

In the interests, then, of peace ~~and~~ though not of
course of righteousness, attention may be fixed on the
grievances of those States which, because of the present
or potential strength of themselves or their friends, are
so situated as to be possessed of "nuisance-value". By
the same token it is not necessary that grievances be
particularly well-founded, if only they be keenly enough
felt.

Again, in the treatment of such cases, abstract
justice may be an imperfect guide to the change that will
exorcise the danger of war. Where the "lion" - and there
are other lions besides the British specimen - has been
used to obtaining the "lion's share" of such good things
as might be going, the interests of peace, as distinct
from justice, may require that the lion, when deigning to
lie down with the lamb, be not expected to live on the
lamb's diet. If our aim is to create the conditions of
security and of justice both at once, our problem becomes
more difficult, more impossible perhaps, to solve. At
all events ~~the~~ subject for our Conference is "security"
with no qualification beyond that of being "collective".
If our reflections should lead us to conclude that some-
times peace can be safeguarded only so to say at the
expense of justice, it behoves us candidly to record our
finding, leaving it to the statesmen and the peoples to
say whether the maintenance of peace is in all contexts
an absolutely desirable object of diplomatic solicitude.

Of the "revisionist" cases there may thus be
some where the policy of "sitting on the safety valve"
can be followed with a hope of thereby excluding the
danger of war. For good or ill, however, there may also

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cases where this is not to be assumed. It is necessary to acknowledge that we have not as yet a satisfactory way of settling problems of this sort - to say nothing of what are shortly styled cases of "domestic jurisdiction". If the complete renunciation of force must wait upon the evolution of ways of "settling" all kinds of international difficulties, we shall, at present, be bound to declare that the time is not yet ripe for an all-in renunciation of force. But the "settlement" of the disputed issue is not the only way of "handling" a dispute-situation. The League Covenant, in its 11th, if not also in its 15th article, offers ways which, though imperfect, would seem to be at least as promising as any other hitherto suggested for ventilating these intractable issues and apprising the world of their essential nature. Conciliation commissions have appealed to some minds as a more propitious form of machinery than the Council, but whether at the Council table or elsewhere, conciliation proceedings have it as their essential characteristic that they offer no certainty of producing a settlement. Meanwhile, force being excluded, it will, no doubt, be wholly to the good that dissatisfied governments should at least have some regular and recognised means of seeking public sympathy and collecting diplomatic support.

Our conclusion, therefore, is that while the progressive development of pacific procedures will lessen the degree of insecurity in the modern world there does not in the present state of international affairs appear to be much prospect of this process wholly eliminating in any near future the kind of crisis to be feared. It will evidently be necessary, therefore, if security is to be complete, not merely that States should so far as possible keep out of dangerous situations, but also, where delicate crises do in fact occur,

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that they should be directly restrained from having recourse to violence. The hard core, that is to say, of the security problem is the question of sanctions.

At least in the generality of cases the more powerful members of the international family should, if sufficiently determined, be easily able to restrain the intending peace-breaker. It is, moreover, no doubt true that given, on their part, the necessary determination in this sense the formal obligation to take sanctions will probably be not indispensable. If, however, they should be found willing to promise beforehand specific action in defined contingencies there may seem to be certain advantages in allowing the potential "aggressor" to know just what he ought to expect. In the present paper it will not be supposed that, failing the establishment of an "automatic" system, the prospect of offering an effective deterrent is necessarily hopeless: but it will be assumed as an axiom that, could an "automatic" system be actually brought to exist, its potency as a deterrent might well avert the need of its ever being put into use.

What form ought the obligations in such case to receive? For theoretical purposes the possible measures are commonly classified as being either military or non-military. By some writers it is even supposed that States, by limiting their promises to the one kind, may count on being free to avoid the other. It is probably wise to admit that this is not so, and that a general promise of non-military measures should be deemed to connote a willingness, if challenged by a desperate and resolute aggressor, to "follow up" with measures of a military kind. To answer, as some have done, that economic sanctions do not necessarily lead to anything

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more, is to evade the real point, namely that the ~~message~~ is equally true: they do not necessarily not lead to anything more. Whether this constitutes a serious objection to "economic" sanctions may be left as a matter for debate.

A more troublesome objection to "automatic" sanctions is the supposition that, unless too vaguely prescribed to suit their advocates, they are bound to envisage a uniform plan of campaign for an almost infinite variety of possible strategic circumstances. However, if the plans are to be at all detailed, it would seem essential that they should be separately worked out for adaptation to every imaginable contingency.

The pure theory offers us a world in which Belgium will have made her dispositions for siding, should the case arise, with Germany against France, Czechoslovakia will have prepared to assist Hungary against Roumania, and the countries of Europe will have a common plan for defending Haiti against the United States.

