



**Mighty nation states and fragile international body: The German-Polish minority policy  
of the League of Nations as an early experiment in global governance**

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### **Abstract**

Globalization scholars generally acknowledge the United Nations as a key transnational actor that helps to regulate the globalized world by means of an institutionalized network of norms and agreements. However, it is often forgotten that the United Nations' successful development is fundamentally rooted in its historical predecessor: the League of Nations. Through a historical-sociological analysis of an extreme case study, namely the German-Polish minority policy of the League of Nations, we emphasize this early root of global governance and explore the early manifestations of a key issue in the contemporary globalization debate: the tension between global institutions and nation states. Our analysis reveals four key features that help to conceptualize this tension field: the broad actorhood of the nation state(1), with nationalism as a consequence thereof(2), and the League of Nation's lack of repressive capacity(3) as an important incentive for decoupling(4). This historical-sociological case study shows that the world culture grants significant power to the nation states, which makes them crucial actors in the globalized world. Hence our framework contributes to the widely discussed debate about the global-national tension field and could also provide a steppingstone for examining current relations between nation states and the United Nations.

### **Keywords**

global governance; nation states; tension field; World War I; League of Nations; German-Polish minority policy

## **Introduction**

Globalization scholars generally acknowledge the United Nations as a key transnational actor that helps to regulate the globalized world by means of an institutionalized network of norms and agreements. However, it is often forgotten that the United Nation's successful development is fundamentally rooted in its historical predecessor: the League of Nations. According to Pedersen (2007), the League of Nations was a first clear attempt at global governance. This supranational organization, established after World War I with the goal of international cooperation, peace and security (Walters 1960, Northwestern University Library 2010) was indeed one of the first gatherings of nation states around the world and thus forms a significant yet overlooked subject in globalization studies.

This article aims to emphasize this early root of global governance by exploring how globalization theorizing can shed light on a key issue in the contemporary globalization debate: the tension between the diffusion of a generalized global model and the remaining power of the nation states (see for example: Sassen 1998, 2006, 2007, Castells 2000, Held 2000, 2006, Faist 2001, Turner 2001, Linklater 2002, Benhabib 2005, 2009, Beck 2007, 2008, Kivisto and Faist 2007, Nash 2009a, 2009b). Much has been written regarding this subject, with some authors swearing by the optimistic outlook of a harmonious globalized world and others being critical by pointing to the possible hindrances and obstacles being set up by the nation states. However, there is a more qualified position in this debate that is increasingly being expressed, where the importance of the nation state is part of the globalization story and creates a tension field of which the outcome is not always straightforward. This article takes a position closer to this last perspective and reveals that the League of Nations indeed marked the diffusion of a world culture, but wherein the broad power of the nation state counted as an important principle.

In this article, we explore the early roots of this tension field through an extreme case study, namely the German-Polish minority policy, because we believe this case is a marked example of the strained relationships between the nation states and the League. Our research centered around the question: How can the concepts of *actorhood* (Meyer et al. 2009, Meyer and Jepperson 2009), nationalism, lack of repressive capacity, and *decoupling* (Meyer and Rowan 1977, Meyer et al. 2009) help to clarify the tension field that characterized the German-Polish minority policy as an early global governance experiment of the League of Nations? To answer this question, we pursue a secondary analysis of renowned sources regarding to the League of Nations and its minority policy (De Azcarate 1945, Walters 1960, Horak 1961, Fink 1972, 1979, 1981, 1995, 1996, 2000, Mazower 1997, 2004, Raitz von Frentz 1999). In this article, we begin with a short historical introduction into the League of Nations and its minority policy and then provide clear links between the four key concepts (*actorhood*, nationalism, lack of repressive capacity, and *decoupling*) and the historical case study.

### **German-Polish minority policy of the League of Nations**

The political map of Central and Eastern Europe was redesigned during the peace conference in Paris after World War I (Raitz von Frentz 1999). Although one tried to take into account the ethnic distribution of the population, the decisions were also steered by promises made during the war by the allied powers and by achieved military facts. In this way, although the total amount of ethnic minorities in Europe lessened from 50 to 20 million, new minorities were created (Thornberry 1980), and thus the development of a minority policy was inevitable.

