the league states recognize that their existence depends upon the general maintenance of law and consequently that they must prefer the claim of that law for their defence.

### d. Foundational basis of the springing up of the international structures

Through the League of Nations International organizations and structures were created by a variety of institutions, among them pressure groups, professional associations, humanitarian agencies and regulatory commissions. However, rapid industrialization lent most of the impetus to the creation of transnational organizations. As communications and transport

links around the world rapidly improved, the need to provide regulatory agencies not only for trade purposes but also for social ones such as the curbing of disease and crime, made the setting up of such bodies inevitable.

### e. Humanitarian aid and Benefits in the health sector

The focus on the international rights championed by the league was inextricably connected to its aims of cooperation and the prevention of conflict. Its humanitarian successes are perhaps the league's greatest. Their aspiration has left an important legacy on the history of human rights. The league's covenant stated that it hoped to promote 'fair and humane conditions of labour...the improvement of health, the prevention of disease and mitigation of suffering throughout the world'. The humanitarian work of the league in the 1920s shrouded a culture of protecting universal rights irrespective of state boundaries in the hope that this would, in turn, make possible a different approach to relations between nations.

The league set up various commissions including health, slavery, and refugees. From these the Universal Declaration of the Rights of the Child and employment rights emerged. The International Labour Organization and the Court of Justice acted as a universal arbiter of working conditions and relations between employer and worker. The culture of the inalienable right, irrespective of job or country of residence, was made a reality for the first time. An indicator of the level of success that the International Labour Organization achieved is that it formed the foundation for the United Nations Labour Committee. Similarly, the World Health Organization experienced little more than a change of name from its predecessor, the league's World Food Programme.

### f. Economic Cooperation and development of the economy of certain countries

In line with the league's aim of creating the right conditions to aid cooperation, it tackled one of the greatest challenges the postwar world faced. In 1922-23 there was a debilitating hyperinflationary crisis, hitherto unknown — both Austria and Hungary faced economic collapse. Their economies had not recovered after the war and, with the extra burden of reparations, there was the potential for total collapse. The league stuck to its doctrine of collective responsibility and arranged for international loans for both countries. Commissioners were sent to supervise how the money was spent to avoid potential corruption and ensure funds were allocated appropriately. As a

<sup>60</sup>See Article 23, "Covenant of the League of Nations", "Treaty of Versailles". and Minority Rights Treaties.

<sup>61</sup><https://www.scribd.com/doc/38066047/The-League-of-Nations-Functions-and-Causes-of-Failure> last assessed on 19th February, 2018

result of the league's intervention, both nations were able to begin economic recovery. This heralded a new age of economic cooperation exactly what the covenant and its signatories had envisaged.

**g. Settlement of international disputes and Prevention of small wars among nations**

The League of Nations prevented the occurrence of small wars selected efforts in this regard have been carefully detailed as follows:

i. **Albania:**

The border between Albania and Yugoslavia remained in dispute after the Paris Peace Conference in 1919, and Yugoslavian forces occupied some Albanian territory. After clashes with Albanian tribesmen, the Yugoslav forces invaded farther. The League was asked to intervene. It decided in favour of Albania, and the Yugoslav forces withdrew in 1921, albeit under protest. War was again prevented.

ii. **Upper Silesia:**

The Treaty of Versailles had ordered a plebiscite in Upper Silesia to determine whether the territory should be part of Germany or Poland. In the plebiscite, roughly 59.6% of the votes were cast for joining Germany, and this result led to the Silesian Uprising in 1921. The League was asked to settle the matter. It decided that the land should be split; the decision was accepted by both countries and by the majority of Upper Silesians.

iii. **Saar:**

Saar was a province formed from parts of Prussia and the Rhenish Palatinate that was established and placed under League control after the Treaty of Versailles. A plebiscite was to be held after fifteen years of League rule, to determine whether the region should belong to Germany or France. The plebiscite went in favour of Germany referendum and became part of Germany again in 1935.

iv. **Mosul:**

The League resolved a dispute between Iraq and Turkey over the control of the former Ottoman province of Mosul in 1926.

