

larly to the constitutional status of Tanganyika. This and the question of sovereignty were questions to which the German Government attached great importance.

I should especially mention, I think, a discussion on the subject of the mandates system generally which took place some days later in the Sixth Committee. In view of New Zealand's mandate over Samoa, I followed the debate closely. The discussion created much interest, and was fully reported in the newspapers, both English and foreign.

As already stated, Dr. Nansen (the Rapporteur to the Assembly), in his opening speech on the subject of mandates generally, claimed that it is now "generally recognized that formal sovereignty does not reside in the Mandatory Power." As South Africa has always been more or less insistent that sovereignty does lie in the Mandatory, this statement was not quite acceptable to her representative. Moreover, the suspicion of the European Powers, and particularly of those who do not possess mandates, are easily aroused when any suggestion is made that the Mandatory Power has a permanent mission in its mandated territory. For instance, as already noted, it was unfortunate that, at the same time a British proposal to absorb the Tanganyika Mandated Territory into the administration of the neighbouring British colony of Kenya, in terms of the Hilton-Young Commission's report, had aroused opposition here in Geneva. Following Dr. Nansen, the High Commissioner for South Africa said he considered the Sixth Committee incompetent to discuss the issue of sovereignty, and he more than broadly hinted his intention of raising the question before the next meeting of the Council of the League.

The delegate for Italy (Count Bonin-Longare) then stated, in no undecided terms, the opinion of Italy, which was that the mandatory form of government was of a "quite temporary" character—a "guardianship or tutelage"—and was liable to be "terminated by the League at any time." This bold statement immediately drew other representatives. The French delegates most vigorously disagreed with the Italian interpretation. Doctor von Schubert, the Secretary of State for Foreign Affairs for Germany, who sits on the Sixth Committee, then took up the cudgels for the "merely temporary" interpretation, which naturally led to further debate.

The British delegate pointed out that the mandate was really granted by the Allied powers, including America, and the British lady delegate (Mrs. Swanwick) implied that the mandate could not be modified or revoked without the consent of the Mandatory.

For New Zealand, I briefly intervened to say that we viewed the question of formal sovereignty as largely academic, but that I would reserve my Government's opinion on the subject. I ventured to point out that the Council of the League had laid it down that the old nomenclature and terms of international law were scarcely applicable to the mandatory system, which was an entirely new form of government, unknown in the world before the war—a system which would evolve gradually as a workable machine. I thought, therefore, any argument about the technical issue of sovereignty was rather profitless. On the other hand, I stated that the use of such terms as a "merely temporary system" and only a "guardianship or tutelage" was likely to create difficulties for all the Mandatories, and, indeed, to make their position almost impossible in governing the Native races under them. The Natives might easily get the impression that the Mandatory was merely a sort of tenant at will, liable to be ejected by some superior power at Geneva, and such a result, bringing, as it would, lack of respect for the authority of the Mandatory, would be little less than a disaster.

The next day the debate was continued, and I ventured again to stress this aspect, and when Dr. Nansen's report, which was to go to the Assembly, was brought in draft form before the committee I again stated that, in my judgment, two expressions had been used which were unfortunate: one was "sovereignty," and the other word (at the other end of the pole) was "temporary." I suggested that it would be prudent to cut out the discussion altogether from the report. The South African delegate strongly supported this point of view, and the result was that Dr. Nansen's annual report, adopted the next day by the full Assembly, contains only the following reference to the mandatory system:—

"In the course of the general discussion, which touched upon a number of aspects of the institution of mandates, a highly interesting exchange of views took place with regard to the conception of sovereignty as far as mandated territories are concerned. It will be remembered that the matter has been repeatedly dealt with by the Council of the League and by the Permanent Mandates Commission. The committee is confident that when the matter comes up again the Council will find it possible to solve any practical problems which may arise."

REFUGEE WORK.

The third meeting of the committee considered the question of refugee work (Documents A. 23, A. 23 (a), A. 25, A. VI/2, A. IV/10, A. IV/21, A. 63, and A. 70). Dr. Nansen gave a summary of the work, and reported that the Advisory Commission on this subject had made two recommendations: (1) That it was impossible to adopt radical measures for the solution of the problem either by mass naturalization of refugees or repatriation, and that it recommended that the work should be proceeded with on present lines for a maximum period of ten years; (2) that the Refugee Organization should be incorporated in the framework of the Secretariat of the League as a temporary department. The Supervisory Commission had, however, not approved the latter suggestion, as it foresaw difficulties, owing to the Refugee Organization administering funds received from private and other sources not connected with the League. Dr. Nansen strongly urged that the Sixth Committee should support his and the Advisory Committee's proposal, and that the Supervisory Committee should be requested to reconsider the matter, as the refugee work would be much hampered if it were necessary to set up an autonomous organization not directly under the auspices of the League.