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MORAL DISARMAMENT: REVIVING A LEGACY OF THE GREAT WAR

James D. Fry & Saroj Nair***

I. INTRODUCTION

The first Nobel Peace Laureate, Frédéric Passy, criticized co-laureate Henri Dunant and the Red Cross Movement when he wrote, “You do not humanize war. You get rid of war by becoming more human.”¹ Dunant’s sharing of the prize with Passy came as a shock to peace activists throughout the world because Dunant was not involved in any peace movements, and it was assumed that this prize was reserved for peace efforts.² Peace activists saw Dunant’s work as completely unrelated to peace because the Red Cross Movement and the resulting international humanitarian law did not aim to prevent war.³ Indeed, the principle of humanity, which forms the bedrock of international humanitarian law (“IHL”) and essentially all other principles that fall under that umbrella, aims only at limiting superfluous injury and unnecessary suffering during armed conflict,⁴ not at preventing

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1. See IRWIN ABRAMS, *THE NOBEL PEACE PRIZE AND THE LAUREATES* 41 (2001).

2. *Id.*; Geir Lundestad, *The Nobel Peace Prize*, in *THE NOBEL PRIZE: THE FIRST ONE HUNDRED YEARS* 163, 166, 168 (Agneta Wallin Levinovitz & Nils Ringertz eds., 2001); DAVID P. FORSYTHE, *THE HUMANITARIANS: THE INTERNATIONAL COMMITTEE OF THE RED CROSS* 22–23 (2005); see also F.M. Carroll, Book Review, 82 *AM. J. INT’L L.* 419, 420 (1988) (reviewing *BIOGRAPHICAL DICTIONARY OF MODERN PEACE LEADERS* (Harold Josephson ed., 1985)) (listing Passy as one of commonly accepted peace leaders of the world but not listing Dunant); James L. Tryon, *The Rise of the Peace Movement*, 20 *YALE L.J.* 358, 370–71 (1911) (same).

3. See ABRAMS, *supra* note 1, at 41.

4. See Hague Convention (II) with Respect to the Laws and Customs of War on Land art. 23, July 29, 1899, 32 Stat. 1803, 1 Bevans 247 [hereinafter 1899 Hague Regulations]; Protocol Additional to the Geneva Conventions of 12 Aug. 1949, and Relating to the Protection of Victims of International Armed Conflicts pmbl., arts. 35–36, June 8, 1977, 1125 U.N.T.S. 3; *Prosecutor v. Delalic*, Case No. IT-96-21-T, Judgment, ¶ 543 (Int’l Crim. Trib. for the Former Yugoslavia Nov. 16, 1998); see also EDWARD K. KWAKWA, *THE INTERNATIONAL LAW OF ARMED CONFLICT: PERSONAL AND MATERIAL FIELDS OF APPLICATION* 34–38

war. As commentators have observed, IHL—and its core principle of humanity—in a way perpetuates war by giving combatants greater hope of surviving hostilities, thereby enabling recruitment and the following of orders.⁵ All of this will come as somewhat of a shock to commentators who essentially exalt Dunant for his contributions to global peace.⁶ To be clear, this assertion is not the same as Pufendorf’s outright rejection of IHL for being against the design of nature that only delays the return to natural peace.⁷ Instead, this Article asserts that IHL and its principle of humanity are not optimal bases for pressing for disarmament, especially nuclear disarmament. Some commentators, most notably Theodor Meron, push to humanize IHL by moving away from reciprocity of obligations toward absolute obligations on states in limiting suffering during times of armed conflict.⁸ However, the majority view of the *lex lata* of IHL does not currently reflect this perspective.⁹ Passy’s quote against IHL and the principle of humanity invite us to consider whether we must look at war and disarmament from a much broader human context if we eventually are to make significant progress.

A survey of recent nuclear disarmament law scholarship indicates that reliance on IHL and its core principle of humanity has gained considerable

(1992); Theodor Meron, *The Martens Clause, Principles of Humanity, and Dictates of Public Conscience*, 94 AM. J. INT’L L. 78, 84 (2000); Ryan J. Vogel, *Drone Warfare and the Law of Armed Conflict*, 39 DENV. J. INT’L L. & POL’Y 101, 127–28 (2010).

5. See, e.g., Chris af Jochnick & Roger Normand, *The Legitimation of Violence: A Critical History of the Laws of War*, 35 HARV. INT’L L.J. 49, 56–58 (1994); FRITS KALSHOVEN & LIESBETH ZEGVELD, *CONSTRAINTS ON THE WAGING OF WAR: AN INTRODUCTION TO INTERNATIONAL HUMANITARIAN LAW* 203–04 (3rd ed. 2001); FIONA TERRY, *CONDEMNED TO REPEAT? THE PARADOX OF HUMANITARIAN ACTION* 23–26 (2002).

6. See, e.g., Morris Davis, *The United States and International Humanitarian Law: Building It Up, Then Tearing It Down*, 39 N.C. J. INT’L L. & COM. REG. 983, 991–92 (2014); JEAN PICTET, *FUNDAMENTAL PRINCIPLES OF THE RED CROSS* 18 (1979); André Durand, *The Development of the Idea of Peace in the Thinking of Henry Dunant*, 26 INT’L REV. RED CROSS 16 (1986); C.G. WEERAMANTRY, *UNIVERSALISING INTERNATIONAL LAW* 407 (2004) (listing Dunant as a famous peace worker).

7. See Christopher C. Joyner, *International Law in the 21st Century: Rules for Global Governance* 16–17 (2005) (referencing and analyzing Pufendorf’s various books on this subject, including Samuel Pufendorf, *Elementorum Jurisprudentiae Universalis Libri Duo* [Two Books on the Elements of Universal Jurisprudence] (1672), *translated in* *Classics of International Law* (James Brown Scott ed., William Abbot Oldfather trans., 1931) and Samuel Pufendorf, *De Jure Naturae et Gentium Libri Octo* [Eight Books on the Law of Nature and Nations] (1688), *translated in* *Classics of International Law* (James Brown Scott ed. C.H. Oldfather & W.A. Oldfather trans., 1934).

8. See THEODOR MERON, *THE HUMANIZATION OF INTERNATIONAL LAW* 9–15 (2006).

9. See generally BRYAN PEELER, *THE PERSISTENCE OF RECIPROCITY: GENEVA CONVENTION III AND THE WAR ON TERROR* (forthcoming 2019); Sean Watts, *Reciprocity and the Law of War*, 50 HARV. INT’L L.J. 365 (2009); James D. Morrow, *How Does Reciprocity Work? Evidence from the Laws of War* (unpublished manuscript) (2005), https://www.law.berkeley.edu/files/spring05_Morrow.pdf.

support.¹⁰ Not surprisingly, nuclear disarmament advocacy has followed in the same path, usually under the banner of the humanitarian impact movement.¹¹ Some have criticized this movement for diluting the debates over how the Nuclear Non-Proliferation Treaty (the “NPT”) regime should evolve. Particularly, no one involved in the movement can agree on the next step: some say that they should work toward banning nuclear weapons, some desire increased efforts to close the gaps in the NPT, and others assert that the NPT is not the proper framework for getting rid of nuclear weapons.¹²

Notwithstanding this and other criticism, the International Campaign to Abolish Nuclear Weapons (the “ICAN”) won the 2017 Nobel Peace Prize for emphasizing the negative humanitarian impact of nuclear weapons—the basis of the 2017 Treaty on the Prohibition of Nuclear Weapons.¹³ Given the fundamental disconnect between peace and the IHL principle of humanity, and given how the International Court of Justice (the “ICJ”) determined in its 1996 *Legality of the Threat or Use of Nuclear Weapons* advisory opinion that it “does not have sufficient elements to enable it to conclude with cer-

10. See, e.g., DANIEL RIETIKER, *HUMANIZATION OF ARMS CONTROL: PAVING THE WAY FOR A WORLD FREE OF NUCLEAR WEAPONS* (2018); Jonathan Granoff, *Pacta Sunt Servanda: Nuclear Weapons and Global Secure Sustainable Development*, 21 SW. J. INT’L L. 311, 323–25 (2015); Hiroaki Nakanishi, *Towards a Nuclear-Weapon-Free World: How Can the World Resolve the Disharmony Between the UNSC and the UNGA?*, 43 VICT. U. WELLINGTON L. REV. 617, 630–38 (2012); Charles J. Moxley Jr. et al., *Nuclear Weapons and Compliance with International Humanitarian Law and the Nuclear Non-Proliferation Treaty*, 34 FORDHAM INT’L L.J. 595, 612–14, 637–69 (2011).

11. This movement also has been referred to on the basis of humanitarian imperative, humanitarian consequences and humanitarian action. See, e.g., Thomas E. Doyle II, *Moral and Political Necessities for Nuclear Disarmament: An Applied Ethical Analysis*, STRATEGIC STUD. Q., Summer 2015, at 19 (citing, *inter alia*, ARIELLE DENIS, *BANNING NUCLEAR WEAPONS: AN AFRICAN PERSPECTIVE* (2014)); David A. Koplow, *You’re Gonna Need a Bigger Boat: Alternatives to the UN Security Council for Enforcing Nuclear Disarmament and Human Rights*, 29 HARV. HUM. RTS. J. 135, 158–61 (2016) (citing, *inter alia*, NICK RITCHIE, INT’L LAW & POLICY INST. & UN INSTIT. FOR DISARMAMENT RESEARCH, *THE HUMANITARIAN INITIATIVE IN 2015* (2015)); Granoff, *supra* note 10, at 311, 315–16 (2015) (citing, *inter alia*, THE HOLY SEE, *NUCLEAR DISARMAMENT: TIME FOR ABOLITION 5* (2014); *Report from the Conference on the Humanitarian Impact of Nuclear Weapons* (2013), <http://www.reachingcriticalwill.org/images/documents/Disarmament-fora/oslo-2013/HINW-report.pdf>); J. Adele Buckley, *An Arctic Nuclear-Weapon-Free Zone: Circumpolar Non-Nuclear Weapons States Must Originate Negotiations*, 22 MICH. ST. INT’L L. REV. 167, 173–75 (2013); Moxley et al., *supra* note 10, at 683–86; Charles J. Moxley Jr., *Obama’s Nuclear Posture Review: An Ambitious Program for Nuclear Arms Control but a Retreat from the Objective of Nuclear Disarmament*, 34 FORDHAM INT’L L.J. 734, 737–39 (2011). This Article uses these terms interchangeably.

12. See, e.g., Lewis Dunn, *The Nuclear Non-Proliferation Treaty (NPT) Review Process: Looking Back to 2015, Looking Forward to 2020*, Paper Presented at the Vienna Center for Disarmament and Non-Proliferation (Apr. 8, 2016) (notes on file with the author).

13. See Treaty on the Prohibition of Nuclear Weapons pmbl., ¶¶ 2–3, 8–11, 24, July 7, 2017, UN Doc. A/Conf.229/2017/8; see also Press Release, Nobel Prize, *The Nobel Peace Prize 2017* (Oct. 6, 2017), <https://www.nobelprize.org/prizes/peace/2017/press-release/>.

tainty that the use of nuclear weapons would necessarily be at variance with the principles and rules of law applicable in armed conflict [or IHL and the principle of humanity] in any circumstance,”¹⁴ one is left to wonder whether there might not be a better path to peace through nuclear disarmament. In extending Passy’s idea to nuclear disarmament, this Article resurrects from the period following the First World War—or the Great War, as some refer to it—the human-centered principle of moral disarmament and explores its usefulness as a “new” or additional foundation for peace through nuclear disarmament. This focus on an important principle that flowed from the Great War also represents a fitting way to commemorate the 100th anniversary of its official conclusion.

As a brief disclaimer, the reader might see the word “moral” in the phrase “moral disarmament” and expect analysis relating to ethical obligations to disarm based on the principal sense of the word.¹⁵ However, this Article’s use of “moral” goes beyond this meaning to include a focus on disarmament through society’s development, both economically and from a human dimension. This Article seeks to use the term “moral” as it was construed during the interwar period, especially at the Conference for the Reduction and Limitation of Armaments (the “Disarmament Conference”). This definition of “moral” exists as the tertiary sense in the dictionary and means “[d]esignating the incidental effect of an action or event . . . in producing confidence or discouragement . . .” and is juxtaposed with “material,”¹⁶ as in “material disarmament.” This Article’s advocacy of a shift to a broad, human-centered approach to disarmament resembles the development of the notion of human security in the mid-1990s,¹⁷ with its focus on the security of citizens in their daily activities, instead of just focusing on

14. Legality of the Threat or Use of Nuclear Weapons, Advisory Opinion, 1996 I.C.J. Rep. 226, ¶95 (July 8); accord Timothy McCormack, *From Solferino to Sarajevo: A Continuing Role for International Humanitarian Law?*, 21 MELBOURNE U. L. REV. 621, 633–34 (1997); see also Malcolm N. Shaw, *Nuclear Weapons and International Law*, in NUCLEAR WEAPONS AND INTERNATIONAL LAW 1, 9 (Istvan Pogany ed., 1987); Burns H. Weston, *Nuclear Weapons and the World Court: Ambiguity’s Consensus*, 7 TRANSNAT’L L. & CONTEMP. PROBS. 371, 383–92 (1997) (analyzing the ambiguity embedded in the Court’s decision on this point, thereby lending support to both sides of the argument).

15. See, e.g. Moral, Oxford English Dictionary (Online), <http://www.oed.com/view/Entry/122086> (last visited Nov. 26, 2018) (listing “ethical” as part of the main definition); THOMAS E. DOYLE, II, THE ETHICS OF NUCLEAR WEAPONS DISSEMINATION: MORAL DILEMMAS OF ASPIRATION, AVOIDANCE, AND PREVENTION (2015); Mary Eileen E. McGrath, *Nuclear Weapons: The Crisis of Conscience*, 107 MIL. L. REV. 191 (1985) (looking at nuclear weapons from a religious perspective); Jonathan Granoff, *Nuclear Weapons, Ethics, Morals, and Law*, 2000 BYU L. REV. 1413 (2000) (discussing the ethical obligation of states to disarm themselves of nuclear weapons).

16. *Moral*, OXFORD ENGLISH DICTIONARY, definition 3(d), <http://www.oed.com/view/Entry/122086> (last visited Nov. 26, 2018).