Poland was one of the new minority states. The country was founded as a monarchy on 5 November 1916 (Horak 1961). The new Polish territory included Russian terrain that had been captured by German and Austrian troops. Hereby a great number of Germans now fell

under Polish jurisdiction. Poland signed the minority treaty with allied and associated powers on 28 June 1919 as a prerequisite for the recognition of Poland as a nation state, but without great enthusiasm (Mazower 1997). After years of weakness and dominance by Russia, Poland was determined to become a strong nation state, and it would not allow the minorities to interfere with this goal (Horak 1961).

Poland is considered to be one of the most important experiments in Europe in terms of national minorities (De Azcarate 1945). The League of Nations dedicated most of its time to petitions from German minorities in Poland, in comparison to other minority states (De Azcarate 1945, Raitz von Frentz 1999). Furthermore, Polish integral nationalism and German revisionism are seen as the biggest challenges to the system of minority protection (Raitz von Frentz 1999). The continuing public confrontation between the two countries even led to the collapse of the minority policy in 1934, when Poland suspended its cooperation with the system. Poland and Germany can thus be defined as protagonists in the story of minority protection.

The minority treaty guaranteed political, juridical, cultural, social, religious and economic equality for all non-Polish citizens (Horak 1961). Moreover, the minority state needed to accept these provisions as basic laws, whereby all conflicting laws, regulations or actions were invalidated (Thornberry 1980). Important and innovative was article 12 in this treaty, the so called ‘guarantee clause’ (Horak 1961). This clause made the League of Nations a guarantor for the minorities, which meant that for the first time the sovereignty and power of the nation states was restricted and partly transferred to a supranational body. However, later in this article we will show that nation states still had a lot of power in the debates about minority issues.

More specifically, the responsibility for enforcing minority rights lay with the Council<sup>1</sup>.

Any Member of the Council shall have the right to bring to the attention of the Council any infraction or any danger of infraction of any of these obligations, and the Council may thereupon take such action and give such direction as it may deem proper and effective in the circumstances (De Azcarate 1945, p. 94, Fink 1972, p. 331).

However, this encompassed a grave political responsibility, and therefore minorities were also permitted to petition the Secretary-General, because then the Council members would have a legitimate reason to treat a complaint (Fink 1995). However, in this way, the Council members were still heavily burdened, given the large amount of petitions. That is why for each new petition a Committee of Three was appointed. This committee had to decide on the basis of eligibility criteria if the petition merited the attention of the Council. If this was the case, a thorough but covert investigation in cooperation with the Minorities Section of the Secretariat<sup>2</sup> of the League of Nations was installed, whereby the accused state was asked to justify itself (Thornberry 1980).

When the negotiations between the Committee of Three and the accused state were not satisfying, the case was put on the agenda of the Council with formal recommendation (Thornberry 1980). Only when a member state decided to take up the case, was it treated by the Council and the minority informed of the proceedings of the complaint. But this occurred very rarely (Fink 1995). When it did happen, a public discussion and voting round was held, followed by a resolution that recommended specific action. However, this voting was organized after a unanimity rule, whereby the accused state could install serious delays by not agreeing with the resolution. When the accused state and the Council could not settle the dispute, the case was brought before the Permanent Court of International Justice, whose decision was considered final (Walters 1960).

The procedure as described above was partly realized during the conflict concerning the Polish elections in 1930 (Fink 1981). On 16 and 23 November, elections were held for the

so-called national 'Sjem', the Senate and the 'Sjem' of Upper-Silesia (Raitz von Frentz 1999). But these elections were disrupted by a campaign of terror and intimidation on a large scale, with disastrous consequences for the German minority and its representation in the parliament.

In reaction to this, a drastic step was taken by Julius Curtius, the German Minister of Foreign Affairs, who directly filed a complaint with the Council (Fink 1995, Raitz von Frentz 1999). This had never been done before, as a complaint of a Council member was normally preceded by a petition (Ratliff 1989, Fink 1995, Raitz von Frentz 1999). The complaint accused Poland of arbitrary measures by the government that withheld the German citizens from voting (in private), and of the terror campaign held by a non-governmental paramilitary organization ('Union of Silesian Insurgents') in collusion with the authorities (Raitz von Frentz, 1999). The Polish state was thus accused of being co-responsible for the unjust treatment of the minorities.

In the observations from Poland, the argument that minority states needed protection from the intervention of other nation states in their internal affairs was dominant (Raitz von Frentz 1999). According to Poland, the right to hold elections and choose election procedures was indeed an integral part of the national sovereignty, and thus only Polish judges were competent to settle disputes about this.