v. **Liberia:**

Following rumours of forced labor in the independent African country of Liberia, the League launched an investigation into the matter, particularly the alleged use of forced labor on the massive Firestone rubber plantation in that country. In 1930, a report by the League implicated many government officials in the selling of contract labor, leading to the resignation of President Charles D.B. King, his vice-president and numerous other government officials. The League followed with a threat to establish a trusteeship over Liberia unless

reforms were carried out, which became the central focus of President Edwin Barclay.

vi. **Other successes of the League of Nations:**

The League also worked to combat the international trade in opium and sexual slavery and helped alleviate the plight of refugees, particularly in Turkey in the period to 1926. One of its innovations in this area was its 1922 introduction of the Nansen passport, which was the first internationally recognised identity card for stateless refugees. Many of the League's successes were accomplished by its various Agencies and Commissions such as: The 1925 Locarno Pact, Briand's Plan for a European Union, The Protection of Minorities, The Mandate System, Financial reconstruction of Austria and Hungary, The Economic conference of 1927 and 1933, Transit, Transport and Communications, The Health Organization, Opium and Dangerous drugs, intellectual Co-operation and the repatriation of Prisoners of war and the problem of Refugees.<sup>62</sup>

**X. GENERAL WEAKNESSES OF THE LEAGUE OF NATIONS**

**a. Failure to disarm fully the already armed nations**

Article eight of the League's covenant gave the League the task of reducing "armaments to the lowest point consistent with national safety and the enforcement by common action of international obligations"

A significant amount of the League's time and energy was devoted to disarmament even though many member governments were uncertain that such extensive disarmament could be achieved or was even desirable.

The Allied Powers were also under obligation from the Treaty of Versailles to attempt to disarm and the armament restrictions imposed on the defeated countries had been described as the first step toward The League Covenant assigned the League the task of creating a disarmament plan for each state but the Council devolved this responsibility to a special commission set-up in 1926 to prepare for the 1932 World Disarmament Conference. Members of the League held different views towards disarmament and eventually did not honor the disarmament treaty.

**b. Eventuality of world war II**

<sup>62</sup>LeRoy Bennett, *International Organisations: Principles and Issues* New Jersey: Prentice Hall Inc., 1982)

The onset of the Second World War demonstrated that the League had failed in its primary purpose, which was to avoid any future world war. There were a variety of reasons for this failure, many connected to general weaknesses within the organization. The League, like the modern United Nations, lacked an armed force of its own and depended on the Great Powers to enforce its resolutions, which they were very reluctant to do.<sup>63</sup> The League's two most important members, Britain and France, were reluctant to use sanctions and even more reluctant to resort to military action on behalf of the League. So soon after World War I, the populations and governments of the two countries were pacifist. The British Conservatives were especially tepid on the League and preferred, when in government, to negotiate treaties without the involvement of the organization.<sup>64</sup> Ultimately, Britain and France both abandoned the concept of collective security in favour of appeasement in the face of growing German militarism under Adolf Hitler.

#### **c. Allowing membership of tainted members like Germany**

The League had accepted Germany as a member in 1926, deeming it a "peace-loving country," but Adolf Hitler pulled Germany out when he came to power in 1933. Another major power, the Bolshevik Soviet Union, was a member only from 1934, when it joined to antagonize Germany (which had left the year before), to December 14, 1939, when it was expelled for aggression against Finland. In expelling the Soviet Union, the League broke its own norms. Only 7 out of 15 members of the Council voted for the expulsion: Great Britain, France, Belgium, Bolivia, Egypt, South African Union and the Dominican Republic, which was not a majority of votes as was required by the Charter to do so. Three of these members were chosen as members of the Council the day before the voting: (South African Union, Bolivia and Egypt).

#### **d. Constitutional Defect (Unanimity)**

The League of Nations failed because of certain constitutional defects. In the cases of disputes brought before the council of the League under Article 11, decisions of the council had to be unanimous in order to adjudge a nation guilty of having violated the covenant by resort to war or unjustifiable aggression, In Article 15. If the decisions were not unanimous verdict under Article 11, the disputing parties were free to resume the hostilities after a period of 3 months. By allowing exceptions, the covenant seemed to assume that

was remained the normal solution of international disputes.