17. See, e.g., Global Dangers: Changing Dimensions of International Security (Sean M. Lynn-Jones & Steven E. Miller eds., 1995); Common Security in Asia: New Concepts in Human Security (Tatsuro Matsumae & Lincoln C. Chen eds., 1995).

state security as had been customary in international security studies before that point in time.¹⁸ Just as the 1994 United Nations (“UN”) Human Development Report identified new elements that were relevant to understanding human security—such as economic, environmental, personal, community, health, political, and food¹⁹—this Article advocates an equally broad approach to disarmament, which the 1932 Disarmament Conference did when initially introducing the principle of moral disarmament. At the core of this idea is the belief that genuine societal stability, through promotion of aspects like economic growth, is needed to realize long-lasting disarmament.

This Article is divided into six parts, including this introduction and a conclusion. Part II outlines the history that shaped the disarmament efforts leading up to the 1932 Disarmament Conference, when the principle of moral disarmament was first introduced and debated. This Part focuses on the 1919 Covenant of the League of Nations; the 1925 Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or other Gases, and of Bacteriological Methods of Warfare (or 1925 Geneva Protocol); the 1928 General Treaty for Renunciation of War as an Instrument of National Policy (or Kellogg-Briand Pact); and the 1929 Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armies in the Field (or 1929 Geneva Convention) as they relate to the notion of moral disarmament. Part III analyzes in detail how the 1932 Disarmament Conference itself nurtured but ultimately scuttled the notion of moral disarmament. This Part focuses on the documents of the Preparatory Commission for the 1932 Disarmament Conference and the documents of the 1932 Disarmament Conference itself to understand how they envisioned moral disarmament and its accompanying principles and institutions. Part IV analyzes the potential relationship between development and disarmament in an effort to identify the value in adopting the principle of moral disarmament. Finally, Part V applies the principle of moral disarmament to contemporary discussions regarding nuclear disarmament. Focusing on moral disarmament adds significant value to the discourse by tying disarmament to development: economic and human improvement help rid societies of the insecurity that typically drives states toward arms—even nuclear arms—in the first place.

18. See, e.g., Nicholas Thomas & William T. Tow, *The Utility of Human Security: Sovereignty and Humanitarian Intervention*, 33 SECURITY DIALOGUE 177 (2002); Jessica T. Mathews, *Power Shift*, FOREIGN AFF., Jan./Feb. 1997, at 50. Likewise, this shift resembles the shift of a few international law commentators in defining “humanity” outside the IHL context as being “the legal principle that human rights, interests, needs, and security must be respected and promoted.” Anne Peters, *Humanity as the A and Q of Sovereignty*, 20 EUR. J. INT’L L. 513, 513 (2009). But see Anne Peters, *Introduction to Symposium on Global Animal Law*, 111 ASIL UNBOUND 252, 256 (2017) (appearing to adopt a more traditional IHL-based definition of “humanity” that relates to superfluous injury and unnecessary suffering). Ostensibly nobody within the disarmament law discourse uses this broader definition of “humanity,” which gives uniqueness and value to this Article’s thesis.

19. See generally U.N. Dev. Programme, *Human Development Report 1994*, at 22–40 (1994).

In short, this Article examines the concept of moral disarmament using a broad-spectrum definition of humanity rather than the traditional IHL perspective. Rather than referring to human rights that are impacted by armaments, this Article looks at methods through which human initiative can create a society that truly hungers for disarmament. In other words, this Article points out that the extent of change that society can bring about through education, intellectual cooperation, peace initiatives, international affairs awareness, and intercultural communication can be reflected in the economic growth, social growth, and development of states. The aim is to help the reader envisage a world where moral disarmament is part of the fabric of society, thus helping to create an environment where people begin to see disarmament as a way of life or a natural result of the peace and prosperity that they otherwise enjoy.

II. MORAL DISARMAMENT IN HISTORICAL CONTEXT

A. Overview

The world today can well be viewed through the legacies bequeathed from the greatest conflicts mankind has known in the twentieth century. One such legacy is the League of Nations, which drew its first breath in the immediate aftermath of the First World War. The Covenant of the League of Nations required all States to reduce their arms “to the lowest point consistent with national safety.”²⁰ Various agreements were discussed and brought to the negotiating table in the interwar period, but one of the more noteworthy agreements was the 1928 Kellogg-Briand Pact, which sought to abolish the use of force in international relations.²¹ It was also a pre-cursor to the 1932 Disarmament Conference.²² The 1932 Disarmament Conference was the first global conference that brought states to the negotiating table to discuss “a universal reduction and limitation of all types of armaments.”²³ The participating states were asked beforehand—pursuant to Article 8 of the 1919 Covenant of the League of Nations—to abstain from any increases in

20. See League of Nations Covenant art. 8.

21. See generally General Treaty for Renunciation of War as an Instrument of National Policy, Aug. 27, 1928, 46 Stat. 2343, 94 L.N.T.S. 57 [hereinafter Kellogg-Briand Pact]; Joseph Preston Baratta, *The Kellogg-Briand Pact and the Outlawry of War*, in 2 ENCYCLOPEDIA OF ARMS CONTROL & DISARMAMENT 695 (Richard Dean Burns ed., 1993); Harold Josephson, *Outlawing War: Internationalism and the Pact of Paris*, 3 DIPLOMATIC HIST. 377 (1979).

22. See Jill M. Sheldon, *Nuclear Weapons and the Laws of War: Does Customary International Law Prohibit the Use of Nuclear Weapons in All Circumstances*, 20 FORDHAM INT'L L.J. 181, 222–23 (1996).

23. See JOZEF GOLDBLAT, *ARMS CONTROL: THE NEW GUIDE TO NEGOTIATIONS AND AGREEMENTS* 24 (2d ed. 2002).

their armaments for a period of one year.²⁴ This was later extended for another four months.²⁵

One of the issues that the Disarmament Conference's commissions and committees examined in great detail was the principle of moral disarmament.²⁶ It is noteworthy that moral disarmament was brought up with the intention of creating an environment conducive to peace in international relations. There already was agreement among the negotiating states that a reduction of defense expenditures and a limitation of arms was the immediate priority, as expressed in Article 8(4) of the 1919 Covenant of the League of Nations:

The Members of the League agree that the manufacture by private enterprise of munitions and implements of war is open to grave objections. The Council shall advise how the evil effects attendant upon such manufacture can be prevented, due regard being had to the necessities of those Members of the League which are not able to manufacture the munitions and implements of war necessary for their safety.²⁷

Through this provision, the international community hoped to avoid war in the future by limiting arms trafficking, which were seen as directly connected.²⁸ However, the idea that arms trafficking directly was connected to war was not a novel concept. In the period following the First World War, there already existed the notion that a reduction of armaments would lead to the development of a peaceful society. In fact, in the late nineteenth century, Russia urged other European states to reduce military expenditures and instead focus on building the global economy or otherwise promoting the betterment of people's lives.²⁹ During the interwar period, the international community tried to impress upon a more universal audience this nexus between disarmament and development.

In the run up to and during the 1932 Disarmament Conference, many in the international community sought to link the concept of moral disarmament to "education, cooperation among intellectuals, the press, broadcast-

24. See Conference for the Reduction and Limitation of Armaments, *Report by the Spanish Representative Adopted by the Council on September 30th, 1931*, League of Nations Doc. C.639(1).1931.IX (1931), <http://digital.library.northwestern.edu/league/le000018.pdf>; see also GOLDBLAT, *supra* note 23, at 24 (mentioning this source).

25. See Conference for the Reduction and Limitation of Armaments, *Armaments Truce (Renewal)*, at 1, League of Nations Doc. Conf.D.144 (1932), <http://digital.library.northwestern.edu/league/le000019.pdf>; see also GOLDBLAT, *supra* note 23, at 24 (mentioning this source).

26. See also GOLDBLAT, *supra* note 23, at 25–28.

27. See League of Nations Covenant art. 8, ¶ 4.

28. See David G. Anderson, *The International Arms Trade: Regulating Conventional Arms Transfers in the Aftermath of the Gulf War*, 7 AM. U. J. INT'L L. & POL'Y 749, 759–60 (1992).

29. See GOLDBLAT, *supra* note 23, at 19.

ing, theatre and cinema.”³⁰ The Conference’s Committee on Moral Disarmament (the “Committee”) adopted a text stating that, “parties should undertake to ensure that education at every stage should be so conceived as to inspire mutual respect between peoples and emphasize their interdependence. . . . [P]arties would ensure that persons entrusted with education and preparing textbooks were inspired by these principles[.]”³¹ The text also called for using public broadcasting—through channels like the cinema—to promote feelings of peace and friendship between states.³² In short, the text required states to avoid any program that could disrupt friendly relations between states or incite disharmony in international relations, all in the name of disarmament.

To further realize disarmament, the Committee considered a proposal to change municipal laws in such a way as to develop friendly international relations.³³ It proposed the introduction of legislation that enabled “punishment for certain acts detrimental to good relations among states.”³⁴ The Committee also recommended that the “parties should pledge themselves to consider introducing into their state constitutions an article prohibiting resort to force as an instrument of national policy, embodying thereby the principles of the 1928 Kellogg-Briand Pact.”³⁵ Thus, it can be appreciated that, in the interwar period, there was a movement trying to nudge states to submerge themselves holistically into the moral disarmament principle. There was conscious optimism that, as society assimilated and inculcated values of mutual respect, interdependence, the spirit of goodwill and peace among nations, and the benefits of development and economic growth, there would be a conscious disavowal of the call to arms, conflicts, and any element that would otherwise disrupt peace among nations. It is this human-centered approach to disarmament that this Article aims to understand and resurrect. In doing so, this Part aims to understand the context leading up to these proposals.

B. *Disarmament Movements Prior to the First World War*

Prior to the First World War, states were already focusing on disarmament. Kant’s 1797 essay *Perpetual Peace* was the first peace theory covering the actions of states.³⁶ In a break from established norms, Victor Hugo and Giuseppe Garibaldi advocated peace as social justice and human rights

30. *Id.* at 27–28.

31. *Id.* at 27.

32. *Id.* at 27–28.

33. *Id.* at 28.

34. *Id.*

35. *Id.*

36. POLITICAL AND CIVIC LEADERSHIP: A REFERENCE HANDBOOK 174 (Richard A. Couto ed., 2010).

rather than faith and religious virtue as it had been until then.³⁷ The first peace societies were established in the 1800s.³⁸ The American Peace Society was founded in 1828, and it focused on resolving international conflicts through reason and negotiation by promoting international dispute resolution through arbitration.³⁹ The early peace movements also denounced the allocation of national human and economic resources toward war and the military, and they strongly criticized military spending.⁴⁰ The first peace congress in Brussels in 1848 attracted participants from Belgium, France, Great Britain, Spain, and the United States. It was there that the first calls for disarmament were made.⁴¹ In 1849, almost 1,000 official delegates attended the Paris Peace Conference, where the first call for a European union based on a democratic principle was made.⁴² In 1867, Geneva hosted the largest peace congress at the time, until the Paris exposition of 1889 went on to spawn the first universal peace congress.⁴³

This first century of peace-building culminated in the Hague Peace Conferences of 1899 and 1907.⁴⁴ The 1899 conference did not result in a significant decrease in arms,⁴⁵ and the 1907 conference resulted in a “feeble” resolution calling on the participating states to acknowledge and deliberate on the critical agenda of disarmament and arms control.⁴⁶ Nonetheless,

37. See *id.* at 175.

38. *Id.* at 174.

39. *Id.*; see also DAVID CORTRIGHT, PEACE: A HISTORY OF MOVEMENTS AND IDEAS 28 (2008).

40. See CORTRIGHT, *supra* note 39, at 28; POLITICAL AND CIVIC LEADERSHIP: A REFERENCE HANDBOOK, *supra* note 36, at 174.

41. See POLITICAL AND CIVIC LEADERSHIP: A REFERENCE HANDBOOK, *supra* note 36, at 175. However, what appears to have been overlooked by most commentators is that Chinese feudal states during the Chun Chiu period (72–481 B.C.) held a multilateral disarmament conference in 546 B.C., over two millennia before any of these conferences, where they tried to remove arms and eliminate war. See generally RICHARD LOUIS WALKER, THE MULTI-STATE SYSTEM OF ANCIENT CHINA 54–58 (1953); A DOCUMENTARY HISTORY OF ARMS CONTROL AND DISARMAMENT 5 (Trevor N. Dupuy & Gay M. Hammerman eds., 1973); Evan Morgan, *A League of Nations in Ancient China*, 57 J. NORTH CHINA BRANCH ROYAL ASIATIC SOC'Y 50 (1926).

42. See POLITICAL AND CIVIC LEADERSHIP: A REFERENCE HANDBOOK, *supra* note 36, at 175.

43. See *id.* at 175–76.

44. *Id.* at 176.

45. See Detlev F. Vagts, The Hague Conventions and Arms Control, 94 AM. J. INT'L L. 31, 34 (2000); Geoffrey Best, Peace Conferences and the Century of Total War: The 1899 Hague Conference and What Came After, 75 INT'L AFF. 619, 632 (1999); George H. Aldrich & Christine M. Chinkin, A Century of Achievement and Unfinished Work, 94 AM. J. INT'L L. 90, 92 (2000).

46. See Vagts, *supra* note 45, at 34.

the Hague Conferences “opened the doors—just barely—to the era of arms control.”⁴⁷

C. *Disarmament After the First World War*

It is not a stretch to say that the world was eager to disarm after the First World War. The war-ravaged battlefields of the various theaters of the First World War had front row seats to the most massive scale of destruction the world had ever seen until then. They witnessed the changes surrounding traditional military strategy as the war drew to a close. The stage was set for calls to disarm. Of course, as discussed above, there already was some discussion of disarmament prior to the First World War. But the aftermath of the war was the catalyst for an environment open to global discussions and negotiations regarding the pursuit of the lofty goal of disarmament. This Section explores the disarmament debates after the First World War.

Post-World War I, disarmament efforts came to be perceived as vital to the maintenance and continuance of world peace. The peaceful settlement of disputes, security of states, and efforts to reduce or limit the level of armaments in states around the world came to be known as the holy triumvirate of the disarmament efforts in the interwar period.⁴⁸ Several attempts were made to get states to agree to reduce their weaponry and in some cases even abolish certain kinds of weapons.⁴⁹ The following paragraphs provide a few examples.

The League of Nations was responsible for many of the initiatives to work toward peace in international relations.⁵⁰ At the heart of the quest for peace and economic stability was the conundrum of disarmament.⁵¹ The First World War’s massive scale of destruction and its effect on economies and people all over the world caused public opinion to skew firmly against war and warmongering.⁵² Disarmament was the cynosure of all discussions in the public domain in the immediate aftermath of the war. It is no coincidence that disarmament featured prominently on the agenda of the League of Nations and carved its place into Article 8 of the Covenant of the League

47. *Id.* at 31 (explaining how the costs of increasing armaments were taking a toll on government budgets, and this was a primary reason for the Hague Conferences, but noting that the outcomes of the Conference related to qualitative aspects rather than curtailment of arms expenditure); *see also* Aldrich & Chinkin, *supra* note 45, at 90 (noting that one of the achievements of the Conferences was the Convention for the Pacific Settlement of International Disputes; Best, *supra* note 45, at 628 (same)).