The case was discussed in the Assembly of the Council in January 1931, in which Germany was allowed to participate (Fink 1981). Calonder (president of the Mixed Commission in Upper Silesia) investigated the case and concluded that the guilty needed to be punished and the victims needed to be compensated for their pain. This was refuted by the Polish government, and by Pablo de Azcárate, the director of the Minorities Section at that time, who advocated for a neutral investigation into the problems that occurred during the elections (Ratliff 1989). Poland delivered such an *impartial* assessment (made by a Polish

official!) wherein the conclusion was made that no abnormalities occurred during the elections. The Japanese representative, Yoshizawa, advised the Council in his capacity as rapporteur to ask a detailed report from the Polish government containing the results of the performed investigations as well as the implemented punishments and compensations (Raitz von Frentz 1999).

Poland submitted the requested report and proclaimed that it had met the needs of the League of Nations (Fink 1981). Germany did not agree and postponed the approval of the conclusions in the case. Eventually the case was concluded in the September report, which acknowledged that the Polish efforts were not sufficient and advocated for better treatment in the future. Although this was a judgment in favor of Germany, it had little positive impact on the lives of the German minority members, as the League of Nations accepted the *empty* promise of Poland that it would make all possible efforts to restore the trust of the German minority, without monitoring this in practice (Raitz von Frentz 1999).

From the discussion of the usual procedure for minority complaints and of the conflict concerning the Polish elections, it is clear that the early globalization was not equivalent to a harmonious diffusion of international norms. The tension between the nation state and the international body was omnipresent from the beginning of the creation of this body. This article tries to grasp this tension field by examining the historical case using some conceptualizing key concepts: *actorhood* of the nation state, nationalism as a consequence thereof, lack of repressive capacity and *decoupling*.

### **Conceptualizing the tension field between nation states and the League of Nations externalized in the German-Polish minority policy**

The analysis of the historical case study is inspired by Meyer's theory about world culture, developed from within neo-institutionalism. According to this scientific current, the environment determines certain institutional rules or myths, to which organizations then adapt



their structure and operation (isomorphism) (Meyer and Rowan 1977, DiMaggio and Powell 1983, McKinley and Mone 2003). This isomorphism does not occur because of efficiency motives but because of a longing for legitimacy.

Meyer elaborated on these so called institutional myths and concluded that these myths in a globalizing world constitute a *world culture or polity* (Drori and Krücken 2009). Furthermore, it can be said that nation states are the most important institutes today (Meyer et al. 2009). Meyer (2009) points to the dominance of an instrumental, rational culture with explicit roots in Western society. In particular, he observes the diffusion of a global model wherein national identity and the linked goals like socio-economic development, prosperity, individual justice, rights and equality are dominant. In brief, Meyer claims that nation states adapt to global norms of justice and progression by producing regulated scripts of social policy, hoping that in that way they will be accepted as legitimate members of world society (Drori and Krücken 2009). So, on the one hand, Meyer notices the diffusion of a world culture, but on the other he indicates that this world culture grants the nation states the highest power.

### ***Actorhood of the nation state***

Meyer elucidates the importance of the nation state using the concept *actorhood*, and therefore this concept can also help us to clarify the power of the nation states at the time of the League of Nations. In the global world, nation states are the actors with the greatest *actorhood* (Meyer et al. 2009). The nation state is a strongly legitimized and fundamental action unit, a rational and responsible actor that can determine its territorial borders and its circumscribed population. It is the best possible sovereign, responsible actor. With this theory, Meyer thus refutes the idea that globalization is abating the sovereignty of the nation state. This is a widely discussed theme in the globalization debate (see for example: Sassen 1998,

2006, 2007, Castells 2000, Held 2000, 2006, Faist 2001, Turner 2001, Linklater 2002, Benhabib 2005, 2009, Beck 2007, 2008, Kivisto and Faist 2007, Nash 2009a, 2009b).

This article is based upon Meyer's thesis that globalization is not limiting but actually consolidates the *actorhood* of the nation state, because it is the only legitimate institution to handle today's world problems (Sassen 1998, O'Byrne 2003, Benhabib 2005, 2009, Meyer et al. 2009, Nash 2009b). This article will also exemplify that the foundation of the League of Nations, which can be considered as an early root of globalization, was not necessarily characterized by a limited *actorhood* of the nation states. Instead, in this article, we will demonstrate that nation states were actually the most powerful actors at that time.

