DIPLOMACY AT THE UNITED NATIONS

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By

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SCOPE AND CONTENTS:

        This thesis examines one of the most
useful instruments yet devised for regulating
the relations of states -- diplomacy. It ex-
plains how, from the beginning of the modern
state system, traditional diplomacy has served
the needs of the international community.

        The major part of this study focuses on
the diplomatic activities that take place at
the United Nations, especially as they con-
cern the Security Council, the General Assem-
bly, and the Secretariat with the Secretary-
General. Support is presented for the con-
tention that traditional, "quiet" diplomacy
plays an important role at the United Nations,
even though on the surface the United Nations
appears to be pre-occupied with public debate,
vote swapping, and distortion of basic inter-
national issues.

        The role of small nations in an interna-
tional society is also briefly discussed.

ACKNOWLEDGMENTS

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FOREWORD

Of all the factors which make for power in a nation
perhaps the most important is the quality of its diplomacy. A
nation can be extremely well endowed with natural resources, have
a great military strength, but without skillful diplomacy, the
effect of this wealth will be greatly reduced. Throughout
history there has always existed, at least in theory, a choice
among three alternatives: diplomacy, war, or surrender. It
would appear that modern technology has upset the balance and
has greatly enhanced the importance of diplomacy in relation to
the other two courses of action.

In his book, Diplomacy in the Nuclear Age, Canada's
Lester B. Pearson points out that a most important, if not the
most important, function of diplomacy is that of negotiation.
In today's nuclear world where man now has the power of elimi-
ating himself, national interests can not any longer be separated
from humanity itself. Indeed, by far the greatest national
interest is, and must remain, the prevention of a war which
would destroy humanity. Today, when the alternative to peace
would appear to be nuclear suicide, it is more important than
ever before to keep the channels of diplomacy open.[1]

One can see or hear the word diplomacy used and its

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[1]L. B. Pearson, Diplomacy in the Nuclear Age (Toronto:
Saunders and Co., 1959), p. 22.

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cognates similarly invoked in relation to men of the fleet in a
port of call, Canadian lawyers in England for a professional
conclave, touring glee clubs, and foreign guides at a fair. A
pianist recounts his experiences in concertizing abroad under
the heading "Diplomacy by Keyboard".

The term diplomacy should not be used to denote
geniality among strangers, however. It should be used to
refer to "official representation and communication among
governments, associated methods and conventions, the vocation
devoted to them, and accumulated relevant lore."[2]

Traditional or "classic" diplomacy assumed the co-
existence of many sovereign states, each respecting the terri-
torial integrity and political independence of the others.
These states dealt bi-laterally with controversies about terri-
torial limits, maritime navigation, commercial intercourse, and
other means of the exchange of diplomatic representatives. Not
only was the diplomacy which operated under this concept
basically bi-lateral, but it was also based on privacy. As
privacy was part of diplomatic usage, so circumspection, along
with a stylized sort of courtesy, was a supposed quality of
practitioners. It was considered fitting to appoint to diplo-
matic missions men of aristocracy who were schooled to appro-
priate attitudes and were well reputed.

There is the contention that the establishment of the

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[2]C. B. Marshall, "The Golden Age in Perspective", Jour-
nal of International Affairs, XVII, No. 1, (1963), 9.

United Nations has rendered the traditional diplomacy out of
date or useless.[3] The main objective of this thesis will be
to disprove this contention and, conversely, to show that the
United Nations is actively contributing to the development of
diplomatic techniques and procedures. It may be true, in theory,
that originally the procedures of the United Nations were in-
tended as an alternative to the traditional methods of diplomacy.
Nevertheless, even though there appears to be a greater use of
open diplomacy, the procedures of the United Nations, as they
have emerged in the practice of the organization, do not differ
in substance from the traditional practices of diplomacy.[4]
What would appear to distinguish the former from the latter is
mainly the social setting and the legal requirements which in-
fluence the way in which the traditional business of diplomacy
is carried on within the agencies of the United Nations. But
this must really be considered a part of the natural evolution
of diplomacy, since after all, diplomacy is characteristic of
the society of nations where war is possible and law is imper-
fect. The essence of diplomacy, therefore, has to be a certain
flexibility and the ability to adapt to changing conditions.

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[3]For examples, see: H. J. Morgenthau, Politics Among
Nations (New York: A. A. Knopf, 1957), and H. Nicolson, The
Evolution of Diplomacy (London: Constable, 1962).

[4]A more elaborate description of this point can be
found in S. D. Kertesz and M. A. Fitzsimons, editors, Diplomacy
in a Changing World (Notre Dame: University of Notre Dame Press,
1959), pp. 13-14.

In selecting the topic, "Diplomacy at the United Nations",
I have attempted, in a modest way, to take up the challenge laid
down by the late Dag Hammarskjold. Speaking in 1953, he indi-
cated that one of the "spheres in which the United Nations . . .
have the greatest wealth of new material to offer to the social
scientists for their studies . . . [is] that of diplomatic tech-
niques and of international relations as elaborated in an inter-
national body . . .".[5]

It will be shown that the United Nations can be an in-
strument for negotiation among governments; that it can serve
as an instrument added to the time-honoured means of diplomacy
for potential concerting action by governments in support of the
goals of the Charter.

It is, of course, realized that this will only work in
practice if the United Nations functions with theoretical per-
fection and all its members conduct their international affairs
through the United Nations, and subordinate their national in-
terests to the requirements of the United Nations Charter. At
this point it would appear that national interests take prece-
dence over such internationalistic considerations. Nevertheless,
the tendency in the United Nations is to wear away, or break
down differences, thus helping toward solutions which approach
the common interests and application of the principles of the

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[5]D. Hammarskjold, "The United Nations and the Political
Scientist", The American Political Science Review, XLVII
(December 1953), 976.

Charter. In an organization of sovereign states, voting victories are likely to be illusory unless they are steps in the direction of winning lasting consent to a peaceful and just settlement of the questions at issue. Just as significant in this regard are the processes of adjustment and negotiation which the institutions of the United Nations make available to the member governments, and which embrace much more than the public proceedings of its Councils and Assembly.[6]

It will be shown that in the diplomacy of the world organization, the quiet world of preparing the ground, of accommodation of interest and viewpoint, of conciliation and mediation forms a basis upon which the United Nations can become an increasingly influential and effective force to aid the governments in pursuit of their goals and, when they are similar, those of the Charter.

Throughout this thesis, another, although less prominent, theme will be the role of small nations in world diplomacy and in the United Nations. It is my opinion that far more so than in the case of states with large military potential, the small states must be able to protect themselves by adroit diplomacy in advancing their interests.[7] It would appear that

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[6] See a similar argument presented by D. Hammarskjold in "From the Introduction to the Annual Report 1958-1959" in The Servant of Peace: A Selection of the Speeches and Statements of Dag Hammarskjold, ed. Wilder Foote (London: Bodley Head, 1962), pp. 224-228.

[7] Convincing proof for this argument is presented by A. B. Fox, The Power of Small States (Chicago: University of Chicago Press, 1955). Her book is limited to a discussion of the role of small powers in World War II.

the small state has certain advantages in this regard. Its interests are local and limited, so that much of its attention can be focused upon a few objectives. Nuclear weapons once appeared to distinguish the super-powers more sharply from other states. It would seem, however, that the reluctance by great powers to use these weapons has given new opportunities to small states. In addition, the creation and functioning of an almost universal international organization in the form of the United Nations has offered to small states (particularly non-European states) unprecedented scope and opportunity for exercising their diplomacy. It has been said that the approach these new nations have towards the world organization is one of political black-mail. In other words, it is not idealism that motivates them to join the United Nations, but merely political expediency, a desire to improve their position in the continuous struggle of power politics. There is, no doubt, some truth in this view, but it will be shown that it is an unfair and harsh judgment to apply an accusation such as this in a general manner. Evidence will be presented to show that the records of the United Nations and its affiliated organizations are filled with the positive and responsible actions taken or initiated by the smaller members of these bodies.

It will also be shown that the real limitations upon action by the Organization do not derive from the provisions of the Charter or the inadequacy of diplomacy. They result from the facts of international life in our age (such as conflicting

goals and policies of the various governments) which are not likely to be by-passed by a different approach or surmounted by attempts at merely constitutional reform.

Finally, the practice of diplomacy at the United Nations will be discussed within a framework of realism. It will be treated with the recognition of the United Nations for what it is: an admittedly imperfect but indispensable instrument of nations working for a peaceful evolution toward a more equitable and secure world order. If properly used, the United Nations can serve a diplomacy of reconciliation as well, if not better, than other instruments available to the member states.

INTRODUCTION

Throughout the years, the interpretations of, and attitudes toward, diplomacy have changed often and in different directions. It can be said that of "all the confused nomenclatures that have led the thoughts of men astray, there are few that can compare with the word 'diplomacy'".[1]

In the seventeenth century Francois de Callières[2] wrote that "actions and re-actions between one state and another oblige the sagacious Monarch and His Ministers to maintain a continual process of diplomacy in all such states for the purpose of recording events as they occur and of reading their true meaning with diligence and exactitude."[3]

De Callières further stated that:

Knowledge of this kind is one of the most important and necessary features of good government, because

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[1]H. Nicolson, "An Open Look at Secret Diplomacy", New York Times Magazine (September 13, 1963), p. 17.

[2]Born at Thorigny in 1645, de Callières was the son of one of Louis XIV's generals. He served first as a secret agent, then as an accredited envoy in the Netherlands, Germany, and Poland. He represented France at discussions that led to the Treaty of Ryswick. Thereafter he was appointed Secretary to the Cabinet.

[3]F. de Callières, On the Manner of Negotiating with Princes, transl. A. F. Whyte (New York: Houghton Mifflin Co., 1919), p. 11.

> indeed the domestic peace of the state depends
> largely upon appropriate measures taken in its
> foreign service to make friends among well-disposed
> states, and by timely action to resist those who
> cherish hostile designs. . . The enlightened and
> assiduous negotiator serves not only to discover
> all projects and canals by which coalitions may
> arise against his prince in the country where he
> is sent to negotiate, but also to dissipate their
> very beginnings by giving timely advice.[4]

As is implied in these two quotations, negotiations in the seventeenth century were primarily carried out by the members of the nobility. This pattern was, in its essence, maintained during the next two centuries. With the ascent of the democracies, came the ascendancy of the professional, civilian diplomat. And, in fact, now on some occasions, ambassadorial appointments are made from the business world, the military, and the political arena.

At the same time the role and the function of an ambassador has changed. Harold Nicolson has gone so far as to state that the ambassadorial diplomat has been reduced to the status of "a clerk at the end of the telephone line".[5] There can be no doubt that improvements in the field of communication in the past century and a half have had a revolutionary effect upon the conduct of diplomacy. The diplomat has gained in the speed with which his reports can be transmitted and in the number of persons he can reach. But contrary to Nicolson's criticism of these

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[4]de Callières, Negotiating with Princes, p. 12.

[5]H. Nicolson, The Evolution of Diplomacy (New York: Collier, 1962), p. 143.

developments, it can be argued that the diplomat also has gained
in perspective. It is difficult to maintain a balanced view of
the world importance of developments in the country where one is
stationed. In days gone by, the diplomat had little knowledge
of what was happening in other parts of the world and there was
an even greater tendency for daily events around him to assume an
importance out of proportion to their true value. Today he often
has more information about happenings outside his own area.

With the snail's pace of communications a century and a
half ago, an ambassador of necessity had wider and more absolute
authority than his modern counterpart. Nevertheless, I do not
think that the improved speed of communications has nullified the
ability of an ambassador to influence events. It is true that
distance and slow communications of the past offered exciting
freedom of action to the bold, the enterprising ambassador of
those times. On the other hand, the speed of modern communications
has a tendency to centralize the decision-making process in the
home capital.[6] One of the dangers of this trend is that those who
make the crucial decisions will be out of touch with the real
conditions in a country. In large part, therefore, the tendency
to reduction of the independent powers of the modern diplomat
has been offset by the increasing importance of the ambassador as
an adviser. His power as a negotiator may have diminished, but
the complexities of modern foreign relations cause his government

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[6]L. Merchant, "New Techniques in Diplomacy", in E. A. J.
Johnson, ed., The Dimensions of Diplomacy (Baltimore: Johns
Hopkins Press, 1964), p. 123.

to rely increasingly upon his analysis and judgment of a given situation. His influence is often important, although a government has other sources which it will use to obtain information, e. g. the press and intelligence services.