48. *See* Conference for the Reduction and Limitation of Armaments, *Verbatim Record (Revised) of the First Plenary Meeting*, at 4, League of Nations Doc. Conf. D./P.-V.1. (1) (1932), <http://digital.library.northwestern.edu/league/le000429.pdf>.

49. *See id.* at 5–6.

50. *See id.* at 2.

51. *See id.*

52. *See id.* at 2, 7.

of Nations.⁵³ Article 8 of the Covenant of the League of Nations states that, “the maintenance of peace required the reduction of national armaments to the lowest point consistent with (States’) national safety and the enforcement by common action of their international obligations.”⁵⁴ The Council of the League of Nations set up a Permanent Advisory Commission to handle disarmament as provided for under Article 8 of the Covenant.⁵⁵

The first seed of the concept of moral disarmament sprouted at the first Assembly of the League, during which it was recognized that “disarmament was more than a technical question, and that, for its practical solution it was necessary to consider also a whole series of political, social and economic problems.”⁵⁶ The recognition that disarmament was not to be merely confined to material disarmament and the decision to widen the scope of enquiry and deliberations led to the creation of a Temporary Mixed Commission (the “TMC”).⁵⁷ The TMC was composed of recognized authorities on the various aspects of disarmament requiring consideration.⁵⁸ It deliberated for four years until the 1924 Assembly of the League.⁵⁹ The discussions at the TMC focused “upon the necessarily intimate relation between disarmament and security.”⁶⁰ There was a school of thought that believed that disarmament “could only be effected in proportion to the development of security” and another school of thought that firmly believed security for states was to be garnered as a consequence of disarmament.⁶¹ Walking the middle path between these two schools of thought, the TMC tried to bring about a compromise and proposed the draft Treaty of Mutual Assistance to the Assembly of the League in 1923.⁶²

The draft Treaty of Mutual Assistance was the precursor to the Paris Pact for the Renunciation of War—also referred to as the Kellogg-Briand Pact—as the former was based on the idea that “war, as an instrument of aggression, must henceforth be regarded as an international crime.”⁶³ The draft Treaty of Mutual Assistance was not acceptable to the states as a final and satisfactory solution of the problem and was dropped by the Assembly

53. *See id.* at 2.

54. League of Nations Covenant art. 8.

55. *Verbatim Record (Revised) of the First Plenary Meeting*, *supra* note 48, at 2.

56. *See id.* at 2.

57. *See id.*

58. *See id.*

59. *Id.* at 3.

60. *Id.*

61. *Id.*

62. *See id.*

63. *Id.*; *see also* GERHARD VON GLAHN, LAW AMONG NATIONS: AN INTRODUCTION TO PUBLIC INTERNATIONAL LAW 517–19 (5th ed. 1976) (discussing the relationship between these and other treaties); Mohammed M. Goma, *The Definition of the Crime of Aggression and the ICC Jurisdiction over that Crime*, in THE INTERNATIONAL CRIMINAL COURT AND THE CRIME OF AGGRESSION 55, 62 (Mauro Politi & Giuseppe Nesi eds., 2004) (same).

of the League in 1924, in lieu of “a more comprehensive plan, viz., the Geneva Protocol of 192[5].”⁶⁴ The 1925 Geneva Protocol overcame the difficulties posed by the draft Treaty of Mutual Assistance and was accepted by fourteen states. However, it did not manage to obtain general acceptance because of “difficulties arising from the non-participation of important countries which were not members of the League of Nations.”⁶⁵ Therefore, the Geneva Protocol was set aside in favor of a partial application of a regional system of guarantees, which came to be referred to as the Locarno Agreements of October 16, 1925.⁶⁶ It can be said that the Locarno Agreements also contributed to the idea of moral disarmament. The representatives of the eight signatory states were firmly convinced that

the entry into force of these treaties and conventions would contribute greatly to bring about a moral relaxation of international tension, help powerfully towards the solution of many political and economic problems in accordance with the interests and sentiments of the peoples concerned and would thus effectively hasten the disarmament provided for in Article 8 of the Covenant of the League.⁶⁷

The General Act for the Pacific Settlement of Disputes—consisting of three conventions dealing with conciliation, judicial settlement, and arbitral settlement—was presented to the Assembly of the League in 1928 and came into effect on August 16, 1929.⁶⁸ In 1930, the Assembly of the League adopted the Convention on Financial Assistance.⁶⁹ The next development in promoting disarmament talks was that a majority of states of the League accepted the Permanent Court of International Justice’s compulsory jurisdiction.⁷⁰ The Committee on Arbitration and Security, which was set up by the Preparatory Commission in accordance with a resolution adopted by the Assembly of the League at its 8th session in September 1927, proposed a framework whereby “security provided in the General Act would be sup-

64. *Verbatim Record (Revised) of the First Plenary Meeting, supra* note 48, at 3.

65. *Id.* There is a similar problem currently facing the Nuclear Non-Proliferation Treaty and the Chemical Weapons Convention, where major states in these areas remain outside of these regimes.

66. *See id.*; *see also* Werner Morvay, *Locarno Treaties (1925)*, in 7 *ENCYCLOPEDIA OF PUBLIC INTERNATIONAL LAW* 330 (Rudolf Bernhardt ed., 1981).

67. *Verbatim Record (Revised) of the First Plenary Meeting, supra* note 48, at 4.

68. *See id.* (noting that the General Act was accepted by nineteen States and represents one of the most considerable efforts in the task of peace building in the period after the First World War); *see also* Quincy Wright, *The General Act for the Pacific Settlement of International Disputes*, 24 *AM. J. INT’L L.* 582, 582 (1930).

69. *See Verbatim Record (Revised) of the First Plenary Meeting, supra* note 48, at 4–5 (noting that the enforcement of the Convention on Financial Assistance was conditional “on the entry into force of a scheme for the reduction of armaments” and that was accepted by thirty states).

70. *See id.*

plemented by a draft Convention to improve the Means of preventing War,” which the Assembly adopted in 1931.⁷¹

A brief mention must be made about the efforts regarding naval disarmament.⁷² The Washington Conferences of 1921 and 1922 resulted in a Five-Power Treaty (United States, the British Empire, France, Italy, and Japan) that limited capital ships and aircraft carriers.⁷³ A naval conference was held in Geneva in 1927, but the deliberations did not lead to any successful outcome.⁷⁴ However, the London Naval Conference in 1930 was more successful and resulted in an agreement between the United States, the British Commonwealth of Nations, and Japan “to dispose certain existing capital ships . . . and limit their cruisers, destroyers and submarines to given definite figures.”⁷⁵

In parallel efforts to promote disarmament and peace, the most important advancement in the disarmament and security context outside the realm of the League was “the adoption of the Paris Pact for the Renunciation of War as an Instrument of National Policy.”⁷⁶ In order to harmonize the Paris Pact with the Covenant of the League of Nations, the Assembly of the League inserted into the Covenant a prohibition of war and an affirmation that international disputes had to be resolved through pacific means.⁷⁷

Thus, disarmament efforts in the interwar period were clearly considered important by states that wished to work toward rebuilding economies and establishing peace. It also is clear from the above that states made several efforts toward disarmament in the period after the First World War.

D. Preparation for the Disarmament Conference

In the aftermath of the First World War, the developments highlighted above were slowly adding momentum and setting the stage for the Disarmament Conference. In the build-up to the Disarmament Conference, a Preparatory Commission was set up to conduct massive deliberations,⁷⁸ as well as to lay the groundwork for the Conference, where the triple objectives inspiring League members’ efforts were arbitration, security, and disarmament.⁷⁹ Guarantees of security and arbitration were considered im-

71. *Id.*

72. *See id.* at 5–6.

73. *See id.* at 5.

74. *See id.*

75. *Id.*; *see also* L.P. Morgan, *The Background of the London Naval Conference, with Comparative Statistics on the Five Navies Illustrated by Tables and Charts* (1930).

76. *Verbatim Record (Revised) of the First Plenary Meeting, supra* note 48, at 5.

77. *See id.* (the Assembly of the League adopted, in 1927, a resolution “in favor of a complete renunciation of war”).

78. *See id.* at 4 (stating that the “bulk of the work of the Preparatory Commission was of a technical character” and also included questions related to “security and provision of pacific settlement of disputes”).

79. *See id.*

portant factors to negotiate a fixed level of armaments in accordance with the terms of Article 8 of the Covenant of the League.⁸⁰ The Preparatory Commission sessions built up expectations that, as states started to acknowledge the growth of security in international relations, the agreement to decrease arms would increase.⁸¹ The Preparatory Commission constituted two special sub-commissions for the study of the questions relating to disarmament—one for deliberations regarding the military, naval, and air aspects and the other related to the non-military aspects.⁸²

The Preparatory Commission deliberated for five years and prepared a draft of the Convention for the Limitation and Reduction of Armaments in December 1930.⁸³ The draft Convention prescribed a framework and methods to achieve disarmament.⁸⁴ There was no provision regarding moral disarmament in the draft Convention of the Preparatory Commission. The Preparatory Commission finished its work in December 1930, and the League of Nations started preparing for the Disarmament Conference.⁸⁵ In the run-up to the Disarmament Conference, the Assembly of the League appealed to all the states to spare no effort to “create a world opinion strong enough to enable [the] Conference to achieve positive results.”⁸⁶ An armaments truce was recommended with the object of “preventing competition in armaments pending the conclusion” of the Disarmament Conference.⁸⁷ The Armaments Truce was “accepted for one year from November 1st, 1931,” by the gov-

80. See *Report by the Preparatory Commission for the Disarmament Conference*, at 32, League of Nations Doc. C.690.M.289.1930.IX.[(C.P.D.295(I)] (1930), <http://digital.library.northwestern.edu/league/le00030a.pdf>.

81. See *id.* at 34; see also *Records of the Conference for the Reduction and Limitations of Armaments*, League of Nations (1932) (showing that the Preparatory Commission held six sessions, two in 1926, two in 1927, one in 1928, and the sixth session began in April 1929, was suspended in May 1929, resumed in November 1930 and continued until December 1930).

82. See *Report by the Preparatory Commission for the Disarmament Conference*, *supra* note 80, at 32.

83. See *Verbatim Record (Revised) of the First Plenary Meeting of the Conference*, *supra* note 48, at 5.

84. See *id.* at 5–6 (noting how some of the questions dealt with in the draft Convention were the “limitation of effectives in time of peace and the limitation of the period of service in conscript armies, the indirect limitation of land material by means of a limitation of expenditure, the direct limitation of tonnage and gun caliber of naval material, the limitation of expenditure on material for naval armaments, the limitation of the total number, horse power and volume of dirigibles, the limitation of the total number and horse power of aeroplanes, the limitation of the total annual expenditure on land, sea and air armed forces and formations organized on a military basis, publicity and exchange of information, the prohibition of the use of chemical and bacteriological arms, the creation of a permanent disarmament commission, and finally the procedure to be followed in dealing with complaints.”).

85. See *id.* at 6.

86. *Id.*

87. *Id.*

ernments taking part in the Disarmament Conference.”⁸⁸ The Armaments Truce was later renewed for a period of four months.⁸⁹ The Armaments Truce and its renewal bear witness to the sincere intentions of the governments to deliberate and arrive at a mutually beneficial reduction of world armaments.⁹⁰ The detailed deliberations of the Preparatory Commission thus paved the way for comprehensive negotiations and discussions at the Disarmament Conference.

E. *Immediately Before the Disarmament Conference*

At the threshold of the Disarmament Conference, the “two great safeguards against acts of violence and war” were the Covenant of the League of Nations and the Kellogg-Briand Pact.⁹¹ The Disarmament Conference was convened “to deal with the whole problem of the reduction and limitation of armaments under Article 8 of the Covenant of the League” and to deliberate on definite steps toward achieving and maintaining peace.⁹² The Disarmament Conference was considered unique because states who were not members of the League of Nations also were to participate in the important quest to reduce the world’s armaments.⁹³ This stands in contrast with current practice within the International Atomic Energy Agency (the “IAEA”), for example, where non-member states can attend and participate in IAEA conferences only if they are UN members or members of a UN

88. *Id.*

89. *See* Armaments Truce (Renewal), *supra* note 25.

90. The Albanian government accepted the Armaments Truce and stated its desire “of seeing the ideals of peace and justice on which the Covenant is based firmly established throughout the world and of helping to prepare the ground for the success of the coming Conference.” *See* Conference for the Limitation and Reduction of Armaments, *Armaments Truce*, at 6, League of Nations Doc. C919.M.484.1931.IX.[Conf.D.35.]. The German government expressed its willingness to support “all measures which might facilitate the work of the Disarmament Conference” in its acceptance of the Armaments Truce. *Id.* at 7. The Australian government stated in its acceptance of the Armaments Truce that it was convinced that “the success of the Disarmament Conference would be greatly promoted” by the armaments truce. *Id.* The Bulgarian government confirmed its acceptance of the renewal of the Armaments Truce stating expressly that it was prepared “to adhere to any measure likely to bring about the effective reduction of the armaments of all States.” *Id.* The Lithuanian government set out its conviction that the truce would “greatly contribute to the success of the General Disarmament Conference[.]” *Id.* at 14.

91. *See Verbatim Record (Revised) of the First Plenary Meeting*, *supra* note 48, at 1.

92. *Id.* at 7 (stating that the agenda for the Disarmament Conference could be divided into three tasks: “(a) to arrive at a collective agreement on an effective programme of practical proposals speedily to secure a substantial reduction and limitation of all national armaments; (b) to determine that no armaments may be maintained outside the scope of that treaty by which all nations represented (at the Conference) are to make the achievement of universal disarmament their common aim; (c) to ensure continuity of advance towards our ultimate goal, without detracting in any way from the fullest measure of success of our immediate effort, by planning the holding of similar conferences at reasonably short intervals of time”).

93. *Id.* at 1.

specialized agency.⁹⁴ Sixty states were represented at the Disarmament Conference, which was called “the most important international gathering since the termination of the world war in 1918.”⁹⁵

Thus, there were many developments related to disarmament in the period after the First World War leading up to the Disarmament Conference. The majority of the discussions centered around the principles of security, arbitration, and material disarmament. There was, however, a parallel movement of thought regarding another feature of disarmament—that of moral disarmament. Throughout the interwar period, the concept of moral disarmament was discussed in circles of intellectual cooperation. It was also taken up by certain interested states who wished to broaden the perspective of the deliberators at various fora of discussion relating to disarmament. While material disarmament was a finite concept, easy to understand and easy to convert into numerical figures—even if not as easy to achieve—moral disarmament was, as a concept, intangible and therefore more difficult to elucidate. The next Part looks at all instances and references to moral disarmament as developed during the interwar period.