Nation states are mighty actors but do not all possess the same degree of *actorhood*. This is not directly mentioned by Meyer, but Larrain (1994) for example indicates that Western countries are viewed as superior to non-Western countries. In this vision, the cultural identity of the West is characterized by instrumental reason, as opposed to the chaotic and irrational way of living in the other, non-Western countries. The other countries are not familiar with this reason, which is what gives the West the right to civilize these countries upon their way to progress. This notion is important to remember for the analysis of the League of Nations, as this was a gathering of Western as well as non-Western countries. In what follows, we will demonstrate that there was indeed an unequal distribution of power between the nation states.

According to Meyer et al. (2009), the world culture counts multiple levels of legitimized *actorhood*. But the different actors do not always share the same interests, and this causes potential conflict. This is an important idea in the context of this article, as the minority policy of the League of Nations was actually an attempt to unify the interests of three different actors (the nation states, the minorities and the League of Nations itself). As mentioned above, the current world culture provides the nation states with the highest degree

of *actorhood*. As a consequence, the interests and wishes of the nation states prevailed in minority issues, which lead to protest and discontent from the minorities, and to a declined credibility of the League of Nations.

The motivation behind the minority policy begins to reveal the real power relations in the League of Nations. Multiple authors indicate that the minority policy was adopted to prevent war in the future, rather than because of a genuine concern for the minorities (De Azcarate 1945, Thornberry 1980, Fink 1996, Mazower 1997, Preece 1997, Raitz von Frenzt 1999). The League provided for minority rights because it feared ethnic civil wars or interventions of a so called *kin state* in the name of the protection of its ethnic minority (De Azcarate 1945, Fink 1996, Preece 1997, Raitz von Frenzt 1999). The central motivation behind the minority policy, therefore, was not protecting the minorities but protecting the current world order, which means that it were not the interests of the minorities but those of the nation states that prevailed. This demonstrates the broad *actorhood* provided for the nation states by the League of Nations.

We can also take a critical look at the underlying goal of the minority policy. Multiple authors agree that this goal was actually assimilation (Fink 1972, 1996, Mazower 1997, Preece 1997). Although providing for minority rights is directly associated with more freedom and autonomy for the minorities, it was exactly this freedom that one wanted to limit through the minority protection system:

By internationally bestowing civil and political equality and a minimal amount of cultural protection upon persons belonging to national minorities, it was believed that they would be less likely to pursue their own separate nationalist aspirations and instead would become contented and loyal citizens of the newly created political units (Preece 1997, p. 346).

By keeping the minorities content with a few basic rights, it was thus hoped that they would not attack the new division of the world. The goal was thus national unity, and the minority policy was only seen as a means to this goal (Fink 1972).

Moreover, the denomination of the minorities in the treaties is a striking demonstration of the underlying assimilation goal of the minority policy. Because the authors of the Polish minority treaty tried to avoid the national minorities being seen as self-regulatory ‘corporate entities’, they did not name the Polish minority as ‘national minorities’, but as ‘Polish nationals who belong to racial, religious or linguistic minorities’ (Fink 1995, 1996, 2000, Raitz von Frentz 1999). At all costs, the authors wanted to fence off the possible creation of a *state within a state* (Fink 1995, 1996). One can thus imagine the power of the model of the homogeneous nation state.

Third, it is important to mention that the minority policy had no universal character. This was thoroughly criticized by the minority states from the beginning (De Azcarate 1945, Fink 1972, Thornberry 1980, Mazower 1997, Preece 1997, Raitz von Frentz 1999). They believed that it was not fair that only they were limited by minority treaties while other nation states had minorities as well but were not subjected to control. However, that the League of Nations would obtain the right to interfere with the internal constitution of every country and thus become a kind of super state was unthinkable (Mazower 1997). The non-universal character was legitimized by the thesis that the newly created states were subordinated and thus needed special supervision (Fink 1996, Mazower 1997, Cowan 2003). This inequality between nation states reflects Larrain’s (1994) idea about the superiority of the Western nation states.

As stated above, minorities could submit petitions to the League of Nations in case of problems, which were then evaluated on admissibility by the Committee of Three and could be taken up by a Council member to discuss in public (De Azcarate 1945, Fink 1972, 1995).

