

# INDIA IN THE LEAGUE OF NATIONS

*Dissertation submitted to Jawaharlal Nehru University  
in partial fulfilment of the requirements  
for the Award of the Degree of the  
MASTER OF PHILOSOPHY*

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1994



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## ACKNOWLEDGEMENTS

My mother's last advice at her death bed was to study well. Her advice had always been a source of inspiration and gave me the strength to overcome obstacles at different stages of my learning. It was my father who struggled hard all alone in life to make me what I am today. I look back, with love and gratitude and a sense of regret that they are no more to see the fruit of my labour.

In writing this dissertation, first and foremost I would like to express my heartfelt gratitude to my supervisor Prof. Sumitra Chisti for her valuable advice and suggestions at different stages of my research, going out of her way to see it completed in time.

I am also indebted to Dr. C.S.R. Murthy for his guidance at the initial stages of my research.

I express my gratitude to the Librarians and the staff of the Indian Council for World Affairs (ICWA), the National Archives, Nehru Memorial Museum and Library, Ministry of External Affairs Library (MEA) and our own J.N.U. library for their valuable assistance.

I am grateful to the University Grants Commission (UGC) for the award of Junior Research Fellowship (JRF) which enabled me to complete my M.Phil.

I am also indebted to my dear and near ones for their continual encouragement and moral support throughout my studies.

I acknowledge with thanks my friend Rakesh Batabyal for his unqualified help and support.

Last but not least, I would like thank Shri Om Prakash who typed with all diligence and all my friends who have helped me in various ways while writing this dissertation.

Errors! they are many. They are mine.

July, 1994

  
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## INTRODUCTION

Many wars have been fought in the 19th century and destructive weapons capable of destroying human civilization were invented, but the First World War (1914-18) was different from the earlier wars, in so far as it was fought on a world-wide scale and also in its repercussions.

When the First World War broke out, the people in the countries concerned responded with great zeal and enthusiasm without giving much thought to what the outcome of the war could be. They believed that the war which they fought was a war of national safety, national honour and war of righteousness. The narrow patriotism fostered in all countries hastened the outbreak of the total war, for in 1914 there was no binding international law or any authority to prevent governments from going to war when they felt they should.

However, as the war dragged on the people of the belligerent nations began to feel the pangs of war and wanted to put an end to such a threatening war. But the war, owing to the vastness of its scale, could not be stopped within a short span of time. The war protracted for about four years

and three months. The Governments found it necessary to make definite statements as to their war aims in order to sustain the enthusiasm of their people till a conclusive result could be reached. The most popular slogan of the war aims was "the war to end all wars" which echoed in the hearts and minds of all people. The yearning of men for peace made people believe that it was the last war, - no more war and no more brutal and bloody methods of settling disputes.

The colossal loss of life and property was unprecedented in the history of mankind. In this monstrous war more than 8 million people lost their lives and millions of people were crippled for life. As a result of the war, prices of commodities showed a steep rise. The enormous expenses involved in the war compelled the governments to impose heavy taxes on the people which caused untold misery to the people. The war gave a great blow to the morality of the people. Slavery, forced labour and prostitution was the order of the day in the war period.

As the war losses mounted, people began to think that war was not the answer and means of settling disputes and

victory in war cannot bring honour to the nation without being affected by it. Therefore, attempts were made by statesmen to renounce war through peaceful means of settlement and to ensure that such a monstrous war would never occur again. One such idea and effort was the formation of the League of Nations.

The first step in the formation of the League of Nations was put forward by President Woodrow Wilson of the United States in his Fourteen Points - the basis on which the peace terms were to be framed. The Fourteen Points of President Wilson stated that 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. This armistice pledge endorsed by the public opinion made it necessary for the Peace Conference at Versailles to work out a scheme for the formation of the League of Nations.

The Peace Conference which brought the First World War to an end set up a Commission of the League of Nations, representing fourteen Allied States in consultation with the



representatives of Thirteen Neutral States examined the proposals for the constitution and functions of the League of Nations. The Commission finally represented the text of the Covenant of the League of Nations to the Preliminary Peace Conference on 28th April 1919, which was made to constitute Part-I of the Treaties of Peace. Accordingly, the League of Nations came into existence on 10 January 1920.

The aims of the League are expressed in the Preamble to the Covenant:

"The high contracting parties;

In order to promote international co-operation and to achieve international peace and security

by the acceptance of obligations not to resort to war,

by the prescription of open, just and honourable relations between nations,

by the firm establishment of the understandings of international law as the actual rule of conduct among governments, and

by the maintenance of justice and scrupulous respect for all treaty obligations in the dealings of organized

people with one another,

Agree to this Covenant of the League of Nations."<sup>1</sup>

The League had twenty-six articles which set out the conditions of membership, the structure of its machinery and the obligations of member states.

During the first World War, India as a British Colony contributed men and money to the Allied Forces. It was in recognition of her services in the war that she was allowed to participate in the Paris Peace Conference in 1919. Since the League was made part and parcel of the Peace Treaty, and India was a signatory to the Peace Treaty, she was entitled to membership to the League of Nations.

The original members of the League were of two kinds: powers which were signatories to the Peace Treaty and the neutral powers invited to accede to the Covenant. Accordingly, India became an original member of the League by virtue of her being a signatory to the Peace Treaty.

As far as the study of a subject like League of Nations

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1. Shiva Ram, V. and Sharma, Brij Mohan, India and the League of Nations (Lucknow, 1932), p.217.

is concerned, it is a well covered one. As such there is no dearth of books on this subject. However, the importance of India as a member of the League and her participation in the various activities of the League have in a way been underplayed and the subject seems to have been ignored by scholars.

J.C. Coyajee's India and the League of Nations, published in 1932, attempted to study the subject in some detail for the first time. However, as a member of the Indian Delegation to the League of Nations, his book is more or less a narration of his personal observation and experiences with regard to India's role in the League of Nations upto 1931.

V. Ram Shiva and Brij Mohan Sharma's India and the League of Nations, published in Lucknow in 1932, endeavoured to explain how and why the League of Nations was formed. They focussed on the aims and objectives of the League of Nations with special reference to India.

D.N. Verma's book India and the League of Nations, published in 1968 seem to be the only book written on India's role in the League of Nations after its demise.

Verma had done a laudable work in his effort to cover all aspects of India's participation in one single book. He examined the role and limitations of India as member state in the various activities undertaken by the League of Nations.

Besides these, there are a few articles written on the subject during the existence of the League of Nations. Jyoti Swarup Gupta's article "India and the League of Nations" in Modern Review 40 (August 1926), examined the role of Indian Delegation to the League with reference to the financial contribution of India to the expenses of the League and her role in the field of Health Department of the League upto 1926.

Kanhayalal Gupta's article "India and the League of Nations" in Asiatic Review, (Vol.XVI, 1920), discussed the aims, objectives and functions of the League and have attempted to deal with the League of Nations in Asia with special reference to India.

The purpose of this study is to make a modest attempt to heighten the importance of the subject. The study is

important because membership of the League of Nations gave India a pre-schooling in diplomacy in international affairs. Had India not been a member to the League of Nations, she might not have been present in drafting the United Nations Charter at San Francisco.

The present study consists of five chapters. Chapter one deals with the circumstances under which India became a member of the League of Nations and the status of Indian Delegation to the League of Nations. It also examines the response of the Indian public, the perception and attitude of the Indian nationalist leaders to the League of Nations.

Chapter two deals with the financial obligation of the member states in financing the expenses of the League of Nations. Focus is on the contribution of India to the expenses of the League of Nations. It also examines the attitude and reaction of India to the mounting expenditure of the League of Nations.

Chapter three takes into account the basic issues of peace and security for which the League of Nations was formed. In this chapter efforts is made to examine the attitude and reactions of India in the case of Manchurian

and Abyssinian crisis, which had put the system of the Collective Security of the League to a real test.

Chapter four discusses the social, financial and economic activities of the League of Nations and India. Only one aspect of the social issues is taken into account, that is, the problem of the Traffic in Women and Children. Attempt will be made to highlight the co-operation and involvement of India to the effort made by the League in this field and see how far the association to the League brought about changes within India by her ratification to the Convention on the Traffic in Women and Children.

In Chapter five, effort will be made to examine the benefits India derived from being a member of the League of Nations, despite the constraints of her being the only non-self governing member state of the League of Nations.

## CHAPTER I

### INDIA'S MEMBERSHIP OF THE LEAGUE: CONSTRAINTS AND RESPONSE

The League was the child of the First World War in that its constitution, the covenant, formed the first twenty-six articles of the Peace Treaty imposed on Germany and her allies by the Allied and Associated Powers, after the latter's victory in 1919. This arrangement was insisted upon by the American President, Woodrow Wilson, the main exponent of the League idea among the war leaders for he thought that his European partners were more likely to take the League seriously if it were made part and parcel of the Peace Settlement.<sup>1</sup> Accordingly, the final draft for the formation of the League was adopted with approval of the Allied and Associated Powers in Paris on 28 April 1919. It was signed by these States and the Central powers as an integral part (Part I) of the Treaty of Versailles (on June 28, 1919), St. Germain-en-Laye (September 10, 1919), Neuilly Sur-Sein (November 27, 1919) and Trianon on 4th June 1920. The League came into existence on 10 January 1920, with the

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1. Northedge, F.S., League of Nations: Its Life and Times (Leicester: Leicester University Press, 1986), p.1.

coming into force of the Treaty of Versailles.<sup>2</sup>

There were about 29 states which had signed the Peace Treaty and India was one of them. When the Peace terms were being discussed among the various states concerned, India was represented at this important discussion by Mr. E.S. Montague, the Secretary of State for India and His Highness Maharaja Sir Ganga Singh Bahadur ruler of Bikaner.<sup>3</sup>

The condition of membership are laid down in Article I of the Covenant, which says that:

1. The original Members of the League of Nations shall be those of the Signatories which are named in the Annex to this Covenant and also such other those states named in the Annex as shall accede without reservation to this covenant. Such accession shall be affected by a Declaration deposited with the Secretariat within two

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2. Ibid., p.46.

@ The Principle Allied and Associated Powers are the following: the United States of America, the British Empire, France and Japan.

@ The Treaty of Versailles was signed by the Allied and Associated Powers with Germany. Those of St. Germain-en-Laye with Austria, Neuilly-Sur-Sein with Bulgaria and Trianon with Hungary.

3. Shiva Ram, V. and Sharma, Brij Mohan, op. cit., p.135.

Annex of the Covenant which gives the original members of the League of Nations signatories to the Treaty of Peace and States invited to accede to the Covenant is given in Appendix-I.



months of the coming into force of the covenant. Notice there shall be sent to all other members of the League.

2. Any fully self-governing State, Dominion or Colony not named in the Annex may become a Member of the League if its admission is agreed to by two-thirds of the Assembly, provided that it shall give effective guarantees of its sincere intention to observe its international obligations and shall accept such regulations as may be prescribed by the League in regard to its military, naval and air forces and armaments.
3. Any Member of the League may, after two years' notice of its intention so to do, withdraw from the League, provided that all its international obligations and all its obligations under this Covenant shall have been fulfilled at the time of its withdrawal."<sup>4</sup>

Thus Article 1 of the Covenant laid down the conditions of membership of the League of Nations. The original members of the League were of two kinds:

- (a) Powers which were signatories to the Peace Treaty,
- (b) Neutral Powers invited to accede to the covenant.

Article 1 para (2) of the League Covenant clearly states that only full self-governing states or Dominion or Colony can become members of the League of Nations. India could not claim for such status when the League came into

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4. League of Nations: Ten Years of World Cooperation; Secretariat of the League of Nations, 1930 (Hazell, Watson & Vinay Ltd., London and Halisbury), pp.417-18.

existence. For she was still then "a subordinate branch" of the British Government. How then did she become a member of the League? India became a member of the League under the first clause by virtue of her being a signatory to the Peace Treaty.<sup>5</sup> India's membership of the League as the only non self-governing country, was "an anomaly among anomalies."<sup>6</sup> It was a paradox that India enjoyed in theory the sovereign rights of Dominions but the fact remained that she had not attained complete autonomy even in her internal affairs. The acceptance of India as an original member of the League was a paradox in the sense that fully self-governing state was the sinequanon for membership of the League.