III. MORAL DISARMAMENT IN THE 1932 DISARMAMENT CONFERENCE

During the deliberations at the Disarmament Conference, the principle of moral disarmament quickly generated considerable international support. Various documents and records of discussions during and leading up to the 1932 Disarmament Conference reveal that the Polish delegation was an active contributor to the agenda of moral disarmament. Other champions of the cause of moral disarmament include the International Organization on Intellectual Cooperation, the International Committee on Intellectual Cooperation, and various National Committees on Intellectual Cooperation.⁹⁶ Moreover, at various occasions in 1931, delegates of the French, British, and Spanish governments made statements regarding moral disarmament.⁹⁷ Moral disarmament also found expression in international associations like the International Federation of League of Nations Societies and the World

94. See Paul C. Szasz, *The Law and Practices of the International Atomic Energy Agency* 128–29 (1970) (citing Procedural Rule 30).

95. *Verbatim Record (Revised) of the First Plenary Meeting*, *supra* note 48, at 1.

96. See Conference for the Reduction and Limitation of Armaments, *Moral Disarmament: Documentary Material Forwarded by the International Organisation on Intellectual Cooperation*, at 6–8, League of Nations Doc. Conf. D. 98 (1932), <http://digital.library.northwestern.edu/league/le000079.pdf>.

97. See *Moral Disarmament: Memorandum from the Polish Government*, at 1, League of Nations Doc. C.602.M.240.1931.IX [Conf. D.16] (1931), <http://digital.library.northwestern.edu/league/le000080.pdf>. The French Minister for Foreign Affairs referred to moral disarmament at “the tenth session of the League Assembly . . .” *Id.* The British Foreign Minister made a similar reference at “the annual meeting of the Burge Memorial Trust . . .” *Id.* (internal quotations omitted). The Spanish delegation made references to moral disarmament at “the twelfth session of the Assembly . . .” *Id.*

Peace League.⁹⁸ The International Federation of the League of Nations Societies, at its fifteenth plenary Congress, voiced its consideration that any progress in moral disarmament would proceed from the rejection of “bellacose or aggressive propaganda.” It adopted a resolution seeking to develop practices in the sphere of journalism and the Press to reinforce commitment to the values of moral disarmament.⁹⁹

The Disarmament Committee of the Women’s International Organizations considered that “moral hostility,” above all, “was a grave menace” to world peace and lent the moral disarmament movement their full support, having worked for several years to achieve its principles.¹⁰⁰ Another contribution to the growing awareness of moral disarmament came from the Universal Peace Congress in July 1931.¹⁰¹ The Universal Peace Congress maintained that moral disarmament was crucial in achieving material disarmament, as moral disarmament was “at the same time the condition and the guarantee of all reduction of military armaments.”¹⁰² A much-valued contribution came from an appeal made by the Conference of Press Experts, which was aimed at the network of press and journalists around the world and sought collaboration and contributions from the press in its efforts toward peace, harmony, and goodwill among states and their peoples.¹⁰³ The following paragraphs describe the various initiatives taken with regard to moral disarmament and also integrate the efforts made in the fields of intellectual cooperation that are pertinent to disarmament. Scrutiny of the deliberations made by the Committee for Moral Disarmament draws attention to the various indicators that were considered important for achieving moral disarmament. The framework discussed by the Committee for achieving moral disarmament and the support professed by various states in this regard are described in detail in this Section.

A. *The Polish Initiative on Moral Disarmament*

The Polish delegation contributed to the principle of moral disarmament through statements at the last session of the Preparatory Commission for the Disarmament Conference, discussions in the Special Committee appointed

98. *Id.*

99. *Id.* at 4.

100. *See Communication on “Moral Disarmament” by the Disarmament Committee of the Women’s International Organisations to the Conference for the Reduction and Limitation of Armaments*, at 1, League of Nations Doc. 7A/36301/31255 (1932), http://libraryresources.unog.ch/ld.php?content_id=19934112.

101. *See Moral Disarmament: Memorandum from the Polish Government*, *supra* note 97, at 4.

102. *Id.*

103. *Id.* at 5 (noting that the Conference of Press Experts adopted a resolution on Moral Disarmament wherein it appealed to “the Press of the world to contribute by every means at its disposal to the consolidation of peace, to combat hatred between nationalities and between classes,” as these factors posed the greatest danger to international peace).

to deliberate on and prepare a draft General Convention “for strengthening the [m]eans of preventing [w]ar,” and detailed memoranda on the subject of moral disarmament.¹⁰⁴ This Section discusses three documents—the Polish memorandum of September 1931, the proposals of February 1932, and the proposals of March 15, 1932—that highlight the contributions of the Polish delegation to achieving moral disarmament.¹⁰⁵

The Polish memorandum of September 1931 set out suggestions to achieve moral disarmament in various spheres of government and civil life.¹⁰⁶ Moral disarmament was not a principle that could be put into practice and display results immediately; rather, it was a process that would give desirable results on a progressive inculcation of its values as it slowly but firmly, and even unconsciously, permeated into every aspect of public life. Moral disarmament could be put into practice in governmental spheres of public works, international relations, and domestic legislation, and in public spheres of education, broadcasting, press, cinema, and other intellectual cooperation activities.¹⁰⁷ Some of the recommendations in the memorandum related to national legislation, problems of the press, systemic changes in education, and broadcasting.¹⁰⁸

The proposals of February 1932 elaborated on suggestions of the memorandum in an effort to facilitate “achieving of moral disarmament in every field of public life controlled by the organs of government.”¹⁰⁹ These efforts were driven by the firm conviction that harmony in international relations would inspire and cultivate mutual confidence and respect among states and their peoples. This, in turn, would be a step toward maintaining peace and thus a gradual attainment of disarmament.¹¹⁰ As a result, it was vital to convert governments to the cause of moral disarmament and to use a top-down approach to integrate aspects of moral disarmament into their foreign policies and international relationships.¹¹¹ The contribution of governments to

104. *Id.* at 1.

105. *See id.*; *see also* Conference for the Reduction and Limitation of Armaments, *Proposals of the Polish Delegation with Regard to the Gradual Attainment of Moral Disarmament*, League of Nations Doc. Conf.D.76 (1932), <http://digital.library.northwestern.edu/league/le000107.pdf>; Conference for the Reduction and Limitation of Armaments, *Preliminary Report of the Work of the Conference*, at 143, League of Nations Doc. Conf.D.171(I) (1936), <http://digital.library.northwestern.edu/league/le00089a.pdf>.

106. *See Moral Disarmament: Memorandum from the Polish Government*, *supra* note 97, at 2–3.

107. *Id.* (emphasizing that “one of the ways to achieve a progressive realization of disarmament was through a practical achievement of moral disarmament” in various spheres like education, press, broadcasting and cinema, and legislation).

108. *Id.* at 2, 3, 5.

109. *See id.* at 1.

110. *See id.*

111. *Id.* at 2.

this cause was crucial.¹¹² If international relations between governments did not encompass qualities of mutual respect, tolerance, and peaceful resolution of disputes, *inter alia*, then it would be improbable—if not impossible—to expect the principles of moral disarmament to seep into various features of public life.¹¹³

The Polish proposals of March 15, 1932 on moral disarmament made recommendations in respect of legislation, press, and broadcasting.¹¹⁴ They sought to stretch domestic law to certain actions that would be considered “incompatible with satisfactory international relations and dangerous to the peace of the world.”¹¹⁵ Suggestions were put forward for the gradual achievement of moral disarmament through channels of the press¹¹⁶ and through broadcasting.¹¹⁷ The importance of the contribution of the Polish delegation in the field of moral disarmament is evident from the discussion in the following sections. The suggestions put forward by the Polish delegation also find parallels in the deliberations of the International Organization on Intellectual Cooperation.

B. *Intellectual Cooperation and Moral Disarmament*

In the immediate aftermath of the First World War, the League of Nations considered it important to promote intellectual activities and to seek cooperation with regard to various fields comprising intellectual activity, with the goal of promoting international cooperation and international intel-

112. See *Communication on “Moral Disarmament” by the Disarmament Committee of the Women’s International Organisations to the Conference for the Reduction and Limitation of Armaments*, *supra* note 100, at 1 (beseeching all governments to “take necessary steps to guard the school, the book, the press, the radio, the cinema, and all public platforms, from pernicious influences working against peace”).

113. See *Preliminary Report of the Work of the Conference*, *supra* note 105, at 143 (stating that the “International Policy of Governments should be in harmony with their efforts in the direction of moral disarmament”); *Proposals of the Polish Delegation with Regard to the Gradual Attainment of Moral Disarmament*, *supra* note 105, at 2.

114. See *Preliminary Report of the Work of the Conference*, *supra* note 105, at 143.

115. See *id.* at 143 (noting that a suggestion was made to conclude an international convention where “Governments would agree to make certain specified actions punishable offences under their law, such actions to be defined as incompatible with satisfactory international relations and dangerous to the peace of the world. These actions would include inciting public opinion to warlike sentiments, propaganda which aimed at inducing States to violate international law, and the deliberate spreading of false or distorted reports or forged documents likely to embitter the relations between States.”).

116. See *id.* at 143 (noting that a recommendation was made that “[a] conference should be held . . . of qualified representatives of journalists and publishers’ associations to consider what steps could be taken to put the idea of moral disarmament into effect so far as the Press was concerned.”).

117. *Id.* at 143 (noting that a recommendation was made to have a General Convention on broadcasting, and it was suggested that governments “undertake[] to adhere to the principle of moral disarmament in their supervision of broadcasting programmes.”).

lectual collaboration.¹¹⁸ The result was the International Organization on Intellectual Cooperation,¹¹⁹ which was one of the League of Nations' four technical entities.¹²⁰ The purpose of intellectual collaboration and cooperation was to create "an atmosphere favourable to the pacific solution of international problems."¹²¹ Intellectual cooperation was seen as a definite method of encouraging participation and collaboration between states "in all fields of intellectual effort" in order "to promote a spirit of international understanding as a means to the preservation of peace."¹²² These principles were also the basis of the concept of moral disarmament. The International Organization on Intellectual Cooperation made several valuable contributions to the field of moral disarmament, especially in the fields of education, international collaboration, international relations, broadcasting, cinema, and the press.¹²³ The intellectual cooperation movement found many common factors with the agenda of the Polish delegation in the field of moral disarmament and these commonalities were discussed by the Committee for Moral Disarmament.

C. *The Committee for Moral Disarmament*

The methods of achieving moral disarmament were deliberated on by delegations at the Disarmament Conference and in parallel by the International Organization on Intellectual Cooperation and other associations. The delegations at the Disarmament Conference were convinced of the necessity of carefully examining all proposals regarding moral disarmament and to pursue a method of transforming the theory into practice. To achieve these ends, a Committee for Moral Disarmament came into being on March 15, 1932 at the meeting of the Political Commission of the Disarmament Conference.¹²⁴ The memoranda submitted by the Polish Government to the Po-

118. See Moral Disarmament: Documentary Material Forwarded by the International Organisation on Intellectual Co-operation, *supra* note 96, at 5–6.

119. See *id.* at 6 (noting that the International Organization on Intellectual Co-operation was created in 1926 and consists of an International Committee on Intellectual Co-operation, three permanent institutions, viz., an Intellectual Co-operation Section in the League Secretariat, an International Institute of Intellectual Co-operation at Paris and an International Educational Cinematographic Institute in Rome, thirty-nine national committees, and a large number of committees of experts).

120. See *id.* at 5.

121. *Id.* at 6 (italicized in original).

122. *Id.* (italicized in original).

123. See *id.* at 7 (noting that, due to the large interconnected network of the Intellectual Co-operation Organization, "[i]deas of interest to contemporary civili[z]ation or which tend to promote international collaboration in instruction and education may thus pass in a short space of time from a national proposal to an international reality[.]" and in addition, "rapid co-operation of various countries with the League of Nations is ensured . . .").

124. See Report of the Committee for Moral Disarmament at the End of the First Session of the Conference for the Reduction and Limitation of Armaments, at 1, League of Nations Doc. Conf.D.138.[Conf. D./C.D.M.24.] (1932), <http://digital.library.northwestern.edu/league/>

litical Commission of the Disarmament Conference played an important role in the establishment of the Committee for Moral Disarmament.¹²⁵ The memoranda drew the attention of the Commission to the obvious connection between material and moral disarmament.¹²⁶

A sub-committee was appointed to examine the various factors that connected material and moral disarmament and to prepare an agenda for deliberation by the Committee for Moral Disarmament.¹²⁷ The agenda for the work of the Committee for Moral Disarmament was prepared in accordance with the recommendations made by the Committee on Intellectual Cooperation, and suggestions were put forward by certain delegations.¹²⁸ The agenda of the Committee for Moral Disarmament categorized the various aspects linking material and moral disarmament into three headings:

- Questions concerning intellectual cooperation and technical means of spreading information, including the problems of education, utilization of cinematography, and broadcasting;
- Questions concerning the cooperation of the Press; and
- Questions of a legal character.¹²⁹

Sub-committees were appointed to deliberate on the various aspects related to each of the above headings.¹³⁰ The Committee for Moral Disarmament adopted a resolution on June 2, 1933, stating that provisions regarding moral disarmament “should stand on the same footing as provisions regarding material disarmament in the final texts to be adopted by the Conference.”¹³¹ The Committee for Moral Disarmament went on to adopt a draft text prepared by the International Organization on Intellectual Cooperation as a basis for discussion of the first group of “questions concerning intellectual cooperation and technical means of spreading information, including the prob-

le000078.pdf (noting that the Committee had M. Perrier (Switzerland) as President and M. Szumlakowski (Poland) as Rapporteur).

125. *See id.* at 1 (noting that the Polish memorandum and proposals were created on September 23, 1931, February 13, 1932, and March 15, 1932).

126. *See id.*

127. *See id.*

128. *See id.*

129. *See id.*

130. *See id.* at 2 (noting that the sub-committee for questions concerning intellectual cooperation based its deliberations on data, suggestions and recommendations from “the Organ[iz]ation on Intellectual Co-operation and the Rome International Educational Cinematographic Institute, and . . . several delegations.”); *Preliminary Report of the Work of the Conference*, *supra* note 105, at 144 (noting that the Committee appointed a Legal Committee to study the legal and constitutional questions involved in the problem of moral disarmament and a memorandum submitted on the subject by M. Pella (Romania)).