This procedure proves again the wide scope of the *actorhood* of the nation state: only they had the authority to bring a minority issue to the attention of the Council. The petitioner, thus, had no direct influence on this and could only hope for the support of a member state. Hereby, minorities were obliged to address their *kin state* for representing their problem (Raitz von Frentz 1999). Minorities who did not have such a link (the so called *orphan minorities*), were just unlucky.

Likewise, the non-judicial character of the appellation procedure indicates that nation states had the most *actorhood* (De Azcarate 1945, Raitz von Frentz 1999, Cowan 2003).

They defined the procedure as “political” rather than “judicial”, and argued that the petition should be treated “purely as information” rather than as an accusation requiring a reply. They held, therefore, that petitioners were not party to a dialogue, a negotiation or arbitration (Cowan 2003, p. 273).

The League feared that the minority procedure would get acknowledged as a judicial procedure because the risk was created that nation states would be judged, what would not accord with the nation state’s right to internal consolidation (De Azcarate 1945). This demonstrates the dominance of state sovereignty, which had enormous consequences for the minorities, because these were not informed of the proceedings or of the fact that their petition was rejected.

The direct indictment of Curtius following the injustice during the elections of 1930 and the reactions to this accusation demonstrate the broad *actorhood* of the nation state. The direct charge came unexpected, as a charge from a Council member was normally always preceded by a petition (Ratliff 1989, Fink 1995, Raitz von Frentz 1999). The fact that Curtius succeeded in putting the election issue on the agenda of the Council, proves that this nation state had a great deal of power and could even push the boundaries of its already broad *actorhood*. On the other hand, this action elicited strong protest from Poland. Poland argued

that Germany was interfering with the internal constitution of the country, which could not be accepted given the sovereignty principle (Fink 1981, Raitz von Frentz 1999). Particularly as regards to elections, it was indispensable that a sovereign state could organize this independently. The strong protest following Germany's infringement of the principle shows the enormous strength of this principle and thus of the *actorhood* of the nation state.

It is apparent, then, that although the League of Nations established the minority policy and thereby made the minority a legitimate actor, this minority was still stuck at a substantial lower power level than the nation state and was often curtailed in its wishes and needs. This because of the multiple levels of legitimized *actorhood* and the fact that the nation states dominated this hierarchy.

### ***Nationalism/revisionism caused by the idea of the nation state***

The broad *actorhood* of the nation states has implications not only for the minorities and the League of Nations, but also for the nation states. Nation states are rational, autonomous and responsible actors that can determine the territorial borders and a circumscribed population (Meyer et al. 2009). Lechner and Boli (2005) claim that nation states have the legitimacy and authority to present, implement, and even universalize a certain vision. Because the world culture grants this right to every actor and thus to every nation state, everyone has the right to present its vision as the best and universal one (Meyer et al. 2009).

In other words, states have the power to implement and universalize their vision about the nation (the ethnic groups) their state needs to embody. Therefore, it can be argued that nationalism is a logical consequence of the broad power granted to nation states and that it is thus wrong to simply blame the German and/or Polish nationalism for the failure of the minority protection. Meyer's theory indeed points to the important distinction that it is the

world culture itself, and the idea of the nation state therein, that is responsible for producing nationalism (Lechner and Boli 2005, Meyer et al. 2009).

Germany and Poland were indeed characterized by a strong nationalistic and/or revisionist identity. Multiple authors agree that Germany became member of the Council and defended the minorities as their *great protector* in order to prepare the international community for a redrawing of the boundaries (De Azcarate 1945, Enssle 1977, Ratliff 1989, Preece 1997, Raitz von Frentz 1999). Rather than genuine care for the minorities, it was their demographic asset that motivated the Germans (Raitz von Frentz 1999). This because territorial revision could only take place through a plebiscite in the favor of Germany.

This nationalistic motivation is also well illustrated in the example of the Polish elections of 1930. Curtius did not want to protect the German minorities out of idealism, but because of imperialistic goals (Ratliff 1989). He saw the revision of the German-Polish border as the only solution for the Polish political violence. Moreover, the fact that he took the drastic decision to directly submit a charge with the Council was strongly steered by nationalistic pressure in his country (Walters 1960, Fink 1972, 1981, Ratliff 1989, Raitz von Frentz 1999).