The diplomat of our time faces much greater difficulties than his predecessor and has to work under radically different circumstances. The age in which the "old", "classical" diplomacy developed had a number of unique characteristics. First, there was the factor that in the seventeenth century Europe was the most important of all the continents. Second, there was an obvious distinction between the Great and Small powers. Throughout this period, Small powers were assessed according to their effect upon the relations between Great powers. There was seldom any idea that their interests, their opinion, still less their votes could affect a policy agreed upon by the Concert of Europe. Third, it was generally recognized that the Great powers possessed a common responsibility for the conduct of Small powers and the preservation of peace between them.[7]

The decades between 1815 and 1870 were for Europe years in which they enjoyed the greatest military security in a long and troubled history. Of course, it was not a time of perfect peace. There were wars, but these were local conflicts limited in duration and confined in area. During the half century after 1815, no one country was strong enough to dominate the continent and, conse-

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[7]H. R. Rudin, "Diplomacy, Democracy, Security: Two Centuries in Contrast", Political Science Quarterly, CXXVII (June 1956), p. 165.

quently, to force other countries to devote their attention and resources to preparing for war by building up armies and navies and by establishing powerful military alliances. In this one very important respect, governments did not have the great preoccupation with military security that forced them into regulating their economies and the lives of men. Here lies a basic difference between our century and the earlier one.[8]

Secret versus Open Diplomacy

The greatest change that has taken place, however, is that the diplomats of the last century were less hampered by domestic politics and by public opinion than are diplomats today. One of the most controversial topics of the twentieth century has become the extent to which the public should be informed of the developments of international negotiations. After World War I the popular belief developed that in the future there should be "open covenants, openly arrived at" to prevent future conflagrations. "It was the belief that it was possible to apply to the conduct of external affairs, the ideas and practices which, in the conduct of internal affairs, had for centuries been regarded as the essentials of liberal democracy."[9] President Woodrow Wilson was one of those who shared the belief that the causes for World War I could be traced back to secret pacts which resulted from secret negotiations. He went to Paris committed to

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[8] Rudin, "Diplomacy, Democracy, Security: Two Centuries in Contrast", p. 166..

[9] Nicolson, The Evolution of Diplomacy, p. 106.

his Fourteen Points, one of which referred to his preference for "open covenants, openly arrived at".

Open diplomacy can mean two things: first, that there should be no secret agreements; second, that negotiations should be held in the open. It would appear obvious that at the Paris Peace Conference, Wilson really subscribed to the first aspect of open diplomacy but not to the second. His meetings with Lloyd George and Clemenceau were surrounded with more secrecy than had been seen before. Woodrow Wilson never wanted the actual negotiations to be subjected to public opinion. He merely suggested that the final result of the negotiations should be made public. The people of that time, of course, had no monopoly of mistakes such as these. Only a few years ago, the Kennedy administration was chided by critics for its handling of the test ban treaty, because all it did was go to Moscow and accept "a dictated treaty". There seemed to be general ignorance of the fact that the real negotiations had taken place for many months behind the scenes. The signing of the treaty was merely public acknowledgement of the hard diplomatic labour that had taken place.

Another phenomenon of our time has had a tremendous impact upon the conduct of diplomacy. In democratic countries, "open diplomacy" is often ensured by the submission of many major international undertakings to the legislature for approval. In some countries, such as the United States, this procedure is explicitly required by the Constitution. In other countries,

such as Canada or Great Britain, the requirement of legislative
approval has become a part of the unwritten constitution. In
either case, the diplomat must be mindful that his work may well
be subject to ratification or rejection by his countrymen.

Despite the desirability of publicity and democratic
influences in the conduct of diplomacy, however, there is still
a need for confidential negotiations with government representa-
tives. The differences in outlook in the world today permit a
diplomat to seek only limited objectives. This is a realistic
approach because the common ground of understanding, on which
agreements can be made, is itself restricted. Too often, public
opinion and hope are mobilized to such an extent that the solution
to all-important world problems seems to be within grasp. When
fundamental differences prevent a solution to these problems, both
the public and the negotiators tend to become disillusioned and
bitter. In this connection, several of the Geneva summit con-
ferences come to mind.

It would be wrong to argue that the change from secret
to open diplomacy came about solely because the mass of the
people wanted to be kept informed. There is more to it than
that. World War I had many causes and could probably not have
been prevented by any type of diplomacy.[10] Nevertheless, from
this misreading of the origins of the war springs the idea that

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[10]See D. E. Lee, The Outbreak of the First World War: Who
Was Responsible? (Boston, D. C. Heath and Company, 1953). At least
six different causes for the outbreak of World War I, including
irredentism, nationalism, colonialism, and militarism, are pre-
sented.

"secret diplomacy" was responsible.

There would appear to be a deeper ground for the dislike of secret diplomacy: the suspicion that "every secret deal will be a dirty deal".[11] Nowadays, every democratic power has to conduct its foreign policy on a moral basis in order to satisfy public opinion; and one of the ways of guaranteeing this moral basis is to have no secret diplomacy.

Bilateral versus Multilateral Diplomacy

Today diplomacy is often practised on a multilateral basis. This is because modern technological advances have generalized the interests of nations to such an extent that bilateral action is now inadequate. Bilateralism was one of the characteristics of traditional diplomacy, whereby two countries would attempt to settle disputes that existed between them.

Multilateral diplomacy is usually conducted in international conferences to which governments are invited to send delegates. This idea of "conference diplomacy" came to be widely accepted. The United States, for example, took part in fifty-three conferences between July 1941 and June 1945.[12] In the absence of a world legislature, these conferences provided a potential means for the formulation of programmes for collective international action. Some conferences were set up

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[11]A. J. P. Taylor, "Case for a Return to the Old Diplomacy", New York Times Magazine (March 18, 1951), p. 30.

[12]H. Hill, International Relations (New York: Oxford University Press, 1950), p. 153.

ad hoc by some one initiating state or by a small group of states.
This used to be general practice. During recent decades, however,
a number of international organizations have been created which
maintain permanent conference systems. One of the most notable
of these international organizations is naturally the United
Nations. One of the most important innovations in the conduct
of international relations is this development of collective
diplomacy.

An enthusiastic advocate of conference diplomacy is a
respected British diplomat, Sir Maurice Hankey.[13] In his opinion
perhaps one of the most important results of conducting diplomacy
by conference is the knowledge responsible statesmen acquire of
one another. This real intimacy and friendship, Hankey feels,
contributes greatly and materially to the success of diplomacy
by conference by rendering possible absolute frankness in dis-
cussion.

Conference diplomacy has been practised since the begin-
ning of the twentieth century, though its use before 1914 was
slight. However, useful work was accomplished by the Hague
Conferences, and by technical conferences on such subjects as
Motor Car legislation, Aerial navigation, Sugar Bounties, Red
Cross organization, etc. This work resulted in some valuable

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[13]M. Hankey, Diplomacy by Conference (London: Ernest
Benn Ltd., 1946). There can be no doubt that Hankey's views were
conditioned by his experiences. He wrote (p. 11), "while my per-
sonal experience of conducting diplomacy in the old sense is
limited, I suppose I have had an almost unique experience of con-
ferences, having attended nearly five hundred international
meetings since 1914".

international organizations such as the Hague Tribunal, the Postal
Telegraph and Wireless Bureau at Berne, and the Agricultural
Bureau at Rome. From time to time, there were conferences of
ambassadors held in London or elsewhere which dealt with matters
of international policy in the Balkans. In this connection, Sir
Edward Grey was a pioneer in diplomacy by conference.

In addition to the official international conferences,
heads of states on ceremonial visits were often accompanied by
their foreign ministers and these opportunities were taken to hold
important diplomatic conversations. In the years immediately pre-
ceding the war of 1914, however, the method of conducting interna-
tional business by direct conference between principal Ministers
concerned was the exception rather than the rule.[14]

Another enthusiastic supporter of conference diplomacy
was Lloyd George. When he became Prime Minister, a tremendous
impetus was given to the practice.[15] The summoning of the Prime
Ministers of the Dominions and the representatives of India to
meet in an Imperial War Cabinet was the first act of his govern-
ment. During the first ten months of 1917, there were no fewer
than eleven conferences, apart from the conferences in Russia
and America.

The practice of recent diplomatic conferences has been

[14]Hankey, Diplomacy by Conference, p. 12.

[15]Hankey, Diplomacy by Conference, p. 18.

[16]Q. Wright, "The Decline of Classic Diplomacy", Journal
of International Affairs, XVII, No. 1 (1963), 20.

to give much greater facilities to newsmen than was usual in earlier history. Statesmen frequently practise "diplomacy of the housetops", publishing diplomatic communications to the world simultaneously with their delivery to the government addressed. There has been vigorous criticism of these practices. Walter Lippmann asserted that President Kennedy should have communicated his information about missile bases in Cuba to Soviet Foreign Minister Gromyko, and entered into bilateral diplomatic negotiations with the Russians before establishing a unilateral quarantine of Cuba on October 22, 1962.[17] Lippmann further stated that there can be no doubt that classic diplomacy still has a role to play. Conflicts can sometimes be resolved at private negotiations in which neither side loses face. Publicity may arouse public opinion within the disputing states, preventing either side from making the concessions necessary for peaceful settlement. Private negotiation is important among party leaders in parliaments and nominating conventions if the processes of legislation and election are to proceed within democratic states. Such negotiation can be no less important in international relations.

Sir Maurice Hankey recognizes that at certain stages of conferences, secrecy may be essential.[18] It is, of course,

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[17]"Blockade Proclaimed", New York Herald Tribune (October 25, 1962), p. 20.

[18]His view is supported by: I. L. Claude, Jr., "Multilateralism -- Diplomatic and Otherwise", International Organization (Winter 1958), pp. 43-52.

equally essential that eventually there should be the fullest
publicity. To Sir Maurice the most important elements of success
in diplomacy by conference are: elasticity of procedure, small
numbers, informality, mutual acquaintance and, if possible, per-
sonal friendship among the principals, a proper perspective bet-
ween secrecy in deliberation and publicity in results, reliable
secretaries and interpreters.

When Hankey talks about these requirements, he touches
on one of the problems facing diplomats. The skill of a nego-
tiator is determined not only by the personal ability, but more
importantly, by the total political context, domestic and
foreign, within which he operates. Clear knowledge on the part
of the negotiators of their own objectives and realistic assump-
tions concerning the aspirations and aims of others form a solid
basis for negotiation and settlement.

The negotiating potentialities of heads of governments
differ from those of professional diplomatic representatives.[19]
In distinction from the latter group, political leaders may make
decisions on the spot even without consultation of government
agencies or of specialists. What can happen if these conditions
are not fulfilled can be shown through the examples of the Soviet
Union and the United States.

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[19] R. Rossow, "Professionalization of the New Diplomacy",
World Politics, XIV (July 1962), 563.

Soviet Diplomacy versus American Diplomacy

The general difficulties confronting diplomats today are
intensified by the natures of the Soviet Union and the United
States. It is hard for both countries to understand the aspira-
tions and courses of action which are unacceptable to them. It
seems to be equally difficult for them to put themselves into
the position of other nations. Another common characteristic
is that both countries entered the world scene as super powers
almost simultaneously.[20] The United States and the Soviet Union
entered upon this new era of history with greatly differing
traditions and expectations, and from these difference in world
goals, basic human values, and diplomatic methods have come many
serious and extraordinarily baffling complications which beset
present-day international relations and make diplomatic negotia-
tions simply episodes in a continuing struggle.

Although the professional element was eliminated from the
Soviet foreign service in the early 1920's, Soviet diplomats
outwardly follow the procedures and concepts of traditional diplo-
macy. Their view of what is diplomacy differs radically from the
Western view. Diplomacy considered by the Soviets holds that the
"principal aim of Soviet diplomacy was and will be concentrated
on the study of factors of social importance."[21] For this purpose

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[20] P. E. Mosely, "The New Challenge of the Kremlin", in
S. D. Kertesz and M. A. Fitzsimons, ed., Diplomacy in a Changing
World, pp. 134-135.

[21] Mosely, "The New Challenge of the Kremlin", p. 140.

Soviet diplomacy has at its disposal unique Marxist-Leninist methods of perception of world conditions and to a certain degree also of conditions connected with the economic, political, historical class and other features of the countries with which it deals. The Soviets generally consider diplomatic contacts as skirmishes in the great fight against a corrupt and doomed system of society. Because of the permanent factors in Soviet foreign political objectives, principles, and methods, there was relatively little change in Soviet negotiating behaviour, especially in the level below the top, in the changing periods of Soviet-American relations. The explanation of this attitude is simple: the nature of world politics and basic foreign political objectives have changed only for the non-Communist states.[22]

The assumption of American negotiators, on the other hand, whether leading statesmen or lower officials, often reflect the subconscious ideas "what is good for the United States is good for the world".[23] The chief characteristic of top-level American negotiators has been that all of them were deeply rooted in domestic American life and had little experience in negotiating outside the English-speaking world. In contrast to the Soviet diplomatic attitude, American diplomacy inherited, cherished, and

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[22]For an elaborate discussion of the sources of Soviet conduct, consult: G. F. Kennan, American Diplomacy 1900-1950 (Chicago, University of Chicago Press, 1953), pp. 109-119.

[23]Mosely, "The New Challenge of the Kremlin", p. 156.

took seriously the intrinsic values of West-European diplomacy.[24]
But the techniques and methods of European diplomacy, developed
in a homogeneous society of states, have not proved effective in
relations between democracies and totalitarian dictatorships.
Since Americans are influenced by principles of "justice", and
"objective truth", they are inclined at least in part to cling
to abstract ideas and to disregard the existing power-political
situation. Hence their habit of promulgating and emphasizing
general principles and the temptation to oversimplify complex
foreign affairs issues into moral problems or legalistic formulae.