#### **e. Partiality of the league in punishing super powers**

Economic sanctions, which were the most severe measure the League could implement short of military action, were difficult to enforce and had no great impact on the target country because they could simply trade with those outside the League. The problem is exemplified in the following passage;

**... 'As regards the military sanctions provided for in paragraph 2 of Article 16, there is no legal obligation to apply them... there may be a political and moral duty incumbent on states... but, once again, there is no obligation on them....'**<sup>65</sup>

The rise of dictatorship in Italy, Japan and Germany also weakened the chances of success of the League of Nations. Japan was determined to acquire fresh territories and her unscrupulous patriotism threw to the winds of all principles of international law and morality. If the League was prepared to condone her fault of conquering Manchuria. She was prepared to give up her membership of the League and that is exactly what she actually did. When the League decided to take action against Italy on account for her aggression in Abyssinia, Italy left the League. In the wake up spreading dictatorship states continued to be the members of the League so long as their national interest were not in any way endangered and sacrificed.

#### **f. The United States failure to join the league**

One key weakness of the League was that the United States never joined, which took away much of the League's potential power. Even though US President Woodrow Wilson had been a driving force behind the League's formation, the United States Senate voted on November 19<sup>th</sup>, 1919 not to join the League. The reasons adduced are that America had suffered civilian casualties in the war, and many people in the USA wanted to keep America out of European affairs. This policy was called isolationism. Joining the league meant that this might involve having to do things that might set back the economy or damage America otherwise. America had had enough of wars and dealing with other countries problems. They also

<sup>63</sup> Bennet at page 14

<sup>64</sup> Bennet at page 18

<sup>65</sup> *The Essential Facts About the League of Nations*, a handbook published in Geneva in 1939:

had little or no support for British or French policies or the Treaty of Versailles, which they refused to accept. So although when the League was actually being formed Woodrow Wilson still backed America joining it, by this time and, despite Wilson, America never joined the League.

Motivated by Republican concerns that the League would commit the United States to an expensive organization that would reduce the United States' ability to defend its own interests, Senator Lodge led the opposition to joining the League. Where Wilson and the League's supporters saw merit in an international body that would work for peace and collective security for its members, Opponents feared the consequences of involvement in Europe's tangled politics, now even more complex because of the 1919 peace settlement. More generally, they adhered to the United States' traditional aversion to commitments outside the Western Hemisphere. Wilson and Lodge's personal dislike of each other poisoned any hopes for a compromise, and in March 1920, the Treaty and Covenant were defeated by a 49-35 Senate vote. Nine months later, Warren Harding was elected President on a platform opposing the League.

The League also further weakened when some of the main powers left in the 1930s. Japan began as a permanent member of the Council, but withdrew in 1933 after the League voiced opposition to its invasion of the Chinese territory of Manchuria. Italy also began as a permanent member of the Council but withdrew in 1937.

#### **g. Unequal Power sharing**

At no stage of its history did the League represent the world balance of forces. The U.S.A. never became its member and Russia stepped in only in 1934. Thus its effectiveness as an instrument of the world peace suffered. In absence of Russia and America, it was actually dominated by the Anglo-French powers and became an instrument of their policy in Europe and since these powers were not interested in peace so much as in maintenance of their imperialist domination and destruction of Soviet Union, the League of Nations never had a chance to succeed.

#### **h. The failure of the Unanimity principle**

The League of Nations was founded on the principle of unanimity of all the members except those who were party to a dispute. Thus every single member including the smallest had the right to veto. This system had two very important consequences. A small power could very irresponsibly hamstring the League in its action against an aggressor. For instance aid to Republican Spain and condemnation of Fascist attack against Spain was prevented by a hostile

vote of Portugal. The small powers who could not have the responsibility of maintaining world peace, could yet wreck it. The big powers very often used small powers as stalking horses from behind the veto of a small member and thus escaped responsibility for a particular decision before their own people and world public opinion

