

So diverse and conflicting, indeed, were the views tendered, and so pressing were other problems before the League at this time, that it seemed futile to expect any agreement on matters of substance in changing the Covenant. Reference to the published reports (August-September, 1937, Documents C.S.P. 11, 14, 18, 19, 20, 21) will indicate the range and complexity of the issues involved. Their perusal will, I am sure, suggest that, with all its defects, the Covenant substantially as it stands will have to serve nations yet awhile—and it cannot be too often stressed that its inadequacies in ensuring peace and collective security are due not to any inherent defects in the document itself, but to the attitude of existing Governments.

Having regard to the limitations within which we were thus working, the wisdom of proceeding with such matters as could command general agreement—and the separating of the Covenant from the peace treaties was one, and perhaps the only one, satisfying this test—seemed clear. I was accordingly glad to have your authority to proceed.

At the meeting of the Committee of Twenty-eight on 10th September, following some discussion that confirmed the general absence of agreement, I asked that the separation of the Covenant from the treaties be put in hand forthwith. Since consultation with non-member States regarding the provisions of the Covenant, with the allied question of universality, was under controversial discussion at the time, it seemed pertinent to comment that the suggested separation “would be a useful step towards consultation with non-members, at whatever date such consultation be taken.” My proposal was that a small drafting Committee frame a resolution for consideration by the Assembly separating the Covenant from the peace treaties, leaving open the question whether the formal amending of the Covenant to remove all verbal references to those treaties should be put in hand now or at a later date.

The main Committee accepted this proposal, and a drafting body that came to be known as the “Committee of Ten Jurists” was set up accordingly, New Zealand being represented thereon. This Committee took the view that the precise textual amendments which required to be made to the Covenant, with ratification by States as provided by Article 26 of the Covenant, should be drafted. Its work was prolonged accordingly, and it did not report until the Assembly was nearing its adjournment. The report, with draft amendments to the Covenant and a draft resolution by the Assembly, is Document C.S.P. 24.

The Committee of Twenty-eight, meeting on the 29th September, decided that the report and relevant papers should be communicated to Governments.

Reference to other business that came before the Committee of Twenty-eight is made in my main report on the Eighteenth Assembly, bearing particularly on the proposals made by the representatives of Argentine and Chile.

The Committee itself adjourned until a later date to be determined by the Chairman.

I have the honour to be,

Sir,

Your obedient servant,

W. J. JORDAN,

High Commissioner.

The Right Honourable the Prime Minister of New Zealand,
Wellington, New Zealand.

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