

TURKEY ON THE AGENDA OF THE LEAGUE OF NATIONS

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ABBREVIATIONS

PRO	Public Record Office
MC	Microfilm
LN - OJ	League of Nations - Official Journal
T. B. M. M. Z. C.	Türkiye Büyük Millet Meclisi Zabıt Ceridesi

INTRODUCTION

I The Depreciation of Power Politics By the Beginning of the 19th Century.

It is believed that what statesmen pursue in international politics is nothing but the concept of interest defined in terms of power. International politics, like all politics, is a struggle for power according to the realist school. Whatever the ultimate aims of international politics, power is always the immediate aim. Statesmen and people may ultimately seek freedom, security, prosperity, or power itself. They may define their goals in terms of a religious, philosophical, economic or social ideal. They may hope that this ideal will materialize through its own inner force, through divine intervention, or through the natural development of human affairs. They may also try to further its realization through nonpolitical means such as technical co-operation with other nations or international organizations. But, whenever they strive to realize their goal by means of international politics, they do so by striving for power. Woodrow Wilson wanted to make the world safe for democracy; the Nazis wanted to open Eastern Europe to German colonization in order to dominate Europe and to conquer the world. Since they all chose power to achieve these ends they were actors on the scene of international politics.

But ,as Gönlübol noted, if one accepts that some other factors apart from the power play role, the model of power becomes not only inefficient, but also decisive in the determination of the policy pursued in international political stage. (1) The League of Nations can be given as an example in the belief that the struggle for power in international politics can be removed.

The depreciation in the role of power play on the international scene grows from two roots. One is the philosophy of international relations which dominated the greater part of the 19th Century. The other is the particular political and intellectual circumstances that have determined the relations of the United States of America to the rest of the world.

The 19th Century underwent a depreciation of power politics owing to an upsurge domestic experience. The distinctive character of this experience was the domination of the middle classes by the aristocracy. The middle class replaced the traditional division of the governing and governed classes, and the military method of open violence, characteristic of aristocratic rule, with the invisible chains of economic dependence. The struggle, for political power, in domestic as well as in international affairs, disappeared with the disappearance of autocratic government. The U.S.A. retreated from European politics represented by European ambition, rivalry, and self interest, the manifestations of the international struggle for power before the eyes of America. In other words, the American retreat from European politics

was a retreat from power politics. Throughout the nation's history, the national destiny of the USA has been understood in antimilitaristic, libertarian terms. They thought that by their example in retreating from power politics they would do more to extend liberty over the continent and the world generally, than would be achieved by a thousand victories. (2)

In a period when the League idea evolved, however, the depreciation, in the role of power became a reality but the reality of the preservation of self interest had never changed. A nation whose foreign policy tends toward keeping power and not toward changing the distribution of power in its favor pursues a policy of status quo.

The policy of keeping the status quo aims at the maintenance of the distribution of power which exists at a particular moment in history. This particular moment is frequently the end of a war, when the distribution of power has been codified in a treaty of peace. This is because the main purpose of peace treaties is to formulate in legal terms the shifts in power which victory and defeat in the preceding war have brought about, and to insure the stability of the new distribution by means of legal stipulations. Thus it is typical for a status quo policy to appear in defense of the peace settlement that terminated the previous general war. The distribution as it existed at the end of the First World War found its legal expression in the peace treaties of 1919. It became the main purpose of the League of Nations to maintain peace by preserving the status quo of 1918 as it had been formulated in the peace

treaties of 1919. Article 10 of the Covenant of the League, obligating its members "to respect and preserve as against external aggression the territorial integrity and existing political independence of all members of the League", recognized, as one of the purposes of the League, the maintenance of the territorial status quo as established by the treaties of 1919. Consequently, in the period between the two world wars, the struggle for and against the status quo was, in the main fought either by defending or opposing the territorial provisions of the Treaty of Versailles and their guarantee in Article 10 of the Covenant of the League. It was, therefore, only consistent from their point of view that the nations chiefly opposed to the status quo established in 1919 should sever their connections with the League of Nations-Japan in 1932, Germany in 1933, Italy in 1937. (3)

Consequently, nations always tried to determine their foreign policies in terms of the interests they achieved by means of preserving the balance of power. So, in any analysis of international systems it is better to consider this reality. Throughout history some efforts were made to found international organizations and the states tried to preserve the status quo which favoured them by means of such international organizations.

The hope of establishing peace was not an idea that burst suddenly on the 20th Century political stage. (4) In other words, the formation of the League of Nations was, in part, a process of imitation of the organizational forms and types of the 19th Century. Despite the general view that the League was, in important respects, the product of

the First World War, in fact the League idea was not wholly new because the main outlines of the League were determined years before it was ever thought of. The Hague Conferences and public international Unions appeared as the forerunners, and the World War as the precipitating agent of the League.

By the end of the Napoleonic Wars, the "Holy Alliance" had developed. The international government of the Holy Alliance was government by the Great Powers. During the period between the Holy Alliance and the League of Nations there had been some ad hoc attempts at settling international problems through the concerted action of the Great Powers. After the demise of the Holy Alliance, the great powers continued to assume responsibility for the settlement of political issues that might otherwise have led to war. That responsibility was realized in a number of conferences dealing with problems endangering peace. With the end of the First World War, a new epoch began in the history of international government. In its functions the League of Nations showed a great deal of similarity with the Holy Alliance. In its organization, however, it constituted a radical departure from the experiment that had preceded it a century before. As Howard Ellis explained, the League Covenant was the turning point in the evolution of the world toward international organization. Before the Covenant the evolution was mainly unconscious, whereas afterwards it became almost wholly conscious. There was very little new in the League although the League itself was new. (5)

II. The Developments Which Paved the Way to the League Idea.

A) A New Emphasis On "Internationalism"

The time that followed the momentous events of 1914 was the era of establishment of International Organization. One of the most important concepts of the era was internationalism. The concept of internationalism was closely related with the idea of the League of Nations. From 1850 until August 1914, when the War began, each state in Europe was operating as an individual nationality with more or less intimate relations with other individual nationalities. There was no general co-operation among them for the common good. Each nation was seeking only its own purposes and went its own way without any particular regard for the rights of others, except so far as they affected its own interests. During this period, many wars occurred in Europe and all knew that the purpose of these wars was either territorial or commercial robbery without regard for the rights, lives of the individual or the nation.

At the end of the First World War a great change developed in the public. As internationalism gained popularity the old diplomacy, of intrigue disappeared. As also Fallodon also pointed out, the diplomacy of intrigue lost its purpose. The worst feature of that method was that it hid the meaning and importance of international relations from the public at large. The door was now opened to the conduct of international affairs by honest negotiations instead of by intrigue. (6)

Nations as well as people came to understand that the only way of having a stable peace was by respecting others' rights and that the welfare of nations was mostly dependent upon the welfare of other nations. Larus recorded that at least two things were necessary for the welfare of nations: The first was the security for all nations whether big or little, highly organized or industrial. The second one was the equality of economic opportunity. (7) Accordingly, there had to be an effective remedy for limiting irresponsible nationalism. In other words, the roots of the attempt of founding a League were mainly related to the idea of internationalism and having mutual guarantees of support against aggression.

Consequently, the framers of the League whose objects were to consolidate and co-ordinate previous attempts brought the whole into focus with the reality that was internationalism. The movement toward a better international order had emerged in the 19th Century side by side with the development of nationality. This internationalism presupposed the continuance of national states and arose out of common contracts and interests. The chief agencies in drawing nations together were the new types of communication such as railroads, steamships, telegraphlines.

B) The Growing Importance of Public Opinion

Another important factor which played an important role in the formation of the League of Nations was public opinion. (8) There was a very close relationship between the idea of the League of Nations and

the formation of public opinion because the interdependence of the modern world and the growing opportunities for knowledge made wider understanding inevitable. In developing an understanding of international issues, the league played a significant part as a focusing-point for the exchange of ideas and for the discovery of common ground upon which progress was made.

Public opinion was defined by Drummond as in the following: (9)

"People know more and information spreads swiftly, but what precisely constitutes public opinion it's hard to say, it's not so much a collection of considered individual views as perhaps a mass feeling, partly emotional, governed by long traditions of thought and action. In this sense, public opinion in any country is often spontaneous, but it is not likely to be so on international questions unless the interest of the country is clearly involved. Without this interest, public opinion is more amenable to leadership or guidance..... Public opinion on an international scale must be conceived largely as a collection of national opinions reacting to some extent upon each other."

Meanwhile, the League, which started with forty-three members, increased in the first six years to fifty-six. (10) Public opinion, from being ignorant about the League, was slowly becoming better informed and adopting a more intelligent and practical attitude. It was now being realized that, in the League, nations had pledged themselves to conduct their foreign policies through certain machinery, in certain

conferences and on the basis of certain obligations providing for international co-operation and peaceful settlement of disputes. Such an association was in the history of the world. As Drummond stressed, the League did not remain idle; it took measures to persuade Governments and public opinion to ratify agreements already negotiated; it published a summary of the state of ratifications every six months; it asked Governments for the reasons which had prevented their ratification. (11)

In fact, the hatred and blood shed of the World War had been enough for people to conceive an idea about the necessity of forming a League which would provide them with the opportunity of living in a peaceful, respectful world. Ferrera also noted that the excessive cruelties and horrors of the past years of war had created throughout the world an ardent longing for peace. Hence the renewed expression of the desire to bind nations together in one common aspiration towards a civil life opposed to the Power of the sword for the adjustment of international differences. Mankind had rebelled against the slaughter and devastation wrought by the war just concluded, and was seeking, in reaction, the forces wherewith to spare future generations from the awful sufferings of the present. (12)

So the years followed by the First World War and the years after the foundation of the League of Nations can be considered as the years of opportunity. Howard drew attention to the importance and the function of public opinion in a short statement viz: "Organisation is essential but behind the organisation there must be a public opinion." (13)

C) The Rise of Science

But one of the main characteristics of the 19th Century and one of the most important factors in the development of public opinion concerning the necessity of the foundation of a League, was the rise of science. The 19th Century was essentially an age of emancipation clearing the ground from the restraints of the old civilization but in a haphazard manner that produced much disorder. This emancipation was mostly based on the rise of science. Apart from the rise of science, as Luckey noted, the peoples of world had become so closely knit together through agriculture, industry, science, literature, art, religion, social, political and commercial intercourse that it was difficult to injure one people or nation without indirectly disturbing all; nor to benefit a nation without indirectly benefiting all. (14)

Consequently, the idea of founding a League of Nations was, a movement concerned not primarily with the maintenance of peace, but with practical co-operation in matters which affect the common interest of all. Internationalism was inevitable because, practical internationalism was a natural consequence of the vast material developments of the 19th Century. Extraordinary increases in population, the revolutionary effects of the steamship, the railway and the telegraph, the enormous extension of external trade and internal wealth; these and other changes multiplied many times over the fields of contact between nations and between governments, and so it was slowly realized that if every government continued to think only of its own convenience without considering that of its neighbours, the result could be only loss and inconvenience for all.

Lord Cecil drew attention to the importance of internationalism as in the following:

"It's essentially an experiment in nationalism, and in this aspect is based upon the concept that a nation has more to gain from working with its fellow nations than it has from isolation. "Splendid isolation" is after all but a grand name for national selfishness and the nation which will do nothing for its fellows can in time of need expect nothing from them Indeed, civilisation is little more than the progress from isolation to co-operation." (15)

Consequently the idea of internationalism played an important role in the establishment of the League which was invested with varying powers of control over the individual national administrations.

III. The Framing Of the Covenant and Its Articles

By the end of the First World War minds turned towards the creation of some effective machinery to prevent a repetition of another. Governmental leaders were very willing to make a great new experiment in international organization. During the course of the war, individuals, groups and governments had started work on plans for organizing post-war international relations.

President Wilson of the United States was committed to a general association of nations. His advisor, Colonel House, drew up plans, and gave public support to the concept of the League of Nations as early as 1916. An official British Commission under Lord Phillimore had examined a number of schemes, including those of the 16th and 17th Century philosophers, and had decided that while international relations could not be radically changed, a more organized form of interstate diplomacy was desirable, with states submitting disputes to a Conference of the Allied states. The French proposal, advanced by Lean Bourgeois, set up a similar planning body. It imagined an international tribunal to pronounce on issues open to legal decisions, an international body of delegates of the League member states which would take decisions on disputes and on international force with a permanent staff which would ensure the execution of the tribunal's decisions and overcome any armed opposition to the League. In his scheme, the South African statesman, Jan Smuts stated the need for a small Council of League members to discuss international affairs and he stressed the importance of deliberation and delay during disputes so that public opinion could be organized to cool down war passions. Accordingly, the establishment of the League of Nations became one of the objectives of the World War. But, at the very first meeting, this group of small states protested against the over-representation of the great powers and insisted that four more of the small countries should be included. In spite of American and British opposition, they carried their point. The new members were Venizelos, the Greek Prime Minister;

Dmowski, head of the Polish National Council; Kramar, the Prime Minister of Czechoslovakia, and Diamandy, a Roumanian diplomatist.

The Committee met on ten occasions from 3 February until the 13th February 1919. At its last meeting, the Committee entrusted the Covenant to a drafting Committee, with instructions to make no change in substance but to see that the arrangement and form of the document was as perfect as possible. All this took time: it was not till April 28th that Wilson, in the name of the Committee over which he had presided, laid the final text of the Covenant before a plenary session of the Peace Conference.

At the same time, the Conference was asked to take a number of immediate and practical decisions. The first was to approve the list of thirteen neutral states which were to be invited to accede to the Covenant and thereby to rank as original Members of the League on equal terms with the Allied Powers. Secondly Belgium, Brazil, Greece and Spain would be members of the Council until the Assembly had the opportunity of holding elections. The third was to appoint Sir Eric Drummond as the first Secretary-General. The fourth was to set up an organizing committee to make plans for the establishment of the League at Geneva, and for the holding of the first Assembly. President Wilson, in his address of April 2, 1917, invoking a formal Congressional declaration of war upon Germany, asserted the national purpose of fighting "for a universal dominion of right by such a concert of free peoples as shall bring peace and safety to all nations and make the world itself at least free." (16)

Woodrow Wilson later included even more explicit commitment to the formation of a "general association of nations" as the climatic point in his famous list of war aims known as the 14 points. Wilson and his advisor, Colonel House undertook the preparation of the blueprint for the proposed organization. Finally, the Covenant of the League of Nations provided by the statesman of South Africa and the British Empire Jan C. Smuts, was submitted to the Peace Conference. At the Versailles Peace Conference, President Wilson himself chaired a special commission on the League of Nations at which the British-American-South African ideas, as expressed in the Hurst-Miller draft, were dominant. In fact, the drafting of the Covenant became a predominantly Anglo-American enterprise; the Hurst-Miller draft was used as the basic working paper, and Wilson, Cecil and Smuts earned the title of Fathers of the League. So, the actual formulation of the Covenant of the League of Nations was the work of a special Committee established by the Paris Peace Conference.

The Committee consisted of representatives of five great powers. Great Britain, France, the United States, Italy and Japan. The other American member was House; Cecil and Smuts represented the British Commonwealth, Leon Bourgeois was the chief delegate of France; Ferdinand Larnaude was his companion. The Italian members were Orlando, the Prime Minister and Vittorio Scialoja, a learned lawyer and a wise diplomat. The Japanese were Baron Makino and Viscount Chinda, Foreign Minister and Ambassador in London. These ten spokesmen of the Great Powers were associated with these from the lesser Allies; Paul

Hymans, the Belgian Foreign Minister; Epitacio Pessoa of Brazil; Wellington Koo China; Batalha Reis Portugal; and Vesnic (Serbia). They were of the representatives of the nine states which the Council of the League consisted of under Drummond's chairmanship. Both the Covenant and these decisions were approved with unanimity.

Consequently the Covenant of the League of Nations was adopted by the Paris Peace Conference on April 28, 1919, became an integral part of the Treaty of Versailles and was included in the peace treaties made by the Allies with Germany, Austria, Hungary and Bulgaria. The Covenant went into force on January 10, 1920 with forty two members. (17) On the basis of these developments the Covenant can be considered as the product of specific wartime planning and post-war negotiations. In a more fundamental sense, it was a product of contemporary circumstances, and of an emergent trend in international life.

The Covenant was a short and concise document of twenty-six articles representing the limits of sovereignty that governments were willing to delegate to an international organization. The Covenant of the League of Nations may be divided roughly into three parts; the 1st (articles 1 to 7) dealing with world organization; the second (articles 8 to 17), with world peace; and the third (articles 18 to 26) with world co-operation. (18)

Article 1 described the conditions of membership, admission and withdrawal. Article 2 to 5 laid down the character and powers of the

Assembly and Council. Articles 6 and 7 provided for the appointment of a Secretary-General and his staff, for the establishment of the League's headquarters at Geneva and for the funds required for its work.

Article 11 gave all members the right to call upon the Council and Assembly to discuss any serious difference which might arise between itself and any other. Any Member which considered itself to be in danger of attack had the right to insist upon an immediate meeting of the Council.

The core of the League system was Articles 12-16 which outlined how states in dispute should conduct their relations. The four articles (12-15) described the various ways in which disputes might be settled by arbitration, by reference to the Court, or by laying them before the Council or Assembly. They also contained a definite pledge not to resort to war until the question at issue had been submitted to one or another of these procedures of peaceful settlement and then only in certain defined circumstances and after three months additional delay. Under Article 16 each Member accepted the obligation to take prompt action against any fellow Member which went to war in violation of the Covenant to break off all financial and economic relations with it, to prevent others from maintaining such relations, and if necessary, to use military force against it. Members promised also to help each other to bear any financial loss which they might suffer through carrying out these measures. This article also gave the Council power to expel a member which had violated the Covenant.

Article 17 provided each League Member with the same protection against a non-Member state as it enjoyed, under the previous Articles, vis-a vis its fellow Members. President Wilson's wish for open Covenants, as opposed to the secret agreements which he felt had contributed to the outbreak of the first World War, ended up in Article 18 whereby new treaties were to be registered with, and published by, the League's Secretariat. Article 19 gave the Assembly power to propose changes in existing treaties. Article 20 provided that any existing treaty which was inconsistent with the Covenant was to be abrogated without delay. Article 21 affirmed that the Covenant did not effect the validity of the Monroe Doctrine.

In order to be truly global the League system had to cover the colonized world as well as just the sovereign states. There was pressure from the Americans for an extension of the international system so, in the article on Mandatories, number 22, the Covenant leaves universal regulations for maintaining international peace and international co-operation. A paragraph in Article 23 enjoined League members to undertake to secure just treatment of the native inhabitants of territories under their control.

Article 24-25 aimed at the centralization of all international bureaux and commissions and of all Red Cross organizations of the various members under the direction of the League. The last article, number 26 described the procedure to be followed in order to amend the Covenant.

IV. The Organs

The Organs that constituted a radical change from the previous attempts of establishing peace and actually institutionalized the League of Nations were three in number; The Assembly, the Council, and the Permanent Secretariat. (19)

A) The Assembly

All members of the League were automatically members of the Assembly. At meetings of the Assembly each member of the League had one vote. Although casting a single vote, each member state's delegation to the Assembly could consist of three representatives and three alternatives with supporting advisory and secretarial staff. So, states, could ^{be} represented by crowded groups of thirty people during meetings of the Assembly. No schedule of meetings was provided in the Covenant, but the practice of annual meetings of approximately one month's duration became the established pattern.

According to Gönlübol, ^tThe regular meetings of the organs of the League of Nations especially of the Assembly were the main feature of the system of the League, which differentiated it from the ad hoc political Conferences of the 19th Century. (20) First of all, the temporary agenda of the Assembly was determined and sent to the states before the meetings, and later the Assembly would decide to

include any new items into the agenda; the rapports of the Council and the Secretariat were always on the agenda. During the negotiations on these rapports, members were able to find the opportunity of stating their views. As a result of these negotiations the Assembly happened to be a platform where the members could negotiate every kind of world problems." (21)

The Assembly accomplished most of its work through six main committees. These dealt with 1) legal questions 2) technical organizations 3) reduction of armaments 4) budget and finance, 5) social and humanitarian questions and 6) political questions. For an issue to be negotiated in the Assembly this had first to be passed by one of these committees; nevertheless, if the Assembly took a decision with majority approval (2/3), it could be possible to negotiate directly in the Assembly. Each member was entitled to be represented on all Committees, Committee decisions could be taken by a majority vote, but final approval on most issues had to face the requirement of unanimity in a plenary session of the Assembly. But this was a difficult barrier and so a number of special provisions, practices and devices became valid. Procedural matters required only a majority vote. Other important topics, such as admission of a member and election of members of the Council, were specifically exempted from the unanimity rule. (22)

These measures taken to moderate the voting system in the Assembly of the League of Nations were applied only for the unimportant international matters. The drafts of decisions which came before the Assembly were either totally rejected or accepted after making some changes.

Members exercised restraint in the use of their liberum veto and unless a matter was of vital concern to one or more states, they generally abstained rather than choosing to block a resolution supported by a substantial majority of states. Abstentions rather than vetoes could sometimes be assured through bargaining and co-operation concerning the wording of resolutions for the purpose of removing or softening elements offensive to particular national sensibilities. If unanimous agreement was impossible, the resolution could be changed to one expressing the wish or the sense of the Assembly, and it then could be treated as a procedural matter. Since most League sanctions relied more on moral than on physical or tangible force, the differences among the effects of various types of decisions were largely matters of degree.

In the Assembly, it was seen that some countries were included into one group or another according to their geographical situations or their common economic or political interests. The most effective group, because of its harmonious unity was Great Britain and the Commonwealth Germany, after its membership in 1926, was supported by Austria and Hungary and, later, by Italy. The Scandinavian states were also in a very harmonious co-operation with Netherland, Belgium and Switzerland.

Nevertheless, the groups were able to act with harmony when the matters like elections related to group prestige became the issue. But, on the other hand, they could not act together when they negotiated the basis of international disputes. (23)

B) The Council

Apart from the Assembly, a smaller organization called the Council was added, in which all the great powers were represented by a selected number of their members. According to Newfand. The framers of the Covenant could not help seeing the unfairness of any world organization in which the small and the large nations should have equal voice, notwithstanding the vast differences in the populations comprising these nations. They also perceived that the real burden of maintaining the peace of the world must, of necessity, fall upon the large, populous, economically important and militarily strong nations. (24) To this body were assigned practically all the important executive functions of the League of Nations.

The Council was a group of the five Great Powers (France, Great Britain, Italy, Germany, Japan) Each state member of the Council had one vote and was represented by one delegate. Council delegates generally acted as the head of their respective Assembly delegations in the case of European countries and were usually foreign ministers or, in the case of extra European countries, ambassadors or ministers resident in Europe.

Apart from Great Britain, France, Italy and Japan, Germany was given permanent Council status upon its admission to the League in 1926 and the Soviet Union was similarly treated in 1934. In fact, the Covenant permitted the Council and the Assembly to prescribe changes

in both categories of membership. The total membership varied from eight to fifteen, with permanent membership of three to six members and a variation in elected membership between four and eleven. But withdrawals of Germany, Japan and Italy from the League membership in the 1930's decreased the proportion of permanent to non-permanent Council members. Non-members of the Council were invited to sit as temporary Council members whenever a dispute or other matter of special concern to that state was considered by the Council.

Decisions were unanimous, usually without a vote recorded. All matters of procedure, which included decisions taken in virtue of the rules of procedure were determined by a majority vote of the members of the League represented and voting at the meeting. (25) Representatives of Members of the League attended sessions with full powers authorizing them to bind their Governments in case a decision took the form of an international instrument.

In accordance with the articles of the Covenant, the Council used to meet at least once year in the League center or elsewhere. In practice until 1929, the Council met four times and after this date it met three times. Apart from this, according to the first clause of Article 11 of the Covenant, in any war situation or any threat of war the Secretary General would call the Council to the meeting if any member state wishes. The regular sessions had a very positive psychological effect and many of the prime ministers and foreign ministers could find the opportunity of meeting each other and making friends. (26)

C) The Functions of the Assembly and the Council

The Covenant's allocation of powers and duties between the Assembly and the Council indicated the greater importance attached to the Council by the framers of the document. The list of powers and duties assigned to the Assembly's role were quite significant. They included 1) the admission of members to the League 2) the control of the budget 3) the selection of non-permanent members of the Council 4) the formulation of rules concerning the selection and terms of Council members 5) the consideration of matters referred to it by the Council 6) the instigation of plans for the revision of treaties.

On the other hand, the Council was assigned 1) the conciliation of disputes 2) the expulsion of members of the League that violated the Covenant 3) the supervision of mandates 4) the approval of staff appointments to the Secretariat 5) the authority to move the League headquarters 6) the formulation of plans for disarmament 7) the recommendation of methods for carrying out the provisions of the Covenant for the peaceful settlement of disputes and the application of sanctions and 8) the obligation to meet at the request of any League member to consider any threat to international peace.

Both the Council and Assembly were authorized to deal at their meetings with any matter within the sphere of action of the League or affecting the peace of the world. Both were also authorized to seek advisory opinions from the Permanent Court of International Justice.

The other responsibilities requiring joint action of the Council and Assembly were as follows: the appointment of the Secretary-General, the election of members of the Permanent Court of International Justice and the approval of changes in the allocation of permanent and nonpermanent seats on the Council.

It was evident that the document had put much more emphasis on the Council than on the Assembly. As Bennett stated, it was natural that the Great Powers should expect to continue their dominance of the processes for maintaining peace as they dominated the decisions at the peace conference. (27) In fact in practice, the Assembly was responsible to the Council through an annual report by the Secretary-General. Apart from this, speeches by the heads of delegations of small as well as large states, and general debates provided the closest approximation that had yet been achieved in the establishment of a world forum. On the other hand, the report of the Council was treated as a basis for broad debate, analysis, and criticism.

The duties of the Council were rather administrative, whereas the Assembly was concerned with matters. The most important function of the Council was to deal with international disputes. Since the Council was based on the idea that big powers alone could solve the international problem, it can be seen as a continuing part of the Concert of Europe. As Gönlübol, stated although the Council of the League of Nations, which aimed to be interested in not only the problems of the European countries but also the world-wide problem,

was considered as a different form of Concert of Europe, in practice, it dealt with the conflicts of either European countries or the conflicts of the dominions of these European countries. (28)

Practically, the nature and the extent of the functions of the Assembly and the Council became a matter of dispute. The Assembly, depending on its functions attributed to it by the Covenant was interested in some international conflicts just by itself. In the cases of China-Japan, Bolivia-Paraguay, Finland-Soviet Union, Italy-Ethopia, the Assembly was authorized to make some proposals about these matters but, however the big powers in the Paris Peace Conference under the British effect, rejected the Assembly's attempt to function so widely. The Assembly did not hesitate to invade spheres of influence assigned in the Covenant to the Council.

D) The Secretariat

The Secretariat was the civil service of the Council and the Assembly, and of the committees. During the sessions, the Secretariat was responsible for administrative details. Between sessions, it prepared the work of future meetings and supervised the execution of any decisions adopted. At the head of the Secretariat, there was a Secretary-General, assisted by a deputy Secretary-General and several under Secretaries-General.

In practice these duties were only allocated to the citizens of big states and these citizens were appointed by the governments of their countries. So the deputy Secretariat-General was considered legally as a civil-servant in the Secretary but in fact they were in a position of representing their states. This point created some conflicts in the case of disputes which took place after 1930. For example Secretariat-General deputies who were Italian and Germany citizens were transmitting secret information to Rome or Berlin from time to time and such events caused unrest. The Assembly then took the decision which required the civil servants in the Secretariat-General to promise that they would not get any direction from their governments and would instead, become loyal to the League.

The creation of a secretariat international was, of course, one of the most important events in international politics during the existence of the League. The Secretariat was held, by universal consent, to be an instrument of the highest efficiency, because it tried to protect the interests of all member states and of international society. On the other hand, the representatives of the states, whether small or powerful, tried to defend the rights and the interests of the countries which they represented therefore as Gönlübol stated, it was the secretariat of the organizations which differentiated them from, just being a series of Conferences and gave them the identity of an organization. (29) Despite the universal acknowledgement of secretariat being an instrument of the highest efficiency, some different arguments about the functions and the formation of the Secretariat developed.

Members of the Secretariat after their appointment, were no longer in the service of their own country but became instead exclusively officials of the League. Their duties were not national but international. On the other hand, in the Paris Peace Conference two kinds of arguments emerged about the authorities and the functions of the Secretary-General.

Some representatives were of the opinion that the Secretariat General had to be a statesman having wide political authority rather than being just a simple officer. The most popular candidate for this position was Venizelos but he did not accept this offer. Sir Eric Drummond who later interpreted his role as being mainly limited to efficient administration rather than assuming a political position within the League of Nations, was appointed as the Secretary-General. In this capacity, he efficiently coordinated all of the League's diverse activities, organized and directed the Secretariat, furnished supporting services to the Council and Assembly and impartially and proficiently carried out their directives. (30)

E) Members

The contracting states were defined in the Covenant as Members of the League of Nations. Members of the League were original or admitted. Original members were named in two groups. The first group were signatories of the first part of the treaties of peace. The second group consisting of neutrals in the world war which were not

parties to the treaties of peace, acceded to the Covenant in a separate document, without reservations.

In addition to the original members, other "fully self-governing states, Dominions, or Colonies" could be admitted to membership by a two-thirds vote of the Assembly, provided that they gave "effective guarantees" of their willingness to accept the necessary international obligations. But some question had been raised at the Peace Conference concerning the eligibility of the British Dominions, especially India, for inclusion in the list.

The right of withdrawal with two years' notice was specifically provided, and a member could be expelled by a unanimous vote of all other members of the Council for violation of Covenant obligations. Germany was admitted to the League in 1926, and the Soviet Union was admitted in 1934 on admission. Both were immediately, given permanent seats on the Council, in recognition of their importance. The only case of expulsion was against the Soviet Union in late 1939 for its invasion of Finland. The first withdrawals became effective in 1927 and 1928 when Costa Rica withdrew because of the financial burden of membership. Brazil whose demand to be ~~to~~ a permanent member of the Council was refused, also withdrew.

The United States was the only major state that never joined the League. First the 14 points announced by Woodrow Wilson to the American people were approved. But in the following years the situation completely changed and America stood alone while 47 nations had

joined the League within the five years of its existence. The Democrat Party, Wilson's party, had lost majority in House of Representatives by elections in the **primary** elections. So Wilson thought to make the Covenant of the League a part of the Peace Treaty in order to facilitate the approvement of the Covenant in the Senate.

When the negotiations about the approvement of the Peace Treaty began in the American Senate, Senator Henry Cabot Lodge and a group of thirty nine senators proposed that the Covenant would only be approved conditionally by asserting that the Covenant approved in the Peace Treaty had power over state authorities and was violating American sovereignty. Therefore they noted that it was incompatible with the American Constitution. (31)

Such a proposal was very effective factor in weakening the newly founded League. On the other hand these Conditions would be mostly rejected by the other states. Later, after many disputes the conditions , were approved by the Senate and so the Covenant in a different shape compelled the Democrat Senators who were actually supporting the membership of America to the League of Nations, to vote in a negative way. Accordingly, both the Peace Treaty and the Covenant, a part of the Peace Treaty was rejected by the Senate and the United States made another Peace Treaty with Germany.

Apart from these developments, 99 % of American people had not even read the League Covenant and the real reason why America had

come to a different conclusion from nearly all the rest of the world was that politics entered into the question in America as it did not enter elsewhere. On the other hand, Wilson's personal faults as a politician had affected the outcome of this conflict. Stone also pointed out that Wilson had aroused more hatred than any President since the days of Lincoln and Johnson. (32)

Apart from all of these factors, the United States preferred to return to the traditional policy of isolation as otherwise they thought that if the United States was to play the part in world affairs demanded by its interest and its strength, a deadlock between the President and the Senate over a treaty involving a really critical foreign problem might end in ruin. Consequently Wilson could not get the support he desired in Europe as well as in America. (33)

V. The Final Situation in Europe Within the League System

America's rejection of the leadership role within the League of Nations paved the way for the increase in influence of the British and French Governments as being two big powers in Europe. (34) For this reason the foreign policies pursued by France and Great Britain are noteworthy.

Since the twenty-six articles of the Covenant of the League of Nations were identical with the first twenty-six articles of the peace

treaties that settled the issues of the First World War, the framers of the Covenant tried to relieve the League from the burden of being completely defined by the status quo of 1919. To that end they provided in Article 19 for peaceful change. But Article 19 pales into insignificance due to its isolation within the structure of the Covenant. If, compared with the organic connection in which Article 10 stands to the peace treaties of 1919, on the one hand, and to the peace preserving and law enforcing provisions of Articles 11-16 of the Covenant, on the other; the League, as a working organization of international government, should judge and act as the defender of the status quo.

Two main principles were at the foundation of the status quo of 1919; The desire for the permanent inability of Germany to wage war, and the principle of national self-determination. Yet from the very outset, the two nations mainly responsible for the policies of the League, Great Britain and France, interpreted these two principles in distinctly different ways and tried to shape the policies of the League according to these different interpretations. For France, Germany's permanent inability to wage war was synonymous with the permanent preponderance of France on the continent of Europe.

France looked to the League of Nations primarily as a kind of collective legal enforcer that would add its strength to the military might of France for the defense of the status quo of 1919. Great Britain considered the League of Nations to be primarily a kind of clearing house where the statesmen of the world would meet to discuss their common problems, seeking agreement by way of compromise. Finally,

France used the principle of self-determination as a political weapon with which to strengthen its allies in Eastern Europe against Germany. Great Britain saw in it a principle capable of universal application, at least of the European continent, which one might well use to strengthen Germany at the expense of the Allies of France. At the bottom of these divergent interpretations of standards of justice and of political principles one can find again the basic pattern of international politics.

France subordinated all its policies as one of the leading members of the international government of the League of Nations to its overriding desire to maintain the status quo of 1919. This status quo was identical with France's hegemony on the European continent. Great Britain thought it could regain the controlling influence it had exerted over the affairs of Europe during the 19th Century. To that end, it tried to restore the power configuration that had existed during that period: a balance of power on the European continent with Great Britain as its "holder". Thus its policies, as the other leading member of the international government of the League, were all directed toward undermining the status quo of 1919. This goal of British foreign policy could only be attained by weakening France. So France tried to guarantee security by means of treaties of alliance with Great Britain and the U.S.A. But she could not gain any British support for an automatic system of collective security which would have closed certain loopholes left open by the Covenant of the League of Nations. Accordingly France followed the British lead in its policies within the League of Nations at first hesitatingly, and in the thirties without alternative. For by then, due

to its own indecision, and apparent weakness, France was no longer able to seek on its own account the implementation of those provisions of the Covenant through which the League could have played the role of an international government for the maintenance of international order and the prevention of war. France by itself did not have the power to make the League play that role. Great Britain had no interest in making the League play it. For the performance of that role would have meant the perpetuation of unchallenged French supremacy on the European continent, a supremacy that Great Britain was resolved to bring to an end. In this way the British conceptions and policies put their imprint upon the governmental activities of the League of Nations. (35)

In the light of all this information, the purpose of this study is to survey the views held and positions taken by Turkey in world organization and to determine both public and government attitudes in Turkey toward the League of Nations, as an international organization, in a period when Turkey underwent a transformation, that is the termination of the Ottoman Empire, and the foundation of a nationalist and secular Turkish Republic. Throughout this study, Turkish foreign policy is examined not only from the point of view of relations with other countries but also to illuminate Turkey's stand in regard to an international Organization, the League of Nations. The study also proposes to examine the attitude of the leading members of the League of Nations towards the Turkish Republic when disputes between League members and Turkey came to the agenda of the League.

However there are some references about Turkey's position within the League of Nations, there is not any independent work analyzing (containing) the international disputes of Turkey which were referred to the League of Nations. This dissertation mainly focused on the analysis of these disputes by means of diplomatic history. No theory related to international organisation was produced.

During the study, some original documents were used. First of all an extensive work in Public Record Office in London made the realization of the dissertation possible. Public Record Office documents, the Official Journals of the League of Nations and the documents and serial publications (1919 - 1946) are the main original sources. Especially the dispute of the Sanjak of Alexandretta has been studied primarily through these original sources. The Turkish and British press and official published material such as the debates in the Turkish Grand National Assembly, records and proceeding of Lausanne Conference were also surveyed as it will be seen in the bibliography.

CHAPTER 1

THE EXCHANGE OF MINORITIES

I The Refugees Problem After The Greco-Turkish War (1919 - 1922)

At the end of the First World War Turkey was invaded by Greek armies which occupied the Western Thrace and committed massacres, destroying everywhere they entered. (1) Ismet Pasha made a speech during the Lausanne Conference on the 4th January, 1923 (2) and tried to make the world nations understand how Anatolian people had suffered from the Greek attacks Ismet Pasha continued by telling what Mr.Haccium and Mr.Guenod, delegates of the International Red Cross Committee who had returned a month ago from a journey to Anatolia had recorded in their report. Their report had appeared in the November edition of the International Red Cross Review, and they had spoken of the Greek devastation as follows:

"Since 1918 we have both withnessed many calamities, but we have never had to undertake a mission more painful than this pilgrimage through these ruins; nor have we ever known a sadder sight than that of the inhabitants, in whose appearance terror and stupor were still evident. Involuntarily, our thoughts wandered back towards Pompeii and

Messina; but the annihilation of these cities was due to natural causes, whereas, according to eye-witnesses, the destruction of the little towns of Anatolia at a considerable distance from the front was carried out methodically by 'Christians' in the midst of the twentieth century. People in Europe may talk of military necessity; but so far as we are concerned, we could never conscientiously admit such an explanation."

İsmet Pasha added that all the Greek minority were armed and had been encouraged to attack their fellow countrymen. Accordingly the Turkish National Struggle was initiated in Anatolia and victorious Turkish forces defeated the Greeks. At this juncture there was a great panic among the Greek minority partly because they feared being massacred by the Turks and partly because of Mustafa Kemal's declarations related with Turkey's new structure. In accordance with Mustafa Kemal's announcement (3) both to press and to other countries all over the world; Turkey would be different from the Ottoman Empire, a homogenous, nationalist state. The Greek minority therefore wanted to take refuge not only in Greece but in the United States as well. Although some of them succeeded in immigrating, some of them did not want to leave their homes because of economic reasons. So a Refugee Problem developed.

In the session of the Assembly, the Council of the League in September, 1922, Dr. Nansen was entrusted with the question of relief for the refugees from the Greco-Turkish war. (4) In Istanbul and Athens he carried on certain negotiations for the exchange of the Greek and

Turkish populations; later he came to Lausanne and put forward a proposal for the adoption of a separate convention for this purpose between Greece and Turkey.

During the Lausanne negotiations it was emphasized that Greek refugees who suffered from the Greco-Turkish war were economically poorer and in worse situation than the Turks living in Western Thrace. There was also a general belief that the problem was more serious for Greece than for Turkey and most of the relief measures were taken for the Greek refugees. So Ismet Pasha's speech, on the 4th January, 1923 was noteworthy, (5) because he drew attention to the individual sufferings in such a population exchange and took the matter up from the humanitarian point of view. He criticized those who focused on just the economic results of the problem.

Ismet Pasha hoped that the discussions regarding the minorities in Turkey would arouse to an equal degree both the interest and also the feelings about justice and humanity of the civilised world; He also hoped that people would be guided by those feelings in forming their conclusions about the present situation. It was not only certain minorities who had endured calamities and sufferings worthy of profound and universal pity in Turkey during the past eight years but also the whole nation. Even if only the last four years were taken into account, it would be seen that after the Turkish nation had been completely disarmed and deprived of the resources which international law had placed at the disposal of nations desirous of peace, its frontiers

had been violated on all sides. Ismet Pasha added that the Greeks had recently destroyed in Western Anatolia, 27 large towns, 1.400 villages and 98.000 houses. On looking into the question of the exchange of the Greek population, Ismet Pasha saw no need for regarding the economic difficulties as the only important factor which might arise for the country in consequence. The transfer of any section of a population would naturally entail some stoppages and changes in the economic life of a country, but it was not fair to attribute superiority in a particular sphere to a certain element of the population on the strength of this fact.

As a result of negotiations and on Dr.Nansen's initiative, a convention was signed by the Greek and Turkish Governments on the 30th January, 1923 during the peace negotiations at Lausanne, for the exchange of the Greek and Turkish populations. The Convention consisted of nine articles. Its first article laid down the principle of compulsory exchange. In accordance with the first article (6) a compulsory exchange of Turkish nationals of the Greek Orthodox religion in Turkish territory and of Greek nationals of the Muslim religion in Greek territory was to take place as from the 1st May, 1923. The first article and the other articles of the Convention, concerning the exchange of Greek and Turkish populations were inhumane, they were widely denounced at the time and Dr.Nansen himself was sharply criticized for his share in promoting it. On the other hand, in Dr.Nansen's Report on refugees in the Near East, he explained, (7) on the 26th January, 1923 that he had made no such proposal but only explained to the sub-commission that an essential preliminary question

to be settled was whether the exchange should be voluntary or compulsory. He had strongly expressed the view that this was a matter that the two interested Governments alone could decide. Also Venizelos, during the negotiations of the Lausanne Conference, said that the idea of a compulsory exchange of populations had not been put forward by the Greek delegation.

Indeed, the question of the voluntary or compulsory character of the exchange had come up repeatedly. Public opinion among the refugees was highly aroused and they rebelled against the idea of being forbidden to return to live in Turkey or Greece without the authorization of the respective Government. In the meantime, one of the measures that would be taken for the settlement of refugees was the formation of the Mixed Commission. This Commission would supervise and facilitate the execution of the Convention. Broadly speaking, its functions were to determine the conditions for migration and to supervise and facilitate the procedure.

Ismet Pasha, in his speech in the Lausanne Conference, stated (8) that he did not share the view that the formation of a commission for the special purpose of dealing with minorities, to sit at Constantinople or somewhere in Greece, was likely to ensure the welfare either of the minorities or of the majorities. On the contrary, they could not help thinking that a commission of this kind would be apt to interfere in the affairs of the Turkish Government, and consequently quite incompatible with the independence and even the existence of Turkey. It was

therefore impossible to consent to the creation of such a commission. Ismet Pasha concluded that the rights of minorities would be confirmed by the Turkish Government on the same base as those laid down in the treaties recently concluded in Europe, on the condition that Moslems in neighbouring countries should enjoy the same rights.

In the interest of general peace, he considered it his duty to state that it was absolutely irreconcilable with the future existence of Turkey for her to accept any exceptional treatment more vigorous than that applied to other countries. He hoped that the conference did not wish the phrase "protection of minorities" to be used as a pretext for attacks on the existence and integrity of Turkey; and he did not doubt for a moment that the conference would kindly take into consideration the point of view which he had just placed before it on behalf of the Turkish delegation.

After the convention was signed, The Mixed Commission was formed and the three neutral members of the Commission were appointed by the League of Nations Council on the 17th September, 1923, and the Commission met for the first time at the beginning of October. The Governments concerned were responsible for the detailed transport arrangements and for the disposal of the migrants on arrival. The actual work of supervision was entrusted to eleven sub-commissions, each consisting of one Turk, one Greek, and a neutral chairman. The Commission was also responsible for helping the migrants to fill in the declarations of their property valuations which were required under the terms of the convention. (9)

The arrangements for exchange proceeded throughout the spring and summer of 1924. But, nevertheless, social problems due to population exchange and the conflicts due to the application of the Article 2 of the Convention would all but pave the way to a situation of war between Greece and Turkey.

