

SPEECH ON THE LEAGUE OF NATIONS

Delivered by

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The Committee on Administration ( La Commission de Gestion) has in its written report touched on all those problems of international law which are raised by the notion of the League of Nations.

Yesterday, Mr. Scherrer-Füllemann, member of the National Council, more explicitly stated and explained the commission's attitude regarding these problems : I sincerely thank him for his noble speech, full of precise and instructive information.

For a long time past the Political Departement has devoted to this important problem the attention it deserves. Nothing should be neglected in this respect.

The Political Department has, as you know, secured since the beginning of this year, with the Federal Council's assent, the cooperation, as permanent legal adviser, of Dr. Max Huber, professor at the Zurich University.

I seize this opportunity of thanking the Government of the Canton of Zurich for having freed, until further orders, Professor Huber of his teaching obligations at the University, in order to allow him to devote his entire activity to the Political Department.

One of the main tasks which devolve upon him consists in studying most thoroughly the different problems concerning the international order of the future, so as to provide the Federal Council with a report concerning these questions. His propositions and projects will be examined by a consultative commission: the results of this commission's deliberations will in turn be submitted, with an explanatory statement, to the Federal Council, which will then be able, with full knowledge of the matter, to determine its attitude. The Federal Council intends, in proper time, to submit to the Parliament a report, treating of the whole problem. Professor Huber has begun his studies and the Federal Council has already decided to establish the Consultative Commission to which I have just alluded. The Political Department will in proper time make proposals to the Federal Council concerning this commission's membership.

Let us point out that we are dealing here with investigations and projects of yet entirely theoretical order which are to contribute to our own enlightenment. The examination of these questions, entrusted to the Federal Council's experts, has



nothing to do with the question of knowing if, at a certain moment, the Federal Council is to undertake any mediatory action in view of establishing peace.

The Federal Council's view concerning this matter is already fully known.

To contribute by our mediation to hasten the conclusion of a lasting and just peace, a peace of reconciliation, would be for us and for our country the highest satisfaction we could hope for. But only when we shall be justified in admitting that our intervention is desired by both parties, shall we be able to tender our mediation. Despite the increasing distress which weighs upon our country, despite the fact that our nation eagerly wishes for peace, we do not pretend to force our mediation upon anyone.

This prudent reserve is not only dictated to us by reasons of international political tact and by the particular situation in which neutral Switzerland finds itself. It is clearly also in the interest of all serious efforts in view of peace.

I was anxious to make this statement in order to dispel from the first all misunderstanding.

Nevertheless we naturally feel ourselves entirely free to examine all the problems concerning the establishment of a League of Nations. This is no one's concern but our own, and our neutrality is not at stake. Thus defined and organized, this



preparatory work will, for the benefit of our authorities and of our nation, serve to clear up the problems of the future community of nations and will enable us to cooperate efficiently towards the realisation of this high ideal towards which humanity is tending. We cannot and will not shirk this duty; for it lies in the general lines of history's normal development, which the present terrible war may have delayed but cannot check.

Ever since the Middle Ages gave birth to the Modern States, legal and philosophical theorists as well as practical statesmen have repeatedly expressed the idea of uniting the independent sovereignties into a community of nations. The unity of European culture and the increasing economic interdependency of states on the one hand, the recollection of the terrible consequences of past wars, on the other, have ever and again urged men to seek the conciliation of the different interests of States in an international order based on justice.

The peace of Utrecht was concluded in the year 1713. It put an end to the war of Spanish succession, a conflict which may in many regards be compared to the present war. On that occasion the great European powers thought they had found a key to the problem of international community by founding the world's order and security on the basis of territorial equilibrium. But this equilibrium being guaranteed by no permanent organisation remained absolutely unstable. One century later, humanity under-



went the terrible ordeal of the Great Revolution and of the wars of Napoleon. The storm ended in the Vienna Congress. Here the Holy Alliance was founded, which claimed to apply the principles of Christian ethics to relations between states. But it soon became apparent that this international community headed by five great powers was meant to serve reactionary policy, adverse to independence. So this attempt was doomed to failure and it weakened the great idea of an international community. But the idea survived.