131. *See* Letter Addressed to the President of the Conference by the Chairman of the Moral Disarmament Committee December 1, 1933, at 932, League of Nations Doc. Conf.D/C.D.M.38 (1932), <http://digital.library.northwestern.edu/league/le00032e.pdf>.

lems of education, utilization of the cinematography and broadcasting.”¹³² The text had four articles and a short preamble.¹³³ The draft text considered issues relating to the “education of the younger generation, co-operation of the intellectual world, utilization of technical means of spreading information, and ways and means of giving effect to possible undertakings.” It also sought to provide a framework that would facilitate moral disarmament in all discussed areas.¹³⁴

The Committee for Moral Disarmament forwarded this text¹³⁵ to the President of the Conference on December 1, 1933.¹³⁶ At the same time, the Chairman of the Committee for Moral Disarmament informed the President of the Conference that the questions related to legislation and cooperation of the press would be considered by the Committee at a later stage of the Conference.¹³⁷ The Chairman also communicated that the Committee would keep on hold the procedures arrived at for the implementation of moral disarmament until the Conference arrived at procedures to execute the implementation of material disarmament.¹³⁸ The United Kingdom and a few other

132. See *Report on the Work of the Committee for Moral Disarmament*, at 928, League of Nations Doc. D./C.D.M.37 (1933), <http://digital.library.northwestern.edu/league/le00032e.pdf> (showing how three texts were at the disposal of the Committee for deliberations regarding the first group of questions, including questions related to teaching, co-operation between intellectual circles, broadcasting, theatre and the cinematograph; noting that one was a draft framed by the Rapporteur of the Committee in June 1932, one was the draft submitted by the International Committee on Intellectual Co-operation and the third draft was one submitted to the Committee by the British and United States delegations; showing that ideas emerged from a comparison of the texts led the French delegation to present a compromise draft, which was finally adopted as a basis for discussion; noting how the Assembly of the League of Nations at its fourteenth session “stressed the value of the draft text relating to Moral Disarmament which had been framed by the International Committee on Intellectual Co-operation.”).

133. See *Preliminary Report of the Work of the Conference*, *supra* note 105, at 144.

134. See *Report of the Committee for Moral Disarmament at the End of the First Session of the Conference for the Reduction and Limitation of Armaments*, *supra* note 124, at 2.

135. See *Preliminary Report of the Work of the Conference*, *supra* note 105, at 144 (pointing out that the draft was submitted with reservations, with one reservation being submitted by the Hungarian delegation but it concerned the form and not the content of the text, with the reservation being stated in the Minutes of the nineteenth meeting held on November 17, 1933); *Report on the Work of the Committee for Moral Disarmament*, *supra* note 132, at 928.

136. See *Preliminary Report of the Work of the Conference*, *supra* note 105, at 144 (showing that the text had been “revised by the International Committee on Intellectual Co-operation in July 1933, and further amended by the Committee on Moral Disarmament in October and November 1933.”); *Report on the Work of the Committee for Moral Disarmament*, *supra* note 132, at 928 (showing that the task of drafting a new text was entrusted to a Drafting Committee consisting of the Chairman of the Committee for Moral Disarmament and M. Komarnicki, Rapporteur, *inter alia*).

137. See *Preliminary Report of the Work of the Conference*, *supra* note 105, at 145.

138. See *Letter Addressed to the President of the Conference by the Chairman of the Moral Disarmament Committee Dated December 1, 1933*, *supra* note 131, at 932 (showing that the Committee had agreed on procedures of implementation of moral disarmament for the

delegations voted in favor of the draft text, but stated that they might later wish to present further observations with regard to the substance or form of the new draft.¹³⁹ In view of such observations, the delegates pointed out that the text was not finally binding and reserved the right to consult their national administrations.¹⁴⁰ Even though the draft was not considered to be binding, a framework to incorporate principles of moral disarmament in everyday life took distinct shape through the deliberations of the Committee for Moral Disarmament. The Committee also deliberated on methods to achieve moral disarmament in various spheres of public life, discussed in the next Section.

D. *Achieving Moral Disarmament*

The various proposals and the draft text adopted by the Committee for Moral Disarmament reveal that the spheres most conducive to the achievement of moral disarmament were education, intellectual collaboration, legislation, press, broadcasting, and cinema. Each of these spheres is examined in detail in the following sub-Sections.

1. Education and Moral Disarmament

Education has far-reaching consequences that impact many generations.¹⁴¹ There is no better way to plant the seeds of peace, brotherhood, non-violence, harmonious existence, and tolerance than in the fertile minds of young people through a nurturing system of education.¹⁴² As such, it was proposed to achieve moral disarmament through educational reform. It was important to protect the young from hostile inclinations toward foreign states and their peoples.¹⁴³ The entire framework of education had to be assessed to ensure that the principles of moral disarmament would be followed in every aspect of educating the public. Recommendations¹⁴⁴ were made with respect to every aspect of the educational system, including curricula, syllabi, school textbooks, teacher training, university courses, and

first group of questions and that such procedures would include “the question of periodic reports on the progress of the work of moral disarmament, methods of addressing complaints and action to be taken concerning them, and the organ to be set up for the receipt and publication of reports and complaints.”).

139. See *Report on the Work of the Committee for Moral Disarmament*, *supra* note 132, at 928.

140. See *id.*

141. See *Moral Disarmament: Memorandum from the Polish Government*, *supra* note 97, at 3.

142. See *id.* at 3.

143. See *id.*

144. See *id.* (noting that the Polish delegation made a few recommendations on the subject of education and that the sub-committee of experts of the International Committee of Intellectual Co-operation also provided recommendations on the subject of education).

civil service examination subjects.¹⁴⁵ Recommendations made in respect of each of these aspects are discussed in detail below.

a. Teacher Training

It was considered equally, if not more, important to ensure that the attitudes of teachers reflected the principles of moral disarmament in every aspect of their interactions with their students.¹⁴⁶ Educational institutions were seen as the place where young and impressionable minds would internalize the principles they were taught. This made the students vulnerable to indoctrination if their teachers expressed negative attitudes regarding foreign states or people.¹⁴⁷ Such negative impressions had to be avoided if moral disarmament was to have any chance of influencing the minds of students. Therefore, it was considered crucial to create suitable training programs for teachers and educators to adopt the attitudes needed to pass on the principles of moral disarmament to their students.

b. Instruction in Matters of the League

The importance of cultivating a broad, international perspective among the young was regarded as conducive to creating an awareness that “international co-operation was the normal method of conducting world affairs.”¹⁴⁸ It is pertinent to mention that the Assembly of the League made recommendations to its member states “to arrange for the youth in their countries to be made aware of the aims of the league.”¹⁴⁹ To further this international per-

145. See *Moral Disarmament: Correspondence with Dr. James T. Shotwell*, League of Nations Doc. 7A/652/652 (1933), https://libraryresources.unog.ch/ld.php?content_id=31291829 (regarding Moral Disarmament) (noting how the proposal regarding examinations for government positions was adopted from the American proposal regarding education and intellectual co-operation); *Moral Disarmament: Memorandum from the Polish Government*, *supra* note 97.

146. See *Moral Disarmament: Correspondence with Dr. James T. Shotwell*, *supra* note 145.

147. See *id.*

148. *Moral Disarmament: Documentary Material Forwarded by the International Organisation on Intellectual Co-operation*, *supra* note 96, at 7 (noting how the International Organisation on Intellectual Co-operation pointed out that in 1923 the Assembly of the League of Nations “considered the question of training the younger generation to regard international co-operation as the normal method of conducting world affairs”).

149. *Id.* at 8 (noting how an experts sub-committee was included in the International Committee of Intellectual Co-operation and how recommendations were made regarding instruction of youth in matters of the League, including the “introduction of compulsory instruction in regard to the League, elimination of content prejudicial to mutual understanding between nations, from school text-books, educational measures to enable young people to acquire a better understanding of foreign nations and to instill in them the ideals of international co-operation,” with the Committee also referring to the work undertaken by “the Conference of Institutions for the Scientific Study of International Relations in connection with the Sub-Committee of Experts for instruction in the aims of the League”).

spective, recommendations were made to install “compulsory instruction in all schools in regard to the work and aims of the League of Nations and matters of development of international co-operation.”¹⁵⁰ In addition, there was a proposal to install “special League of Nations chairs in faculties of law.”¹⁵¹ It was considered necessary to implement such measures on an international basis. A recommendation was made to bind governments under an international convention to curtail “elements of hatred” and negativity in international relations and to create awareness of the ideas of the League of Nations in all manifestations of school instruction.¹⁵² Creating awareness about the League of Nations and its principles and framework regarding international relations and peace was seen as a stepping-stone for young people to internalize principles of peace, understanding, and tolerance.¹⁵³ In order to further such awareness, reformers proposed establishing a “documentation section” dealing with the League and aspects of international relations in all the “different national [education] centres.”¹⁵⁴

c. Revision of School Textbooks

The International Organization on Intellectual Cooperation considered that a significant positive step toward the realization of moral disarmament could be taken by revising school textbooks with regard to all material that was “capable of arousing hatred of foreigners,” their communities, and any material that would go against the development of international peace and mutual respect.¹⁵⁵ Such revision would be conducive to the maintenance of mutual respect, tolerance, and international peace and harmony.¹⁵⁶ In the process of reviewing the textbooks for revision of material that could cause ill-will, reformers also encouraged states to consider improving the content of school textbooks.¹⁵⁷ Such improvements would include revision of content injurious to peaceful international relations and mutual understanding,

150. See *Moral Disarmament: Memorandum from the Polish Government*, *supra* note 97, at 3 (noting how it was recommended that the educational system “be equipped to provide such training at all stages of school life” and how a proposal to create suitable documentary material to “help train teachers and through them to impart the principles to the students” was suggested).

151. *Id.*

152. *Id.*

153. *See id.*

154. Moral Disarmament: Documentary Material Forwarded by the International Organisation on Intellectual Co-operation, *supra* note 96, at 9 (noting how this was a collaboration between “Musées pédagogiques (collections of teaching material) and directors of primary education . . .”).

155. *Moral Disarmament: Memorandum from the Polish Government*, *supra* note 97, at 3; see also Moral Disarmament: Documentary Material Forwarded by the International Organisation on Intellectual Co-operation, *supra* note 96, at 8.

156. See *Moral Disarmament: Documentary Material Forwarded by the International Organisation on Intellectual Co-operation*, *supra* note 96, at 2–3, 9.

157. *See id.* at 3.

methods “to reconcile historical truth with goodwill towards foreign nations[,]” presentation of the truth without causing ill-will toward another state, and relating the history of one state with reference to the international context.¹⁵⁸

d. Intellectual Collaboration and International Relations

The International Organization on Intellectual Cooperation recommended strengthening intellectual cooperation between various societies of intellectual activity in its efforts to bring about moral disarmament.¹⁵⁹ International relations in the aftermath of the First World War dealt with problems of a “political, economic, legal, social and historical nature created by the war”¹⁶⁰ These problems gave rise to a need for new methods of instruction to provide guidance in navigating them.¹⁶¹ In the period following the First World War, “many new chairs were founded in Universities, new study centres, both national and international, and centres of instruction and research were set up in nearly every country[,]” and there was a common focus on the study of “international affairs”¹⁶²

The International Organization on Intellectual Cooperation was successful in achieving an interactive collaboration between distinguished centers of academic excellence through the establishment of an annual conference starting in 1928.¹⁶³ This collaboration was an excellent example of cultivating intellectual networks for circulating the principle of moral disarmament among academics from all over the world.¹⁶⁴ The annual conference was very successful, and one of the outcomes was a large interconnected network for “the exchange of information, publications and bibliograph[ies]”¹⁶⁵ The network enabled a continuous flow of information between educational centers in different countries, thus “facilitating the task of professors and students and establishing intercourse between national institutions hitherto unacquainted with each other.”¹⁶⁶ The conference also contributed to moral disarmament by engaging in scientific research and discussions on contemporary issues of international relations.¹⁶⁷

158. *Id.* at 9.

159. *See id.*

160. *Id.* at 10.

161. *Id.*

162. *Id.*

163. *See id.* (noting how the International Institute of Intellectual Co-operation, in March 1928, convened a conference for the purpose of assisting with collaboration of the academic work of the “most distinguished representatives of national centres for advanced international studies” in Berlin).

164. *See id.* at 10–11.

165. *Id.* at 10.

166. *Id.*

167. *See id.* at 11 (noting an observation at the conference convened by the International Institute of Intellectual Co-operation that this “new (scientific and not political) method of

Again, all of this was done in the name of disarmament. These conferences also highlighted the Organization's willingness to walk the path of moral disarmament by engaging with the public and explaining "the different national points of view in regard to the problems raised by the Conference for the Reduction and Limitation of Armaments . . .".¹⁶⁸ Other recommendations related to pursuing moral disarmament through cultivation of international intellectual collaborations included affiliations between students and teachers of different countries,¹⁶⁹ an organization of international school exhibitions, an exchange system for international books and bibliographies,¹⁷⁰ and continuous international collaboration in primary and secondary school education through exchange of information, gramophone records, films, foreign visits, and study scholarships in foreign countries.¹⁷¹

Suggestions made in respect of furthering the principle of moral disarmament were not in vain, as can be seen from the efforts taken by states to implement and put the recommendations into practice. In working toward moral disarmament, states placed particular emphasis on education during the interwar period. In particular, some of the implementation efforts included: (a) setting up an educational information center for coordination of the work,¹⁷² publication of biannual educational surveys, and publication and translation of a book on the League for teachers and educators,¹⁷³ (b) introducing instruction regarding the League's aims and ideals into primary and secondary schools' curricula,¹⁷⁴ (c) institution of lectures and electives in international relations and government publication of manuals relating to the League and international relations,¹⁷⁵ (d) revision of school textbooks in

study and discussion on the international plane, based on documentation of a national character, systematically collected and arranged" could prove to be very relevant to the work of achieving moral disarmament).

168. *Id.* at 11.

169. *See Proposals of the Polish Delegation with Regard to the Gradual Attainment of Moral Disarmament, supra* note 105, at 2 (suggesting that affiliations between students and teachers of different countries would definitely contribute toward the ideal that international peace is the only pathway to the future).

170. *See Moral Disarmament: Documentary Material Forwarded by the International Organisation on Intellectual Co-operation, supra* note 96, at 9 (noting how a service for "the exchange of works and bibliographies concerning international questions and books describing the life and characteristics of the different nations" also was proposed).

171. *See id.* at 4.

172. *Id.* at 8.