II. The Disputes Which Developed During the Bilateral Negotiations and Their Referral to the League

A) The Dispute of "Etablis"

By the end of October, 1924 370.000 Muslims had left Greek territory for Anatolia while most of the Anatolian Greeks had also been evacuated. But there remained the Greeks in Constantinople who did not come within the terms of Article 2 of the Convention of the 30th January, 1923. While the Turkish Government wanted the exchange of these Greeks as well the Greeks concerned wished to stay in Istanbul this divergence of interest between the Greeks and Turks led to widely different interpretations of the word 'established' in Article 2 of the Lausanne Convention.

While article 1 of the Convention of Lausanne provided for the compulsory exchange of Moslems in Greece and Geeks in Turkey, an exception to this rule was made with respect to Greeks established at Constantinople and Moslems in Western Thrace. The exception was contained in article 2 of the Convention, which read as follows: (10)

"The following persons shall not be included in the exchange provided for in article 1:

- a) The Greek inhabitants of Constantinople
- b) The Moslem inhabitants of Western Thrace.

"All Greeks who were already established before 30th October, 1918, within the areas under the Prefecture of the city of Constantinople, as defined by the law of 1912, shall be considered as Greek inhabitants of Constantinople."

"All the Moslems established in the country to the east of the frontier line laid down in 1913 by the Treaty of Bucharest shall be considered as Moslem inhabitants of Western Thrace."

The Convention also fixed the conditions under which the two categories of persons might be exempted from the compulsory exchange at Constantinople and in Western Thrace respectively.

These conditions were:

A. Constantinople

- 1) The fact of being an inhabitant of Constantinople
- 2) The fact of being a Greek
- 3) The fact of being established at Constantinople since a date earlier than October 30th, 1918.
- 4) The fact of being established within the boundaries of the prefecture of Constantinople as defined by the law 1912

B. Western Thrace

- 1) The fact of being an inhabitant of Western Thrace
- 2) The fact of being a Moslem
- 3) The fact of being established in the country east of the frontier line laid down in 1920^{1,2,3} by the Treaty of Bucarest.

Accordingly the leading Greek and Turkish delegates presented different views related to the word "established" This difference of opinion gave rise to several stormy meetings of the Mixed Commission in September, 1924. The Turkish delegation interpreted "etablis" in the sense that the only Greeks to be excepted from exchange were those whose names had been inscribed on the Constantinople Civil Registers before the 30th October, 1918. The Greek delegation, on the other hand, pointed out that such an interpretation was entirely at variance with the spirit of the Convention, and relying on the declarations of Mr. Barrere and Ismet Pasha at the 20th meeting of the Territorial and Military Commission of the Lausanne Conference, maintained that only Greeks who had arrived in Constantinople after the 30th October 1918 should be subjected to exchange, and that the draftsmen of the convention, in employing the term "etablis" had intended that it should be interpreted in this sense only.

Both delegates adopted an uncompromising attitude, no progress could be made, and it was decided to hold a further sitting on the 8th instant. But the resumed sitting was, however, even less successful than that which had preceded it, for T. Rüstü Aras, stated that his Government were adamant in their standpoint, and that all

Greeks not registered on the 30th October, 1918, must be expelled on the 1st October. Nevertheless, the Turkish delegation was prepared, if the Greek delegation so desired, to agree that the question should be referred back to judicial experts for examination. In this proposal Mr. Pappas, the chief Greek delegate intimated his readiness to accept T. Rüştü Aras Bey's proposal on the condition that a time limit should be fixed for the decision of the jurists or that the idea of commencing the exchange operations on the 1st October should be abandoned. To these suggestions, T. Rüştü Aras left the room in protest and no arrangement was made for a further meeting. (11)

In other words the argument of both of the Greek delegation and the Turkish delegation was based on a different understanding of the term "establishment". According to Greeks, the word "establishment" was not to be confused with the term domicile; it referred to an actual situation and not to a legal condition. Therefore they asserted that it was to be interpreted regardless of any Greek or Turkish Law. The word establishment did not imply the fulfilment of any legal formality and signified only a continued residence in a certain place. On the other hand, the Turkish argument identified the word "establishment" with domicile. According to the Turkish delegation, for a person to be deemed established in a certain place, he must to reside there with the intention of remaining there permanently. Besides, the Turkish delegation contended that the term "etablis" was to be interpreted in connection with the Turkish law on civil status.

The opinion of the neutral members supported the view that only the word "establishment" belonged to the terminology of international law. The Turkish law on civil status referred to domicile and was therefore inapplicable. Accordingly, the neutral members' opinions did not please the Turkish Delegation. They concluded that all Greeks inhabiting Constantinople and Moslems inhabiting Western Thrace before October 30, 1918 were to be exempted from exchange, unless it was proved that such persons, before the above date, did not have the intention of remaining there. It was further stated that in the opinion of the neutral members married women and minors were to follow the condition of their husbands and fathers. (12)

Referring to the Turkish Government's determination about the matter of "establishment", Lindsay wrote to Mr. MacDonald on October, 28, 1924 that the Greek Government thought that unless outside pressure was applied, the Turkish Government would not yield in its interpretation of the term "etablis". Reference to the League of Nations therefore, appeared to be the only way out of the impasse. Lindsay also added that though the Greek Government alone had appealed for the question to be considered by the present meeting at Brussels of the Council of the League, there was little doubt that a definite pronouncement by that body would have considerable influence on the ultimate solution of this difficult question. The same document, also noted that a report that the Council had been invited to deal with the question of the Constantinople Greeks, had received an extremely cold reception from the Turkish Press, which at once proceeded to contest

the right of the League to consider a question in which the Commission for Exchange was alone competent. (13)

İsmet Pasha's telegram, in which he explained the Turkish Government's view about appealing to the League of Nations to the Council of the League was also noteworthy. Stating that the Turkish Government was far from encroaching upon Mixed Commission's functions, İsmet Pasha stressed that the Commission represented the League of Nations and that an appeal to any other authority, so long as the Commission did not meet with difficulties, would tend to lower its prestige. Besides the Turkish Government had asked T. Rüşdü Aras, the Turkish delegate on the Mixed Commission to accompany General De Lara who decided to go to Brussels, in order to give information to the Council. (14) As Lindsay, noted T. Rüşdü Aras's mission was to draw the attention of the Council to the manner in which the Greek Government had violated its promises in regard to the treatment of the Moslems in Western Thrace. (15)

In the meantime, as Mr. Lindsay reported on the 28th October, 1924, a deadlock had been reached in the Mixed Commission over the interpretation of the word "etebilis" as applied to the Turkish-Greek population of Constantinople and owing the commission had suspended its sittings. Before long the Greek Government had, on the 21st October, 1924 addressed an appeal to the League of Nations and the question came before the Council on the 31st October, 1924 during the special session which was held at Br^ussel. (16) In accordance with Politis's view, the Turkish Government had encroached upon the duties

of the Mixed Commission and had proceeded, on its own initiative and through its own agents, to expel the Greeks who were liable to exchange.

Secondly, the Turkish Government was accused of having given to the word "established" a meaning contrary to that laid down by the Convention and by the minutes of the negotiations, and without awaiting the decision of the Commission, of having forced the latter, by its dilatory measures to adopt the Turkish Government's point of view. And, finally the Turkish Government was said to have put obstacles in the way of the work of the Mixed Commission and to have arrested persons not liable for exchange, in order to expel them without awaiting the decision of the Commission.

After Mr. Politis, Fethi Okyar also made a speech and stated that the the presence of General deLara, president of the Mixed Commission would help bring to light the truth of the Greek Government's accusations and continued as follows: "At no time has the Turkish Government encroached upon the duties of the Mixed Commission nor has it carried out any expulsions on its own initiative. Any such measures have been taken solely in execution of the decisions of the Mixed Sub.Committee. "

Fethi Okyar noted that the date of the evacuation of the inhabitants of Constantinople liable to exchange had, as early as May 9th, 1921, been fixed by the Mixed Commission for the month of October; a

certain class of these persons was, therefore, to leave the country, in virtue of a decision of the Sub-Committee, during the month of October within a time limit of ten days. It was only upon the expiration of this time limit and in conformity with the Commission's decision, and not on its own initiative, that the Turkish Administration took measures accordingly.

Fethi Okyar added that, as regards the question raised concerning the meaning of the word "established" as applied to inhabitants of Constantinople liable to exchange, the Turkish Government had accepted and would always accept the Mixed Commission's decision. Besides, Fethi Bey drew attention to more than 50.000 Turks in Western Thrace whose property had been confiscated by the Greek Government who were not able to resume possession of their property and who were in a state of lamentable destitution. He noted that, as regards the right of minorities, the Turkish Government would remain faithful to the undertaking it had entered into, in virtue of the Treaty of Lausanne. But, if an enquiry was instituted regarding the treatment of minorities in both countries outside the competence of the Mixed Commission, the Turkish Government would welcome an enquiry into the position of Turks in Western Thrace as well as of Greeks in Constantinople. Fethi Bey finished by stating that he relied entirely on the Council of the League of Nations to decide whether an enquiry should be held instituted on the situation of the two populations.

Finally, General de Lara, the President of the Mixed Commission gave a brief summary of the course of events and drew attention to the two main points. The first one was the interpretation of the term "established". The second point, he explained, was the alleged arrest of Greeks at Constantinople. General de Lara confirmed what Fethi Bey had said and added that he had seen nothing in Constantinople from which it might be inferred that the Turkish Government had encroached upon the duties of the Mixed Commission.

Consequently, the Council, after hearing the Turkish and Greek representatives and General de Lara, adopted a report by Viscount Ishii. (17) The Council decided that the Commission should be left to settle the dispute regarding the word "established" and recommended it, in case of doubt on any legal point, to apply to the Permanent Court of International Justice for an advisory opinion. The Mixed Commission, on the 16th November, decided to act on this recommendation, and to ask the Council to request the Permanent Court to give an advisory opinion on the dispute concerning Article 2 of the Convention of Lausanne.

The Council decided at its meeting of December 12, 1924, to ask the Permanent Court of International Justice to give an advisory opinion on the following question. (18)

"What the meaning and scope should be attributed to the word "established" in Article 2 of the Convention of Lausanne of January 30, 1923, regarding the Exchange of Greek and Turkish Populations, in regard to which discussions have arisen and arguments have been put forward, which

are contained in the documents communicated by the Mixed Commission and what conditions must the persons fulfil who are described in Article 2 of the Convention of Lausanne under the name of Greek inhabitants of Constantinople in order that they may be considered as "established" under the terms of Convention and exempt from compulsory exchange?"

The Court delivered its opinion on the 21st February, 1925, after hearing the arguments made by Mr. Politis, the Greek representative at Paris and T. R. üstü Aras, the unanimous opinion of the Court was handed down on February 21, 1925. (19)

The Court thought that the meaning of the word "establish" was to be determined, not in the abstract, but as the word had been used in article 2 of the Convention. This was held to be a question of international law. The meaning of the French word "etablis" was considered, and its use, with reference to a situation of fact rather than in a legal sense, was brought out. The Court said that the purpose of the word 'established' in article 2 of the Convention of League was to refer to a situation of fact constituted by residence of a lasting nature, and that to be considered "established", persons must reside within the boundaries of the prefecture of the city of Constantinople as defined by the law of 1912, having arrived from any other place prior to October, 30, 1918, with intention to remain for an extended period. Thus, the Court upheld the Greek interpretation of the word "established"; and it further took the view that the Commission was alone competent to decide whether a given person was or was not exchangeable. It declined to give an opinion on the conditions for a person to be deemed as "established". (20)

The Permanent Court's interpretation of "established" was ratified by the Mixed Commission, but the application of the decision was delayed, pending the result of negotiations, which had already been proceeding for many months, between the Greek and Turkish Governments for a general settlement of questions arising out of the Convention.

X^o

B) Complaints Related the Maltreatment of the Refugees

Apart from the interpretation of Article 2, there were difficulties in the application of Article 16, which provided that no obstacle shall be placed in the way of the inhabitants of the districts expected from the exchange exercising freely their right to remain in, or return to, those districts and to enjoy to the full liberties and rights of property in Turkey and in Greece.

At the 31st session of the Council of the League of Nations on the 31st October, 1924, (21) when a dispute in regard to the interpretation of the Exchange of Populations Convention was being discussed, the Greek delegate made allegations regarding the maltreatment of the Greek minority in Constantinople, which the Turkish delegate denied, complaining in his turn of the treatment of the Turkish population of Western Thrace.

In fact the Greek Government had already alleged that the Turkish Government, by arresting a great number of Greeks in Constantinople, under the pretext that these Greeks were established there subsequent to 1918, had violated the Convention of Exchange of Populations by acting instead of the Mixed Commission and executing, through their own agents and on their exclusive initiative the expulsion of Greeks whom they claimed to be exchangeable. Accordingly, the Greek Government had appealed to the League of Nations and requested that this question should be inscribed on the agenda of the session of the Council to be held on the 27th October.

The Council, in order to take a decision, was in need of more information and asked the two Governments to send full statements to the Secretary General.

On December 10, the Secretary General received a memorandum from the Greek Government in which Mr. Politis complained that the Turkish Government had not observed the terms of the instruments signed by their representatives at Lausanne. The Greek Government stated that those Greeks who had left the city could not obtain permission to return, that their property had been seized as abandoned and the revenue obtained therefrom confiscated by the Turkish Government. The Greek Government again alleged that, in accordance with the Turkish regulations relating to travel in Turkey, those who desired to return had to apply within a year to the Turkish consulate at their place of residence and had to make detailed statements in which they had to specify their property in

Constantinople, so that if they had any possessions not previously confiscated, the Turkish authorities would be able to attend thereto. As regards schools, the Turkish Government was alleged to be placing every possible obstacle in the path of the Greek establishments. Respecting military service, the Greek Government maintained that the Greek inhabitants of Constantinople were subjected to the same maltreatment as formerly. In this note the Greek Government enclosed a memorandum comparing the Greek administration.

On December 10th, 1924 the Secretary-General also received a report regarding the Turkish minority in Western Thrace from the Turkish Minister for Foreign Affairs, in which Fethi Okyar stated that a year had passed since the entry into force of the Exchange of Populations Convention, but the situation of the Turkish inhabitants of Western Thrace had deteriorated rather than improved. Requisitions and expulsions were increasing and certain persons expelled had perished in the Maritza River. The Turkish Government also alleged that sporadic assassinations had taken place in the province and that a great portion of Moslem population, which is rural, having been deprived of its land, had been compelled to take refuge in the towns, where no work was available. It was stated, in particular, that the tobacco fields and premises for preparing tobacco leaves had been placed at the disposal of Greek immigrants, that the cattle and beasts of burden belonging to Turks had been given to the refugees and the former had been deprived of all means of living. The Greek Government were accused of reinforcing their frontier districts with a Greek population,

where hitherto that population had been largely Turkish, and their authorities were alleged to have taken possession of territories owned by Turks and Moslem municipalities. It was also stated that Turkish schools had been requisitioned as residences for refugees or for use as Greek schools. The Turkish Government closed their note by insisting that the position of the Turks in Western Thrace should be similar to that of the Greek minority in Constantinople. (22)

Indeed, the main problem was great efforts of the Greek Government to settle the refugees in Western Thrace and to be able to realize the ideal of Pan-Hellenism. In fact when the Greeks were defeated by the Turkish armies, lots of them escaped to Greece by following the Greek armies so the Government there had difficulty in settling all of them. On the other hand, The Greek Government knew that the Turkish Government would never consent to them returning to Istanbul.

As soon as Veniselos learned that the Ankara Government would propose a compulsory exchange of populations in Lausanne, he wanted the exchange of populations to be held before signing the Treaty of Lausanne. His purpose was to settle the Greeks who had escaped from Istanbul into houses, and villages which would be evacuated by the Moslem population of 350,000. Accordingly the Convention of the Exchange of Turkish and Greek Populations was signed on the 30th January, 1923. (23)

In the following years, the number of Greek immigrants increased so much that the articles of the Convention related property became ineffective. As ^{Ladas} Pentzopoulos recorded with the immigration of Greeks from Bulgaria the Greek Government would never secure in Western Thrace without a plan for the settlement of migrants. Even soon after Lausanne, in 1926 the Greek population had increased to 189.000. It was 62.1% of the total population of Western Thrace. This situation created a fait accompli and accordingly the homes of the Moslem population of Western Thrace were seized by the Greek Government for the shelter of the refugees. In 1923-24, 824 rooms in rural houses and 5590 rooms in urban homes were occupied. In addition, 127 mosques and Moslem schools and 667 Moslem stables and granlars were also used for the shelter of refugees. Besides, national hatred against the Moslem population was great. (24)

About the violation of articles of the Convention related to the properties and the maltreatment of Moslem population in Western Thrace Ismet Pasha spoke in the Grand National Assembly as follows: (25)

"After signing the Convention of the Exchange of Populations, a Mixed Commission was formed.... the refugees began to immigrate in a way contrary to the stipulations of the Exchange Convention. First of all, in Salonica lots of Moslem people were obliged to evacuate their homes. Without ensuring, the legal rights as a mere formality, nobody can be expelled from their homes. Besides, in accordance with the principles of the Convention, the exchange of the

Moslem population must be held under the supervision of the Mixed Commission. In reality lots of refugees were obliged to take refuge by running away. In the spirit of the Convention, it was confirmed that the refugees had the right and power to take their properties with themselves. On the other hand, in reality, the poor Moslem refugees were either obliged to sell their properties with very cheap prices or their properties were seized by violation."

Apart from the maltreatment of the Moslem population in Western Thrace, the situation of refugees immigrating from Greece, contrary to the articles of the Exchange Convention, was not so cheering when they arrived to Istanbul. Şevket Süreyya Aydemir noted (26) that 250,000 refugees had immigrated and some of them were sent to the Eastern provinces. But few of these Rumelian Turks who were sent to the East were given deeds of real estate. Most of them could not own any title-deeds for years. They were settled in empty and infertile places. Illnesses caused many of them to perish.

While Turkish Moslem refugees were in need of help, the Greek Government got a great deal of both material and moral support from outside. The Greek Government, on Dr.Nansen's suggestion, asked the Council of the League of Nations for its support in an attempt to raise a resettlement loan. As a result the Financial Committee was able to submit a report to the Council about the possibilities of a loan. On the 9th July, 1923, after considering this report, the Sub-Committee of the Council

approved the main parts of a scheme for the settlement of refugees through an independent settlement Commission. (27)

The immediate raising of a loan by the Greek Government on the scale required was found to be impracticable, even with the support of the Council. So the Bank of England advanced to the National Bank of Greece a sum of £ 1,000,000. In May 1924, a second advance of £ 1,000,000 was made from the Bank of England. At this time the Subcommittee of the Council concerning Greek Refugees met in London and decided to continue the work of the Refugee Settlement Commission.

In September of the same year (1924) the chairman of the Commission, Mr. Mongenthau, appeared before the Council of the League, and expressed that the Council was not proceeding with due speed in the matter of the Greek loan. He declared that in order to stabilize Greece and to take care of all the refugees a sum of £ 1,000,000 was needed. He asked the Council to investigate the situation through the Financial Committee of the League and to put its stamp of approval on the desire of Greece to raise the loan of £ 1,000,000. (28)

On the other hand, the Turkish authorities were also in need of help in their work for the Moslem refugees concentrated in and near Istanbul and in Asia Minor. There was also a food crisis which had arisen in some of the devastated towns of the war area. The situation of the Turkish refugees in Asia Minor, although undoubtedly serious, could, according to Nansen, be taken care of by the Turkish authorities without

great assistance from outside (29) Dr.Nansen had uttered this sentence when he described the situation of the refugees in Asia Minor as he had investigated it during the month of October, 1923. (30)

Consequently, after memoranda from both Governments, related with the situation of the refugees of both countries, were submitted on the 13th March, 1925, Viscount Ishii prepared a report. With the adoption of the report by the Council it was decided to make an inquiry as to the position of the two minorities as regards their rights under Article 16 of the Convention concerning the Exchange of the Turkish and Greek Populations. (31)

Two neutral members, Mr.Ekstrand and General De Lara, undertook to carry out the inquiry in Western Thrace. Accompanied by a Greek and Turkish representative they went to Thrace in the beginning of April, 1925. After completing their inquiry in Western Thrace they arrived in Constantinople and completed their inquiries by the beginning of June, but the presentation of their report was delayed. (32) Later, the Secretary General received a letter, dated December 10, 1925, from the representatives of Greece and of Turkey, informing him that the two Governments were engaged in negotiations for the settlement of the questions on which they had appealed to the Council, and they agreed in requesting the Council to suspend the procedure until they should again make an application. (33)

C) The Expulsion of the Ecumenical Patriarch

The expulsion of the Ecumenical Patriarch was another dispute which developed during the negotiations of the two countries. At the Conference of Lausanne the Turkish delegation put forward a demand for the removal of the Ecumenical Patriarchate from Constantinople, on which, the Turkish Government made conditional the conclusion of the Convention for Population Exchange. (34) In fact the existence of such an institution in a nationalist Turkey newly founded by Mustafa Kemal was contradictory and, as Macartney (35) recorded, Patriarchate, particularly the holder of the office was generally believed to be the chief centre of the political agitation which hampered the Turks in their national struggle with Greece.

The Turkish demand related to the expulsion of the Ecumenical Patriarch was opposed with equally, not only by Greece, but by the whole of the Orthodox world, as well as by certain circles of the Anglican Church, whose sympathy for the Orthodox Church was well known. Lord Curzon, at the Conference of Lausanne suggested that the Patriarchate had to lose its political and administrative character in future and while continuing in Istanbul had to become a purely religious institution. (36)

On the other, hand Turkey was engaged in abolishing her own Caliphate so the existence of a Patriarch, would not be consistent with the policy of the Kemalist regime and there would be strong popular demand for meeting out similar treatment to the heads of the foreign

religious communities. As Macartney noted, (37) Mustafa Kemal had stated to a newspaper correspondent that the Caliphate had been suppressed, it would be necessary also to suppress the Ecumenical Patriarchate, the Armenian Patriarchate and the Grand Rabbinate. Public opinion could not tolerate the existence under a Republican Government of such institutions, which had acquired temporal privileges entirely foreign to their religious character, yet the Turkish Government remained loyal to the pledges given at Lausanne.

In the meantime, the Greco-Turkish Exchange of Populations was in progress, but the dispute regarding the interpretation of the word "established" as applied to Constantinople Greeks had not yet been decided. On the 17th December, 1924 Mgr. Constantine VI Arapoghlu was elected. As Sir Mr. Cheetham reported to British Foreign Minister, Sir Austen Chamberlain on the 1st March, 1925 (38) the Greeks apparently knew nothing about the condition that election of Patriarch should be restricted to technically exchangeable persons. Mr. Cheetham also added that negotiations had broken down and in his opinion the Turks had intended to gain time to estimate the strength of the Kurdish movement. In fact, on the 16th December, 1924, Mgr. Constantine and other candidates for the Patriarchate had been warned by the Turkish police that they were exchangeable subjects under the convention for the Exchange of Populations and taken before the local sub-commission of the Mixed Commission, which was requested to furnish them with passports to enable them to leave Constantinople.

In the meantime, the Greeks had formally asked the British Government to approach the League but Mr. Austen Chamberlain stated that he did not consider that it could properly be asked to intervene. Its direct responsibility had ceased with the appointment of neutral members to the Mixed Commission and it had no locus standi for either interpreting or enforcing the provisions of the Lausanne settlement. Nor in Mr. Chamberlain's opinion did the gravity of the dispute appear to be such as to justify to appeal under article 11 of the covenant. (39)

The Turkish police argued that Mgr. Constantine, who at the time of his election had been Metropolitan of Derkos, was born in Anatolia, was resident on the 30th October, 1918 on the Asiatic shore of Marmara, and did not come to reside in Constantinople until 1924. The Greek case was that the question of birth was irrelevant, that Mgr. Constantine had actually been established in Constantinople since 1902, his residence on the Asiatic shore of Marmara being merely temporary; and further that he was an official of the Patriarchate and as such "established" in its building at Constantinople. (40)

The Constantinople Sub-Commission referred the matter to the Mixed Commission and requested the Vali of Constantinople to leave the Patriarch at liberty. The Mixed Commission delivered its decision on the 28th January, 1925. It was signed by the neutral and Turkish members of the Commission and ran as follows: (41)

The Mixed Commission, while noting the report of the Sub-Commission, of the 17th December, 1924, on the subject of the exchangeability of Mgr.Constantine Arapoghlu, according to which Mgr.Arapoghlu, being born in Asia Minor and having arrived in Constantinople subsequent to the 30th October, 1918, would combine as an individual the requisite conditions for being subjected to the exchange decides that it is out of its competence to give a ruling on the case of this prelate, in view of his position in Istanbul.

Accordingly on the 30th January, 1925 the Turkish police expelled the Patriarch and The Greek member of the Commission resigned. The Turkish case was simply that the Patriarch was exchangeable and therefore, under the terms of the Convention, not only could, but must be exchanged; the expulsion was merely a putting into effect of the decision of the Mixed Commission. The Greek argument was that the Commission had recognized that the Patriarch, by reason of his office, was more than an individual citizen, in virtue of which decision they had undertaken not to expel the Patriarchate; and that the term Patriarchate assumed the existence of a Patriarch.

The Turkish Government affirming that the question was a purely internal Turkish one announced that Turkey would not accept the jurisdiction of the Permanent Court of International Justice when the Greek Government announced her intention of appealing to the Court. On the other hand the Greek Government telegraphed on the 11th February, 1925 to the Secretary-General of the League describing

Turkey's action as a serious infringement of the Lausanne Agreement regarding the constitution of the Patriarchate and the Greek Government appealed to the Council of the League in virtue of Article 11 of the Covenant. (42)

The solution, by means of the abdication of Mgr. Constantine, was unofficially put forward by the Turkish member of the Mixed Commission, but only on condition that Greece withdrew her appeal to the League. So the Greek community elected a new Patriarch, evoking a strong protest from Mgr. Constantine. (43) The dispute came before the League of Nations on the 14th March. The Turkish Government refused to send a representative, and in a written memorandum dated the 1st March, 1925 (44) contended that the matter did not fall within the competence of the League, and urged the League of Nations not to consider the appeal of the Greek Government. The Council, by a resolution of the 14th March, determined to ask the Permanent Court of International Justice whether the objections raised by the Turkish Government precluded the League from being competent to deal with the Greek appeal. (45)

After Mgr. Constantine's announcement of his abdication on the 19th May the Turkish Government withdrew the dossiers of the eight exchangeable Metropolitans. On the 1st June the Greek Government withdrew their appeal to the League (46), and on the 8th June the League in turn withdrew its request to the Permanent Court for an advisory opinion. (47) On the 13th July, Mgr. Basil Georgiades,

Metropolitan of Nicea was elected as new Patriarch and so another question which had stopped the negotiations, was solved.

II. Bilateral Talks

A) The Angora Agreement

From time to time some problems related to the Exchange of Populations developed but the negotiations between the two countries went on. Besides they understood that the question of minorities subject to exchange, living in both Greece and Turkey, was not so easy to solve at one stroke by the Treaty of Exchange of Minorities on January 30, 1923. In the following ten years, both governments made various negotiations and signed just three treaties.

The negotiations, beginning in the last part of 1923, brought a definite result in the Agreement of Athens of December 1, 1926, after passing through three periods. In the first period (January-September 1924) an exchange of notes had taken place and it was agreed that articles 65 and 66 of the Treaty of Peace and the Declarations as to Moslem Properties in Greece were to be put into force. Thus, the governments undertook to restore mutually to Turkish subjects in Greece and Greek subjects in Turkey their immovable properties which had become the subject of exceptional measures during the war. The execution of this agreement met with serious difficulties in Greece. Most of the landed estates were filled with Greek refugees so Turkey ceased to restore to Greek subjects their properties in Asia Minor.

Another Draft Resolution was prepared but some new developments like the promulgation of the Rules of Travel in Turkey which placed obstacles to the return of Greeks absent from Constantinople and like the dispute which arose on the interpretation of the term 'established' in Article 2 of the Convention prevented the signature of the draft resolution. But all the same the negotiations continued at Constantinople between Greek delegate ~~of~~ to Mixed Commission, Mr. Papas and Turkish delgate to Mixed Commission, T. Rüştü Aras and with the assistance of the President of the Mixed Commission, Mr. Ekstrand, a new draft resolution was adopted on the 2nd September, 1924. (48)

During the second period (April-June 1925) although the negotiations stopped because of the expulsion of the Ecumenical Patriarch, the negotiations were again resumed at Ankara, this time with the assistance of Mr. Widding, the President of the Mixed Commission. These negotiations were concluded on June 21, 1925. In accordance with the Agreement of Angora, the payment for Turkish properties to be purchased by the Greek Government was not to be paid entirely in cash, but only for one fifth of the price; for the remaining four-fifths public bonds were to be delivered to the owners, redeemable within a period of five years. Secondly, the Turkish Government was not bound to restore all the properties of Greek subjects in Turkey, but had the power to purchase such properties from their owners for the same reasons and under the same conditions as those provided for the purchase of Turkish properties by the Greek Government. (49)

The second part of the Agreement constituted a draft of a decision to be adopted by the Mixed Commission concerning the interpretation of articles 2 and 16 of the Convention. The draft included the statement that the settlement of the refugees should not bring any injury to the recognized rights of the Moslems of Western Thrace. The draft provided also for the payment of rental to owners in whose properties public authorities or refugees were installed, from the time they were occupied until their evacuation. Indemnity was due to the protests raised by the Greeks absent from Constantinople, whose right under the Convention to return to this city was being taken away by the proposed decision. (50)

B) The Athens Agreement

The period beginning with February, 1926 can be considered as the final part of the long lasting negotiations between Turkey and Greece. During this period both sides had made demands without limit. But as they abandoned their demands reciprocally, a new draft agreement was drawn up on September 7, 1926. At last, on December 1, 1926 a new Agreement was signed, (51) together with a declaration that the Agreement of Angora remained in effect in so far as it was not opposed to the new Agreement.

First of all in accordance with the decision taken in the Athens Agreement the properties which were to be restored in Greece were as

follows: all urban properties, all forests and woods, summer pasture lands, rural properties not occupied by refugees or peasants, properties located in Western Thrace. The main articles 9 of the Athens Agreement provided that these various properties were to be restored within one month from the coming into force of the Agreement.

The Article 10 provided the removal of exceptional decisions and measures taken about the Moslems' properties in Western Thrace before or after the Lausanne Treaty had come into force. Article 11 was about the restoration of the properties which had been expropriated.

Subsequently, an agreement was reached between the two delegation about the form of certificates to be granted to persons recognized as beneficiaries of the Athens Agreement. These certificates were in two types. One certified that a person had been found to have left the territory of Greece or Turkey prior to October 18, 1912, or to have resided always outside Greece or Turkey; the other, that a person was found to be a national of Greece or Turkey or of a third country. This arrangement did not solve all difficulties with regard to the beneficiaries of the Agreement.

The Turkish delegation was strongly opposed to any mention of the fact that the Commission recognized a person as a national of Turkey or Greece, because such a mention might grant to the beneficiaries broader rights than they were entitled to by virtue of the Agreement of Athens. (52)

Article 2 of the Athens Agreement which the Turkish Delegation presented was as follows:

"Immovable property situated in districts of Turkey, the Greek population of which has been exchanged, and belonging to Greeks who left Turkey before October 18, 1912, or who have always resided outside that country, or to any Greek nationals, shall be acquired by the Turkish Government...."

The Turkish delegation on the Commission contended that the properties of Greeks of Turkish nationality who left Turkey prior to October 18, 1912, could not enter into the set-off or compensation account provided for in the Agreement. Also, that in order that Greek subjects might be admitted to the benefits of the Agreement they should have left Turkey prior to October 18, 1912. Besides, the Turkish delegation noted that too many Greeks were being recognized by the Committee in respect of who constituted of beneficiaries of the Agreement. (53)

The development of this dispute, caused the President of the Mixed Commission to write to the Secretary General of the League on February 4, 1928, requesting an advisory opinion from the Permanent Court on the Following question: (54) "Do the properties of Greeks, nationals of Turkey, who left Turkey before October 18, 1912, or had always resided outside Turkey, enter into the compensation provided for in the Agreement of Athens?"

The Council of the League, after ascertaining from the two Governments that they assented to the request for an advisory opinion, decided on June 5, 1928, to ask the Court to give an advisory opinion upon the question raised in the letter. (55) The President of the Court fixed July 10, 1928 as the date by which the written statements of the Greek and Turkish Governments were to be filed with the registry of the Court. This was complied with, and oral arguments were heard by the Court on August 6 and 7, 1928. The advisory opinion was handed down on August 28, 1928. (56)

But, first of all, the Court found it suitable to answer two questions raised as follows:

1) Is it for the Mixed Commission.... to decide whether the conditions laid down by Article IV of the Final Protocol are or are not fulfilled? Or is it for the arbitrator contemplated by that article to decide this?

2) The conditions laid down by the said Article IV having been fulfilled, to whom does the right of referring a question to the arbitrator contemplated by the article belong?

The Court's unanimous opinion was that the Mixed Commission was the only organ to decide whether the conditions enumerated in Article IV of the Final Protocol were or were not fulfilled and secondly the conditions contemplated by the Article IV having been fulfilled, the right to refer a question to the arbitrator belonged to the Mixed

Commission alone. In the meantime since the new negotiations for dealing with all of the pending questions had begun in Ankara, so the opinion of the Court had not served any practical purpose.

C) The Impasse and Subsequent Developments

During the years after the Athens Agreement the relationship between Greece and Turkey deteriorated further. The Greco-Turkish negotiations dragged on, more and more haltingly, until they actually came to a standstill in the summer of 1929. Sir P. Loraine reported to Sir Austen Chamberlain that the Greek Government was of the opinion that Ankara was using difficulties in connexion with the Greco-Turkish negotiations with the ulterior aim of breaking those negotiations off at an opportune moment and of finding in this way a pretext for expelling the whole Greek population. In the same document it was also noted that Mr. Lambrakis had stated that the Greek Government were rendered impotent in the face of this menace by the fact that while there were 200,000 Greeks in Constantinople, there were only about 60,000 Turks in Thrace, and while the value of the property of the former was very considerable that of the latter was relatively small. Further, more the Constantinople Greeks were an urban population while the Turks of Thrace were agrarian, and Greece was already suffering from a superabundant urban population and needed agriculturist. For these reasons, Mr. Lambrakis added that Mr. Veniselos was now anxious to avoid a too speedy settlement with

Turkey, and felt that it was imperative to keep the negotiations going for as long a period as practicable, even for years, in order that the evil day might be postponed as long as possible.

Sir P.Loraine finished his report by saying that it was difficult to believe that the Turkish Government were deliberately arming at the eviction of the Constantinople Greeks. (57)

Finally on the 27th July, 1929, the Greek Government proposed to the Turkish Government that they should submit the questions outstanding to arbitration, either by the Permanent Court at the Hague, or by the President of the Swiss Confederation. On the 7th August, the Turkish Government rejected this proposal and made the counter proposal that the neutral members of the Mixed Commission for Populations Exchange should be asked to arbitrate on certain questions only. In the opinion of the Greek Government, as Mr. Harvey reported on the 10th August, 1929 the Greek proposal of arbitration remained the only means of obtaining a definitive answer to all the questions in dispute. It would facilitate the conclusion of a pact of friendship and permit the development of commercial relations between the two countries by which Turkey would be the chief gainer. (58)

On the 28th August, 1929 the Greek Government declared itself willing to accept the arbitrators proposed by the Turkish Government if the latter was willing to accept terms of reference

covering all the questions at issue. On the 20th September, however, the Turkish Government informed the Greek Government that they could not depart from their proposals. Eric Drummond, in his report dated September 2, 1929 noted his conversation with Mr. Veniselos about Greek relations with Turkey. Drummond wrote that Veniselos, admitting that Greece had violated the Lausanne agreements, found it ridiculous that arbitration should be limited to the question as to whether Greece or Turkey had violated the Lausanne agreements, because a declaration referring to different violations would not in any way advance matters. (59)

On the other hand, the Turkish Government, refusing to accept general arbitration, repeated that they had to take a stand on the Treaty of Lausanne subsequent agreements and their original proposal of partial arbitration. (60)

Mr. Harvey reported to Mr. Henderson on the 24th September, 1929 the reasons of the Turkish Government's refusal to accept the Greek proposal of general arbitration. It was based on the grounds that it would be tantamount to assigning to arbitrators the task of drawing up fresh stipulations to replace those contained in existing international agreements, whereas any modification of such instruments lay within the sole competence of the two states and could only be achieved by direct negotiations. As Harvey reported, the Turkish Government professed themselves as satisfied with existing treaties, which they claimed to be able to fulfil. They alleged that the Greek Government, who were admittedly unable to fulfil them, refused even to accept them

as a basis for negotiation, and that this was the reason why recent negotiations at Angora broke down. Unless the Greek Government were prepared to accept this basis, further direct negotiations would serve no useful purpose. (61)

As Mr. Harvey wrote to Mr. Henderson on the 25th September, 1929; the trump card in the Turkish hand was the inability of the Greek Government to restore to their owners the large properties, situated principally in Epirus, belonging to Turkish beys who had left the new territories of Greece before the crucial date of 1912, and were therefore entitled by the Treaty of Lausanne to the full restitution of their properties. These properties had been settled by refugees, and the Greek Government had pointed out that their return to their owners was a practical impossibility. Another important point which Mr. Harvey stated in his report was that negotiations with a view to modifying the existing treaty dispositions had been in progress at Angora. The Turkish Government ^{was} ~~were~~ perfectly satisfied with the treaties and had agreed to enter into negotiations merely with a view to rendering Greece's position easier. Such negotiations could only be undertaken on the basis of the recognition by both parties of the existing legal status quo. (62)

The Greco-Turkish negotiations had become more serious because, at this juncture, there was a new threat of Greco-Turkish naval competition in the Aegean Sea. On the 2nd September, 1929 Mr. Venizelos also told Mr. Drummond that the Turkish Government had repaired the "Goeben" This ship was vastly superior to anything which

the Greeks possessed and Veniselos was being pressed to buy the "Salamis" because then Greece would again be stronger than the Turks in the Aegean Sea. Mr. Veniselos also asked Mr. Drummond whether he thought that if the Turks, as a result of the failure of the negotiations, threatened Greece with naval action, he could rely on the League if he put the whole affair in its hands. Mr. Veniselos, as Drummond recorded, realised that the League might not be able to give great assistance on land but he thought the case would be different at sea. Mr. Drummond also added that if the whole question was referred to the League and the Turks began to take any naval action threatening a Greek island, he might rest assured that such action would not in any way be permitted by the Council. Eric Drummond told Veniselos he personally thought that the Turks would never think of such action.

Soon after Mr. Veniselos had talked to Mr. Drummond he also made a conversation with Mr. Ramsay MacDonald, on September 10, 1929 the British delegate, as well as with the Secretary General of the League of Nations. As Mr. Harvey noted he was perfectly at ease in his mind as to immunity of Greece from any danger of unprovoked attack by Turkey. As regards naval armaments, Mr. Veniselos was reported to have pronounced himself against the purchase of "Salamis" but to favor an increased air force and the purchase of smaller naval craft. (63)

Accordingly, the Greek Government decided not to respond in kind to reconditioning of the Yavuz Selim (Goeben) by acquiring the Salamis, but to invest, instead, in light naval craft and aircraft which

would be effective for defence and, at the same time, patently incapable of being used for aggression. And before the year 1929 was out, the Greco-Turkish negotiations were resumed again partly because of Venizelos's personality and policy. In the speech delivered by Mr. Venizelos in the Chamber at Athens on the 10th February, 1930, he declared that Greece accepted, in complete good faith, the treaties that had followed the General War, those that were unfavorable no less than those that were favourable to her; that, this being so, the whole Greek nation was attached to the idea of peace, peace with Turkey. He added that, even if Greece and Turkey failed to live up to their peaceful intentions and tried to go to war with one another in the Aegean, they could and would be prevented from committing this international nuisance by the intervention of the League of Nations. (64) Stavrianos noted that Venizelos's general aim in formulating his foreign policy was to avoid dependence on any Great Power. The most likely way of achieving this, he believed, was to establish friendly relations with the neighbouring countries. His greatest diplomatic triumph was the establishment of cordial relations with Turkey. Despite baiting by nationalistic elements, he assured the Turks, privately and publicly, that Greece had no aspirations to their territory and that he wished to settle the outstanding issues. (65)

Indeed soon after Mr. Venizelos's speech, the negotiations of Population Exchange were brought to a successful conclusion and it was followed by the conclusion of the Greco-Turkish pact of friendship.

IV) The Final Settlement

Accordingly on the 10th June, 1930, the GrecoTurkish Convention was signed at Ankara. (66) It purported to settle all questions arising from the application of the previous Conventions referring to the exchange of Turkish and Greek populations Chapter V and VI of the Convention dealt with the etablis at Constantinople and in Western Thrace respectively and their rights and properties. With regard to Greeks established at Constantinople, Turkey recognized the quality of "established" as to all Orthodox Greeks, Turkish subjects, actually present in the zone of Constantinople and excluded from the exchange, whatever the date of their arrival at Constantinople or the place of their birth.

Also article 14 was related to the recognition of Moslems established in Western Thrace. The provision for recognition as "established" persons who had left Western Thrace without being provided with passports of the Greek Republic brought about a theoretical reciprocity of terms which however, was not a reciprocity in fact, since there were few, if any, Moslems absent from Western Thrace.

Besides, with Article 15, the Convention contained provisions for insuring to such persons all their rights which had been restricted in one way or another. From the coming into effect of the Convention, and even before the distribution of the certificates of etablis, all measures which had prevented the exercise of rights secured to the etablis by the prior Conventions and Agreements were to be repealed.

The sixth chapter of the Convention was related to the properties of the Moslems living in Western Thrace. Since the lands and properties occupied by the Greek refugees were impossible to be restored the Greek Government tried to find a solution to the question related with Article 16; in accordance with Article 28.

The properties of Moslem Greek subjects who were not in Western Thrace at the time of the coming into effect of the Convention or who were deprived of going back to the region just because they left Western Thrace without a regular passport, and the properties of the people who were living outside Western Thrace but who were able to go back in accordance with Article 14 or the properties of Moslem "etablis" of Western Thrace would be owned by the Greek Government. Accordingly in accordance with the Article 20/b One hundred and fifty thousand pounds sterling were to be used to indemnify the Moslems established in Western Thrace, being Greek subjects, for their properties which were transferred to the ownership of the Greek Government. More over the Article 17 declared that no further measures and sequestration of the properties of Moslems living in Western Thrace would be allowed. But, nevertheless, in accordance with Article 22 of the 9th chapter of the Convention if the Greek Government required to make restoration it could not acquire such property, except in purely exceptional cases and after the Mixed Commission, determined that circumstances rendered restoration impossible. After approval by the Mixed Commission, the property in question was to be appraised and an indemnity paid to the owner by the Mixed

Commission. And so, as a result, the Greek Government would be able to make the Greek Refugees have the Moslem properties by the way of paying indemnity.

With article 29, there would be no further restriction, or measures on the properties which were not owned by the Greek Government on the condition of the reservation of the general articles and article 16. With regard to the property of Greeks established at Constantinople, a distinction was made by the Convention between the properties situated within the Zone of Constantinople excluded from the exchange, and such property located outside of this Zone in other parts of Turkey. All movable and immovable property of the first category was secured to their owners free from any restrictions. On the other hand, all movable and immovable property of Greek etablis situated outside the Zone of Constantinople was transferred in full ownership to the Turkish Government on the condition that an indemnity was to be paid to these persons.

The thorny question of etablis was finally solved with the Treaty signed in Angora on 9th December, 1933. In accordance with Article 2 of this Treaty, the important article related to Western Thrace, there would be no restrictive procedure or no measure on the properties which were not accupied before the date of June 10, 1930, after the abolition of the Mixed Commission, even if it was determined that these properties belonged to people who had been deprived of the right of return.