On 23 June 1936, in the wake of the collapse of League efforts to restrain Italy's war of conquest against Abyssinia, British Prime Minister Stanley Baldwin told the House of Commons that collective security "failed ultimately because of the reluctance of nearly all the nations in Europe to proceed to what I might call military sanctions. The real reason, or the main reason, was that we discovered in the process of weeks that there was no country except the aggressor country which was ready for war. If collective action is to be a reality and not merely a thing to be talked about, it means not only that every country is to be ready for war; but must be ready to go to war at once. That is a terrible thing, but it is an essential part of collective security." It was an accurate assessment and a lesson which clearly was applied in the formation of the North Atlantic Treaty Organization, which stood as the League's successor insofar as its role as guarantor of the security of Western Europe was concerned.<sup>66</sup>

## **XI. SPECIFIC FAILURES OF THE LEAGUE OF NATIONS**

### **Failure to establish the illegality of the use of force or war in dispute settlement**

The general weaknesses of the League are illustrated by its specific failures.

- i. Cieszyn:** Cieszyn is a region between Poland and today's Czech Republic, important for its coal mines. Czechoslovakian troops moved to Cieszyn in 1919 to take over control of the region while Poland was defending itself from invasion of Bolshevik Russia. The League intervened, deciding that Poland should take control of most of the town, but that Czechoslovakia should take one of the town's suburbs, which contained the most valuable coal mines and the only railroad connecting Czech lands and Slovakia. The city was divided into Polish Cieszyn and Czech. Poland refused to accept this decision; although there was no further violence, the diplomatic dispute continued for another 20 years.

<sup>66</sup>F.S. Northedge, *The League of Nations: Its Life and Times, 1920-1946*

**ii. Vilna, 1920:** Poland and Lithuania both regained the independence after World War I. The city of Vilna was made the capital of Lithuania, despite being mainly Polish in ethnicity. During the Polish-Soviet War in 1920, a Polish army took control of the city. The League intervened and chose to ask Poland to withdraw: the Poles did not. Eventually, the League accepted the city as a Polish town on March 15, 1923. Thus the Poles were able to keep it until Soviet invasion in 1939. Lithuanian authorities declined to accept the Polish authority over Vilna and treated it as a constitutional capital. It was not until the 1938 ultimatum, when Lithuania resolved diplomatic relations with Poland and thus de facto accepted the borders of its neighbour.

**iii. Invasion of the Ruhr Valley, 1923:** Under the Treaty of Versailles, Germany had to pay reparations. They could pay in money or in goods at a set value; however, in 1922 Germany was not able to make its payment. The next year, France and Belgium chose to act upon this, and invaded the industrial heartland of Germany, the Ruhr, despite this being indirect contravention of the League's rules. With France being a major League member, and Britain hesitant to oppose its close ally, nothing was done in the League. This set a significant precedent – the League rarely acted against major powers, and occasionally broke its own rules.

**iv. Corfu, 1923:** One major boundary settlement that remained to be made after World War I was that between Greece and Albania. The Conference of Ambassadors, a body of the League, was asked to settle the issue. The Council appointed Italian general Enrico Tellini to oversee this. On 27 August 1923, while examining the Greek side of the border, Tellini and his staff were murdered. Italian leader Benito Mussolini was incensed, and demanded the Greeks pay reparations and execute the murderers. The Greeks, however, did not actually know who the murderers were.

On 31 August, Italian forces occupied the island of Corfu, part of Greece, with fifteen people being killed. Initially, the League condemned Mussolini's invasion, but also recommended Greece pay compensation, to be held by the League until Tellini's killers were found. Mussolini, though he initially agreed to the League's terms, set about trying to change them. By working on the

Conference of Ambassadors, he managed to make the League change its decision. Greece was forced to apologize and compensation was to be paid directly and immediately. Mussolini was able to leave Corfu in triumph. By bowing to the pressure of a large country, the League again set a dangerous and damaging example. This was one of the League's major failures.