The XIXth century was nearing its close when Europe bethought itself again of the danger which loomed ahead and threatened to drag humanity into the whirlpool of a huge war. The principle of nationalities had expanded and asserted itself. The different states faced each other more compact than ever. The struggle for material power knew no limits. The development of technical science had reached an unprecedented level which allowed and facilitated formidable and deadly armaments. Far-sighted men in the field of politics, economic and military science detected the peril and clearly realized the disastrous consequences which would result from a war of which neither the duration nor the extent could be measured. In order to ward off the danger, Russia in 1899 took the initiative of the first peace congress. During the summer of 1899, delegates of all the European states and of some American and Asiatic states assembled in The Hague. Without



in the least wishing to deprecate the importance of this first congress, it must be admitted that it was, on the whole, a failure. A failure due to the scepticism with which its aims were considered by the officials and diplomats of several states. The blunt indifference or the sarcastic derision which it aroused in wide circles of the common people also contributed in a great measure to mar its results. Here was a great idea misunderstood by a small humanity which proved unworthy of it. Nothing great can be accomplished in any sphere, least of all in that of international relations, without a deep and mighty movement.

The second Hague conference, in 1907, met with no greater success. No satisfactory results were attained, despite the fact that several wished to advance further along the road already gone over at the first conference.

The plans suggested in 1907 hardly offered serious guaranty of peace and the Swiss Federal Council was, therefore, unable to give its adhesion to them.

The chief idea of the 1899 conference, the limitation of armaments, was in no way realised. The agreements made concerning the peaceful solution of international conflicts are in the nature of timid compromises and betray a scepticism which does not dare to peer under the surface and fears to go to the bottom of things.

If now, from the depth of the infinite distress into



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which war has dragged mankind, we look back upon those conferences of 1899 and 1907, we cannot but think that a terrible drama was acted then.

With what an exaggerated distrust, with what a jealous concern of their entire liberty of action, several states, some more, other less, did they not seek to avoid all seriously and effectively binding measures which might secure peace? All such measures were opposed as allegedly incompatible with national sovereignty.

And what now? To-day all these states are chained up in a thousand bonds of mutual dependency which none of them has the power to loosen.

Humanity only, a humanity converted to the idea of international friendship and mutual esteem can change these conditions.

But the inevitable has come to pass. Whereas economic competition and class struggles are regulated within by national legislation, without the clashing of interests between states finally overthrew the comparatively feeble barriers of treaties and of international law and ended in the horrors of the war.

We have been led to consider the history of the last four centuries as that of the domination of Europe over the rest of the world. This period is doubtless at an end. In former times despite the frequency of its wars, Europe had always managed to

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recuperate and to recover the necessary strength to accomplish its universal task, to maintain and increase its predominant situation. This was due to the absence of any other state which could seriously compete with the European powers. In the course of the last century, this situation gradually changed and to-day the world shows us a quite different picture. Outside our continent there have arisen powerful states and peoples, susceptible of great development, which the war has spared entirely or weakened only slightly and which are successfully entering into political and economic competition with the European powers.

The supremacy of Europe is at an end. In my opinion Europe can only seek to take its share of the world's work together with the civilized states of the other parts of the globe. Even this it will only be able to do if a final stop be at last put to the atrocious wars which, regardless of all consequences, have always been waged as a result of the rivalry between European states.

So it has come to pass that out of the distress of the present time there has arisen a cry for a League of Nations, first in France, in England, among the neutrals, then also in Germany and Austria. The President of the United States of America and the Pope have voiced it with peculiar emphasis. The idea which in the past was left to much ridiculed pacifists and theorists has now penetrated into diplomacy and politics where it will prosper and never come to rest.



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Doubtless the schemes suggested by the terms of a League of Peace, a Society of Nations, and similar catch words are varied and the sympathies which they arouse are certainly not everywhere the same. But the ice has been broken.

A lofty ideal, an inspiration to mankind has entered the sphere of practical politics.

Will it stir up humanity so deeply and so universally that all obstacles on the path of its realisation will be overcome? That is the question. For salvation can only come of this great idea if it gains ground everywhere and if the conscience of the nations be deeply and universally permeated with the necessity of a new conception of international policy.

Sooner or later the time must come when a decisive step must be taken. It will then be seen whether true reconstruction and thereby social progress will be possible or whether Europe shall for an indefinite period be again exposed to the repetition of destructive upheavals.

No country can have a more vital interest in the reorganisation of the community of states than Switzerland.

Quite generally I could venture to say that no nation can hope to gain lasting benefits through the unlimited use of its power and through total isolation. Such a policy as that of an all-unbridled might must finally bring ruin upon states and mankind.



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But for a small country like Switzerland legal order is a vital necessity, a policy based on might, a certain and constant cause of danger. The sceptic and distrustful may point to the special dangers to which international engagements, which are indispensable for the establishment of a new legal order and from which no state can escape if it wishes to cooperate in its establishment, expose small states whose development and freedom may be menaced thereby.