On the other hand, the terms of the Convention evoked protests in both countries. The opinion rendered by the neutral members of the Mixed Commission in the matter of valuations, having been accepted by the Turkish Government on the 14th June, and by the Greek Government on the 16th, the ratification of the Convention could be put in hand; and this was the subject of debate in the Turkish Chamber on the 17th June.

During the negotiations in the Grand National Assembly, first T. Rüstü Aras (67) spoke and stressed that the common task of the Foreign Ministries of every nations was to ensure peace. Disagreements were due to the divergencies in their perception of peace and he continued as follows:

"Again as you all know the Turkish Foreign Ministry did not cease even for a moment in proceeding on the way of peace as approved by the Grand National Assembly with a great love and effort. Most of the peaceful agreements with other states which we have concluded or have been concluding are result of our efforts. We were always interested in world peace because of our geographical situation and our great revolution and we always became present in any meeting which was held in the name of peace whenever we were invited. We also tried to participate in any agreement to ensure peace on the condition of considering two points: equal treatment and not being bound in favor of any state. Because we knew that the balance of peace, ensured by the

formation of separate alliances consisting of certain states, had never become a stable and firm peace. Again, we knew that force and oppression are not the means of peace but of war.

..... Those who consider nations which are not included in their alliances as enemies are as faulty as those who exclude the nations determined to be impartial.

I should make clear that every new friendship is valuable in case of its addition to existing friendships.... we have always sympathized with international negotiations and foundations. Our principle at this point is as follows: Turkey can never acknowledge any negotiation or decision taken in the absence of Turkish delegate. In case of a decision is taken which would cause Turkey to enter war or to be economically weakened , Turkey can not guarantee anything, even if any Turkish delegate is present at that Conference or negotiation. Only those who are responsible to the Grand National Assembly are authorized to administer and to lead the Turkish Military Forces."

After T. Rüştü Aras, deputy of Samsun, Avni Bey, made a speech disfavoring the final Agreement. He drew attention that throughout history, the Turkish Government had always made sacrifices to ensure peace and said that many agreements recently concluded were the result of similar sacrifices.

Avni Bey spoke as follows:

"To be able to protect our own legal rights we always shed blood, we became victorious and in the meantime many cultivated part of our country got spoil and we became deprived of taking even a little bit of compensation. We always made sacrifices in the determination of the frontiers of our country even if we became victorious... We are loyal to our promises but if we cast an eye to the present situation we see that the Turkish Government always became generous. Our neighbours who were once under the administration of the Ottoman Empire, learned how to exploit Turkish generosity very well throughout history."

After criticising the Turkish Government's acception of taking very little money from the Greek Government Avni Bey recorded that he saw nothing but articles and figures disfavoring Turkish Government when he looked at the document of account. He finished by saying that he did not see any indication of the victory of Turkish diplomacy.

Hüseyin Bey was another deputy who criticized the Agreement concluded with Greece. Noting that the exchange of minorities was not something demanded by the Turkish nation he said that it was a demand of Greeks who were deprived of living in Turkey because of their betrayal of Turkey. Hüseyin Bey also added that no similar event could be seen in the history and such an exchange of minorities was a very awful thing.

Nevertheless, the motions in favour of ratification were carried at Ankara by 189 votes to 15, with two abstentions.

Upon Ismet Pasha's invitation to Ankara, Venizelos paid a visit on the 27th-31st October, 1930. Venizelos's visit was a good occasion for the negative feelings towards Greece to change in Turkey. Indeed, both at Istanbul and at Ankara, Venizelos was given a warm welcome, not only by the Turkish authorities but by the Turkish public. Besides the Turkish Government desired the Greek Prime Minister and his party to land at Haydar Pasa while they expressed a preference for landing and entraining at Izmit because if their party actually passed through Constantinople, they would feel constrained to call upon the Ecumenical Patriarch. And they feared that they could not do this without creating an unfortunate impression in the minds of their Turkish hosts. But the Turkish Government replied that the Greeks should relax, since a meeting between Mr.Venizelos and the Patriarch would arouse no misgivings and create no misunderstanding in whatever Turkish minds. Accordingly, Mr.Venizelos and his party passed through Constantinople both coming and going, and paid their call on the Patriarch on their return Journey. (68)

During Venizelos's visit to the Ecumenical Patriarch, he also announced publicly to the Greek Community in Istanbul the abandonment by Greece of all designs on the former Turkish capital and recommended them to be loyal Turkish citizens. (69) So as Mac.Cartney noted, a meeting at Istanbul, between the ecclesiastical head of the ancient Greek Church and the political head of the Modern Greek State had ceased to be an event of political significance. (70)

CHAPTER II

THE MOSUL QUESTION

I- The Characteristics of the Disputed Territory and Its Inhabitants

The former Ottoman Vilayet of Mosul was bounded on the north and north-east by the parallel ranges of the Zagros Mountains, which separated it on the north from the Ottoman Vilayets of Diyarbakır and Van and on the north-east from Persia. On the south-east it was separated from Persia by an arbitrary line cutting across the general direction of the mountains, and from the Vilayet of Baghdad by the River Diyala. On the south-west, from the right bank of the Diyala to the left bank of the Tigris, it was separated from the Vilayet of Baghdad by a line of low hills called the Jobal Hamrin. West of the Tigris, in the Jazirah steppe, it was bounded by an arbitrary line drawn across the grazing lands of the Northern Shanmar and other Arab Badawi tribes.(1) With regard to its geographical position Mosul was a very strategic area. The importance of the Vilayet of Mosul both to England and Turkey was obvious. Economically, militarily, and politically, the Vilayet was of extreme significance to both countries.

As Herry N. Howard recorded, in a strategic and political sense, the struggle for Mosul was a phase of the renewed secular contest between Russia and Great Britain and constituted one of the central problems of this struggle for the route to India. Mosul was a crossway near the center of three important land routes to India ;

- 1) The northern route-Moscow - Orenburg - Tashkent
Samarkend - Bokhara - Kabul Peshevar
- 2) The central route Moscow - Baku - Tauris - Teheran -
Isfahan - Kerman - Quetta
- 3) The southern route London - Constantinople - Mosul
Baghdad - Kerman. (2)

In particular, the Mosul Vilayet commanded this southern route to India. Against a Russian attack, coming from the west, this crossway held the defence of all routes opening on the plain of Mesopotamia. Besides, Mosul occupied a most important position in relation to what Toynbee calls Kurdistan, on account of the large numbers of Kurds in the territory. Mosul was similarly thought of by Turkey and would therefore constitute a constant menace against the English in Iraq.

In its internal structure the Mosul Vilayet consisted of a series of parallel zones. The border line between the first two zones crossed the Tigris a little below its confluence with the Greater Zab. The

foothills touched and crossed the Tigris at the northern boundary of the Vilayet. The Zagros ranges ran wholly on the left or northeastern side of the river. The Vilayet contained four anticlines of oil bearing strata, all running from north-west to south-east along the main axis of the territory. The zones were economically interdependent. There was an important stock-breeding population, which migrated seasonally with its live stock between the mountains, foothill and plains. (3)

The population was signally diverse, and these different racial, linguistic, and religious elements were interdependent in certain ways. The geographical distribution of the constituent elements was related to the divisions between the physical zones. The south-westernmost zone of steppe was mainly occupied by Badawi Arabs. In all the other three zones the predominant element was the Kurds, and their numerical preponderance in the Vilayet as a whole was increased by the fact that the highlands were more densely populated than the plain. At the same time the predominantly Kurdish area contained important enclaves of non-Kurdish minorities. As it will be recorded in the following chapters, the League Commission also submitted a report about the nature of the vilayet of Mosul with detailed respect to its political, economic and ethnic geographical traits.

Historically, the Mosul Vilayet was assigned to France by the secret treaties of 1916, but the British won back the territory from France in December, 1918 with a treaty signed on April 24, 1920 during the San-Remo Conference. But in accordance with this treaty France took a 25% share of the concession of the administration of

Mosul oil. Besides, France had already ceded Mosul to the British Government in return of British support for France in Ruhr District. (4)

So the British Government, being a mandatory power in Iraq, would normally do her best to keep Mosul which was a very important piece of land for British interests.

II- The Negotiations Related to the Mosul Question During the Lausanne Conference

At Lausanne the discussion of the Mosul Question began with private conversations and exchange of memoranda between two Prime Ministers; Lord Curzon and Ismet Pasha. Lord Curzon brought the question before the territorial and military commission of the Lausanne Conference on January 23, 1923.

a) The British Argument

Lord Curzon, briefly pointed out the main points of the dispute. (5) First of all he referred frequently to British obligations to the Arabs. They had on various occasions promised that in the case of Allied victory the Arabs should not be returned to the Turks. These promises would of, course, apply especially to Mosul city. Curzon also emphasized that the British Mandate including Mosul had already been ^{accepted} ~~by~~ under the League of Nations.

Curzon especially stated that the Kurds and Turks were not of the same origin. According to the British view; the Kurds were not Turanian in race but Iranian. Their language was Iranian and their customs were quite unlike those of the Turks. As to numbers and distribution of the population of Mosul Vilayet the opposing diplomats again did not agree. Curzon presented the following figures.

Turks	66.000
Kurds	455.000
Arabs	186.000
Christians	62.000
Jews	<u>17.000</u>
	786.000

Curzon had claimed that the British, who had been there for the past four years, had the more reliable statistics. He stated that there was not a Turk in the district of Sulaimaniya. In Mosul City he reported a total of between 80 and 90.000, of whom 50 to 60.000 were Arabs. He estimated that Turks were only about one twelfth of the total population of the Vilayet. And those Turks of Mosul vilayet, Curzon asserted; were not Osmanli Turks. They called themselves Turkomans, and while they spoke a Turanian language, it resembled Azerbaijani rather than the Turkish of Constantinople. (6)

Lord Curzon also opposed (7) the plebiscite by asserting that the Kurds did not want to join with the Turks and they were too ignorant to

have any information about the meaning of "Plebiscite". He denied emphatically that Mosul was commercially identified with Anatolia. He maintained that all of Mosul's trade was with Aleppo and Syria to the west, or with Baghdad to the south. All of Mosul's exports, grain, wool hides, tobacco, went either to Baghdad or to Syria. Baghdad was mainly fed by wheat from Mosul. Also he claimed that in case of Mosul's becoming Turkish Baghdad would be close to Turkey and, accordingly, this situation would endanger the security of Iraq.

Curzon saw Great Britain in Mosul by right of Conquest. (8) Turkey had been defeated. Great Britain now had been in full control of Iraq and Mosul for four years. Great Britain had the principal Turkish towns in the Vilayet on the day of the armistice, although Curzon had earlier admitted that armistice conditions have nothing to do with the final settlement of the conditions for peace.

Lord Curzon said that oil had nothing to do with his case and he observed that the Turks had sent representatives to London to offer concessions in Mosul. He became specific when he insisted on the validity of the Turkish Petroleum Company's concession of 1914.. Curzon added that even if oil were there, both Iraq and Anatolia would profit by British exploitation, because oil was a commodity in which the world was interested. Accordingly Curzon wanted to explain that Oil did not affect the British position in Mosul. But developments in the Middle East have since demonstrated that this argument was somewhat flawed.

As a result Lord Curzon by drawing attention to the difficulty of ensuring any agreement, declared that it was better to accept the Council of the League as arbiter and since Turkey had revealed that she was willing to be a member of the League she had to accept such a proposal. During the second session of the negotiations held on 23rd January, Curzon asserted that it was a matter of settling the frontier between Syria and Turkey; not the matter of determining the fate of the Mosul Vilayet. Lord Curzon repeated his proposal and tried to urge Turkey to accept the Council of the League as arbiter.

B) The Turkish Argument

The Turkish argument was presented in detail by Ismet Pasha on 23rd January. Ismet Pasha began his speech by presenting the ethnic traits of Mosul. The numbers and distribution of the population of Mosul Vilayet and distribution of the population of Mosul Vilayet was as follows: (9)

Turks	146.960
Kurds	263.830
Arabs	43.210
Yeridi	18.000
Non-Moslems	<u>13.000</u>
	503.000

Ismet Pasha claimed that his statistics had been gathered before the war when there was no motive for falsifying them and that they had been gathered for recruiting purposes which required accuracy. Besides the numbers he gave there were some 170,000 nomadic tribesmen who were Turkish, Kurdish and Arab. Thinking of the Kurds and Turks as one, he said that they constituted four-fifths of the population of the Vilayet while the Arabs and non-Moslems were less than one-fifth.

Actually Ismet Pasha then claimed that one-twelfth of the population of the Province was Turkish in origin and his argument was in behalf of the wishes of the population. According to Ismet Pasha's argument the inhabitants of the Vilayet urgently demanded that they might be restored to Turkey, for they knew that in that event they would cease to be a colonized people and become citizens of an independent state. (10)

Ismet Pasha also claimed Turkey's right of sovereignty over the Kurds and answered Lord Curzon as follows:

"Those who know Anatolia are aware that as regards manners, usage and customs the Kurds do not differ in any respect from the Turks. While they speak different languages they form a single unit in respect of race, religion and manners. The Kurdish people are ready to endure any sacrifice in order to prevent such a separation and Kurds and Turks have never ceased and never will cease, for a single instance to fight with all their strength to ensure that.

their province shall continue to form an integral part of Turkey." (11)

Again Ismet Pasha, opposing the conquest argument of the British side, claimed that the British argument was invalid, because the Vilayet of Mosul was occupied after the conclusion of the armistice and contrary to its provisions. (12)

The debates were again in direct conflict as regards the commercial interests and geographical traits of Mosul. Ismet Pasha saw the recent railway from Mediterranean ports through Anatolia into Mosul, as now connecting these two areas much more closely than Mosul and Iraq were connected. Mosul's outlet was the Mediterranean. This was her easiest and most rapid communication with the industrial centers of Europe which Mosul needed as a market for her raw materials and as a source of manufactured goods. The Persian Gulf route was of secondary importance to the Vilayet of Mosul. Ismet Pasha claimed that the timber and building material used in Baghdad did not come from the Vilayet of Mosul, but from that of Diyarbakır; and similarly the grain shipped from Mosul to Baghdad came mostly from Diyarbakır and, like the timber, only passed through Mosul in transit. (13)

Ismet Pasha, in rejecting the British view that Iraq would collapse in case of a Turkish attack, claimed that the line proposed by the Turkish commission, consisted of mountain ranges and could be

strategic line as well. Moreover, Turkey had not been thinking of attacking any of her neighbours at all and the Turkish and Arabic countries, who had lived in a peaceful situation for centuries would never think of attacking each other when they were free.

During the second session of the Conference, Ismet Pasha first of all explained that according to the Turkish argument, the Mosul question was a matter of territorial integrity rather than a matter of oil. He added that the oil was something that all the world countries were interested, so Turkey, after the inclusion of Mosul to Turkey, would arrange the oil fields in a way which would benefit all the world countries.

Ismet Pasha refused to recognize the fact of a mandate in Iraq once more and insisted on a plebiscite as a final solution. Besides the British refusal of a plebiscite was an apparent indication of Turkish legality with regard to the Mosul Question. Ismet Pasha, explained why the Turkish Government was against the idea of a Mandate and favored the application of a plebiscite as more just: viz (14)

"It would be difficult to find even a single person favoring any occupation, patronage or mandate if the British Government released Iraqi people, who were given the promise of independency, just for a moment and allowed them to vote freely. Because at the present time, nations no longer look for any patronage and want to determine their own fate. All nations are now conscious that some words like "patronage for the sake of civilization" mean nothing

but the exploitation of the occupied peoples' political and economic rights by the powers who brought them under the yoke".

Maybe the foremost fundamental difference between Ismet Pasha and Lord Curzon was that while Ismet Pasha talked about an entire province. The latter wanted a frontier line separating Mosul Vilayet and Turkey. Another important point the discrimination between the Moslem Minorities and non-Moslem minorities. Turkey refused the term of "non-Moslem minorities" by asserting that in Turkey minorities were not discriminated either theoretically or practically. On the other hand, England tried to include the phrase of "all minorities" to the Treaty (15) and finally they agreed to put the phrase "non-muslim minorities" in the treaty. (16) While Ismet Pasha insisted that Turkey was right not to submit the issue to the Council of the League, Curzon, by stressing that Turkey had not trusted the League of Nations, tried to insinuate that Turkey's policy was favoring a military movement. (17)

Meanwhile, the possibility of a Turkish military attack had come to the agenda and it was rumoured that some warlike preparations had been carried out in the north. (18) On the other hand, on February 27th, 1923 Ismet Pasha had been seriously criticized in the secret meeting of the Grand National Assembly. The deputy of Ergani, Emin Bey (19), by saying; "They are selling Mosul" showed the high tension of the Assembly related to the negotiations with the British Government. On 27th February, 1923, during a secret sitting of the Grand National

Assembly M.Kemal also made a speech (20) to try to put an end to the increasing high tension in the Assembly.

He declared that what they had to do was to listen to what the Turkish delegation had to say, to accept their explanations in good faith and to judge the situation accordingly. And M.Kemal, expressing his point of view, continued:

"It would not be possible to bring about a discussion of the temporary suspension of the Mosul question, but it was most essential to enforce, in sure and uncompromising form, the independence and right of the nation and country in every administrative, political, economic, financial and other question and to obtain the complete evacuation of the redeemed territories. Our delegation has fully and completely fulfilled the duty entrusted to them. They have maintained the dignity of our nation and Assembly. If you are desirous of bringing the Peace question to a successful issue, the Assembly must also morally support the delegation to enable them to continue their work. When you act in this manner, we shall be able to hope that we might enter into an area of peace."

M.Kemal was definitely favoring a peaceful solution by means of diplomatic negotiations. In a period which the "National Struggle" had newly finished, it would be very risky to initiate a new struggle just for Mosul.

Meanwhile Great Britain was doing her-best to exclude the Mosul Question from the agenda of the Lausanne Conference where Ismet Pasha had presented effective arguments, and to refer it to the arbitration of the League of Nations. Because, in a way, the reference of the question to the League of Nations would mean to take a decision in favor of Great Britain and other big powers who were the founders of the League of Nations. (21) In case Ismet Pasha persisted in his refusal to submit the issue to the Council of the League, Curzon stated definitely that he would appeal to article 11 of the League Covenant which says: "Any war or threat of war, whether immediately affecting any of the members of the League or not, is hereby declared a matter of concern to the whole League, and the League shall take what may be deemed wise and effectual to safeguard the peace of nations."

Accordingly, some of the big powers like France, Japan and Italy joined in commending Curzon's proposal and in urging Ismet Pasha to yield. But Ismet Pasha refused because Turkey was not even a member of the League and to yield to such a proposal would be an implicit rejection of Turkey's proposal for a plebiscite.

After three months of fruitless efforts at ensuring conclusive peace between Turkey and the Allies, the first Lausanne Conference, broke up. On the 25th January, 1923, the question was referred to the League by Lord Curzon. On the 4th February, Ismet Pasha proposed to exclude the Mosul Question from the programme of the Conference, in order that it may, within the period of one year, be settled by common

agreement between Great Britain and Turkey. In a conversation held on the same day Lord Curzon agreed 'to suspend the result of his appeal to the League of Nations for a period of one year', on two conditions 'that, if the two Governments failed to reach a direct understanding, the intervention of the League would be restored to in the manner originally proposed, and that the status quo existing in that region should be preserved during the year in which these discussions might continue. (22)

So with the agreement of the two parties directly concerned the following was embodied in the final text of the Lausanne Treaty, Article 3:

1/ With Syria :

The frontier as described in Article 8 of the France-Turkish Agreement of the 20th October, 1921;

2/ With Iraq :

The frontier between Turkey and Iraq shall be laid down in friendly arrangement to be concluded between Turkey and Great Britain within nine months.

In the event of no agreement being reached between the two Governments within the time mentioned, the dispute shall be referred to the Council of the League of Nations.

The Turkish and British Governments reciprocally undertake that, pending a decision to be reached on the subject of the frontier, no military or other movement shall take place which might modify in any way the present state of the territories of which the final fate will depend upon that decision. (23)

III The Bilateral Negotiations: The Golden Horn Conference

Soon after the Conference of Lausanne, a new phase was re-opened between Turkey and England. Sir Horace Rumbold took the place of Lord Curzon as Foreign Minister. Generally, as time went on the relationship between two countries was improving. But, all the same England had difficulty in getting used to being in a diplomatic relationship with Ankara and preferred to keep the British Ambassador in Istanbul. According to K rk o lu, such an attitude of the British Government showed that Great Britain's negative feelings against Kemalists since the national struggle had not yet changed. (24)

In accordance with the second clause of the third Article of the Lausanne Treaty the negotiations between the Turkish Government and the British Government began on May, 10 1924. A British and a Turkish delegation, headed respectively by Sir Percy Cox and Fethi Okyar, met at Qasim Pasha, Istanbul.

A) The British Argument

Sir Percy Cox demanded on his part a frontier which, over about two-thirds of its course, ran considerably to the north of the former northern boundary of the Mosul Vilayet. This new line was demanded by the British Government on the grounds that, while "fulfilling the recognized requirements of a good treaty frontier", it would, 'at the same time admit of the establishment of the Assyrians in a compact community within the limits of the territory' mandated to Great Britain by the League of Nations. (25) The line was drawn so as to include, not the whole of the pre-war home of the Assyrians in Hakkari but such portions of it as they had succeeded in reoccupying, with British approval and assistance, in 1921. Sir Percy Cox maintained that, in this additional territory claimed for Iraq to the north of the Mosul Vilayet boundary, scarcely a vestige of Turkish authority was in de facto existence.

Accordingly, the British Government, demanded the line to be drawn so as to include Hakkari, in such a way that Turkey would never accept. As Oke also recorded in case the British Government presented a map including every kinds of British demands to which the Turkish Government would never consent, it would be impossible to have a reconciliation between the two countries. So the dispute would be referred to the League of Nations as the British desired. Therefore the British had to be very careful not to endanger the British cards before the reference of the matter to the League of Nations." (26)

B) The Turkish Argument

In reply to Sir Percy Cox Fethi Okyar made three points (27) first that, in demanding this new frontier, Great Britain was raising a question which had never been under consideration during the Lausanne Conference and was not covered by the terms of Article 3 of the Lausanne Treaty. Secondly, that the Assyrians, on whose account the new British demand was being made, were a very small minority in the population of the disputed territory and that, in the disposal of this territory, it was inequitable that the interests of the majority should be made subordinate; and thirdly that the breach between the Assyrians and the Turkish Government and the sufferings undergone by the Assyrians during the past ten years, which were the grounds of the British Government's concern on the Assyrians' behalf, had been brought by the Assyrians on their own heads, when, in 1915, they had taken up arms against their lawful sovereign, the Ottoman Government, without provocation.

Upon Fethi Bey's declaration that he could not accept the new British line the negotiations, which lasted until 4th June 1924, reached no definite conclusion but when the British delegates proposed that they should make a joint application to the League the Turks refused. By 6th August 1924 Britain had decided to make a unilateral application and had the item 'Iraqi Frontier' put on the agenda of the Council of the League. (28)

IV- The Referral of the Question to the League of Nations.

Soon after the British application to the League of Nations. Ismet Pasha (29) sent a telegram to the secretary General of the League of Nations dated 25th August, 1924. Ismet Pasha, by recording that the British Government was not anxious to settle the matter by direct negotiation, claimed that Turkish Government agreed in principle to the question of the frontier between Turkey and Iraq being entered on the agenda of a session of the Council.

In accordance with Ismet Pasha's request, it was decided to postpone the negotiations until the Turkish delegation's arrival to Geneva. The Turkish representative was also authorised to take part at any time in the deliberations of the Council up to twenty days after some documents had been received. On the 30th August 1924, the issue was put on the agenda again, this time with the approval of Turkey, and discussions began three weeks later on the 24th September. Consequently the negotiations in the Lausanne Conference had resulted in the Britain's desire the dispute was referred to the League of Nations.

A) The Presentation of the Arguments on the 19th September, 1924

1) The British Argument

During the 30th session of the League of Nations dated 19th September, 1924, the British Minister of Justice, Lord Parmoor (30),

first of all explained the difference of opinion related to the exact scope of the question. In the British Government's view, the point referred to the Council was the definition of the frontier-line between Turkey and Iraq.

Lord Parmoor continued his speech by quoting some parts of Lord Curzon's speech and then, quoting some of the Lausanne Treaty, viz : "The frontier between Turkey and Iraq shall be laid down in a friendly arrangement to be concluded between Turkey and Great Britain within nine months. In the event of no agreement being reached between the two Governments within the time mentioned, the dispute shall be referred to the Council of the League of Nations." He stressed the necessity of determining the nature of the question itself. According to British view, it was the matter of the frontier line. Later he countered the Turkish request for a plebiscite in the Mosul Vilayet by arguing as follows:

"First, the British Government regards the definition of the frontier as not being a matter that lends itself to decision by plebiscite. Indeed, it has already come under the obligation to submit the question to the Council itself. Secondly, the population in the vicinity of the frontier consists in the main of uneducated tribesmen who can hardly be regarded as competent to deal with the complicated issue involved so often in boundary settlement, and of which we have had experience in other cases. Thirdly, the holding of a plebiscite in the vicinity

of the frontier would be bound to cause unrest and possibly disturbance. The difficulty of providing an adequate neutral force to maintain order during the period of uncertainty was sufficiently obvious."

Finally Lord Parmoor emphasized the necessity of appointing a Commission of disinterested and unbiased persons to settle the dispute after studying the documents that had already been prepared and any further evidence which they might consider necessary.

ii) The Turkish Argument

The representative of Turkey, Fethi Okyar (31) first drew the attention of the Council to the actual nature of the dispute before touching upon the principal question as follows:

"The British Government, in its memorandum, raises the question in a form which, in the view of the Turkish Government, is far from representing the real dispute before the Council. In point of fact, the British Government declares that the question submitted to the Council is not whether the Vilayet of Mosul should belong to Turkey or to Iraq but rather what ought to be the northern frontier of the state of Iraq. This point of view agrees neither with the letter nor the spirit of the Lausanne instruments. Consequently the problem of settlement consists in determining whether the Vilayet of Mosul ought to

remain north or south of the frontier-line between Turkey and Iraq. The Minutes of the Lausanne Conference leave no doubt as to this point.

If the dispute does not contain in determining the fate of the Vilayet of Mosul, the Turkish Government asks-in its opinion rightly-what could be the nature of the dispute which arose during the Lausanne negotiations and which is now brought to the notice of the Council."

Fethi Okyar went on explaining the legality of the Turkish argument, depending on geographical, ethnical, military, economic and political considerations by quoting the information furnished by the foreign materials like Encyclopedia Britannica and La Grande Encyclopedie Française. (32)

Ethnically Fethi Okyar asserted that Turkish statistics which were based on the census carried out during the Turkish administration at a time when Turkey had nothing to gain by hiding the true proportions of the different elements of the population, had to be regarded as more accurate than the British statistics. He also added that British officers who found themselves at various periods in different parts of the country were certainly unable to maintain at any given moment exact information on the numbers of the population scattered among the various localities, and that in the English statistics the numbers of the Arab element of the population were exaggerated and that the numbers of the Turkish elements had been considerably reduced.

In the memorandum submitted to the Council by the British Government, the number of Turks was given as 65.895. Fethi Okyar recorded that in Pamphlet 62, prepared by the Historical Section of the Foreign Office and published in 1920, the number of Turks in the region of Mesopotamia comprising the Vilayet of Mosul and the territory of Iraq was given as 110,000. Consequently Fethi Okyar repeated that the Vilayet of Mosul had formed an integral part of Turkey. Any incorporation of this province in the State of Iraq would become a source of perpetual dispute and friction between Turkey and Iraq.

Another important point which Fethi Okyar wanted to draw the Council's attention was to the non-Muslim elements, especially the Assyrians. He countered the considerations put forward by the British Government as follows:

"With regard to the non-Mussulman elements of the population, especially the Assyrians, the considerations put forward by the British Government can not be justified. These considerations, which could only result in maintaining the small Christian community in an attitude of antagonism towards their Mussulman compatriots, would not result in that general state of peace and quiet which it is, I imagine, the object of the League of Nations to see established in all countries of the world.

The refusal to recognize the rights of the great majority at the expense of a very small minority could not fail to create a feeling of hostility among the elements of the population."

Economically, Fethi Okyar, after explaining the geographical situation of the Vilayet of Mosul put stress on the importance of Mosul for Turkey from an economic point of view, adding that the construction of the railway-line linking Mosul to the Mediterranean ports had further strengthened its dependence on Turkey. Also Fethi Bey, pointing out that in Mosul there existed important sources of natural wealth, argued that this natural wealth could not cause the annexation of the Vilayet to Iraq at the expense of political considerations and of the legitimate rights of its population.

He also added that the Anglo-French Agreement of 1916, proved that the contention that it was impossible to separate this province from Iraq did not correspond with the true facts of the case.

Militarily, Fethi Okyar pointed out that frontiers which were most readily adopted to prevent armed conflict between nations were incontestably those which take account of the legitimate rights of each people to their native land. Also he asserted that, regardless of the strategic advantages accruing to one or other party, a frontier which satisfied the natural desires of the inhabitants was the most superior frontier and declared that the frontier line desired by the Turkish Government, was such a frontier.

Politically, Fethi Okyar ~~explained~~ first presented the divergence in the views of Turkey and Great Britain. While the British Government submitted that the population of the Vilayet of Mosul desired to be united to Iraq, the Turkish Government, on the other

hand, maintained that the inhabitants of the province desired to remain attached to Turkey. Fethi Okyar, pointed out that the British Government had relied, in support of this contention, on two referenda of 1919 and 1921, viz:

"..... that Government admits that, in 1919, a great part of the Vilayet of Mosul, viz., the Province of Suleymanie' declared itself against the incorporation of the Province in to the Territory of Iraq, and in 1921, the Turkish and Kurdish inhabitants of the Department of Kirkuk also refused to submit themselves to the Government of Emir Feisal (see official report of Iraq Administration, Oct. 1920-March 1922, pages 12-15, and the last British memorandum). Although in this last document the Government of Great Britain maintains that it was only the Turks of the town of Kirkuk who declared themselves opposed to coming under the administration of the Government of Emir Feisal, the official report which I have just quoted, as well as the statements of the British delegation at Lausanne shows that it was rather the Turks and Kurds of the Department of Kirkuk who were opposed to union with Iraq. It is therefore, evident that two Departments out of three of the Vilayet have declared themselves against the incorporation of the Province in the Arab State."

Fethi Okyar asserted that the only solution to be able to find out whether the population desired union with Iraq or preferred to remain under Turkish administration, was a plebiscite carried out under

sufficient guarantees. Besides he emphasized that a plebiscite was both a just and wise policy to give several hundred thousand people the opportunity to decide freely for themselves, when it was a question of settling their destiny. A committee of Enquiry additionally on the spot would not be able to discover the real wishes of the population and it would be difficult for such a committee to be able to interpret the general feelings of the population.

Finally, Fethi Okyar drew the Council's attention to the following incidents; The British authorities had disregarded the frontier established by the status quo and, without awaiting the Council's decision, had conducted military operations with the intention of creating a de facto situation north of the frontier in question. During these operations, carried out for the most part by aeroplanes, there had been Turkish casualties, both killed and wounded. So the Government of Turkish Republic had sent a note of protest to the British Government.

In his reply, Lord Parmoor asserted that no forces from Iraq had been at any time across the frontier and, adding that it was not a matter to be discussed there, repeated that the main question was the determination of the boundary dispute.

Fethi Okyar again, stressing on that any question of frontiers raises territorial questions, recorded that it was impossible to accept Great Britain's point of view, which was that the future of the Vilayet of Mosul had already been settled, it was merely a question of a frontier.

Finally Fethi Okyar explained the nature of the question of the frontier in the Turkish Government's view as follows: "Should the frontier pass to the north or to the south of the Vilayet of Mosul. (33)

The Rapporteur, having heard both of the Governments' views, adjourned the discussion to a future meeting. In next session, on the 25th September, 1924, the Rapporteur, Mr. Branting asked the following questions (34) : "Do both delegations agree that the duty of the Council is not strictly limited to the mere choice between these two opposing conceptions but that the Council may seek any other solution which it may consider equitable?"

Mr. Branting then stated that first the Council required to be enlightened about the preliminary questions. Therefore he did not find it suitable to consult the inhabitants by means of plebiscite and establishing a Commission of Enquiry. In his answer to Mr. Branting, Lord Parmoor said that the British Government did regard the Treaty as placing the Council in the position of an arbitrator, whose ultimate award had to be accepted in advance by both parties. Accordingly he explicitly stated that the British Government would consider itself bound by the decision of the Council.

On the other hand Fethi Okyar stated that the Council had to find an equitable solution which would satisfy the real desires of the people. Because an equitable solution would mean the complete settlement of the whole dispute.

Finally, Mr. Branting, saying that he would consult the two parties, about the preliminary question of the precise duties of the Council, adjourned the discussion.

Mr. Branting, after conversations with representatives of both parties concerned, declared that there was no disagreement between the Governments of both countries with respect to accepting the Council's recommendation.

b) The Formation of a Special Committee

Accordingly a commission was formed. The duty of this commission was to find out the best procedure for fixing the frontier line. Investigations on the spot would determine which of the two procedures proposed by the respective Governments, the Turkish Government and the British Government, would best reveal the real political tendencies of the inhabitants of the Vilayet of Mosul. Accordingly on the 30th September, 1924 the following resolution was adopted: (35)

"The Council, having had the question of delimitation of the frontier between Turkey and Iraq referred to it under Article 3, paragraph 2, of the Treaty of Lausanne and took the following resolution.

"Having heard the statements of the representatives of the British and Turkish Governments, who undertook on behalf of their respective Governments to accept in advance the

decision of the Council on the question referred to it;

"With a view to collecting the facts and data which it requires to fulfil the mission entrusted to it under Article 3, paragraph 2, of the Treaty of Lausanne:

"Decides to set up a special Committee of three members. This committee shall lay before the Council all information and all suggestions which may be of a nature to assist it in reaching a decision. It shall give due consideration to the existing documents and to the views expressed by the interested parties both as regards the procedure and as regards the substance of the question. It shall receive all communications which the parties may wish to transmit to it. It may proceed with investigations on the spot and in that case may avail itself of the services of advisers appointed respectively by each of the two Governments concerned."

"The Committee shall fix its own procedure. The secretary General shall furnish it with the necessary staff and shall advance it the funds which it may require, such advances to be refunded to the League in equal proportions by the Governments concerned. The Council instructs its President and its Rapporteur on this question to appoint the members of the said Committee by common agreement."

"The Council notes the declarations of the British and Turkish Governments^t to the effect that, pending the decision to be reached on the subject of

the frontier, no military or other movement shall take place which might modify in any way the present state of the territories whose final fate will depend upon that decision."

In accordance with the content of the resolution, the main trait of the commission was the commission's independency. In other words, it was not dependent on the Council one of whose most important members was Great Britain. So such a development was not in favour of Britain. British Foreign officers authoritatives who did not want any possibility of a plebiscite in the Province were alarmed at the formation of such a commission.

C) The Military Clashes on the Status ^{q o} qua Line

While the Commission of Enquiry made its investigations concerning the dispute, both sides undertook to respect the status quo at the time of the Treaty of Lausanne. But before long clashes began to occur along the frontier.

At first, British, aeroplanes had crossed the Turkish frontier and so various Turkish notes were presented to the League on 16th and 22nd September protesting against various British air operations and the military movements to Ruwandiz and Suleymaniyah. In the same way the British Government also sent a note protesting against a Turkish march to the area administered by Great Britain at the date of signature of the Lausanne Treaty.

In fact all these reciprocal notes were due to the general position of both countries in the area. As Toynbee noted at the moment when the Lausanne Treaty was signed on the 24th July, 1923, the general position had been that the British were in effective occupation of the Mosul Vilayet but to this there had been two exceptions. Part of the Sulaymaniyah sanjak had been in the hands of a Kurdish chieftain, on that date while part of the Hakkari district had been in the hands of the Assyrians. Thereafter both the British and the Turkish Governments successively took the view that they would not be violating the status quo, as between themselves and the other Government, if they extended their occupation to that enclave on their own side which had not been under their occupation on the 24th July. (36)

Consequently both Governments, were protesting when the privilege which it claimed for itself was exercised by the other. But there was another interesting point related to the clashes on the frontiers ~~as~~ Evans recorded that the clashes mainly occurred over the existence of several Assyrian villages in the border area. The Assyrians had worked closely with the British during the first World War and they continued to cooperate with the British in the British mandate. The British realized that it would be to their advantage in the League to act as the champions of the Assyrians against Turkish aggression. (37)

This point was very clearly described in the Turkish note of 27th September, 1924 (38), protesting against British air operations on 9th, 12th and 14th September which resulted in three killed and

twelve wounded as well as the earlier British air bombings. The Turkish Government's note drew attention to the changing situation after the Golden Horn Conference had broken down where the British delegation claimed an important portion of Vilayet of Hakkari. This important change had taken place in the attitude of the Assyrians as well.

Moreover the Vali of Hakkari and the gendarmes were intercepted and captured by the recently re-established Assyrians on the road between his headquarters at Julamarg and the small administrative centre of Chal. The Vali had managed to escape from these Assyrian brigands with great difficulty and during this time British aeroplane had been flying over the spot. Finally the Turkish note, laying stress on the point that in fact the British Government, in disregarding the status-quo frontier, was trying to bring about a *fait-accompli* by taking common military action thereby encouraging brigands on Turkish territory, protested against the attacks of English aeroplanes which resulted in killed and wounded people before the world and the League of Nations.

On the other hand, before the British note of 29th September, another British note of 25th September (39) was also important with respect to the matter of the violation of the status-quo. In this note presented by the British charge' d' affaires at Constantinople, the British Government protested against the Turkish march to the area administered by the British Government at the date of the signature of the Lausanne Treaty, as a violation of the status-quo. On the same date

this note was read to the League Council by Lord Parmoor at Geneva, on the strength of Article 11 of the Covenant.

The main reason of the Turks' march to the area which the British considered to be a violation of the status quo was the efforts of the Turkish Government to be able to release the Vali of Hakkari who had been captured by the Assyrian Brigands. Assembling a force at Jezirat-ibn-Umar, Turkish troops crossed the Hezil River into Iraqi territory a few miles north of Zakho and marched for several days through the mountains on the Mosul side of the Vilayet boundary before crossing back into the Chal district and driving out the Assyrians. And so as the British asserted, the Turkish troops had entered an area which lay inside the area which had been under effective British administration both on and after the 24th July, 1923, and also inside the former boundary of the Mosul Vilayet. (40)

The day before, the matter of clashes on the frontier was taken up by the Council, the British charge' d' affairs at Constantinople had presented another note on 29th September. (41) In this note, it was recorded that the British Government were of the opinion that the status-quo presented in Article 3 (2) of the Treaty of Lausanne as the whole of the Vilayet of Mosul was effectively occupied by the British Government and was under their de facto administration. After defining the northern frontier of the Vilayet of Mosul, it was pointed out that there was a district which, in the British Government's opinion, was not effectively occupied either by Turkey or Great Britain at the date of the

signature of the Lausanne Treaty. In the British note of 29th September, the limit of this district was also defined in detail and it was asserted that this district had not been under the control of any effective Turkish administration since the return of the Assyrian refugees and since also the district in question was outside the Turkish sphere of influence at the date of the signature of the Lausanne Treaty, they considered any increase of Turkish administration personnel in that area as a violation of the status quo.

Finally the British Government, asserting that they were not responsible for any military or other movement, demanded that the Turkish troops withdrew from the Vilayet of Mosul and from the district outside Turkish influence.

As a result, the Turkish Government refused to comply with this demand. Accordingly the dispute itself and the protests addressed to the League by each party against the military activities of the other came up for consideration at Geneva in the Autumn, and on the 30th September the Council adopted a resolution recording that both parties had undertaken in advance to accept the decision of the Council on the question referred to it and in the meantime to abstain from any military movement designed to alter the status quo; it further decided to set up a special Commission to study the problem on the spot and so help the Council to find a solution.

But this time a new dispute had started as to which status quo was to be observed, that of the 24th July 1923, or that of the 30th September 1924.

Meanwhile, even during such a period the Turkish Government always stated that she believed that the solution of the matter would be ensured by means of diplomatic negotiations. Ismet Pasha, who was seriously criticized in the Grand National Assembly, on the 7th October, 1924, stated once more that he had been keeping his conviction belief that the matter would be solved by means of diplomatic negotiations. Besides, Mustafa Kemal's words uttered by him in the Grand National Assembly on first November, 1924 are very important with respect to understanding that the Turkish Government had a precise confidence in the League of Nations as an international organ. He, despite the aggressive attitude of Great Britain, stated that he hoped that the League of Nations would take a decision in an equitable and lawful way and he continued : "Because it is doubtless that a pure idea of the League of Nations is very effective with respect to ensure the salvation of all the world nations."¹⁾

But all the same the tension between two countries; Great Britain and Turkey was still high. Despite the approval of the division of 30th September 1924, new problems had appeared as mentioned above. Meanwhile, the British Government, after a warning on the 5th October (42), delivered an ultimatum to Istanbul on the 9th October (43), in which it threatened to take military action unless the demand of the 29th September had been complied with by the 11th October.

On the 10th, the Turkish Government (44), replied to the British note of 9th October that the information which Great Britain communicated to the effect that Turkish Government had been carrying out further military movements and concentrations of troops had been devoid of all truth, and pointed out that the League Council's decision of the 30th September, 1924, had referred to the status quo existing at that moment, by offering to obtain and to accept, in advance, the Council's own interpretation of this text.

Finally, adding that Great Britain had no legal justification for interpreting and modifying the decision reached by the League of Nations to the disadvantage of Turkey Ismet Pasha noted, that in case of ignoring the decision of the League of Nations and disturbing peace and commit acts of aggression, Great Britain had to bear the entire responsibility for her acts. Besides the Turkish Government requested the League of Nations to take steps to ensure the provisions to be respected by the parties concerned.

On the same date the Turkish Government also appealed directly to the League and before long on the 16th October 1924 (45) the Turkish Government sent a telegram to the secretary-General, recording that in spite of the assurances given to their representative by the British Under-Secretary of state for Foreign Affairs, two English aeroplanes had dropped bombs on Cheranis on the 14th, wounding two women.

Accordingly, the British Government suspended the taking of military action, and accepted the procedure which the Turkish Government had proposed in the note of 10th October. The matter came before the Council of the League at an extraordinary session held at Brussels on the 27th-31st October, 1924. First the League called a special session to meet in Brussels on the 27th October to discuss the matter.

D) Diplomatic Struggle at the Council

i) The British Argument

During the session which took place on ^{the} 27th October, Lord Parmoor presented the views of the British Government (46) related with the status-quo line first he handed a map to the Council, which showed a broken blue line to the north of the broken red line, Lord Parmoor mentioned that the broken line constituted the line which the Council had to adopt when fixing the frontier due to its ethnological, economic and strategic reasons. And Lord Parmoor continued to describe what the continuous red line was; it was the line southwards of which, in July 1923, the administration was in the hands of the Iraq authorities. Up to that time British forces had ^t control of the area as being the party to whom the League committed the defence of Iraq. Besides, Lord Parmoor described no-man's land as a space bounded on the north by the broken red line, indicating a special part of the district, and on the south by the continuous red line. No-man's land, as Lord Parmoor

asserted, was, in July 1923, not under the occupation or administration of either Turkish or Iraq authorities. After describing the district divided by red continuous line, the broken red line and the broken blue line, he asserted that Turkish forces had occupied various villages within these lines, destroyed the Assyrians and poured them into Amadia in large numbers. Instead of withdrawing to the area to the north-west of the red line, Turkish forces had remained on the Iraq side of the line and moreover these forces had made further advances and had occupied Demka and Bosel.