**v. Mukden Incident, 1931-1933:** The Mukden Incident was one of the League's major setbacks and acted as the catalyst for Japan's withdrawal from the organization. In the Mukden Incident, also known as the "Manchurian Incident", the Japanese held control of the South Manchurian Railway in the Chinese region of Manchuria. They claimed that Chinese soldiers had sabotaged the railway, which was a major trade route between the two countries, on September 18<sup>th</sup>, 1931. This new country was recognized internationally by only Italy and Germany – the rest of the world still saw Manchuria as legally a region of China. In 1932, Japanese air and sea forces bombarded the Chinese city of Shanghai and the short war of January 28 Incident broke out. The Chinese government asked the League of Nations for help. When the League declared Japan to be in the wrong and demanded Manchuria be returned to the Chinese, Japan withdrew from the League in 1933. According to the Covenant of the League of Nations, the League should have now placed economic sanctions against Japan, or gathered an army together and declared war against it. However, neither happened. Economic sanctions had been rendered almost useless. Japan was therefore left to keep control of Manchuria, until the Red Army of the Soviet Union took over the area and returned it to China at the end of World War II in 1945.

**vi. Chaco War, 1932:** The League failed to prevent the Chaco War between Bolivia and Paraguay in 1932 over the arid Chaco Boreal region of South America. When the Bolivian army attacked a Paraguayan garrison at Vanguardia, Paraguay appealed to the League of Nations, but the League did not take action when the Pan-American conference offered to mediate instead.

**vii. Spanish Civil War, 1936 – 1939:** On 17 July 1936, armed conflict broke out between Spanish Republicans (the left-wing government of Spain) and Nationalists (the right-wing rebels, including most officers of the Spanish Army). Alvarez del Vayo, the Spanish minister of foreign affairs, appealed to the League

in September 1936 for arms to defend its territorial integrity and political independence. However, the League could not itself intervene in the Spanish Civil War nor prevent foreign intervention in the conflict. Hitler and Mussolini continued to aid General Franco's Nationalist insurrectionists, and the Soviet Union aided the Spanish loyalists. The League did attempt to ban the intervention of foreign national volunteers.

#### **viii. Italian invasion of Abyssinia, 1935-1936**

In October 1935, Italy invaded Abyssinia (Ethiopia) and captured Addis Ababa in May 1936. The Italians used chemical weapons (mustard gas) and flame throwers against the Abyssinians. The League of Nations condemned Italy's aggression and imposed economic sanctions in November 1935, but the sanctions were largely ineffective. As Stanley Baldwin, the British Prime Minister, later observed, this was ultimately because no one had the military forces on hand to withstand an Italian attack. On 9 October 1935, the United States (a non-League member) refused to cooperate with any League action. It had embargoed exports of arms and war material to either combatant (in accordance with its new Neutrality Act) on 5<sup>th</sup> October and later (29 February 1936) endeavored (with uncertain success) to limit exports of oil and other materials to normal peacetime levels. The League sanctions were lifted on 4 July 1936, but by that point they were a dead letter in any event. As was the case with Japan, the vigor of the major powers in responding to the crisis in Abyssinia was tempered by their perception that the fate of this poor and far-off country, inhabited by non-Europeans, was not a central interest of theirs.

#### **ix. Axis re-armament**

The League was powerless and mostly silent in the face of major events leading to World War II such as Hitler's remilitarization of the Rhineland, occupation of the Sudetenland and Anschluss with Austria, which had been forbidden by the Treaty of Versailles. As with Japan, both Germany in 1933 – using the failure of the World Disarmament Conference to agree to arms parity between France and Germany as a pretext – and Italy in 1937 simply withdrew from the League rather than submit to its judgment. The League commissioner in Danzig was unable to deal with German claims on the city, a significant contributing factor in the outbreak of World War II in 1939. The final significant act of the League was to expel the Soviet Union in December 1939 after it invaded Finland.