The question of India's membership to the League along with the self-governing Dominions was discussed informally in one of the earlier meetings of the commission of the Peace Conference. In the meetings of the commission it had been agreed that India should be a member of the League. Mr. Wilson had acquiesced and no one else seem to care.<sup>7</sup>

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5. Gupta, J.S., "India and the League of Nations", Modern Review (Vol.40, July-Dec., 1926), p.161.

6. Miller, D.H., The Drafting of the Covenant, Vol.I (New York: G.P. Putnam's Sons, 1928), p.493.

7. Ibid., p.492.

Only France expressed her opposition to the move as she had done earlier in regard to the entry of the Dominions and India in the Paris Peace Conference. She saw in it the British trick to multiply the vote of Great Britain in the League of Nations, and raised the bogey of six votes to one. But when it was pointed out that India would automatically come into the League as a signatory to the Treaty of Versailles, the French gave way.<sup>8</sup>

In the first meeting of the League of Nations Commission of the Peace Conference on January 25, 1919, President Wilson opened the discussion on membership by proposing to insert the following words in the Covenant: "only self-governing States shall be admitted to membership in the League; Colonies enjoying full powers of self-government may be admitted; but the debate took a very wide range, the British brought up the question of India."<sup>9</sup> President Wilson, though hesitated as to the membership of India, he

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8. Manning, C.A.W., "India and the League of Nations", India Analysed, Vol.I (Ed. Houlston and Bedi), cited in D.N. Verma, India and the League of Nations (Patna, 1934), p.14.

9. Miller, D.H., op. cit., p.157.

did not finally object; no one else seem to care; and it appeared that India would come into the League as a signatory to the Treaty of Versailles and thus be outside the "self-government" definition in any case, the Article was passed with the Wilson amendments. Naturally no one was able to define "self-government" with complete accuracy, and the possibility of a formula of definition were left for the future.<sup>10</sup>

In the third meeting of the Commission the claim of India for membership to the League of Nations was taken up by Lord Robert Cecil. He argued that "self-government" was a word which was hard to define and it was hard to judge a country by this standard.<sup>11</sup> He pointed out that the President Wilson's amendment admits self-governing Colonies, but what of the Indian Empire? "she (India) mobilized a million men and made a valuable contribution to the Allied Armies. Part of India is autocratically governed yet that part is willingly so governed, and incontestably the great part is democratically administered. The British government

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10. Ibid., p.158.

11. Ibid., p.164.

has treated India according to her Colonial programme. She has set up an Imperial Council for India which appears to be the thing India needs at the present stage of affairs. If the League of Nations were to employ words which would arbitrarily excluded India, it would be taken by those people as a bitter insult. I am free to tell you there is a spirit of unrest abroad and India of serious character. The British Government is trying just as rapidly as possible to advance India into a self-governing colony; and for anything to happen which would exclude India would be unfortunate indeed."<sup>12</sup>

Wilson admitted that it was difficult no doubt to define the term self-government. He remarked: "I have a great admiration for India's performance. The spirit which she has shown is fine. Nevertheless, the impression of the whole world is that she is not self-governed, that the greater part is governed by the Laws of West Minister, and the lesser part is governed by Princes whose power is recognised and not supported by the British Government, within certain limits. Therefore, even though it may be hard to

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12. Miller, D.H., op. cit., pp.164-65.

exclude India, still we ought to recognise that all government derive their just powers from the consent of the governed."<sup>13</sup> Returning to the matter of India, he said if India is admitted on any principle, that principle would probably be extended to Philippines Islands. At this General Smut, the Prime Minister of South Africa, pointed out that it was unnecessary to discuss India's case in such detail for "the covenant itself takes care of the case of India."<sup>14</sup> Further, he said India would come under the first paragraph, as signatory to the covenant, and whatever conditions we may lay down with regard to subsequent members would not affect her. Thereafter, the subject on membership was never brought up again and it was assumed that the Dominions and India were to be the members of the League of Nations. Therefore, when the League of Nations Commission of the Peace Conference finally decided at its third meeting (March 28, 1919) India was included among the 32 original members of the League.

The delegation of each member States to the Assembly of

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13. Ibid., p.165.

14. Ibid., p.166.

the League of Nations consisted of not more than three representatives. The delegation of each member state to the League of Nations were nominated by the Government of their respective countries. The Indian delegation of the three had always included one Indian prince from the Princely States. This had a practical value to India in voicing her opinion in the League matters, as a single state without showing any such political divisions as Indian India and British India. The delegates of the Indian princely state had spoke always in the League not on behalf of the Indian State alone but on behalf of a united India as a whole.<sup>15</sup> Therefore, in international affairs India was seen as one political unit.

The nominated delegates of each country, had to take instruction from their popular government in order that they adequately represent their country. But the case of India was entirely different for India was still a non-self-governing state. She was governed by an irremovable bureaucracy which was "a subordinate branch" of the British

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15. Shiva Ram, V. and Sharma, Brij Mohan, op. cit., p.142.

Government. It also played a predominant part in shaping the policy of the Indian government.<sup>16</sup>

The Indian delegation commanded the same status in the League as the delegation of any other self-governing Dominions. But the delegation of India was appointed by the Government of India, which was not responsible to the Indian Legislature and therefore it cannot be said that India's delegation to the League was appointed by the people of India. No doubt, the Indian delegation took an independent stand on many minor matters, on vital issues of international importance, however, Indian delegates did not reflect India's view much as those of British Government, occasionally they went against the spirit of the predominant opinion in India.<sup>17</sup>

On the question of instructions to be given to the Indian delegation to the League of Nations, the Viceroy sent a Telegram to the Secretary of State for India on 5th March 1926, "It must be borne in mind that India is a signatory

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16. Gupta, J.S., op. cit., p.161.

17. Indian Council of World Affairs, Study Group Report: India and the United Nations (Manhattan Publishing Company, New York, 1957), p.4.



to the Versailles Treaty and League's Covenant and as independent member with other independent members including Dominions. I am not unmindful of the constitutional position of India with regard to His Majesty's Government. This gives rise to constitutional question which we are about to raise with you, but which will require careful examination and cannot be decided in hurry. My view is that whilst, in the present case, I should be prepared to take the same course as His Majesty's Government, it is imperative that we should be consulted on matters of serious importance to India."<sup>18</sup>

In reply to the above Telegram, His Majesty's Secretary of State for India said: "I think you were aware that instructions to Indian delegates invariably issue from the Secretary of State after consultation with the Government of India and this correctly represents present constitutional position. It appears unnecessary to state by whom instructions were given unless question is definitely asked, but if it is words "as matter of convenience" should be omitted as

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18. Foreign and Political Department, File No.578-X (Secret) of 1926.

they might convey false impression."<sup>19</sup>

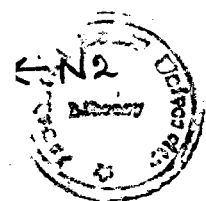
From this it is obvious that in matters of high political policy it was necessary that the Empire delegates should act together. For instance, in matters of peace and security which was of great importance, the Indian delegation followed the path of least resistance, which will be discussed in the subsequent chapter when I discuss the Manchurian and Ethiopian crisis.

However, in other issues there can be no doubt of the power and independent action of Indian Delegation which had often taken separate action to safeguard the special interest of India and in some cases acted in opposition to the course adopted by the British Delegation. Prof. Keith pointed out that, "There are many issues which come before the Council and the Assembly on which divergence of views within the Empire cannot do any harm and may easily tend to promote more satisfactory results, for there is no a priori reason to suppose that either the United Kingdom or Dominions possess as exclusive monopoly of political intelli-

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19. Ibid.

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gence. It is indeed most probably that the Council, if they represent slightly divergent views, they may do more for the benefit of the League than if they were in accord."<sup>20</sup>

At the Labour Conference of 1922 on the question of the reform of the Government Body, the Indian delegation managed to win over the British delegation to its point of view. For example, at the Assembly of 1923, fresh instructions were issued to the British delegation, in order to meet the wishes of the Indian Delegation on the matter of allocation of the expenses of the League of Nations. At the Conference on Opium and Drugs 1925, the question of Indian helm was settled in manner satisfactory to India with the support given by the British delegation in accordance with instructions issued. Again at the Labour Conference of 1919 and 1921, the Indian delegates were able to obtain the insertion of articles in the convention on Hours of work and the Weekly Rest day expressly applying to India and providing for an easier regime in view of the special condi-

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20. Keith, A.B., The Sovereignty of the British Dominions (Macmillan and Co. Ltd., London, 1929), p.344.

tions of Indian Industry.<sup>21</sup>

There are cases of marked divergence and opposition between the views of British and Indian delegations which should be taken into account, since they form the acid test of independence enjoyed by the Indian Delegation. The Indian delegation, for example, made every effort for the cause of economy even in those cases where the British delegation had been inclined to the generous. Indeed in the year 1920 and 1921 the campaign of the Indian Delegation in the cause of economy led to the establishment of the Supervisory Commission and to general reform of League finances. Again in 1923-24, the Indian Delegation secured the rejection of the British proposals on the question of compulsory disinfection of Wool against Anthrax at the Labour Conference.<sup>22</sup>

Despite, her being made as an original member of the League of Nations, a lack of confidence in, though not in opposition to it was evident in India. The dominant

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21. Coyajee, J.C., India and the League of Nations (Waltair, 1932), pp.24-25.

22. Ibid., p.26.

elements in Indian political life did not have a consistent attitude towards the League of Nations throughout its existence. In the early stages they had no confidence in it, indeed many were very sceptical. "India may be an original member of the League of Nations, but all the world knows that this means additional voice and vote for the British Foreign Office. The people of India have no say in the matter and their so-called representatives are nominated by the British Government. And so, inevitably the subject country concentrates on achieving national independence before it can think of playing an effective part in international affairs."<sup>23</sup>

In this connection it may be relevant to mention that in one of the reports of the Indian delegation to the League spoke of its position as one of subordinate co-operation with the British delegation. Apart from this specific matter of India's representation, the general concept underlying the organisation of the League was also unacceptable to India at the time. The Indian leaders felt that the League, being a League of Governments "has been dominated by the

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23. Lohia, Rammanohar, India's Foreign Policy (Allahabad: All India Congress Committee, 1938), p.12.

great powers and has... tried to maintain the *status quo*"<sup>24</sup> in the international field. Although the manner in which India was represented in the League was a source of considerable dissatisfaction, it was this basic approach of the League that was responsible for India's lack of confidence in the organisation.

In 1933, Jawaharlal Nehru said that whatever might have been the original intention, "there can be no doubt that the League has been a tool in the hands of the great powers, and especially of England and France. Its very basic function is the maintenance of the *status quo* - that is, the existing order. It talks of justice and honour between nations, but it does not enquire whether the existing relationships are based on justice and honour. It proclaims that it does not interfere in the "domestic matters" of nations. The dependencies of an imperialist powers are domestic matters for it. So that, as far as the League is concerned, it looks forward to a perpetual dominance by these powers over their

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24. Ibid., p.11.

empires."<sup>25</sup> The same opinion was held by many people in India. The Modern Review, an important Indian Monthly Journal in 1927 commented that Article of the League of Nations nowhere that the League would undertake to liberate the subject peoples or raise their political status. Nothing that the majority of the people of Asia and Africa were dominated by European peoples, the journal stated that the former wanted to be relieved of the "White man's yoke" but Article 10 of the covenant of the League of Nations declares in effect that they must not aspire to be free. That is what the preservation of the *status quo* amounts."<sup>26</sup>

The Indian nationalist opined that the sole objective of the British was to hoodwink and camouflage the world opinion regarding the real state of affairs in India. As M. Asaf Ali said in the Legislative Assembly: "We became a member of the League of Nations at a time when the Victorious powers were trying to robe the vanquished powers of their colonial possession. That could not be done very easily... because unfortunately at that time President

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25. Nehru, J., Glimpses of World History (Oxford University Press, 1991), p.683.