It is thus important to scrutinize Germany as the great minority protector. Yet this does not mean that the charges against Poland were exaggerated (Blanke 1990). The German minority was indeed maltreated by Poland, and again nationalism was an important motivator (Horak 1961, Raitz von Frentz 1999). After being a weak, incoherent country for so many years, Poland was now determined to prove its strength, especially to Germany (Horak 1961). This had disastrous consequences for the German minority in Poland. ‘On this basis, it appears that almost anything that local or regional officials could devise to diminish the German population found approval higher up and could also count on the support of what passed for public opinion’ (Blanke 1990, p. 89).

Although the Polish nationalism was thus strongly present from the beginning of the Polish regime, the years 1921-1926 can still be considered as a democratic period (Horak 1961). After the *coup d'état* by Marshal Jozef Pilsudski in 1926, the rights and freedom of the minorities rapidly decreased. The extreme nationalists, including the so called Union of Insurgents, wanted to install a new constitution, and as a means to do so, they mistreated the minorities during the elections, hoping they would be intimidated (Horak 1961, Raitz von Frentz 1999). Moreover, the Union of Insurgents got financial support from the government and its direction counted a lot of government officials (Raitz von Frentz 1999). The government was thus consciously involved in the nationalistic anti-minority policy, and this led to a bloody culmination during the elections in 1930.

So nationalism was the cause of both the terrorism during the elections in 1930 and the heavy German reaction to this, and helps us to understand why both Germany and Poland were so obstinate in the negotiations about the charge. Nationalism was thus a vigorous malefactor for international cooperation, but it may not be forgotten that this obstacle was created by the very cultural background of this international cooperation.

### ***Lack of repressive capacity and forced negotiations***

Besides the broad power of the nation states, the historical literature repeatedly points to the lack of enforceable procedures and the consequential negotiation attitude of the League of Nations towards the nation states. Meyer also talks about this lack of enforceability in his theory of world culture. Meyer (2009) speaks of the modern world as a broad 'world polity' instead of as a strong world bureaucracy. The way *actorhood* is structured in the contemporary cultural model causes dynamism because nobody has central control or repressive capacity (Meyer et al. 2009).

The lack of repressive capacity of the League of Nations towards the nation states is indeed strongly emphasized in various books and articles (De Azcarate 1945, Walters 1960,



Horak 1961, Fink 1979, 1981, 1995, 2000, Thornberry 1980, Ratliff 1989, Raitz von Frentz 1999, Mazower 2004). Although the guarantee clause in the minority treaty suggests that the League of Nations could take broad actions when a minority state broke the treaty, in practice it had narrow possibilities, whereof negotiation with the accused state was the most promising (De Azcarate 1945). 'The League was not, of course, a supreme state organisation, but merely an international body. Ultimately, what could not be achieved by persuasion and mediation could not be achieved at all' (Thornberry 1980, 436).

The only weapon at the disposal of the Minorities Committee was to bring the case to the Council or the Permanent Court of International Justice, as every government feared to be publicly accused (Walters 1960, Raitz von Frentz 1999). But De Azcarate (1945), former director of the Minorities Section, indicates that the petitions from minorities were rarely judged as sufficiently severe to be brought before the Council. The accused government always got the opportunity to solve the issue, whereby the Minorities Committees almost always started to negotiate with the nation states about the most appropriate solution (De Azcarate 1945, Thornberry 1980, Fink 1995, 1996, Raitz von Frentz 1999). They thus preferred negotiation over unilateral public sanctions, because they knew there were no sufficient enforcement measures (De Azcarate 1945).

Furthermore, the Committee of Three, when it for once did judge the petition merited the attention of the Council, had a false authority, because it was not considered as a juridical institution (Raitz von Frentz 1999). The members of the Council remained free to decide if they would bring the petition to the attention. The committee was thus no strong and credible body, while it was one of the most important agencies in the minority policy. Moreover, if the case was in a rare instance discussed by the Council, even the decisions of this latter body were not legally binding and mere guidelines. So every member remained free to decide if it would implement the recommendations of the League of Nations.