But I ask you, does there not exist a far greater and more pressing danger in that the powerful states, making the most of international anarchy and lawlessness, might be tempted whenever they felt so disposed to oppress their feeble neighbors. I am convinced that all that will be done for the prevention of armed conflicts, which more and more assume the character of universal destructive calamities, first of all inure to the benefit of the smaller nations.

The probable imperfection of the international institutions of the future cannot and should not be urged as a sufficient reason for not earnestly striving for their realisation. Switzerland has so much at stake in international conflicts, an atmosphere of ever impending war renders so precarious the very existence of our country, so impedes its development, that we must joyfully welcome all loyal efforts towards a better understanding between nations and towards the strengthening of the idea of peace.



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However, I do not wish to over-emphasize our own national interests.

They are not, in my opinion at least, the exclusive, nor even the decisive factor which should determine Switzerland's attitude.

Above all we have before us, and we should fully realize it, a great ideal of mankind. It is this ideal which we wish to serve disinterestedly, with our entire devotion. Thus without seeking it, our country will derive the highest possible advantage from its cooperation: the consciousness of having faithfully accomplished its task in favour of humanity, and the right and power to maintain its rank as a useful member of the community of nations, entitled to the same rights as its associates.

But, inspite of our ideal hopes for the future, we cannot and will not stray one single moment from the path of the present and immediate realities.

We are unanimous, I am founded to believe, in admitting that Switzerland cannot and must not adhere unconditionnally to a Society of Nations or to any such international institution, but that she shall do so only if sufficient guaranty be secured that our national character, our independence and our equal rights be maintained.

The measure in which a state may bind itself to a higher community is determined by the benefits and the security



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which this community can assure to humanity at large and to every state in particular.

Therefore we will begin by requesting our experts to examine closely all these questions and to determine the conditions on which Switzerland should insist before adhering to the new international legal organisation, if such an organisation is to be created.

National character is and remains the basis of all progressive development. Our world ideal is federative, not cosmopolitan.

And just as the international community of the future must never imply the relinquishment of the different states' national character, so it must never weaken, but strengthen and deepen the conscious devotion of all citizens towards their native country. If any Swiss soldier should allege the hoped-for League of Nations as a pretext for shirking his military duties we would most vigorously oppose such sophistry. As long as our country is exposed to the dangers of war, it is the sacred duty of all her sons to be ready to sacrifice their property and life in the defense of its freedom and independence. He who is not capable of doing his duty towards his own country will not be a useful member of the international community.

From all that I have said, it follows that the strengthening of the principle of law and peace in the relations between



states is the high goal towards which the foreign policy of Switzerland must tend. This ideal is really not new for us: It springs quite naturally from our history and our national character.

Our democracy embraces four linguistic groups, which faithful to their indestructible pact, feel themselves firmly welded into one nation on the basis of mutual respect.

If our country is so dear to us, it is precisely because of this rich diversity of local and linguistic values. This is the most precious source of our national ideals.

This diversity of tongue, this variety of ethnical elements has indeed its difficulties, its complications, occasionally its dangers. Switzerland's history proves it but too clearly.

But we have succeeded in the past and we will succeed in the future, in combining the diversified energies and endeavors of our nation into one mighty national creative activity.

This, however, is only possible if our federal family be animated by feelings of strong self-sacrificing solidarity, and by a spirit of unconditional mutual confidence. This absolute confidence is inconceivable without complete openness and friendliness of purpose.

The greatest Swiss German poet, the ardent patriot Gottfried Keller, has aptly characterized the general tendency of our small and complex country's policy, as being made of "friendship in freedom". Let us remain faithful to this national motto.



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Then despite momentary disagreements, despite passing crises, we will be certain to fulfill our historic mission.

Switzerland's history is as a microcosm of the development of international relations.

And our state with all its political life, appears as the forerunner of the future Society of Nations. Never has a nation had a more clearly defined and more natural international mission than Switzerland at the present time. It is her destiny to favor peace and goodwill among all nations by showing the world by her own example that people of different blood and tongue can be united in a happy community, on the basis of mutual confidence, of freedom and of equality.

As I have said above, the necessity of reorganising international relations has been acknowledged by leading statesmen of most belligerent countries in both camps and also by distinguished statesmen in neutral states. In several countries, commissions have been appointed to study these problems. We are, consequently, not the first to take such a decision.