26. Modern Review, Vol.41, Jan.-June 1927, p.380.

Wilson... was thinking in higher terms and the victorious wanted to pacify him. They could not justify swallowing... practically half of the Africa without showing some reasonable position as far as they themselves were concerned in their relationship to India. It was just before than that we received in India a message from His Majesty George that we had the beginning of Swaraj in India. This message was flashed across the world, and it was under those circumstances, to pacify the powers of the world, that India was made an original member of the League. All these facts were made to present a wholly camouflaged state of affairs to the world, and this is how we became a member of the League."<sup>27</sup>

Towards the end of 1920s, a few began to take interest in the League of Nations. These opinions gathered greater strength in the thirties. After the Japanese invasion of Manchuria and the rise of Fascism and Nazism in Europe there was an increasing demand that the League must be made an effective organisation to check aggression. However, it may

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27. Legislative Assembly Debates, 1936, Vol.I, pp.895-96, cited in Verma, op. cit., p.25.



be mentioned that though there was vigorous demand for armed action against Japan and Italy, there was not much enthusiasm in India for participating in a European conflict. Indians felt that the big powers had engaged themselves in a war though in the name of democracy but in reality to protect their own interests.

## CHAPTER II

### FINANCING THE LEAGUE

Financing of international organisation has been one of the major issues. It determines to a large extent the scope and functioning of organisation. Further, the issue of burden sharing among member states will also have an important consideration which have to be answered before setting up any organisation. If the expenses is to be shared by the member states, the apportionment of the expenses of the League among the member states is a matter of great importance. But small thought had been given to this subject at the Peace Conference. The Covenant originally stimulated Article 6, para 5, that the expenses should be borne by member states on the basis of the Universal Postal Union System,<sup>1</sup> but experience at once proved that this system operated within the limits of a very restricted

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1. The Universal Postal Union System provides that member states should be classed according to their capacity to pay in seven classes, of which the first pay 25 Units, the second 20 Units and so on. The last class paying one unit. The basis of classification being population, extent of territory and importance of the postal traffic of states concerned.

budget, was unsuitable for the League.<sup>2</sup> For instance, Great Britain being assessed at the maximum had to pay 25 times as much as Liberia which was assessed as the minimum one unit. But the revenue of Great Britain was at least four thousand two hundred and fifty times that of Liberia. Besides, the expenses of the Universal Postal Union were too trivial to make any difference to the states concerned, it had become fashionable for states to get themselves put into a higher class than was really theirs for reason of prestige and dignity. Thus Austria, India, Canada and South Africa as well as China were all in the first class with Great Britain France etc. However, when it came to paying the share in the League these states objected that the allocation was unfair and inflicted undue hardship on themselves.<sup>3</sup>

The League was financially dependent on the contribution of its members. In 1920, India's contribution to the

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2. League of Nations: Ten Years of World Cooperation; op. cit., p.393.

Art.6(5) The Expenses of the Secretariat shall be borne by the Members of the League in accordance with the apportionment of the expenses of the International Bureau of Universal Postal Union.

3. Howard, Elis C., The Origin, Structure and Working of the League of Nations (George Allen and Unwin, London, 1928), p.433.

expenses of the League of Nations was the same as that of Great Britain, France, Italy, Japan, Poland and Canada. Each of them paid £16,232 (=Rs.2,43,510) out of the total expenditure of £2,56,494 (=Rs.38,47,410). The Indian public opinion were shocked at this most unfair taxation. The absurdity of her being made to pay the same amount as the first class powers and the riches countries of the world.<sup>4</sup> As there was dissatisfaction among the members of the league with the Article 6 of the Covenant, a small Special Committee on Allocation of expenses under the Chairmanship of M. Revillud (France) was appointed by the Council of the League in 1920 to work out a suitable scheme of allocation.<sup>5</sup> The expenditure and budget of the League gave rise to interminable discussion in the Fourth Committee of the First Assembly where India was represented by the Maharaja of Nawanagar. He suggested that the Assembly should create a special expert committee to supervise the finances of the League by framing rules to control all expenditure and

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4. Gupta, Jyoti Swarup, op. cit., p.162.

5. Minutes of the Fourth Committee, Second Assembly, (1921), p.79.

evolving a system of pre-audit.<sup>6</sup>

At the Second Assembly 1921, the Indian delegation remained equally active and vigilant, as a result of its initiative a Supervisory Committee<sup>7</sup> was created. The Committee on Allocation of expenses adopted two criteria in working out a suitable method of arriving at fair allocation of League's expenses: net revenue and population of the states. In view of the considerable inflation of budget resulting from war, the Committee decided to take the net revenue of 1913-14 which it considered as normal year.<sup>8</sup> The Committee also proposed another amendment to Article 6 of the covenant whereby the Assembly was empowered to decide the proportion in which the expenses of the League should be borne by members. The first three years of three League Assembly meetings and expert Committees was spent in discussing on the subject. Consequently, an amendment was drafted to the covenant.

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6. Report of the Indian Delegation, The Gazette of India (Extraordinary), August 10, 1921, p.27.
  7. The Supervisory Committee is a small body of financial expert whose function was to examine and report on the League's budget.
  8. Minutes of the Fourth Committee, Second Assembly, (19210), p.79.

The financial obligation of a member of the League arose out of Article 6 para 5, of the Covenant which since August 13, 1924, read as follows: "The expenses of the League shall be borne by the members of the League in proportion decided by the Assembly." Payment of the contribution duly determined from year to year in an obligation under the covenant. The Secretary General had stated that "where a principal purpose of the agreement is to maintain an organisation out of the funds contributed by the parties, persistent failure to contribute would be a breach of material obligation."<sup>9</sup> According to the revised scale of apportionment the maximum is one hundred and five units and the minimum one unit. The basis for calculating a state's ability to pay was revenue and population, with the corrective that the population of India and China should not count for more than the population of most populous European members, and that the countries which had suffered from invasion during the war should have their assessment corre-

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9. Denys, P. Myers, "Membership and Indebtedness in the League of Nations", The American Journal of International Law, Vol.32, 1938, pp.148-49.

spondingly reduced for some years.<sup>10</sup>

India's share of contribution for 1924 was fixed at 65/932 of the total expenditure and she was made to pay nearly £63,000. For the same year Great Britain's share was 88/932, France 78/932, Japan and Italy 61/932 each and Poland and Canada 25/932 each. The inequity of India being made to pay more than Japan, Italy and all the rich and powerful states, except Great Britain and France was crystal clear. At the fifth Session of the Assembly in 1924 the Indian delegation submitted to the Allocation Committee a claim for reduction of India's contribution by 15 units.<sup>11</sup> The Assembly passed a resolution whereby the Allocation Committee was again entrusted with the task of distributing available units in relief of more hard pressed states. The Allocation Committee on October 30, 1924 decided to distribute the units available from the resumption of payments by the Argentina in such a manner as to reduce the contribution of India by 5 units.<sup>12</sup>

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10. Howard, Ellis C., op. cit., p.432.

11. Report of the Indian Delegation, The Gazette of India (Extraordinary), Feb. 1, 1924, p.64.

12. Verma, D.N., op. cit., p.128.

In 1925, the Assembly requested the Council to ask the Committee on the Allocation of the Expenses of the League to follow the economic development of the various member states with a view to submit a revised scale to the Assembly of 1928. Accordingly, a revised scale of assessment was drawn up in 1925 which fixed India's contribution at 56 unit out of 937 units. For the same year the Great Britain's share of contribution was fixed at 105/937, France 79/937, Japan and Italy 60/937 each and China 46/937.<sup>13</sup>

At the Seventh Session of the Assembly in 1926 C.P. Ramaswamy Aiyer moved a resolution for a maximum limit of expenditure with the object of ensuring that the contribution in the coming year, without putting obstacle in the work of development of the League.<sup>14</sup> Discussing the budget of the League in the Fourth Committee, the Indian delegation Sir C.P. Ramaswami Aiyer said on 13 September 1926 that India was deeply interested in the financial administration

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13. Report of the Indian Delegation to the Sixth Assembly of the League of Nations (1925), The Gazette of India, Jan. 1926, p.41.

14. Minutes of the Fourth Committee (Seventh Assembly, 1926), p.14.



of the League as she being one of the largest contributors to the finance of the League and comes only behind Britain, France, Italy and Japan.<sup>15</sup>

The scale of assessment which was agreed to provisionally for three years in 1926 had never been regarded with satisfaction from the Indian point of view and it was hoped that when the three years agreement came to an end it might be possible to obtain a reduction. The Committee on Allocation had met during the last year had recommended for sufficiently convincing economic reasons that the national budget of 1930 should be taken as the earliest on which the final revision of the scale could be based. However, the Committee proposed to bring forward a scheme on the basis of 1932 so that the new scale might come into force for payments to be made after January 1933.<sup>16</sup> The report of the Indian Delegation to the League from 1930 to 1933 demonstrated that

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15. Final Report of the Delegates of India to the Seventh (Ordinary) Session of the Assembly of the League of Nations, 1926 (Govt of India Press, Delhi, 1927), p.138.

16. Final Report of the Delegates of India to the Ninth (Ordinary) Session of the Assembly of the League of Nations, 1928 (Govt. of India Press, Simla, 1929), p.47.

the Indian Delegates never failed to press for a reduction in the League's budget.

India was represented by Diwan Abdul Hamid at the Fourth Committee which discussed the budget and financial questions. As usual the Indian delegate followed the tradition of pressing for all economies without hampering the effective work of the League and was successful on a number of occasions. He made his principal speech on the motion to refer the budget to the Supervisory Commission for effecting economies. He referred to the statement of the Chairman of the Supervisory Commission in which he explained the financial position of the League with great earnestness and clarity and to that in which the Secretary-General had enlightened the Committee as to the action he had already taken to reduce expenditure. These indicated the need for meticulous caution in the future financial commitments of the League and for drastic economy and retrenchment in the expenditure of the League. As regards India's payment of her annual contribution the Diwan stated without fear of contradiction that notwithstanding the heavy figure of her contribution and her adverse financial situation, there had never been any failure or remissness in meeting her League's

obligations.<sup>17</sup>

The persistent demand of Indian Delegation for the economy in the League's expenditure received the support from the British Delegation. The Supervisory Commission which was the creation of the Indian Delegation and the policy of Indian Delegation, as also of the British Delegation, had been to give all possible support.<sup>18</sup> In 1926 a resolution was passed on the motion of the Indian Delegation with the object of stabilising the expenditure of the League at the level of that year viz. 25 million francs. In 1928, a further effort was made in the direction of securing economy under the leadership of the Delegation of the United Kingdom.<sup>19</sup> In 1933, when the question of finance and budget came up for discussion in the Fourth Committee, the Delegate of Britain "attacked with vigour what he described as the

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17. Final Report of the Delegation of India to the 12th (Ordinary) Session of the Assembly of the League of Nations, 1931 (Govt. of India Press, Central Publication Branch, Calcutta, 1932), pp.45-46.
  18. Final Report of the Delegation of India to the Ninth (Ordinary) Session of the Assembly of the League of Nations, 1928, op. cit., p.37.
  19. Report of the Delegation of India to the 12th (Ordinary) Session of the Assembly of the League of Nations, op. cit., p.46.

practice of systematic overbudgeting."<sup>20</sup>

In 1934, the Allocation Committee again found itself unable to submit a revised scale owing to the continuance of disturbed economy and financial conditions. In the Fourth Committee, the representative Mr. H. Mehta, pointed out that India being a poor country had been affected greatly from the economic depression, particularly from the fall of commodity prices. Moreover, due to currency depreciation her contribution had increased by 30 per cent. He hoped that the Allocation Committee would give serious attention to India's case and recommend relief.<sup>21</sup>

When the scale was approved in 1925 the Allocation Committee was entrusted to follow the economic development of the various member states with the view to submitting a revised scale to the Assembly. It was subsequently decided, in view of general economic and financial conditions, to postpone the submission of the revised scale unit. As

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20. Report of the Delegates of India to the Fourteenth (Ordinary) Session of the Assembly of the League of Nations, 1933 (Govt. of India Press, New Delhi, 1934), pp.17-18.