After Lord Parmoor explained how the Vali of Julamerk was captured, he asserted that the entrance of the Vali and the Turkish troops into the territory, to the south of the continuous red line, where lots of Assyrians had been living, was an indication of the intention of the Turkish Government to establish Turkish control in that territory.

By recording that the British aeroplane patrols had confined themselves to the area to the south of the continuous red line, Lord Parmoor claimed that Turkish protests from December 1923 onwards, against the flights of British aircraft over the territory under Turkish occupation were inaccurate and he added that British aircraft had every right to carry out reconnaissance work as they might consider necessary anywhere to the south of the continuous red line. Finally he asserted that Turkish forces had invaded the areas in which there were no Turkish forces and no Turkish occupation in July 1923.

ii) The Turkish Argument

Fethi Okyar (47) in giving answer to Lord Parmoor, did not have great difficulty since there were many deficiencies in Lord Parmoor's speech. First of all Fethi Okyar stated that the British authorities had a very peculiar conception of the meaning of the status quo and presented a brief account of the ever-increasing claims put forward by the British Government.

As Fethi Okyar recorded, at the time when the Mudros Armistice was signed on October 30th, 1918 British forces had occupied a line outside their zone of occupation and after the Armistice convention the British commander did not hesitate to include in this zone of occupation a large district which included some important places such as Mosul, Erbil, and Suleymaniyah. Fethi Okyar by reminding that the Sevres Treaty had given full satisfaction to the most extreme demands of Great Britain, said that the boundaries of the Vilayet of Mosul laid down in the British note of 28th September, as the true northern boundary of that Vilayet had pushed a great deal further than the Sevres line.

Fethi Okyar, adding that none of the claims of the British Government had legal force, considered that the maintenance of the status quo of July 24th, 1923 was binding on both parties and in accordance of the Treaty of Peace, neither party was authorised to consider any given part of the Vilayet of Mosul as being in theory under

its occupation; That would be a direct violation of the status quo and so Fethi Okyar stated that the two of British notes; the note of December, 20th, 1923 and the note of 26th April, 1924 stating that the whole of the Vilayet of Mosul was under British occupation, had proved that the British Government had intended to violate the status quo.

In the rest of his speech Fethi Okyar, after enumerating the British attacks on the Turkish villages of Tchelki and Dechte Maacek and telling about the violation of Turkish territory by aircraft, mentioned that the British Government had not been able to deny the facts. And moreover British allegations related to the status-quo line were changing from one British note to another. For instance, the British Government, in its note dated September 25th, alleged that the line in its note of August 23rd was not the status quo line. In the British note of 29th September, the British Government had laid down a new line far beyond either the Sevres line or the administrative frontier of the Mosul Vilayet. So Fethi Bey was able to prove the instability of British views related to the status quo line which was actually due to British greediness.

Another important point which Fethi Okyar recorded was the absurdity of the British allegation related to some part of Hakkari Vilayet. The British Government asserted that the extensive zone in the Hakkari Vilayet was outside the Turkish sphere of influence, on the grounds that it had not been effectively occupied by Turkish troops at the time of the signature of the Treaty of Lausanne. Fethi Okyar, saying

that the absence of troops in any given part of a territory was not sufficient justification for considering that territory as outside the sphere of influence of the sovereign state, stressed that the Hakkıari Vilayet had always belonged to Turkey and the Turkish Government had no need to send troops to occupy every inch of its own territory.

Fethi Okyar also emphasized that if the British principle that any military or other movements which it may have been obliged to authorize and were occasioned solely by the desire to maintain the status quo, was recognised, it would be equally permissible for Turkey to undertake military operations in the Vilayet of Mosul on the plea that it also was actuated by the desire to maintain the status quo just because as Fethi Bey recorded, no discussions had taken place and no claims had been put forward at the League Conference with regard to any territory north of the northern boundary of the Vilayet of Mosul; Article 3 (2) only applied to the Vilayet of Mosul. The status quo to be maintained was that of this Vilayet.

Finally Fethi Okyar, stating that the British Government's assertion that the line, which at the meeting of September 30th, both parties had undertaken to respect was the same as the line arbitrarily laid down by the ^{Sw} British Government in its note of September 29th was absolutely inaccurate, declared that such a temporary state of affairs would necessarily come to an end as soon as the Council had given a decision on the main problem.

Mr. Branting, stating that he was glad to have heard the explanations of two parties, asked for a little time in order to prepare his report.

On 29th October, 1924 Mr. Branting, before presenting his report which he had prepared on behalf of the Council pointed out that with the explanations of the two parties and with the assistance of the representatives of Spain and Uruguay, any real difference between the two points of view was not very great. (48) But he noted that it would be impossible, without an enquiry on the spot, to come to a decision. And he laid stress on the necessity of proposing a line which might succeed in putting an end to the uncertainty. The line which Mr. Branting told about would mark the extreme limit which, until the final frontier between Turkey and Iraq had been fixed, had to be respected by both parties from the military and from the administrative point of view.

The report presented by Mr. Branting proposed that both parties should undertake to withdraw to their own respective sides of this line not later than the 15th November. Both parties were to have authority to exercise full administrative control up to the "Brussels Line" on their respective sides; But Mr. Branting expressly stated that the object of the Council's decision was merely to regulate a provisional situation so that order and peace might be maintained during an interim period; and he added that neither the solution to the problem of the final frontier between Turkey and Iraq nor the procedure by which the solution is to be reached should be in any way affected hereby.

And at last Mr. Branting declared the extreme limit of the territories which might be occupied or administered by either party until the final frontier between Turkey and Iraq had been determined. (54) The so-called Brussels line did not depart very widely from the line which had been described by the British Government. The whole of the Suleymaniyah Sanjaq was left under Anglo-Iraqi occupation. On the other hand all the rest of the Hakkari together with some fragments of territory on the Mosul side of the former Vilayet boundary was brought under Turkish occupation.

E) The Commission's Investigation at the Disputed Territory and Its Consequent Report

The decision of the 29th October, 1924, made it possible for the League Commission of Inquiry to start work. The members of the committee were; Count Teleki, former Prime Minister of Hungary; Mr. de Wirsén, Minister Plenipotentiary of Sweden in Roumania; and Colonel Paulis, of the Belgian Army Reserve. The Committee met at Geneva on November 13th. It chose Mr. de Wirsén as chairman. After devoting a few days to its preliminary work of documentation, it got into touch in London with the British Government and the British departments, concerned. Later it visited also the Turkish Government at Ankara. At the beginning of January, the Committee then proceeded to the district in question on the 16th January, 1925. The Turkish delegation, which arrived with the commission, was headed with the

title of Assessor, by General Jewad Pasha, Inspector-General of the Army on the Jezira front. He had brought with him as "Experts" major Kamil Bey for Mosul, Nazım Bey for Kirkuk and Fettah Efendi for Suleymaniyah. On the other hand for the post of British Assessor the choice had fallen on Jardine. His assistant, the representative of the Iraqi Government was Sabih Bey. (49)

As soon as the members of the commission arrived in Baghdad, the English High Commissioner in Iraq, Sir Henry Dobbs, presented them to King Faisal who gave an eloquent memorandum which he himself had drafted. The most important part of this memorandum, being a very good summary of their views, was as follows: "Therefore I consider that Mosul is to Iraq as the head is the rest of the body, and it is my unshakeable conviction that though the question is only one of fixing a boundary between Iraq and Turkey it is nevertheless, and in fact, the question of Iraq as a whole; accordingly the happiness or misery of four millions of human beings is placed in the hands of your honourable Commission." (50)

In fact the British Government was extremely anxious about the results of the Commission's inquiry. Sir Henry Dobbs had stated his anxiety about the possibility of any result of the commission's advisors disfavoring the Anglo-Iraqi Government. (51) The British Government first alleged that Nazım and Fettah were regarded as fugitive traitors by the Iraqi Government who had been gravely annoyed by their return under the cloak of diplomatic immunity. The Iraq stated that their arrival had given rise to bitter resentment. And so a vigorous protest

had been lodged through the High Commission with Wirsén. In fact, the experts had been lodged at a military cantonment outside the city so as to isolate them from the commission. But apart from this the commissioners while maintaining that once in the disputed territory all members of the Turkish delegation must have complete freedom of movement, agreed that the experts should stay indoors until they all left for Mosul.

On the other hand the British tried to restrict the freedom of movement of the Turkish delegation by asserting that Jewad Pasha, in full general's uniform, going around the streets with Teleki, caused feeling in the city so run high. The Mutassarrif of Mosul, accompanied by Major Lord, the British Administrative Inspector, visited the commission and told them that they would take some measures to ensure the personal safety of the Turkish delegation. For instance the Turkish assessor and his experts had to warn the administrative authorities one hour in advance of their desire to leave their residence. Jewad Pasha could not leave his residence in military uniform. And they would be accompanied by the police. But the commission, being anxious to safeguard the freedom of action of the Turkish experts, did not accept such measures to be taken by the Mutassarif and the British Administrative Inspector.

In fact British adviser to the Ministry of the Interior of Iraq, Edmond, noted that the British were in control of the administration, including the police and were thus presumably in a position to bring to

bear on any and every element of the population." (52) Count Paul Teleki suggested that the garrisons should be evacuated from certain areas to enable the commission to have a consultation. But the lists of the persons whom the commission would interview, were being prepared by the Iraqi Government whereas Turkish Government had not even prepared a list of persons to be interviewed.

Apart from the more effective lobbying efforts of the British experts conditions had not been in favor of the Turkish side. For instance, Count Teleki, known as a Turkish sympathizer, had broken down under the strain of winter travel and he never got to Ruwandiz. Besides, since the whole country was in the grip of a very severe winter, the members of the commission had difficulty making a complete inquiry about the tendency of the people living in the disputed area and accordingly it caused the legality of the Turkish argument, related with importance of the plebiscite, not to be understood.

At last on the 11th February, 1925 The Commission would divide into four Sub-Commissions; the President and Assessors would stay in Mosul and continue the inquiry in the districts of the plain; Teleki and Kramers would go with Nazım to Arbil, where Lyon would join them as the British expert; Paulis with Sabih and Kamil would take on northern Kirkuk. The whole commission, after travelling over the disputed territory and getting into touch with representative members of the different religions, nationalities and classes, they returned on the 18th to Mosul and to Geneva on the 20th April, 1925. On the 16th July, 1925 they presented their report. (53)

The Report of the commissioners, after analysing the cases presented by the two parties and setting out their own conclusions on the various aspects of the dispute, recommended that the Brussels line should be confirmed as the frontier between Iraq and Turkey. The Report consisted of five parts; geographical, ethnical, economic and historical, judicial data. At first it was pointed out that the commission had worked under very difficult conditions and later the "Brussels line" which was about 87,890 square kilometers and contained a population of about 800,000 was accepted as a geographical line. (54)

It was recorded in the Report that the commission rejected the impossibility of a plebiscite and that the question was not the fate of the Vilayet of Mosul but a frontier problem. On the other hand, the commission drew attention to the practical difficulties of holding a plebiscite and it added that there was no doubt that the administration of the country by either of the states concerned was likely to influence the people. A provisional neutral administration would therefore have to be established but on the other hand, the commission also pointed out the impossibility of establishing such a natural administration by noting that to send strong detachments into Kurdish mountains, where every man carried arms even in peacetime would be useless and would cause a civil war.

In the chapter related to ethnical question first the total population of Mosul, secondly, ethnical distribution and finally the ethnical traits were reported. As to the respective numbers of the various racial and religious groups of the Vilayet of Mosul they accepted

as most reliable the census by the Iraq Government, 1922-24, as follows: (55)

Kurds	494,007
Arabs	166,941
Turks	38,652
Christians	61,336
Jews	11,897
Yezidis	<u>26,257</u>
Total	799,090

For the Liwa of Mosul they gave the following statistics (56)

Arabs	119,500	(74,000 in the city)
Kurds	88,000	
Turks	9,750	
Christians	55,000	(19,250 in the city)
Yezidis	26,200	
Jews	7,550	(96,25 in the city)

In the report, it was recorded that the statistics and maps submitted by the two High Contracting Parties at Lausanne and to the Council of the League of Nations were not at all accurate and it was added that the last statistics drawn up by the Iraqi authorities had to be used with a certain caution. Besides the Commission had reported that the number of Kurds in the eastern part of the country considered by the British Government had been exaggerated. On the contrary, the

number of Turks seemed to them to be smaller than it should be, as a result of general political circumstances and certain causes affecting individuals. (57)

In fact as it was earlier stated the Turks alleged that Kurds and Turks were, Turanian. On the contrary, the British alleged that Kurds were Iranian. The Commission reported that the ethnical composition of the Kurds was as obscure as their history so, finally, in accordance with the report Kurds formed the majority of the population. They were neither Turks nor Arab. They spoke an Aryan Language. (58)

The commission also claimed that the Turks in Mosul whom Curzon called Torkomans, as distinct from Turks, were truly Turks. (59) The Yezidis were likewise obscure in origin. They were devil-worshippers and claimed to be different from all other peoples. They claimed descent from Adam whereas all others were descended from Adam and Eve. They speak only Kurdish, but their sacred books were in Arabic. They believed in a Supreme Being but claimed that he was "far too high for direct worship" The commission was certain as to classify them Kurds as did the Turks and British. (60)

Apart from Yezidis, Christians had also been living in Mosul. The Nestorians who thought that the Virgin had given birth to Jesus the man but not to Jesus as God. were persecuted in Byzantium but later in 1778 they became reunited with Rome because these people sensed a need of protection. This latter group had been called Chaldeans. In the

report, the commission estimated the number of Christians at about 80,000 to 90,000 Nestorians and 40,000 Chaldeans.

It was also reported that the Ottoman Government had always shown a certain amount of consideration for the Patriarch. The main point was the commission's decision that the 500,000 Kurds had been living in the disputed area and since there was a confusion of races in the disputed area no racial considerations could be taken into account.

Historically, the British alleged that before Osmanli Turks took possession of the town, Mosul had never been under Turkish sovereignty. On the other hand the Turkish argument was that Mosul had been in the hands of Turks for eleven centuries. The commission first gave an historical summary of Mosul and stated that however the Turkish argument was an exaggeration, the British Government was also incorrect. After discussing the rival arguments point by point the commission admitted that Turks had played a preponderate role throughout the history of Mosul. Accordingly the Turkish argument was accepted.

In the chapter economic arguments were discussed. (61) After analyzing the economic arguments of both countries, the commission prepared an economic survey for two Governments to answer and finally the commission drew its conclusion as follows: "The trade of the disputed area followed two main channels, the more important to Baghdad, the lesser to Syria. There was little direct trade with Turkey. Mosul town itself would not suffer so much in being detached from Iraq,

since it was the general trade center of the country. From an economic point of view, the commission decided that the most advantageous settlement for the disputed territory would be to attach it to Iraq.

In the report, strategic arguments were studied as well. First of all the line proposed by the British Government was considered as an excellent frontier just because the mountainous area between this proposed northern frontier and lakes Van and Urmia did not lend itself to the concentration of troops so a Turkish army could not be able to invade Iraq. In other words the commission, tried to eliminate, the possibility of a Turkish invasion. On the other hand the Turkish frontier was good as regards the western part but bad as regards its eastern part. The frontier proposed by the Turkish Government fell into two section. Section to the west of the Tigris, running through the desert and another section between the Tigris and the Persian frontier. The Desert formed an excellent frontier but the main route of the Tigris was not a strategically excellent frontier because this route was used by xenophon and his 10.000 and by the armies of Alexander the Great. It had in every age been employed for military operation. For these reasons the frontier proposed by the Turkish Government was not accepted with respect to its strategic trait. (62)

Finally in the report the political arguments were studied. As to the wishes of the people, the Turkish Government laid great stress on the fact that the territory had to remain in its possession because the inhabitants, Kurds who with the Turks formed the majority of the

population of the territory, were anxious to live in Turkey as they had done for centuries. On the other hand the British asserted that the Kurds did not wish to live with the Turks, as was proved by their repeated revolts and by the referenda held in 1919 and 1921.

The Commission was of the opinion that a large number of people had been questioned individually (63) and observed the following

There was "no national Iraqi feeling in the disputed territory", except among the more educated Arabs and this was rather an Arab feeling, chauvinistic and anti-alien. The Kurds showed "a growing national consciousness, which was definitely Kurdish and not for Iraq." This latter sentiment was strongest in the southern part. The absence of Iraqi national sentiment explained the large number of conditional preferences noted.

"The most strongly nationalist Arabs say that they would prefer Turkey to an Iraq under foreign control. But a large number of Christian chiefs said that they would feel less suspicious of a Turkish Government than of an Iraq Government without European control. Many Arabs, particularly those of the poorer classes, were pro-Turkish, and sometimes gave touching expression to their sympathies. With the exception of the liwa of Sulaimaniya there was scarcely a single district containing several contiguous nahias where anything approaching unanimity in favour of one of the two parties can be observed."

At last the comission reported that these final conclusions, vague as they were, clearly demonstrated the weakness of the Turkish argument as applied to the Vilayet as a whole, though if districts and races were taken seperately they did not wholly justify the British view. (64)

In fact a very important point which had been effective in such a decision to be taken as stated above, was the economic argument put forward by the British Government. Because, in the Report, many witnesses, under the influence of the effective British campaign based on British economic arguments, stated that it was a good thing to belong to a strong state. (65)

Much space was devoted to the Nestorian Assyrians. Curzon had referred to the Turks as oppressors of these people. Ismet Pasha had replied that Assyrians had acted as traitors during the late war, other developments related to Assyrians were summarized in the report and the commission admitted that the Assyrians, at the instigation of the Russian commander, rose in armed revolt against its lawful government without any procetion on the part of the Turkish authorities.

Besides, the British authorities told the commissioners that for the Assyrians to be able to have local autonomy, the territory occupied by the Assyrians had to be assigned to Iraq. For settling the Assyrians, the frontier proposed by the British Government had to be accepted by the commission. The commission stating that such a solution was not

constant with the principles of equity, rejected the British proposal. The British claim to a portion of the Vilayet of Hakkari as a solution to the Assyrian question was also not justified. And the Commission, accepting the Turkish argument completely, reported that the conditions of life enjoyed by the Assyrian people within the Ottoman Empire were rather better than those of the other Christians, since they were conceded a fairly wide measure of local autonomy. Finally the Commission concluded its report related with the Assyrians as follows:

"Under these circumstances it would hardly be fair to take from Turkey a territory which indisputably belongs to her in order to settle in that territory a people that deliberately took arms against its sovereign. The commission is led to conclude that the most satisfactory solution would be for the Assyrians to accept the offer, made by the Turkish delegate at the Haliç Conference, that they should be allowed to return to their former homes. In that case it would have to be added that the Assyrians must continue to enjoy the same local autonomy as formerly and that their safety must be guaranteed by a complete amnesty." (66)

There were other political arguments which the commission focused on. (67) One of the British arguments was the promise to the Arabs during the War not to permit the latter to be placed again under Turkish rule. In October 1922, the British Government concluded a treaty with the King of Iraq in which both parties pledged themselves not to cede or lease any territory in Iraq to any third country or to place

any such territory under its control. The British Government was thus bound by a triple undertaking and would be breaking its word if it separated Mosul from the mandated territory and gave it to the Turks.

The Turkish Government objected to these arguments, that a triple undertaking given by the Turkish Government could not constitute an argument against Turkey, in view of the fact that Turkey had not, by any international instrument, renounced her rights over the Vilayet. That was a purely unilateral act and entirely invalid in law. Turkey had never renounced her rights over the Vilayet of Mosul whereas on several occasions she announced her readiness to give up the purely Arab territories. Apart from the fact that, as regards the majority of the population, the Vilayet of Mosul is a Kurdish area, it is clear that the Turkish Government has always maintained that Vilayet of Mosul is an integral part of Turkey. (68) Therefore, the territory occupied by the British and Iraq authorities still belonged in law to Turkey until she renounced her rights.

Another British argument was the right of conquest. (69) In accordance with this argument they won the war, The British troops expelled the Turks from Mesopotamia. The Turkish Government's reply to these arguments was that the right of conquest can no longer be recognised in the 20th Century. It is in case applicable to the Vilayet of Mosul, which was occupied after the Armistice and in violation of its terms, as was also the case with Constantinople, Smyrna, and Adana.

The Commission, pointing out that the occupation of Mosul and of all towns in Mesopotamia in which there were Turkish garrisons was permissible under Article 16 of the Armistice, reported that the argument based on the right of conquest was open to question because, some time after the Treaty of Serves, the political situation underwent so radical a change that it was thought necessary to summon a new conference to do over again all the work that had been done at Serves. This change of situation was the outcome of the Turkish Military success.

Finally, in the part of "Considerations and Conclusions" the commission mentioned the following facts: (70)

"Turkey retains her legal sovereignty over the disputed territory so long as she does not renounce her rights. Mosul was now administered by Iraq assisted by Great Britain; a treaty of alliance between these countries was accepted by the League of Nations, September 27, 1924, as the form of mandate for Iraq; this treaty was to lapse in four years after ratification of the peace treaty with Turkey. If, when the treaty lapsed; Iraq was not a member of the League, the Council of the League should determine what further steps should be taken to give effect to Article 22 of the Government; the Iraq Parliament ratified the treaty on condition that Great Britain would guard the interests of Iraq in Mosul as a whole. These facts were mentioned because the existence of the mandate "might influence the settlement of the question, in view of its important effect on internal conditions in Iraq."

The commission recognized the great improvement in Iraq over prewar conditions. But the internal situation seemed unstable, additionally there was tension between Sunnites and Shites. Relations between Kurds and Arabs were also uncertain. Under these circumstances the Commission formed the impression that the mandate, in the shape of the existing treaty, must be maintained for something like a generation in order to allow the consolidation and development of the new state. If the mandate should expire before Iraq could be regarded as ripe for self-government without League support, it would be better for Mosul to remain under Turkey which was incomparably more stable than Iraq if the latter country were left to itself. Popular sentiments in the disputed area were so variable, and so hedged that they could not be taken as the sole basis for the future political status of the country. Another important point the commission reported was that many of the partisans of the Iraq state whose preference for Iraq by economic considerations and the desire to retain the foreign support which was then afforded by the mandate, stated that if the mandatory regime were shortly to come to an end they would rather be restored to Turkey.

In this framework, the commission felt that the partition of the territory would result in no political difficulty. In the light of the geographical, ethnical, economic and judicial data the commission presented the Report to the Council of the League of Nations with the following conclusions:

1) "The territory must remain under the effective mandate of the League of Nations for a period which may be put at 25 years;"

2) "Regard must be paid to the desires expressed by the Kurds that officials of Kurdish race should be appointed for the administration of their country, the dispensing of justice, and teaching in the schools, and that Kurdish should be the official language of all these services."

The Commission is convinced that if the League of Nations' control were to terminate on the expiry of the four-years Treaty now in force between Great Britain and Iraq, and if certain guarantees of local administration were not to be given to the Kurds, the majority of the people would have preferred Turkish to Arab sovereignty.

The Commission is also convinced that the advantages of the union of the disputed territory with Iraq would in that case be exchanged for very serious political difficulties, and considers that, under those circumstances, it would be more advantageous for the territory to remain under the sovereignty of Turkey, whose internal conditions and external political situation are incomparably more stable than those of Iraq. Whatever decision may be taken, it is essential, however, that Iraq should retain the DIALA region, which is necessary for the solution of the irrigation problem.

The Commission feels bound to leave it to the Council of the League of Nations to appraise the legal

and other political arguments stated in its report, and to decide what relative weight should be given to them as compared with the other arguments. Should the Council, at the outcome of its examination, consider it equitable to partition the disputed territory, the commission would suggest that the best line would be that approximately following the lesser Zab. (71)

V- The Turkish Government's Rejection of the Commission's Report

The Report of the Commission of Inquiry come before the Council of the League at the thirty fifth session on the 3rd September, 1925. During the session of the Leguea T.Rüştü Aras made a speech. First he divided the report into three essential parts. (72)

- a) The facts noted by the Commission
- b) The legal situation of the contested territory
- c) The conclusions which it is alleged could be drawn from the considerations put forward in Parts I and II. After arguing each one, he pointed out that Mosul, under British domination meant that the security of Turkey would be threatened and Turkey would be forced to use a large part of her resources to protect herself from the danger menacing her from the south-east. On the other hand, the contrary solution would give stability to the political and economic situation in the East and result in economic revival which would influence also the European markets in positive ways.

T. Rüştü Aras also laid stress once more on the necessity of ensuring that the inhabitants of the contested territory expressed their popular desire. He also said that the facts quoted in the report showed once more how much the population concerned desired to remain under Turkish sovereignty.

In one of the quotations of the report which T. Rüştü Aras presented, Count Paul Teleki sincerely told how people were shouting in favour of Cevad Pasha in his uniform and how they were beaten by three police officers one of whom was an Englishman under the eyes of the members of the commission of the League. So T. Rüştü Aras by giving striking quotation from the report tried to make them understand that the majority of the population, according to Commission, would prefer Turkish rule if the question of a prolonged mandate were not introduced. T. Rüştü Aras continued: (73)

"It must, on the other hand, be recognised that the conclusions of the report in regard to the wishes of the population are based on questions addressed to 800 persons chosen out of a total population of some 800,000 souls under conditions which I have explained. If account is taken of the difference shown, by spontaneous popular demonstrations, between ideas put forward by a great many witnesses and ideas entertained by the mass of the population, it will be realised that the Turkish request for a plebiscite retains its full force".

T. Rüştü Aras, added that the question of lasting peace and the question of security should be studied together. Pointing out that Great

Britain had advanced her claims from the beginning with Sykes-Picot, the secret treaty of 1916, ending with the conference at Constantinople in 1924 in which Great Britain demanded the Hakkari Vilayet in addition to the whole Vilayet of Mosul, he asked a very pertinent question: "Who can ever guarantee to Turkey that the ambitions revealed in 1924 have reached the maximum?"

And he continued as follows:

"It is indeed clear that the attribution of our Vilayet of Mosul, without taking account of the wishes of the population, would not only be a sovereign injustice but would result in disturbing the political unity of Turkey and of imperilling her security, whereas the maintenance of Turkish sovereignty over this Vilayet would no way effect the political unity in Iraq."

After stating that the question of Mosul was the only cause for dispute between two countries, T. Rüştü Aras, stated once more the necessity of the inclusion of the Mosul Vilayet to Turkey with respect to the inhabitants' religious character and to their traits. Because he claimed that the Kurds only existed in Turkey and Persia and there were none in Iraq. Also in the Commission's report, it was noted that serious difficulties might arise from the opposed political conceptions of the Shites of the South and the sunnites of the north and with the inclusion of Mosul to Iraq, the Commission made it clear that difficulties would arise owing to the tension between sunnites and

Shiites since the shiites were in majority in Bahgdad and Basra while the vast majority of the population of Mosul were Sunnites.

T. Rüştü Aras omitted to give any assurance either that his Government accepted in advance the Council's decision or that, if the disputed territory were handed back to Turkey, the Turkish Government would fulfil the second condition which the Inquiry Commission had laid down by granting local self government on national lines to the Kurds. This was because "all Kurds possess in Turkey, without any restriction all the rights possessed by the Turks".

T. Rüştü Aras then took the position that the Council was not competent to dispose of Mosul to Iraq on condition that the mandate be extended twenty-five years (83), since Turkey had not recognized the mandatory system at all. Also he reminded the Council of the words uttered by Ismet Pasha during the Lausanne Conference on 23rd January, 1923 that he did not recognize the mandate of any part of the territory detached from the former Ottoman Empire. Additionally T. Rüştü Aras quoted a part of Lord Parmoor's speech delivered on the 19th September 1924 in which Lord Parmoor accepted that the situation had considerably developed and they no longer thought it practicable to adopt a mandatory form, even to regulate their obligations towards the league."

"Turkey refused categorically', T. Rüştü Aras said, "to accept articles 94-99 of the draft Treaty of Sevres relating to the mandate.

The treaty of Lausanne makes no allusion whatever to the mandate". He completed his speech by stating that the League in this case was assuming the character of a claimant, not as a mediator "The Council would have to confine its study of the question submitted to it within the limits of the existing treaties." (74)

On the following day, 4th September, 1925 the British representative, Mr. Amery tried to refute T. Rüştü Aras claims. At first, he (75) tried to make it clear that T. Rüştü Aras's argument that the Vilayet of Mosul belonged to Turkey with respect to its inhabitants' racial and religious traits, was devoid of all truth.

After citing the Inquiry Commission's final conclusions he gave the Council assurances that the British Government was prepared to fulfil the two conditions upon which the Commission had recommended the union with Iraq of the whole territory south of the Brussels line. The first condition was the maintenance of the mandate in the shape of the existing treaty. Here, the British Government was, departing from its declared policy of using its good offices, to secure the admission of Iraq to membership of the League. The second condition laid down by the Commission of Inquiry Mr. Amery conveyed an assurance from the British Government that the existing system of administration in the Mosul Vilayet, relating to the recognition of the Kurdish nationality in various practical ways would be continued and made even more effective.

Asserting that the lists supplied by the British authorities gave particulars of all notable persons in the various localities, Amery refuted

the idea that only a few people could find the opportunity to express their views. And since the Commission had had the opportunity of a full and impartial enquiry they were able to come to a conclusion Mr. Amery also refuted any possibility of a conflict between the Shiites and the Sunnites by asserting that there was a slight majority of Shiahs over the whole area of Iraq. Besides Mr. Amery explained that they advanced their claim to the frontier which did not involve the annexation of the Vilayet of Hakkari but only the inclusion of a border strip which had been almost deserted since the majority of the Nestorian Assyrians were obliged to leave their homes.

T. Rüştü Aras had stated that Turkey had not recognised the mandatory system the countries detached from the former Ottoman Empire Mr. Amery, on the other hand, asserted that such a statement of Turkish representative, was a complete inversion of the actual situation and of the recommendation which the commission had made. He added that Although Turkey had recently recognised that system in Syria and Palestine by applying for and succeeding in getting exequaturs for Turkish consuls at Beirut, Aleppo and Jerusalem, she had refused on principle to recognize the existence anywhere of a mandatory relationship. Mr. Amery then drew attention to the fact that the mandatory system had been definitely recognized by the world at large and by the League of Nations.

Finally, Mr. Amery considered the task of the Council as one to render an "arbitrary decision given on the broad merits of the case".

VI- Application to the Permanent Court of International Justice

Upon the Turkish Government's ^{reference to} consideration of the Council's decision as binding upon Turkey, ^{*} The Council decided, on the 19th September, 1925, that it would be desirable to request the Permanent Court of International Justice to give an advisory opinion on the following questions: (75)

"1) What is the character of the decision to be taken by the Council by in virtue of Article 3, paragraph 2, of the Treaty of Lausanne? Is it an arbitral award, a recommendation, or a simple mediation?

2) Must the decision be unanimous or may it be taken by a majority vote? May the representatives of the interested parties take part in the vote?"

On the same day, during the thirtyfifth session in Geneva, (76) Mr. Amery, made a speech in which he mainly drew attention to the dangers involved in any delay of taking a decision of the Council and he asserted that the Turkish Government had been violating the existing status quo.

And, according to the representative of the British Government, Article 3 of the Treaty of Lausanne empowered the Council to fix the frontier by a final decision, which should be binding on both parties, and not by a recommendations which would only take effect if both parties

agreed. Mr. Amery noted that the Permanent Court had already been settled quite clearly at the meeting of the Council in the previous September and quoted the Turkish representative, Fethi Bey's reply to the question of what the position of the Council in accordance with the Treaty as follows: "The Turkish Government recognises the full powers of the Council as conferred upon it by Article 15 of the Covenant, which is applicable to such disputes brought before the Council."

Mr. Amery replied that they would not only agree with the recommendation of the Committee but do their best to facilitate it.

On the other hand, the Turkish representative maintained that the Council's decision could be nothing more than a recommendation made within the limits of the competence of the League of Nations as defined by the Covenant and therefore subject to the consent of the parties concerned. Besides Lord Curzon's words uttered during the Lausanne Conference confirmed the Turkish argument as explained above by the Turkish representative.

Curzon's words were as follows:

"The Council will have to decide what method of examination to adopt. It may ask the Turks and British for their respective views. It may decide to send a commission to take the views of the Kurds, Turks, Arabs and Christians on the spot; it may hold an enquiry in Europe, or it may appoint a single arbitrator to settle the matter."

"I do not know what it will do; but my point is that the Turkish delegation will be there just like ourselves, and when the two cases have been stated you will get the most impartial examination which is possible to secure. Further, Article 5 of the Covenant provides that the decision of the Council, upon which the Turkish Government will be represented, will have to be unanimous, so that no decision can be arrived at without its consent."

Accordingly, T. Rüştü Aras, after quoting Lord Curzon's words, explained that there was no necessity for referring anything to the Permanent Court of Justice at the Hague because the advisory opinion of the Court could not in any way affect the rights which the Turkish Government held under the Acts of Lausanne, or modify the role of the Council laid down by those acts.

So T. Rüştü Aras, made two points about Fethi Bey's statement of the 30th September 1924. Firstly when Fethi Okyar gave his undertaking he had in mind all the past phases of the question, including Lord Curzon's speech and, second, that the Grand National Assembly of Turkey was not bound by any undertaking except by the acts which it had ratified and any declarations or undertakings given by the Government which modified or exceeded the stipulations contained in the acts which had been ratified by the Turkish Assembly could not constitute any engagement until the Assembly had approved them'. Finally, T. Rüştü Aras, to make it clear that the Turkish Government was bound to fix the frontier with Iraq in accordance with the methods laid down in the Treaty of Lausanne, spoke as follows:

"If the line to be fixed, even with the consent of the Turkish Government, were to leave any part of the Vilayet of Mosul in Iraq territory, this would necessarily constitute a ceding of territory, which could have no value until ratified by the Grand National Assembly of Turkey." (77)

As a result, the settlement of the controversy was once more postponed, pending the receipt of the Court's advisory opinion. Meanwhile discussions related to the dispute were being held in the Grand National Assembly as well. During the meeting held on 9th January, 1926, T. Rüştü Aras stated his views about British policy and the League of Nations as follows: (78)

"At the very beginning in last September, we were invited to the League of Nations for negotiations about the Mosul question... I went and understood that the British Government had been trying to accomplish the result which the Turkish Government had refused to accept during the Lausanne Conference... Besides although the League of Nations had promised not to take any decision without the consent of Turkey, these promises had not been kept and furthermore some decisions were taken in the absence of Turkey."

After T. Rüştü Aras the Rize deputy, Ekrem Bey took the floor and stated that it was not so surprising that Great Britain, which was used to occupy every territory at every time, wanted also to occupy the Turkish Vilayet of Mosul..... the Allied Powers, consisting of the League of Nations wanted to share everything they could by taking shelter behind such an international organ, the League of Nations.

Ekrem Bey continued:

"Is it possible to take an equitable decision when a problem develops between Turkey, not even a member of the League, and Great Britain, a nation which always manages the League because it is a powerful nation? I would like to ask members of the League of Nations if one of them had a problem with Great Britain, how many of them would apply to the League. "

Ekrem Bey, before finishing his speech, likened the nations consisting of the League of Nations to the officers working for the despotic Kings who always did whatever the King wanted from them just for the sake of their personal interests. These nations who had been thinking of getting some privileges by the mediation of Britain, were trying to improve their relations with Britain. Finally Ekrem Bey laid stress on the necessity of putting an end to British imperialism to be able to ensure a durable peace."

The Council's decision created such a sensation that the foremost personalities of the Turkish Government were no longer stating their trust in the League. On the contrary they wanted to found an international league of oppressed nations against the League of Nations founded by the imperialist nations. At this juncture Mustafa Kemal's words in the last Republican Peoples' Party, are of vital importance: (79)

"At first the Mosul Question can be perceived as a conflict of frontiers or a conflict of oil. But since the League of Nations took a decision on this occasion, the matter took on a new dimension. The Mosul Question, apart from its importance for Turkey, showed that a new phase has opened in the East. The Eastern nations must be united instead of joining the League of Nations which has become an instrument of the western countries."

A) The Laidoner Commission

During the session on the 19th September, 1924, as during those of 1924, the Council received from both parties complaints and counter-complaints regarding alleged violations of the status quo.

The Turkish Government was mainly protesting against the flights made by British aircraft over the Zone north of the line and against the movements of the British Fleet in the Aegean sea. (80) On the other hand the British Government complained about the occupation by Turkish forces of villages to the south of the "Brussels Line" (81) and inspection of those villages by Turkish military patrols. (82)

When the British allegations and complaints related to the deportation of the Christian Assyrians increased, the Turkish Government, with a letter dated September 16th, 1925 explained the situation of the Christian Nestorians. They pointed out that, the Christians, in the districts of Mardin and Diyarbakır were continuing to

live in their homes and complained that the British Government was trying to exploit the religious sentiments of certain circles against Turkey as a secular state. (83) In fact both of the Parties were accusing each other of assisting tribal and village chiefs to organize attacks and raids on the peaceful population of the other Party's zone.

In a letter of the 21st September, 1925 (84) Mr. Amery requested the Council to dispatch forthwith to the locality of the "Brussels line" representatives instructed to investigate the charges which had been made by the two Governments and to report immediately to the Council on any similar occurrence in the future. During the 35th session on September 24, 1925, Mr. Amery and T. Rüştü Aras made speeches related to the British request. (85) In his speech T. Rüştü Aras tried to discriminate the Mosul Question and the question of minorities living to the north of the northern limit of the Vilayet of Mosul. He laid great stress on the necessity of these two matters to be dealt with separately, and he repeated that no deportation of Christians had occurred in Turkey. The Nestorians who were continuing to work against their own country under the orders of a foreign Government, had quickly taken refuge on the other side of the Brussels line when they feared punishment for their treacherous acts towards their own country..

Consequently on the 24th September, 1925, the Council, having got the letter from Mr. Amery dated 17th September, 1925 (86) in which he alleged once more that the Christians had been deported and this

incident had taken place south of the line known as the Brussels line between a Turkish and an Iraq patrol (87), decided to send to the spot a representative of the League of Nations instructed to keep the Council informed of the situation in the locality of the provisional line fixed at Brussels on the 29th October, 1924.

On the 28th September, the Council appointed as its representative General F. Laidoner (Estonia), with a Czechoslovak officer and a Spanish diplomat as assistants. This Mission arrived at Mosul on the 30th ^{September} October and made enquiries concerning the allegations. The Turkish Government, on the other hand, refused to co-operate with these moves and would not allow the Laidoner Commission into Turkish territory north of the Brussel Line. Also, when the Permanent Court of International Justice met on the 26 October 1925 to discuss the questions put to it by the Council, it invited Britain and Turkey to supply information to the Court. The British submitted documents and also sent a group of representatives(3), but the Turks simply sent a telegram stating that they did not consider it necessary to be present. (88)

In fact General Laidoner's report was completely against the Turkish argument. In this report (89) Turkish complaints regarding the flights of British aeroplanes to the north of the "Brussels Line" were not only rejected but the British allegations related to the deportations of the Christian population were confirmed.

General Laidoner submitted that deportations were causing fairly serious and easily comprehensible agitation and nervousness among the Christian population living south of the "Brussels Line" and in the Vilayet of Mosul, and also among the Muslim population of Mosul which favored the claims of Iraq. As Laidoner stated during the deportations several persons fell ill on the way and were abandoned; others died of starvation and cold, for, when leaving their homes, they had to abandon everything and were unable to carry with them either food or clothing. Laidoner also reported that the raids were due to the fact that the "Brussels Line" was not a natural frontier, and to the local unrest produced by the postponement of a definitive settlement. He found that the occupation of certain points south of the "Brussels Line" by Turkish posts had been due to the inaccuracies in the existing maps and that there were no longer any Turkish posts south of the "Brussels Line".

Also in the memorandum about the investigation made by General Laidoner's mission, (90) the deportations of the Christian people were reported in detail and additionally, in the part of the "Methods of Deportation" of the report, the Mission made disparaging remarks about Turkish soldiers and the Turkish Government and especially it was emphasized that Turks had received no provocation from the refugees. As a result of such a report which was, a British success the on 21st November, 1925 the Court found (91) in its advisory opinion that the decision to be taken by the Council will be binding on the parties and will constitute a definitive determination of the frontier between Turkey and Iraq. The Court held that the decision must be unanimous, the

representatives of the parties taking part in the voting, but their votes not being counted in ascertaining whether there is unanimity. The Court stated that this interpretation was based on the actual wording of Article 3 of the Lausanne Treaty and that it did not require a complete analysis of the preparatory work.

General Laidoner's report was received with great amazement by the Turkish Government Ismet Pasha, in his speech dated (92) 12th December, 1925, in the Grand National Assambly first laid stress on the exaggeration of the Christians' deportation and later drew attention to General Laidoner's examination of matters which were actually referred to the League of Nations by the Turkish Government. So Ismet Pasha asked the following question: "For what reasons can the Laidoner's Commission be authorized to examine some of the complaints against Turkey. He added that the Commission had made the investigation partially by only examining some of the complaints.

Finally Ismet Pasha completed his speech with very angry words viz: "Friends! Whenever the diplomats wish to take a decision disfavoring Turkey, they immediately initiate propaganda about Christians before taking such a decision. As known to every body this has become a very popular fashion !".

B) The Council's Decision

On the 8th December, 1925 the Council of the League of Nations formally adopted the advisory opinion of the Court in the face of opposition from the Turkish delegation. (93) During the 37th session on the same day, first the Council took note of the Court's opinion that although Article 45 of the Covenant only contemplated the Council making recommendations, the parties to a dispute were at liberty, by an agreement entered into in advance, to recognize that a recommendation by the Council should have binding force. In the opinion of the Court (94) such an agreement had been entered into by the Principal Allied Powers when they referred to the Council the case of Upper Silesia, and again by the parties that had signed and ratified the Lausanne Treaty, in virtue of Article 3 of that instrument.

Later the Council heard the observations of the two Governments concerned. The representative of Great Britain pointed out that the British Government had always regarded itself, under the terms of the Treaty, as bound in advance by the decision of the Council. The Council decided: (95)

"That 'the decision to be taken' by the Council of the League of Nations in virtue of article 3, paragraph 2, of the Treaty of Lausanne will be binding on the parties and will constitute a definitive determination of the frontiers between Turkey and Iraq. That 'the decision to be taken' must be taken by a unanimous

vote, the representatives of the parties taking part in the vote, but their votes not being counted in ascertaining whether there is unanimity."

On the other hand the Turkish representative Münir Bey stated the Turkish argument that the decision to adopt the advisory opinion of the Court, according to Article 5 of the Covenant, had to be taken unanimously by a vote of member present at the meeting. He added that the representative of the Turkish Republic, however, had voted against the acceptance, and the adoption therefore by the other members of the Council did not constitute a decision. And Münir Bey asked the Rapporteur: on what article of the Covenant of the League of Nations he based his assertion that the votes of the interested parties should not be counted? (96)

But the Council, as earlier stated, refused to accept this argument and decided unanimously, that the votes of the two parties should not be counted, to adopt the decision of the Court. Münir Bey, who had voted against this resolution, then stated that the powers of his delegation, according to the instructions which he had received, would come to an end in the face of such an arbitrary procedure. (97) And from that date onwards no Turkish representative attended any further meeting of the Council.