## **XII. DEMISE AND LEGACY OF THE LEAGUE OF NATIONS:**

With the onset of World War II, it was clear that the League had failed in its purpose to avoid any future world war. During the war, neither the League's Assembly nor Council was able or willing to meet, and its secretariat in Geneva was reduced to a skeleton staff, with many offices moving to North America.<sup>67</sup>

After its failure to prevent one war, it was decided in 1945 at the Yalta Conference, to create a new body to supplant the League's role. This body was to be the United Nations. Many League bodies, for instance the International Labour Organization, continued to function and eventually became affiliated with the UN. At a meeting of the Assembly in 1946, the League dissolved itself and its services, mandates, and property were transferred to the UN.<sup>68</sup>

The structure of the United Nations was intended to make it more effective than the League. The principal Allies in World War II (UK, USSR, France, U.S., and China) became permanent members of the UN Security Council, giving the new "Great Powers" significant international influence, mirroring the League Council. Decisions of the UN Security Council are binding on all members of the UN; however, unanimous decisions are not required, unlike the League Council. Permanent members of the UN Security Council were given a shield to protect their vital interests, which has prevented the UN acting decisively in many cases. Similarly, the UN does not have its own standing armed forces, but the UN has been more successful than the League in calling for its members to contribute to armed interventions, such as the Korean War, and peacekeeping in the former Yugoslavia. However, the UN has in some cases been forced to rely on economic sanctions. The UN has also been more successful than the League in attracting members from the nations of the world, making it more representative.<sup>69</sup>

---

<sup>67</sup>F.S. Northedge, *The League of Nations: Its Life and Times, 1920-1946*

<sup>68</sup>J. Holmes *The League of Nations: Its Life and Times, 1920-1946*

<sup>69</sup>Jacobs, *Aletta Henriette (1996). Feinberg, Harriet; Wright, Annie (translator), eds. Memories: My Life as an International Leader in Health, Suffrage, and Peace. New York, New York: Feminist Press at City of New York. [ISBN 978-1-55861-138-2](https://doi.org/10.1215/00141801-2013-002).*

### XIII. WHY DID THE LEAGUE OF NATIONS FAIL?

Maurice Vaïsse (1993) has summarized the explanations in the following manner: It failed because it was an imperfect instrument for achieving disarmament; It failed because the League was not universal; It failed because of the confrontation between Great Britain and France; It failed because there were domestic forces inside the countries hostile to disarmament; It failed because the Disarmament Conference was convened too late, under hostile conditions; It failed because of the confrontation between France and Germany at the Disarmament Conference; It failed because of the overly ambitious aims and the practical problems involved in the reduction of armaments.<sup>70</sup>

Frederick Northedge has argued that the League failed because it was seen as the defender of the status quo, the infamous Versailles settlement.<sup>71</sup> On April 18, 1946, the League Assembly adjourned after taking the necessary steps to terminate the existence of the League of Nations and transfer its properties and assets to the United Nations. On August 1, this transfer took place at a simple ceremony in Geneva. Thus, an important and, at one time, promising experiment in international cooperation came formally to an end.<sup>72</sup>

In my view the league lacked a strong attribute of synergy in the oneness of its member nations. Stemming from a host of war situations the stronger nations were yet to realize the full essence of the objectives of the League of Nations and were clearly not ready to reduce the rivalry and conflicting interests they acquired in economic territoriality of smaller nations and territories they could conquer. It was also difficult to allow respective diverse international policies of domestic nations to give way to one another under this common umbrella of the League of Nations and this explains the power imbalance among the

<sup>70</sup>Vaïsse 1993.

<sup>71</sup>Northedge 1986, 288-289

<sup>72</sup> LHLAND M. GOODRICH, Professor of Political Science at Brown University and Professor of International Organization at the Fletcher School of Law and Diplomacy, was Secretary of the Committee on the Pacific Settlement of Disputes of Commission III at the United Nations Conference at San Francisco. He is co-editor of the Documents on American Foreign Relations series, co-author, with Edvard Hambro, of Charter of the United Nations: Commentary and Documents, and a former Director of the World Peace Foundation

member nations, the pulling out of certain members and America's lack of interest in the affairs of the League of Nations.

### XIV. FROM THE LEAGUE OF NATIONS TO THE UNITED NATIONS

The foundation of the United Nations was laid on the ashes of the League of Nations.<sup>73</sup> The League's failure to avert the war and promote the cause of peace reiterated the conviction of the People all over the world to work out for enduring peace. The name "United Nations" was devised by President Franklin D. Roosevelt and was first used in the declaration by 'United Nations' of 1 January 1942 during the war when representatives of 16 nations pledged their government to continue fighting together against the axis powers.