173. *See id.* (noting that a book on the "aims and organization of the League, specifically intended for members of the teaching profession, was also prepared. This publication has been translated into twenty-four languages, partly with the help of grants from the League, and about 250,000 copies have been printed.").

174. *Id.* (noting that as a result of the recommendations of the sub-committee, thirty-three states took steps "to introduce instruction in regard to the League into the curricula of primary and secondary schools.").

175. *Id.* (noting how twenty-three governments dealt with "the recommendations of the Sub-Committee of Experts in ministerial notes or special communications in their official

line with contemporary ideas of international affairs,¹⁷⁶ (e) programs for the exchange of school children and teachers,¹⁷⁷ (f) national conferences of teachers,¹⁷⁸ and (g) revision of textbooks¹⁷⁹ through the adoption of the Casares resolution.¹⁸⁰

The American Committees on Intellectual Cooperation also made efforts to instill an awareness of the principles of moral disarmament through the educational system in America. The adoption of the American Declaration on Moral Disarmament by the American Council on Education was considered a “turning point in the policies of the Department of Education.”¹⁸¹ Another success was influencing the curriculum of all schools holistically in the United States by “substitute[ing] for its Year Book for 1934 the subject of Moral Disarmament, (or better, International Civics).”¹⁸² As can be gauged from this discussion, education was considered to be one of the important influencers for the dissemination of the principle of moral disarmament. Every avenue was explored, from school curriculum to training of teachers, as well as methods to achieve intellectual collaboration and cooperation. Apart from education, questions of a legal character were also discussed widely in connection with the principle of moral disarmament, as explained in the following sub-Section.

journals and have encouraged the publication of special manuals and works dealing with the League and international co-operation.”).

176. *Id.* (noting how nineteen governments took “active steps to promote the revision of school text-books in order to adapt them to modern ideas on international relations.”).

177. *Id.* (noting how fourteen states had directly encouraged the interchange of school children and teachers).

178. *Id.* (noting how three governments had “convened national conferences of teachers with a view to adopting the recommendations of the Sub-Committee of Experts to the special needs of their country.”).

179. *Id.* at 9 (describing how the International Institute of Intellectual Co-operation conducted various studies on this aspect and published a report containing several recommendations regarding “revision of school text-books; methods of teaching history and of editing text-books; how to reconcile historical truth with goodwill towards foreign nations; the part that can be played by teachers and professors and by public administrations[,]” with the report going on to be “a basis for the work of a Committee of Experts . . . includ[ing] the representatives of the Teaching Commission of the International Committee on Historical Science, educationalists, institutes for the scientific study of international relations and the Sub-Committee of Experts for the Instruction of Youth in the Aims of the League.”).

180. *Id.* (noting how the Casares resolution was adopted with regard to revision of school textbooks in 1925).

181. Moral Disarmament: Correspondence with Dr. James T. Shotwell, *supra* note 145 (regarding Moral Disarmament) (explaining that at a meeting of the National Education Association at Minneapolis in March 1933 the Department of Superintendents of Education, “a very reactionary body, nationalist to the core, and yet, on hearing the declaration for Moral Disarmament, it, for the first time, not only accepted it but passed a unanimous resolution in favor of it,” which was a turning point in the policies of the Department of Education).

182. *Id.* at 2.

2. Legislation and Moral Disarmament

The Committee on Moral Disarmament considered the principle of moral disarmament from a “juridical and constitutional” point of view.¹⁸³ It considered legislative change an important factor in the attainment of moral disarmament. The Committee also believed that states should adopt the international perspective in their domestic legislation, especially while considering the maintenance of harmony in international relations.¹⁸⁴ Domestic legislation should reflect the de-legitimization of war and aggression from the Kellogg-Briand Pact.¹⁸⁵ A consequence of such legislation would be to introduce criminalization of actions promoting war and aggression. Actions intended to incite international hatred and undermine, in any manner whatsoever, the relationship of mutual trust and harmony between states would fall under the purview of such legislation and constitute punishable offenses.¹⁸⁶

These recommendations were not merely theoretical. States around the world already implemented similar provisions into their domestic legislation.¹⁸⁷ Examples were provided from the draft penal codes of Brazil,¹⁸⁸ Ro-

183. Report of the Committee for Moral Disarmament at the End of the First session of the Conference for the Reduction and Limitation of Armaments, *supra* note 124, at 2; *Preliminary Report of the Work of the Conference*, *supra* note 105, at 144.

184. See *Moral Disarmament: Memorandum from the Polish Government*, *supra* note 97, at 2.

185. See *Preliminary Report of the Work of the Conference*, *supra* note 105, at 145 (proposing that “the contracting parties should undertake, when reviewing their constitutions, favourably to consider the introduction of articles forbidding any resort to force as an instrument of national policy, thus embodying the principles of the Pact of Paris as an integral part of the positive law of the State”); *Moral Disarmament: Memorandum from the Polish Government*, *supra* note 97, at 2.

186. See *Proposals of the Polish Delegation with Regard to the Gradual Attainment of Moral Disarmament*, *supra* note 105, at 1 (including actions that were linked to creating disharmony in international relationships, like warmongering, inciting of hatred against foreign people or States); *Preliminary Report of the Work of the Conference*, *supra* note 105, at 144, 145 (listing the acts to be covered by this legislation as including “the preparation and execution in the territory of a [s]tate of measures directed against the safety of a foreign [p]ower, efforts to induce a state to commit certain specified acts in violation of its international obligations, the aiding or abetting of armed bands formed in the territory of a [s]tate and invading the territory of another[s]tate, the dissemination of false information likely to disturb international relations or the false attribution to a foreign [s]tate of actions likely to bring it into public contempt or hatred”); *Moral Disarmament: Memorandum from the Polish Government*, *supra* note 97, at 2.

187. See *Moral Disarmament: Memorandum from the Polish Government*, *supra* note 97, at 2 (noting how these recommendations on penal legislation also were discussed at the First International Conference for the Unification of Criminal Law in 1927).

188. *Id.* (explaining that the Brazilian penal code contains a provision that punishes persons who “stir[] up popular agitation with a view to exerting pressure on the Government in favour of war whilst diplomatic negotiations are in progress with a foreign country . . .”).

mania,¹⁸⁹ and Poland.¹⁹⁰ One of the recommendations made by the Polish delegation targeted organizations “whose aims appear to be legal,” but are observed to be involved with activities dangerous to peace and security. It was suggested that penalties applicable to organizations with illegal aims ought to be extended to organizations hiding behind a legal veil.¹⁹¹ This would, in effect, counter anti-peace movements or measures calculated to incite disharmony. It was further recommended that, after reviewing the deliberations relating to reforming national legislation, delegates could consider the possibility of an international convention for legislation that “would give impetus to the principle of moral disarmament.”¹⁹² The legal aspect of moral disarmament was just as important as the educational aspect. If education could shape the path of moral disarmament in the future, legislation would ensure that principles of moral disarmament are effective in the relations between states and in their internal affairs as well. However, the task of communicating the principles of moral disarmament to the widest audience possible would fall on the media and broadcasting outlets, as explained in the following sub-Section.

3. Cinema, Broadcasting, and Moral Disarmament

If education was a method to inject the principles of moral disarmament into the thinking of young people and future generations, broadcasting was the avenue through which the principles of moral disarmament could influence multitudes of people. The cinema and the radio were channels that could easily influence public opinion and thus could prove to be excellent carriers of moral disarmament principles. Broadcasting also could be used for educational purposes by disseminating the principles of moral disarmament.¹⁹³ Recommendations with regard to broadcasting included drawing up

189. See Conference for the Reduction and Limitation of Armaments, *Survey of Proposals Made by Various Delegations During the General Discussion*, at 20–21, League of Nations Doc. Conf.D.99 (1932) (noting how “R[o]mania was the first country to introduce in her Draft Penal Code the offence of war propaganda” and how Romania intends to bring her internal law into line with the new international law, thus taking a step toward the achievement of the principle of moral disarmament).

190. See *Moral Disarmament: Memorandum from the Polish Government*, *supra* note 97, at 2 (noting how the penal codes of Brazil, Romania and Poland contained a provision “that any person guilty of incitement to war shall be punished with imprisonment”).

191. *Id.* at 2.

192. *Proposals of the Polish Delegation with Regard to the Gradual Attainment of Moral Disarmament*, *supra* note 105, at 1; *Survey of Proposals Made by Various Delegations During the General Discussion*, *supra* note 189, at 20–21 (noting how the Romanian delegation suggested that “international conventions should be concluded for the universal prevention and punishment of war propaganda and all individual acts likely to disturb international relations.”).

193. See *Moral Disarmament: Documentary Material Forwarded by the International Organisation on Intellectual Co-operation*, *supra* note 96, at 3, 9 (noting how the Committee

a general convention on broadcasting following the principles of moral disarmament, suggestions for governments to apply principles of moral disarmament in all interactions with broadcasters and broadcasting stations, using censorship to restrict content in cinema that was likely to cause hatred and ill-will between states and incite warmongering,¹⁹⁴ and incentivizing the creation of content that would spread messages of peace, harmony, mutual respect, and tolerance in international relations.¹⁹⁵

In addition, suggestions were made to produce a series of educational films that would be useful to educators in promoting the work of moral disarmament, drawing content from the League and its aims regarding world peace and harmony. The films would be devoted to cultures and heritages of various states, which would demonstrate “the economic, political and cultural interdependence of the nations.”¹⁹⁶ Broadcasting would also be used to provide “objective accounts of international problems and a variety of talks to promote knowledge of foreign nations.”¹⁹⁷

An extract from a 1931 agreement between Polish and German broadcasting companies was used as an example of achieving moral disarmament through broadcasting. Clauses of interest in this regard included a right of one party to carry on a certain amount of positive propaganda with respect to its domestic activities while ensuring that the subject matter would not offend the national sentiment of the audience of the other party. Another example from this agreement of the use of broadcasting to foster goodwill between two states—and thus disseminate the principles of moral disarmament—was an undertaking to ensure that the subject of any broadcast would not undermine the goodwill and understanding between the states.¹⁹⁸ Cinema and broadcasting were great channels to immerse people from various spheres of life in the spirit of moral disarmament. It was hoped that even lighthearted entertainment would leave a lasting impression. Finally, the press could introduce an introspective aspect to the development of moral disarmament, which would invite public discussion and engagement in this arena.

on Intellectual Co-operation sought an enquiry into “the educational aspects of broadcasting,” with questions related to “the use of wireless [broadcasting]” being included in the enquiry).

194. See *id.* at 3 (explaining how the League’s Institute of Educational Cinematography in Rome dealt with aspects of “[c]inematographic activities of an international character”).

195. See *Proposals of the Polish Delegation with Regard to the Gradual Attainment of Moral Disarmament*, *supra* note 105, at 2.

196. Moral Disarmament: Documentary Material Forwarded by the International Organisation on Intellectual Co-operation, *supra* note 96, at 9.

197. *Id.* at 3.

198. See *Moral Disarmament: Memorandum from the Polish Government*, *supra* note 97, at 4.

4. The Press and Moral Disarmament

The press is—or rather should be—the gatekeeper of the flow of public opinion on domestic and international events.¹⁹⁹ If the principles of moral disarmament could be included in all press activities, then moral disarmament eventually could be embedded in public opinion through fairness and reasonableness while reporting, *inter alia*.²⁰⁰ Issues relating to moral disarmament and the press were discussed at a press conference at Geneva in 1927.²⁰¹

The main issue was that, while the press could be counted on to disseminate messages of peace and harmony, certain sections of the press, through irresponsible reporting or other factors, could also create waves of panic, repression, disharmony, and hatred through their channels of broadcast.²⁰² Therefore, it was important to get the full support of the International Associations of Journalists in order to find a solution for the issue of the press.²⁰³ Furthermore, the issue of the press was delicate; any suggestions would have to be offered with caution so as not to hinder freedom of speech.²⁰⁴ Punishing an author whose reports have, for example, created anti-peace demonstrations or security implications would amount to placing restrictions on the freedom of the press. Instead, it was recommended that authors be given a chance to correct the wrong information, including “extending the application of the right of reply (rectification) so as to include foreign Governments.”²⁰⁵ The establishment of an international disciplinary tribunal for journalists was also suggested as a way to deal with journalists “charged with pursuing activities dangerous to peace.”²⁰⁶ An interesting suggestion in this regard was to enlist the assistance of the press, at a conference of the press, to help develop a framework “capable of safeguarding international interests without compromising the freedom of the Press.”²⁰⁷

Despite these perceived dangers with the press, those at the Conference believed that the press could be channeled to work as a strong facilitator of moral disarmament by choosing to always exercise “a positive pacific influ-

199. See generally C. Edwin Baker, *The Media that Citizens Need*, 147 U. PA. L. REV. 317 (1998); Jonathan M. Moses, *Legal Spin Control: Ethics and Advocacy in the Court of Public Opinion*, 95 COLUM. L. REV. 1811 (1995).

200. See *Proposals of the Polish Delegation with Regard to the Gradual Attainment of Moral Disarmament*, *supra* note 105, at 1.

201. See *Moral Disarmament: Memorandum from the Polish Government*, *supra* note 97, at 5.

202. See *id.* at 2–3, 5.

203. See *id.* at 4–5.

204. See *id.* at 3.

205. *Id.* (explanatory parenthetical added).

206. *Id.*

207. *Id.*

ence” and “refraining from envenoming disputes . . .”²⁰⁸ An “immediate improvement in international relations” and “the educative effect” of responsible channels of the press would be examples of such outcomes.²⁰⁹ The International Organization on Intellectual Cooperation had several affiliations with international associations of journalists, and so it proposed to work with the representatives of the press to involve the press in facilitating the promotion of moral disarmament.²¹⁰

This Section shows that the proponents of moral disarmament saw education, intellectual cooperation, legislation, broadcasting, cinema, and the press as the best channels to help with the progressive realization of moral disarmament. The following Section explores the broader support for the principle of moral disarmament once it was introduced through these channels.

E. *Support for Moral Disarmament*

Support for the principle of moral disarmament was immediate and active. Apart from the efforts of the International Organization on Intellectual Cooperation and various National Committees of Intellectual Cooperation, the delegates at the Disarmament Conference commended the call for moral disarmament.

The Romanian delegate, in his speech during the general discussion, stated that the proposals concerning moral disarmament had to be followed to the letter, as “organi[z]ed moral disarmament is a primordial condition for military disarmament . . .”²¹¹ In this regard, action by parents, teachers, governments, the press, religious organizations, and cinema was vital in achieving moral disarmament.²¹² The delegate from Persia expressed his wholehearted support for moral disarmament and urged the delegates at the

208. Moral Disarmament: Documentary Material Forwarded by the International Organisation on Intellectual Co-operation, *supra* note 96, at 2 (noting how, with regard to questions concerning co-operation of the Press, the sub-committee used a draft resolution proposed by the Polish Government as a reference point for its discussions, and that representatives of international groups of journalists were given an opportunity to air their views and help the deliberations; noting how a preliminary statement on these matters was to be prepared and submitted to the Committee for Moral Disarmament); *see also* Report of the Committee for Moral Disarmament at the End of the First Session of the Conference for the Reduction and Limitation of Armaments, *supra* note 124, at 2.