There are numerous factors which constitute almost perma-
nent handicaps for American negotiators in relations with totali-
tarian dictatorships. The American diplomats' freedom in nego-
tiation is limited by a great many factors such as political in-
stitutions, principles, and practices, the wishes of the American
people, and the sensitivity of Allies. Also there is the Anglo-
Saxon spirit which, by tradition, is inclined to regard the
making of compromises as a normal lubricant of the decision-
making process. This virtue has been harmful in negotiating with
the Soviets, for it was interpreted by them as a lack of firmness
-- instead of facilitating a mutual accommodation. It naturally
failed to impress people educated in the atmosphere of a mono-

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[24]Kennan, _American Diplomacy (1900-1950)_, p. 46.

lithic society, and thus opened the door for further Soviet demands.[25]

In addition, it is very difficult to organize and maintain an alliance system including countries with unrelated, if not contradictory, objectives. It is obvious that strains and conflicts exist within the non-Soviet world, and the United States cannot keep free countries together with methods contrary to Western principles. The situation is further complicated by the fact that in the United States it is almost impossible to coordinate all the major foreign policy-making factors. Even if there did not exist any ideological conflict in the world, current international relations would still be far from simple since "diplomacy in a two-power world has an inherent element of rigidity. The classic balance of power had a multiplicity of components so that shifting alliances could compensate for fluctuations of strength".[26] It seems that all the pressures make for a quest for the kind of absolute security which testifies to the abdication of diplomacy. For "diplomacy is the art of the contingent, the adjustment of ever-changing relationships within a framework considered as given."[27]

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[25]For further comments on this point see: H. J. Morgenthau, "The American Tradition in Foreign Policy", in R. C. MacRidis, ed., Foreign Policy in World Politics (Englewood Cliffs: Prentice-Hall, 1962), pp. 201-203.

[26]H. A. Kissinger, "The Limitations of Diplomacy", New Republic, CXXXII, No. 9 (May 9, 1955), 7.

[27]H. A. Kissinger, "Limitations of Diplomacy", p. 7.

Conclusion

During thousands of years of slow social progress, man has sought more efficient ways of communicating with his fellow men, not only to improve his lot, but to prolong his physical existence. We are here concerned with the most useful instrument yet devised for regulating the relation of states -- diplomacy. On the skill with which diplomatic techniques are used may rest peace or war.

From the beginning of the modern state system, traditional diplomacy has served well the needs of the international community. In the early part of this century, however, it was dealt a near mortal blow by the collapse of the European power system during World War I. It was assailed by the idealists who wrongly saw in its secret negotiations the seeds of war and betrayal of the national interest. By mid-century, the metamorphosis of diplomacy and been greatly accelerated. Instantaneous communications seriously undercut the responsibility of the formerly self-reliant emissary. The prospect of thermonuclear extermination hangs like a cloud over the negotiating table. A hundred and more states insist on their nationalisms in an already disjointed world which is desperately trying to unite itself into a coherent whole. And, finally organs of deliberation such as the United Nations have cultivated many characteristics potentially detrimental to diplomacy and international relations.

Diplomacy is indeed in transition -- for better or for

worse. It is to the new phase of diplomacy -- diplomacy at the
United Nations -- that I now want to turn attention.

DIPLOMACY IN THE UNITED NATIONS: SECURITY COUNCIL

Theory of International Organization

The analysis of present world society reveals a number
of paradoxes and contradictions. On the one hand, the techno-
logical gap between the advanced and the backward nations is
greater than ever before. On the other hand, the process of
interlocking interests and activities, which internationalists
once hopefully described as leading inevitably to a world com-
munity, has indeed continued. In addition, the distinction bet-
ween internal and international affairs has become much less
clear. The effect of this conflict has been the seeking of
refuge in the concept of national sovereignty and independence.
This contradiction is apparent in the United Nations.

An international organization exhibits a basically
dualistic nature. It may be regarded as a means for making
the modern state system function more satisfactorily. This
outlook accepts the sovereign state as the basic entity of
world political life. In contrast, however, an international
organization may be looked upon as a process of initiating steps
in the direction of world government.[1] Both these views have

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[1] I. L. Claude, Jr., Swords into Plowshares: The Problems
and Progress of International Organization (New York: Random
House, 1958), pp. 9-10.

some validity, but at the same time, they carry within them the seeds of conflict.

There can be no doubt that the nature of international relations determines to a very considerable degree the character of the international organization. One of the functions of an international organization is to provide technical facilities for nations to unite and reach the chosen goal. Generally speaking, this function refers to the creation of the innumerable formalized channels through which nations communicate with one another. In addition, an international organization is to further the aim of the organization by the promotion of action. Another function of an international organization is to prescribe essential responsibilities and obligations to which nations must commit themselves in furtherance of the organization's goal.[2]

Any judgment on the international organization must carefully distinguish between the character of the organization and the behaviour of the member nations. There is a great temptation to rationalize bad national behaviour by making the structure of the international organization a scapegoat. It must be remembered, however, that the most perfect organization is useless if member nations misuse or ignore it. While it is true that established organizational methods and institutions can influence the behaviour of nations, fundamentally the

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[2] W. Levi, Fundamentals of World Organization (Minneapolis, University of Minnesota Press, 1950), p. 5.

behaviour of nations determines the success of the organization.
On the interplay of these two factors rests the organization's
opportunity to improve national co-operation. If a world organi-
zation is to have a normative effect upon the behaviour of nations,
it must recognize in its construction the need in response to
which it is being created and carefully consider the factors
that will loom large when nations discuss the desirability of
membership.

Two basic interrelated prerequisites for a successful
international organization which emerge from the above-mentioned
considerations are: a sufficient intensity and permanence of
contact between nations, and a co-operative attitude among the
potential member nations.[3] It would appear that the first pre-
requisite is sufficiently fulfilled today, but that the second
one is not.

An international organization faces other inherent
difficulties. Since an international organization aspires to
be global, its membership must be comprehensive. If its purposes
and principles are to have meaning, they must be selective to
some degree. This requirement may lead to a restriction upon
membership, because the purposes and principles specified by
the founding nations may be unacceptable to some potential
members and thus could be a force of disintegration rather
than integration.

On the surface it appears that the preservation of peace

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[3] W. Levi, Fundamentals of World Organization, p. 8.

has become the main objective of world organization. If one
accepts this postulate, then one would commit oneself to the
acceptance of the assumption that the prerequisites for the
preservation of peace are known. This assumption, however, is
of doubtful validity. Peace is "a pattern of international
relations resulting from the interplay of the unending proces-
ses of daily living among every people on earth".[4] Peace can
not be established in a treaty nor can it be obtained "by the
signing of pacts or covenants 'outlawing' war any more than
revolutions are prevented by making them illegal".[5] It
becomes quite obvious, then, that a world organization dealing
with sovereign states cannot be constructed on the assumption
that the members share with it the preservation of peace as a
primary objective. Among the members, the preservation of
peace may be only one of many objectives in their international
relations.

How far nations live up to the conditions of an inter-
national organization will depend on how much these conditions
can satisfy what is claimed to be the national interest. Ob-
viously, therefore, the better an organization's methods for
the maintenance of peace cater to national interests, the
greater the chance of peace. That the above considerations
are facts of international life was clearly shown by the repre-
sentative at the San Francisco conference.

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[4] W. Levi, _Fundamentals of World Organization_, p. 44.

[5] W. Levi, _Fundamentals of World Organization_, p. 44.

The United Nations: Background

The United Nations, like most international organiza-
tions, was a product of insecurity. It was born just before
the beginning of the nuclear age in the hope that the unity
which had won the war could also win the peace.[6] Twenty-six
years earlier another violent world conflict, World War I, had
provided the stimulus for an international organization that
was now considered to be a failure -- the League of Nations.
It is obvious that the United Nations had its inception in a
coalition of the victors, since only those governments which
had declared war on the axis powers by March 1, 1945, were
eligible to join.

Collective security as a theory had formed the basis
of the League of Nations and it was to be the basis of the
United Nations as well. Generally speaking, collective
security is a plan by which any nation that uses force ille-
gally will be defeated.[7] The idea of collective security has
been beset with many difficulties throughout its long exist-
ence. There is rarely unanimous agreement on which nation is
the aggressor. For example, one of the problems which has to
solved in this connection is whether aggression is synonymous
with the first use of military force by one nation against

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[6]D. S. Cheever and H. Haviland, Jr., Organizing for
Peace: International Organization in World Affairs (Boston:
Houghton Mifflin, 1954), p. 8.

[7]See: A. F. K. Organski, World Politics (New York:
A. A. Knopf, 1958), Chapter XIV.

another. A second, and doubtful, assumption underlying the concept of collective security is that all nations are equally interested in preventing or stopping aggression. In addition, one cannot overlook in modern time the strength of economic ties binding nations together, even when one of them commits aggression.

As suggested earlier, the participants in the San Francisco conference had to cope with an almost unsurmountable paradox: in a nuclear age, national sovereignty of nations would have to be controlled by an international order, but this international order would have to be created, and even controlled, by these sovereign nations. From this paradox it is easy to conclude that the fear that collective security might be turned against them was particularly strong among the great powers.

The name, "United Nations", was coined by President Franklin D. Roosevelt. Ironically, the title assumes as a historic fact a unity which the organization has been created to promote. That not everyone had the same exalted notion of the United Nations was made obvious when the American Secretary of State said that the "Charter was a creature of compromise, that it contained many imperfections and that, in the words of the Senate committee, it was at best a beginning toward a creation of those conditions of stability throughout the world which will foster peace and security".[8]

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[8] Statement by former U. S. Secretary of State, Cordell Hull, June 26, 1945, U. S. Department of State Bulletin, XIII (July 1, 1945), 13.

The materials out of which the Charter was constructed were not new.[9] It is quite common today to regard the League of Nations as having been a failure. The Soviets often refer to it as the "notorious" League of Nations, and certainly, it was tragic that the covenant was ignored when aggression occurred. Moreover, the League was never a universal organization. The United States never joined; Germany, Italy, Japan, Spain, and thirteen other states withdrew from membership. Albania was annexed by Italy, Austria by Germany. The Soviet Union was expelled. The allied statesmen, however, who gathered in San Francisco in 1945, paid a tribute to the ideals of the League when they created a successor organization with the same purposes and a similar structure.[10]

Six principal organs were established: a General Assembly, consisting of all member states, has advisory powers in most political matters, exclusive responsibility for the finances of the organization and the election of members of the three councils; it acts jointly with the Security Council regarding membership in the United Nations, the appointment of the Secretary-General, the election of the judges of the World Court, and amendments to the Charter. The three councils, each consisting of a

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[9] Since this is a study in diplomacy as it is practiced within the confines of an international organization, it is interesting to note how the Charter of the United Nations came about, because nothing was so original in the Charter as the manner of its making. The Charter was made to a large extent under public scrutiny, and much public discussion was used to bring it into existence.

[10] S. D. Bailey, The United Nations: A Short Political Guide (New York: F. A. Praeger, 1963), p. 13.

limited number of member states, are responsible respectively for international peace and security, economic and social affairs, and territories placed under the trusteeship system. The International Court of Justice, a body of independent judges, is the organization's principal judicial organ. The international Secretariat, headed by a Secretary-General, must be independent of governments and responsible only to the organization.

Related to the United Nations are a number of inter-governmental agencies concerned with economic and social co-operation. These specialized agencies are now twelve in number. They have their own constitutions and budgets, and are in other ways autonomous. The international agency for developing the peaceful uses of atomic energy is similar to a specialized agency. GATT, the General Agreement on Tariffs and Trade, is not strictly a specialized agency but could become one if an appropriate organization were created to administer the agreement. Finally, there are five United Nations programmes financed outside their regular budget of the United Nations, two for helping refugees and three for providing economic and social assistance.[11]

For the remainder of this thesis, three organs of the United Nations will be of main interest -- the Security Council, the General Assembly, and the Secretariat with the Secretary-General.

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[11]S. D. Bailey, The United Nations, p. 14.

Charter of the United Nations: The Security Council

When the San Francisco conference met, World War II was still in progress, and the immediate problem faced by the nations which called the conference was that of ending the war and making a peace settlement. The delegates decided that this problem should be dealt with outside the United Nations and thus included Article 107 in the Charter.[12]

The great job of the United Nations was to maintain peace once it was restored. The drafters decided that the United Nations should prevent war, or halt it, should it begin. The United Nations should use either law or persuasion to settle disputes and adjust situations which cause and sustain wars. It was also decided that the United Nations should prevent or halt wars by threat or use of counter force.

The Charter, therefore, was set up to provide means for three central procedures: the application of law, the application of persuasion, and the application of force. The three main organs of the United Nations -- the Security Council, the General Assembly, and the Secretariat -- play roles in all three of the procedures for maintaining peace which are used in the United Nations. The three organs play particularly important roles in two of these procedures -- the procedure for

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[12]Article 107: "Nothing in the present Charter shall invalidate or preclude action, in relation to any state which during the Second World War has been an enemy of any signatory to the present Charter, taken or authorized as a result of that war by the Governments having responsibility for such action."

applying persuasion and the procedure for applying force. The
drafters of the Charter intended that the Security Council should
play the dominant role in both the procedure for using persuasion
and the procedure for using force.

The formal organization of the Security Council is laid
down in Chapter V of the Charter, Articles 23-32. The Security
Council was to be composed of a total of eleven members -- five
permanent members and six non-permanent members. The permanent
membership of the Security Council would include: "The Republic
of China, France, the Union of Soviet Socialist Republics, the
United Kingdom of Great Britain and Northern Ireland, and the
United States of America".[13] The non-permanent members would be
elected for a period of two years "due regard being specially
paid, in the first instance, to the contribution of Members of
the United Nations to the maintenance of international peace
and security and to the other purposes of the Organization, and
also to equitable geographical distribution".[14] Also, a retir-
ing non-permanent member would not be eligible for immediate
re-election.