Then, too, let it be admitted that in some exceptional positions the immediate success of attempted collective sanctions might not after all be a foregone conclusion. It is perhaps not unduly cynical to doubt if, even in fulfilment of a formal pledge, sovereign States can be counted upon to choose war, or a path which may lead thereto, in circumstances where the prospect of success is unclear. How at all events could the world put its trust in such a programme? In practice there may be more use in a vague and general moral obligation loyally to further the efforts of an international organ wisely and effectively to safeguard peace than in a legally absolute pledge to act in some specific manner regardless of the likelihood or unlikelihood that such action will achieve the end in view.

20 Assuming, however, the existence of an adequate sanctions plan, it remains to consider in what circumstances the system would be destined to function. What should be the test of "aggression"? And, the case arising, who would apply the test? Is the defining of aggression, as some have contended, a self-defeating business, inasmuch as, with enough ingenuity, the peace-breaker could find a loophole in any hard and fast form of words? This difficulty is probably overdone.

Whether there be accepted an exhaustive enumeration of the acts that are to be deemed aggressive, or whether there be preferred a general and abstract renunciation of "force", it ought not to be easy for an aggressor to frustrate an international society genuinely imbued with the philosophy of a co-operative maintenance of peace. The more difficult question is, Who is to apply the accepted test? Two possibilities may be seen. The individual State either will, or will not, have agreed to apply sanctions even where itself doubtful if aggression has really occurred. In other words States may, or may not, be ready to agree that he who has by a named international organ been duly declared the aggressor shall necessarily be treated as such. Supposing, however, that the States are so ready, we must now point out, as the real central problem, that of the membership and procedure of the organ by which so vital and delicate a responsibility is to be borne. The mere student can only observe that this is indeed the central problem and leave it for the statesmen to solve. So far as the student is concerned, any politically acceptable solution should do.

One possibility has already been noticed, and adopted, for the purposes of the League's Convention on Financial Assistance. Here, by a somewhat subtle combination of

st, doubtful, resort left to the League Council, acting, if necessary, by a bare majority vote. If this method may be taken to have found favour it might perhaps be applied for a wider purpose.

Again, if by any chance the parties to a conflict had all of them accepted the League's Convention to Improve the Means of Preventing War, their attitude at the time of crisis would no doubt be treated as raising the presumption envisaged in that text.

Although there might in such cases be no risk that a clear indication of the "aggressor" would not be forthcoming one may still be tempted to wonder if States would really abide by what seemed to them an erroneous determination. If called on to act against a friend who appeared to us the victim of aggression, what would most of us do? It will be difficult enough for Belgium to side against France when, if ever, the case is clear. Where the case seems doubtful, or where Belgium thinks France has, in effect or in reality, been attacked, what pre-arranged procedure will serve to induce her seriously to treat France as the aggressor? If it be assumed that in practice such ambiguous cases will never occur, then why contemplate reference to an international organ at all?

What then shall we say?

Any constructive proposal for the solving of the sanctions problem must satisfy two conditions. It must on the one hand threaten at least such minimum of disagreeable possibilities as will be needed if the intending aggressor is to be deterred. This condition students are not apt to ignore. The other requirement is that the system shall not

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demand of "sanctioning" States more than the maximum of what they will willingly grant. It is not after all essential that the sanctions scheme be quite certain to work; (it is of some value if there be no certainty that it will not.) If "sanctioning" promises are to be forthcoming the conditions, again, appear to be two. The system must not invite States to promise action where action would probably be suicidal. Nor must it do so where action would be palpably unjust. For what it may be worth a suggestion will here be offered to cover those two points. (It is not put forward with any great confidence in the likelihood of its winning acceptance.)

As already argued, the States, so far from plodging themselves to specific measures of a more concrete kind, might merely promise to "cooperate loyally and effectively" in furtherance of, say, the League's efforts to safeguard peace, employing for this purpose such measures of all kinds as, at the suggestion of, say, the League Council, they may, in the circumstances, judge conducive to the desired result. Secondly, it ought not to be possible for sanctions to be stigmatised as a device for making the world safe for "forward", i.e. for provocative, diplomacy. The "guaranteed" State ought not to feel authorised to "bait" the potential aggressor. An independent body of wise, honest and respected persons might be selected (e.g. from a pre-existing panel of available referees), who, sitting as a tribunal, should hear and pronounce upon allegations that the policy of such and such a State was not calculated to facilitate the preservation of peace. An affirmative finding by, say, a two-thirds majority of such body might be deemed to effect a suspension of the operation of the sanctions system.

So much for the problem of sanctions.