At the meeting of the Council on the 10th December, 1925, Turkey was not represented, though a letter was presented from T. Rüştü Aras (98) the Foreign Minister, which referred to the expert

opinion of Prof. Gilbert Gidel on the Turkish side of this dispute over the Council's powers. On the 16th December, 1925 the Turkish representative was likewise absent, though again presenting a letter. (99) After reiterating statements made by Munir Bey on the 8th December, 1925, Rouschdy Bey declared that "sovereign rights of a state over a territory can only come to an end with its consent, and that therefore our sovereign rights over the whole of the Vilayet of Mosul remain intact."

In the end, on the 16th December, an extensive report followed by a resolution for the Council's consideration and adoption was laid before the Council by the rapporteur Mr. Unden. The report (100) laid much emphasis upon article 3 of the Treaty of Lausanne, the report of the Commission of Enquiry, the opinion of the Court, and the Laidoner report. The resolution proposed was in main outline as follows:

"1) The frontier of Turkey and Iraq should be fixed as follows there was a long and detailed list of "calls" following the Brussels Line"

2) The British Government was invited to submit a new treaty with Iraq, to the Council insuring the continuance for twenty five years of the mandatory regime defined by the Treaty of Alliance between Great Britain and Iraq and by the British Government's undertaking approved by the Council on September 27, 1924, unless Iraq was, in conformity with article 1 of the Covenant, admitted as a member of the League before the expiration of that period. As soon as, within a period of six months

from the present date, the execution of this stipulation had been brought to the knowledge of the Council, the Council should declare that the present decision had become definitive and should indicate the measures required to insure the delimitation on the grounds of the frontier line.

3) The British Government, as mandatory power, was invited to lay before the Council the administrative measures which would be taken in respect of the Kurdish population mentioned in the report of the Commission in its final conclusions.

4) The British Government, as mandatory power, was invited to act, as far as possible, in accordance with the other suggestions of the Commission of Enquiry as regards measures likely to ensure peace and to afford equal protection to all elements of the population, and also as regards the commercial measures indicated in the special recommendations of the commission's report.

The decision was immediately accepted by the British delegate, Mr. Amery and Sir Austen Chamberlain on behalf of both Great Britain and Iraq. (101) Both of them made a speech at the meeting while Sir A. Chamberlain recorded that the British Government had no wish to take up a rigid or uncompromising attitude towards Turkey and added that British Government were ready to take into consideration any proposal made by the Turkish Government. Mr. Amery, on the other hand, noted that he hoped to submit at a very early date the new treaty whose execution would give final effect to the decision announced by the

Council on the 16th December. Indeed before long on 18th January, 1926, in accordance with the decision of the Council, Great Britain made a new treaty with Iraq and submitted it to the Council and thereupon on 11th March, 1926 the Council announced that its decision of the 16th December, 1925 had become definitive. (102)

C) Turkey's Rejection of the Decision

Turkey's first reaction, as earlier noted, was T. Rüşdü Aras's letter dated 16th December 1925. The Turkish press also took an opposite attitude to the decision of the Council: *Cumhuriyet* saying "the League's decision proves once more that the League of Nations is the servant of the strongest, namely, Great Britain... only in the medieval ages did we encounter such unjust and tyrannical decisions... As the case was during our campaign for nationhood, so now the rights of the Turks are only safe under the sharp bayonets of the Turks, and we know perfectly well how to take back with our own hands "Turkish Mosul" given to Great Britain by the League of Nations just as we saved Adana, Bursa, Smyrna, and Constantinople." (103) The *Constantinople Hakimiyet-i Milliye* saw the East as "fed up with being cheated by the West, and being a tool in the hands of ambitious powers." another example of the militant atmosphere created by the decision of the League of Nations against Turkey was very well reflected in another newspaper, *Vakit* saying that "Mosul is Turkish and can not be separated from Turkey (104)" Another reaction to the decision was Turkey's closer

relationship with the Soviet Union. So, on the 17th December, 1925, the day after the Council of the League had given its decision regarding the Turco-Iraqi frontier, the Turkish Foreign Minister, T. Rüştü Aras signed a new treaty, the Treaty of Friendship and Neutrality with Tchicherin the commissar for Foreign Affairs of the USSR. In this instrument (105) either contracting party bound itself to remain neutral if the other were attacked by a third Power or Powers (Art.1) ; and also to abstain, on its own part, from hostile action against the other-such action being defined in comprehensive terms (Art2). The treaty was to run for three years in the first instance and to continue automatically for another year, unless denounced by either party at six month's notice. In some ways the treaty was an extension of the Soviet-Turkish Treaty of 1921.

In fact it was a matter of curiosity what Turkey would do with the League's decision. As it was stated above, Turkey showed some reactions against the decision but in the long run there had to be an agreement between Turkey and Great Britain. Besides, in order to reap the fruits of the Council's award, the British Government had still to bring the Turkish Government to an agreement. At first Turkey rejected this as formerly noted, Turkey also had refused to take part in the deliberations of the Court of International Justice and to allow the Laidoner Commission into the territory north of the Brussels Line. As a result the Laidoner's report which opposed the Turkish argument completely and the decision of Brussel line to become the permanent frontier, was taken. According to Evans (106) all these developments disfavoring Turkish argument were due to the Turkish Government's

unco-operative attitude. But as it will be explained in the following part, Turkey no longer went on to keep her unco-operative and uncompromising attitude against the League and the British Government.

VII. The Termination of the League's Arbitration and the Final Settlement of the Issue

A) External Reasons for Reconciliation

Soon after the League's decision was taken the matter of whether Turkey was intending to take military action or not came to the agenda. The British feared that the Turks might be preparing to resist the Council decision militarily and that they might make plans to counter possible action. The British Cabinet was strongly against another war and had also been trying to reduce its commitments in Iraq; Churchill argued against risking a single British unit in the defence of Mesopotamia. It was the same for Turkey (107) because the conditions which had obliged Turkey to retreat in the Çanakkale crisis in 1922, had not changed yet. The Turkish Government had to avoid from taking any further military action which might endanger all the success attained by Turkey by that time. (108)

During the negotiations, the Turkish representative had always repeated that apart from the Mosul question, Turkey could nowhere see

any cause for dispute between herself and Great Britain. But, unfortunately, this view of the Turkish Government was never shared by Great Britain, because they considered this Turkish claim as a repetition of an old theme. In other words, Turkey made efforts to solve the question on a bilateral basis instead of demanding the arbitration of the League of Nations, from the beginning of the dispute. The British Government however did her best to enforce Turkey to accept the arbitration of the League. Besides, the British Government (109) by announcing the Mosul Question as a conflict between the League of Nations and The Turkish Government, tried to get support from all of the world nations. But this time, Turkey, had been in need of English friendship because the final developments in the international policy obliged Turkey to get closer with Great Britain.

First of all Turkey had always tried to protect herself against any Russian force able to reach the southern costs of Turkey. The Empires of Austrian-Hungary and Germany had Formerly formed a barrier against Russian aspirations in the Middle East but this time Great Britain was the only allied power for Turkey in the political arena.

In fact the Treaty with Soviets was used to re-establish the confidence of the Turkish public and internal prestige of the Turkish Government. The Treaty was announced with a splash of publicity in Turkey, and having served its purpose, was not pressed further. Because it was easily understood that any Russian aid to Turkey, in the event of war with Great Britain, would be unsatisfactory. Also in a report sent by

Lord Crewe, British representative in Paris dated 14th December 1925 (110) it was pointed out that before the Turkish Soviet Treaty was signed, the Soviet ambassador stated that the Soviets did not want to interfere the Mosul Question at all because of his country's internal problems but they were sympathetic to the Turks and wished the dispute to be solved by peaceful means.

As a result the Turkish-Soviet Treaty of 17th December, 1925 had become insufficient to rescue Turkey from being alone in the international political platform. Indeed, Turkey, during the Mosul Question, was completely alone with respect to its international relations. So partly because of her insularity and partly because of her desire to be included in the western Pact, despite the final decisions taken by the League of Nations disfavoring Turkey, Turkey always stated her desire to be a member of the League. Also Great Britain knew (111) that M. Kemal would not hesitate to be a member of the League if Turkey did not have any problem with Mosul. At least Turkey, being a member of the League, would be in a more effective security against possible Russian threats. This factor became effective in improvement of the relationship of the two countries.

Another important reason for Turkey to avoid any possibility of war with Great Britain was the Italy's aspirations in Anatolia. (112) There was a rumour that in anticipation of a break between Turkey and Great Britain, Italy was holding herself ready to become involved, and that a Turkish invasion of Iraq would be the signal for an Italian landing in Anatolia. So Italy became an important factor which forced Turkey to

reconcile with Great Britain in the question of the Vilayet of Mosul. The threat of Italy also obliged Turkey to improve her relationship with the west and to be in a close cooperation especially with Great Britain during 1930 s. (113)

Consequently Turkey, because of the international political conditions, had been obliged to reconcile with Great Britain during the Mosul dispute.

B) Internal Reasons for Reconciliation

Apart from the foreign policy, conditions there had also been some internal developments which forced Turkey to reconcile with Great Britain at the cost of retreating from her claims on the Vilayet of Mosul. (114)

During the Mosul negotiations some radical revolutions had been realized. The abolition of the Caliphate, during a period which the Mosul dispute had not yet been solved, was full of meaning. Turkey, by putting an end to her relations with the Islamic world by means of the abolition of the caliphate, wanted to prove that Turkey wanted Mosul, not because of Islamic reasons, but because of other reasons. Turkey, wanted to give the message to Great Britain that Turkey as a secular country, was no longer an enemy of the British Government. The British Government, as a mandatory power, had to be very careful about any Indian Muslims'

Islamic movement being organized under the PanIslamic movement, M. Kemal who was offered to be new caliph, could easily play the role of the new caliph of the Muslims all over the world, but he rejected such an offer. Indeed the abolition of the caliphate had aroused great resentment among the Indian Muslims as well as the other Muslims all over the world but nevertheless Indian Muslims were still supporting M.Kemal as a political leader fighting against western imperialist powers. And with respect to these factors mentioned above the abolition of the Caliphate was a great relief for the British Government.

So as K rk         (115) recorded the importance of Turkey's internal revolutions with respect to her relations with Britain was as follows: "Turkey's efforts to solve her problems with the west and especially with England would pave the way for Turkey to be more likened to a western type of country. Perhaps Turkey, in making concessions to Britain in solving her problems with Britain, would lose many things but would gain much more with respect to her external security. So Turkey's internal revolutions were at the same time necessary in respect to her external security".

In this connection, another important event which took place during the negotiations of the Mosul dispute, was the Kurdish revolt, in February 1925. This rebellion was considered to be related to the abolition of the Caliphate. For instance Toynbee noted that another reason for this revolt was the "personal resentment against the Westernizing tendency of the Angora Government on the part of

hereditary tribal chiefs and religious dignitaries who feared to lose their traditional privileges". (116)

On the other hand, it was reported in a British document dated 4th March, 1925, that the Sheikh Said Revolution was planned directly by the Turkish Government because of the following reasons. (117)

a) To enable the leaders of rebels to cross the frontier and to go to Mosul to release their brothers in Iraq and so deliver them to Turkey

b) To enable the Iraqi Kurds to announce that they united with the Kurds living in Turkey, showing their successful rebellion as their motive.

c) At least, pleading therebellion, to beable to concentrate Turkish troops at the frontier.

While Kürkçüoğlu (118) is of the opinion that Great Britain had avoided playing a supportive role in the Kurdish revolution. Öke noted, however, (119) that during a period which the Mosul question was still not solved the consequences of such a rebellion showed that it had become advantageous for England. (120)

As a result, such a Kurdsh revolt had become an important factor in weakening the Turkish Government's allegations against the Kurds living in Turkey since the Turkish Government had taken some drastic measures in order to suppress the rebellion.

And so Turkey, whose allegations on Mosul were weakened, was willingly or unwillingly, obliged to reconciliation with the British Government.

Partly because of the reasons mentioned above, diplomatic negotiations between Great Britain and Turkey continued. Talks were opened in Ankara between Lindsay, British ambassador in Turkey, and T. R. Aras. In a despatch sent to London dated 8 February, 1926 Lindsay advised small territorial (121) adjustments to the frontier in Turkey's favour and possibly the signing of a non-aggression treaty of the type Turkey had signed in December with the Soviet Union'.

By mid-April the Turks had three proposals to put to the British. (122) The first of these was that Britain sign a neutrality treaty with Turkey. But such a treaty was considered by the British as being for the purpose of propaganda and was not in touch with reality. The British, declined this request and offered to state the inviolability of the frontier in any treaty they might sign. The second proposal was that the sovereignty of Mosul be transferred to Iraq as a fully self-governing state' so that the Turks could hold up Iraq to the Grand National Assambly as a young, sovereign, revolutionary state like themselves. The third proposal was a request for shares in Mosul oil. Lindsay replied that this would be difficult, as many different parties and nationalities were involved.

Sir Austen Chamberlain, the Foreign Secretary, also informed Lindsay that Turkish participation in Mosul Oil was virtually impossible, but that they could be offered a share in the royalties to be paid to the Government of Iraq. He added that if the Government of Turkey was willing to accept this only for the period that British mandate remained in force, i.e. twenty-five years, the share could be 25%.

In the end, the Turkish Government accepted to have a share in the royalties, on the 5th May, 1926, Tewfik Rouschdy Bey and Lindsay agreed on £ 500,000. (123) The Turkish Government requested this offer to be turned into a single cash payment, with such an arrangement being added to the treaty in the form of a proviso. By the end of May, the preparations for a treaty between two countries were completed. Another request of the Turkish party was not to put any reference to the League of Nations in the Treaty. Because as T. Rüşdü Aras (124) stated Turkey did not want to be confronted with any advice of the League of Nations about the administration of the Kurds.

The Anglo-Turkish Treaty was finally signed on the 6th June, 1926. (125) The main articles of the Treaty were as follows: The Brussels line determined on the 29th October, 1924 was accepted as the frontiers between Iraq and Turkey with a slight difference. The parties accepted the new frontier as definitive and inviolable, and undertook to make no attempt to alter it (Art.5) They facilitated this mutual undertaking by devoting a whole chapter of the treaty (Arts.6-13) to the maintenance of neighbourly relations. The Article 12 forbade the

perpetration of hostile acts from either side of the frontier and propaganda against either side, and required the two sides to cooperate in the security of the area. In the third chapter of the treaty the parties agreed (Art.15) to negotiate an extradition treaty; the Iraq Government undertook to give an amnesty to the adherents of Turkey in the former disputed territory (Art.16) and Article 14 gave Turkey 10% of all the royalties payable to the Government of Iraq; a further exchange of notes allowed for Turkey to capitalize the share within one year of signature for the sum of L 500.000, to be payable by the Iraqi Government at thirty day's notice.

Consequently, apart from some amendments favoring the Turkish party, the Turkish-Iraqi frontier, in general, was arranged in accordance with the decision of the League of Nations. Besides, any article related with the minority rights of Muslim Turks living in Iraq could not be put in the Treaty. Because Turkish insistence on this matter would enable the British to put the matter of minority status for the Kurds living in Turkey on the agenda which the Turkish Government had refused to accept during the Lausanne Treaty. Another important point was that except for the decision related to the "Brussels Line", there was not any Turkish promise related to the League of Nations.

So the dispute of Mosul was solved by bilateral negotiations, instead of the arbitration of the League of Nations. Turkey, in Evan's words, had used a face-saving device once more. In fact the outcome of the solution of the Mosul question aroused a great disappointment all

over Turkey. In the Grand National Assembly a meeting was held on the 7th June, 1926 (126) to discuss the report delivered by the Foreign Relations Community and the bill about the agreement of the frontier and relations of good neighbourhood signed by Turkey, Great Britain and Iraq. During the meeting Kazım Karabekir, after noting that there should be a harmony between the external and internal policy for the governments to be able to be successful, stated his disappointment as follows:

"There is nothing to do but to state our grief from this floor."

In the same meeting, T. Rüşdü Aras took the floor and made a speech in which he admitted that Turkey had made some concessions to obtain peace. He spoke as follows:

"One of the methods of the policy of the Turkish Republic which represented the foremost power in the Near East, was to work to ensure progress and order among the civilized nations. We, in this territorial matter, made sacrifices for the peace of the Near East and for the independence and the prosperity of Iraq and to revert our relations with England into its normal position."

On the same day the Treaty was formally brought to the notice of the League Council by Sir Austen Chamberlain on the 14th June it was approved by the Iraqi Parliament at Baghdad. (127) Thus a controversy which had dragged on since the Armistice of the 30th October, 1918

and which had been a threat to the precariously re-established peace of the Middle East for upwards of seven years was at last settled at the cost of Turkey's retreat from her argument.

CHAPTER III

TURKEY AND THE LEAGUE OF NATIONS

I- The General Tendency of Turkish Foreign Policy

After the foundation of the Turkish Republic, Mustafa Kemal's slogan "peace in fatherland-peace in the world" was the phrase which revealed the foreign policy which Turkey intended to follow in the future. In the following years Turkey always held the establishment of peace as the ultimate goal. In fact even at the beginning of the National Struggle (1) Atatürk's attitude favoured peaceful means and on every occasion he expressed that he favoured these solutions.

But, nevertheless, both during the national struggle and after the foundation of the Turkish Republic, Turkey seemed inclined to break away from Europe and European institutions. But, as time passed, the early negative attitude which Turkey had been obliged to assume towards the League of Nations began to change and the position of Turkey began to be understood. This point was explained best by the Times of London as follows: (2)

"The first impulse of the new state created by Ghazi Mustafa Kemal Pasha seemed to be to break away from Europe, and the country with which it cultivated the closest relations was Soviet Russia. The

Ghazi soon made it plain, however, that Turkey intended to establish a form of government copied from no other country, but suited to the characteristics of the Turkish race and to the demands of modern life. Gradually the national movement was seen to be no-means anti-European, but rather an adaptation of European methods, an extension, as it were, of Europe into Anatolia."

After the foundation of the Turkish Republic, there were two alternatives which would determine the foreign policy of the new Turkish Republic; the first one was to maintain her friendship with the Soviet Union, which Turkey had always been in co-operation during the National Struggle as a country fighting against the western imperialist states. Secondly, however, Turkey had been occupied by the states of the west the second alternative was to prefer to be included in the Western Pact by being a member of the League to be able to realize the ideal of being a secular western type of country. In fact the harshness of the original policy of Ghazi Mustafa Kemal Pasha and his companions was assauged by (a) the settlement in 1926 of the Turco-British controversy over the Turco-Iraqi frontier: (b) the settlement in 1929 of the Turco-French controversy over the Turco-Syrian frontier: (c) the settlement in 1930 of all the outstanding controversies between Turkey and Greece. Even then, when the general improvement in Turkey's relations with her neighbours began to have its affect upon the Turkish attitude towards the League, just becouse according to Turkish view in previous years, the League was still preceived as a hypocritically camouflaged instrument of western imperialism and it looked like a device of the victorious Allied and Associated powers. (3)

A) Turkish Government's Appeals to Become A Permanent Member of the League of Nations.

No forward move related with the League of Nations had been made during the Lausanne Conference. The only notable indication of Turkey's intentions to enter the League of Nations had been the statement by Mustafa Kemal Pasha in his speech to the Grand National Assembly on the 1st, March, 1924:

"The entry of the Turkish Republic also into the League of Nations is a point which will be considered after the coming into force of the treaties. We desire that the League of Nations should not be an instrument of domination for the strong but should manifest itself and develop as an institution which will assure harmony and familiar intercourse among nations and will provide a means of examining and settling differences in accordance with international law." (4)

But nevertheless Turkey revealed her willingness to be a member of the League in very early years. Mr. Lindsay's (British Ambassador in Turkey) letter dated December 2, 1924 (5) contained a quotation of the programme of the Turkish Government admitted to the Grand National Assembly. This quotation was important with respect to understanding the views of the new Turkish Government about the League of Nations. In the programme of the Turkish Government it was pointed out that Turkey had long followed the work of the League with attention and had never ceased since Lausanne to show her active

attachment to the League. Also it was recorded that the Turkish Government was convinced of the necessity for Turkey to take her place among the nations represented at Geneva.

Sir Austen Chamberlain (the Foreign Secretary) wrote to Mr. Hoare (the British Foreign Minister) on the 4th September, 1926 (6) that he had learnt that Hussein Ragib Bey, Turkish Attache at Bucharest had been in Geneva as an observer of the League of Nations and, during his conversation with Hussein Ragib Bey, he had understood that the Turkish Government had been seriously considering an immediate application for admission to the League. In the following years however, although Turkey was not officially a member of the League, she actively worked for strengthening peace and was always interested in the activities of the League of Nations.

The Turkish Government accepted the invitation of the League to join in the work of the Preparatory Commission for the Disarmament Conference in 1928. During the workings of this commission, the Soviet Union proposed the abolition of all kinds of armaments. Turkey was one of the countries favoring this proposal. In February, 1932 when the Soviet Union insisted on total disarmament during the Conference of Disarmament the only nation favoring this proposal was Turkey.

Soon afterwards Turkey took part in the work of the Advisory Committee on Traffic in Opium and later subscribed to the international Opium Convention (3 April 1933) Turkey also sent representatives to

the Briand Commission of Enquiry for European Union and observers to the conferences of the International Labour Organization. Meanwhile Turkey drew attention with her efforts of founding a Balkan Entente. Accordingly, when the disarmament question was taken up by the League in 1928, the Balkan States, which had good relations with Turkey, were reluctant to discuss it in the absence of Turkey. The Soviet Union had also expressed their resentment because of the absence of Turkey, China and Afghanistan when the Soviet Union was invited as signatory of the Briand Kellogg Pact by France. In September, 1928 Turkey was invited and in January, 1929 Turkey had joined the Pact. (7)

All these activities enabled Turkey to be in a close relationship with the west. Accordingly, when, the Foreign Minister of France, Aristide Briand formed an idea of a European Pact, Bulgaria, Germany, and Italy wanted Turkey and the Soviet Union to join Greece, and Hungary also stated their wish for Turkey to join the Pact. (8)

While Turkey had been gaining a distinguished place in the international political arena by always favoring peace, the Turkish Government on every occasion declared her wish to have a permanent seat on the Council and before her membership to the League was realized, she got in touch with one of the effective members of the League, the British Government. When the Turkish Foreign Minister T. Rüşdü Aras called upon (9) Sir G. Clerk (the British Ambassador in Turkey) at the Hotel Beau Rivage in Geneva on the 19th May, 1900³, as regards the future participation of Turkey in the work of the League,

T. Rüştü Aras said that he was particularly anxious that Sir G.Clerk had to exert all his influence to bring about a settlement of the difficulties outstanding between Greece and Bulgaria. Turkey would then quite content to take her chance between these two Powers as regards a seat on the Council. Besides, when T. Rüştü Aras was told that there were other candidates for a seat on the Council like Portugal and Austria, he suggested that another seat might be added to meet those cases which might be treated independently from the group of Turkey, Bulgaria and Greece which he had in mind.

To have a permanent or semi-permanent seat on the Council was very important with respect to Turkey's relations with the Soviet Union. As Ismet Pasha, in October, 1930 told Mr.Venizelos (10) if Turkey were to join the League with the assurance of a semi-permanent seat, the Soviet Government would understand, but if she joined with only the prospect of a non-permanent seat she would give offence to the Soviet Government which naturally attached importance to Turkey's company in exclusion from the League.

Although it was very well understood that Turkey should not be left out of a gathering in which many countries met to discuss world affairs, the Turkish Government's efforts to have a permanent seat failed. Accordingly, Turkey no longer insisted on having a permanent seat on the Council Mr. Henderson (Chief of Foreign Office) wrote (11) to Sir G.Clerk on the 5th February, 1931, informing him that the Turkish Ambassador had called on him and said that his Government were no longer inclined to insist on being allotted a permanent seat on the

Council as a condition of joining the League and he had added that they had a right to expect as much consideration as Poland. Mr. Henderson also wrote that the Turkish Government, backed by Germany and Italy, was afraid of obstruction on the part of France since France had resented Turkish relations with Italy and Russia. On October 27, 1930 Mr. Henderson wrote to Sir R. Graham that he had had a conversation with the Italian Ambassador. (12) This conversation was important with respect to understanding Italy's attitude towards Turkey's admission to the League. In the course of this conversation, the Italian Ambassador had stated that he had been instructed by the Italian Ministry For Foreign Affairs to ascertain Mr. Henderson's views whether it would not then be expedient for the Italian and British Governments to take joint action at Constantinople with a view to inducing Turkey to join the League of Nations. Mr. Henderson stated that the British Government's attitude as regards Turkey's joining the league was perfectly well known to the Turkish Government and he added that it had seemed better to leave any further action in the matter of applying for membership of the League to the Turkish Government's initiative.

Indeed, despite the positive attitude of the Italian Government about Turkey's admission to the League the British Government had always avoided giving any promise to Turkey about any permanent and semi-permanent seat on the Council. A semi-permanent seat was especially precarious because of its re-eligibility. As Sir G. Clerk wrote to Mr. Oliphant from the Foreign Office on March, 1931. (13) Turkish desire to enter the League with a semi-permanent seat could not be

allowed. Under the ordinary rules of procedure Turkey could apply for membership of the League of Nations. If elected, she could then stand for election to the Council. If elected to the Council she would sit on it for three years Turkey had therefore to take her chance, apply for admission to the League, and present her candidature for the Council, when the time came, for re-eligibility.

In Clerk's letter, it was also noted that only three semi-permanent seats were provided for and the third was ear-marked for Brazil. So the South American States would almost certainly vote against Turkey. In the letter Sir G. Clerk continued:

"In these circumstance we can not guarantee Turkey a semi-permanent seat.... Up to the present we have always refused to pledge our vote in advance and it is, I think, coming to be understood that it is really useless to lobby the British Government, but in the present case it may be considered desirable to break the rule and tell the Turks at the same time as we tell them that we can not guarantee a semi-permanent seat that they can count on our vote at each stage, for admission to the League, for election to the Council and for re-eligibility.

But on the other hand Poland had been elected to the Council and at the same time declared re-eligible. Subsequently the Assembly had also agreed to a similar procedure in the case of Spain, these two countries being the only two exceptions. But Sir G. Clerk especially noted that it was advisable not to use this information with the Turks. (14)

In fact, despite the British Government's unwillingness for Turkey to have any seat on the Council, Great Britain had always tried to make Turkey break away from the Soviet Union and its efforts to promote the settlement of Communism in Turkey because the Soviet Union was still, officially at least, the "grande amie" of Republican Turkey. But Turkey still had to make a choice between the Western Pact and the Soviet Union's collaboration. Turkey wished to maintain her friendship with Soviet Union because it was better than being in conflict with the Soviet Union. Major O'Leary, on the 27th August, 1931 wrote to Sir G.Clerk (15) that Turkey's treaties with her neighbours and gestures of friendship were a further example of her clear-sightedness and were not to be taken as evidence of allegiance to any group or of subordination of her policy to that of any other Power. Major O'Leary gave T. Rüşdü Aras words as an example. T. Rüşdü Aras had pointed out that it was cheaper to be on friendly terms with Russians than to keep 100,000 men on the Russian frontier.

B) Soviet-Turkish Relations and its Impact Upon Turkey's Membership to the League of Nations

In the meantime Turkey and the Soviet Union were in a close relationship with each other. On the 17th December, 1926⁵ they signed the Pact of Nonaggression and Friendship. Later, at the close of 1929 as a result of Karakhan's visit to Ankara, Turkey signed an agreement renewing the Turco-Russian Treaty of Friendship and Neutrality of 1925

for a further three years. This agreement was approved by the Grand National Assembly in February 1930. But the Turkish Government were relieved not to have found themselves obliged to sign something considerably more far-reaching which Mr. Karakhan (Russian Foreign Minister) was believed to have brought with him. (16)

Litvinoff's (Russian^a Prime Minister) visit to Turkey on the 27th October, 1931 was very important with respect to the Soviet Union's economic and politic relations with Turkey. The British Government had attached importance to this visit since the visit to Turkey was made in a period when the membership of Turkey to the League was on the agenda most.

Mr. Litvinoff, made a speech (17) on his arrival at Istanbul to members of the Turkish press and expressed his pleasure at visiting Turkey which, for over ten years, had been joined to Russia by ties of friendship and common endeavour. He maintained that friendship with Turkey was the key stone of Russian foreign policy. Each nation had such confidence in the other that without any anxiety, it left the other free to follow its own independent line whenever it seemed preferable to do so. The relations which Turkey and Russia maintained, despite their different social and economic policies, were an example to other foreign States, and a powerful factor for peace. He was certain that both nations would in future cooperate.

Mr. Litvinoff's words indicated Soviet enthusiasm to improve economic relations with Turkey and his remarks about wider economic

co-operation were considered as signifying something in the nature of financial help. According to Sir. G. Clerk who reported the speech, Litvinoff's willingness to have wider economic co-operation was due to Soviet Russia's fears that Turkey, under the pressure of financial need, might yield to the imperialist Powers in Europe and America. Sir G. Clerk, in his report dated November 1, 1931, continued as follows: (18)

"In consequence Mr.Litvinoff has come to Turkey to tell its statesmen and the Turkish press and people that the time is not far off when Russia will be able to help Turkey economically."

Soon after Litvinoff's visit to Turkey Ismet Pasha and T. Rüştü Aras visited Moscow. This visit was very important for the British Government. Sir G.Clerk reported it and noted (19) that Ismet Pasha and Dr.Aras were deeply impressed by what they saw in Russia but Sir G.Clerk doubted whether the Soviet Government had succeeded in turning Turkey's eyes from the west or in drawing the political bonds of the two countries any tighter and whether Ismet Pasha and T. Rüştü Aras had any wish or intention to apply to Turkey the methods they seemed to have admired so much in Russia.

In the same document Sir G. Clerk had also reported (20) some points related with the Turkish visit to Moscow. Clerk recorded that another outstanding result of the visit was the credit of eight million dollars' worth of agricultural and textile machinery. Besides, Clerk wrote that he talked to T. Rüştü Aras and was told that this was a spontaneous

act on the part of the Soviet Government. T.Rüştü Aras had read this gesture as partly intended to bring home to Turkey the contrast between her financial difficulties with Western States and Western contractors and the real friendship of Russia and partly calculated propaganda; that was: " We are not so hard up that we can not afford to help a friend in need, and moreover our industrial programme is leaping ahead so fast that we can easily spare eight million dollars' worth of machinery"

On the other hand as it was noted in Sir G. Clerk's report dated 9 November, 1931; however Ismet Pasha and T. Rüştü Aras were very impressed by what they saw in Russia. In nearly every public declaration that he made in Russia, Ismet Pasha laid stress on the "Nationalist" character of the Turkish state and pointed out that each country should develop on the lines that best suited its characteristics, but that there was no reason why the two countries should not be sincere and loyal friends. Indeed in the following years Turkey avoided becoming a satellite of Soviet Russia by not simply adopting the Soviet model. In the Turkish press as well, it was made clear at intervals that although communism was no doubt the ideal system for Russia, it was entirely unsuited to the Turkish people and alien to her mentality, while any attempt at propagating communist doctrines inside Turkey, either by Turks or Russians was suppressed. Sir G. Clerk added that Litvinoff had learnt that Turkey was not a puppet of the Soviet Union.

Ismet Pasha's and T. Rüştü Aras's visit to Moscow was considered a success because T. Rüştü Aras had stated that the Soviet

Government's opposition to Turkey's entry into the League of Nations had been overcome. And besides T. Rüşti Aras had told Mr. Clerk that the two governments understood one another so well that when Turkey joined the League of Nations it would be the Soviet Government that would defend her action against any voices of protest that might be raised in Moscow.

The Turkish-Soviet relationship throughout history was summarized and an appraisal of the relationship of two countries was made in the annual report of 1930 as in the following: (21)

" At a critical moment for the Turkish revolution, friendship with Russia became a vital necessity for Turkey; conversely Soviet Russia saw in friendship with Turkey a way out of her complete isolation and a bulwark against her "imperialist" enemies. The urgency of the situation then obtaining has, to a great extent disappeared, at least for Turkey, who, having re-established her international position, no longer desires to jeopardise friendship with the Great Powers by too close an intimacy with the Soviet Union. The latter, on the other hand, still finds in Turkey her only friend and is at pains to prevent her being drawn into the orbit of the western Powers by economic means, now that there is no longer a question of conquest by arms. Turkey's problem is thus to walk the tightrope between friendship with her powerful and potentially dangerous neighbour and good relations with other Powers."

Consequently Turkey having obtained a reconciliation with Soviet Russia related to her admission to the League, had another difficulty. That was the contradiction between the undertakings of the article 16 of the Covenant and Turkey's obligation stemming from the ~~Pact of Paris~~ ^{Turco-Soviet Treaty} signed on the 17th December, 1925.

This contradiction was expressed by Mr. Clerk(22) in a document sent to the British Ambassador in Ankara viz:

".... Turkey may find herself in a difficult situation. By becoming a member of the League Turkey has bound herself vis-a-vis the other members to comply with the Covenant and she has, moreover, covenanted that nothing in the previous treaties concluded by her is incompatible with her obligations under the Covenant. On the other hand, Turkey will equally not to be able to plead, as against Russia, the provisions of any previous treaty as releasing from her obligations vis-a-vis Russia under any previous treaties."

Also, Clerk, noting that the only question was the time interpretation of the treaties made with Russia, hoped that Turkey would seek presumably to interpret them in a manner constant with the Covenant. In Clerk's opinion, an inspection of the Turco-Soviet Treaty of 1925 and its various protocols would show that the obligations under it were substantially the same as existed under the Russo-German treaty of 1926. As regards the Turco-Soviet treaty of 1925 and its protocols, it seemed to him to be capable of being interpreted either way.

Accordingly Turkey who promised to obey the sanctions against aggressive states in accordance with Article 16, had to resolve this with the obligation which she had undertaken with the Treaty of Friendship signed with Soviet Russia. In other words, in accordance with the Turco-Soviet Treaty of December 17, 1925 Turkey had not to fulfil her obligation stemming from Article 16 against the Soviet Union.

The Turkish Minister for Foreign Affairs sent a letter to the Soviet charge' d'Affairs on the occasion of Turkey's entry into the League of Nations. The letter contained two main points which were summarised in Clerks's report as in the following: (23)

"1) Soviet Russia is assured that Turkey's entry into the League in no way affects her undertakings as given in the Pact of Paris of the 17th December, 1925, to the effect that two countries shall in no circumstances take up arms against one another or join in agreements or alliances directed against either Power. The latter points out that Turkey's desire to join the League is due to her belief that this society is designed for the peaceful settlement of international disputes. Should Turkey, contrary to her expectations, observe any desire or tendency on the part of the League either to act in contradiction to pacific principles or to adopt aims hostile to the U.S.S.R., she will oppose them by all means in her power

11) Soviet Russia is assured that the assumption by Turkey of the obligations laid down in Articles 16 and

17 of the Covenant will have no influence upon her policy towards the U.S.S.R. In case an accusation of initiating a war of aggression be brought against the latter Power, the provisions of article 3 will first have to be taken in Consideration; but in any case such an accusation would not place her under an obligation to take part in coercive measures against Soviet Russia."

Consequently in taking her place at Geneva Turkey thus made considerable compromises in favour of her northern neighbour and her joy at becoming a member of the League was tempered by a marked anxiety lest she lost any degree of Russia's friendship. T. Rüşti Aras's letter was an attempt on his part to have his cake and eat it.

C) The Developments Which Took Place Before Turkey Became Member

In the meantime, although the British Government had repeated many times that they would cordially welcome and warmly support the candidature of Turkey for admission to the League and they would moreover support her candidature for election to the Council at the first opportune moment and at the end of three years' term if elected they would give their sympathetic considerations to Turkey's application for re-election, they had not given any promise for a permanent or semi-permanent seat on the Council. Not content with this, the Turkish Ambassador asked the Secretary Of State to promise the support of the British Government for the re-eligibility of Turkey.

but Mr. Henderson, the Secretary Of State, could only repeat that, in the circumstances, no such promise could be given in advance. (24)

In fact Turkey tried to make the British Government feel that in the case of not securing a permanent seat or semi-permanent seat on the Council, Turkey might prefer to maintain her friendship with the Soviet Union rather than being included in a western foundation, the League of Nations.

Meanwhile in Turkey as well it was a matter of discussion whether it would be advantageous for Turkey to enter the League or not.

In July of 1931, during the budget debates in the Grand National Assembly, the Minister of Foreign Affairs, T. Rüştü Aras, expressed his opinions about Turkey's admission to the League as follows: (25)

"The idea of the League of Nations is one which is held in great esteem by the Turkish Revolution and the Turkish Republic. We might almost say that it is one of our own ideas. Side by side with it there also exists the institution that was established to carry out this idea in practice. I make a distinction here between the institution and the idea to point out the distance that exists between the two. In fact our attitude toward this institution is one of warm friendship and we participate in all of its activities with pleasure... in more than one matter we are working together, co-operating in an atmosphere of

true solidarity... if all of this is true, then why haven't we yet entered the League? Let us assume that there is a decision to employ economic sanctions. Let us assume further that we do not have a representative there, and we are not convinced that these sanctions are just. What would be the consequence of the application by this country of a decision taken by a body which is not responsible to us? Is this at all possible? Because the Council possesses this power, we have not joined the League. Yet I do not think that this difficulty will remain ever present. I have no doubt that our feelings are well known to this institution which has shown considerable goodwill in its relations with us, and within which we on the Council Turkey might prefer to maintain her friendship with Soviet Union rather than being included in a Western foundation."

Before long the hesitations about the League were left behind. Turkey had dealt with the problem related with Soviet Russia. In other words Turkey was ready to be admitted to the League.

II- Turkey Enters the League

The period when Turkey was admitted to the League was rather a time of conflict. Some new developments had arisen like the economic crisis, the Nazi Party's rise to power in Germany and so on. Accordingly it was apparent that co-operation with the new Turkish Republican Government was of vital importance. On the other hand,

Turkey whose claim for a permanent or semi-permanent seat on the Council was not accepted, had a request that the initiative should take the form of an invitation from Geneva and not of an application from Ankara.

Accordingly, on the 1st July, 1932 when the Assembly of the League was sitting in an extraordinary session on account of the Sino-Japanese dispute, a resolution declaring that Turkey fulfilled the general conditions laid down in Article 1 proposing to the Assembly that Turkey should be invited to enter the League, was moved by Senor de Medarilaga (Spain) and seconded by Monsieur Mikhalakopoulus (Greece), with the support of the representatives of twenty-seven other countries. (26)

The delegates of various countries also stated their views favoring Turkey's admission to the League. For instance the Spanish delegate drew attention to the fact that the entry of Turkey would dispel the idea that the League of Nation was undergoing a crisis. The Italian delegate pointed out that Turkey was an important element in the European system and its absence from the League had long been felt. The Greek delegate referred to the sincere desire which Turkey had shown in regard to peaceful co-operation; the Australian delegate also mentioned Turkey's policy of international co-operation. The British delegate spoke of Turkey's admission as a manifestation of the trend toward universality in the League, and the French delegate emphasized that Turkey provided a bridge between East and West which would be useful for the League. (27)

Soon afterwards during the session in the Grand National Assembly dated July 9, 1932, T. Rüştü Aras began his speech after reading the letter he got from the secretary-general, Sir Eric Drummond and telegrams sent by many countries favoring the membership of Turkey. (28)

" One can feel in these words that the League is taking a step forward toward universality which reveals as well a new phase in its evolution. Turkey's admission to the League resulted from the stability of a policy which has been based on a feeling of world wide brotherhood and the soundness of our work."

Indeed T. Rüştü Aras's words were very important with respect to Turkey's admitted popularity in the eyes of the world countries. It was a great success of Turkish Foreign policy. T. Rüştü Aras, in the letter dated July 9th, 1932 which he sent to the Secretary-General of League of Nations had stated the decision of the Grand National Assembly and written:

"In reply to the invitation which you transmitted to me on behalf of the Assembly, I have the honour to inform you that the Turkish Republic is prepared to become a member of the League of Nations, and that the obligations assumed by Turkey under the treaties concluded hitherto, including those concluded with States non-members of the League of Nations, are in no way incompatible with the duties of a member of the League of Nations. In this connexion, I would point out that all the treaties

signed before the admission of Turkey have been concluded in the spirit of the Pact of Paris, to which the majority of the members of the League of Nations are also signatories." (29)

Accordingly by the admission of Turkey to the League Turkey was becoming a part of a system of collective security. T. Rüştü Aras's views related with Turkey's admittance to the League were as follows:

" The future of the world would be shaped with the method adopted by the big powers. We had been taking measures by considering this reality if the world nations preferred to be included in a league our foremost inspiration would be to be included in such a league. But nevertheless we were expecting the League of Nations to improve in a way it could answer the world nations' needs with the entry of the United States and Soviet Unions to the League of Nations. So with such an expectation we entered the League on the 18th July, 1932." (30)

The resolution concerning the admission of the Turkish Republic to the League of Nations was adopted on the 18th July, 1932.

A) Activities of Turkey During her Membership

During her membership Turkey became one of the most active nations in the League. Accordingly, in the election for Council membership that took place in the following year, Turkey received

twenty votes even though she had not put forth her candidacy. About such a development, Ahmet Şükrü Esmer wrote:

"The fact that we received twenty votes in the election to the Council, although we had not put our candidacy, shows the conviction existing in League circles that Turkey would best fulfil the requirements for membership in this body. There is no doubt that the eventual election of Turkey would be a wise move. In this way about fifteen nations, whose opinions were not represented in the Council because they remain outside of formal alliances, would obtain what they have been striving for." (31)

In 1934, during the session of the League Assembly Turkey was a candidate for Council membership. The permanent delegate C. Hüsnü Bey explained the reasons of Turkey's motives for putting her candidacy for the membership of the Council as follows: (32)

"Turkey has put forwards her candidacy for semi-permanent membership which passed officially from China in the Council of the League of Nations. In League circles it has been declared that this time the members would diverge from the current method: i.e. stopping an Asian country becoming the successor of another Asian country in favour of Turkey.

The candidacy which Turkey has put forward is the candidacy which passed from China. Turkey is a European country. On the other hand the division of membership among the continents has not been dependent on any legal basis and there is not any rule

related with such a point in the Covenant of the League. By now this is a tacitly accepted method. In fact a large part of Turkey is on the Asian Continent. Turkey has put forward her candidacy depending on these considerations."

The Persian Government who had put forwards her candidacy to the same membership drew back her candidacy in favor of Turkey. T. Rüştü Aras, before Turkey's election to the Council made a speech explaining Turkey's international relations in which he spoke as follows: (33)

"In the period which passed since the last Assembly, Turkey maintained her co-operation with other countries and became active to ensure peace, I shall relate the treaties which Turkey has signed with her Balkan neighbours and with her eastern Mediterranean neighbours and her continuous activities to make agreements with the Middle Eastern countries... I shall be content with confirming that Turkey does not have any conflict of vital importance with any country in the world. On the contrary we have been proceeding on the way of ensuring peace with every nation in the world. If the political activities of a country are evaluated by considering its international relations with its neighbours our duty becomes to accept the judgements of our European neighbours as well as our Asian neighbours and we dare say we shall take into consideration our neighbours' point of view at this point.

Now we are present here not to support the disputes which should be solved for the ensurance of peace but to support with our full strength the wishes of those who want international harmony and co-operation not to be a vague inspiration but a reality."

On September, 17 1934 Turkey was elected to membership in the Council with forty-eight votes cast in its favour. The election of Turkey to the Council within two years aroused great joy all over Turkey.

In the Turkish press as well this great success of Turkish foreign policy had aroused great excitement. Ahmet Şükrü Esmer (34), emphasized the vital importance of having a seat on the Council and noted that Turkey's election to the Council was the indication of the confidence of the stable and straightforward Turkish foreign policy since the Lausanne Treaty which had inspired the world nations.