Likewise, the lack of decisiveness came to the fore during the handling of the complaint about the terror during the Polish elections. When Calonder wrote a report wherein he judged the injustice and demanded reprimands for the guilty, the Polish government was able to simply deny and dismiss these findings (Fink 1981, Ratliff 1989). The League of Nations was not powerful enough to install a neutral investigation, whose results would be acknowledged. Furthermore, although the report requested by Yoshizawa about the carried out penalties and compensations was internationally acknowledged as insufficient, the League eventually had to settle for Poland's promise that it would do all possible efforts to restore the confidence of the German minority, without following this up on site (Fink 1981, Ratliff 1989, Raitz von Frenzt 1999). This because of a lack of means and the belief that the minority was no active party in the dispute (Raitz von Frenzt 1999). The League could only hope for the goodwill and active cooperation of Poland, because without this the measures (like Calonder's report and the report requested by Yoshizawa) fizzled out.

What again strikingly illustrates the lack of repressive capacity is the fact that in 1934 Poland could simply declare it would no longer cooperate with the minority treaty (Horak 1961). Poland found it unfair that it had to handle its affairs under the supervision of the League and did not have the immunity granted to other countries (Walters 1960). This action from Poland left the League and the minorities powerless behind (Horak 1961).

What connects to this powerlessness, is the fact that the most repressive measure the League of Nations could take was the exclusion of a country out of the League (Walters 1960). Article 16 of the covenant reads:

Any Member of the League which has violated any covenant of the League may be declared to be no longer a Member of the League by a vote of the Council concurred in by the Representatives of all the other Members of the League represented thereon (Walters 1960, p. 52).

However, the ineffectiveness of this measure is very clear, as a state actually had the freedom to treat its minorities as it wished in case of exclusion (Walters 1960). Furthermore, the exclusion could be taken up as an excuse to drop all legal commitments towards its minorities (Raitz von Frentz 1999).

It can thus be concluded that the League of Nations had no enforcement power, enabling the nation states to continue to follow their own national logic, although they subscribed to international minority treaties. This latter discrepancy is described by Meyer as *decoupling*.

### ***Decoupling***

*Decoupling* refers to the fact that institutions do adapt their formal structure to the institutionalized myths (isomorphism) but disconnect their informal operation from this (Meyer and Rowan 1977). In doing so, they can benefit from the advantages of isomorphism, namely winning legitimacy, without jeopardizing their efficient functioning.

Applied to the nation states in the League of Nations, this implies that nation states formally agreed with the covenant, the minority treaties and the derived resolutions, but in practice they often reverted to the own national logic, so that a lot of idealized goals of the League were not realized. Concerning the Polish minority treaty, Poland indeed decoupled its formal obligations in the treaty from the actual policy towards its minorities (Horak 1961). ‘It follows that the Poles, ruling over millions of non-Poles in the period 1920-39, were not willing to enforce their laws, making the statutes empty promises’ (Horak 1961, p. 77-78).

Meyer searches for the reasons behind this *decoupling* and concludes that the latter is a logical consequence, as the world culture encompasses different actors and visions, which sometimes conflict (Meyer et al. 2009). Furthermore, the world culture is strongly idealized and not always realistic. Also, it is not always in accordance with the most efficient programs.

Applied to the minority policy of the League of Nations, it can be said that nation states engaged in *decoupling* because the international principles conflicted with the principles and logic of the nation state. Indeed, the minority treaties limited the power of the nation states, so it is not surprising the nation states did not want to let this happen. That this also applied to Poland, is reflected in the following quote: ‘International obligations, assumed under pressure by the Polish government, were not carried out, because these obligations were in fundamental opposition to the program of various Polish political parties. These parties placed the interest of their State above international duties’ (Horak 1961, p. 182).

On the level of the League of Nations, *decoupling* was also strongly present. In particular, this was expressed in the fact that the petitions of the minorities were almost never discussed by the Council (Rosting 1923, De Azcarate 1945, Thornberry 1980, Blanke 1990, Fink 1995, 1996, Mazower 1997, Raitz von Frentz 1999, Cowan 2003). Between 1921 and 1939 950 petitions were received, but only 550 petitions were declared as admissible and only 11 of these were presented to the Council by the Committee of Three (Raitz von Frentz 1999). The reasons for this were, among others, the slow and complicated procedures, the restraint of the League to judge a nation state, and the strict admissibility criteria (Rosting 1923, Horak 1961, Fink 1972, Blanke 1990, Raitz von Frentz 1999, Cowan 2003).

Furthermore, when a petition did get the attention of the Council, the action the latter could undertake was very broadly defined, whereby the possibility for *decoupling* was created: ‘...and the Council may thereupon take such action and give such direction as it may deem proper and effective in the circumstance’ (De Azcarate 1945, p. 94, Fink 1972, p. 331). It is clear that this definition is so broad and vague that it was able to justify every action, even if it was not meaningful and low-powered. Hereby the League could backtrack from its idealized policy and impose less grave sanctions in practice.