The functions and powers of the Security Council are
laid down in Article 24 and following. "In order to ensure
prompt and effective action by the United Nations, its members
confer on the Security Council primary responsibility for the

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[13]Charter of the United Nations and Statute of the Inter-
national Court of Justice (New York: The United Nations, Office
of Public Information), Article 23, p. 14.

[14]Charter: Article 23 (1), p. 14.

maintenance of international peace and security, and agree that in carrying out its duties under this responsibility, the Security Council acts on their behalf."[15] Article 25 states that "the members of the United Nations agree to accept and carry out the decisions of the Security Council in accordance with the present Charter".[16] Other regulations that were laid down, read as follows: each member would have one vote, decisions on procedural matters would be made by an affirmative vote of seven members; decisions on all other matters would be made by an affirmative vote of seven members including the concurring votes of the permanent members, the Security Council would function continuously.

How would a dispute arrive at the Security Council? Article 34 states that "the Security Council may investigate any dispute, or any situation which might lead to international friction or give rise to a dispute, in order to determine whether the continuance of the dispute or situation is likely to endanger the maintenance of international peace and security."[17] Furthermore, "any member of the United Nations may bring any dispute, or any situation of the nature referred to in Article 34, to the attention of the Security Council or of the General Assembly".[18] In addition to this, a "state which is not a member

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[15]Charter: Article 24 (1), p. 15.

[16]Charter: Article 25, p. 16.

[17]Charter: Article 34, p. 19.

[18]Charter: Article 35, p. 20.

of the United Nations may bring to the attention of the Security

Council or of the General Assembly, any dispute to which it is a

party if it accepts in advance, for the purposes of the dispute,

the obligations of pacific settlement provided in the present

Charter".[19]

In the eyes of the drafters of the Charter, the Security

Council was to be the hub of the organization and this is clearly

demonstrated in the powers that are in theory assigned to this

body. "The Security Council may decide what measures not involv-

i ng the use of armed force are to be employed to give effect to

its decisions, and it may call upon the members of the United

Nations to apply such measures. These may include complete or

partial interruption of economic relations and of rail, sea, air,

postal, telegraphic, radio, and other means of communication,

and the severance of diplomatic relations."[20] If these measures

prove to be inadequate, the Security Council is empowered to

"take such action by air, sea, or land forces as may be neces-

sary to maintain or restore international peace and security.

Such action may include demonstrations, blockade, and other

operations by air, sea, or land forces of Members of the United

Nations".[21]

This, then, is the written constitution, the Charter, of

the United Nations as it pertains to the organization, the func-

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[19] Charter: Article 35 (2), p. 20.

[20] Charter: Article 41, p. 23.

[21] Charter: Article 42, p. 23.

tions, and the powers of the Security Council. But the procedures
laid down for maintaining peace with a written constitution do not
always tell the story as it developed in practice. There exists
the spirit behind the constitution, and this spirit is located
in the minds of those who control the organization, e. g., the
sovereign nation states. It is visible only in so far as it is
reflected in their pronouncements and actions, and, consequently,
it can only be defined in a general and imprecise way.

The official Charter is affected and occasionally
changed, by the traditions and documents which supplement it
through what can be called official interpretation.[22] We can
recognize two major agents of interpretation within the official
framework of the United Nations. One is the Secretary-General
and his staff, and the other is the International Court of Jus-
tice. The degree to which they change the actual constitution
depends mainly on the permissiveness of the member nations. The
members allow the agents to change their pattern of action when
the members think it beneficial to their interest. In addition,
of course, the more important member states make changes in it
themselves.[23] To judge the performance of the Security Council
on the basis of the written constitution is a very hazardous

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[22]For a detailed analysis of Charter revision, see:
S. Engle, "De Facto Revision of the Charter of the United Nations",
Journal of Politics, XIV (February 1952), 132-144.

[23]F. O. Wilcox and C. M. Marcy, Proposals for Changes in
the United Nations (Washington: Brookings Institution, 1955),
p. 33.

approach indeed! To place our judgment in a proper perspective, let us take a closer look at the discrepancies that exist between the official Charter of the United Nations and the realities of world politics.

The Security Council: Theory versus Reality

As was previously implied, the Charter of the United Nations in general is quite vague and leaves much room for interpretation. This is not exceptional since the framers of written constitutions normally provide procedures for amendments on the assumption that such constitutions are never perfect documents.

The San Francisco conference set down procedures for amendment in Article 108 and then provided that a review conference might be called under Article 109 (1).

There is, therefore, the opportunity for the Security Council to be continuously adaptable to the dynamics of a world in which the roster of the most important and powerful states is subject to change. A closer look will show, however, that the Security Council has failed to utilize the opportunities presented in the Charter of the United Nations.

The first discrepancy between Charter and reality is the permanent membership of Nationalist China on the Security Council. Internal developments in China following the formation of the Charter have resulted in the formation of Communist China, effectively occupying the Chinese mainland and Nationalist China, centered on the island of Formosa. Nationalist China, representing a small percentage of the Chinese population

and with strong United States backing, continues to occupy the

seats in the Security Council and the General Assembly. Regard-

less of whether one agrees or disagrees with the ideology of

the Chinese communists, there can be no doubt who is in effective

control of the major part of China. Consequently, changes must

be made both in the Security Council and the General Assembly.

The present exclusion of Communist China certainly would seem

to violate the principle of "equitable geographical distribu-

tion".[24]

As indicated previously, decisions on non-procedural

matters would be made by "an affirmative vote of seven members

including the concurring votes of the permanent members".[25]

This passage refers to what has become known as the veto-right

of the Great Powers.

The veto-power of the permanent members in the Security

Council has been subject to much debate and widely varying

interpretations. On the one hand, it has been claimed that the

power of the veto should be abandoned because it is denying the

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[24]This principle has been improved upon by the adoption
in the Spring of 1965 of a resolution which amended the United
Nations Charter so as to provide for an increase in the member-
ship of the Security Council from 11 to 15. It was also decided
that the ten non-permanent members of the Security Council would
be elected so that there would be five from Africa and Asia, one
from Eastern Europe, two from Latin America, and two from Western
European and other states. (Resolution 1991A).

[25]The same resolution provided for an increase from seven
to nine in the number of affirmative votes required by the Char-
ter for the adoption of resolutions in the Security Council. The
concurring votes of the five permanent members are still required.

United Nations the right to take effective measures for checking violations of peace in the world.[26] On the other hand, the contention is brought forth that the veto power only reflects the existing power patterns in the world and that basically the power of veto prevents many embarrassments for the United Nations.[27] Without the threat of veto, this argument continues, the Security Council would adopt policies that could never be carried out in reality. Both reasons, of course, contain undeniable truths. But it would seem that those people who are advocating the abolition of the veto power in the Security Council, fail to realize that this veto is only a symptom and not the real underlying cause of disagreement on the Security Council. It must be remembered that the veto-power was inserted into the Charter because the Big Powers feared that the doctrine of collective security might at one time or another be applied against themselves. In a House of Commons debate, Mr. Anthony Eden expressed himself as follows:

> The conception of democracy in international affairs led people to think -- falsely, as I believe -- that the League of Nations was constituted so that every nation must be regarded as exactly equal and that there was no relation between power and responsibility.[28]

Britain was determined in 1945 to prevent a repetition of this

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[26]M. S. McDougal and R. N. Gardner, "Veto and the Charter: An Interpretation for Survival", _Yale Law Journal_, LX (February 1951), 256-292.

[27]H. J. Padelford, "The Use of the Veto", _International Organization_, II (June 1948), 227-246.

[28]Great Britain: Parliamentary Debates (Hansard): House of Commons, Fifth Series, CDXIII, 674.

error.

From the beginning of the San Francisco conference, this
sharp cleavage developed over the role of the Security Council.
The Big Three had been unable to reach a final decision at
Dumbarton Oaks on voting procedures in the Security Council --
they got no further than an agreement that the veto should apply
on all matters which might affect world peace. Britain and the
United States subsequently urged that in cases of peaceful
settlement, an exception be made -- that a permanent member
not vote if it were a party to the dispute. The Soviet Union
accepted this formula.[29]

The position of the sponsoring powers was clear: "In
view of the primary responsibilities of the permanent members,
they could not be expected, in the present conditions of the
world, to assume the obligation to act in so serious a matter
as the maintenance of international peace and security in
consequence of a decision in which they had not concurred."[30]

Big Power domination in the United Nations is obvious.
If the Big Powers disagree or are indecisive about the course
they wish to follow, that is, if the informal power structure
does not act, the formal power structure of the United Nations
is helpless. No prescriptions are available for producing a
progressive relinquishment of the veto-power. This is clearly

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[29]Documents of the United Nations Conference on Interna-
tional Organization, San Francisco, 1945 (New York: United
Nations Information Organization, 1945), XI, 713.

[30]Documents . . . San Francisco, 1945, p. 713.

dependent upon the diminution of the tensions of the cold war and the basic adjustment of relationships among the Great Powers.

Even though the significance of the veto has been exaggerated, there is, nevertheless, room for a reduction of the impact of the veto-power upon the capacity for exercising its functions. One way in which this could be done is the removal of the veto on the admission of new members.[31]

The Security Council: Practical Politics

Official international organizations are mechanisms which states join because they believe that membership will enable them more effectively to achieve the broad goals of their respective foreign policies. While there is no question that there has been a considerable element of idealism in its creation, the countries which have joined the United Nations have done so because they believe or hope that one or more of the instruments provided by the United Nations machinery can be used to their advantage. With more than a hundred members it would not be surprising to find more than a hundred differing points of view. Also, it would not be at all surprising to find these countries playing practical politics to get out of the United Nations precisely what they joined it to achieve. Each member is, in short, using the United Nations machinery to further its own foreign policy.

This is not to say that the use to which this machinery is put is exclusively selfish -- quite the contrary. Each

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[31]For a more elaborate discussion of the veto and the Security Council, and its relationship to the growth of the General Assembly, see Chapter III.

member is, after all, reasonably convinced that the extension on a global basis of the policies it advocates may contribute to the development of a more stable and a more secure world.

In this situation, the United Nations becomes an arena in which the various members are placed in the position not of implementing agreed broad principles leading toward stability and security, but of acting, all too frequently, upon specific problems placed before them in the absence of much more than agreement to use commonly created machinery.[32] Each representative must, therefore, seek general acceptance by others of a policy which will, at one and the same time, offer a reasonable solution to the immediate question, yet be in accord with the general principles upon which his foreign office believes an eventual improvement of the world situation must be based. Success in this assignment means the utilization of political techniques which have considerable similarity to those used in domestic councils and legislatures.

The Security Council has provided more than its share of examples of the use of political tactics to achieve a general policy. Doubtless, an analysis of the General Assembly or the Trusteeship Council would yield additional instances, but differences in the Security Council are more sharply defined. The arguments often indicate basic disagreement in principle as to the best means of reaching collective security. Frequently, the

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[32]See H. J. Morgenthau on the "Vice of Fragmentation", Politics among Nations, p. 523.

Council is used by its members to persuade others of the validity of a particular policy or of a general principle. The following examples are intended to illustrate some of these political uses and are neither comprehensive nor mutually exclusive.[33]

Example I. <u>Members use the Security Council as a platform for propagandizing their political ideas and values</u>. Countless hours of discussions in the Security Council have been devoted to what can be called propaganda by individual states, intended to show how much better their political values are than those of other members. The most conspicuous examples are the Soviet Union and the United States, but these two are not the only ones. Poland and the Ukraine have consistently taken advantage of discussions of the Indonesian question to elaborate on the treatment of minorities by the U.S.S.R. Egypt, Syria, and other Arab league states have used the Palestine debates to argue that their treatment of minorities is better than that of other countries. Chile seized upon the Czechoslovak case as a chance for it to contrast personal freedom in Chile with the absence of personal freedom in the U.S.S.R. Similarly, the United States spent a great many hours during the Greek dispute contrasting American political institutions with those of Eastern Europe generally and those of the U.S.S.R. specifically. Numerous other instances could be cited, but it is clear that

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[33] These examples are based on Security Council Official Records (1946, 1947, 1948), and on information obtained from <u>Yearbook of the United Nations 1946-1947</u>, and <u>Yearbook of the United Nations 1947-1948</u> (New York: Department of Public Information, United Nations, 1947).

the Security Council is providing a convenient platform from
which to proclaim political, economic, or cultural values
considered important by individual countries, in much the
same way as the discussion of civil rights in the United States
Congress provides an opportunity for the expression of the
contrasting views of north and south as to how best to resolve
tensions between races.

Example II. <u>Members use the Security Council as a plat-
form for the expression of political ideas aimed at influencing
the immediate actions of other countries.</u> When the Soviet Union
in August, 1946, urged that the Security Council request reports
on the location and size of armed forces of members of the
United Nations located on the territory of other states, plus
information on the size of the garrison and the location of air
or sea bases, it had the immediate goal of embarrassing the
United States. It also used the occasion to speak at length
about its devotion to the idea of sovereignty, and its objection
to any action which constituted an invasion of complete sovereign
rights. These comments may well have been aimed primarily at
Germany or Korea, but the Russians could hardly have neglected
their potential effect upon any small nation which had permitted
the United States to establish bases within its territory. In
like manner, the United States has used discussion on regulation
of armaments and on atomic energy to enlist the strong support
of as many other states as possible.