Another writer, Ebüzziyade Bey drew attention to the fact that the Turkish Government's success in founding the Balkan Pact was a great factor in the increase of Turkey's popularity in the eyes of all nations.

He continued as follows (35):

"Now we are proud that Turkey which, once upon a time, was considered as "The Sick man of Europe" has risen to a position from which Turkey would be able to cure the most dangerous diseases of Europe."

Yunus Nadi also emphasized (36) that the ideal of the League of Nations corresponded to Turkey's ideal preventing war. Fatih Rıfık Atay (37) noting that Turkey had already been participating in some activities of the League of Nations wrote that the Turkish Government's policy of peace and reconciliation was the main ideal of the League of Nations Atay also drew attention to the fact that the Soviet Union's entry to the League was realized soon after Turkey's election to the Council.

İsmail Hakkı was another writer (38) who pointed out that with the election of Turkey to the Council the League of Nations had also gained the Soviet Union with a population of 160 Million as a member. Besides, in İsmail Hakkı's opinion, the maintenance of peace which formed the basis of the League of Nations was the common ideal of Turkey and the Soviet Union.

Soon after Turkey's election to the Council the Soviet Union was admitted to the League. T. Rüştü Aras had strongly supported the Soviet Union's admission to the League. Besides, during a period which the League of Nations had begun to lose its prestige after the loss of Germany and Japan as members, the entry of the Soviet Union to the League caused relief and joy not only in Turkey but also all over the world.

In the Turkish press the final development was written about very often. For instance Yunus Nadi Bey considered the Soviet Union's entry to the League as a revolution and wrote down as follows: (39)

" As it is known very well Russia had not approved the League of Nations for a long time as it had consisted of mostly European capitalist countries. The Soviet Union, exposed to the hostility of the world because of its communist regime, could not regard the League positively at all.... It should be acknowledged, that, in the course of time, as the League had developed there happened some sort of evolution. The Soviet Union brought not only material but also spiritual power to the League."

Ömer Rıza was another writer which drew attention (40) to Soviet Russia's co-operation with capitalist states and to the patriotic feelings which began to appear in the Soviet Union. In Ömer Rıza Bey's opinion all these new developments in Soviet Russia were completely dependent on the controversies between Japan and the Soviet Union so it was very natural for Soviet Union to wish to be a member of the League.

The admittance of Afghanistan to League membership was another important event which took place during Turkey's membership. Turkey was included among the members of the ad hoc commission that had been set up to examine Afghanistan's request for admission. The head of the Commission who was also its rapporteur was the Turkish Minister for Foreign Affairs. At the time that he presented the report recommending the admission of this state, he indicated that he felt particularly pleased at being able to do so in view of Turkey's friendly relations with Afghanistan, as well as with all Asian countries. (41)

B) Decline of the Prestige of the League of Nations

As it was earlier mentioned the admittance of Turkey and Soviet Union to League membership had been realized just during the period when the prestige of the League had already been shaken by its inability to prevent the Manchurian conflict. Accordingly by the withdrawal of Germany and Japan from the League of Nations the universality of the League became a matter of discussion. Another conflict had arisen during the Disarmament Conference. The rapid re-armament of Germany was another failure of the League.

The Italo-Ethopian conflict was another blow to the prestige of the League. During this period Turkey remained faithfully attached to the League and proved this by her activities. By the outbreak of Italo-Ethopian conflict in October, 1935 the League of Nations decided that Italy had violated the terms of the Article 12 of the Covenant by resorting to war and accordingly the League decided to apply sanctions as prescribed by Article 16. And soon Turkey took the decision of applying sanctions against Italy and a special law (42) was introduced in the Grand National Assembly in November 13, 1935 entitled the "Law for the Carrying out of the Decision Taken by the League of Nations."

In the Grand National Assembly only one deputy, Berc Türker (43) made a speech expressing some hesitation at passing such a law, he briefly laid stress on the commercial relationship between Turkey and Italy and asked what would be the advantage to Turkey in case of the

application of sanctions by Turkey. He also asked whether the League would give any compensation in return for Turkey's sacrifice. According to Berc Türker, it was very difficult for the League of Nations which had become incapable of preventing some of the wars, to be able to provide peace by means of the applications of sanctions.

T. Rüştü Aras (44), took the floor to answer Türker's speech, and he pointed out that Turkey was participating in sanctions only to the extent that its obligations to the League were concerned. Apart from these engagements Turkey would maintain a strictly neutral attitude. T. Rüştü Aras also mentioned that Turkish relations with Italy were regulated by the Treaty Of Friendship and Neutrality which only two years ^{ago} before had been extended for ten years. He pointed out that the Turkish Government would not hesitate to take measures in any case of threat against the Turkish state.

In fact the relationship between Italy and Turkey became worse and as a natural result of this situation, on the 11th November, 1935 Italy sent Turkey a note (45) of protest worded along the lines of those sent to other states. Soon after the Italian note, Turkey, in its answer, tried to draw the attention of Italy to the efforts made by the Turkish state to settle the problem. The note expained (46) that Turkey was not directly related to the Italo-Ethiopian conflict. Turkey was only a member of the League. Turkey sincerely desired the maintenance of Italo-Turkish friendly relationships and the settlement of the dispute. Briefly the Turkish Government's note was as follows:

"The Turkish Republic does not concern itself with the Italo-Ethiopian dispute as such, although as a member of the League of Nations and pursuant to the engagements undertaken by it in regard to the application of the terms of the Covenant, it has participated in the discussions with reference to this conflict that have taken place in Geneva and has felt obliged to participate in the implementation of measures that were decided in common." (47)

Soon after the exchange of notes, Great Britain addressed itself to a number of Mediterranean nations among them Turkey, proposing the exchange of mutual assurances of reciprocal support aimed at meeting any danger that might arise as the result of the carrying out of sanctions. Turkey, as well as the other Mediterranean countries, except Spain, accepted this request. (48) But soon the Mediterranean Pact was abolished with the annexation of Ethiopia by Italy. On the other hand; such a crisis and Turkey's faithful attachment to the League sanctions broke the ground for a reapproachment between Turkey and Great Britain and the joint Anglo-Turkish Declaration of May, 1939 was made during the crisis immediately preceding World War II and at a time when Turkey was threatened by the Italian danger.

C) The Criticism of the League of Nations in Turkey

As time passed the failure of the League increased. The application of sanctions could not be realized and the fact that the aggression by one member of the League against another resulted in the

complete annihilation of the weaker of the two, caused lots of criticism of the League of Nations in Turkey.

In the Grand National Assambly, one of the deputies Emin Sazak criticized the League openly as follows:

"Our Foreign Minister stated that Turkey sincerely desired the League of Nations to be strengthened. But the League of Nations is so powerful it abolished a huge Empire, the Ethopian Empire.... what can one expect from an organization which looked on impassively at the death of a huge empire, Ethiopia. This Organization which probably countributed to weakening the measures of defense taken by the Emperor by continously promising to resolve the conflict. Sanctions have been of no use; in the meantime, acts of usurpation are taking place throughout the world and men are being killed with poison gas. If this organization is to continue to remain a spectator to all this, all I can say is "down with the League".

One feels ashamed at having joined such an organization. It will be in the best interests of this country to sever all relations with an organization which silently watches the perpetration of such crimes. I have been asking the views of the Foreign Minister about this point."

The speech of the deputy of Eskişehir, Emin Sazak was very interesting with respect to the League's decreasing popularity within

Turkey as well as in the world. Soon after this speech Şükrü Saracoğlu made a speech as an answer to Sazak's criticism as in the following:

"No organic creation is mature the day it's born. Just as all living beings undergo crisis so will the League of Nations. Yet it will also profit from every happening, from every lesson that it receives, and by gradually remedying its deficiencies it will perhaps at one point become the institution that we would like it to be. We hope that these deficiencies will soon be eliminated so that it may fulfill the historic task for which it has been designated. As a government and a nation we have not tied all of our hopes to the League of Nations nor do we expect succor only from this organization. On the one hand we are taking all the precautions we can, but on the other we are helping as much as possible to build up this great humanitarian enterprise." (49)

In 1937 İsmet İnönü's speech which he made on the occasion of negotiating the Hatay dispute in the Grand National Assembly is very noteworthy. He presented his views related with the League of Nations as follows:

"The strength and the weakness of this foundation has been exaggerated recently. Those who believed in its strength expected the League to solve very difficult disputes immediately and easily. They are just dreamers and those who believed in its weakness have been thinking of the League as a foundation irrelevant to the world nations. Such a

thought is not to appraise the truth within its true measures..... The League of Nations at the present day is of great importance and value. The nations' expression that they agree on general aims to ensure peace is a very important-basis for humanity." (50)

These words of Ismet İnönü had been reflecting the harmony of Turkish foreign policy and the ideals of the League. Many times Turkey with its activities, had already proved that she had always supported the League as a foundation. But on the other hand Ismet Pasha did not refrain from stating that some remedies for the maintenance of the international peace and putting the League on a strong base were being looked for. Additionally İnönü stated that unfortunately no remedy could be found yet and Turkey was seriously determined and full of desire to ensure peace.

In fact the prestige of the League had been seriously shaken after the fiasco of the application of sanctions. The Axis powers soon took advantage of this state of affairs and began to exert pressure on the smaller nations in the League. The small nations, on the other hand, wanted to be freed from the duties imposed on them under Article 16, the sanctions article. Consequently the reform of the League came to the agenda. As a result of these developments the League of Nations was in danger of being dissolved. (51)

On the other hand as formerly mentioned, Turkey with its activities like founding the Balkan Entente, proved that she always

favoured peace and never gave up being faithfully attached to the League. Turkey voted in favor of expelling the Soviet Union from the League on the 14th December, 1939, after the Soviets attacked Finland. Turkey never thought of supporting Soviet Russia despite the critical position of Turkey being its neighbour.

Following this decision and the outbreak of the Second World War, the League of Nations finally collapsed.

CHAPTER IV

THE SANJAK OF ALEXANDRETTA DISPUTE

I- The Nature and the Origins of the Dispute

The Sanjak of Alexandretta formed part of the territories of the Levant under the French Mandate, and was situated in the angle formed by the eastern shore of the Mediterranean and the Turco-Syrian frontier. It occupied a highly important strategic position, at a point where the main east and west trunk route and the mountains met the sea. It also offered a safe anchorage for large vessels. It was furthermore, the natural outlet for the vast hinterland of Aleppo and the upper Euphrates valley and was connected by rail with Osmanieh and thus with the main lines running west to Ankara and Istanbul, east to Baghdad, and south, through Aleppo, Damascus and Haifa to the Suez Canal. Finally, in terms of military strategy, the Power which secured control of the port and of the South Amanos range, with the pass of Bellan leading on to the plain of Aleppo, acquired a dominant position at a key-point in Asia-Minor. (1)

In 1937 the population of the Sanjak was about 220,000 comprising a heterogeneous collection of races and creeds. The largest individual element in it was certainly Turkish-speaking. The dispute

between the French and Turkish Governments over the future of the sanjak had mainly arisen from divergent interpretations of the international instruments which had settled the fate of this district in the years immediately after the war. The coastal districts of Syria and Cilicia were reserved to France by the Sykes-Picot Agreement of 1916 but they were occupied by British troops after the armistice of Mudros with Turkey. In the autumn of 1919, the British troops gave way to the French under General Gouraud. Meanwhile, in July 1919, the principles of mandates for "colonies and territories which had ceased to be under the Sovereignty of the states which formerly governed them,...." was enshrined in article 22 of the Covenant of the League of Nations.

France was then accorded an A type mandate over "Syria" by the Supreme Council of the Allied Powers in April 1920 at the San Remo Conference. When the Syrian mandate was attributed to France in 1920, the Near East was, however, still in a state of turmoil and uncertainty, and it was impossible to fix the territorial limits covered by the mandate; nor does the actual mandatory document of 1922 attempt any geographical definition of "Syria". (2)

The Treaty of Sevres signed in August 1920, fixed the Turkish-Syrian frontier well to the north of the present line. But it was rejected by the Turkish nationalists, and after severe fighting between French and Turkish forces a more southerly frontier was finally fixed by the Franco-Turkish Bilateral Agreement of October 1921 (the so-called Franklin Baillon Treaty). (3) The treaty settled frontier restoring Cilicia

to Turkey, and placing the Sanjak in Syria. But, in recognition of Turkey's legitimate claims, Article 7 of the Treaty provided that: "A special administrative regime shall be established for the district of Alexandretta. The Turkish inhabitants of this district shall enjoy every facility for their cultural development. The Turkish language shall have official recognition" (4)

A letter was also written by the French delegate to the head of the Turkish delegation recording the intention of the French Government to give effect to article 7 by giving, as a general rule, the administration of regions with a Turkish majority to officials of Turkish race, and by setting up schools to encourage the development of Turkish culture. Further, in the signed "protocol of signature" M. Franklin-Bouillon promised, *inter alia*, to recommend to his Government the Turkish claims that the Sanjak should be autonomous, and that an area should be leased to Turkey in the port of Alexandretta for the use of goods in transit to Turkey

The frontier laid down in the 1921 treaty was subsequently adopted and confirmed by article 3 of the Treaty of Lausanne in respect of the frontier between the new Turkish State and Syria. At the same time a bilateral exchange of letters between the French and Turkish delegations specifically recorded that nothing in the new treaty should be held to invalidate the stipulations of the Franco-Turkish Treaty of 1921. The Turkish Government insisted on a similar precaution at the time of the signature of the subsequent Franco-Turkish Treaty of May 1926, which supplemented and clarified the provisions of the previous

treaty of October 1921; a protocol was concluded between the two Governments recording that the new treaty should not be held in any way to change the state of affairs brought into being by the 1921 treaty, and that, in particular, account would always be taken of the special regime for the district of Alexandretta as stipulated by article 7 of the 1921 treaty. (5)

On September 9, 1936, a Franco-Syrian Treaty was initiated providing for the termination of the French Mandate at the end of three years, subject to a decision by the League of Nations that Syria could stand alone, Syria's acceptance of certain obligations, and her admission to the League. But considerable anxiety was at once aroused in Turkey, because article 3 of the Franco-Syrian treaty of 1936 provided that: "The two High Contracting Parties will take all measures with a view to securing the transfer to the Government of Syria alone, on the day of the expiry of the Mandate." (6)

In accordance with article 3 of the Franco-Syrian Treaty of 1936, the statute of the Sanjak of Alexandretta was so far from being in dispute that there was actually no direct reference to it either in the treaty itself or in any of its annexes. Toynbee noted (7) that upon the signature of the Franco-Syrian treaty of the 9th September, 1936, the Syrian nationalists imagined that they had secured the political union of the whole territory under French mandate and they thought they could achieve the assimilation of the status of the governments of the Jalalu'd Duruz and Ladiqiyah to that of the sanjak of Alexandretta. But they were

to experience an immediate disillusionment because a Franco-Turkish dispute had arisen.

II- The Outcome of the Dispute

The anxiety related to Franco-Syrian Treaty was speeded up by the press campaign and the public speeches of leading Turkish personalities. In the Turkish Press, especially it was emphasized that Turks, the majority of the population in the district of the Sanjak of Alexandrette, were not a minority as the Syrian nationalists considered them to be. Yunus Nadi, in his article written on the 5th September, 1936 stated the general feelings of Turkey as follows: (8)

"We, today, do not demand from France the inclusion of the Sanjak of Alexandretta, whose population is purely Turkish. What we mainly wish to understand is the nature of the freedom related to the district of Alexandretta, given to Syria by France in a period when the French Government wanted Syria to be autonomous".

Necmeddin Sadık, pointing out that Turkey's policy related to the mandates and the freedom of the Arabic countries was very open and friendly, asked as follows: "How can France, which fulfilled its obligations against Syria, hesitate to do same thing for the Sanjak of Alexandretta?" (9) Falih Rifkî Atay's words, in Ulus/Ankara newspaper, related to the nature of the Turkish population living in the Sanjak of

Alexandretta, also reflected Turkey's general views about the final developments in the district. Atay wrote down as follows: (10)

"The Sanjak Turks are the majority living in a district where the frontiers were determined by an agreement. The matter in discussion is not a matter of minority, but is a matter of giving the Sanjak Turks living in a separate district, their own rights. If the mandate system went on to exist. The Sanjak would be administered separately. Now the Sanjak must be free; because Syria and Lebanon will be independent. The Sanjak, whose special administrative regime was approved even under the French mandate, must be naturally independent while the French mandate is being removed from Lebanon and Syria".

Also, A. Emin Yalman wrote as follows:

Infact the first reaction of Turkey was to welcome the emancipation of Syria. The Franco-Syrian Treaty was signed in a darkness and without a plan. Those people who signed this treaty thought neither of Syria's nor France's real interests. They, just putting the Anglo-Iraqi Treaty before themselves like a student preparing a homework unconsciously, translated the Anglo-Iraqi Treaty and signed without thinking of the points related to Turkey.... our first duty is to warn our friend, France and prevent the friendship of France and Turkey being affected in a negative way because of such a treaty". (11)

Another writer, I. M. Mayakon (12) was of the opinion that Turkish public opinion always welcomed and supported the independence of Syria and the Syrian Government would naturally celebrate the independency of their country. But this joy of independence had not to go beyond its limits. Yunus Nadi, in his article dated 19th September, 1936, (13) especially noted that the Turkish Government did not claim any revision on the contrary, the Turkish Government wanted Alexandretta to be independent in the framework of an arrangement made between France and the district. Turkey opposed the inclusion of the sanjak of Alexandretta, whose population was purely Turkish, into Syria.

Such a great press campaign and degree of public opinion had drawn much interest in Europe. Sir P. Loraine, first told about the opening ceremony of the Association of the Sanjak of Alexandretta in Istanbul on the 27th December, 1936 and the enthusiastic crowds composed mostly of university students, then wrote to Mr. Eden, British Foreign Minister, about his anxiety about the possibility of Turkey's turning her back on Geneva if she did not receive satisfaction. He also added that all these unguarded threats represented neither the policy of the Turkish Government nor the ideas of M. K. Atatürk. (14)

On the other hand, Syrian nationalists were insisting on considering the Sanjak of Alexandretta as a part of Syrian territory and as Consul Mac Kereth wrote to Mr. Eden; Jamil Mordam had said that the Syrian Government would never consent to the removal of the Sanjak from Syrian sovereignty; to do so would be to bring disaster to

the district of Aleppo, which had already lost much of its prosperity owing to its being cut off from its natural hinterland and market by the nearby Syrian Turkish frontier. (15)

The speech made by Ismet İnönü on the 14th December, 1936 on the occasion of the opening of the Turkish "Week of Thrift" was an answer to the attitude of the Syrian Government. İnönü stressing on the common history of the two countries, said that if Arabs had suffered under the Ottoman regime, so had Turks. Moreover, in many cases, the guiding force in the administrations of the Sultans had been Arab, and not Turk.... Republican Turkey had officially adopted the principle of leaving the Arab countries to the Arabs, but would not agree that Arabs should be in a position to remove Turkish nationality from a population of a region bordering on Turkey. İnönü continued by describing the Turkish character of Alexandretta as follows: "One zone of Alexandretta and Antioch was not Arab but Turkish, and Turkey had never ceded it to Syria.... Turkey was surprised and hurt by the expressed desire of Syria to exercise domination over a Turkish territory- a domination which Turkey would never tolerate". (16)

A) Exchange of Notes

On the 26th September, 1936, Dr. Aras, during a session of the Council of the League of Nations (17), asked the representative of France to give the Turkish Government an opportunity to engage in discussions

about that matter with the French Government. In agreeing to these proposed talks and giving a definite assurance that the French would arrange for the continuation, under the new regime in Syria, of the measure of autonomy at present enjoyed in the sanjak, the French representative, Mr. Vienot (18), made it clear that the talks would have to take place "within the framework of the 1921 agreements", and that France was not agreeing to discuss any fundamental change in the status of the sanjak.

The Turkish Government's note of 10th October 1936, formally invited the French Government to speak with delegates of the population of "the region of Alexandretta and Antioch" (whom they described as being Turkish in a great majority) a treaty analogous to those which the French were proposing to conclude with the independent states of Syria and the Lebanon. (19)

As time went on, the question of Alexandretta became one of the most important matters on the agenda of Turkey. Besides, with the opening speech delivered on November 1st, 1936, by the President of the Republic, Kemal Atatürk, at the second session of the fifth legislature, the question took on a different dimension. Kemal Atatürk, mainly spoke as follows: (20)

"The important topic of the day, which is absorbing the whole attention of the Turkish people, is the fate of the district of Alexandretta, Antioch and its dependencies, which in point of fact belongs to the purest Turkish element. We are obliged to take up this matter seriously and firmly".

The rejection of the Turkish demand by the French Government and M.Kemal's deliberate speech in the Grand National Assembly showed that the Franco-Turkish controversy was fraught with the danger of the possibility of war.

The Turkish Government began their case by arguing that the autonomy of the region of the Sanjak within the area of ex-Ottoman territory entrusted to the "mandate" and authority of France was set up by the Franco-Turkish Treaty of October 1921 before the organisation of the rest of the mandated territories into the present states of Syria and the Lebanon. There were no legal grounds for treating the sanjak merely as part of the Syrian state; and, if France were proposing to emancipate Syria and the Lebanon, Turkey should a fortiori emancipate the sanjak as a separate unit, under specific reservations in favour of local autonomy.

In the French Government's note on November, 10 it was recorded that France had not acted and could not act otherwise than in the capacity of a Mandatory Power" and the French Government pointed out that they had only undertaken to negotiate with the Turkish Government about the future of the sanjak within the framework of the 1921 Franco-Turkish Treaty. They asserted that this was essentially an agreement for frontier delimitation and for settling certain administrative questions which were called into being by the fact of such delimitation. They maintained that they had entirely fulfilled their obligation to set up a special administrative regime in the sanjak, and

that the terms of the 1921 treaty would continue to be respected through this obligation to set up a special administrative regime in the Sanjak, and that the terms of the 1921 treaty would continue to be respected through this obligation being inherited by the Syrian state without any loss of their present rights to the inhabitants of the Sanjak. The French Government claimed that in concluding the 1921 Franco-Turkish Agreement France had been acting as a Mandatory Power; that the sanjak of Alexandretta had always formed part of the Syrian state under this mandate; that the terms of the mandate expressly forbade France to cede or lease any part of the territory covered by the mandate; and that they could not possibly agree to detach from the future sovereignty of Syria a portion of Syrian territory, since this would amount to a dismemberment of Syria and a flagrant breach of the mandate." (21)

A second note, on November 17, in which the Turkish case was put forward once more, supported by a detailed review of the various relevant instruments and the obligations flowing from them, briefly insisted that there had never been any legal justification for including the sanjak in the territory of "Syria" over which France had received a mandate from the League. If the French Government persisted in maintaining the contrary, the Turkish Government would be obliged to consider their attitude a breach of the Franco-Turkish bilateral agreements of 1921 and 1926, and to hold themselves freed for their part from the stipulations of those agreements. (22)

The French Government answered this Note briefly on November 30 asserting (23) that the French Government could not de jure assume, and had not de facto assumed, any obligations inconsistent with the two aforesaid international decisions and suggesting that the questions should be referred to the Council of the League of Nations at its next ordinary session in January 1937. In an answering note on the 4th December (24) the Turkish Government accepted the proposal to submit the various aspects of the problem of Alexandretta, and Antioch for full and impartial consideration to the next ordinary session of the Council. The note also referred to recent disturbances in the sanjak, and, after stressing the need for an early settlement as urgent, requested the French authorities to observe the strictest neutrality in the district. Consequently the parties agreed to the matter being referred to the Council of the League with the continuation of the French note of the 7th December and of the Turkish note of the 9th December. (25)

After the decision of the reference of the dispute to the League of Nations, T. Rüşti Aras made a speech in the Grand National Assembly, on the 27th November, 1936 (26) in which he summarized the general situation of the Sanjak of Alexandretta, the historical past of the dispute and the Turkish argument. He stated that the dispute had been referred to the Council of the League of Nations. The speeches of other deputies who took floor after Mr. Aras were noteworthy with respect to understanding the Turkish Government's view about the reference of the dispute to the League. The deputy of Manisa, Refik Ince said that the

Turkish Government, being confident of the legitimacy of her argument did not hesitate to accept the reference of the dispute to the League.

He continued:

" We do not accept a fait accompli and the Turkish Government is the first Government which was able to change the legal nature of the treaties signed after the world war, in a legal way. This time the Turkish Government, instead of accepting a fait accompli, followed the policy of the Nations which were confident of their legitimacy and referred the dispute to the League of Nations.

Now, the League of Nations has the actual responsibility, since the matter is to be negotiated on an international platform. Turkey will be satisfied by the decision taken by the League, because it will be a decision reflecting the common views of the states, in the direction of ensuring the validity of the treaties. So the decision must be considered as a measure which will be also able to prevent any possible future disasters for humanity."

Another deputy, Y. K. Tengirsenk, also spoke favoring the reference of the dispute to the League of Nations. He first drew attention to the fact that the Foreign Minister had demanded the reliance of the deputies about the reference of the dispute to the League of Nations and said that the whole Turkish nation was united with the Government and the Foreign Minister.

B) The Attitude of the Britain Towards the Dispute.

Before the developments during the Extra-Ordinary sessions of the League Council at Geneva had taken place in 1936, some efforts were made at lobbying on the part of both countries. The Turkish Foreign Minister, Mr. Aras explained the Turkish Government's point of view to the British Ambassador and the sort of solution which they had in mind. Aras (27) confirmed the assurances which spokesmen of the Turkish Government had already given publicly. Turkey had no territorial ambitions of her own in regard to the Sanjak and did not seek any revision of the existing frontier as laid down by the Franco-Turkish Treaty of 1921 and confirmed by the Treaty of Lausanne in 1923. He said, however, that the Turkish Government was aiming at a permanent solution of the future of the Sanjak in the form of an autonomous demilitarised area, under the general aegis of the League of Nations, the neutrality and demilitirisation of which would be guaranteed by neighbouring states as well as by France, ^{United} ~~Unutid~~ Kingdom, and possibly other powers. At the same time the potential value of the port of Alexandretta would be greatly developed to serve the interests of all neighbouring and economically interested states.

For their part the French Government lost no time getting in touch with the British Government. The French Ambassador in London called at the Foreign Office on the 9th December and gave an explanation, as to why the French Government could not agree to what would amount to the dismemberment of Syria in violation of the

Mandate. Moreover, the recent Franco-Syrian reconciliation and their proposed alliance would be jeopardized if France, as Mandatory Power, allowed the sanjak to be detached from Syria. Mr. Cambon expressed the hope of his Government that the British representative on the Council would support the French argument in the Council, in view of the common interest of the two countries in retaining the goodwill of the Arab world.

Indeed, both countries, Great Britain and France, had a common interest with respect to their foreign policy towards the Arab world. And Great Britain, trying not to weaken the cordial friendship existing between the British Government and the Turkish Government, felt that in these circumstances urgent consideration had to be given to the Foreign Policy which the British Government should adopt towards the dispute. The conclusion was soon reached that the Turks had no justification in law for their claims. According to the British Government's view, the legal position in regard to sovereignty over the Sanjak was governed by the Treaty of Lausanne.

But as article 7 of the 1921 treaty merely provided for the establishment of a "special administrative regime" in the district of Alexandretta, it could not alter the essential fact that Turkey had lost all the sovereignty over the sanjak by virtue of the Treaty of Lausanne, and that accordingly arrangements for its future status did not require Turkish acceptance. The position was that Turkish rights, as regards the administration of the Sanjak, only derived from the Franco-Turkish

Treaty of 1921 in so far as their provision were reaffirmed in the Treaty of Lausanne. In view of the British Government, no interpretation of Article 16 of the Treaty of Lausanne could give Turkey the right to press for the separation of the Sanjak from Syria, or, in fact, to demand more than continuance of a special local regime for the Turkish Minority in the sanjak provided for in the 1921 Treaty.

Besides the British Government asserted that the Turkish contention that the Sanjak did not come within the scope of the mandate for Syria was unsound. Turkey had automatically accepted the whole mandate system as expressed in article 22 of the Covenant, when she entered the League; she had consequently accepted the French mandate over the Levant states, their establishment and organization under the mandate and also the prospect of their eventual political emancipation, in accordance with the terms of article 22 in regard to A type mandates.

In fact the British Government was more interested in some serious political results likely to appear in the case of the acceptance of the legitimacy of the Turkish argument and the detachment of the sanjak from Syrian sovereignty rather than the soundness of the legal position of both of the countries. These serious political objections which the British Government considered as being to the disadvantage of Great Britain in case of the detachment of Alexandretta from Syria were listed in the report of the chief of the Eastern Department, Foreign Office, J.G. Ward dated June 11, 1937 as follows:

a) Even if the Turks in fact cherished no immediate territorial ambitions, it was probable that the separation of the sanjak from Syria would eventually drive it into the arms of Turkey. In any case a breach was likely to be caused in the territorial status quo of the Near and Middle East, which might well lead to further demands for territorial revision in that part of the world. In particular, if the Turks were successful over Alexandretta it might easily encourage them to try to expand further south and south-east at the expense of Syria and Iraq (e.i. towards the Iraqi oil fields)

b) The sanjak possessed neither racial, linguistic, geographical nor economic cohesion, and would scarcely be able to maintain an independent existence. It would inevitably be subject to propaganda from both the Turkish and Syrian sides, and, even if its ultimate absorption in Turkey were avoided, it would be a constant element of international unrest.

c) Any revision of the territorial status of the sanjak would inevitably arouse the suspicions of Italy if not of other Powers. It would introduce a further element of instability and danger in international relations in the Mediterranean and render the re-establishment of a peaceful atmosphere there much more difficult. The fact that Alexandretta is a valuable potential naval base is important in this connexion.

d) It would inevitably have unfortunate repercussions in Syria. It would deprive Aleppo and North-West Syria of its natural outlet to the sea and make it more difficult for the new Syrian State to

retain its hold on that part of Syria. Furthermore, the psychological effect on the Syrian Arabs and on the Arab world in general would be most unfortunate and might easily wreck the whole Franco-Syrian Treaty Settlement. As the French had pointed out such a deterioration in Syria could not fail to affect the interests of the British Government in Arab countries, as well as those of the French Government.

e) In view of the ruthlessly totalitarian character of the Modern Turkish State, the future position of the large Christian and other minorities in the sanjak would be most precarious if the sanjak were either incorporated in Turkey or subjected to an administration dominated by Turkish influence and a new refugee problem of formidable proportions might well be created.

f) The political dependence of Turkey on Russia and the fact that Alexandretta could now be joined without great difficulty by a direct railway to Russian Transcaucasia would be likely to raise suspicions of Russian desire for a new direct outlet to the Mediterranean.

g) The example of Danzig and other territories which could not stand by themselves had shown the objections which would apply in practice to any sort of League or other international guarantee, or for an independent sanjak.

h) Experience has shown that demilitarisation arrangements are of no permanent value and can always be repudiated or abolished by agreement

without difficulty on the grounds that they are no longer appropriate to changed conditions. (28)

Consequently the policy of the British Government the most important member of the Council of the League, was mainly in the direction of explaining to the Turkish Government that His Majesty's Government fully appreciated the motives of the Turkish proposal and would be ready to support any measures merely designed to guarantee the rights and the liberties of the Turkish population of the Sanjak. But the British Government considered, however, that the proposal for detaching the sanjak from Syria could not fail to lead to serious and far-reaching political difficulties, and also to impair the re-establishment of normal conditions in the Mediterranean.

C) Developments During the Extraordinary Session of the League Council at Geneva in December 1936.

When the British Ambassador Lord Cranborne called on the Turkish Foreign Minister at Geneva on the 14th December to act on these instructions, Aras informed him that the Turkish Government were now in agreement that any decision on the substance of the question should be left until the meeting of the Council in January 1937, and that the Council should concentrate in its present session, upon the necessary temporary measures to ensure and supervise the maintenance of law and order in the territory. Dr. Aras went on to outline the views of the Turkish Government on the substance of the dispute, as well as;

Turkish proposals for conservatory measures, prominent among which were an international enquiry into recent events, and the despatch of a small international force to the sanjak. He hinted that if the French did not accept these proposals, and if further incidents occurred in the sanjak, Turkey would be in a position to concentrate three army divisions on the frontier so as to protect the Turkish elements in the Sanjak.

On the other hand, Lord Cranborne (28) drew Dr. Aras's attention to the obvious difficulties in the way of sending any international force to the Sanjak. He then went on to inform him of the view which the British Government took of the dispute and to warn him that they would be obliged to oppose the separation of the Sanjak from Syria. Lord Cranborne thought it better to inform Dr. Aras quite frankly, that His Majesty's Government were most anxious ~~not~~ to be obliged to oppose Turkey at the Council. He explained that although, His Majesty's Government were not directly concerned in the dispute they had a direct interest in seeing that nothing occurred to trouble the peace of the Near East. T. Rüştü Aras took Lord Cranborne's remarks in good part and professed entirely to recognise the position of the British Government. He expressed the hope that they would give both sides the benefit of their benevolent advice.

So Dr. Aras, having already learned the British opposing attitude toward the Turkish argument over the dispute, made his opening speech in the League Council on the afternoon of the 14th December.

His argument was based on the contention that the sanjak had never been included within the scope of the mandate for Syria, that it had been handed over by Turkey directly to France in 1921 on specific conditions, and that it was now entitled to its freedom since France was proposing to withdraw as mandatory. He made the point that if the mandate over "Syria", allocated by the Supreme Council to France in 1920, had been intended to cover territories inhabited by Turks as well as Lebanese and Arabs, it would inevitably have applied also to large areas of Turkish territory in Cilicia then also under French occupation. The fact that this was not so was shown, according to Aras, by the fact that the French were able in October 1921 to negotiate a bilateral treaty with Turkey, by which they surrendered all territory in their occupation inhabited by Turks, except the Sanjak, which they retained on conditionally. Aras went on to maintain that the mandatory document of 1922 confirmed the Turkish argument by its failure to mention the sanjak and its special regime. The conditional nature of the cession of the sanjak had also been confirmed by the proceedings at the Lausanne Conference in 1923, where the Turkish delegation had insisted on the present wording of the 2nd paragraph of Article 16 of the Treaty of Lausanne qualifying the renunciation of Turkish rights and title. Dr. Aras denied that the Turkish initiative would create a state which could not stand by itself: As regards the charge that it would dismember Syria, he asserted that the League had already allowed this to happen through the division of the original territory of Syria into the states of Syria and Lebanon.

Turning to the current situation in the Sanjak, Dr. Aras asserted that the Turkish population, whose fate would always be of interest to Turkey, had been the victims of a bloody repression simply for expressing their opinions. The territory was being held down by force, and in order to create a favorable atmosphere for the examination of the substance of the dispute, the Turkish Government proposed that the League should itself take the "destiny" of the sanjak into its hands. As a specific conservatory measure the Turkish Government wished to see the withdrawal of the French and of the native troops at present in the sanjak and its occupation by an international force under a League Commissioner. At the same time the Turkish Government considered it necessary that neither France nor Syria should do anything calculated to change the position of the territory. (29)

After mutual assurances of their friendly feelings towards each other by the representatives of Turkey and France, the Council proceeded to appoint the Swedish Foreign Minister, Mr. Sandler, as rapporteur for the question and then adjourned.

On the 15th December, the French representative made a long speech of reply in the Council. Mr. Vienot (30) stated that the French Government could not accept the Turkish argument, since they regarded article 22 of the League Covenant, and the decision of the Supreme Council allotting the mandate in 1920, as defining the judicial position of France in all ex-Ottoman territory which had passed under her control. France had acquired no sovereignty over this territory, but merely a mission to develop it in accordance with the mandatory

principle. When the mandate was allotted in 1920 it was necessarily left to France to organize the administration and to conclude the necessary agreements to fix the frontiers. One of these agreements was the Franco-Turkish Agreement of 1921, which was confirmed by the Treaty of Lausanne in 1923. The fact that France had been in military occupation of Cilicia after the war was a question of fact which could not be held to fix a binding legal frontier; the legal frontier on the north of the territory allotted to French mandate first came into existence in the Franco-Turkish Treaty of 1921. The fact that it was necessary in article 7 of that treaty to provide guarantees in favour of the Turkish population actually proved the intention to embody it in a wider non-Turkish State. Mr. Vienot summed up as follows: In 1921 France had negotiated, and could only negotiate, with Turkey in her capacity as mandatory for Syria. She had never received any direct sovereignty over the sanjak and could not have assumed it through an agreement for frontier delimitation; and the sanjak had no special legal claim to independence outside Syria. In any case, he added, the Turkish Government had not taken exception throughout the last fifteen years to the treatment given to the Turkish elements in the Sanjak or to the participation of the territory in the national life of Syria. For its part the League Council had in 1930 approved the Organic law of Syria, which embodied the existing special administrative statute of the Sanjak.

Turning to the future, Mr. Vienot pointed out that, pending the proposed entry into force of the Franco-Syrian draft treaty settlement on the entry of Syria into the League in three years' time, Turkey would

have full opportunity to make objections and to propose amendments in the course of the detailed consideration of the Franco-Syrian settlement by the organs of the League. In any case, the settlement, as drafted, could not affect the existing rights of the Turks in the Sanjak, since the new Syrian State was contracting, vis-a-vis France, to respect international obligations entered into on its behalf in the past by the mandatory Power. For this reason it had not been necessary to make specific mention of the sanjak in the draft settlement. Furthermore, the population of the sanjak would benefit by the general minority guarantees embodied in a Franco-Syrian exchange of notes included in the treaty settlement; and he pointed out that the French Government would have the right to intervene, if necessary, in support of those guarantees

Mr. Vienot maintained that France had taken all necessary precautions vis-a vis the Syrians to safeguard the rights of the populations in the sanjak. Nevertheless, as a token of their friendship towards the Turkish Government, the French Government would have been ready to offer further guarantees through the medium of an additional Franco-Syrian exchange of letters. But the Turkish Government were demanding the making of the sanjak into an independent State, a proposal which was unacceptable to the French Government, as it went far beyond the scope of the 1921 treaty and came into direct conflict with the mandatory document of 1922, which referred only to states of Syria and the Lebanon. France had no sovereignty over the sanjak, and could not possibly negotiate an

agreement which would conflict with the terms of the mandate and with the principles laid down from time to time by the League, e.g., the decision of the Permanent Mandate Commission at its twenty-fourth session (approved by the League Council in January 1924,) specifically excluding, as incompatible with the mandate, any idea of creating a third independent territorial unit within the mandated territories.

Mr.Vienot went on to express surprise at Mr.Aras's allegations about the present condition of the Turkish population in the sanjak. Small military reinforcements had been sent there in view of the provocative incidents which had taken place, and also to supervise the frontier. As justification for the precautions taken by the mandatory authorities, Mr.Vienot referred to a speech by the Turkish Prime Minister on the 14th December, containing an allusion to the risk of a very "embarrassing" situation suddenly developing over the sanjak. He said that the French Government were prepared to agree to conservatory measures to avoid incidents on the frontier or in the sanjak, and they therefore suggested the despatch of neutral observers to each side of the boundary. They could not, however, agree to any measures which would encroach on the mandatory authority of France, particularly as regards the maintenance of order. Mr.Vienot felt that the Council would, in any case, wish to avoid any such measures, which could only prejudge the substance of the question and cause resentment in Syria.

The Council adjourned again shortly after Mr.Vienot's speech and the interval between the next meeting of the Council was given over

to discussions between the parties and rapporteur with the object of reaching agreement about conservatory measures.

On the morning of the 16th December the Council met again. The rapporteur said that the parties were agreed in asking the Council to postpone an examination of the substance of the question until its next ordinary session in January 1937. As regards conservatory measures, the French representative had been unable to accept the proposed despatch to the Sanjak of a neutral gendarmerie under a League Commissioner, but had offered the following measures:

a) The despatch of "observers" to the sanjak alone (and not to the Turkish side of the frontier as well).

b) The postponement of the ratification of the Franco-Syrian Treaty by the French Government pending a decision by the Council on the substance of the question.

c) The withdrawal of the military reinforcements recently sent to the sanjak as soon as the observers had arrived.

The Turkish representative had been unable to accept the French proposals, but had stated for his part that there was no question of any military steps being taken on the Turkish side of the frontier.

Mr. Sandler observed that it was thus impossible to reach agreement regarding conservatory measures. In view, however, of the French Government's express request to that effect, he suggested that the Council should send to the sanjak, as soon as possible, a mission of three observers, whose role would be defined in the following terms:

"It should be understood that, according to the French proposal, the task of these observers would be neither to study the substance of the question nor to enquire into the events which may have occurred recently in the district of Alexandretta and Antioch. Nor will the observers have to take any action themselves with a view to the maintenance of order or the pacification of the state of mind of the population. Their duty will simply be to observe and to keep in touch with the facts in order to be able to inform the Council if necessary."

The rapporteur then proposed the following draft resolution:

"The Council,

1) Noting that the Governments of France and Turkey have agreed to postpone, until the Council's ordinary session in January, the examination substance of the question which has arisen regarding the district of Alexandretta and Antioch, recommends the two Governments to continue their conversations meanwhile in close contact with the rapporteur;

2) Notes the assurances given by the French and Turkish representatives that they will spare no effort to contribute to a satisfactory solution of the question;

3) In response to the request formally made by the French Government, decides to send, as soon as possible, to the sanjak of Alexandretta three observers with the task defined in the present report;

4) Requests the President of the Council to appoint the said observers on the rapporteur's proposal;

5) Fixes the end of January 1937 as the maximum time limit for the observers' mission;

6) Requests the Secretary-General to provide the observers with the necessary secretarial staff;

7) Authorises the Secretary-General under Rule 33 of the Financial Regulations, to draw, if necessary, on the working capital fund, up to a maximum of 75.000 Swiss francs, for the sums necessary to cover the expenditure involved by the execution of the present solution, it being understood that France shall defray this expenditure;

8) Stipulates that the adoption of the present solution shall not be regarded as in any way prejudging the substance of the question, which remains entirely open".

In the debate which followed, the Turkish representative said that although Turkey had decided to abstain from voting on the resolution, she would not hinder its adoption by voting against it and would continue to seek an amicable solution of the question Dr. Aras recalled the proposals of this Government as regards conservatory measures, and said that, if these proposals had been agreed to, the Turkish Government would have been ready to submit to the suggested enquiry into events, past and present, extending to its own territory, as well as the sanjak. They considered that a simple mission of observers would not be able to form a correct picture of the position in the sanjak, since it could only obtain information from prejudiced local authorities. Even then the Turkish Government would have been willing to accept the French proposals provided the mission of enquiry included French and Turkish members as well as a neutral. The French representative replied with the observation that the French request for a mission of neutral observers was an unprecedented concession by a mandatory Power. (31)

By the 22nd December, appointments to the three posts had been offered to, and accepted by, a Netherlander who had been Governor of the Island of Celebes, a Norwegian who had been President of Commission for the Exchange of Greek and Turkish Populations, and a Swiss Colonel Brigadier. These three observers arrived in Alexandretta at the turn of the calendar year.

III-Subsequent Developments

A) Turkish Disappointment with the Paris Talks

Meanwhile, in pursuance of the first of the recommendations in the Council's resolution, Dr.Aras had travelled on from Geneva to Paris and had there entered into further conversations with M.M.Delbos and Vienot on the 21st-22nd December, in the presence of the Swedish Minister accredited to the Swiss Federal Government who was acting for Mr.Sandler. These conversations, however, had not resulted in any agreement. A joint communique was published on the 23rd December, 1936 stating that as the exchange of views had not enabled the parties to reach agreement, they contemplated the possibility of continuing conversations through diplomatic channels and contact with the rapporteur before the next session of the Council.