Concrete propositions have not yet been officially made. This is quite natural, as we are dealing here with extremely difficult problems, with which statesmen and diplomatists have not heretofore very actively busied themselves.

On the other hand we already possess important studies due to private scholars and to men belonging to all classes



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of the population who have devoted much time to the examination of the idea of a League of Nations. I particularly wish to insist upon the fact that we will not only take into consideration the results of researches made by jurists and professional politicians. It would be a most impardonable omission were we to disregard the many and in part very thoughtful monographs due to private individuals. No doubt this rich literature contains obvious errors. But it also offers valuable suggestions which should not be thoughtlessly dismissed.

Our attention will naturally particularly be drawn to the suggestions Mr. Scherrer-Füllemann made yesterday. As far as I am concerned, I am unable at present to formulate definite proposals concerning many of the questions to which the problem of the new legal organisation gives rise. As I have said, I prefer to await the results of our expert's studies.

I will, therefore, make but a few remarks and suggestions for the present. First of all, it is important to clearly define the principles which are to underly the new international organisation, without before deciding on all sorts of details.

The first practical results to be attained are the creation of institutions for the peaceful solution of conflicts between states. Conflicts of a legal nature, which may be examined and judged according to strictly legal rules are to be



submitted to international arbitration. One must strive to bring the states to pledge themselves to submit those clearly defined judicial questions to an arbitration court, if possible without any restrictive conditions.

On the other hand, international disagreements which are not susceptible of being legally judged and settled, must be placed before special mediatory institutions. Here, likewise, it should not be left to the states to decide out of pure whim if they shall resort to this mediation or not. It should at least be possible to obtain that all states pledge themselves to await the proposals of this mediatory body before resorting to war.

The possibility of inducing them beforehand to consider these proposals as binding on both parties is a doubtful matter which must be seriously examined.

It is of serious import that both the arbitration court and the court of mediation be permanent and independent institutions. Otherwise they will hardly be able to accomplish their task and will not be constantly accessible and effective.

All means should persistently be used to draw the attention of all states and of public opinion everywhere to the great importance of these institutions.

Mr. Scherrer-Füllemann has also spoken of the international sanctions which must be foreseen in view of representing transgressions of international law and of enforcing the



execution of decisions which the states might refuse to carry out of their own free will.

That is in truth the most difficult point of the whole problem. The sanction may be found in economic measures and even in military force. The possibility of applying this sanction or that, will depend on the more or less compact cohesion of the international community.

This particularly delicate side of the question cannot be avoided. We must examine it with the utmost care and with special consideration for Switzerland's particular legal and economical situation.

The most important task to be undertaken is thus the guaranty of peace, that is to say the means of avoiding that international disagreements give rise to dangerous conflicts. But this task is not the only one which it is incumbent upon us to consider. We must not neglect the development, in a general sense, of the international legal organisation. The work of the Hague conferences must be systematically carried forward.

I am anxious to declare here that it is useless and even may be prejudicial to conclude semblances of universally binding treaties which do not take into account what is really possible and which neglect given natural conditions and circumstances. Experience shows that such treaties are not respected.

Nations differ so much in character, in development, and in needs that no sort of external uniformity should be forced



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upon them except in case of absolute necessity. It is not external uniformity towards which we must tend, but towards that freedom which will allow every nation to prosper peacefully through its own activity and not through abuse of its political power.

In this respect it will perhaps be useful to guarantee certain fundamental rights : I am thinking for example, of the free access to the sea.

Nor must it be forgotten that internal and external policy are bound to one another.

As war disturbs and hinders internal social development, so also can a lasting peace not be expected to exist between states, as long as an implacable strife for wealth and supremacy rages between the different elements and classes of each separate state. The internal and external policy of the future should be dominated by this clearly recognized fact.

The success of a movement in favour of a Society of States will above all depend upon the spirit in which these problems are approached.

In order to attain a really successful result we must seek with firm and loyal intention to overcome the wretched international situation of present times and to replace the notion of might with that of right.



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In order to realize these hopes, the statesman must reckon with the actual conditions. He must seek to attain an ideal with the means of reality. But he must not allow himself to stagnate in realism nor to be dominated by scepticism.

Above all, let him not give way to that pessimistic discouragement, which the present state of the world seems only too clearly to justify. Let him not approach these problems without the firm intention of hastening their solution.

Without wholesome optimism, without joyful confidence in the possibility of a better future, not great political prize has ever been won, no great progress ever been achieved.

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