Example III. <u>Members use the Security Council as a</u>

medium of gaining or keeping allies and friends. When Australia
and India brought the Indonesian case to the attention of the
Security Council, they were playing practical politics. Quite
apart from the genuine concern they felt to have a war in their
immediate neighbourhood, befriending Indonesia in 1947 might
well mean trade agreements, military pacts, and an increase in
political prestige when Indonesian independence became a reality.
When Russia vetoed Council resolutions on Greece, it did so to
keep its friends -- Yugoslavia, Albania, and Bulgaria -- lined
up on its side. These are obvious examples, perhaps, but
politics at this level can be more subtle, too. Any investiga-
tion of United States policy in the Council on the question of
Palestine, or Israeli admission to the United Nations, or Indo-
nesia, would provide good examples of the use of the Security
Council to gain friends.

Example IV. Members have used the Security Council to
increase the security of members of the United Nations by re-
ducing unfriendly pressure against a country through publicity
and discussion. It would seem undeniable that Iran, Syria, and
Lebanon, or Greece actually improved their situation by appealing
to the Security Council. In the first instance, Soviet troops
withdrew and the pressure to force Iran into unwelcome treaty
agreements was relaxed over a period of time. In the second,
Syria and Lebanon succeeded in speeding up the withdrawal of
British and French troops from their territory. In a reverse
manner, the Security Council may be used to put pressure on a

state, for example, on Albania, through the bringing before the Council of the Corfu Channel case.

Example V. <u>Members use the Security Council to implement specific policies</u>. It is perfectly obvious that the Security Council has been brought into the "cold war". When the United States was suddenly faced with responsibility of assuming British obligations in Greece, United Nations machinery was employed to assist in carrying out the task. While it is true that the Truman doctrine was originally a unilateral declaration, strong expressions of public disapproval of acting outside the United Nations led to the prompt utilization of the international machinery both in the Security Council and the General Assembly. The Soviet Union attempted through the Security Council, to force removal of British and American troops from countries in which they were based, while the British referral of the Corfu Channel case to the Council, and the decision to keep the Iranian dispute on the agenda are other instances of the use of this particular tactic.

Out of these five examples of actions that took place in the Security Council, it would appear that only one, the fourth, has specific relevance to the purposes for which the Council was created. While, no doubt, all of the countries bringing disputes before the Council believed in each instance that such a submission would gain for them at least a portion of their political goals, the frequency with which wholly extraneous material is introduced into the discussions illustrates

that the Security Council possesses political functions of wider
significance to its members than the resolution of particular
matter placed upon its agenda. It provides a means by which a
state may achieve relatively wide areas of its foreign policy
objectives.

The Security Council: Techniques

Although it would be difficult to prove that the amount
of skill which a state had to use to attain its goals varied in-
versely with the power it could bring to bear on a particular
international problem, certainly a small or middle power needs
more skill than a large one. The United States and the Soviet
Union, merely by virtue of their overwhelming power potential,
are in a far more commanding position to persuade other members
of the United Nations to accept their policies than, for example,
Ecuador or Belgium.[34] For this reason, it would be interesting
to examine the record of one of the smaller powers while on the
Security Council as a non-permanent member. The record of Aus-
tralia is selected for this purpose.[35]

Australia joined the United Nations with a number of
specific attitudes toward the United Nations and, more speci-
fically, the Security Council. As all small nations, it strongly
opposed the concept of Big Power control even though it grudg-

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[34]Chapter III will deal in greater detail with the problem
of Great and Small powers, especially as it applies to the forma-
tion of caucusing groups in the General Assembly.

[35]Australia was a member of the Security Council for a
two-year period from 1945 to 1947.

i ngly accepted such control as necessary.[36] In addition, Austra-
lia opposed the veto as the most objectionable manifestation of
such control. It believed strongly that "success for the United
Nations depended upon its ability to apply informed judgment on
the basis of law to the problems brought before".[37] These atti-
tudes reflected the long-range principles upon which the Austra-
lian policy toward the United Nations was based. As a non-permanent
member, Australia was granted only a limited time in which to
persuade others of its ideas, and since the United Kingdom was
a permanent member holding veto rights, no considerable support
from that quarter could be expected. How did Australia operate
within the Council to advance its aims and what political techniques
did it use?

To oppose control by the big powers, the Australian dele-
gation[38] used a variety of arguments with somewhat differing poli-
tical techniques. First, in order to reduce as much as possible
behind-the-scenes deals by the permanent members, Australia advo-
cated the widest possible publicity. After a year of constant
pressure, Australia persuaded the Council to open the meetings of

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[36] R. Dennett, "Politics in the Security Council", Interna-
tional Organization, III (August 1949), 425.

[37] R. Dennett, "Politics in the Security Council", p. 429.

[38] The Australian delegation was headed by Dr. H. V. Evatt
who has been described as a person who "emerged as one of the out-
standing figures of the conference San Francisco , the champion
of the smaller powers" and "brought to the Conference a passionate
conviction of the need for morality in international affairs, a
sense of mission, and a belief in the need for world government by
gradual stages". H. Harper and D. Sissons, Australia and the
United Nations (New York: Manhattan Publishing Company, 1959), p.48.

the Committee on the Admission of New Members to the press. On
a somewhat different level Australia tried, unsuccessfully, to
gain direct access for the non-permanent members of the Council
to the discussions of the Military Staff committee -- a committee
exclusively under the control of the Big Powers.[39] Second,
Australia took the initiative in trying to increase the im-
portance of the General Assembly.[40] On the one hand, it intro-
duced and vigorously supported a resolution by which the Security
Council would have requested the Assembly to deal with the problem
of Spain. On the other hand, it sought to gain acceptance, in
substance, of the principle that a two-thirds vote of the General
Assembly could bind the Council to act in accordance with the
Assembly's recommendation. An example of this argument is found
in the Australian insistence, early in 1947, that the resolution
by which the Assembly had recommended re-examination of the
applications on new members "on their respective merits as meas-
ured by the yardstick of the Charter, in accordance with Article
4" required the Council to reconsider immediately the basis of
its admission policy.[41] Clearly, the more Australia could in-
crease the importance of the Assembly, of which all states were
members, the more Big Power control would be reduced. Third,

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[39]P. Hasluck, Workshop of Security (Melbourne: F. W.
Cheshire, 1948), p. 131.

[40]H. Harper and D. Sissons, Australia and the United
Nations, pp. 59-60.

[41]H. Harper and D. Sissons, Australia and the United
Nations, p. 57.

Australia consistently opposed any and all moves to appoint sub-committees of the Security Council composed only of the five permanent members. Australia believed that special responsibility was vested in the non-permanent members to see that action on a specific issue did not become impossible through Big Power disagreement. Australia also consistently argued that the kinds of votes to which the veto applied should be reduced.[42]

To facilitate "the application of informed judgment on the basis of law", Australia urged first that the Council should appoint small subcommittees under Article 29 of the Charter to determine just what the facts of a given case were; second, that the Charter and Charter procedure be applied literally; and, third, that the International court of Justice be used more frequently to determine what was and what was not the law.[43] It was Australian initiative which was largely responsible for the appointment of subcommittees to determine the fact in the Spanish case, in the Corfu Channel dispute between Great Britain and Albania, and in the Greek dispute. We have seen that, as time wore on, it became more and more evident that the Security Council was being used for political purposes and that the "facts" were, therefore, of less importance to the solution of a problem than the impact of political and strategic considerations.

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[42]H. Harper and D. Sissons, _Australia and the United Nations_, p. 51.

[43]H. Harper and D. Sissons, _Australia and the United Nations_, p. 64.

If the Australian record shows the techniques which one middle power sought to apply to specific problems to gain its long-range objectives, the record of the Soviet Union, particularly its voting tendencies, illustrates quite a different use of the Security Council by one of its members. In contrast to Australia, the Soviet Union is a permanent member and, in its own right without dependence upon other states, a country with an immense power potential.

Two points about the Soviet action in the Council should be kept constantly in mind. First, the Soviet Union has from the very beginning consistently believed in the Big Power approach to the solution of international problems. At San Francisco it accepted reluctantly the proposals which permitted the Assembly to discuss any problem and to make recommendations on problems not concurrently under consideration by the Security Council. Further, the Soviet Union resisted nearly all efforts to enhance the authority or prestige of the Assembly. Second, the Soviet Union is constantly aware of and preoccupied about its minority position within the United Nations. Although any state in a minority position might act similarly, the dogma that a communist state will always be vigorously opposed by capitalist society plays its part, and the Soviet Union clings to the veto as a genuine method of self-protection.[44] As early as March 5, 1947, Andrei Gromyko, in rejecting the idea of decisions on

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[44]For a detailed discussion of these points, see: A. Dallin, The Soviet Union at the United Nations (New York: F. A. Praeger, 1962), pp. 20-25.

atomic energy by a majority vote of an international commission,
pointed out that such a commission would have "a majority on
whose benevolent attitude toward the Soviet Union the Soviet
people can not count".[45] This theme has been constantly re-
peated since, and to the Soviet Union the Assembly is merely a
place where the United States can count on a mechanical major-
ity.[46] How, then, has the Soviet Union used the Security
Council for the advancement of its policies?

By July 1, 1949, the Soviet Union had cast 30 of the
31 vetoes. Of these, 15 dealt with members, 4 with Spain, 1
with Syria and Lebanon, 5 with Greece, 1 with the Corfu Channel
dispute, 2 with Czechoslovakia, 1 with international control of
atomic energy, and 1 with the Berlin question.[47] This voting
record, as in the case of Australia, showed consistent policy
consistently pursued. It would seem to be composed of two
separate but related elements: one, the prevention by the use
of the veto on membership applications, of any increase in the
size of the majority in the Assembly which Russia would have to
face; second, the protection of the minority powers now under
Soviet domination.

The very consistency of Soviet voting on membership
applications incidentally emphasizes the extent to which the
questions of membership have been used for political purposes

[45]United Nations Document, S/P. V, 115.

[46]For a further discussion of this development, see
Chapter III.

[47]F. O. Wilcox and C. M. Marcy, Proposals for Changes in
the United Nations, p. 315.

by both east and west in the "cold war".[48]   On the one hand, the
Soviet Union has repeatedly sponsored the applications of Soviet
satellites. On the other hand, it is difficult to believe that
the United States or the United Kingdom seriously expected to
secure approval of the Italian, Ceylonese, or Korean application
which both countries vigorously supported in the fall of 1948
and in March, 1949. It would seem in fact that the United States
in particular has forced recorded votes on these matters and in
this way forced the Soviet Union to use its veto.

In the light of its minority position, the Soviet Union
has consistently used the Security Council as a springboard for
its propaganda which, logically enough, has been aimed at reducing
its minority position and at embarrassing the United States. The
Soviets have never missed an opportunity to emphasize their
respect for sovereignty and their friendship for peoples
struggling for independence.

Conclusion

These random examples could be duplicated by analysis of
almost any of the questions which have been before the Security
Council. Two basic facts are evident. First, that the Security
Council is, after all, merely a mechanism which may or may not be
used by its members for the resolution of international problems.
Second, that this mechanism is largely being used by the states

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[48]F. O. Wilcox and C. M. Marcy, Proposals for Changes,
pp. 95, 315-316.

for the achievement of their own separate goals of foreign

policy rather than being used primarily for the resolution,

according to generally accepted principles, of the problems

brought before it. In the effort to utilize international

machinery for the attainment of individual state aspirations,

the politics being played differ in degree -- but not in kind --

from the politics used by special interest groups in domestic

political organs. Politics is, after all, the interaction of

diverse groups seeking different and often conflicting special

treatment for varied interests in a particular institutional

framework. The institutional framework may not be as satis-

factory on the international as on the national level, but

factors of powers of majorities and minorities, of basic differ-

ences in political values and methods operate within it in much

the same fashion as they do in domestic governmental bodies. At

this point,

> it is pertinent to ask whether international
> machinery of the sort represented by the Security
> Council can be truly effective if its members act
> as though they were, in fact, representatives of
> a special interest in a domestic political organ
> where the prime necessity of political action is
> the attainment of a majority. While the answer
> must be a reluctant negative, since international
> problems seldom dissolve in the face of a mere
> majority, it is too much to expect the Security
> Council to rise above its own source -- the members
> who compose it. Given the fundamental fears which
> animate so much of the foreign policy of so many
> of the states in the postwar world, it is diffi-
> cult to see how frantic efforts to gain immediate
> security could be transmuted into that unity of
> purpose which alone would ensure that all the
> members of the Security Council would approach a
> problem with a common desire to solve it by the

application of principles of justice.[49]

Since it is quite apparent that such a day will be a long way

off, a frank recognition of usefulness of the Security Council

to its members, and of the kind of politics being played in

it, creates a more realistic atmosphere in which to judge the

Council's accomplishments.

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[49]R. Dennett, "Politics in the Security Council",
p. 433..