In, fact the breakdown was inevitable since the Turkish Government insisted on the complete independence of Sanjak, while the French failed to put forward any concrete proposals for a reconciliation and merely talked vaguely of "autonomy subject to allegiance to Syria." But all the same, some encouraging negotiations were being held; in accordance with Sir Percy Loraine's letter written to Mr.Eden dated 31st December, 1936 Saraçoğlu was reported to have added, that Aras had, conversations in Paris with Mr.Blum and several other French statesmen and that a renewal of contact after the new year had been mentioned. As regards the prospects of further conversations and their probable results however, Mr.Saracoğlu declared that he had maintained an attitude of reserve. (32)

Meanwhile, in Turkey, on the 5th January, 1937 (33), some dissatisfaction at the slowness of the proceedings was expressed at a meeting of the Turkish People's Party at Angora after it had listened to a statement from Dr.Aras who had returned from Paris to Ankara. Thereafter, on the 6th, President Kemal Atatürk suddenly left Ankara for Konya by special train and broke his journey at Eskişehir for a secret conference. On the 7th the President passed through Konya and travelled south-eastward to Ulukışla with his principal civil and military advisers. Atatürk's Journey, as J. G. Award (34) noted in his report, considerably increased anxiety. The French Press had taken alarm and persistent rumours circulated that Turkey was contemplating a coup de main in the sanjak. According to J.G.Award, all these proceedings were due to Turkish disappointment with the outcome of the Paris talks.

The British Government, to be able to understand the true nature of the rumours of massing Turkish troops, had entered into some discussions with the Turkish authorities. Mr.Eden wrote to Sir P.Lorraine that he had drawn Fethi Okyar's attention to reports in the evening papers that Turkey was massing troops on her southern frontier. Fethi Okyar had read the reports and stated that he had no information that could either confirm or deny them. Mr.Eden had told Mr.Okyar that such a move might aggravate the situation with which the Council would so soon have to deal. And he told him that their urgent and earnest advice to the Turkish Government, given as a friend of Turkey, was that Turkey had to go slow and be very careful not to take any action in the

next few days which might be misunderstood or which might aggravate the situation.

This letter was enough to warn that the British Government was absolutely against any Turkish Military action or intervention in the territory of sanjak because of the British causes as earlier mentioned. In other words, the British Government wished to be assured that the Turks were still a loyal friend to the West despite the rumours of troops massing on the frontier. Besides, the British wanted to understand whether Turkey, being a member of the League, would prefer to be obedient to the League rules or would take military action.

B) The Efforts of Dr.Aras to Obtain British Support

In the meantime, Dr.Aras was trying to assure the British Government that Turkey had no territorial ambitions, having been instructed to obtain the British support for the Turkish argument at the coming session of the Council called on Sir R.Vansittort on the 1st January, 1937 and was given a detailed explanation of the views of the British Government on the legal aspects of the question. ^w Which compelled them to oppose the present Turkish demands.

In the same discussion T. Rüştü Aras admitted for the first time sine qua non for Turkey. Mr.Aras also denied that any increase had taken place in Turkish units covering the Syrian frontier or that any political

significance attached to Atatürk's journey. He added that Turkey intended to conduct her case in a strictly legal manner. (35)

Sir P. Loraine's telegram to Mr. Eden dated January 7, 1937 (36), showed that T. Rüştü Aras had become successful in reassuring the British Government about Turkish intimate feelings towards the dispute. First, Sir P. Loraine quoted T. Rüştü Aras's words that Turkey was seeking no adventure and wanted no territory for herself anywhere; least of all Arab. The Army Corps were well below normal peace strength. Turkey intended strictly to stay within legal limits and to let procedure, initiated at Geneva, took its proper course. Atatürk's journey Istanbul and thence to Konya had been purely for health and climatic reasons.

Sir P. Loraine further wrote that Turkey would remain faithful to her friends and her obligations. She had anchored herself to her friendship with England, and had no wish to embarrass in the slightest degree British relations with the Arab world.

Meanwhile Mr. Vienot and the Turkish Ambassador Mr. Fethi Okyar had a further exchange of views in Paris on the 8th January, as a result of which French alarm felt in France was sensibly reduced. On the 8th January, 1937 (37) it was announced that Atatürk was already back in Ankara and was taking the chair at a Cabinet meeting. On the same night, new Turkish proposals, which had been drawn up at this meeting, were transmitted to Paris; On this basis, on the 10th January, the Secretary General (38) of the League telegraphed members of the

Council that, at the desire of the French and the Turkish Governments, the rapporteur suggested a postponement of the meeting of the Council until the 21st January, 1937. A telegram from Sir P.Loraine at Ankara confirmed that the parties were anxious to extend the time available for bilateral negotiations, while they were both engaged on preparing proposals for a compromise solution.

So it had become apparent that the method of direct discussion between the two parties had once again proved fruitless, and that the Council would be called upon to act.

In accordance with British documents, it was stated that the Turks were not willing to be autonomous. For instance, Consul Davis wrote (39) to Mr.Eden about his visit to Antioch and Alexandretta on the 1st February, 1937 and his impressions were that the Turks were relieved at the non incorporation of the sanjak in Turkey, at least as much as they were at the knowledge that they were not to pass under Arab rule. Consul Davis also noted that though they were anxious to preserve their Turkish traditions, language and culture, they had no desire whatsoever to become citizens of the Turkish Republic, a change that would involve the forcible abandonment of many customs and religious institutions which they were still old-fashioned enough to venerate. The proposed autonomous regime had satisfied all their aspirations. According to British thought, the Turks living in the sanjak, trying to preserve their traditions and religious institutions, would not desire to be a citizen of a secular and western Turkey where the

Kemalist regime existed. But, as it can be already seen, this was completely a false view and the invalidity of such a view was proved at the end.

In J. G. Ward's report it was also recorded that while a small part of the Turkish elements fervently desired union with Turkey, they would all prefer it to subordination to an Arab administration. The majority of the rest of the population seemed to favour autonomy, but for economic reasons, might well opt for inclusion in Turkey rather than Syria.. In fact, the British had been aware of what the Turks, living in Alexandretta, had been feeling about the matter of being either autonomous or being a citizen of an Arab country or being incorporated into Turkey. In Mr.Eden's letter sent to Sir P.Loraine in January 7, 1937 the feelings of Turks were stated best as follows: "What the Turks really could not endure was that a number of men and women of their race should be governed by Arabs from Damascus. They had lost the war and as a consequence the sanjak had been surrendered, but it had not been surrendered to Arab rule. (40)

Turkish feelings against Arab rule of Turkish people living in Alexandretta were stated in the following years as well. For instance, during one of the conversations between İnönü and Mr.Morgan dated June 10, 1937 (41) İnönü, also stated that though he was convinced of the good will of the French Government, he was not, however, so sure of the attitude of the Syrians. Morgan stressed that İnönü distrusted the Arabs and was afraid they would not play their part in ensuring the loyal observance of the terms of settlement of May 1937.

Morgan also wrote to Mr. Eden as follows: "This mistrust of Arabs is not singular in Turkish circles. Speaking to me yesterday on another topic, the Acting Minister for Foreign Affairs emphasized that Turks disliked Arabs in general on account of their past record in regard to Turkey."

In the meantime there were many local incidents. At Antioch on the 9th January, 1937 there was a strike of shopkeepers and a procession of Arab school-children. At Rihaniyah, on the 10th, there was a clash between the Turkish and Arab factions which resulted in twenty casualties. At Antioch on the 11th there was a joint procession of Arabs and Armenians, and in the same city on the 12th there was a counter-demonstration of Turks.

At Ankara on the 9th January, 1937 Dr. T. Rüşti Aras made a calming speech related to these local incidents at a meeting of the parliamentary group of the Republican People's Party. The Franco-Turkish talks resumed at Geneva on the 20th January. Two still outstanding questions remained: the status of the Arabic and Turkish languages and the powers which were to be conferred on a local representative of the Council of the League of Nations. They were likewise disposed of by the evening of the 26th January, 1937. On the 27th January the Council was able to adopt a report from Mr. Sandler embodying the terms already agreed upon by the Parties. (42)

IV- The Adaption of the League's Report and The Settlement of the 29th May 1937

The report enumerated, more particularly, the matters to be dealt with in the statute and the fundamental law of the sanjak. The Council appointed a committee of specialists to study for its benefit these various questions, especially the drafting of the statute and fundamental law of the sanjak. It was decided that the rapporteur had to be entitled to be represented on the committee, which was to consist of not more than six persons selected for their special qualifications by the president of the Council, in agreement with the rapporteur. The Council further decided that the committee should have the power to consult the appropriate branches of the secretariat, and, if necessary, the Permanent Mandates Commission. Finally, the observers who had been sent to the sanjak in consequence of the Council's resolution of the 16th December, 1936, received fresh powers, and it was decided that they might be convened at Geneva by the rapporteur, so that the committee could have the advantage of their direct cooperation.

The Committee of Experts was made up as follows: Mr. Maurice Bourquin (Belgian), Mr. Robert de Caix (French), Sir James Dunnett (British). Dr. Kollwijn (Netherlands), Mr. Numan Menemencioğlu (Turkish). Mr. Sandler, the rapporteur to the Council, was represented by Mr. Westman (Swedish). The Committee sat in Geneva from the 25th February to the 17th March and from the 22nd April to the 15th May, 1937. It elected Mr. Bourquin chairman.

Within the limits and in the light of the principles laid down in the Council's resolution of the 27th January, 1937, the committee proceeded to examine a number of documents laid before it by its members. These included a draft statute and draft fundamental law, from M.de Caix, a memorandum on the question of the demilitarization of the sanjak and a draft fundamental law, from Sir James Dunriett; and memoranda on the protection of minorities and on the questions of the customs, currency, postal service, and port of Alexandretta, from Dr.Kollowyn. In accordance with the procedure laid down, the committee also obtained information from the mission of observers. In addition, it made extensive use of the technical assistance of the secretariat. In consideration of this data, and the other information available, the committee framed a draft statute and a draft fundamental law for the sanjak.

The statute was the international charter of the sanjak. Its provisions were binding upon all authorities who would have to deal, in whatever capacity, with the affairs of the sanjak. The fundamental law concerned the internal life of the sanjak only. It rested upon the statute. It had to be interpreted and applied in the light of the Statute.

The main points of the Statute were:

- A) Delimitation of the Sanjak
- B) Languages
- C) Supervision by the Council of the League of Nations
- D) Sanjak citizenship

E) External affairs

F) Demilitarisation

G) Minorities

H) Port of Alexandretta (43)

A) About the delimitation of the Sanjak, the Commission was requested by the resolution of the 27th January, 1937, to study the question of the three Nahies of Bassit, Bahır and Al Akrad. A brief description of the present boundaries has been drawn up by the experts. With regard to the Nahies, the Turkish expert, taking into consideration the ethnical composition of the population, suggested that the Nahie of Bahır should be incorporated in the Sanjak that the Nahie of El Akrad should not be included and that the future of the Nahie of Bassit should be decided later on the basis of a new census.

The other members of the committee saw no adequate justification for the abnormal and defective boundary-line that would result from the incorporation of the whole or part of the three Nahies in the territory of the Sanjak.

B) With respect to languages, the Council, in its resolution of the 27th January, 1937, decided that Turkish should be an official language in the sanjak. It remained for the Council to determine, according to the procedure laid down in No.10 of the fundamental principles set out in that resolution, the character and conditions of the use of another language. The Turkish expert held that the text of the Council's resolution, which was in itself a compromise, contained two

elements: a specific element that was expressed by the sentence, "In the sanjak Turkish shall be an official language" - and an element as yet indeterminate, in regard to which the Council entrusted certain duties to this committee

The latter's work should, therefore, in the Turkish expert's view, be confined to determining another language, its character and the conditions for its use. The Turkish expert held that the effect of the Council's text was that, since Turkish was an official language in the sanjak, the character of universality was definitely and formally recognized by the Council.

The Turkish expert agreed that the second language should be Arabic; he agreed that Arabic should have an official character in the sanjak; he also agreed that the conditions for its use should be so determined as to give full satisfaction to the Arab element in the sanjak in all those districts where the Arabs were in the majority. The other members of the committee considered that the conditions for the use of Turkish and Arabic in the Sanjak should be identical. Accordingly, they recommended that the following principles should apply in this connexion:

- a) Turkish should be an official language
- b) Arabic should be an official language
- c) In the public schools, elementary teaching should be given in the official language preponderant

in the village or quarter in which the particular school was situated; the teaching of the other official language should be either optional or compulsory, provided that in this respect the two languages received completely identical treatment

d) Both languages could equally be employed in all the courts of justice of the sanjak, including the supreme court, and members of minorities may express themselves in their mother tongue.

e) Both official languages may be employed in the Assembly; the records of the Assembly should be drawn up, all laws should be published, in both languages.

f) Administrative regulations and instructions should be published in both languages

g) The public could employ either language at their own choice in their relations with the administration, and should receive replies in the same language.

C) About the supervision by the Council of the League of Nations, articles 22 and 33 provided a special system of supervision superimposed upon the general system established by article 5, the statute which laid down a general rule applying to all the provisions of the statute and the fundamental law. The committee was of the opinion that the delegate should normally exercise his suspensive power within a period of one month as from the promulgation of the act or of its prior communication to him.

The committee interpreted the words "governmental act" as referring to the decisions of the Government and the Central Administration, but not to the local authorities. Though not formally laying it down as a principle, the committee thought that the Council of the League would find it preferable, in practice, not to exercise its supervisory powers without giving a representative of the sanjak Government an opportunity of being heard.

D) The matter of Sanjak citizenship was also taken up by the committee, in the committee's view, the word "established", in article 9 of the statute, had to be constituted on the lines followed by the Permanent Court of International Justice in its Advisory Opinion no.10 of the 21st February, 1925. The Committee also considered that persons repudiating sanjak citizenship (statute article 11) should be required to leave the sanjak and that persons opting for that citizenship should be required to establish themselves there.

When the committee was engaged in drafting article 12 of the statute the view was, though not unanimously, that persons convicted of or charged with criminal offences should not be allowed to benefit by the provisions of that article.

E) With regard to external affairs, the sanjak of Alexandretta was to enjoy full independence in its internal affairs; but it was to remain in a customs and a monetary union with the state of Syria; and the Syrian Government were to be responsible, under certain safeguards, for the conduct of the sanjak's foreign relations.

F) Demilitarisation: the committee adopted the principle that demilitarisation must be in keeping with the need for maintaining order in the territory. It, therefore, took the view that, during the period of the mandate, the evacuation of the sanjak by the armed forces of the mandatory Power could only be affected at a rate and in a manner consistent with that need.

In accordance with the advice of the military technical advisers consulted, the committee considered that the prohibition of all fortified works in the territory of the sanjak (statute article 22) would not preclude the police forces from erecting protective enclosures (of barbed wire or similar material) around their camps, barracks or guard-posts.

The committee was also of the opinion that the prohibition in regard to the maintenance and assembly of air forces in, and their introduction into, the territory of the sanjak (statute, article 22) should not hamper the development of purely civil aviation. In view, however, of the connexion existing between civil and military aviation, the League of Nations delegate in the sanjak should keep himself informed of the development of civil aviation.

The absolute prohibition to introduce armed forces into the sanjak (article 22 of the statute) would obviously not preclude the possibility of the application of the Franco-Turkish Treaty provided for in no.7 of the Fundamental Principles laid down in the Council resolution of the 27th January, 1937; nor would it prevent any measures

to be taken in execution of a decision or recommendation of the Council of the League of Nations.

G) The minorities constituted another important part of the statute. As regards article 32 of the statute, the committee thought that it would be desirable that, whenever possible, the representation of the minorities in the Government should be reconciled with the principle of the collective responsibility of the Government.

In accordance with Article 26, all citizens would be equal before the law and as regards the Article the committee thought that, in the matter of public education, the sanjak should grant facilities in towns and districts where a considerable proportion of citizens belonging to racial, religious or linguistic minorities resided. The children of such citizens should be taught in their own language in the elementary schools; provided always that the sanjak should not thereby be prevented from making the teaching of an official language compulsory in such schools.

By article 33, the stipulations of the foregoing articles of Chapter ten, affected the citizens of the sanjak belonging to racial, linguistic, or religious minorities and these stipulations were placed under the guarantee of the League of Nations. The delegate of the League would supply the League of Nations with all useful information, in such a circumstances and such manner as might be determined by the Council. He would be entitled to ask the authorities of the sanjak for the

information necessary for the performance of his duty. Petitions from minorities would be addressed to the delegate, who would transmit them to the Council if he considered them worthy of the latter's attention. In such cases he would append his own observations and those of the Government of the sanjak.

H) In accordance with the 13th part of the Statute, Turkey would have the right to make use to the fullest extent of the port of Alexandretta(1) for her transit trade. This, Turkish Free Zone, would form an integral part of the territory of the sanjak, and would be within its jurisdiction, more particularly as regards police and justice. The zone, being considered as a Turkish Customs area, would, however, be administered by the Customs authorities of the Turkish Republic all officials.

All officials and staff of the Turkish Free Zone would be appointed by Turkey. All buildings required for the berthing of vessels or for the loading, unloading, or warehousing of goods, would be provided in the Turkish Free Zone by the Turkish Government. Every facility would be afforded to the Turkish Government for ensuring a connexion between the Turkish Free Zone and the railway linking Alexandretta to Turkish territory.

In other parts of the Port than the Turkish Free Zone, goods and passengers in transit from or to Turkey and vessels flying the Turkish flag would be treated on a footing of absolute equality with goods

and passengers of, and vessels registered in, the sanjak in conformity with the provisions of the Statute on Freedom of Transit. (44)

The Fundamental Law, concerning the international life of the Sanjak mainly consisted of three parts they were:

- A) General Provisions
- B) Organization of Power
- C) Fundamental Rights

A) General Provisions: on the entry into force of the Fundamental Law, the Sanjaq would take over all the assets and liabilities of the present administration. Concessions granted before 27th January, 1937, existing laws and regulations, and appointments to public posts would be maintained until such time as the competent authorities of the sanjaq, with due regard to rights legally acquired, decided otherwise.

The provisions of Article 5 to 27, concerning the organization of powers, might be amplified and extended by the Assembly of the sanjak. Proposed additions to the provisions of the Fundamental Law had to be approved by the Assembly twice, at three month's interval, by a majority of the members constituting the Assembly.

B) Organization of Powers

a) Legislative; The legislative power would be exercised, in the name of the people of the sanjak, by the Assembly. The Assembly

would be a single chamber of forty members, elected for a period of four years. The elections for the Assembly would be conducted in two stages. Both stages of the elections would be conducted by secret ballot. List of candidates would be drawn up by communities.

The whole of the proceedings involved in the first elections would be organized and supervised by a commission, the members of which would be appointed by the Council of the League of Nations. This commission would be composed of nationals of states which were members of the League of Nations other than France and Turkey, to whom would be attached local representatives of the Turkish, Alawite, Armenian, and Greek Orthodox communities.

Legislation might be initiated by the members of the Assembly and by the Executive. Nevertheless, legislation involving expenditure or introducing, modifying, or abolishing taxes might only be initiated by the Executive.

b) Executive: The executive power would be exercised in the name of the people of the sanjak by the President of the sanjak and by an Executive Council. The President would be elected by the Assembly for a period of five years. He would represent the sanjak at official ceremonies. All laws passed by the Assembly would be promulgated by the President of the Sanjak, and no law could come into force before its promulgation.

The President of the sanjaq might dissolve the Assembly on the advice of the Executive Council. In such a case he would be bound to order fresh elections without delay. There had to be an Executive Council responsible to the Assembly. The chief member of the Executive Council had to be selected by the President of the sanjak.

c) **The Judiciary:** The Judicial power would be exercised by the Court of Justice by law. There would be a Supreme Court, whose members would be appointed by the President of the Sanjak. The Supreme Court would exercise appeal and revision jurisdiction with regard to the decisions of all the courts of the Sanjak; The Executive Council would be bound to enforce the judgements and orders of the Supreme Court and of the lower Courts. The Supreme Court and the lower Court would not be competent to question the constitutionality of laws.

C) FUNDAMENTAL RIGHTS

They were mainly as follows:

- No one would be arrested, interrogated, or deprived of his liberty, or sentenced, except in the cases and in the forms provided by law

- Dwelling house would be inviolable

- There would be no official religion, and complete freedom of religious choice

- Elementary education would be compulsory

*There would be liberty of the Press and printing

* No one would be deprived of his property save on previous payment of fair compensation, for reasons of public utility, and in the cases and according to the procedure laid down by law.

* In the event of serious disorder or insurrection the Assembly might, by a special law, suspend or provisionally restrict individual liberties in the whole or part of the territory. (45)

The essence of the settlement was that the sanjak of Alexandretta and Antioch was to constitute a separate political entity with a statute which was to secure to Turkey the enjoyment of rights and facilities in the port of Alexandretta, and a Fundamental Law of its own. The news of the achievement of this settlement was received with different feelings by the different parties in the different countries concerned. At Ankara, for example, on the 29th January, 1937 an encomium on the League of Nations was pronounced by the Prime Minister of Turkey, Ismet İnönü, in the Grand National Assembly. (46)

He spoke as follows:

"The settlement ensured by the League of Nations is a real victory for this foundation. The success of the League of Nations is also a happy result of our international policy. Turkey will do her best to enable League of Nations to be a more popular foundation in the eyes of all of the world nations as time passes. That's why we consider the League's success in such an important dispute as a good omen for the future of international relations."

The Statute and Fundamental Law were adopted by the Council on May 29, 1937 together with a report submitted by the Rapporteur, Mr.N.Sandler. (47) The French and the Turkish representatives made declarations accepting the settlement as 'the final solution of the question. According to Article 15 of the Fundamental law, the first elections in the sanjak were to be organized and supervised by a Commission appointed by the League Council.

On the same day France and Turkey signed a number of instruments. (48)

a) A Treaty of Guarantee for the territorial integrity of the Sanjak; b) An Agreement for the Guarantee of the Turco-Syrian Frontier c) A joint Declaration (recording a mutual undertaking to respect the integrity of Syria and the Lebanon in obtaining the full exercise of their independence) d) A Protocol annexed to the preceding Declaration, regarding the automatic transfer to Syria and the Lebanon of the rights and obligations arising out of all treaties, concluded by France on their behalf, with a Protocol recording the signature of the above-mentioned instruments e) An Exchange of Notes regarding the question of optants f) A Protocol regarding the consolidation of Franco-Turkish interests.

The settlement of 29 May was approved by the Turkish Grand National Assembly on June 12, 1937, and on the same day Ismet Pasha

made a speech favoring the settlement during the course of a review of Turkey's foreign relations .

He briefly spoke as follows:

"The dispute of Hatay was definitely solved by the decision taken by the League and the treaties approved by the Grand National Assembly. First of all the success of these treaties depended on the goodwill of the signatories. I expressed, a little while ago, that a cordial atmosphere exists between Turkey and France. We have, at this moment, all elements imaginable for the application of the treaties about Hatay. It is the duty of France to apply the treaties approved by us. The preservation of Hatay's integrity is the responsibility of France and Turkey. Finally, these principles are relevant with the League of Nations support and the area of occupation, and at the responsibility of the League of Nations.

So we have to be sure that the principles will be applied with sincerity and with the force of the interested parties and if, at last, all of the intermediaries become useless and the politic saboteurs manifest their aggressive views disregarding international treaties we will not fail to take shelter in the League of Nations. Today the situation in Hatay is under the guarantee of the League of Nations.

In summary it gives us great pleasure to express the hope that, after the solution of the particular

problems in our relations with France, a new period of development and an atmosphere of security will reign." (49)

Mr. Morgan's letter (50) written to Mr. Eden, dated June 10, 1937, contained his conversation with Ismet İnönü, where Ismet Pasha stated his views about the settlement of the Turco-French dispute over the sanjak of Alexandretta. He pointed out that while Turkey had not obtained all she desired, he was still satisfied with the settlement. He was especially pleased that he could now feel completely convinced of the good faith and good will of the French Government and of the French local authorities, whose attitude had changed greatly in Turkey's favour. He was not, however so sure of the attitude of the Syrians. He distrusted them and was afraid they would not play their part in ensuring the loyal observance of the terms of the settlement.

Indeed, in the Syrian Parliament, the settlement was bitterly attacked and demonstrations were held in Damascus, Aleppo, and Latakia to protest against it. These protests caused some delay with the elections which had to be made in accordance with the 32th article of the statute and the 6th and 15th articles of the Fundamental Laws.

**A) The Formation of the Electoral Commission and Their Meetings
(7th - 11th March, 1938)**

Meanwhile, the Commission (51), after a visit to the sanjak, drew up and transmitted to the Mandatory authority a plan of organization and

text of regulations for the elections, which it proposed should be held on March 28 and April 12, 1938. The regulations however, did not meet with the approval of the Turkish Government, whose observations and communications, communicated in two telegrams dated December 15 and 24 1937, were examined by the League Council at its session in January 1938.

In the first telegram dated December 15th, 1937 (52) Aras recorded that the draft regulations were communicated to Turkey unofficially and merely for information. In accordance with Aras's statement; throughout the past period and in the course of its earlier enquiries within the Sanjaq, the commission had been guided by the mandatory authorities. So, Aras noted that it was unable to deploy its good-will in the direction of an equitable, impartial decision, demanded the application of the settlement of 29th May with the co-operation of one of the interested parties in the dispute.

In the second telegram dated December 24th, 1938 (53) Aras, at first, stressed the necessity of the assistance of the French and Turkish delegates to the Preparatory Commission of five members so that the texts to be drawn up should not depart from the spirit of the compromise reached on May 29th. The telegram said that the regulations included penal provisions which were certainly not current in democratic countries, and which were likely to lead to a reign of terror. Aras also wrote that after much discussion in the Committee, cases of disqualification from voting and ineligibility were defined in Article 7 of

the Fundamental Law. The list therein was limitative and not indicative. In the regulations, on the other hand, that list was reproduced with the addition of clauses that the Committee of Experts had definitely refused to consider.

Furthermore, it was recorded in the telegram that the penalties provided by the regulations, the absolute power given to the Commission to allocate the second-stage electors against the Turkish element were designed to facilitate the formation of a coalition and its accession to power. It was added that the staffing of the polling stations with the assistance of the mudir and mouktar who were in the service of the Mandatory Power, and their right to refuse the declarations of electors whose votes had to be entirely free, had constituted another direct method of placing the elections under the control of the mandatory authorities, whereas the Council had decided that the preparatory and supervisory commissions had to be placed in charge of the whole proceedings in order to ensure freedom of voting. The telegram ended by noting that this manifest partiality was not the fault of the League Commission, but was due to the close collaboration between the Commission and the mandatory authorities. Aras demanded the practical execution of the compromise achieved on May 1937.

Before long, Mr. T. Reid, President of the Commission explained by writing a letter to the Secretary General dated 28th January, 1938. (54) Reid, analysing the telegram point by point, tried to prove that a misunderstanding on the Turkish side had existed. Firstly it was not the Commission's duty to seek guidance either from the Turkish consuls or

from the Sanjaq authorities. But it had procured information from the authorities of the Sanjaq on certain question of fact, by questioning community representatives individuals and delegations, amongst all of whom Turks were prominent.

Mr. Reid, rejecting any claims of incorrect registration, noted that the Council was well aware that the number of deputies assigned to each community depended on the number of votes registered in each. Mr. Reid, also tried, to respond to the Turkish allegation that the mudirs and mouktars were present at the polls. These headmen were not to have any power in making decisions; they merely advised the Commission's election officers, and their presence was most desirable for the identification of voters and in preventing fraud.

Finally, rejecting the allegation that the Commission's Regulations were at variance with the terms of the Geneva Settlement, Reid recorded that the Commission's Regulations gave effect to the Geneva texts and had a real appreciation of the conditions of public life in the sanjaq.

Soon after Mr. Reid's explanatory letter, a Committee, set up by the Council on January 31, 1938 to make such modifications, met in March and unanimously adopted the regulations. The Representative of Sweden B.Unden presented his report as in the following: (55)

"..... within the limits of the provisions and texts adopted by the Council on the 29th May, 1937, and accepted by France and Turkey, a Committee of the Council, consisting of representatives of Belgium, The United Kingdom, France, Sweden and Turkey, will endeavour to make such modifications as may prove necessary in the regulations drawn up by the Electoral Commission. The president of the Electoral Commission will afford the Committee his assistance. The Committee's decision must be unanimous.

In the probable event of this work being completed before the Council's next session, the Committee will submit to the President of the Council the regulations finally adopted by it. The President will then immediately communicate those regulations to the mandatory Power, on behalf of the Council, for promulgation in the Sanjak.

Furthermore, the Committee will take the decisions mentioned in paragraphs 8 and 9 of the report adopted by the Council on the 29th May, 1937 concerning, on the one hand, the appointment of officials and staff, and on the other, the date of the first elections, it being understood that it will postpone the latest date mentioned (the 15th April, 1938) as far as may be necessary."

Finally the Council adopted the report of the representative of Sweden. The Turkish delegate Mr. Sadak said briefly that he reserved the right to submit during the procedure any other requests that they might be thought necessary to use in the discussion concerning the

various aspects of the problem of the Sanjak. Mr. Sadak stressed that he would make use of this right before the Council¹

Secondly the French delegate Mr. de Tescan pointed out that by submitting the question to the Council, Turkey had proved that she retained all her faith in the League of Nations and that France was working for the political stability of the Levant, a stability on which depended not merely Franco-Turkish relations, but also and above all, the future of Syria itself. The British delegate Viscount Cranborne, after stating that the United Kingdom was glad to learn that agreement had been reached as to the procedure to be followed in dealing with this difficult question, continued: "I will confine myself to assuring the Council that His Majesty's Government, will lend such assistance as they can with a view to facilitating a settlement. It is our sincere hope that the method proposed will prove effective in bringing about an early and equitable solution of the problem, in accordance with the spirit and the letter of the agreement which was so happily reached under the aegis of the League in May 1937." (56)

The Electoral Commission began to meet to determine the procedure of elections on the 7th March, 1938 in Geneva. (57) The League Secretariat had prepared a paper showing the Electoral Commission's draft law and the Turkish counter-draft in parallel columns. A sub-committee was appointed, consisting of the Belgian, Turkish and French representatives, to prepare a draft on this subject.

The number of Deputies representing each community in the new Chamber would be fixed by the number of voters registering in each community. The question of community registration was really the vital point of the whole elections. The Electoral Commission had produced a law intended to establish existing facts to decide which communities voters belonged to.

Mr. Rendel, in his report, noted that the Turkish draft, on the other hand, had suppressed the greater part of the provisions intended to supply evidence on the subject, and had substituted provisions which would enable voters to choose their communities, irrespective of their previous affiliations. This would amount virtually to a plebiscite, and it seemed to Mr. Rendel that the committee might advantageously take up this question of principle at once, with a view to deciding the major question of policy involved.

Mr. Rendel also recorded that Numan Menemencioğlu had made a very able speech defending the Turkish proposals in the first meeting of the Committee. He pointed out that, while there were certain compact communities, such as the Turks and the Armenians, there were many other Communities where it was far more difficult to establish a clear dividing line. The criterion of religion, which had been universally adopted under the old Ottoman Empire, was no longer applicable, while so many inhabitants of the Sanjak were bilingual that language would also be of little use as evidence. In any case, the Turkish Government could not agree to the Electoral Commission having any right of decision in this matter. The commission could only base its

decision on the evidence produced by the local authorities. Mr.N. Menemencioğlu had made it clear that he did not trust such evidence. He explained that the Turkish Government had always raised the strongest objection to any kind of census by communities, but that the procedure contemplated by the Electoral Commission would be nothing but a new census. The Turkish Government couldn't accept this.

On the other hand, in Mr.Rendel's report, Mr.Reid British Chairman of the Commission stating the British view, pointed out that it was an essential preliminary to any election that accurate registers of voters should be drawn up on the basis of existing facts. According to him, the task before them was to decide precisely what was meant by the Fundamental law. Articles 9 and 10 of the Fundamental Law were quite clear and what was intended was simply the establishment of the existing facts. Mr.Reid added that the various questions regarding religion, language, etc., which the commission proposed to ask would, between them, furnish ample material to decide which communities individual voters belonged to. For that matter, no doubts had hitherto been cast upon the distinction between the various communities, and it seemed rather late to argue that they were so difficult to distinguish from each other.

But the Belgian representative, Mr. Bourqueu, who had been President of the Committee of Experts which drafted the Fundamental Law, then virtually conceded the Turkish point by saying that it was, indeed, the case that the Turks had strongly objected, during the

committee's discussions a year ago, to any form of census. For this reason the Committee had purposely left the provisions of the Fundamental Law on this point as vague as possible, and he thought that individuals should be free to state to which community they wished to belong, without being bound by the actual facts of the situation.

The discussion was eventually adjourned with this point in suspense. The next morning the committee met again, without Mr. Bourquel, and took the Electoral Commission's draft article by article. In general, the most important points discussed were all connected with the question of representation of the various communities, and an important discussion took place over the question of the appointment of representatives of the committee to attend and watch the electoral proceedings. The Turkish delegate pressed for the insertion of provisions by which these representatives were to do so by getting the various parties to choose representatives and by appointing a certain number of suitable individuals from the resulting panel. Numan Menemencioğlu gave no indication of the system by which he thought that the communities should elect their representatives without the intervention of the commission. He also pressed very strongly that an opportunity should be given for representatives of every community, without exception, to attend the electoral proceedings in every district, irrespective of which communities were represented in that district.

As recorded in Mr. G. W. Rendel's report, there was only one point of major importance, the question of the method of registration of

electors by communities. Once this had been carried out, the relative proportions in the Chamber of Turks, Alawits, Arabs would be of little importance. Rendel added that (58) he had received on the 5th March both from the League of Nations and from Turkish Embassy, copies of the Turkish redraft of the proposed electoral Law whose its effect would be to remove all checks and precautions against intimidation and in practice to ensure an overwhelming majority for the Turkish community.

At this juncture, G. W. Rendel, recorded that he understood that Turkey was proceeding in defending her argument. This meant that Turkey would have a majority in the chamber. Rendel quickly got in touch with the French delegation and went with Mr. Bowker to see M. de Tesson and M. Lagarde. They talked about the Turkish counter-draft and, according to them, the question was a purely political one and could only be decided on political grounds. According to their view, it was necessary, for reasons of international politics, to meet the Turkish wishes. As the decision had really been reached in January 1937, it was impossible now to draw back.

When Mr. Rendel asked what the French delegates thought about the Turkish majority, they explained that the Turks at present consisted of at least 40 percent of the population in the sanjak, and formed a compact block. The Armenians also formed a compact block, amounting to perhaps 15 percent of the population. These blocks would register as Turks and Armenians respectively, irrespective of any provisions contained in the draft law. But other communities were more

difficult to define. There were all kinds of gradations between them, and the Turks would almost certainly have succeeded in obtaining a majority in any case after a few years. No real injury would be done to Syria if this majority were secured for them at once. The French were therefore prepared to concede to the Turks a majority of 52 or 53, or even 55 percent and they were quite prepared for political reasons, to accept any electoral law which would secure this result.

On the other hand, Mr. Rendel, after listening to the French view about the matter of majority, stated that, as he read the Turkish counter-project, there was no question of it merely giving the Turks a 55 percent majority. According to Rendel the French considered that the Turks would get a 70 or 80 percent majority without any difficulty at all. This majority would be entirely artificial, but it would enable the Turks to do what they liked with the sanjak. Rendel added that it would be very easy for Turks to arrange that an ostensibly spontaneous demand should then be put forward for a plebiscite, and that this plebiscite should spontaneously ask for union with Turkey. Rendel explained the disadvantages of union with Turkey both for England and France as follows:

"It would not be easy to resist this, but once the Turks had got the Sanjak in full sovereignty, would they not apply the same arguments and the same procedure to get control of other areas, and to put forward claims to Mosul? The French themselves might be affected by this, since they had a nearly 24 percent share in Mosul oil, and these developments

might therefore cause a good deal of inconvenience and disturbance all round. Was it wise then, to yield so readily and so completely to the Turks, and should we not, by giving in to what was admitted by everyone concerned to be nothing more than blackmail, be starting a process which it might be extremely difficult to arrest ? "

Another point which Mr.G. W. Rendel and the French discussed, was the procedure to be adopted in the committee. The French had apparently at first thought of not taking the Electoral Commission's law as a basis. But Mr.Rendel pointed out the drawbacks of any other course. If they worked on the basis of the Turkish draft, the whole initiative in criticising that draft would rest with them. If, on the other hand, the Electoral Commission's draft were adopted, it would be for the Turks to object to passages they disapproved of and to justify these objections, it might then be difficult for them in certain cases to do so. And accordingly they agreed that it would be best to take the Electoral Commission's draft as a basis.

During the course of Mr. Rendel's ^b debates with other people like Mr.de Haller, and Mr.Westman, another different and interesting view emerged. In Mr.Westman's view, the essential thing was for the 3 ^{four} neutral members of the Committee to stick together. If the French and Turks wished to agree on a fraudulent law, it would still be possible for the 3 neutral members of the committee to wash their hands of the business and refer it back to the Council. But Mr.de Haller opposed such a solution just because the 3 neutral members were acting as

representatives of their countries, and it would be impossible, therefore, for the delegates of those countries on the Council to take a different line from that taken by the representatives of those countries on the committee. Mr. de Haller agreed, however, that they had to work on the basis of the Electoral Commission's law, and that this would, in fact, be in accordance with all League precedents and with the resolution of the Council of last January.

Another person whom Rendel consulted was Mr. Avenol. Rendel noted that Avenol was in the opinion that the question of the sanjak of Alexandretta was likely to bring little credit on the League and to produce an extremely difficult situation. Later on, after likening the question of Danzig to the question of the Sanjak he said that the French attitude was short sighted and unwise in the extreme, and showed no political judgement. He added that the Turks imagined that they were so necessary to them and to the League that they could ask whatever they liked. In his opinion it was a great mistake to encourage the Turks in this attitude, which could only lead to increasing trouble. Avenol was also opposed to the fraudulent electoral law because it would certainly do no good to the League and this might also mean referring the question back to the Council, which would cause a great deal of trouble.

In fact, Avenol thought that he saw no objection at all to the matter being referred back to the Council, because there would be many advantages in this. Avenol had never liked the decision that had been reached, but had hesitated to interfere lest he should be accused of

partiality on the ground of his nationality. If the matter were referred back to the Council, it might be possible to obtain an entirely new solution, such as the partition of the Sanjak, which was the solution he had always advocated, and which would, in his view, be far less dangerous.

The Committee in its meeting, on March 10, 1938, continued its examination of individual articles, the articles examined were those laying down the procedure to be followed for the registration of electors by communities. Most of the amendments which the Committee, provisionally adopted in the Commission's draft law were the logical outcome of the decision already reached on the main point of principle, namely, that the electors should be given complete freedom of choice regarding the community to which they registered.

The Committee interrupted its negotiations to meet again on the morning of the 11th March to continue the first reading of the two drafts, taking, as hitherto, the commission's draft as the basis, and introducing such modifications in the light of the Turkish proposals as were considered necessary.

As a result of detailed explanations given by Mr. Reid on each point. The Turkish member accepted, practically without amendment, most of the remaining articles up to but excluding the chapter on penalties. (59)

Examination of the chapter on penalties was delegated to a sub.committee consisting of the Belgian and French members and one of the members of the Turkish delegation. The sub.committee met in the afternoon of the 11th March. It had to finish its work at its next meeting. The only important question to emerge during the discussions was which tribunal should decide the cases which arose. It was decided in principle that the best solution would be to constitute an ad hoc tribunal from the personnel of the Commission.

Both France and Turkey, followed their own policy during the rest of the proceedings of the Committee. firstly France conceded the Turkish demand that the elections in the sanjak should be so arranged as to ensure a Turkish majority, but, they still hoped to arrange matters so that majority should not exceed 55 percent. On the other hand, the Turks were out to arrange the elections in a way which would ensure them a majority of not less than 85 percent to ensure that the Arab and Alawite communities should all vote Turkish, leaving only the Armenians and possibly the Greek Orthodox in the non-Turkish camp, with the result that the vast majority of the forty Deputies in the new Chamber would be allotted to the Turkish community.

Mr.G. W.Rendel did not stop his efforts to persuade the parties; especially the Turkish side, to accept his solution. By asserting that it would be for simpler to try to reach an agreement at once as to the number of Deputies to be allotted to the various communities, Rendel made a suggestion to both parties at the meeting on the afternoon of the

8th March. Mr. Rendel explained that they all appreciated the positions of the Turkish and French delegations, but he noted that it was clear that the difficulties in the way of evolving a satisfactory system for the free registration of electors by communities were likely to prove insuperable. Rendel went on to state that the Turks had, in fact, developed a strong case to show that it was likely to prove impossible even for the electors to decide to which community they belonged. The Turks had objected to anything in the nature of census, i.e., registration on the basis of existing facts. They based their case on what they called "volante raciale" i.e., the wish of the electors to see a particular race in control. Mr. Rendel also stated ~~the~~ that the difficulties in the way of any kind of plebiscite seemed insurmountable and that it seemed clear that there needed be no fundamental disagreement about which community had to have the majority of votes. Therefore, Mr. Rendel ventured to suggest that an effort had to be made to decide forthwith the total number of Deputies to be allotted to each community, and not merely the minimum number, as provided for in the ^F fundamental Law. Mr. Rendel added that this would involve an alteration in the fundamental law but he said that if the commission of five, including the two parties, was unanimous in recommending such an alteration, he ^{not} didn't believe that the Council of the League would raise any objection.

But the Turks, saying that the same proposal had been put forward during the discussion of the Committee of Experts and had been turned down at their insistence, raised the first objection to Rendel's suggestion. The French, who had told Mr. Rendel that they

were most anxious to prevent the Turkish majority exceeding 55 percent, also failed to support him. When the discussion of the question of community registration was resumed on the following day, Mr. Rendel also made a great effort to ensure that, in cases where there was a prima facie reason to believe that an elector was registering himself in a community to which he obviously did not belong, an enquiry might be made into the facts at the request of the representatives of the community to which the elector appeared belong. If it was established that the elector was, in fact, registering in an entirely new community, he would be told that he was perfectly free to change his community.

In the rest of the document Rendel clearly explained his main intention (cause) of urging Turkey to accept his proposal as follows:

"My object was to counter what was obviously the intention of the Turks, i.e., that the majority of Alawites and Arabs should be compelled by every form of illegitimate pressure to register as Turks, but should do so without fully realising the consequence of their action. It is proposed that the electors, on registration, should receive a card of particular colour according to the community in which they register. It is easy to see how those who bring back cards not of the Turkish colour from the registration stations will be penalised by Turkish landlords, agents from Angora, and I confess that I shall be surprised if more than a very small number of Alawites and Arabs register as anything but Turks under this system. If, however, the Alawites and Arabs concerned were obliged formally to abjure their allegiance to the Alawite or Arab community before finally registering

as Turks, they would still have the freedom to register as Turks, which the Turks desire, but they would be less likely to do so as a result of temporary intimidation or misinterpretation of the true facts." (60)

This document displayed British prejudice against Turkey and the anxiety of the United Kingdom about the realization of a Turkish majority of deputies in the Chamber. As mentioned in the earlier parts of the chapter British interests in the district were clashing with those of Turkey.

Accordingly, N. Menemencioğlu, fully understanding the British objections, asked for an adjournment of the meeting for ten minutes while he consulted his delegation. He then announced that he could not accept Mr. Rendel's proposal. He explained that, while there might be a basic difference between the Armenian and the Turkish or the Orthodox Greek communities, there was no real difference between the Alawite, Arab and Turkish communities, which were all of the same religion and merged into each other. Finally, Mr. Rendel recorded that the whole committee were clearly anxious to concede the maximum Turkish demands without more ado, and in view of this and of the general instructions which he had received before coming out to Geneva, that he felt that it would be hopeless for him to raise further objection. He finished his report by saying that the committee of Five appeared to him to lose all further importance.