21. Minutes of the Fourth Committee, (Fifteenth Assembly, 1934), cited in Verma, D.N., op. cit., p.131.

already mentioned, the Allocation Committee again found itself unable to submit a revised scale owing to the continuance of disturbed economic and financial conditions. The Assembly of that year however felt that it could not continue to disappoint states who were entitled to expect some relief from the burden of their contributions.<sup>22</sup>

The admission of the U.S.S.R. to the League with the assessment of 79 units, combined with the fact that though Germany and Japan had given notice of withdrawal from the League, they were still liable for a portion of their contribution, resulted in their being a surplus of some units available for disposal by the Assembly. The Allocation Committee was accordingly entrusted with the task of distributing these units to member states having greatest claim to relief. The general question of the scale of contributions was deferred to the Assembly of 1933, and the Government therefore had the opportunity of submitting any suggestion they wished to offer. The twenty units were duly distributed and one unit came to India, reducing her assess-

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22. Ibid.

ment from 56 to 55 units.<sup>23</sup> However, no proposals were made by governments which would enable the Assembly of 1933 to draw up a satisfactory revised scale and a new and larger Allocation Committee was therefore appointed to examine the problem in all its aspects and to place before the Assembly of 1932 a revised scale which it hoped might constitute a satisfactory settlement of the question. States which felt that their contributions should be modified were invited to send their suggestions claim for a reduction of assessment and the Committee reported recommending reduction spread among 14 states and aggregating 31 units. The Committee, however, considered the case not only of states which were overcharged but those which for whatever reason, appeared to be under-assessed, and they recommended increased assessments, aggregating 35 units, distributed among 10 states.<sup>24</sup> Whatever satisfaction this report might have been given to Member States in general it was almost inevitable that when the Assembly met there was dissatisfaction expressed by some

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23. Report of the Delegates of India to the Seventeenth (Ordinary) Session of the Assembly of the League of Nations, (1936), The Gazettee of India, March 6, 1937, p.343.

24. Ibid., pp.343-44.

states that the increased proposed in their assessment was not justified and did not consider the suggested reduction adequate. In order to give such states the opportunity of making further representations the Allocation Committee met again during the Assembly. In addition to taking note of representations from certain Delegations the Committee took into account the following three new factors:<sup>25</sup>

- (1) A claim by India for further reduction of her assessment by 4 units in consequence of the separation of Burma from 1st April 1937.
- (2) A voluntary offer by the British Government to increase its contribution from 105 to 108 units as it felt that the United Kingdom had reached a more advanced stage of recovery from the economic depression than had certain other powers paying relatively large contributions.
- (3) The diminution of the League budget owing to the devaluation of Swiss francs and the Dutch florin.

In its final report the Committee proposed to leave the

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25. Ibid.

various reductions which they had proposed unaltered, with the exception that they considered India's claim to further reduction of 4 units on account of the separation of Burma justified and accordingly recommended the reduction of India's assessment to 49 units. The representative of India Mr. Biswas said that India was grateful for the measure of relief extended to her, but did not regard it as in any way adequate. Her contribution had been reduced from 56 to 55 in 1935, a further reduction of 53 was recommended in 1936 together with the reduction of 4 units owing to the separation of Burma from India. The point was not whether India was able to bear the burden. She probably was. But she wanted a fair assessment as compared with those of other states. Whatever, be the merit of India's claim for reduction, the actual reduction from 56 to 49 combined with the devaluation of the Swiss and Dutch currencies unit was substantial and the Indian delegation accepted the reports. The contribution, expressed in gold francs, was 1,849,000 in 1933, 1,583,000 in 1936 and only 1,130,000 in 1937. The contribution for 1937 will therefore be about 37 per cent



less than in 1933 and 29 per cent less than in 1936.<sup>26</sup>

Discussing the budget of the League in the Fourth Committee, the present scale of allocation of the League's expenses was adopted by the 1936 Assembly for three years and would therefore cease to be in force on 31st December 1939. The Fourth Committee resolved to appoint a Committee of Twelve Members to consider that the League should pay their contributions in time. Notwithstanding the heavy amount of her own contribution and her adverse financing position, there had never been any failure on the part of India in meeting her own obligations towards the expenses of the League of Nations. Therefore, India was anxious that other states should also be punctual in paying off the League's share. Indian delegation proposed that, in addition to not being allowed to vote, states which did not pay their contribution ipso lose their representation on the Governing Bodies of all Technical and other permanent organisations and Bureaux under the League of Nations and their representation be replaced by states which paid their contributions. Though India advocated economy all through out

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26. Ibid.

the existence of the League, it would be wrong to believe that India advocated economy for economy sake. For it did not hesitate to agree on expenditure when expenditure was for the better policy and development.

### CHAPTER III

#### ISSUES IN PEACE AND SECURITY: MANCHURIAN AND ABYSSINIAN CRISIS

The League of Nations was the outcome of the first World War. It aimed at securing peace in the world and see that such war would never occur again. The yearning of men for future peace and security could be seen in their effort to incorporate the ideas of peaceful settlement, system of collective security, disarmament and arbitration in the Covenant of the League of Nations.

Article 10, of the covenant laid down that:

the Members of the League undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all members of the League. In case of such aggression, the Council shall advise upon the means by which this obligation shall be fulfilled.

Article 11 stated that:

any war or threat to war, whether immediately affecting any of the Member of the League or not, is hereby declared a matter of concern to the whole League, and the League shall take any action that may be deemed wise and effectual to safeguard the peace of the nations. In case any such emergency should arise the

Secretary-General shall on request of any Member of the League forthwith summon a meeting of the Council.

Article 16 provided 'Sanctions of Pacific Settlement'

where in it was stated that:

- (1) Should any Member of the League resort to war in disregard of its Covenants under Art.12, 13, or 15, it shall ipso facto to be deemed to have committed an act of war against all other Members of the League, which hereby undertake immediately to subject it to the severance of all trade or financial relations, the prohibition of all intercourse between their nationals and the nationals of the Covenant-breaking state and the prevention of all financial, commercial or personal intercourse between the nationals of the Covenant-breaking state and the national of any other state, whether a Member of the League or not.
- (2) It shall be the duty of the Council in such case to recommend to the several Governments concerned what effective military, naval or airforce the Members of the League shall severally contribute to the armed forces to be used to protect the Covenant, of the League.
- (3) The Members of the League agree, further, that they will mutually support one another in the financial and economic measures which are taken under this Article in order to minimise the loss and inconvenience resulting from the above measures, and they will mutually support one another in resisting any special measures aimed at one of their member by the Covenant-breaking state, and that they will take the necessary steps to afford passage through their territory to the forces of any of the Members of the League which are co-operating to protect the Covenants of the League.
- (4) Any Member of the League which has violated any Covenant of the League may be declared to be no longer Member of the League by vote of the Council concurred

in by the representatives of all the other Members of the League represented thereon."

Article 17 of the Covenant dealt with disputes involving non-members. The Covenant stated that: In the event of dispute between a member of the League and a state which is not a member of the League or between States not Members of the League, the State or States not Members shall be invited to accept the obligations of membership in the League for the purposes of such dispute, upon such conditions as the Council may deem just."<sup>1</sup>

Thus Articles 10, 11 and 16 of the Covenant of the League meant that all members of the League would respect and preserve as against external aggression the territorial integrity and existing political independence of all members of the League and that aggression against one member would be treated as an act of aggression against all and that all members would apply sanctions against an aggressor and in support of the victims of aggression. These three comprised the System of Collective Security to preserve peace and security among nations.

Right from the beginning of its existence the Security System of the League was put to the test in its effort to

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1. The Articles are taken from the Covenant as given at Annexure I in League of Nations: Ten Years of World Cooperation, op. cit., pp.417-430.

preserve peace and security. The first of its kind was brought to the League Council by Germany with regard to the transfer of Eupen and Malmedy to Belgium (1920), followed by the dispute between Sweden and Finland over Åland Islands, the Vilna controversy between Poland and Lithuania (1920), dispute between Britain and France over the nationality decree in Tunis and Morocco, the Greco-Italian dispute over the demarcation of boundaries between Albania, Greece and Yugoslavia (1923), the Greco-Bulgarian dispute (1925) and the dispute between Britain and Turkey over the Mosul province.<sup>2</sup> However, the League of Nations in the first decade of its existence did not involve the major interest of any major powers. Therefore, the League was able to resolve many of these heartrending disputes. But the disputes that put the System of Collective Security of the League to a real test came in the thirties with the Japanese attack on Manchuria and the Italian invasion on Abyssinia.

#### **MANCHURIAN CRISIS (1931-32)**

In chapter I we have seen that right from the time the

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2. Gupta, D.C., The League of Nations (Vikas Publishing House Pvt. Ltd., Delhi, 1974), pp.32-37.

League of Nations was established, a lack of confidence in, though not opposition to it, was evident in India. In fact, the League's prompt action on the Greco-Bulgarian dispute was also considered by the India, as mainly concerned with maintaining peace among the white nations, "white must not fight whites - this (it) is the business of the League of Nations to see."<sup>3</sup>

However, towards the early 1930s, interest in the League of Nations gained momentum and India recognised the successful work of some international bodies in Labour and Social matters. It was after the Japanese invasion of Manchuria and the rise of Fascism and Nazism in Europe, that there was an increasing demand in India to make the League effective and strong against the forces of aggression in the international field.

In September 1931, on the pretext that China had destroyed her railway properties, the Japanese Kwangtung Army drove out the Chinese garrison and seized Mukden, Chungchun and several other South Manchurian cities.<sup>4</sup> Following the

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3. Indian Council of World Affairs (ICWA), *op. cit.*, p.8.

4. Gupta, D.C., *op. cit.*, p.37.

occupation of Central Manchuria, the Chinese Government urged the League to examine the situation under Art.11 of the Covenant and take necessary measures to check the attack of Japan on China.

At the Council's meetings of the League on and after September 22, 1931, the Chinese delegate Dr. Sao-Ke Alfred Sze insisted that the League should act and act quickly. He urged that the Commission of enquiry to be sent to the scene of action and promised that China would comply with any recommendation of the League. The Japanese delegate Mr. Kenkichi Yoshizawa, however, was quite adamant that his country had no territorial ambition in Manchuria and as such he saw no case for League's intervention.<sup>5</sup> Notwithstanding this contention, Japan continued its military activity in Manchuria. On October 8, 1931, Japan bombed the city of Chinchow in Southern Manchuria. On 24 October the Council called upon Japan to withdraw its troops but the latter failed to comply with the League's advice and continued to extend her area of control. On December 10, 1931, the

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5. Northedge, F.S. op. cit., p.146.



Council appointed a Commission comprised of five members - four Europeans and an American headed by Lord Lytton, to study and report the council on circumstances affecting international relations, threatening to disturb peace between Japan and China or the good understanding between them on which peace depends.<sup>6</sup> Disregarding the League's advice, Japan continued her military activity and completed the conquest of Manchuria in 1932.

The invasion of Japan on China shocked the Indian people. Through out the Sino-Japanese war, the sympathy of the Indian people was with China. Mr. B.L. Mitter, the Indian delegate to the Twelfth Session of the Assembly, voiced the opinion and the sentiments of the Indian, when he said: "I would have taken amiss in my country had I allowed this occasion to pass in silence for nowhere has China's calamity stirred deeper sympathy than India. This is not merely due to the fact that China is our neighbour and friendly neighbour; India and China are linked together by material ties of common civilization. We are stirred by the

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6. Ibid., p.148.

most personal feelings of sympathy."<sup>7</sup>

In March 1932, when Japan attacked Shanghai, China in desperation summoned the League Assembly. It was in this Special Session of the Assembly meeting that many small states demanded imposition of sanctions against Japan. But the British Government was never interested in taking any effective measures to halt aggression. Keeping in mind, the attitude of the British Government, Aga Khan, who represented India at the Special Session of the Assembly, (March 1932) appealed to both China and Japan, "to seek the road to peace, reconciliation, adjustment and friendship, and to economic and intellectual cooperation in the permanent interest of both."<sup>8</sup> The Indian delegate, influenced by the opinion of the British delegation, emphasised only on mediation and failed to make any distinction between the aggressor and the aggressed, and hoped to bring peace and cooperation through mutual understanding.<sup>9</sup>

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7. Records of the Twelfth Assembly, 1931, p.43.