In 1941 American President Roosevelt made a declaration and said the every nationality had the right to have a separate state. He gave the suggestion of an International Organization which could protect the following freedom of the people: Freedom of speech and expression; Freedom of Religion and worship; Freedom from Fear and Insecurity and Freedom from Want. Its declaration provides as follows:

**"We the people of the United Nations" Determined to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind, and to reaffirm faith in the fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small and to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained and to promote social progress and better standards of life in larger freedom...".**

Comparisons between the League of Nations and its successor the United Nations emphasize the contrasts between the two organizations rather than their similarities. This tendency is understandable when viewed from the perspective of 1945 when the UN came into existence. The view of the League held almost universally at that time was one of weakness and failure. The League had not performed the function that it had been created for: the prevention of a second world war.<sup>74</sup>

<sup>73</sup> United Nations objectives and Principles

<sup>74</sup> See Herman Finer, The United Nations Economic and Social Council, Boston, 1945, 121 p.;

Now, in the aftermath of that conflict a new organization was being forged to succeed where its discredited predecessor had failed. This negative attitude towards the League was natural, but it was also driven by political calculation. In order to sell the idea that the League of Nations should actually have a successor to a skeptical, war-hardened world, the United Nations had to be presented as something new and historically unique.<sup>75</sup>

One point that has been made in favor of the United Nations as a special claim to uniqueness is that its Charter is an independent instrument, unconnected with the treaties which are in process of being made for settling the political and economic issues of World Wars. In contrast, it is argued that the League, by virtue of the fact that its Covenant was made at the Paris Peace Conference, and incorporated in each of the peace treaties, was from the beginning so involved in the issues of the peace settlement that it was never able to overcome the initial handicap of being a League to enforce the peace treaties.<sup>76</sup>

Like the League of Nations, the United Nations is a "general international organization"<sup>77</sup> in the sense that its functions and actions cover the whole range of matters of international concern. Both the Preamble and the statement of Purposes contained in Article I of the Charter make this clear. In fact this generality of purpose and function is more explicitly stated in the Charter than it was in the Covenant, though in the practice of the League it came to be fully recognized. The Charter of the United Nations, in its general arrangement and substantive provisions, divides the major activities of the Organization into three categories: (1) the maintenance of international peace and security, by the pacific settlement of disputes and the taking of enforcement measures; (2) the promotion of international economic and social cooperation; and

---

also Report of the Preparatory Commission of the United Nations, PC/20, December 23, 1945, p. 40-48.

<sup>75</sup> See, for example, Denys P. Myers, Handbook of the League of Nations, Boston, 1935, for evidence of the relative importance on a quantitative basis, at least, of the League's economic and social activities during the first fifteen years of the League's existence

<sup>76</sup> See Margaret E. Burton, The Assembly of the League of Nations, p. 284 et seq

<sup>77</sup> For analysis of the United Nations system for the enforcement of peace and security, see Grayson Kirk, "The Enforcement of Security," in Yale Law Journal, LV (August 1946), p. 1081-1196.

(3) the protection of the interests of the peoples of non-self-governing territories.

## XV. CONCLUSION

The League of Nations was based on a concept of collective security against the criminal threat of war. Unfortunately, the league rarely implemented its available resources, limited though they were, to achieve this preserving peace, the league had some minor successes, including settlement of disputes. The league was powerless to prevent the events in Europe that led to World War II. This is why it voted for its own dissolution, whereupon much of its property and organization were transferred to the UN.

The league has provided the groundwork for the UN to thrive by advanced means of strength in its operational guiding principles. But I must say that the UN is desirous of more competent decision making processes to strengthen its objectives largely because it profited by the mistakes of the League of Nations and borrowed much of the organizational machinery of the league. It must be active in its policies and must ensure strict compliance to its charter by all member nations in the wake of Modern trends of terrorist actions all over the world with unfortunate consequences of death and incessant killings, slave trading and other international economic hazards.