209. Moral Disarmament: Documentary Material Forwarded by the International Organisation on Intellectual Co-operation, *supra* note 96, at 2.

210. *See id.* at 2.

211. Conference for the Reduction and Limitation of Armaments, *Verbatim Record (Revised) of the Twelfth Plenary Meeting*, League of Nations Doc. Conf. D./P.V.12(1) (1932), <http://digital.library.northwestern.edu/league/le000440.pdf>; *see also* *Survey of Proposals Made by Various Delegations During the General Discussion*, *supra* note 189, at 20–21.

212. *Verbatim Record (Revised) of the Twelfth Plenary Meeting*, *supra* note 211, at 3; *Survey of Proposals Made by Various Delegations During the General Discussion*, *supra* note 189, at 20–21.

Conference to use every method proposed to achieve moral disarmament.²¹³ The Spanish delegate referred to the importance of following the principles of moral disarmament and emphasized that the “psychological” character of moral disarmament was the key to achieving disarmament.²¹⁴ The Canadian delegate impressed upon the other delegates the importance of achieving peace through preventing conflicts rather than imposition of sanctions, thus highlighting the importance of moral disarmament in the work of disarmament.²¹⁵ The Belgian delegate stated that the provision of safeguards and protection in the juridical organization of peace at an equivalent level of armed defense was necessary to achieve disarmament.²¹⁶ The Chinese delegate spoke about the benefit of abolishing “existing systems and measures” that encouraged and fostered the spirit of aggression and warmongering among peoples in order to promote disarmament.²¹⁷ The Polish delegate stressed the importance of creating “security and stability” in international relations, which would be the cornerstone of disarmament, and that the first step was moral disarmament.²¹⁸ The delegate from Czechoslovakia made an important point with regard to moral disarmament when he spoke of “permanently stable conditions” and “reconciliation” among the states that were previously adversaries.²¹⁹ He referred to “moral and psychological forces” of moral disarmament as the only way to effect a reconciliation that would contribute to lasting peace and solidarity.²²⁰ The Treaty of Friendship and Compulsory Arbitration between Czechoslovakia and Austria in this regard was mentioned as an illustrative example.²²¹ The Panamanian delegation ex-

213. Conference for the Reduction and Limitation of Armament, *Verbatim Record (Revised) of the Eleventh Plenary Meeting*, League of Nations Doc. Conf. D./P.V.11(1) (1932); *Survey of Proposals Made by Various Delegations During the General Discussion*, *supra* note 189, at 19.

214. Conference for the Reduction and Limitation of Armaments, *Verbatim Record (Revised) of the Eighth Plenary Meeting*, League of Nations Doc. Conf. D./P.V.8(1) (1932), <http://digital.library.northwestern.edu/league/le000436.pdf>; *Survey of Proposals Made by Various Delegations During the General Discussion*, *supra* note 189, at 21.

215. See Conference for the Reduction and Limitation of Armaments, *Verbatim Record (Revised) of the Ninth Plenary Meeting*, League of Nations Doc. Conf. D./P.V.9(1) (1932), <http://digital.library.northwestern.edu/league/le000437.pdf>; *Survey of Proposals Made by Various Delegations During the General Discussion*, *supra* note 189, at 15.

216. Conference for the Reduction and Limitation of Armaments, *Verbatim Record (Revised) of the Seventh Plenary Meeting*, League of Nations Doc. Conf. D./P.V.7(1) (1932), <http://digital.library.northwestern.edu/league/le000435.pdf>; *Survey of Proposals Made by Various Delegations During the General Discussion*, *supra* note 189, at 14.

217. See *Survey of Proposals Made by Various Delegations During the General Discussion*, *supra* note 189, at 50.

218. Arbitration, Security and Reduction of Armaments: Extracts from the Debates of the Fifth Assembly Including Those of the First and Third Committees, at 14–15, League of Nations, Doc. C.708.1924.IX.(C.C.O.1) (1924) [hereinafter Extracts from the Debates].

219. *Id.* at 31–32.

220. *Id.* at 32.

221. See *id.*

pressed its support for the principles of moral disarmament and emphasized that they were successfully used in Panama for a few decades.²²² For example, after the Treaty of Hay-Bunau-Varilla, the Panamanian government decided not to maintain the expense of a standing army and used the funds to develop education, infrastructure, and other public works.²²³

In addition to the contribution of the Polish delegation and the International Organization on Intellectual Cooperation to the principle of moral disarmament, the effusive vocal support professed by the other states lent significant momentum to the moral disarmament movement. The following Section explores the importance of moral disarmament in the broader debates happening at that time.

F. Importance of Moral Disarmament

In the interwar period, despite many deliberations and agreements on material disarmament, there was a marked increase in the number of armaments rather than the expected decreases, which many saw as a disturbing trend.²²⁴ This increase in armaments gave impetus to the moral disarmament movement, which considered that it was important to simultaneously pursue material and moral disarmament.²²⁵ One could not be considered more important than the other.²²⁶ In other words, material and moral disarmament had to be regarded as two sides of the same coin. Nevertheless, it was believed that peace through the moral disarmament principle would be more deeply rooted and create a more stable environment than “providing for sanctions.”²²⁷ In the interwar period, it was important for states to cultivate friendly relations with their adversaries in the past war in order for their peoples to attempt a genuine reconciliation with each other and thus enable mutual respect and confidence in their international relations.²²⁸ This was seen as the only way that true stability could be built into the international system.²²⁹

222. See *id.* at 35–36 (referring to the Treaty of Hay-Bunau Varilla and noting how after the Treaty of Hay-Bunau Varilla, the Panamanian government decided not to maintain the expense of a standing army and used the funds to develop education, in infrastructure, and other public works).

223. See *id.*

224. See *Verbatim Record (Revised) of the Ninth Plenary Meeting*, *supra* note 215; see also *Survey of Proposals Made by Various Delegations During the General Discussion*, *supra* note 189, at 15.

225. See *Extracts from the Debates*, *supra* note 218.

226. See *generally Survey of Proposals Made by Various Delegations During the General Discussion*, *supra* note 189.

227. *Id.*

228. See *id.* at 31–32.

229. See *id.*

Ultimately, the adoption of the idea of moral disarmament at the Disarmament Conference was unsuccessful.²³⁰ Instead, it went into hibernation due to the political realities after Germany decided to end its involvement with the conference.²³¹ In short, after the Second World War, states busied themselves with rebuilding economies, and the principles of moral disarmament were forgotten. Nevertheless, the efforts made during the interwar period—especially during the Disarmament Conference—created important principles that are every bit as relevant today as they were then. With the rise in global nationalism in the past few years and the general retreat of international human rights,²³² the focus of moral disarmament on intellectual cooperation is particularly important. As moral disarmament proponents during the interwar period identified, “it is in the intellectual domain that the forces of nationalism seem to be less opposed to the eventual reaching of a harmonious understanding.”²³³ The paradigm of moral disarmament might help states eventually overcome that nationalism and work toward harmonious understanding.

This Article does not describe a reality where a connection between education, intellectual collaboration, and channels of broadcasting already exists, let alone one that promotes the achievement of peaceful and harmonious relations between states, all in the context of broad disarmament. Instead, this Article presents a normative argument for connecting all of these elements together under the banner of moral disarmament, as the international community tried during the interwar period. States could achieve meaningful disarmament by promoting/increasing international collaborations between the arts, sciences, humanities, and other faculties through education and teaching. Such collaborations could be enhanced further through cooperation between intellectual circles, domestic penal legislation, cinema, broadcasting, and the press. Such international cooperation could lead to greater international and domestic stability and would in turn promote disarmament through society for society as a whole. Another effect of increased international collaboration in various aspects of society would be the intrinsic development of a society attuned to disarmament. The following Part explains the connection between development and disarmament in

230. See Moral Disarmament: Correspondence with Dr. James T. Shotwell, *supra* note 145 (Dr. Shotwell believed that the importance of all the initiatives taken by the Committees of Intellectual Co-operation and the American National Committee on International Intellectual Co-operation would depend on “the completion of a treaty by the Disarmament Conference[.]” Further, he noted that, if moral disarmament was enconced within a Disarmament treaty, it would “especially mean a justification of the C.I.C.” He also observed that, even though material disarmament was being called for, moral disarmament might “prove ultimately to be as important as anything that the Treaty could contain[.]”).

231. See F.P. WALTERS, A HISTORY OF THE LEAGUE OF NATIONS 550 (1950) (discussing how Germany withdrew from the Disarmament Conference).

232. See generally Ingrid Wuerth, International Law in the Post-Human Rights Era, 96 TEX. L. REV. 279 (2017).

233. Moral Disarmament: Correspondence with Dr. James T. Shotwell, *supra* note 145.

order for states to think about resurrecting, in contemporary society, the principles of moral disarmament they eagerly supported during the interwar period.

IV. DEVELOPMENT AND DISARMAMENT

During the interwar period, states discussed the concept of moral disarmament and made several recommendations to achieve disarmament through the intrinsic development of society. Although the idea of moral disarmament did not succeed during the interwar period, it is suggested that reviving the principles of moral disarmament can help contemporary societies walk the path of economic development and international cooperation. This Part looks at the relationship between disarmament and development.

During times of war, states focus on building armaments, and development is not a focal point in terms of allocation of resources. An overview of the consequences of war in denominations of facts and figures can only be, at best, an over-simplification of the destruction and damage caused not only during the conflict but also to the environment and future generations of humankind. These facts and figures, though woefully inadequate in providing a true estimate of destruction, nevertheless are valuable inasmuch as they provide thought-provoking insights into the resources consumed during these conflicts. A comparison of rough estimates of the cost of the First World War to the cost of all wars in the world from 1793 to 1910 presents a dramatic picture of the magnitude of that war. The cost of more than 100 years of wars (\$23 billion) in different parts of the world pales in comparison to the cost of four years of continuous war (\$186 billion) during the First World War.²³⁴ Furthermore, a rough estimate of Germany's reparation burden for the First World War (for the next 40 years) was estimated as less than the amount that the United States would spend in the next 40 years if it continued at the same rate of armament as in the immediate aftermath of the First World War.²³⁵

The thought-provoking aspect of these estimates lies in the appropriation of funds among various demands on a state's purse. As an example, examining the figures for the United States' appropriations in 1920 shows that an astonishing 93 percent of the demands on the state purse were devoted to wars—past, present, and future—while the meager remains were divided among the civil departments (3 percent), public works (3 percent), and a paltry 1 percent to research, education, and health.²³⁶ Resources available to a state are not a magician's infinite pool of plenty, and, therefore, as one demand on the purse increases, other demands are relegated to a lower position. War destroys more than just the lives of people on the battlefield. It

234. See DISARMAMENT EDUCATION COMMITTEE, FACTS ON DISARMAMENT 3 (1921), http://libraryresources.unog.ch/ld.php?content_id=19934100.

235. See *id.* at 13.

236. See *id.* at 5.

also impacts the livelihood of millions of people and cuts off any hope of a stable, industrious, and peaceful future. As states focus on arming and fortifying their military resources, they inevitably draw resources away from essential requirements of society. This results in a malnourished, underdeveloped society that is unable to ascend the pyramid of economic and social development and consequently fails to resist baser desires to resolve conflicts through war and aggression.

Public opinion during the time of the 1932 Disarmament Conference was strongly pushing for efforts to substantially reduce military expenditure and to reduce armaments.²³⁷ The Disarmament Conference cautioned the world that even a status quo relating to armaments at the levels in 1932 constituted “a menace” to world peace.²³⁸ The opening remarks at the Disarmament Conference included a reminder to all governments that “the problem of disarmament” was “vitally relevant to the grave economic and financial crisis” most states were facing.²³⁹ It was acknowledged that the economic and financial crisis that gripped the world in the interwar period was causally linked to “the financial burden of armaments and of past wars”²⁴⁰ In addition, a large number of countries agreed that the financial burden of armaments was a “principle cause of unbalanced budgets”²⁴¹ The delegates at the conference confirmed that an average estimate of expenditure toward military defense and armaments was in the range of an astonishing “4,000 million dollars a year.”²⁴²

At the Disarmament Conference, governments were cautioned that, in view of the immense expenditure on military purposes, the increased allocations of national incomes were all to be the indirect burden of the taxpayer and that such a burden would be at the cost of his or her development in society.²⁴³ Therefore, it was proposed that definite progress in the direction of general disarmament would, “at once, lighten the onerous financial burden and bring a much-needed measure of relief to the world beset by grave economic difficulties[.]”²⁴⁴ The discussions at the Disarmament Conference thus indicate that the international community accepted the nexus between disarmament and development.

In the period following the Second World War, states focused on rebuilding their economies. The international community continued to support

237. See *Verbatim Record (Revised) of the First Plenary Meeting*, *supra* note 48, at 7 (noting how national and international organizations had requested for the opportunity of presenting petitions with regard to disarmament to the Disarmament Conference).

238. *Id.*

239. *Id.*

240. *Id.*

241. *Id.*

242. *Id.* (noting that the estimate of “4,000 million dollars a year” was the cost for 61 states in the 4–5 years preceding the Disarmament Conference).

243. See *id.*

244. *Id.*

the disarmament and development connection. The support is evident from an examination of “proposals by a politically and geographically broad spectrum of states since the early days of the United Nations.”²⁴⁵ The 1987 Conference on the Relationship between Disarmament and Development²⁴⁶ had three issues on its agenda before it started.²⁴⁷ The first issue was to consider the “[r]elationship between disarmament and development in all its aspects and dimensions[.]”²⁴⁸ The second issue was to consider the “[i]mplications of the level and magnitude of military expenditures, in particular those of nuclear-weapon States and other militarily important States, for the world economy and the international economic and social situation, particularly for the developing countries, and formulation of appropriate recommendations for remedial measures[.]”²⁴⁹ The third issue was to consider “[w]ays and means of releasing additional resources, through disarmament measures, for development purposes, in particular for the benefit of developing countries[.]”²⁵⁰

Apart from States, non-governmental agencies and organizations also supported the causal linkage between disarmament and the development of society. Peaceful international cooperation, women’s rights and liberation, stable economies, and social benefits were considered important to development and disarmament. Peace through disarmament was among the various causes championed by women’s organizations around the world during the interwar period. The Disarmament Committee of the International Women’s Organizations worked tirelessly to spread awareness of the principles of moral disarmament and its advantages for a stable and peaceful society.²⁵¹ An emphasis on social benefits, women’s liberation, and the development of society that provides welfare to its peoples have featured in the agenda for peace through disarmament. The costs of war include far-reaching effects on the lives of women, and such a consideration is “[o]ne of the constitutive positions of antiwar feminism”²⁵²

245. International Conference on the Relationship between Disarmament and Development, *Final Document*, ¶ 5, U.N. Doc. E.87.IX.8 (Sept. 30, 1987); see also RIETIKER, *supra* note 10, at 244–45.