8. Records of the Special Session of the Assembly, Special Supplement, No.101, 1932, p.76.

9. Ibid.

This attitude of the Indian delegate expressing only pious hope failed to satisfy the Indian people, who wanted British to intervene in the war in favour of China. The Indian people felt that the Government of India as a member of the league should not hesitate to condemn Japan. The Indian National Congress strongly criticized the neutrality of Britain and France. Japan was more or less unanimously condemned for its aggressive policy towards its neighbour. Sympathy was showered on China and final victory was devoutly hoped for.<sup>10</sup> But the sympathy of the Indian people in favour of China was never taken into account by the British Government. The indifferent attitude of the British Government to the Manchurian crisis could be seen from the words of A.E.B. Parson, Secretary to the Foreign and Political Department, when he told the Legislative Assembly on September 1, 1937 that the Sino-Japanese dispute did not really concern the Government of India.<sup>11</sup>

When Japan attacked China, the Indian nationalist expressed her admiration for the brave and heroic struggle

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10. Indian Council of World Affairs (CWA), *op. cit.*, p.19.

11. Legislative Assembly Debate (1937), Vol.IV, pp.936-37.

of the Chinese people to maintain their freedom.<sup>12</sup> The Indian National Congress passed a resolution expressing its sympathy with Chinese people. As a mark of India's protest against Japanese aggression on China, the Congress Session at Haripura in February 1939, called upon the people of India to refrain from purchasing Japanese goods.<sup>13</sup> Subsequently, the Congress sent a Medical Mission to China.<sup>14</sup>

The failure of the League of Nations to avert war and combat the aggressive designs of Japan was condemned in the Indian press. The Amrita Bazar Patrika wrote on 3 March 1933: "The very existence of China is threatened by Japan's hostility on her mainland. There is no reason why the League should not take direct action to stop Japanese high-handedness. If the League fails to do that, it is better that this sham institution for peace was abolished in no time."

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12. The Background of India's Foreign Policy (All India Congress Committee, New Delhi, 1952), p.13.
  13. Karunakaran, K.P., India in the World Affairs, 1947-50 (Oxford University Press, London, 1952), p.12.
  14. Gopal, Madan, India as a World Power: Aspects of Foreign Policy (Rajkamal Publication Ltd., Delhi, 1948), p.15.

## ABYSSINIAN CRISIS (1934-35)

The League's inability to prevent the Japanese conquest of Manchuria (China) in 1931-32 had seriously undermined its standing as an instrument for maintaining peace and security. Italy, following the Japanese example, wanted to expand her territory for her growing population. Opportunity came on December 5, 1934, when the Abyssinian (Ethiopia) troops clashed with the detachment of Italian troops in Somaliland near the village Walwal. In this skirmish a few Italian troops were killed. Mussolini at once demanded apology and substantial indemnity from Ethiopia. At this, Ethiopia requested Italy to refer the matter to arbitration under Art.12 of the League Covenant. But Italy rejected saying that no arbitration is called for.<sup>15</sup>

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15. Gupta, D.C., op. cit., p.39.

Art.12(1) The Members of the League agree that if there should arise between them any dispute likely to lead to a rupture they will submit the matter either to arbitration **or judicial settlement** or to enquiry by the Council, and they agree in no case to resort to war until three months after the award by arbitrators **or judicial decision** or the report by the Council.

(2) In any case under this article the award of the arbitrators **or the judicial decision** shall be made within a reasonable time, and the report of the Council shall be made within six months after the submission of the dispute.

On October 2, 1934 disregarding many League's resolution and Covenant provision, it launched a full scale attack on Ethiopia. Ethiopia at once invoked Art.16 of the Covenant holding that Italy's resort to war before fulfilling covenant's requirements must be considered an act of war against each League member. The Ethiopian delegate at Geneva called upon all members to honour the covenants obligation by applying immediate economic sanctions against Italy and called on the Council to recommend military sanction as well.<sup>16</sup>

A League consensus soon developed that economic sanctions shall include an embargo on arms and essential war materials, a ban on all loans and other kinds of financial help, a restriction against all imports from Italy and its possessions and material support among League members to minimize their economic injury from the embargoes. By November 1935, the economic sanctions were in effect, and within a period of several months the sanctions began to

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16. Riggs, Robert E. and Plano, Jack C., The United Nations: International Organisation and World Politics (The Dorsey Press, Chicago, 1988), p.10.

have a letting effect on Italy's economy.<sup>17</sup> In the meantime, Italy launched an attack with tanks and airplanes. On January 3, 1935, Ethiopia urged the League to look into the matter under Art.11 of the covenant. But nobody paid heed to her appeal. France opposed League's action because she wanted to win over the friendship of Italy against Germany. She signed an agreement with Italy and assured her that she would not obstruct her adventure in Ethiopia. Great Britain appointed a Commission under the Chairmanship of Sir John Maffey to investigate the situation and recommend appropriate action, but the Commission expressed the view that no British action was called for.<sup>18</sup>

On October 9, 1935 the Council decided to impose sanction against Italy. When the matter came before the Assembly Aga Khan, in short perfunctory speech, hoped that good sense would prevail in the world and humanity would be saved from destruction.<sup>19</sup> However, he offered no criticism of the Italian action. When the economic sanction against

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17. Ibid.

18. Gupta, D.C., op. cit., p.39.

19. Report of the Indian Delegation, 1935, The Gazette of India, March 21, 1936, p.228.

Italy became operative, the Government of India decided to take action "in so far as the conditions in India admitted to fulfil those obligations on the lines recommended by the League of Nations."<sup>20</sup> On November 18, 1935 an ordinance was promulgated by the Governor-General for the enforcement of financial sanction against Italy.<sup>21</sup> In April 1936, the Indian Legislature passed the *Italian Loan and Credit Prohibition Bill* prohibiting the granting of loans and credit to the Italian Government, any person resident in Italian territory and any corporate body which was incorporated under the law of Italy.<sup>22</sup>

Soon after the imposition of economic sanction on Italy, the betrayal of Ethiopia by Britain and France began to assume an organised form. The hypocritical attitude of the British Government had succeeded in sabotaging the sanction and by the middle of 1936, Ethiopia was abandoned to her fate. Sanction became a force and the Government of India became a collaborator of Great Britain in this. This

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20. Legislative Assembly Debate, 1936, Vol.I, p.892.

21. Ibid.

22. Council of State Debate (1936), Vol.I, p.696.



was very much resented by the Indian people whose entire sympathy was with the Abyssinians.<sup>23</sup>

The Congress party's concept of Collective Security as stated by its leaders that, required backing by some kind of effective action against the aggressor. However, they did not wholeheartedly approve the use of armed force. This position would be made clear from the words of Pandit Nehru in his foreword to a congress party pamphlet on foreign policy.

"What must these sanction be? Military sanction may perhaps be necessary and inevitable on particular occasions, but they involve war and remedy might be as bad as the disease. Economic sanction may involve the risk, but not necessarily so. They are powerful and on the whole peaceful; though their effect might be immediate, it is far reaching. It is quite possible to control the aggressor by economic sanction alone."<sup>24</sup> Further, on the question of International sanction against the aggressor Nehru stated

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23. Verma, D.N., op. cit., pp.107-108.

24. Lohia, Rammanohar, op. cit., p.4.

that:

How far should the Congress go in the application of international sanction against an aggressor? The League's sanctions include economic sanction against the aggressor and also military assistance to the aggressed nation. The congress should have no difficulty in accepting the policy of economic sanction against the aggressor. In fact, the present resolution to boycott Japanese goods is an indication that it is prepared to apply economic sanctions against the aggressor nation. It should therefore be able to cooperate wholeheartedly in any world scheme to cut off all economic relations with an aggressor nation. The question arises as to whether the congress will also be ready to be a party to any world scheme of military sanctions. Military sanctions stand on a footing somewhat different from that of economic sanction. Opinion on their usefulness is divided... there is a belief to lurk a danger in the application of military sanctions, such as would make the war look futile in retrospect, or else, the result of the war may not be consonance with the ends of peace and justice.<sup>25</sup>

In April 1936, the Congress party passed two resolutions. One of the resolutions stated that "the congress expresses the sympathy of the Indian nation for Ethiopian people who are heroically defending their country against imperialist aggression and considers Abyssinian's fight as

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25. Ibid., p.14.

part of the fight of all exploited nation for freedom. The congress condemns the Great powers and the League of Nations for their policy in regard to the Italo-Abyssinian war."<sup>26</sup> Leaders like Phiroz Sethna called the Ethiopian episode as "one of the greatest and most flagrant international wrongs perpetrated in history."<sup>27</sup>

In July 1935, Amrita Bazaar Patrika wrote: "The League is faced with Italian aggression in Abyssinia. Italy has refused to listen to representation from the League. France has refused to raise her hand against Italy and Britain has followed ensuit. The protection offered by the League is going to prove as of no value whatever. Once again it is demonstrated that the League is a League of Great Powers to protect and advance their particular interests. If the League fails to protect Abyssinia against the publicly declared intentions of Italy to make a meal of her, it is up to the coloured nations of the world who are members of the League to decide their own course of action and the only

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26. Indian National Congress 1934-36 (All India Congress Committee, Allahabad, 1936), p.76.

27. Verma, D.N., op. cit., p.108.

course dictated by self-respect is withdrawal from the League."<sup>28</sup>

Under the auspices of the Congress, India observed May 9, 1936 as Abyssinia Day by holding meetings and processions to express sympathy with Abyssinia over her defeat. While calling for this observance Nehru referred to the plight and helplessness of Abyssinia before the brutal might of fascist imperialism. He cogently criticized the great powers and the failure of the League to check the Italian aggression on Abyssinia. The Italian victory, he said, "had not only exposed afresh the true nature of imperialism, but also shown the hypocrisy and duplicity of the great powers and the utter futility of the League of Nations."<sup>29</sup> Later, when Britain decided to recognise the Italian conquest of Abyssinia, Nehru dissociated India from that move. He said, "the British Government may forget their solemn pledges and betray the League and the cause of peace, but India must make it abundantly clear that she will not be a party to

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28. ICWA, op. cit., p.19.

29. The Hindu, Madras, May 6, 1936.

this shameful policy.<sup>30</sup>

In both the Sino-Japanese and the Abyssinian crisis, the Indian delegation was under the influence of the British delegation. The sentiment of the Indian public was disregarded and never taken into account. F.P. Walters had rightly said, "the voice of India came then and for two many years thereafter, not from the vast spaces of the sub-continent, but from a dusty corridor in white hall."<sup>31</sup> India failed to take independent line of action on important international crisis on which the peace of the world depended. The Indian delegation too admitted that India submitted all its interest political matters to the charge of British delegation and found it "more convenient to express its attitude in informal meetings of the Empire delegation than in the open Committee or in the Assembly."<sup>32</sup>

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30. The Hindu, Madras, May 1, 1936.

31. Walters, F.P., A History of the League of Nations, Vol.I (Oxford University Press, London, 1952), p.117.

32. Report of the Indian Delegation, The Gazette of India, Feb. 8, 1928, p.285.

## CHAPTER IV

### SOCIAL, ECONOMIC AND FINANCIAL ISSUES IN THE LEAGUE OF NATIONS AND INDIA

The League of Nations emerged from the World torn and exhausted by the first World War. The world economy shattered by the war resulted in the degradation of the lives of men in all forms. It was against this background that the League began to function. Therefore, it was easy for member states to cooperate on social, economic and financial matters, where their interest was common. This was further reinforced by the inability of the League to deal with the issues of war and peace because of a large number of constraints.

#### Traffic in Women and Children

The problems of traffic in women and children have been in existence much before the World War. However, the development of transport and communication and the first World War made traffic in women and children to become a well organized system for the purpose of prostitution and obscene publication. Much before the League came into existence, efforts were made to do away with such traffic in

vice. The Conference of 1904 and the Convention of 1910, for example, pledged the signatories to uniform legislation whereby acts in pursuance of the traffic were made punishable offence whether committed against persons under or over age and whether such acts were committed in different countries. But Governments were slow to accept these obligations.<sup>1</sup> India was a party to the international agreement dealing with this subject in 1904 and a convention in 1910, which India abstained from agreeing on the ground that the age limit were inappropriate.<sup>2</sup>

When the League of Nations came into being it addressed itself to the problem of traffic in women and children. Art.XXIII(C) of the Covenant laid down that the members of the League would entrust the League with the general supervision over the execution of agreements with regard to the traffic in women and children.