III

DIPLOMACY IN THE GENERAL ASSEMBLY

Introduction

The General Assembly was conceived as a world forum, a talking shop in which the world's nations were to be given the broad mandate "to discuss any questions or any matters within the scope of the Charter".[1]

Chapter IV, Article 9, of the United Nations Charter states that "the General Assembly shall consist of all the members of the United Nations". The General Assembly derives an automatic significance from this provision: The General Assembly is the only principal organ of the United Nations of which all member states are permanent members. Each member of the General Assembly has one vote,[2] and is entitled to a maximum of five representatives. The latter provision was the subject of considerable discussion at the San Francisco conference. There was a desire to see that the General Assembly would not become too large for efficient operation. Also, some of the smaller members were afraid that they would be placed at a disadvantage in relation to the larger and wealthier members. On the other hand, the broad scope of the agenda and the heavy

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[1]J. G. Stoessinger, The Might of Nations, (New York: Random House, Inc., 1961), p. 268.

[2]Charter, Article 18 (1), p. 12.

demands of committee work indicated a need for relatively large numbers of representatives.[3] In practice, the size of delegations may be greatly increased by the appointment of alternates, advisers, and experts. The rules of procedure state that a member may not have more than five representatives and five alternates, and that the delegation may include as many advisers and experts as needed. Only the representatives and alternates, however, may set in the General Assembly or serve as chairmen of committees. The representatives are appointed by the respective member governments. They act upon instructions, and are responsible directly to their governments.

The functions of the General Assembly are broad in scope and varied in nature. One of its first functions is deliberation, and it refers to the important provisions for discussion, study, and recommendation. "The General Assembly may discuss any questions or any matters within the scope of the Charter or relating to the powers and functions of any organs of the United Nations".[4] It may make recommendations to the members or to the Security Council, or both, on any such questions or matters, with the sole exception that it shall not make any recommendation with regard to a dispute being handled by the Security

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[3] L. M. Goodrich and A. P. Simons, The United Nations and Maintenance of International Peace and Security (Washington: Brookings Institution, 1955), p. 207.

[4] Charter, Article 10, p. 8.

Council, unless the latter so requests.[5] This exception is one provision of the Charter which reflects the feeling that the functions of the General Assembly and the Security Council should be distinctly separated. The General Assembly may call the attention of the Security Council to situations which are likely to endanger international peace and security.[6] It has the obligation of initiating studies and making recommendations for the purposes of promoting international co-operation and assisting in the realization of human rights and fundamental freedoms.[7]

In practice, the General Assembly makes broad use of its powers of discussion. It is a forum for the consideration of disputes or situations affecting international peace, and of matters involving the activities of the United Nations. One only has to examine the agenda for one of the regular sessions of the General Assembly to confirm this. For example, the fifth session, which convened in September, 1950, first took care of the organizational details and then proceeded to a general debate, in which the heads of the delegations made general policy statements. Items for discussion included, among others, the question of Palestine, the former Italian colonies, Greece, China and the Far East, Korea, human rights

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[5]_Charter_, Article 11, p. 9.

[6]_Charter_, Article 11 (3), pp. 8-9.

[7]_Charter_, Article 13 (1), p. 10.

in the Balkans, international control of atomic energy, technical
assistance for underdeveloped countries, freedom of information,
refugees and stateless persons, South-West Africa and other
trusteeship problems, and relations with Spain.[8]

The discussions in the General Assembly are not restricted
to the debating of questions and they are not "mere talk". The
term "deliberation" means discussion or consideration with a
view to choice or decision, and this function of the General
Assembly is in accordance with this connotation.[9] The scope of
deliberation extends beyond the actual discussion itself in two
ways. First, the power of discussion implies the authorization
to obtain the facts and information needed for purposes of dis-
cussion. Article 13 of the Charter requires the General Assembly
to initiate studies for the purpose of promoting international
co-operation in various fields.

In specific disputes and questions considered by the
General Assembly there has never been any doubt about the com-
petence to obtain relevant facts and information. The commis-
sions appointed pursuant to resolutions in the cases of Palestine,
Greece, and Korea had among their functions the making of investi-
gations in the field and the observance of the situations on the
spot. Thus, in practice, the implied power of fact finding and

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[8]Yearbook of the United Nations 1950-1951 (New York:
United Nations, Department of Public Information, 1951).

[9]A. Vandenbosch and W. N. Hogan, The United Nations
(New York: McGraw-Hill, 1952), p. 110.

and investigation has been broadly construed. There is no doubt that the General Assembly may authorize and study investigation or fact-finding procedure which is relevant to any question which it has under consideration.[10]

Second, deliberation goes beyond mere discussion by arriving at recommendations. This function is specifically authorized in the Charter for the entire range of subjects which the General Assembly may discuss, with the sole exception of a dispute or situation being handled by the Security Council.[11] The General Assembly is directed to make recommendations, as well as to initiate studies, for the promotion of international co-operation. Such recommendations have been an important factor in "such questions as those of Palestine, Spain, Greece, Korea, and the Security Council voting procedure".[12] It should be noted that "recommendations" have not been construed as referring only to formal resolutions passed by the General Assembly and addressed to other organs of the United Nations or members of the organization. Activities undertaken under the authority of General Assembly resolutions in the cases of Palestine, Greece, and Korea included consultation, conciliation, and mediation. The commissions established in connection with these cases had among their

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[10] F. O. Wilcox and C. M. Marcy, Proposals for Changes in the United Nations, p. 430.

[11] Charter, Article 12 (1), p. 9.

[12] A. Vandenbosch and W. N. Hogan, The United Nations, p. 113.

responsibilities the function of assisting in negotiations toward
an agreed settlement, both by acting as intermediaries for the
parties and by making suggestions to facilitate an acceptable
solution in each case.[13]

A second task for the General Assembly is its supervisory
function. This phase refers to its powers of control and regula-
tion of other organs and agencies in the United Nations. As the
central body, it receives and considers reports from the other
organs. While the Security Council is co-ordinate with the
General Assembly, its annual and special reports are to include
an account of measures which it has decided upon or taken to
maintain international peace and security.[14] These reports are
discussed by the General Assembly, and recommendations to the
Security Council or to the members may result. The annual report
of the Secretary-General is important as the basis of general
discussion at the opening of the regular sessions of the General
Assembly.

The General Assembly has supervisory powers over two of
the other principal organs of the United Nations, the Economic
and Social Council, and the Trusteeship Council. It also estab-
lishes regulations for the appointment of the staff of the
Secretariat, and it may make recommendations for the co-ordination

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[13]S. D. Bailey, The General Assembly of the United
Nations, p. 149.

[14]Charter, Article 15 (1), p. 11.

of the various specialized agencies.[15]

The financial function of the General Assembly includes its responsibility for budgetary arrangements of the United Nations and the apportionment of expenses among the members. Article 17 (1) states that "the General Assembly shall consider and approve the budget of the organization". This is an important provision because it involves the power to review the work of the other organs when their expenditure estimates are presented, and to exercise a degree of control by deciding which activities will receive financial support, and to what extent.

The importance of the financial and budgetary functions of the General Assembly should not be underestimated. Control of the purse strings is a potent power. This, along with the supervisory functions, provides a key position in the internal administration of the entire organization and has a significant influence on the scope of the activities undertaken by it. Whenever the merits of an undertaking are debated, the ace of trumps is held by those with power to decide whether money shall be spent on it.

The elective function of the General Assembly is of two distinct types. The first phase has to do with the admission of new members into the United Nations. While the Charter uses the term "admission" in this connection, it seems appropriate to think of it as an election to membership.[16] This process is accom-

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[15] Charter, Article 15 (2), p. 11.

[16] A. Vandenbosch and W. N. Hogan, The United Nations, p. 120.

plished by the General Assembly upon the recommendation of the Security Council.[17] While the Charter does not so specify, the practice has been for a prospective member to file an application addressed to the Secretary-General. It is then transmitted to the Security-Council and, after its action, to the General Assembly.[18]

The second phase of the elective function vested in the General Assembly has to do with the choice of members for other organs. Thus the General Assembly elects the non-permanent members of the Security Council, all the members of the Economic and Social Council, and some of the members of the Trusteeship Council.[19] Acting as a co-ordinate body with the Security Council, it participates in the election of judges to the International Court of Justice. The Secretary-General is "appointed" by the General Assembly upon the recommendation of the Security Council.

The General Assembly versus The Security Council

The structure of the Charter of the United Nations was deliberately designed in such a way that an inferior role was given to the General Assembly. Nowhere in Articles 10, 11, 12, and 15, which deal with the relationship that is to exist between the General Assembly and the Security Council, is it said that the General Assembly will have any power beyond making recommendations to the Security Council. Article 11, paragraph 2,

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[17] Charter, Article 4 (2), p. 6.

[18] A. Vandenbosch and W. N. Hogan, The United Nations, p. 121.

[19] Charter, Article 18 (2), p. 12.

is quite clear on this when it says: "Any such questions on which action is necessary shall be referred to the Security Council by the General Assembly either before or after discussion." Article 12, paragraph 1, of the Charter sets forth the following: "While the Security Council is exercising in respect of any dispute or situation the functions assigned to it in the present Charter, the General Assembly shall not make any recommendations with regard to that dispute or situation unless the Security Council so requests." But, clear as this enunciation is, it has not prevented the emergence of the Assembly as a more powerful and influential organ than it was originally designed to be.

The cause of this ascendancy lies in the disunity and the deep cleavage of ideology and interests which have characterized the deliberations of the Security Council from its very inception. As detailed in the previous chapter, the expansion of the Cold War, the frequent use of the veto, the lack of geographical distribution of its seats, and since 1949, the absence of delegates representing the people on the mainland of China, have been combined factors in developing a virtual stalemate in the Security Council.

We should keep in mind that the General Assembly can only recommend. This power to recommend can become effective only when there is a two-thirds majority of the members present and voting for a particular proposal. But since the Security Council has been unable to take any decision on most of the matters brought before it, a substantial number of members of the United

Nations felt that the General Assembly should assume an executive role.[20]   Many also suggested, in vain, that the recommendations of the General Assembly should be acted upon as though they were legally binding decisions.

A good example of the eroding power of the Security Council was the passing in the General Assembly in 1950 of the "Uniting for Peace" resolution. By this action the General Assembly asserted its competence to act in cases where the Council "because of lack of unanimity of permanent members fails to exercise its primary responsibility", and to make "appropriate recommendations" of collective measures to maintain or restore international peace and security, including "in the case of a breach of the peace or act of aggression the use of armed force when necessary".[21] For this purpose, the General Assembly could be called together within twenty-four hours if requested either by a vote of any seven members of the Security Council or by a majority of the members of the General Assembly.[22]   The Russians have always denied the legality of this resolution. During the debate on the proposal, the Russian representative pointed out that the adoption

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[20]L. M. Goodrich and A. P. Simons, The United Nations and the Maintenance of International Peace and Security, p. 51.

[21]H. G. Nicholas, The United Nations as a Political Institution (London: Oxford University Press, 1959), p. 107.

[22]For a detailed discussion of the "Uniting for Peace" resolution, consult: F. O. Wilcox and C. M. Marcy, Proposals for Changes in the United Nations, pp. 142-145.

of this resolution would circumvent the authority of the Security
Council. This plan has been used in practice although "without
mentioning 'Uniting for Peace' itself".[23] Members of the United
Nations expect from the General Assembly action on matters which
are not being dealt with effectively by the Security Council.

In addition, the control over the activities of the
General Assembly which the Charter gives to the Security Council
has been circumvented by two other constitutional devices.[24]
First, a number of cases have been removed from a deadlocked
Security Council to the General Assembly by a simple majority
vote on the assumption that such removal is a procedural matter
which does not require the unanimous votes of all the permanent
members according to Article 27, paragraph 3, of the Charter. In
other words, the Security Council has proceeded on the assumption
that the veto does not apply to a majority decision to remove an
issue from the Security Council to the General Assembly. Second,
the General Assembly has interpreted Article 12, paragraph 1,
liberally and has made recommendations with regard to issues
which were at the same time on the agenda of the Security
Council. This happened, for example, in the case of Palestine
and Korea. "This procedure has been fortified by the legal argu-

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[23]H. G. Nicholas, The United Nations as a Political
Institution, p. 108.

[24]For two interesting discussions on this development,
see: F. O. Wilcox and C. M. Marcy, Proposals for Changes in the
United Nations, pp. 319-321, and L. A. Gross, "The Double Veto
and the Four-Power Statement on Voting in the Security Council",
Harvard Law Review, LXVII (December 1953), 251-280.

ment that the Assembly was dealing with an aspect of the same issue different from that with which the Security Council was concerned."[25] It would seem obvious that "this argument tends to emasculate Article 12, paragraph 1, and, in consequence, opens the door wide for the General Assembly's assumption of unlimited jurisdiction over virtually any issues submitted to it".[26]

It was early in the development of the United Nations that it became apparent that the General Assembly would assume more significance than was given to it in the Charter. The number of cases that came before the General Assembly increased, while there was a steady decline in the number of cases considered by the Security Council. For example, from July 1, 1949, to June 30, 1953, the number of cases that had come before the General Assembly was 72, while the Security Council considered only 38 in the same period.[27]

It is apparent that a lack of unity and the use of the

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[25]H. J. Morgenthau, "The New United Nations and the Revision of the Charter", The Review of Politics, XVI (January 1954), 5.

[26]H. J. Morgenthau, "The New United Nations", p. 5.