## **Conclusion and discussion**

During World War I, the idea was shared in various countries that this war needed to be the last (Walters 1960). The eventual result of this was the foundation of the League of Nations, an international body that would allow the different countries to cooperate, striving for peace and security (Northwestern University Library 2010). Although most globalization theories emphasize the period after World War II, the indignation about the cruelty of the first World War thus also launched an international experiment.

However, this early international experiment suffered from a range of problems, which were usually framed within a tension field between an international body in infancy and the powerful nation states. This tension field has been widely discussed in the globalization debate. With regard to the German-Polish minority policy, the situation was even more complicated, because now not only the League of Nations and the nation states, but also the German minorities could claim their rights.

The main aim of the article was to clarify this complex tension field by using the following set of key concepts: *actorhood* (Meyer et al. 2009, Meyer and Jepperson 2009), nationalism, lack of repressive capacity, and *decoupling* (Meyer and Rowan 1977, Meyer et al. 2009). First, Meyer's concept *actorhood* was useful in illuminating the dominance of the nation state after World War I. In the world culture, the nation state is the best possible sovereign, responsible actor (Meyer et al. 2009). However, because of the minority policy, the interests of three different actors – the nation states, the minorities and the League itself – needed to be combined. That this combination did not work out because of the dominance of the interests of the nation states can be linked to the broad *actorhood* granted to the nation states.

It can be claimed that nationalism is a logical consequence of this broad *actorhood*. The power of nation states reached so far that they were capable of implementing and even universalizing their national vision. From the analysis, it was clear that German and Polish

nationalism were indeed important obstacles. An important distinction, however, is that it is the world culture itself, and the idea of the nation state therein, that produces nationalism (Lechner and Boli 2005, Meyer et al. 2009). This implies that as long as central *actorhood* is granted to the nation state, nationalism will always remain a potential danger, whether one invests in a minority policy or not.

Another important obstacle was the League of Nation's lack of enforceable measures, so that it was forced to engage in conciliatory negotiations. Meyer (2009) speaks of the modern world as a broad *world polity* instead of a strong world bureaucracy. Unfortunately, this means that the League was powerless against certain injustices with respect to the minorities.

The minority states were aware of this powerlessness and so they continued to repress their minorities, although they formally agreed with the minority treaties. Although the League of Nations intended to deal with these injustices through a petition procedure, this turned out powerless in practice. We described this discrepancy between the formal minority policy and the actual unjust practice as *decoupling*, the phenomenon that institutions do adapt their formal structure to the institutionalized myths (isomorphism) but disconnect their informal operation from this (Meyer and Rowan 1977).

The broad *actorhood* of the nation state with nationalism as a consequence and the lack of repressive capacity as an important incentive for *decoupling* together compose a sociological-theoretical framework that helped to conceptualize the global-national tension field present in the German-Polish minority policy of the League of Nations. It showed that this policy was indeed an international experiment whereby certain principles were diffused across the nation states. However, these principles encompassed a great *actorhood* granted to the nation states, which enabled nationalism and justified the lack of repressive capacity of the League, which, in turn, allowed for *decoupling* to take place. This illustrated the middle

position in the tension field debate, demonstrating that globalization is indeed taking place, but that the nation state is playing an important role in this process.

In conclusion, the insights presented in this article could also offer an enlightening perspective on the current international cooperation in the United Nations. The minority protection is indeed transformed to the Universal Declaration of Human Rights (Thornberry 1980, Preece 1997, Mazower 2004). Although it seems that they are two quite different policies, the same forces, ideas, questions, dilemmas and contradictions are present, something we can describe as *path dependency*. Therefore, further research might analyze the United Nations through the same sociological perspective that was used in this article. Doing so would likely show that the tension field that was brought into existence from the beginnings of global governance is still omnipresent, and that the concepts illustrated here would help to clarify this tension field in the United Nations today.

## Notes

1. Body within the League of Nations founded to settle international disputes (Northwestern University Library 2010).
2. The tasks of this agency were preparing the agenda and publish reports (Northwestern University Library 2010). There were different sections to carry out these tasks on the different domains in an efficient manner (Walters 1960).

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