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1. Webster, C.K., The League of Nations in Theory and Practice (George Allen & Unwin Ltd., London, 1933), p.268.
  2. Reports of the Delegates of India to the Second Session of the Assembly of the League of Nations, The Gazette of India (Extraordinasry), Part I, Feb. 16, 1922, p.81.

The first action of the League was the appointment by the Council in May 1920 to keep in touch with all matters relating to the White Slave Traffic. The matter was discussed exhaustively at the first Assembly and the Council was requested to prepared a report for the next Assembly and what had been done to apply the 1904 Agreement and 1910 Convention. Governments were urged to accede to this instrument, as rapidly as possible and a conference was summoned by the Council on the invitation of the Assembly, which met in 1921. The Conference made the following recommendations:

"(a) that the age of consent be raised from 20 to 21, the age of consent in the 1910 Convention means the age at which a woman may agree to being recruited for the traffic; below the age of 20, the 1910 Convention made it an offence to recruit a woman for this purpose in any circumstances; above this age, the act was an offence only if an element of fraud or intimidation could be proved.

(b) that not only procurement but attempts to procure women for the traffic be made punishable.



(c) that the Governments be urged to make annual reports to the League in the way they were applying the Convention and that an Advisory Committee be set up by the League."<sup>3</sup>

The Committee discussed the position in regard to what used to be "the White Slave Traffic" but in order to avoid racial distinction, to be styled the "Traffic in Women and Children". In the course of discussion, the Indian delegate Mr. Srinivas Sastri made it clear that India could not accept the age limit 21 proposed for the protection of girls. He pointed out that India's internal legislation fixed this age at 16 and having regard to early maturity in tropical countries, that age could not be expediently exceeded while it would obviously be undesirable to have a special higher limit for the benefit of a very limited number of non-Indians. The objection of India to the age limit was supported by the representatives of Japan and

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3. League of Nations: Ten Years of World Co-operation, Secretariat of the League of Nations, op. cit., p.290.

Siam.<sup>4</sup>

The task of traffic in women and children Committee was to carry out an extensive investigation in its sphere and to examine the annual reports supplied by the states which are party to the Slave Traffic Convention of 1921. It supervised the operation of Convention on Obscene Publications and made recommendations on other matters connected with moral and sexual offences. A sub-committee had been entrusted with the work of studying the laws and regulations to make more effective punishment for Souteneurs and the nature of penalties to be imposed for the purpose.<sup>5</sup> The work of the League of Nations in this sphere was to educate and develop public opinion by public discussion at Geneva and to collect and distribute information.

India became an original signatory to the Convention for the Suppression of traffic in women and children by signifying its adherence to it in February 1922 with the provision that she reserved the right to substitute the age

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4. Indian Delegation Report, The Gazette of India (Extraordinary), Feb. 16, 1922, p.81.

5. Coyajee, J.C., op. cit., p.192.

of 16years for those as given on the final agreement of the Convention of 1910 and in Art.5 of the Convention of 1921, viz. 20 and 21 years respectively. This reservation was made to the Eastern countries on account of their earlier maturity.<sup>6</sup>

The Advisory Committee on the Traffic in Women and Children was originally constituted to deal only with the question of moral offences against women, the regulation of licensed houses and the consideration of reports from states which are party to the White Slave Traffic Convention of 1921. However, at the Fifth Assembly, it was decided that the Committee should be enlarged and reorganised so as to deal with questions of protection of Children.<sup>7</sup> The Committee proposed to deal with a variety of matters, concerning the age of marriage, the preparation of an international convention to assist repatriation of foreign children, the effect of the cinematography on child development etc. In all these matters India welcomed information derived from

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6. Minute of the Fifth Committee, (Third Assembly, 1922), pp.41-42.

7. Major-General His Highness the Maharaja Dhiraj of Patiala, Report on the League of Nations Assembly, 1925, London, (The Medico Society Ltd., 1925), p.43.

the experience of other countries. However, India emphasised that before attempting to formulate a certain International Convention for signatories of different governments, caution needs to be taken particularly in laws concerning the Age of Consent and the Age of Marriage.<sup>8</sup>

At the fifth Committee Session when the report of the Advisory Committee on Traffic in women and protection of children came up for consideration, the Indian delegate Maharaja of Patiala pointed the danger of overstepping by the Committee and interfering unduly with the domestic concerns of particular countries. He said that the report of the Advisory Committee must appeal to all present. It should be recognised that different nations have different social and economic system and that effort must be made to avoid interference in purely domestic concerns. With regard to the legislation of the Age of Consent and Marriage, India was doing her best to improve legislative position; but was subject to necessities of religion and tradition. Therefore, the Maharaja opined that the Commission should only

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8. Ibid., pp.44-45.

collect information and not attempt to formulate general conventions.<sup>9</sup>

At the Ninth Ordinary Session of the Assembly, the subject on Child Welfare came up for discussion, the Indian delegate Mr. S.N. Malik took the opportunity in the Fifth Committee to express the appreciation of the ideals in view and gave some account of its work being carried out in India. He pointed out that the Government and the educated public had taken up the question of child welfare earnestly with the assistance from Europeans in India, particularly from European ladies and from Christian Missions, Centre for Child Welfare and Maternity work had been created at almost every important station in India, though much is yet to be done. Further, he explained the difficulties arising from the ancient traditions of civilization in India and its unfortunate economic and climatic conditions. Therefore, it was not possible or desirable either to make rapid progress or to copy western methods without discrimination.<sup>10</sup>

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9. Ibid., pp.45-46.

10. Final Report of the Delegates of India to the Ninth (Ordinary) Session of the Assembly of the League of Nations, op. cit., p.49.

However, the Indian delegate assured the Committee that in spite of the serious and deliberate misrepresentations which had made in recent times, the age of marriage was steadily rising in India and child marriage was constantly diminishing. Mr. Mallik did not agree with the delegate of Rumania, who said that 18 years should be established as the universal age of marriage. For there could be no uniform age for reasons of race and climate.<sup>11</sup>

An enquiry was conducted into the conditions and methods of the traffic in women and children in Europe, America and parts of the Near East. The Assembly in its Ninth Ordinary Session recommended the extension of this investigation by the Special Body of Experts into countries not previously visited especially in the East, with the understanding that the investigation carried out should relate to international aspects and not to the domestic aspects of the traffic. The Council also approved the view of the Committee that "in view of the differences in social customs in Eastern countries, the nature and extent of the

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11. India Delegation Report, The Gazette of India, (April 20, 1929), p.486.

enquiries to be made and the methods to be followed will require special consideration and the composition of the Special Body of Experts will have to be examined in the light of the altered circumstances."<sup>12</sup>

With regard to the extension of the enquiry to the East, the delegations of India, China, Japan, Persia and Siam expressed their satisfaction. They also stressed the need for taking into account the special customs and conditions prevailing in the East. The Indian delegation Mr. Devaprasad Sarvadhikary said that "When, as I hope it will, the Commission comes sooner or later to India, I hope we shall have a clear record to present. Although the Indian penal code is more than 70 years old, the government of India had no difficulty in ratifying the Convention immediately. This was due partly to the tradition behind us. With regard to the traffic in women and children, speaking from the international point of view, the traffic in foreign women is practically non-existent in India."<sup>13</sup>

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12. Report of the Indian Delegation, 1929 cited in Coyajee, J.C., op. cit., p.194.

13. Ibid., p.195.

India as a member of the League and her ratification of the Convention to suppress the Traffic in women and children brought about a sea change in her social set up. For instance, the Indian Penal Code was amended by passing several acts in 1923 and 1924 with the object of securing greater protection to girls under 18 years of age as well as women beyond that age in cases of compulsion and intimidation.<sup>14</sup> The League's convention gave India a fresh fillip in her attempt to do away with the practice of devadasi (temple prostitution) which was practiced in South India by passing several legislative Acts. In 1928, the Madras Legislative Council passed a resolution to put an end to such evil practice and the Madras suppression of Immoral Traffic Act of 1930 which went a long way in relieving the devadasi girls from all obligations to perform any service of shameful nature.<sup>15</sup> Besides, the U.P. Minor Girls Protection Act of 1929 was passed and the Naik Girls Protection of 1929 was passed to look after them up to the age of 18 years.<sup>16</sup>

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14. Report of the Commission of Enquiry into the Traffic in Women and Children in the East, League of Nations, Geneva, 1933, pp.362-64.

15. Ibid., pp.367-69.

16. Ibid., pp.373-74.



Thus India's cooperation to the League in its effort to solve the international problem of the Traffic in women and children, directly or indirectly helped her to initiate and introduced various welfare measures. Laws were passed with the object of doing away with the then existing evil practices against women and children.

### FINANCE AND ECONOMIC ISSUES

The finance and economics work of the League was formally based on Art.23(e) of the Covenant, by which the Members of the League agreed to make "provisions to secure... equitable treatment for the commerce of all Members of the League."<sup>17</sup>

The first step the League of Nations undertook in matters of economics was to convene an *International Financial Congress* which met at Brussels in September 1920. The conference was attended by the representatives of 39 states. It was the first important "technical" conference convened by the League and its organisation and methods of work set a

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17. League of Nations: Ten Years of World Cooperation, op. cit., p.429.

precedent for many future international gatherings.<sup>18</sup> In matters of financial and economic policy the Conference recommended that governments should make every effort to reduce expenditure, to balance their budgets, to check inflation, to return to their gold standard, to abolish "artificial restrictions" on international trade and to afford increased facilities for transport. The Conference pointed out that purely financial reforms could not be permanently successful unless existing restrictions upon commerce and industry were removed.<sup>19</sup>

The recommendations of the Brussels Conference exercised a powerful influence on the governments during the 1920s when the League endorsed six microeconomic adjustment programmes or "reconstitution scheme" as they were then called, which were supported with foreign loans and credits. In the programmes in Austria (1922) and Hungary (1924), the reforms tackled the financial reconstruction of two countries which were devastated by the War. In Greece (1923)

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18. Martin, Hill, The Economics and Financial Organisation of the League of Nations: A Survey of Twenty Five Years Experience (Lancaster Press, Washington, 1946), p.24.

19. Ibid., p.25.

and Bulgaria (1926), the initial involvement of the League was in refugee settlement schemes; it took up a financial character later on. Besides these, the reconstruction programme of the League included the mortgage loan to Danzig (1925) and the currency reform loan to Estonia (1927). In all these cases, the government voluntarily appealed to the League for assistance to tackle a given economic problem.<sup>20</sup> In each of these financial reconstruction programmes, the League recommended that in order to stabilize currency, fiscal equilibrium was of paramount importance. If the budget was balanced, there was no need for the central bank to extend credits to the government or to increase the issue of note beyond the amount that was demanded at a stable price level. Thus the main object of the financial reconstruction was a set of fiscal and administrative reforms intended to eliminate the budget deficit.<sup>21</sup>

The second major step undertaken by the League in matters of economics was to convene the World Economic

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20. Santella, Julio A., "Stabilization Programmes and External Enforcement: Experience from the 1920s" in IMF Staff Papers, Vol.40, No.3 (Sept. 1993), p.594.

21. Ibid., pp.594-95.

Conference in May, 1927. This Conference was attended by the representatives of 50 members and non-member states including the United States and the Union of Soviet Socialist Republics.<sup>22</sup> The conference dealt with problems affecting commerce, industry and agriculture. There emerged from the Conference a remarkable consensus of opinion regarding the desirable future trend of commercial policy. The conference recommended, first, the establishment of long-term commercial treaties of a relatively stable system of trade relationships unobstructed by barriers other than tariffs; secondly, the generalisation of the most-favoured-nation treatment and the progressive removal of all forms of non-tariff discrimination; thirdly, a reduction in the level of tariffs. The conference repudiated the traditional doctrine that tariffs were a matter of purely domestic concern and declared that the time has come to put an end to increase in tariff and to move in the opposite direction. The Conference suggested that individual action by states to remove tariff barriers that gravely hamper trade, bilateral action through the conclusion of commercial treaties providing for

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22. League of Nations, Ten Years of World Co-operation, Secretariat of the League of Nations, op. cit., p.197.

reduction of duties and collective action through the League of Nations.<sup>23</sup>

At the Conference, India made her presence felt on the question of reduction of tariff levels. Sir Campbell Rhodes explained that India's tariff had been increased for revenue purposes only and not for bolstering up unsuitable industries. The Indian Delegates presented to the Conference a review of the general economic conditions prevailing in the world from the standpoint of India. They also pointed out that in the case of India, the relative importance of the foreign trade was smaller and yet India was witnessing many features of depression as other countries. Further, it was pointed out that the level of tariffs in India was much lower than that of many other countries.<sup>24</sup> The Indian Delegation also emphasised the necessity of adopting measures like co-operation which would reduce the cost of production and increase the marketing strength of the agricul-

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23. Martin Hill, op. cit., p.49.