[27]K. B. Sayeed, "The General Assembly and the New Diplomacy", Fortnightly, CLXXXII (October 1954), 234. This view is substantiated by figures presented by H. J. Morgenthau in "The New United Nations and the Revision of the Charter", p. 4. According to Morgenthau, the decline of the Security Council was further illustrated by the drastic reduction which occurred in the number of sessions between 1949 and 1952: in 1946, the Security Council had 88 meetings; in 1947, 137; in 1948, 168; in 1949, 62; in 1950, 73; in 1951, 39; in 1952, 42.

veto paralyzed the Security Council. The General Assembly could
not have emerged ascendant had its deliberations been beset by
disunity and, above all, by the same procedure. There is the
same cleavage of interests and ideologies in the General Assembly
as there is in the Security Council, although it is true that the
smaller membership in the Security Council tends to intensify the
differences. But if a particular proposal has a two-thirds
majority behind it, conflicts can be resolved. In the Security
Council, however, no conflict can be resolved unless there
emerges a unanimity of opinion behind some particular proposal.

Diplomacy in the General Assembly

The United Nations has developed as the central point of
a vast and complex system of open and multilateral diplomacy.
Parliamentary diplomacy is very much with us: "translators,
simultaneous interpreters, preciswriters, and the manufacturers
of electronic communication systems, ink, paper, and mimeograph
machines have come into their own, while librarians and research
scholars in the field of international relations have moved
gradually through the stage of quiet desperation to the verge
of raving madness."[28]

On the question of whether open diplomacy has proved to
be a good thing, we still find a distinct cleavage of opinion.
"Our latterday Wilsonians"[29] are convinced that it is, in

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[28]I. L. Claude, Jr., "The Impact of Public Opinion upon
Foreign Policy and Diplomacy: Open Diplomacy Revisited", Inter-
nationale Spectator, XIX, No. 1 (January 8, 1965), 13.

[29]I. L. Claude, Jr., "Open Diplomacy Revisited", p. 13.

general, if not in every particular respect, a good thing. Public
discussion and debate regarding important international problems,
public criticism of national policies, public condemnation of
aggressive and other anti-social behaviour by states, public
exposure of plots and intrigues, public endorsement of causes
that are just and programmes that are useful are regarded as
contributions to a more stable and peaceful world. From this
point of view, the United Nations and similar institutions are
instrumentalities designed to permit and facilitate the salutary
functioning of world public opinion in the field of international
relations. "To place a matter before the United Nations is to
appeal to mankind. This public forum may function imperfectly,
and some statesmen may display a regrettable lack of decent
respect for the opinion of mankind, but, whatever its limita-
tions, the forum is, in principle, a good thing. Thus runs the
contemporary 'Wilsonian line'."[30]

On the other hand, the introduction of open diplomacy
was greeted with skepticism or scorn by many who valued the old
ways of doing international business. Some of the critics
merely went back to a statement by Louis XIV: "Open negotia-
tions incline negotiators to consider their own prestige and to
maintain the dignity, the interests, and the arguments of their
sovereigns with undue obstinacy and prevent them from giving
way to the frequently superior arguments of the occasion."

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[30] I. L. Claude, Jr., "Open Diplomacy Revisited", pp. 14-15.

Others echoed Jules Cambon: "The day secrecy is abolished,
negotiation of any kind will become impossible."[31]

One should not harbour the impression, however, that the
criticism of open diplomacy is monopolized by members of the old
diplomatic school. In fact, the experience of participating in,
observing, and studying multilateral diplomacy has produced
highly critical attitudes among many men whose predispositions
were neutral or even favourable to the new methods of conducting
international affairs. These are well, but moderately, repre-
sented by Paul-Henri Spaak, who expressed himself in the follow-
ing way:

> I understand quite well that we must describe the
> dish to the public, the menu that we want to have
> them eat, and I am ready to give them this menu
> with all the necessary details and descriptions.
> But is it absolutely necessary that the diplomatic
> cook should also explain and demonstrate in public
> how the dish is made? I wish the public would stay
> in the dining room and let us retire into the
> kitchen . . . If you let us do the cooking in our
> own way, and let us do it quietly, perhaps we
> shall achieve better results.[32]

The pragmatic case against open diplomacy focuses upon the
proposition that publicity inhibits meaningful, effective, or even

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[31]These passages are cited in H. Nicolson, The Evolution
of Diplomatic Method (London: Constable, 1954), pp. 61, 76.

[32]P.-H. Spaak, "The Role of the General Assembly", in
"Three Years of the United Nations", International Conciliation,
CDXLV (November 1948), pp. 613-614.

On an earlier occasion Spaak had expressed himself more
enthusiastically regarding the development of open diplomacy.
See: P.-H. Spaak, "The Challenges of Open Diplomacy", New York
Times Magazine (December 22, 1946), p. 13ff.

serious negotiation. Statesmen can not resist the temptation to play to the galleries. They stop negotiating and start making propaganda speeches, seeking headlines rather than agreements. They talk themselves into corners from which their publics will not allow them to escape. The people conceive diplomacy as all "take" and no "give"; they are quick to brand reasonable concession as ignoble surrender, and tactical modification of position as treasonable retreat in the face of the enemy. Publicity inspires rigidity. It leads to self-righteous speechmaking, denunciations that exacerbate frictions, efforts to achieve the formal adoption of resolutions that do nothing to advance solutions, and "ultimately to a mood that makes it impossible for diplomats to take 'yes' for an answer from their antagonists".[33]

The critics sometimes go so far as to maintain that open diplomacy is a contradiction in terms; we may have publicity or we may have diplomacy, but we cannot have both. "The public, sir, is a great beast; when it is admitted to the diplomatic chamber, it does not introduce the gentle breath of reason and decency, but it breathes down the neck of the diplomats a fiery exhalation of nationalistic or ideological passion. This is, without a doubt, an extreme indictment, but it contains more than a grain of truth."[34]

It should be noted that the two factions are agreed on two points of fact: openness has become the dominant feature of

[33] I. L. Claude, Jr., "Open Diplomacy Revisited", p. 15.

[34] I. L. Claude, Jr., "Open Diplomacy Revisited", p. 16.

diplomacy, and it has had a profound effect upon the results of diplomacy. They differ only, but fundamentally, in their judgment of the nature of that effect.

How valid are these positions when viewed in relation to what happens in the General Assembly of the United Nations? I believe it can be shown that the literal openness of present-day diplomacy has been exaggerated. There seems to be no basis in fact that the addition of multilateral diplomacy has reduced the volume of bilateral diplomacy in the international system. The key word here is addition -- something has been added, while very little has been subtracted.

The system of international intercourse has been conspicuously supplemented by the creation of such institutions as the United Nations, while the older network of diplomatic communication has continued, indeed, has been constantly expanded and has lost very little of its significance.

Moreover, the multilateral institutions of our time have themselves contributed to the growth of closed diplomacy, in addition to providing a supplementary component of open diplomacy. While it is convenient to identify multilateralism with publicity, it is not necessarily accurate.[35] We may also bear in mind that the development of a multilateral institution such as the United Nations has at the same time promoted the expansion of private diplomacy.

A very large part of the business of the United Nations

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[35]See below, pp. 101-102.

is conducted in the privacy of the offices, the corridors, the
lounges, the luncheon tables away from the official recorders,
the microphones, and the reporters. Ernest Gross has estimated
this part as ninety to ninety-five per cent of the total.[36]
The formally recorded and publicized part of the United Nations
proceedings is "but the tip of the diplomatic iceberg".[37]

In addition, the headquarters of the United Nations
serve as focal points for diplomatic dealings not necessarily
related directly to the business of those organizations. New
York has become a very busy diplomatic beehive -- the one center
in the world where virtually every state is represented, a place
where negotiators between almost any conceivable pair of states
can be arranged without great difficulty, or expense, embarrass-
ment, or publicity. Many of the new states, lacking both money
and personnel to develop immediately a fullscale diplomatic net-
work extending to national capitals all over the world, treat
the United Nations as their major diplomatic post, relying upon
their representatives there to function in some sense as their
ambassadors to all the countries within which they have not
established embassies or legations. Sir Leslie Munro[38] relates
that the missions do not have offices in the headquarters build-

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[36] E. Gross, International Law and the United Nations
(Ann Arbor: University of Michigan Law School, 1957), p. 431.

[37] I. L. Claude, Jr., "Open Diplomacy Revisited", p. 17.

[38] Sir L. Munro, The United Nations: Hope for a Divided
World (New York: Henry Holt, 1960).

ings. Instead they are scattered about Manhattan. The location

of missions being away from headquarters usually means that once

a delegate arrives for a day of meetings, he will stay for the

remainder of the day. In the U. N. building there is no office

into which he can retreat, and, as a result, he will be mingling

throughout the day with other people there. There is thus an

extraordinary amount of private diplomacy at the United Nations,

some of it concerned with issues being treated by the organization,

and some of it quite irrelevant to the work of the organization.

The Workings of a Permanent Mission

All the members of the United Nations have representatives

in Permanent Missions in New York. The functional components of

a mission correspond to the major organs of the United Nations

and the subsidiary bodies in whose work the country participates.

Besides the Permanent Representative and his Deputy, the Mission

consists of representatives to the General Assembly, the Security

Council, the Economic and Social Council and its subsidiary

bodies, the Trusteeship Council, the United Nations Military

Staff committee, the Disarmament Commission, and certain General

Assembly functional committees and commissions.[39] The representa-

tives to the organs of the United Nations are assisted by politi-

cal, economic, and social advisers permanently attached to the

mission. All representatives are subject to instructions of the

home government, and on occasion, may be aided by experts sent

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[39]S. D. Bailey, The United Nations: A Short Political
Guide, p. 42.

down to advise on a particular problem currently being considered.
Let us take as an example the United States Permanent Mission to
the United Nations.

The chief task of the delegation is to represent the
United States at the sessions of the General Assembly, to present
American foreign policy before it and its many committees. When
an American spokesman in a plenary session or a General Assembly
committee states the position of his government, he does so in
most instances in terms of the end product of a great deal of
discussion and negotiation which may have begun long before the
opening of the Assembly.[40]

The provisional agenda of a General Assembly session is
in the hands of member states sixty days before the opening date
of the session. It is during this period that most active prepa-
rations are made by the United States government in determining
its positions on the various items of the agenda. A consider-
able number of government agencies are involved in these prepa-
rations, which are directed and co-ordinated by the Department of
State. In the case of crucial issues, consultations with Con-
gressional leaders take place, and where necessary, decisions
are made by the President or by the National Security Council.
The views of national non-governmental organizations are also
obtained.[41]

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[40] W. Sanders, "Assignment to the United Nations", Foreign
Service Journal (November 1953), p. 26.

[41] See L. P. Bloomfield, "The Department of State and the
United Nations", Department of State Bulletin (November 20, 1950).

As these positions evolve in preliminary form, diplomatic consultations with other member states are undertaken through the United States missions in New York and abroad. This is the beginning of the exchange of information and initial negotiations which continue on a wider and more intensive basis during the General Assembly session.[42]

The objectives of these initial diplomatic consultations are stated in the Foreign Service regulations of the United States:

> The basic objective of prior exchanges of views and consultation on United Nations matter is the hope that a common understanding of the best position to take may evolve and that a maximum area of agreement may be reached between the United States and the foreign countries concerned on important issues.

> Even when agreement is not reached beforehand, consultations should clarify the points on which particular difficulties may be expected in the subsequent meetings, and, at the same time, discussion of these issues will give to the missions a better background against which to take up urgent problems with a delegation's home government, should it become necessary during a meeting of the General Assembly or other organizations.[43]

Under standing procedures in the American Delegation, each subject on the agenda is assigned to a spokesman who is either a representative or an alternative representative. This is a formidable task. An agenda of a General Assembly session normally contains up to a hundred items that cover the entire range of United Nations activities. Although some matters are

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[42] D. S. Cheever, "The Role of the United Nations in the Conduct of United States Foreign Policy", World Politics, II (April 1950), 390-404.

[43] Quoted in W. Sanders, "Assignment to the United Nations", p. 26.

considered in plenary session without intervening committee dis-
cussion, the major work of the Assembly is done in committee.[44]
The titles of these committees suggest their assignments and the
comprehensive scope of the fields covered: Political and Security,
Ad Hoc Political, Economic and Financial, Social, Humanitarian,
and Cultural, etc.

This type of procedure is pretty well forced on all the
member missions, because the General Assembly was certainly not
built for speed. In the first place, all members are in the
General Assembly and this makes it of necessity very bulky. In
addition, nearly all important proposals must be routed through
the Assembly in a way that permits lengthy discussions in a
number of consecutive stages.

In order for a question to be placed on the agenda, it
must first be considered by the General Committee. Once accepted
by this Committee, it goes to the General Assembly. If the
General Assembly agrees to place it on the Order of the Day, it
is referred to a Committee. It very often happens that this
Committee sets up a sub-committee. When this sub-committee has
finished its work, the question again comes before the Committee
and when it has at last finished its work, the question is once
more referred to the Assembly. This whole procedure adds up to
the following: discussion in the General Committee, preliminary
discussion on the adoption of the Order of the Day and submission

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[44]C. B. Richardson, "The United States Mission to the
United Nations", International Organization, VII (February 1953),
p. 23.

to the proper Committee, discussion in the Committee, discussion
in the sub-committee, another discussion in the Committee, and yet
another discussion in the General Assembly.[45] The point that I
wish to emphasize here is that almost the same arguments appear
in each discussion and are repeated not only by the same dele-
gates a certain number of times, but also by the delegations which
take a common stand on the question, repeating the statements
made by the others.