246. Pursuant to General Assembly Resolutions 39/160 and 40/155.

247. See *Final Document*, *supra* note 245, at iii; Report of the International Conference on the Relationship Between Disarmament and Development, U.N. Doc. A/Conf.130/39 (Aug. 24, 1987).

248. *Final Document*, *supra* note 245, at iii.

249. *Id.* at iii.

250. *Id.*

251. See Carol Cohn & Sara Ruddick, *A Feminist Ethical Perspective on Weapons of Mass Destruction*, ETHICS AND WEAPONS OF MASS DESTRUCTION 405, 417 (Sohail H. Hashmi & Steven P. Lee eds., 2004).

252. *Id.* at 417; see generally Naomi R. Cahn, Women in Post-Conflict Reconstruction: Dilemmas and Directions, 12 WM. & MARY J. WOMEN & L. 335 (2006).

The difference in the economic and developmental conditions of states cannot be ignored in a discussion regarding the social costs of war.²⁵³ The situation only worsens in underdeveloped states where people still live in abject poverty, as such states have many important demands and limited resources to fund them. In order to arrive at development levels that can provide citizens with stable economic and social developmental growth, states need to expend resources on infrastructure, food, water, education, and other essential services.²⁵⁴ Therefore, in a situation where an increase in armaments is called for,²⁵⁵ “the social costs” of the call to arms are at a level that is dangerous to society and its development.²⁵⁶ The problem certainly is not restricted to developing states. For example, the United States, which is one of the most developed countries in the world, has “an appreciable number of people” who cannot afford healthcare, while its nuclear weapons program costs a whopping “4.5 trillion dollars.”²⁵⁷

Several states absolutely cannot afford to reduce the already threadbare budgets available for social and economic development in order to use the funds for expansion of their armory. However, in the face of uncertainty in international relations, an international security crisis, an escalation of tensions between states, or the introduction of an arms race between neighboring states, it is inevitable that such funds will be reallocated to military expenditures. A recent example is Mozambique’s purchase of expensive warships at the expense of necessary government services for its people.²⁵⁸ In principle, resources that are needed for social welfare and the betterment of the human race ought not to be squandered on an armaments race, whether the aim is defense through attack or deterrence. Even “the threat” of a rise in armaments will disrupt the equilibrium between states and prevent a “consolidation of peaceful and harmonious relationships”²⁵⁹ There can be no discussion related to economic and social development when the foundations of international cooperation and trust are uncertain. It is inevitable that budgetary difficulties caused by large allocations to armaments will lead to economic and social issues and disorganized credit and will par-

253. See Cohn & Ruddick, *supra* note 251, at 417.

254. See *id.*

255. B.W. Patch, *World Disarmament Conference of 1932*, CQ PRESS (1932), <http://library.cqpress.com/cqresearcher/document.php?id=cqresrre1932010500#H2> (noting that the cost to the treasury of building an armed defense is “a tremendous deadweight of costs” constituting “a drain on the national resources of all nations which has not only helped to bring about and to aggravate the present economic world crisis but is also actively impeding recovery[.]”).

256. Cohn & Ruddick, *supra* note 251, at 417.

257. *Id.* at 418; see also William P. Quigley, *Revolutionary Lawyering: Addressing the Root Causes of Poverty and Wealth*, 20 WASH. U. J.L. & POL’Y 101, 138–42 (2006).

258. See *African Debt: Rearing Its Odious Head Once More*, ECONOMIST, Mar. 10, 2018, at 18.

259. Patch, *supra* note 255.

alyze initiatives.²⁶⁰ Therefore, it can be said that, generally, the growth in the number of armaments negatively impacts development.²⁶¹

A focus on the development of society using the principles of moral disarmament might help foster peace and mutual trust in international relations. A society that promotes peace and solidarity in their international relations will resist the desire to go to war or resolve disputes through aggression. Therefore, more thought should be given to moral disarmament, and more attention should be given to the connection between development and disarmament. In short, the difference between “global military expenditures and unmet socio-economic needs provides a compelling moral appeal” in connecting development and disarmament.²⁶² The nexus between disarmament and development is not difficult to either establish or understand.²⁶³ It is a directly proportional relationship. A society that seeks to develop to its fullest potential must necessarily have the principles of peace, understanding, respect, and tolerance in connection with its international relations. A society that revives the principles of moral disarmament in its day-to-day affairs will also use similar principles in its foreign policies and accept peaceful international relations as a norm. Such a society will have peace at the foundation of its international relations and will be able to focus a major portion of its resources on development.

Thus, a society that is attuned to principles of moral disarmament can achieve permanent stability in its economic and social spheres of life. People who are nurtured in such stable environments and realize the advantages of international solidarity will, as a corollary, be more amenable to walking on the path of disarmament and harmony between states.

V. MORAL DISARMAMENT AND NUCLEAR WEAPONS

It is said that we learn from history. Throughout the ages, war has been an instrument to protect and preserve oneself and one’s own from foreign marauders and rampages. However, the untold devastation wrought by two world wars has taken its toll on the positive symbolism of war. The preamble of the United Nations Charter stands witness to this fact. The preamble of the Charter also promotes “social progress and better standards of life in

260. *Verbatim Record (Revised) of the Ninth Plenary Meeting, supra* note 215, at 105; *see also Survey of Proposals Made by Various Delegations During the General Discussion, supra* note 189, at 14.

261. *See* Arbitration, Security and Reduction of Armaments: Extracts from the Debates of the Fifth Assembly Including Those of the First and Third Committees, *supra* note 218, at 35–36 (providing an example by the delegation from Panama, that after the Treaty of Hay-Bunau Varilla the government decided “to free the people from the burdens and dangers involved in the maintenance of a standing army[,]” with the “sums thus released from the public treasury hav[ing] been employed in the development of education, in the construction of new roads and in new public works.”).

262. *Final Document, supra* note 245, at 2.

263. *See* RIETIKER, *supra* note 10, at 244–45.

larger freedom,” peace and tolerance in international relations, and directs states to “employ international machinery for the promotion of the economic and social advancement of all peoples.”²⁶⁴ War no longer is considered a lawful method of resolving disputes outside of self-defense, authorized collective action, and occasionally for humanitarian reasons. The need of international society is development, economic security, stability in international relations, and an environment free from uncertainties of aggression and hostilities in order for it to reach its fullest potential. The issue of nuclear disarmament is one of the obstacles in the path to stability and peace in international relations. During the interwar period, states discussed means of using principles of moral disarmament to achieve stability and peace in international relations and in the process walk the path of disarmament. During the interwar period, there was no fear of nuclear weapons. Today, however, nuclear armaments are the most destructive weapons that are available to man.

Despite the destructive nature of nuclear weapons, and despite the fact that the world in so many ways has yet to come to terms with the repercussions of the use of the atomic bomb, the issue of nuclear disarmament has not made any significant progress, despite considerable international deliberations on the issue. Therefore, it is suggested that the principles of moral disarmament be applied by states to achieve nuclear disarmament.

The question of disarmament has become even more significant and sensitive in connection with nuclear weapons as compared to conventional weapons. The disarmament discussions in the interwar period had negotiating parties that could, in theory, be considered to be on a level playing field, discounting for financial capabilities. However, they all had weapons in their military arsenals that they were seeking to limit. Furthermore, there was a common intention that brought them all to the disarmament negotiating table. With respect to nuclear weapons, there is neither a level playing field nor a common intention that can be ascribed to the discussions and negotiations relating to nuclear disarmament. In fact, it is not too much to state that there is no common objective today driving all the states to deliberate at the nuclear disarmament negotiating table. However, despite permanent members of the UN Security Council paying lip service to general nuclear disarmament,²⁶⁵ many other states are working toward making disarmament a reality through the 2017 Treaty on the Prohibition of Nuclear Weapons.²⁶⁶

Nuclear-weapon states are occupied with the unease of a non-nuclear-weapon state violating its obligations under the Nuclear Non-Proliferation Treaty (the “NPT”). Non-nuclear-weapon states are worried about the lack of progress in reduction by nuclear-weapons states of their nuclear-weapon arsenals. It is no wonder, then, that no significant commitments have been

264. See U.N. Charter pmbi.

265. See S.C. Res. 1887, at 1 (Sept. 24, 2009).

266. See generally U.N. Conference to Negotiate a Legally Binding Instrument to Prohibit Nuclear Weapons, *Treaty on the Prohibition of Nuclear Weapons*, U.N. Doc. A/Conf.229/2017/8 (July 7, 2017).

made at any of the Review Conferences of the NPT toward nuclear disarmament, despite efforts to highlight the repercussions of the use of nuclear weapons on human life. Former UN Secretary-General Kofi Annan emphasized the consequences of “a nuclear catastrophe” in terms of human and economic development to the delegates at the 2005 NPT Review Conference.²⁶⁷

Since all other efforts seem to have reached a standoff, it may be useful to pursue nuclear disarmament through the lens of moral disarmament. As alluded to in the introduction of this Article, the Nobel Peace Prize of 2017 was awarded to an advocacy group that campaigns for the abolition of nuclear weapons. They push for nuclear disarmament based on the humanitarian principle from the IHL tradition, not from the broader human motive that Passy alluded to in the introductory quote and as advocated for in this Article. Both share the goal of nuclear disarmament. However, this Article posits that the creation of a peaceful and stable society is needed before nuclear disarmament can be fully realized and that the humanitarian principle from the IHL tradition is an insufficient basis to get us there.

Following the established procedure of the Disarmament Conference, a first step toward implementing the notion of moral disarmament in the arena of nuclear weapons is collaboration between societies of intellectual cooperation and international agencies to conduct preliminary deliberations on the methods of attaining moral disarmament with respect to nuclear weapons. The recommendations of the Committee of Moral Disarmament of the 1932 Disarmament Conference could be reexamined and redrafted to include the current stages of development in society. Educational reform would be one of the primary areas of focus. The avenues of cinema and broadcasting would have to be examined carefully so as not to obstruct any fundamental rights. The issue of the press would be as difficult—if not more so—today as during the interwar period. Recommendations would have to be made without hampering the freedom of the press. The sphere of international intellectual cooperation would be a great enabler for recommendations on moral disarmament in the work of nuclear disarmament.

The process will definitely not be an easy one. However, as all other avenues seem to be failing with respect to nuclear disarmament, the path of moral disarmament is one that ought to be considered for the gradual and progressive attainment of a world free of nuclear weapons.

267. RIETIKER, *supra* note 10, at 148–49 (quoting Kofi Annan as saying in a speech at the 2005 NPT Review Conference, concerning the global impact of the use of nuclear weapons: “Resources for development would likely dwindle. And world financial markets, trade and transportation could be hard hit, with major economic consequences. This could drive millions of people in poor countries into deeper deprivation and suffering.”).

VI. CONCLUSION

In the immediate aftermath of the First World War, a tiny seed of moral disarmament was sown in the bleak, war-ravaged landscape of the surviving civilizations. The tremendous suffering and destruction caused by that conflict awakened the remaining populace to the advantages of peace and solidarity in international relations. Mutual respect, tolerance, and an appreciation of people from different countries were qualities to be cultivated in every sphere of public life. That being the case, the environment in the interwar period was extremely beneficial to the growth of the idea of moral disarmament. Due to the tireless efforts of international organizations like the International Organization on Intellectual Cooperation and other associations and organizations working toward peace and mutual respect in every aspect of society, deliberations were made about education, the press, the cinema, international intellectual collaboration, and legislation, *inter alia*. Recommendations were made in respect of every field that could be a carrier for embedding the principle of moral disarmament firmly into the minds of people across the world in a manner that would last well into the future.

The unfortunate events that commenced in Europe, even as the Disarmament Conference was operative, may explain why little progress regarding moral disarmament was made after its introduction. Indeed, multiple factors—including Germany's departure from the Disarmament Conference in 1933, the lack of universal participation or even broadly representative participation in the Disarmament Conference, the arms race leading up to and during the Second World War, and Goebbels war propaganda—meant that the system surrounding the principle of moral disarmament never even had the chance to be established. The arms race continued following the Second World War, although the race was between different states and with the additional nuclear element. Moreover, the end of the Second World War saw the introduction of human rights and the establishment of institutions like the United Nations Education, Scientific and Cultural Organization (“UNESCO”), which essentially took over the work of the International Organization on Intellectual Cooperation in promoting these rights in 1946,²⁶⁸ but now without the express connection to disarmament, as was needed in the past. Therefore, moral disarmament suffered a premature death almost immediately after its birth.

This Article has posited that the legacy principle of moral disarmament should be resurrected and applied to nuclear disarmament, especially since human rights and IHL's principle of humanity has so far failed to make sufficient progress. Moreover, it is difficult to see the Treaty on the Prohibition of Nuclear Weapons as representing genuine progress with regard to nuclear disarmament on account of the fact that none of the nuclear-weapons states are on board. The recommendations made in the interwar period in connec-

268. See C.F. AMERASINGHE, PRINCIPLES OF THE INSTITUTIONAL LAW OF INTERNATIONAL ORGANIZATIONS 470–71 (2d ed. 2005).

tion with moral disarmament are every bit as relevant to contemporary society and issues of nuclear proliferation. If there is any solution to the deadlock surrounding nuclear disarmament, it might be found by reexamining the principles of moral disarmament and ensuring a method of implementation in various aspects of public service and civil life. Material and moral disarmament have always been interdependent, and for any disarmament strategy to be successful, it is of the utmost importance to have parallel developments in both fields. This holds true for nuclear disarmament as well. As Pope John Paul II wrote in 1982, disarmament will not succeed in establishing peace unless it is accompanied by ethical improvements to various aspects of society.²⁶⁹ This is the exact type of division between material and moral components of disarmament that was addressed at the 1932 Disarmament Conference under the banner of “moral disarmament” and that has been promoted in this Article.

269. See McGrath, *supra* note 15, at 226–27 (citing Pope John Paul II, *The Necessary Strategy for Peace*, ORIGINS, June 24, 1982, at 84–86).