24. Reports and Proceedings of the World Economic Conference, Vol.11, pp.49-59, cited in Coyajee, J.C., op. cit., pp.95-96.

turist.<sup>25</sup> With regard to the work of the Economic Conference, 1927, Mr. Mallik said that the Government of India had studied its reports and the study had confirmed their view that the recommendations of the Conference were in general conformity with the principles and practices already followed in India. Therefore, India is prepared to accept the recommendations of the Conference.<sup>26</sup>

During the first decade, the political work dominated the activities of the League of Nations. However, there was a transition of interest towards economic activities accelerated with the world economic depression. While discussing the economic depressions at the Second Committee, the Indians pressed for a careful study of the causes and course of depression and for an investigation of remedial action. The Indian Delegate, Sir J.C. Coyajee said that the only alternative before the world in the present world economic situation was co-operative or chaos. He pointed out the experience of the great evil caused by the long

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25. Ibid., p.97.

26. Final Report of the Delegates of India to the Ninth (Ordinary) Session of the Assembly of the League of Nations, 1928, op. cit., pp.15-16.

depression which marked the seventies and eighties in the last century. A resolution was put forward which proposed the prosecution and continuation of studies relating to the problem of recurrence of economic depression. The resolution called for treatment of agricultural problems on a level of equality with those of industry and commerce. The resolution proposed by India was supported by the delegates of Great Britain and the Dominions, by Japan and by other various member states. The resolution was passed in a modified form without any substantial change.<sup>27</sup>

India as an agricultural country stressed the importance of finding a remedy for the agricultural aspect of the economic depression. A Conference was held at Warsaw by the representatives of the agricultural countries of Eastern Europe. The resolutions passed in this Conference was brought before the Assembly and the Second Committee by the delegates of all countries concerned. They proposed, besides other points on which no objection could be taken, the granting of preferential treatment by European countries to

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27. Final Report of the Delegates of India to the Eleventh (Ordinary) Session of the Assembly of the League of Nations 1930 (Calcutta: Govt. of India, Central Publication Branch, 1931), pp.17-18.

agricultural products of European origin; further involved infringement of the most-favoured Nation Clause. Regional understanding with preferential features were claimed to be the remedy for agricultural depression. At this, the Indian delegate Sir J.C. Coyajee, pointed out that the main cause of agricultural depression had been that production had been out running consumption and that local agreements like those proposed by the Warsaw Conference cannot remedy the state of affairs. Consumption can be effectively stimulated only by raising the general standard of living and the task was beyond the power of local agreements. Further, he pointed out that the League had just created a Committee to consider the general problem of European Union and Co-operation. Therefore to bring up the question of potential and regional preferences within Europe was premature. The Indian delegate also voiced the sentiments of the Dominions when he said that the non-European countries could have no ground for objecting if the European countries by independent negotiations, make preferential agreements among themselves but said that it was different when such agreements were proposed to be made under the auspices and sanctions of the



League of Nations.<sup>28</sup> On the question of the Most-Favoured-Nation Sir Coyajee pointed out that Indian tradition has been uniformly liberal and that, India shared with Great Britain, the record of never having gone back on the widest interpretation of the Most-Favoured-Nation Clause. It was in the light of this liberal tradition that she could agreed to most of the principles laid down by the Economic Committee with regard to the field of application of the Clause. Coyajee expressed his dissent from and opposition to the system of quotas and of specialisation which might be made to operate in such a way as to nullify, at least partially, the generality of the Most-Favoured-Nation Clause.<sup>29</sup>

In the sphere of economic and financial policy, the Second Committee had, before its reports issued in 1935 by the Financial and Economic Committee on Clearing Agreements, Agricultural protectionism and the present phase of international economic relations. The discussion in the Second Committee showed an increasing desire for currency stabili-

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28. Final Report of the Delegates of India to the Eleventh (Ordinary) Session of the Assembly of the League of Nations, op. cit., p.19.

29. Ibid., p.20.

sation and a conviction of the necessity for increasing foreign trade and for modifying commercial policy on more liberal lines.

The Assembly suggested that the Council should consider the desirability of an enquiry with a view to devising means for applying the conclusions of the Joint Committee on Clearing Agreements. As regards Agricultural production, another resolution recommended the resumption of consultations of agricultural experts. In the course of discussion on economic question, the Indian delegate Mr. B.K. Basu congratulated the Economic Committee upon its report on Agricultural protectionism and said that such a study showed the economic trouble in the world in its proper perspective and constituted the first step towards recovery from a situation which had grown continually worse since the financial crisis of 1929.<sup>30</sup>

Agricultural protectionism in the industrial countries of the West was harmful form of the evil. It was only

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30. Report of Delegates of India to the Sixteenth (ordinary) Session of the Assembly of the League of Nations 1935 (Manager of Publication, Government of India Press, New Delhi, 1936), p.18.

logical that if industrial countries refused to absorb the products of agricultural countries, the latter would likewise be unable to purchase the products of the former. Agricultural protectionism thus inevitably reduced the export of industrial countries and thereby brought about industrial depression. Therefore, the Indian delegate appealed to the Committee not to let matters drift but devise some means in the first place to stay any increase in agricultural protectionism and in the second place to reduce it to a minimum.<sup>31</sup>

From these we can safely conclude that India actively participated in the various economic and financial activities of League of Nations. By the second half of the 1930s the danger of another great war became imminent. The political activity of the League had fallen almost completely into abeyance. Messages of encouragement and promises of support for the League's economic and social activities had been received from many governments including the United States and it had become a matter of urgent concern to provide an appropriate basis which could maintain and safe-

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31. Ibid., p.19.

guard those social and economic activities of the League. This effort led to the appointment of the Bruce Committee, a Committee of considerable importance which in fact laid the foundation for economic and social aspects of the United Nations.

## CHAPTER V

### MEMBERSHIP OF THE LEAGUE AND ITS BENEFITS TO INDIA

When the process for the formation of the League of Nations was in progress, the Indian National Congress had demanded for the fulfilment of the principle of self-determination through the League. It was during this time that an appeal was formally put before the Foreign Relations Committee of the United States Senate by Mr. Dudley F. Malone, representing the Indian people that if the Covenant of the League was passed as it stood, it would destroy the hopes of the subject countries all over the world.<sup>1</sup> It was through the effort of Lala Lajpat Rai that the question of India was brought before the Foreign Relations Committee in the United States. This was for the first time that India's struggle for independence against her colonial rulers sought the support of other countries.<sup>2</sup>

The war did not bring any substantial change in India's

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1. Andrews, C.F. and Mukherjee, G., The Rise and Growth of Congress in India, 1832-1920 (London, 1932), p.165.
  2. Ibid., p.166.

position. After the war India continued to remain under the British. However, the benefit India derived at the close of the war was that she was allowed to take an active part in all negotiation for peace as a recognition of the sacrifices she had made in protecting the rights of other nations. The services rendered by India in the war bound the victors of the war that India should no longer be denied the right to have a say in international affairs, which led them to include India as one of the signatory to the peace treaty. This was indeed a great departure in the British policy after the war - so far as India was concerned.

Subsequently, when the League of Nations came into being it was made part of the peace Treaty. Therefore, India automatically became a member of the League of Nation by virtue of her being a signatory to the peace treaty. If we look at the original members of the League and the members admitted to the League of Nations in the years that followed, we find that India was the only non-self governing member state in the League of Nations. Not only at the time of the Leagues inception but through out the existence of the League of Nations, India continued to remain under her colonial rulers. Being a non-self governing member state of

the League, on questions of major policy and various other important issues that were brought before the League, the Indian delegation found their "initiative circumscribed to a very large extent" as they received instructions from the Secretary of State for India.<sup>3</sup>

Despite, the constraints for being a non-self governing state, India benefited greatly by securing membership to the League of Nations. India was the only nation of the same status, who was accorded such a great privilege. Thus India's participation in the war and her association in the peace treaty proved to be a blessing in disguise.

Membership to the League of Nations gave India automatically the right to become members of the International Labour Organisation, the permanent Court of International Justice, the International Committee of Intellectual Cooperation at Paris, the International Institute of Agriculture at Rome, the Advisory Committee on Opium and Drugs, the Economic Committee, the Health Committee and several

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3. Lanka, Sundaram, India in World Politics: A Historical Analysis and Appraisal, (Sultan Chand & Company, Delhi, 1944), p.36.

other League and semi-League organisation.<sup>4</sup>

Besides membership to their organisations, India also secured representation at almost every international conferences such as the Brussels Financial Conference (1920), the Washington Conference on the Regime of Navigable Waterways (1921), the Geneva Economic Conference (1922), the Geneva Conference on International Regime of Maritime ports, the Geneva Economic Conference (1929), the London Naval Armament Conference (1930), the Hague Reparation Conference (1931), the World Disarmament Conference (1932) and many other.<sup>5</sup>

The participation of India in these League and non-League Conference since 1920 is of considerable importance. During the peace conference, the Indian "deputationists" were included in the Empire delegation and were given opportunities for attending the plenary session of the peace conference in rotation with the representatives of self-governing Dominions. However, after India obtained her membership in the League of Nations, her delegation went forth in their own right to almost every international

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4. Ibid., p.28.

5. Verma, D.N., op. cit., pp.28-29.



conference.<sup>6</sup>

Membership to the League had great importance to India as it helped her to present a united front of the British India and the Natives States at the international arena. League's membership taught them to co-operate in the common external interests of the country and it taught them how to unite and combine their interest.<sup>7</sup> The Indian delegation of three has always included one from a princely state. This has been of great value to India in voicing her opinion in the League matters as a single state, without showing any political division as Indian India and British India. The delegation of each state commands only one vote, irrespective of its strength and composition. In all the meetings of the League, the delegation of the princely State spoke not on behalf of the Indian States alone but on behalf of united India as a whole. Therefore in international affairs India has become one political unit.<sup>8</sup>

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6. Lanka, Sundaram, op. cit., p.28-29.

7. Coyajee, J.C., op. cit., p.29.

8. Ram, Shiva V. and Sharma, Brij Mohan, op.cit., pp.142-43.

From the legal, political and constitutional points of view, membership of the League was an important event in the history of India. It had great impact on India's material position. The spokesman of the British imperialism had been repeatedly "ad nauseam" that India was not a nation, but a group of nations and that India would never become a nation. This imperialist concept was erased with the admission of India to the League of Nations. India's membership to the League was an outstanding fact of her status as a nation which had an international recognition.<sup>9</sup>

Membership of the League gave India prestige, collective self-esteem and moral influence. It stimulated her national self-consciousness and her interest in international affairs. It enabled her to know the world and to be known in turn. It gave a good many Indians the opportunity to familiarize themselves with international problems and cooperating in their solution. It gave them the chance of establishing personal contacts with the representatives of other countries. The knowledge and experiences thus

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9. Verma, D.N., op. cit., p.44.

gathered stood India in good stead when she became independent.<sup>10</sup> Thus membership to the League of Nations proved efficacious in the promotion of national spirit and statesmanship.<sup>11</sup> The League platform gave India the opportunity to acquaint the world with the social awakening taking place and the humanitarian works being carried out in India. It also provided India a chance to put before the world some of the salient facts of her past glorious history and present her social, political and industrial problems.<sup>12</sup>

India's association with the League resulted in remarkable development in her social history. As a member of the League, India accepted a number of Leagues Convention for the Suppression of Traffic in Women and Children. The acceptance and adherence of this convention necessitated the amendments in the Indian penal code. The effort of the League of Nations in solving social and humanitarian issues was responded by India by undertaking a programme of eradication of slavery after it became a party to the

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10. Mehrotra, S.R., India and the Common Wealth, 1885-1929 (George Allen & Unwin Ltd., 1965), p.240.

