

I may parenthetically observe, was two days before the end of the Assembly—having received that assurance it went on to say that, if the Ambassadors were satisfied that Greece had not carried out with due care its obligations to search for and punish the criminals, then they reserved to themselves the right to impose further penalties on Greece, including the payment of the whole 50,000,000 lire, without any reference to the International Court. That was the note of the 13th September. On that we were not called upon to make any observations, because both Greece and the Italians accepted the note, and so far as the League was concerned the matter was at an end.

Part played by League in Settlement.

A settlement had been effected; we had done the best we could to effect that settlement; and I am convinced that the concentration of public opinion at Geneva was one of the great factors in promoting what was, after all, a very rapid pacific solution of an exceedingly difficult question. On the 17th September there was a meeting of the Council, at which we took note of this settlement, and I took the opportunity of explaining very much what I have explained to the Conference here, what seemed to us the duty of the League in cases of this kind. On the 18th the Italian representative made a further statement as to his objection to the competence of the League. It was, I think one may say without impertinence, more moderate than the previous declarations had been, and thereupon it was agreed that we should take means to clear up definitely and for ever, as far as one could, all these legal questions that had been raised, the question of competence and the question of the right to seize territory in order to enforce demands—I will deal with that in a moment—and also the question of the responsibility for political crimes committed on the territory of a State. I need not trouble the Conference with the details of the negotiations that then took place. A number of meetings of the Council took place, and we called in our legal advisers. They drew up five questions which raised these matters, and they were accepted, together with a declaration, to which I shall refer in a moment, by the Italian Government.

Discussion in Assembly.

On the 28th—and this is the last date I shall have to trouble the Conference with—there was a meeting of the whole Assembly, when, for the first time, the Assembly thought it was right for them to discuss and express an opinion upon these events. It was begun by the President of the Council, Viscount Ishii, reading the resolutions to which the Council had come. He was followed by M. Branting, who expressed certain criticisms, particularly that the matter had not been referred directly to the International Court of Justice. I made some observations.

Then occurred a really rather remarkable demonstration. Eight or ten representatives from all parts of the world, from all four quarters of the globe, one after the other, expressed in the strongest way their conviction that the League was competent to deal with the matter and their regret at some of the incidents that had occurred.

Summary of Position.

May I just try and summarize what seems to me to have been the result? Greece submitted the questions under Articles 12 and 15, and, as I have explained, the Council was bound to entertain them and did entertain them. There was no resort to war, and hence, as the Greeks very truly said, Article 16 did not apply. On the other hand, a very serious question was raised as to the action of the Italian Government in occupying territory in order to enforce a demand against Greece.

Precedents for Italian Action.

That is not as clear a matter as perhaps some of us would wish. Undoubtedly, before the Covenant it had been quite common for countries of all kinds to exercise coercion of that kind. Sir Frederick Pollock called attention to the proceedings in Crete; but there are stronger cases still. There is a case in the early "sixties" where the British Government did almost exactly the same as the Italian Government. A British subject was murdered in Japan by one of the feudal clans. This was before the marvellous changes in Japan. The British Government demanded £25,000 as compensation to the relatives of the murdered man, and £100,000 as compensation to the British Government, and apologies, and the arrest of the criminals. When the criminals were not arrested as quickly as they thought they ought to be arrested the British Fleet bombarded a place called Kagoshima and burned it to the ground. I mention this because it is right that we should realize that, apart from the Covenant, there was nothing unusual, whatever we may think of it as a proper international proceeding, there was nothing unusual in what the Italians did at Corfu. On the other hand, it has raised the question of whether that Covenant permits any such action to be taken by one member of the League against another without at any rate resorting to every means of discussion and debate in order to settle the dispute before such measures are taken.

Defence of Council's Action.

Shortly, I venture to say that the Council did exactly what it ought to have done under the Covenant. Its business was to promote a settlement. If that settlement could not be promoted by diplomacy or by arbitration, which are mentioned under Article 13, its business was to hear and report upon the dispute itself. It carried out that duty of promoting a settlement absolutely, and its suggestions, as I venture to think, for the settlement were of great value and were in themselves quite sound. But once the parties had agreed on settling it in another way than by the report of the Council, it was not only the right but it was the duty of the Council to do everything they could to facilitate the settlement by those means.