B) The Solution of the Registration Problem According to Turkish Wishes

As a result, Turkish demands were accepted, and it became possible for the Turks to ensure that the great majority of the, Alawites and Arabs, if not of the Armenians and Orthodox Greeks, all registered as Turks. This would give the Deputies representing the Turkish community a very strong majority in the new chamber.

In the meantime it was decided that the elections would begin on the 15th April and finish at the end of June, The Supervisory Commission of 21 persons which would escort the Commission of the League Council was determined on the 23rd March, 1938. After three days, Mr.Reid, the British chairman of the Commission had resigned. This resignation had been related to the change in the electoral regulations which he had prepared. (61)

The Electoral Commission proceeded accordingly to the Sanjak once more and on May 3 began the work of registration. Each citizen whose right of registration on the electoral roll was recognized by the Commission had to choose immediately between the Turkish and the non-Turkish Groups. In view of these facts, soon after the negotiations held in Geneva, France began to encourage anti-Turkish elements and to conduct the electoral proceedings with an anti-Turkish bias and tried to show the numbers of Turks as being less than they were.

By the end of May the situation, largely as a result of the activities of agitators, had seriously deteriorated and feeling were running high. Because the ~~beaten~~ Alawites who desired to be registered on the Turkish lists were beaten, Turkish villages were plundered by these agitators and a long lasting disorder naturally aroused a great sensation and reaction in the Turkish press.

Yunus Nadi (62) noted that Mustafa Kemal had stated that the dispute of Alexandretta was the corner-stone in Franco-Turkish friendship and stressed on that the final solution was absolutely dependent on French honesty. If French Government continued their intrigues, despite the decisions taken in Geneva, it would be impossible to find a solution.

The final developments aroused such great resentment in Turkey that the relationship of the Turkish Republic with the League of Nations was endangered. For instance, Falih Rifki Atay (63) accusing the General Secretary of the Commission, Mr. Anker preventing the electoral procedure being applied, continued ;

"We must now ask a question which has been in the minds of our people for some time. Has not the time come for Turkey to revise her relationship with the League of Nations and her membership of the League?"

F. Rifki Atay, pointed out in his article that the Electoral Commission had been trying to legalize intrigues in the Sanjak while its duty should be to ensure impartial elections.

The other articles about the final developments were mostly against the Electoral Commission, in other words the League of Nations. Some of them contained very strong statements. For instance, the title of Muhittin Birgen's article (64) was, "We must withdraw from the League of Nations". Birgen wrote that the League of Nations was not the League of all nations but the League of some nations, principally France and Great Britain. Birgen, recording that the League of Nations had not solved any dispute completely for twenty years wrote that the dispute of Alexandretta would be another one which the League of Nations, in its weak situation, could not solve. Birgen finally added that there were two possibilities for Turkey. The first one was to withdraw from the membership of the League of Nations and to say good bye to French friendship. The second one was to get rid of the League's intervention and to initiate bilateral negotiations with France.

Another writer who drew attention to the League's weakness was Ahmet Emin Yalman. He wrote (65) that, in reality, Turkey had not been estranged from the League of Nations, the League had departed from its ideals and aims Yalman was also of the opinion that it was no longer advantageous for Turkey to be a member of such a League because the League had failed once more in the dispute of Sanjak of Alexandretta and the absence of a hypocritical League of Nations was more advantageous to the world than its existence.

Hüseyin Cahit Yalçın (66) especially recorded that Turkey had not insisted on the bilateral negotiations with France and had

immediately accepted the arbitration of the League of Nations. Since Turkey was sure of her legitimacy she had relied on the League. But, as Yalçın wrote, the dispute of Alexandretta showed Turkish people that the League was in need of repair.

On the other hand, such reaction all over Turkey and its reflection in the Turkish press was perceived in a different way by the British. In accordance with the British view, as James Morgan recorded (67) the Turkish Government hoped that, as result of the intense pressure, it would succeed in obtaining in the Sanjak, a solution which would be favorable to Turkey. Morgan added that Turkey might have arranged matters directly with France and that the Turkish view was that the Commission had to discreetly efface itself. According to Morgan's view, the Commission did not seem willing to do this, and Turkish energies were concentrated on neutralising this unwanted and inconvenient body. Finally, he noted that the Turkish press was joining in a chorus of abuse of the Commission and of the League of Nations.

Consequently, these disturbance and incidents led to the proclamation on June 3 of martial law throughout the Sanjak. Meanwhile, reports were coming in of the presence of a force of 30,000 Turkish troops on the frontier. Talks between the French Foreign Minister, Mr. Bonnet, and the Turkish Ambassador took place in Paris. Reports that Turkish officials were being appointed to administrative positions and that France had agreed to guarantee to the Turkish population 22 seats out of total of 40 in the future legislature, and to permit the co-operation of Turkish troops in the maintenance of order in the Sanjak, caused widespread anxiety and unrest among the Arabs.

C) The Final Settlement of the Dispute

Franco Turkish negotiations between the military missions opened in Antioch on June 13. On June 21, (68) the Turkish Ambassador Suad Davaz informed the French Foreign Minister that Turkey withdrew its recognition from the League's Electoral Commission because of the Commission's Partiality.

On June 23 the Commission of the League of Nations in the Sanjak sent a telegram to the League of Nations, protesting against the Franco-Turco negotiations by asserting that these negotiations were against the stipulations of the French Mandate. On the same day the French commander, Colonel Kole, dissolved all political parties in the Sanjaq by publishing a decree. The Turkish request for an early termination of the Electoral Commission's work was supported by the French Government on June 23 and explained in an official commentary on June 24. The main point of the Note was as follows: (69)

"In view of the agreement reached between the French and Turkish Government's for the settlement of these difficulties in a friendly manner by way of direct negotiations, the neutral commission sent to the spot to arbitrate between the interested Powers has lost its object. That is why instructions have been given today to the Secretary of the Commission, who is the direct representative of the League of Nations with the Commission, to terminate his mission. This, it is expected, he will do immediately. In Turkish circles great satisfaction has been expressed at the

progress achieved by the Franco-Turkish negotiations towards a general settlement of the Alexandretta question between Paris and Ankara. The talks between the General staffs have been successful."

On June 26, it was noted that the Commission was about to leave Hatay for Geneva and the Election would be supervised by a Commission formed by the French and Turkish Governments. Two days later the Commission left the Sanjak. Discussions between France and Turkey proceeded, and at Antioch on July 3 a protocol was signed providing for equal contingents (2.500) of French and Turkish troops to maintain order in the Sanjak pending elections. Responsibility for keeping order in the Sanjak was upon the French and the Turkish troops being stationed in the predominantly Turkish areas. (70)

Franco-Turkish negotiations which were initiated in Paris and went on in Ankara developed in a harmonious way. And accordingly A^q Treaty of Friendship providing for co-operation in the maintenance of peace in the Eastern Mediterranean, and a declaration regarding the new status of the Sanjak and future relations between France, Turkey, Syria and Lebanon and a protocol regarding the question of optants to replace the exchange of letters of May 29, 1937, was signed on July 4, 1938. (71)

The work of registration was resumed on July 25 under the control of a Commission consisting of three Turks and one Frenchman. The electoral roll was completed and published on August 1. So Turkey

gained 22 seats out of 40 deputies. The Legislative Assembly held its first meeting on September 2, 1938 and adopted 'The Hatay' as the official name of the new State. Hatay had been autonomous for just one year and the statesmen of Hatay who were of Turkish origin, had stated many times that they wished the incorporation of Hatay in Turkey. Finally on June 29, 1939 the Assembly of Hatay, in its last session, took the decision of incorporation with an unanimous vote. (72) In the Grand National Assembly, the decision of incorporation of Hatay was negotiated on the 30th June, 1939. The Foreign Minister, Şükrü Saracoğlu made a speech. He first gave information about the French property in the territory and he mainly spoke as follows:

"Our Government is determined to relieve the pains of Turkish people living in Hatay far from their country for twenty years. We desire to make Hatay a strong, insurmountable fortress with its schools, roads, ports, trade and agriculture, on the Turkish frontier.

You are about to take a decision about the incorporation of Hatay in Turkey. While you are taking such a happy decision, I finish my Speech, on this occasion, by commemorating the beloved name of Atatürk with respect and love." (73)

The Foreign Minister was followed by the deputy of Kocaeli, İbrahim Dıblan; Dıblan, first recording that after a long period of expectation and patience, the Turkish Government had finally announced the good news summarised the developments which had

taken place in the course of the solution of the dispute. Dıblan, commemorating Atatürk once more, expressed his gratitude to the Saydam Government.

Another deputy, Muhiddin Baha Pars, drew attention to the great joy in Turkey following the incorporation of a territory which was already accepted as a part of the Motherland, Turkey. He laid stress on the importance of the treaties signed between Turkey and France with respect to their trait of maintaining world peace. Also, Pars, presented his gratitude and respect for Atatürk who gave the first sign for the realization of the achievement of the Turkish nation and the Saydam Government under Ismet İnönü's chairmanship.

Cavit Oral who made a speech on the same day, drew attention to a different point. He stated that it was not right to consider the treaty of Hatay just as an incorporation of Hatay in Turkey. At the same time this treaty had become useful for both countries, Turkey and France to get much closer and to improve their relationship with each other. Turkey and France had important roles in ensuring peace in the Mediterranean.

The other deputies who took floor, also expressed their most ardent and intimate feelings and their joy related to the incorporation of Hatay in Turkey. Finally when the speeches of deputies were completed the law was approved.

The Turkish press also reflected the great joy and the general feelings of the Turkish nation due to the incorporation of Hatay.

Yunus Nadi (74), stating that the Turkish nation was right in her argument, recorded that the incorporation of Hatay had ensured the Franco-Turkish friendship becoming stronger. He added that even in the most righteous argument, there might be some difficult phases. The Turkish Government, had not used force in even the most difficult situations, had always preferred to solve the problem by means of negotiations to be able to prove the legitimacy of her argument. He wrote: "Now we're very satisfied with the result and we are proud of hearing the manifestations of the positive feelings of the French public opinion related to the matter."

Aka Gündüz (75) was another writer who stressed the Turkish Government's determination to solve the dispute by means of negotiations and he recorded that Turkey had again become a model for other countries in the Hatay dispute.

Nurullah Atac was the writer who expressed the best general feelings of the Turkish nation. First of all he stated that the incorporation of Hatay, a Turkish territory in which the inhabitants speak Turkish, and the newspapers are Turkish, was like a game of brothers and sisters who pretend to be the children of different families. In Ataç's opinion; the solution of the dispute had taken a long time and the Turkish nation had many difficult and distressing moments

during the course of events in the solution of the matter. But everyone regardless of their nation and politic views had accepted the legitimacy of the Turkish argument.

Ataç also emphasized (76) the Turkish Government's foreign policy which favored peaceful ways and reminded that, from time to time, Turkey, to prove her sincerity, had even renounced her rights in some cases throughout its history. But this time, if Turkey had renounced her rights in Hatay it would not be an expression of the good will of Turkey but an expression of indolence in Turkish foreign policy.

CONCLUSION

The League of Nations was outcome of the desire by some certain circles who wish^{ed} to end war. The ideals they wished to upheld was the territorial integrity, the prevention of aggression, the application of sanctions against any aggressor by League members and disarmament efforts were the foremost duties of the League of Nations.

The existence of the League of Nations between 1920-1946 made the use of force by one state against another a matter of international concern. After the world had accepted the League Covenant, there would be no private wars. Countries making war had to explain the reasons which led them to fight, they had to justify their arguments, and their victims had to be allowed to have their say. The action of the fighting states had to be evaluated in accordance with the politic, the law of nations, and the principles of Morality. The fighting parties were no longer to be considered as duellers using brute force. The League had been designed as an investigative agency which would probe into dangerous disputes and reveal the identity of the guilty party and parties. But, during the League's history, it was unable to prevent powerful countries from attacking weaker ones. Becouse, when it came to the maintenance of international order and the preservation or restoration of peace, the League governed only in the rare instances when either the interests of the Great Powers among its members were not affected, or the common interests of the most influential among them seemed to require it.

The League of Nations did not act as an international government when, in 1920, Poland seized Vilna, the old Lithuanian capital. That violation of international law was committed by the strongest ally of France, and the intervention of the League was opposed by the Soviet Union. But in 1925, incipient war between Bulgaria and Greece was easily stopped by France and Great Britain, who acted on this occasion in Unison, particularly to deter Greece from offensive action.

The League of Nations refused to act in 1923 when Italy occupied the Greek island of Corfu. It did nothing even approaching the nature of enforcement action after Japan invaded Manchuria in 1931, and after it invaded China in 1937. The League was ~~in~~ effective in maintaining its authority within the territory of Danzig, and it did nothing in the face of continuous German violations of the Treaty of Versailles. The League also did nothing to control the international effects of the Spanish Civil War. (1)

The League of Nations had come to an end by the outbreak of the Second World War. In fact, the path to Nazi aggression was made possible by the weaknesses of the League. Constitutional weakness was the foremost of these weaknesses.

The Covenant of the League of Nations did not outlaw war as such. The members of the League were not allowed to go to war under certain conditions. By the same token, they were allowed to go to war in the absence of those conditions. Thus, the Preamble to the Covenant

stipulated "the acceptance of obligations not to resort to war." Article 12 provided that members should not "resort to war until three months after the decision of the arbitrators. "By virtue of Article 13, paragraph 4, members agreed "that they would not resort to war against a member of the League which complied" with the judicial decision of a dispute. Finally, according to Article 15, paragraph 6, "If a report by the Council is unanimously agreed to by the members thereof, other than the ⁵ Representatives of one or more of the parties to the dispute, the Members of the League agree that they will not go to war with any party to the dispute which complies with the recommendations of the report." (2)

In the Covenant it was not stated definitely that war is no solution to a dispute. There are some obligations not to resort to war but they were presented only as exceptions. For the League members accordingly it was very easy to find out some loophole in the Covenant to legalize their resort to war.

One of the most serious weaknesses of the League of Nations was its lack of universality. Morgenthau wrote that an international organization whose main purpose was the maintenance of international order and peace did not need to be universal in the sense that all nations of the world belonged to it. It must, however, be universal in the sense that all powerful nations, which were most likely to disturb the peace of the world, were under its jurisdiction. (3)

Article 17 of the Covenant attempted to make the jurisdiction of the League universal regardless of membership. When a dispute developed the League was authorized to invite non members to accept the obligations of membership in the League. If a state so invited refused to accept the obligations and resorted to war against a member of the League, the sanctions of Article 16 would be applicable against such a state. There would be no difficulty for the League to make its will prevail over two small or medium states if such a dispute appeared. But, in the case of any dispute which broke out between a member state and a big state which was not a member of the League, the situation would definitely be different. Under such circumstances, any attempt to impose the League's will upon either the USA or the Soviet Union would have caused a world war between members of the League and one, or even two, of the most powerful nations. For this reason the membership of some great powers and the non-membership of others rendered the League powerless to preserve peace on a world - wide scale.

Another important weakness of the League of Nations was that the League of Nations did not prohibit war, it was only able to prevent war among its own members, especially the Great Powers. By virtue of the principle of unanimity, any member of the League, except parties to a dispute, could veto a decision by voting against a motion to take action. Under such circumstances the League obviously could not fulfill its task. Without a fundamental unity of opinion and will, it was also impossible to enforce the Covenant's provisions concerning the prevention of war. Antagonistic policies pursued by League members, especially council

members, made unity of opinion and will impossible. The leading members of the League had been in united⁴ only in defence of the principle of status quo against the nations vanquished in the First World War and in the principle of self determination. (4) Morgenthau pointed out (5) that, confronted with a political situation demanding concrete action, these abstract principles transformed themselves into ideological justifications for the separate policies pursued by individual nations. Thus, these abstract principles, far from providing common standards of judgement and guides for common action, actually strengthened international anarchy by strengthening the antagonistic policies of individual nations. (6)

So, as an international organization the League of Nations, was far from making members accept its own moral and political objectives. In other words, the ethics and policies of sovereign nations were able to prevail over the moral and political objectives of the International government of the League of Nations.

The inability of the League of Nations to make the leading members act together also caused the collective security system, under which many states united their efforts to control other states which broke the peace, to fail during the League's life. The maintenance of peace has, on the whole, returned to traditional balance of power practices, which the world-wide organizations like the League were intended to supersede.

Another reason of the League's failure to obtain collective security was that after the First World War nationalism was at its peak. The war had increased nationalism almost everywhere, therefore no really international spirit existed. As a result, a world government, the abolition of national states, was out of question. Secondly, President Wilson's idea of an international army to be at the disposal of the new international organization was not realized. The prevention of aggression depends on the balance of power. The states consisting of the League held the balance of power because member states of the League had the armed forces. The League of Nations had no army, so any decision taken by the League was just a recommendation to the states to bring their own armed forces into action. In other words, the big states were dominant in the League and, unless they wanted to initiate any action, it was impossible for the collective security system to prevent war. Also, as Toynbee explained, the League's failure as follows:

"The reason why the League failed was because the enforcement of the Covenant had been backed by insufficient armed power and insufficient resolution to use such power as was available. If we substitute for the word "League" the words "British and French and American foreign policy" and for the words "enforcement of the Covenant" the words "their opposition to Germany and Japan", their failure can be explained wholly without reference to the League." (7)

All these weaknesses of the League of Nations clarify why political developments through out the League's history were not so constructive. Northedge pointed out that the League of Nations was created to sanctify and enforce the defeat of the Central Powers in Noweber 1918. Italy and Japan were not among the defeated in 1918 so they sat in the inner rank of peace makers and were founder members of a League created to maintain the peace - *the peace*, not a peace. (8)

But the preservation of *the peace* did not last long becouse the Italian appetite for territory could not be satisfied. The economic strains to which Italy was subjected, and for which Mussolini's programme of expansion was supposed to provide a remedy, played a large part in Italian revisionism. But for this the economic policies favored by League bodies did not seem deflctive. Italy welcomed the comeback of Germany. (9) When, in the thirties, the impotence of the League had become obvious, Italy used Germany as Germany was using the Soviet Union.

The Japanese government wanted to break loose from the Western economic system which it regarded as responsible for the country's depressed state. For this reason, Japan took the first step toward establishing its Far Eastern empire by invading Manchuria in 1931. Neither, while Japan remained a member of the League, nor after its resignation in 1932, did Great Britain feel strong enough to lead the League in effective collective action in order to stop Japan's attack against China.

The Soviet Union was always isolated within the League. (10) The Soviet Union had played an opposite role in the League. Its communist revolution in November 1917 created a rift between itself and the Entente Powers who dominated the Geneva system, and Russia remained outside, and highly suspicious of, the League and its activities. So it proved to be impossible for France, Great Britain, and the Soviet Union to unite for common action in any of the great crises from 1934 to 1939, with the exception of maintaining sanctions against Italy. The Western powers and the Soviet Union found themselves in opposite camps. Even when, in 1939, Germany threatened both the Soviet Union and the Western Powers with war, they were unable to agree upon common preventative action. Instead, each side tried to deflect the German threat against the other side.

When Germany joined the League in 1925, it pursued a policy of undermining the status quo of Versailles, mainly using the principle of national self determination as the dynamite with which to crack the foundations of the territorial status quo. This policy was at odds with the policies of France and its Eastern allies and was aimed, first surreptitiously and later openly, at the termination of their preponderance on the continent of Europe. In fact the status quo countries felt very strongly that the mere machinery of a League of Nations would be useless unless it was established on the basis of a satisfactory peace, a peace which would not leave Germany in military predominance. It was therefore essential for the League of Nations that the German military domination should be broken. (11) So Germany had

not received encouragement at the world disarmament conference in 1932 and this paved the way for Hitler's success in attacking on the Versailles Treaty system. Besides Germany used the dual fear of Bolshevik revolution and Russian imperialism, which obsessed the Western powers, as a weapon with which to strengthen its own position. Germany, by isolating Poland from France, succeeded in paralyzing the League. (12)

At this juncture, if Turkey's relationship with the League of Nations is reviewed, the first notable point is Turkey's desire to solve her disputes with other foreign countries by means of bilateral negotiations instead of referring them to the arbitration of the League of Nations. For this reason Turkey, on the international platform, was criticized by rival countries as being against the peaceful solution of problems and it was announced that Turkey had no trust in international organisations. On the contrary, Turkey had never been against the League idea and had stated many times her wish to be a member. Even before the solution of the Mosul dispute, Turkey revealed her intention to be included in the League of Nations, in other words in the Western Pact. Such a declaration was very important in respect to Turkey's relations with the Soviet Union and it was also important for Great Britain which always watched with anxiety and tried to prevent Turkey's friendly relations with the Soviet Union during the National Struggle of Turkey. In case of the inclusion of Mosul to Turkey, Turkey (13) would be closer to the Arab world, so the abolition of the caliphate was another message that Turkey was not intending to use Islamic factors against

Great Britain and that a secular Turkey would not be hostile to the British Government and, accordingly the League of Nations.

The new Turkish Republic, as contrary to the policy pursued by the Ottoman Government, preferred neither to be just an ally of the Soviet Union nor to be a part of Islamic world. Being conscious of the changing world, Turkey tried to be a member of the International Organisation consisting of many varied powers. Turkey tried to keep her relations with other foreign countries in a balanced situation. So as soon as Turkey solved her problems at Lausanne and became a member of the League of Nations in 1932, she played an important role in the developments which took place in Europe from 1930 onwards.

In fact these words of Mustafa Kemal explain very well the foreign policy pursued by the Turkish Government in those years and how his thoughts resembled the League idea in theory.

"One must consider humanity as an indivisible whole and a nation as its component part. Just like pain at a finger's tip affects the whole body, a malady at any corner of the world should not fail to attract our attention. In case of such a malady, we should deal with it as if it were in our midst. No matter how distant the catastrophe may be, one should not fail to consider it close. Such an approach to international affairs will save human beings, nations and governments from selfishness.. If we desire a lasting peace, we should take fundamental precautions at an international level. The prosperity of the whole of humanity should replace hunger and oppression. The

citizens of the world should be educated in such a way as to root out feelings of envy, covetousness and revenge. (14)

Although Wilson's 14th point, which referred to a general association of nations guaranteeing the political independence and territorial integrity to great and small states alike, promised great hopes to the Turks who shared the fate of the Central Powers at the end of the First World War; (15) the form which the League Covenant took at Versailles and which the Treaty of Sewres reproduced the whole League Covenant as its first chapter, Turkey's suspicion of the Organization was entirely understandable. While the League was being founded, Turkey plunged into a war of National Liberation. Although the Turkish Military Victories substituted the Treaty of Lausanne, signed on July 24, 1923, for the Treaty of Sevres, The devastation of large areas of Western Anatolia by Greek troops in 1919-1922, British support of the minority groups in Turkey, the humiliating and long occupation of Istanbul following the end of the First World War, deportation by the British of many Turkish leaders, and the existence of the unsolved Mosul question, left wounds which healed slowly. (16)

Apart from all these developments the Turkish Government knew very well the League's most important weakness. As it was earlier noted, the ethics and policies of sovereign nations always took precedence over the moral and political objectives of the League of Nations. So Turkey always tried to solve her disputes related with foreign affairs without referring them to the League of Nations. Because

she knew that, in the case of the League's intervention, the dispute would be automatically solved to the advantage of the sovereign states of the League. In the case of the Mosul dispute the British Government did her best for the referral of the dispute to the League of Nations so the British announced to the world that she was willing to solve the problem by means of peace. She also knew that the new Turkish Republic, which was not even a member of the League, had not any chance against Great Britain's membership within the League system. (17)

In the course of Turkey's relations with the League of Nations, either before or after Turkey became a member, in every dispute referred to the League, it took some decisions contrary to the League's own principles. Despite the self-determination principle, the plebiscite was rejected in Mosul. In accordance with the principle of self determination people had been given the right of determining their own fate and the right of stating their views on the international platform. On the other hand in Mosul case British Government, as being in a conflict with the principle of self determination refused to give Kurdish people the right to state their views about the determination of their own fate. This was completely a contradiction.

British had many advantages on Mosul territory. The addition of Mosul to the list of territories (18) to be taken from Turkey was indicative of a British foreign policy. A Kurdish state under British supervision would prevent Turkey from retaining control of the territorial gap between Armenia and Mesopotamia. Moreover, it would

give the British a firmer hold on the Mosul Vilayet, which was ethnically half Kurd, as well as provide a buffer zone for that oil-rich province. British strategy sought to bring the Conference to a head over the minorities question so that in case of war the British Government would have popular support. British delegates therefore scarcely mentioned Mosul and oil and Lord Curzon loathed the prominence which was attached to the question of Mosul oil. (19)

The League experience had become a great historical improvement in the field of the protection of minorities. For the first time, the rights of minorities were taken under the guarantee of an international organization. The advisory opinions of the Court had become very effective. (20) But however the system of the protection of minorities within the League of Nations was far from being universal. Just like the 19th Century system it had become very limited, because the idea of protection of minorities existed in the League Covenant not because of humane reasons but because of political reasons. So, the Exchange of Minorities dispute is a very good example for the League's incapability of applying the idea of an international guarantee for the protection of minorities in practice. First of all the League had discriminated between the Turkish Western Thrace minorities and the Greek minorities by stating clearly that the Greek minorities were in a worse situation and in need of more help. Indeed, a large amount of League's aid was granted to the Greek minority.

In the case of Hatay, again being in contradiction with its self determination principle, first the electoral commission of the League

refused the right of individuals to be left free to state to which community they wished to belong, without being bound by the actual facts of the situation. In the case of the acceptance of Turkey's proposal of the method of election in Hatay both France and Great Britain knew that the Turks would secure a majority without difficulty and it would be disadvantageous to both Great Britain and France. The British thought that, by the inclusion of Hatay to Turkey, Turkey would be encouraged to put forward claims to Mosul and the French Government might be affected by this since they had a nearly 24 % share in Mosul.

All these developments proved that Turkish disputes referred to the League of Nations were solved to the advantage of sovereign states, but not solved by the "International Organisation in the sense of the League of Nations consisting of small states as well as big states. In every dispute referred to the League of Nations, Turkey was obliged to struggle with sovereign states like Great Britain and France. Except for Hatay, in the Mosul dispute the decisions of the League of Nations favored Great Britain. The dispute of the Exchange of Minorities was also solved in a way to meet the Greek Governments' demands, Greece had been an ally of Great Britain in the First World War. The dispute of Hatay was referred to the League of Nations in a period when Turkey was a member of the League. But the reason for the solution of the dispute in the direction of Turkish desire was not related to Turkey's membership. The first reason was that, like in every dispute, Turkey was completely right in her arguments. Secondly, when Hatay was on the agenda of the League of Nations, Nazism was spreading with great speed in Germany.

which France had always avoided in its revisionist policy and considered as a menacing power in Europe, thirdly, the League of Nations had gone into decline. Under such circumstances, Turkey being an important country in the Middle east, and with her preference of being in harmony with anti-revisionist countries in Europe, was very important for Great Britain and France. (21) Indeed, Turkey had never pursued any policy contradictory to the principles of the League of Nations. After Turkey became a member she tried to realize the application of the theoretical ideas of the League of Nations. In the 1930s, as it was earlier recorded, Europe was divided between revisionist and anti-revisionists. On the other hand Turkey, though she could not realize the principles of the National Covenant (Misak-ı Milli), preferred to be anti-revisionist but did not resort to fait accompli like the other anti-revisionist states. (22)

The League of Nations had been a platform where the small states found an opportunity of stating their views. Besides, it is a reality that the League of Nations was an important step to securing peace. Although it came to an end by the outbreak of the Second World War, the League idea was an important experience for formation of the United Nations.

First of all, the United Nations was established upon the lessons obtained from the experiences of two World Wars and of the League of Nations. Contrary to the League of Nations, the United Nations is based on the idea that universal law and order can be preserved through an

association of independent states. From the very beginning of the United Nations as an international organisation, Turkey always supported the attainment of security through the United Nations and to strength the United Nations by its activities within the organization.

Contrary to the League of Nations the United Nations tried to be universal. The United Nations Security Council consisted of the five Great States: Britain, China, France the Soviet Union and the United States. As though to underline the essentiality of these powers in the United Nations, they were named as permanent members of the Security Council in Article 68 of the Charter, whereas in Article 4 of the League Covenant the permanent members of the Council were simply described as the Principal Allied and Associated Powers. There was a general agreement that the League failed because it lacked the means of enforcing its will. In the new world organization this would be corrected by giving the Security Council responsibility for the maintenance of peace and security. It would be authorized, if all five of its permanent members agreed, to use armed force to restore the peace.

Mainly Turkey was interested in the collective security activities of the United Nations and actively participated in the Korean action to stop the aggressor. Turkey, like other underdeveloped countries of Asia, has generally been much concerned with the economic developed areas. The Soviet claims over the Turkish straits and certain regions in the eastern part of Turkey gave birth to Turkish co-operation with the west through regional security arrangements, especially through Nato. Various approaches to Turkey by the Soviet

collective leadership, which succeeded Stalin on March 5, 1953, have been unable to change the basic Turkish attitude towards the existing blocs in the United Nations. (23)

In summary, following the experience of the League of Nations, the world had a second chance to organise a peaceful world. So the new International Organization, the United Nations was very different from the League of Nations with respect to its structure. The United Nations was given both the authority and the resources to do the job. But, at the present day, not all problems have been solved. As Northedge stated: "The rift between status quo and 'revisionist' states remained what it always had been, and peace was kept between them, not by the collective organisation of majorities within and through the United Nations, but by a costly and highly dangerous system of deterrence, based, on both sides, on the rule that nuclear war can never be won and must never be fought. (24)

In the entire history of war, it seems as though the most important driving force was the consideration that, however great the losses, the benefits of victory might be even greater. This is no longer true. With the advent of nuclear armaments, inhibitions on the use of force by Great Powers against Great Powers have become virtually irresistible.

Today the world as a whole, is growing smaller and beginning to be interdependent and interrelated. Almost every inhabitant of every

country has some awareness of the world outside their borders. They are likely to buy at least some foreign goods. They will probably see films, newspaper accounts, television programmes, that provide some information about other lands. Postal and telecommunication services link every country in the world. Diplomatic and commercial contacts join almost all of them. More important, the ideas that become widespread in one part of the world become known, often widely known, in others. Political creeds spread rapidly across the world; science and technology crosses frontiers quickly and easily; the current fashions in pop music, clothes, in sport and entertainment, move in a very short time from one country to another. (25)

In such interrelatedness, every action taken in one country has a rapid effect elsewhere, different policies pursued by world countries have repercussions that are quickly felt elsewhere. Luard recorded that ~~they~~ result is that the interrelationships: social, cultural, economic, and political, between different parts of the globe are today as close as were those between different parts of Britain only a century or so ago. And they can reasonably be described as establishing a networks of mutual influence, a set of complex but defined and understood interrelationships, which in themselves create a society of a sort. (26)

In a world where such massive changes are realized in a very short time, it is not reasonable to expect international organizations like the League of Nations and the United Nations to be completely perfect. Perez de Cuellar explained (27) that there was a widespread but

not always justified criticism of many aspects of the performance of the United Nations. It had not been able to live ~~to~~ up to all the high hopes placed in it. Nor did its founders foresee the massive changes that the world has gone through.

Accordingly, many factors should be considered in any criticism of the League of Nations as being the first International Organization in a proper sense with its organs. Most important, the political work of the League in the field of improving international relations, with all its tragedies, came and went, as did the League itself, but international cooperation to meet and satisfy basic human needs continues to flourish, and to that the League of Nations contributed magnificently.

In spite of a desire for a perpetual peace, the radically different international systems which were founded after each war always changed. Because the world has been rapidly changing, at the end of a certain period of time the International systems, regardless of how good they are inevitably, fail to cope with the massive changes of world conditions. The failure of the League, however to act as an effective agency to prevent aggression and war provided improvements in the United Nations Charter by correcting the deficiencies of the League Covenant. Now the United Nations is far from solving present day disputes in a period when the world has become a global village. In many cases, the United Nations has been preferring to be either just an observer or to send help to satisfy basic human needs in a very limited way. It is very hard to say that the United Nations has been functioning

in a very active way in finding definite solutions to the world's problems without being partial and without considering first the sovereign states' international interests in disputes; as can be easily seen in the cases of Bosnia-Herzegovina and Cyprus.

The fading distinction between domestic and international problems may hasten the creation of more effective international agencies in the future; but as the present day international conflicts show, some basic forces that divide one nation from another are not much different today from those in the period of the League of Nations. Economic rivalries, prejudices, and lack of trust are still valid as being barriers to the creation of a more effective international organisation for dealing with world problems.

Footnotes to Introduction

1. Mehmet Gönlübol, Dış Politike; İç Etkenler Açısından Bir Dış Politika İncelemesi , (Ankara, 1969), p.2
2. Hans J. Morgenthau, Politics Among Nations , (New York, 1962) , P.P. 35-37
3. Ibid . , pp. 39-40
4. "The Society of Nations had been for almost exactly a century working its way towards an international Legislature, and had almost reached the goal. Though the development was unconscious it was none the less real."
T. J. Lawrance, The Society of Nations its Past, Present and Possible Feature , (New York, 1919), p. 70
5. C. Howard, Ellis, The Origin Structure and Working of the League of Nations , (London, 1928), p. 68
6. Viscount Grey Falladon, The Peace Conference and After , (London, 1925), p. 17
7. Roland N. Stromberg, "The Idea of Collective Security" , From Collective Security To Preventive Diplomacy , Joel Larus (ed.), (New York, 1967), p. 277
8. "The League of civilized peoples is not proposed out of the cabinets of absolute Ministers, but is rather the passionate demand of the man in the street, the simple and unsophisticated who know very little of the intrigues and wiles of statecraft, but know a very great deal about the suffering and sacrifice which war entails." Charles H. Levermore, "Men and Organizations Endorse a League of Nations", A League of Nations , Edith M. Phelps (ed.), (New York, 1919), p. 63

9. Sir Eric Drummond, League of Nations , Ten Years of World Co-operation , (London, 1930), P. 399

10. "The League of Nations, if it is to have any effect as people seem to hope from it, must be, in the first place understood of the people. It must be supported by sustained, deliberate explanation, and by teaching in school and church and press of the whole mas of all the peoples concerned.
H. G. Wells, Anticipation of a World Peace , (London, 1918) , p. 2

11. Drummond, op. cit. , p. 402

12. Oresta Ferrara, Lessons of The War and The Peace Conference , (New York, 1919), p. 153

13. Howard, op. cit. , p. 88

14. G. W. A. Luckey, Education, Democracy and The League of Nations, (Boston, 1920), p. 28

15. Viscount Cecil, The Way of Peace , (London, 1928), p. 82

16. Ray Stannar Baker, Woodrow Wilson and World Settlement (Written From His Unpublished on Personal Material) , (New York, 1923), p. 31

17. "The Covenant of twenty-six articles formed the first part of The Versailles Treaty made with German, of the St.Germain made with Austria, of the Trianan made with Hungary. So The Covenant was not an independent document and was dependent on these peace treaties."
Edip Çelik , Milletlerarası Hukuk , Cilt I (Istanbul, 1980), p. 415

18. Florence Wilson, The Origins of the League Covenant , (London, 1928), pp. 49-55

19. "The League of Nations is important organization. Just because for the first time it was founded in accordance with the conditions of period with the participation of not only the European Countries but also of the countries of other parts of the world. Besides it was the first International Organization founded in a time of peace."
Oral Sander, Siyasi Tarih , (Ankara, 1984), p. 319
20. "The most remarkable fact about the League is that its Conference method so generally succeeds in bringing about unanimous agreement where, prior to the conference, the disagreements seemed irreconcilable."
Irving Fischer, America's Interest In World Peace , (New York, 1924), p. 70
21. Mehmet Gönlübol, Milletlerarası Siyasal Teşkilatlanma , (Ankara, 1964), p. 80
22. Margaret Burton, The Assembly of the League of Nations , (Chicago, 1941), p. 110
23. A. Riches Cromwell, The Unanimity Rule and The League of Nations , (Baltimore, 1933), pp. 134-135
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25. S. Cheever and H. Field Haviland Jr. , Organizing For Peace : International Organization in World Affairs , (London, 1954), p. 77
26. Clyde Eagleton, International Government , (New York, 1957), p. 260

27. Leloy Bennett, International Organizations Principles and Issues , (Newjersey, 1977), p.72
28. Gönübol, op. cit. , pp. 88-89
29. Ibid . , p. 90
30. For Further Information See;
James Barros, Office Without Power, Secretary-General Sir Eric Drummond 1919-1923 , (Oxford, 1979).
31. "After a time the same political leaders who had preached the doctrine of seperation from Europe were proclaiming the opposite creed that American interest and ideals were involved in this European struggle. When Congress declared war on Germany, American public opinion gave its support."
George H. Blakeslee, The Recent Foreign Policy of the United Nations , (New York, 1925), p. 23
32. "One of the most provocative features of Wilsonian diplomacy was the president's apparent obsession with moral principle and international law. To critics this tendency suggested blindness to realistic goals, ignorance of the way nations deal with another, if not a profession of personal superiority"
Ross Gregory, The Origins of American Intervention In the First World War , (New York, 1971), pp. 137-138
33. "Mr. Wilson had not invented any new political philosophy, or discovered any doctrine which had not been dreamed of, and appreciated, for many hundred years. Wilsonism so passionately interesting at the moment was the fact that this centennial dream was suddenly backed by the overwhelming resources of the strongest power in the world."
Harold Nicolson, Peacemaking 1919 , (Gloucester, 1984), p. 191

34. "Effective refusal by the U.S. to consent to ratification of the peace treaties or to join the League of Nations left another situation sure: it left the Allied Powers, and in particular England and France, in a position to control the course of European events and to direct major policy."

Malcolm W. Davis, Peaceful Change: An Analysis of Some Current Proposals , (New York, 1970), p. 148

35. Morgenthau, op. cit. , pp. 468-470

Footnotes to Chapter I

1. "The Greek Armies soon began a ruthless warfare againsts the Turkish population, not omitting the commission of atrocities in the worst Near Eastern manner; they laid waste the fertile Meander Valley, and forced thousands of homeless Turks to take refuge beyond the occupied area."
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108. Although the Vilayet of Mosul was within the National Covenant the Turkish Government did not attempt to capture Mosul by means of force. Because such an attempt might pave the way to a new war which Turkish Government avoided in a period of the realization of the revolutions. Besides a new war could give Turkey's enemies the opportunity of realizing their aspirations on the Turkish territory."
M. Gönübol - Cem Sar. Atatürk ve Türkiye'nin Dış Politikası (1919-1938) , (Istanbul, 1963), pp. 69-70
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Yusuf Hikmet Bayur, Türkiye Devletinin Dış Siyaseti , (Istanbul, 1938), p. 169
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İzzettin Doğan, "Atatürk'ün Dış Politikası ve Uluslararası İlişkiler Anlayışı", Çağdaş Düşüncenin Işığında Atatürk , Eczacıbaşı Vakfı (ed.), (Istanbul 1983), pp. 197-198
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Frank H Simonds, Can Europe Keep the Peace , (New York, 1931) , p. 271
5. Morgan , op. cit . , pp. 476-477
6. "The Council has too often used its unbalanced power in the national interest of its members rather than in the general interests of the international community Thereby it may have lost in public confidence part of what it has gained in public notoriety."
William E. Rappard, International Relations As Viewed From Geneva , (New York, 1972), p. 15
7. Roland N. Stromberg , " The Idea of Collective Security" , From Collective Security to Preventive Diplomacy , Joel Larus (ed.) , (New York, 1967) , p. 276

8. F. S. Northedge , The League of Nations : Its life and Times (1920 , 1946) , (Leicester , 1988), p.
9. "The British, the French, fearful of Hitler and courting the support of Mussolini in Europe, gave to the Italian dictator tacit assurances that they would not unduly interfere with his African ambitions and aided in delaying Council consideration of the Ethiopian complaints. Representatives of the British and French Governments met with Italian representatives to try to negotiate an African territorial settlement, but the suggested concessions to Italy were rejected by Mussolini as unacceptable."
A. Leloy Bennett , International Organizations Principles and Issues , (Newjersey , 1977), p.27
10. For Further Information See; Ahmet Ş. Esmer, Siyasal Tarih , (Istanbul , 1936), pp. 427-431
11. David Lloyd George, War Memoirs of D. L. George , (Boston, 1936) , p. 25
12. For Further Information See; P. J. Noel Baker, Dısarmament , (London, 1927), pp. 23-26
13. Ömer Kürkçüoğlu, Türk - İngiliz İlişkileri (1919 - 1926) , (Ankara, 1978) , p. 306-307
14. Enver Ziya Karal , Atatürk'ten Düşünceler , (Ankara, 1956) , pp. 130-131
15. "The members of the society of Wilsonian Principles were of the opinion that the U. S. A. had to be only state which would help Turkey. But such an aid had not to be in a way to limit the freedom of Turkey. "Tarık Zafer Tunaya, Türkiye'de Siyasal Partiler Cilt II, (İstanbul, 1986), p. 247

16. Türkkaya Ataöv - Mehmet Gönlübol, Turkey in the United Nations : A Legal and Political Appraisal , (Ankara, 1960), p. 7
17. "Both the Mosul and Polish - Lithuanian disputes were the disputes between of very unequal strength. In both cases, the stronger state was not only in possession of the disputed territory, but had at any rate formal right on its side. In both these cases, the League performed the useful function of enabling the weaker state to climb down from an untenable position without loss of amourpropre."
E. H. Carr, International Relations Between The Two World Wars 1919 - 1939 , (London, 1983), p. 107
18. Paul C. Helmreich, From Paris To Sevres , (Ohio, 1978) , p. 27
19. Leland James Gordon , American Relations With Turkey (1830 - 1930 , (Philadelphia, 1932), p. 207
20. "The new gurantee, undertaken by the League, is in one sense developed out of the old; but in another sense ther is a difference of kind between it and its predecessors-The difference that has been introduced into international affairs in general by the League with its method of collective action. The new gurantees are under the protection of a Council."
L. P. Mair, The Protection of Minorities Treaties Under The League of Nations , (London, 1928), p. 28
21. "By mid-1938, events in central Europe, where Germany was making ominous moves, preoccupied the French. France was not willing to quarrel with Turkey over an area which it would lose in any case when the Syrian mandate ended. Furthermore, Turkey's strategic position in the straits area, which would dominate Franco-Soviet communications in the event of a war, influenced the French."
Roger R. Trask, The United States Response To Turkish Nationalism and Reform (1914-1939) , (Minneapolis, 1971), p. 235

22. "The Reorientation of her foreign policy in favor of the status quo powers, however, and her obvious desire to maintain the peaceful balance in Europe and the Middle East made her a most welcome addition. In 1934 Turkey's ambition for recognition as one of the newly great powers of the world was realized when she was elected to a seat on the Council. At that time she made no secret of her desire to take his place alongside Britain, France, and the other large nations as a permanent member, believing that her power as well as her strategic importance entitled her to such a position."
- Edgar Stephenson Furniss, Jr. , A New States Faces A Difficult World... The Position of Turkey Today (Yale Literary Magazine, 1940), pp. 18-19
23. Ataöv - Gönlübol, op. cit . , pp. 44-45
24. Northedge, op. cit . , p. 281
25. Evan Luard, International Society , (London, 1990) pp. 2-3
26. Ibid . , p. 3
27. Javier Perez De Cuellar (1985) "The Role of the United Nations" in Yüksel Söylemez (ed.), Foreign Policy of Turkey At the United Nations , p. 33

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