11. Coyajee, J.C., op. cit., p.29.

12. Verma, D.N., op. cit., p.303.

Leagues Slavery Convention.<sup>13</sup> On the economy side India benefited greatly by the efforts and studies carried out under the auspices of the League. For instance, the effort made by the League to reduce tariffs is not a matter of small importance to India. India being an agricultural country, she was interested in the studies being carried out by the Economic organisation on the problems of agriculture.<sup>14</sup>

India acquired international status by her admission to the League of Nations in a way affected her internal history. It accelerated the pace of her constitutional development. Her membership in an international organisation of sovereign states made it absolutely necessary that she had to be granted a constitutional position befitting to her international status.<sup>15</sup> India's membership of the League made Montagu, the Secretary of State for India, urged the House of Commons to raise her internal status by passing the Bill so as to bring India in harmony with her international

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13. Ibid., p.308.

14. Coyajee, J.C., op. cit., p.32.

15. Verma, D.N., op. cit., p.38.

status: "India is to be an original member of the League of Nations, therefore, I say whatever difficulties there may be in your path, your imperial task is to overcome those difficulties and to help India on the path of nationality." As Prof. A.B. Keith, wrote "by securing admission of India to the League, the British Government virtually though not technically bound itself to the task of creating a self-governing India."<sup>16</sup>

League's membership gave India another good reason in her demand for independence. Mr. Pheroz Sethna, a member of the Council of State, pointed out the anomalous position of India in the League and said that: "India cannot take her rightful place in international affairs unless she has her rightful place as a nation here in India. Unless that is done Indians will regard their representation in the League of Nations as a mockery."<sup>17</sup> Thus India's membership of an international organisation of sovereign or self-governing states compelled the British Government to grant India a

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16. Keith, A.B., A Constitutional History of India 1600-1935 (Low Price Publication, Delhi, 1930), p.468.

17. Council of State Debates, Vol.II, 1930, p.115.

Dominion status with all possible haste. Otherwise it would have proved right the argument that Britain sought the membership of the League to secure her own imperial interest.<sup>18</sup>

India's membership of the League and her participation in the various League, semi-League and non-League organisations and conferences widened the outlook of the Indian people which was reflected in the attitude of the Indian National Congress towards the world affairs. The Congress began to feel the need of her relationship with other countries, and to formulate her policy towards the various developments in the world, untravelling by any consideration for British imperialist interest.<sup>19</sup> In their fight for India's freedom, the Congress increasingly voiced sympathy with the freedom struggles in different parts of the world.

India's membership to the League of Nations helped the Indian Congress to participate in various international conference unhindered by the British. For instance on 16

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18. Verma, D.N., op. cit., pp.40-41.

19. Bimal Prasad, Origin of Indian Foreign Policy: The Indian National Congress and World Affairs, 1885-1947, Ed.2, (Bookland Private Ltd., Calcutta, 1962), p.67.

February 1927, when the Congress of the Oppressed Nationalities was held at Brussels with the representatives from different countries of the world, India was given a prominent place. In that Congress, the Indian National Congress was represented by Pt. Jawaharlal Nehru. In that Congress Nehru advocated the need for India's liberation in the interest of all exploited persons of the world. India thus gained the support of Oppressed Nationalities to her freedom struggle.<sup>20</sup>

India's participation in such conference helped her to build up her bilateral relationship with other countries. For instance, in one of its resolutions in the form of Joint Declaration by the Chinese and Indian delegations, referred to the most intimate cultural ties which had united the two countries for more than three thousand years before the advent of British rule in India and emphasised the need for their revival.<sup>21</sup> At the Brussel Congress, representatives from Asian countries showed a strong desire for a closer

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20. Verma, H.M., India and World Affairs: Foreign Policy of India, (Kitab Ghar, Gwalior, 1984), p.7.

21. Ibid., p.80.

bond between them. Nehru suggested that national organisations in the Asian countries should also foster direct contact among themselves through exchange of publications and visitors.<sup>22</sup>

From the various benefits India derived from her membership to the League of Nations, we can safely say that the foundation of India's international status was laid much before she attained her independence. The Foreign Policy which India followed after her independence based on the principle of freedom from colonial peoples had already laid a solid foundation during the years of her membership in the League.

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22. Ibid., p.83.



## CONCLUSION

The Paris Peace Conference 1919 marked an important era in the history of India. Since the League of Nations was made part I of the Peace Treaty, India being a signatory to this treaty, could claim its membership to the League. Significantly, India was the only non-self governing member state in the League. Membership to the League raised the status of India and she was treated on par with the other self-governing independent states in the international arena, much prior to her emergence as an independent nation.

As an original member to the League of Nations, the Indian delegation was given equal status with other member states. This gave India the opportunity to participate in all the meetings of the League and other international conferences conducted under the auspices of the League. Thus India got the opportunity to voice her opinion by expressing and defending her position in matters of direct interest to her people.

Despite this enjoyment of equal status, India's participation was constrained by her colonial status.

Indian representatives to the League were nominated by the Secretary of States - a colonial authority serving British interests - and not by the Indian people. Hence, in more than one crucial situation the Indian delegation's views reflected the colonial rulers' views rather than expressing Indian public opinion.

This paradox of subordination amidst equal status, made India's position at the League unique. This was most glaring when it came to financing the League. India's financial contribution to the League was one of the largest. It was again India, which through out the League's existence, tried to economise the League's expenditure, yet she went on contributing one of the largest share's in the League's coffers. This was in spite of the fact that India was a poor country. Had India been an independent nation, this financial clout might have resulted in India's enhanced importance as far as crucial international issues were concerned.

India's role of subordination to the British colonial views in crucial issues in the League made Indians believe that the League was a tool at the hands of the great powers and its purpose was to maintain a status quo. India's

membership to the League was considered by many as an additional voice and vote of the British. This view was expressed even by France when the question of India's membership to the League had been discussed.

India's perception towards the League as that of a tool of the big powers to maintain the status quo - began to change in the thirties beginning with the world economic depression followed by the Manchurian and Abyssinian crisis. During this period India began to see the importance of the League and wanted to make the League an effective instrument to ensure peace in the world. Besides, the need to strengthen the League was felt because of the important social, economic and financial activities undertaken by the League.

In spite of all these contradictions, India's association with the League proved advantageous to India on many accounts. The League had an impact on India's social history, India's ratification of the Convention for the Suppression of Traffic in Women and Children necessitated amendments in the Indian Penal Code, devised to protect women and children against sexual crimes. The government of

India was also made to undertake a programme for eradication of slavery in India.

It may be pointed out that the Indian delegation to the League participated actively in the various social, economic and financial issues with her interest in view and the interest of the smaller states, particularly that of the Dominion states in a League dominated by the great powers.

India's admission to the League resulted in her admission to various international organisations. This gave many Indians the opportunity to participate in various international conferences. The knowledge they gathered from such experiences proved very useful to India in the post-independent stage.

Membership to the League had its impact on India's national position. It helped to accelerate the pace of her constitutional development. India's membership to the various international organisation on equal footing with the self-governing states compelled her colonial rulers to grant a constitutional position befitting to her international status. Thus membership to the League of Nations indirectly strengthened the ongoing freedom struggle for India's inde-

pendence.

India's membership to the League gave her a pre-independence schooling in diplomacy in the international arena. It helped India to lay her foreign policy on a solid foundation - based on experience - much before she attained her independence. From the experience gathered from the League in international affairs, India gradually emerged as the leader and spokesman of the emerging independent nations of the third world in various international organisations.

The enhanced status of India in international affairs was truly reflected in her participation in the drafting of the United Nations Charter at San Francisco and becoming a member even before she gained independence.

A perusal of India's involvement in the League's affairs from its very inception brings home the fact that hers was an engagement full of inherent dynamism. While her status of a colonised country constrained her participation in the manner her people wanted it to, her very entry into the League on the other hand qualified her for an enhanced international status. Her financial backing and active

participation in different forums of the League made India an effective member, while on the other hand on crucial international issues of peace and security, she had to play second fiddle to the English masters. Thus paradoxes were there. Despite these contradictions, however, India gained a number of advantages from its entry, to the League of Nations. It helped India to advance to adolescence from infancy as far as understanding of international affairs were concerned.

## Appendix I

Annex of the Covenant mentions the following States as original Members of the League of Nations signatories of the Treaty of Peace.

- |                             |                             |
|-----------------------------|-----------------------------|
| 1. United States of America | 17. Haiti                   |
| 2. Belgium                  | 18. Hedjag                  |
| 3. Bolivia                  | 19. Honduras                |
| 4. Brazil                   | 20. Italy                   |
| 5. British Empire           | 21. Japan                   |
| 6. Canada                   | 22. Liberia                 |
| 7. Australia                | 23. Nicaragua               |
| 8. South Africa             | 24. Panama                  |
| 9. New Zealand              | 25. Peru                    |
| 10. India                   | 26. Poland                  |
| 11. China                   | 27. Portugal                |
| 12. Cuba                    | 28. Rumania                 |
| 13. Ecuador                 | 29. Sub-Croat-Slovene State |
| 14. France                  | 30. Siam                    |
| 15. Greece                  | 31. Czecho-Slovakia         |
| 16. Guatemala               | 32. Uruguay.                |

### **States Invited to accede to the Covenant**

- |                       |               |
|-----------------------|---------------|
| 1. Argentina Republic | 8. Persia     |
| 2. Chile              | 9. Salvador   |
| 3. Colombia           | 10. Spain     |
| 4. Denmark            | 11. Sweden    |
| 5. Netherlands        | 12. Sweden    |
| 6. Norway             | 13. Venezuela |
| 7. Paraguay           |               |

Source: League of Nations, Official Journal, Feb. 1920, p.11.

Appendix II

**Scale of Allocation of the Expenses of the League  
for 1926, 1927 and 1928**

Country	Unit
Abyssinia	02
Albania	01
Argentina	29
Australia	27
Austria	08
Belgium	18
Bolivia	04
Brazil	29
Bulgaria	05
Canada	35
Chile	14
China	46
Columbia	06
Costa Rica	01
Cuba	09
Czech-Slovakia	29
Denmark	12
Dominican Republic	01
Esthonia	03
Finland	10
France	79
Great Britain	105
Greece	07
Guatemala	01
Haite	01
Honduras	01
Hungary	08
India@	56
Irish Free State	10
Italy	60
Japan	60
Latvia	03

contd...



contd...

Country	Unit
Liberia	01
Lithuania	04
Luxemburg	01
Netherlands	23
New Zealand	10
Nicaragua	01
Norway	09
Panama	01
Paraguay	01
Persia	05
Peru	09
Poland	32
Portugal	06
Rumania	22
Salvador	01
Serb, Croats and Slovan (Kingdom)	20
Siam	09
Spain	40
South Africa (Union)	15
Sweden	18
Switzerland	17
Uruguay	07
Venezuela	05
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Total	937

Source: Report of the Indian Delegation to the Sixth Assembly of the League of Nations (1925), The Gazette of India, Jan. 1926, p.41:

Appendix III

**Statement Showing India's Contribution to  
the League of Nations**

1921-1939

League Financial Year	No. of Units at which India was assessed	Total No. of Units	Indian Financial Year	India's Con- tribution in Rupee
1921	25	510	1921-22	5,49,160
1922	65	977	1922-23	4,37,380
1923	65	949	1923-24	7,77,990
1924	65	932	1924-25	7,05,260
1925	60	935	1925-26	5,32,880
1926	56	937	1926-27	5,44,150
1927	56	937	1927-28	66,67,120
1928	56	937	1928-29	6,85,530
1929	56	986	1929-30	7,56,130
1930	56	986	1930-31	8,10,450
1931	56	986	1931-32	9,02,790
1932	56	999	1932-33	13,04,880
1933	56	1,012	1933-34	13,83,640
1934	56	1,013	1934-35	14,37,373
1935	55	1,011	1935-36	14,81,080
1936	55	931	1936-37	13,93,000
1937	49	932	1937-38	9,89,000
1938	49	932	1938-39	9,69,000
1939	49	932	1939-40	9,69,000

Source: Legislative Assembly Debates, (1938), Vol.III, p.2874, League of Nations, Official Journal, No.3, 1939, p.976; and Verma, D.N., op. cit., p.230.

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