As early as 1948, Paul-Henri Spaak expressed his concern
over this situation. The United Nations, in his opinion,

> should concentrate on a certain number of clearly
> defined and very practical questions. We should
> try to solve them as we make progress in these
> fields, we should extend our efforts to others.
> This desire to do everything, to concern ourselves
> with everything, can be noted in the agenda of
> each session of the Assembly . . . I believe it
> would be very advantageous to limit ourselves a
> little.[46]

To further facilitate its participation in the elaborate
and complex activities of the United Nations, the United States
Mission and the Missions of many other members have delegation
working groups organized to backstop the spokesmen. These are
composed of area advisers and advisers who are competent on
the substantive and technical aspects of the subject and on
United Nations tactics and procedure.

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[45]See D. F. Fleming, "The United States in the United
Nations, Annals of the American Academy of Political and Social
Science (November 1951).

[46]P.-H. Spaak, "The Role of the General Assembly" in
"Three Years of the United Nations", p. 606.

These liaison officers have a number of tasks:

(a) to establish contact with other delegations
    for the purpose of promoting goodwill and
    maintaining cordial relations

(b) to observe, interpret and report, that is,
    to obtain, interpret, and to transmit in-
    formation on the views and attitudes and
    proposed moves of other delegations and to
    transmit to other delegations similar in-
    formation about the positions and atti-
    tudes of the American delegation

(c) to assist the delegation spokesmen in nego-
    tiations with appropriate representatives
    of other delegations. [47]

It is in the context of these multiple operations that
the area officers perform their three-fold assignment of liaison,
area and political advisers. They are the eyes and ears of the
delegation and are an important channel of communication between
the American delegation and other delegations. They bring into
delegation discussions their special knowledge of the countries
of their areas and of regional interests and attitudes. This
background is of special importance whenever a problem has or
may have political repercussions in an area. [48] They are,
finally, very much in evidence in the individual and group nego-
tiations that are virtually a daily feature of an Assembly
session.

The objective at an Assembly session is to reach agree-

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[47] Quoted in W. Sanders, "Assignment to the United Nations",
p. 26.

[48] See H. K. Jacobson, "The Changing United Nations", in
R. Hilsman and R. C. Good, ed., Foreign Policy in the Sixties:
The Issues and the Instruments (Baltimore: Johns Hopkins Press,
1965), pp. 67-89.

ment on the disposition to be made of the items of these over-
burdened agendas. Agreement is registered in terms of majority,
or, on certain issues, two-thirds vote. Agreement is reached by
discussion and negotiation, public and private and at various
levels, in which all the skills of persuasion and compromise
are in play.

I think this detailed explanation of a Permanent Mission
is useful in that it shows that all kinds of personal relations
are actively at work throughout the decision-making process in
the General Assembly. The former Secretary-General, Dag Hammersk-
jold, was very much aware of this. He stated:

> Private diplomacy is just as necessary as ever
> in arriving at agreements between sovereign
> nations. Sometimes its primary role is before
> a public debate, sometimes in the intermissions
> of debate, sometimes afterward, and often at
> all of these times . . . classical diplomacy
> continues to be usefully practiced in the old
> tradition on a bilateral basis . . . but more
> of it is needed now in the practices of the
> United Nations if we are to develop to the
> full the capacity of the Organization as an
> instrument of peacemaking.[49]

Voting and Politics in the General Assembly

As we have seen, under the Charter voting power in the
Security Council, where decisions on non-procedural questions
require the concurring votes of the five permanent members, is
heavily weighted in favour of the great powers. In the General
Assembly, where all member states have an equal voice, the scales

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[49] Quoted in J. G. Hadwen and J. Kaufmann, How United
Nations Decisions are Made (Leyden: A. W. Sythoff, 1960), p. 13.

are potentially balanced in favour of the smaller nations. The
great powers were willing to accept such an arrangement at the
San Francisco conference because they believed their interests
could be adequately protected by their right of veto in the
Security Council. At the time, this seemed a reasonable assump-
tion. However, given the shift of power within the structure of
the United Nations from Security Council to General Assembly,
the importance of a careful evaluation of the voting procedures
and habits in the General Assembly becomes apparent.

What kind of provisions are there in the Charter of the
United Nations for voting in the General Assembly? In the past,
international organizations "ordinarily have been based on two
fundamental principles: the legal equality of states, and the
requirements of unanimity in voting".[50] At the San Francisco
conference, the framers of the United Nations Charter accepted
the first of these principles, that of sovereign equality, but
rejected the second, that of unanimity in voting. Article 18,
which lays down the procedure for voting in the General Assembly,
provides that each member "shall have one vote", that decisions
of the Assembly on important questions "shall be made by a two-
thirds majority of the members present and voting", and that
"decisions on other questions . . . shall be made by a majority
of the members present and voting".

The fundamental proposition, expressed in Article 2,

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[50] F. O. Wilcox and C. M. Marcy, Proposals for Changes in
the United Nations, p. 345.

that the United Nations is based on the sovereign equality of all

its members is reiterated in Article 18 -- each member is given

one vote. Theoretically, it would have been possible to devise

a system of weighted voting[51] that would accord member nations a

number of votes more commensurate with their relative importance

in world affairs. But "the practical difficulties involved in

building a formula that would take account of the various factors

that need to be measured were so great, and traditional concepts

of sovereign equality of states so strong, that the matter was

not given serious consideration either at Dumbarton Oaks or the

San Francisco conference".[52]

The only exception to this principle is found in the

privileged position of the Soviet Union. At the San Francisco

conference, in accordance with an arrangement made at the Yalta

conference, Byelorussia and the Ukraine, which are constituent

republics of the Soviet Union and do not qualify as "states" in

the normally accepted sense of that term, were admitted as members

of the United Nations. They each have one vote, which, combined

with that of the Soviet Union, makes a total of three votes for

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[51] On this problem generally, see D. S. Cheever and H. F.
Haviland, Jr., Organizing for Peace: International Organization
in World Affairs, pp. 87ff; A. Hovey, Jr., "Voting Procedure in
the General Assembly", International Organization, IV (August
1950), 412-427; and E. McIntyre, "Weighted Voting in Interna-
tional Organizations", International Organization, VIII (November
1954), 484-497.

[52] F. O. Wilcox and C. M. Marcy, Proposals for Changes in
the United Nations, p. 346.

one member. Actually, this arrangement involves considerably more than two additional votes for the Soviet Union. It is also entitled to two additional delegations. This not only triples its voting power, but its speaking power as well.

As indicated above, Article 18 of the Charter provides for votes on two types of questions: the so-called important questions that require a two-thirds majority, and all "other questions" that call for a simple majority. It should be noted that the majority required under the article is a majority of the members "present and voting". Members abstaining from the vote are considered as not voting. Thus, by a simple majority, the General Assembly may decide that decisions on questions other than those enumerated in Article 18 are of sufficient importance to require a two-thirds vote.

The two-thirds majority for the handling of important questions seems to have worked fairly well in practice. No doubt it has served as a deterrent to hasty and ill-considered action by the Assembly. But "it has not prevented action on any measure desired by a large majority of the member states. During the first six years of the United Nations, there were eighteen instances in which draft resolutions (or portions of resolutions) received a simple majority in the committees of the Assembly, but were not adopted because they failed to secure the necessary two-thirds vote in the Assembly itself".[53]

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[53] F. O. Wilcox and C. M. Marcy, Proposals for Changes in the United Nations, p. 348.

The principal effect of Article 18 is to reject the veto with respect to votes in the General Assembly. This is a move in the direction of more democratic voting procedures in world affairs in that it decreases the negative power of individual states to block action. At the same time, it increases the positive power of groups of states that may wish to join together to accomplish their objectives within the United Nations system, in some cases against the wishes of a minority of the members.

Politics in the General Assembly: The Role of Small Nations

Small countries and what are now being called the "middle powers" exist in large numbers in the world, and from all indications, will continue to grow in numbers. The interests of small powers in regard to an international security organization can not be easily defined because these countries fall not into one, but into at least two categories. The group consists of countries which, being extremely vulnerable to attack by one of their great neighbours, are primarily concerned with guarantees against such an attack. It also consists of small states which, because of their geographical location, have little reason to fear an attack on their territory. They may be afraid, however, of becoming entangled in coercive or belligerent action as a result of which they might become a battlefield for others.[54] Countries such

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[54] A. Wolfers, "The Role of the Small States in the Enforcement of International Peace", Academy of Political Science Proceedings, XXI (1944-1946), 293.

as Canada, Sweden, and Turkey might fall in this category.[55]

These countries not only differ in their internal political, economic and social characteristics, but also in one other important respect. The newly emerging small powers differ markedly from the older small states of Western Europe in the circumstances conditioning their freedom of diplomatic action and in the goals sought. In the ex-colonies there have been revolutionary class tensions making any government's hold precarious. There is virtually no constitutional consensus, for bitter national, racial, ideological, and religious as well as economic hatreds divide one group from another. Their governments often do not have the diplomatic skill which comes from long experience on the international scene. With some variation it would appear that economic distress and low standards of living mark these countries. In addition, ex-colonies are racially distinct and have non-European cultures. Thus their perspectives differ from older small states.[56]

The United Nations was basically a Great Power agreement,[57] the impassioned struggles of the small powers in San Francisco notwithstanding. They cannot be completely ignored, however, and with the alleged Great Power unity of San Francisco

[55]G. de T. Glazebrook, "The Middle Powers in the United Nations System", International Organization, I, No. 2 (June 1947), 307-315.

[56]P. Calvocoressi, World Order and New States (London: Institute for Strategic Studies, 1962).

[57]W. T. R. Fox, "The Super-Powers at San Francisco", Review of Politics, VII, No. 1 (January 1946), 121-122.

shattered they are in the enviable position of being courted by several sides. As one author put it: "In any scheme of international organization, their moral resistance, their political will, their industrial and cultural contribution, and even possibly, under adverse circumstances, their nuisance value, can not without danger be under-rated."[58]   H. J. Morgenthau adds another interesting dimension to this when he talks of the relationship between the United States and the small powers in the United Nations. He says:

> If the United States had only the task of
> fashioning an alliance with the techniques
> of traditional diplomacy, it would select
> members of that alliance primarily in view
> of the power they could add to it . . .
> yet the task of the New United Nations
> diplomacy is not so much to build an alliance
> with a maximum of political and military
> strength . . . While power and weakness still
> count in the New United Nations Diplomacy, they
> do not count for as much as they do in the
> traditional one . . . here lies the important
> distinction between the techniques of tradi-
> tional and United Nations diplomacy: the
> latter is compelled to persuade where the
> former could afford not to care.[59]

It would seem that several other reasons can be suggested for the increased influence on the part of small countries in the United Nations, in addition to the need for their votes.

The United Nations provides the small states with a forum.

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[58]Georges Kaeckenbeeck, "The Function of Great and Small Powers in the International Organization", International Affairs, XXI (1945), 307.

[59]H. J. Morgenthau, "The New United Nations and the Revision of the Charter", p. 12.

As one delegate put it: "Many avenues of influences are open to a small state at the United Nations which were not open to them before the United Nations was in existence . . . everyone at the United Nations can bring his case for a day in court . . . take Tibet. Who the hell ever heard of the influence of Tibet; yet through the United Nations, Tibet could have great influence."[60]

Some other reasons for the increased stature of small powers are: at the United Nations, small countries can more easily negotiate in a group rather than have to face the large power alone. The small nations have the same voting power as large nations, and it must also be remembered that the majority of nations in the United Nations fall into some other category than the one called "Great". The other category is far from homogeneous. Among these states are some which are all but Great Powers, some medium, some small, some very small states. Some have colonies and, therefore, widespread interests, others have hardly more than local interests.

When questioned,[61] the delegates of small nations at the United Nations seemed to feel that their position and influence has improved. The following question was put to them: "Suppose a large country and a small country were to enter negotiations

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[60]G. L. Best, Diplomacy in the United Nations (Evanston, Ill.: Northwestern University, 1960), p. 176. (An unpublished Ph. D. thesis).

[61]The questions and tables were obtained from G. L. Best, Diplomacy in the United Nations, p. 178.

on a particular issue, would the small country have more influence or less influence if the negotiations were held here [at the U.N.] rather than in a national capital?" The results are shown in the following table:

Influence	Number	Per Cent
Much more	5	8
More	42	67
Same	15	24
Less	1	2
Much less	0	0
Total	62	101

In answer to the question, "in general, do small nations play a larger role (part) or smaller role (part) in international relations now than they would if there were no United Nations", the following results were obtained:

Role	Number	Per Cent
Much larger	22	30
Larger	50	68
Same	2	3
Smaller	0	0
Much Smaller	0	0
Total	74	101

The Formation of Small Powers into Groups

Smaller countries in recent years have organized themselves into groups or blocs,[62] and by pooling or combining their voting strength on particular issues, groups of small states are sometimes able to exert an influence far out of proportion to either their population or their political importance. An

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[62] See p. 96 for a more detailed explanation of these terms.

interesting example of what the small states can do when they are
effectively organized occurred during the third session of the
Assembly when the resolution providing for the use of Spanish
as one of the working languages of the Organization was approved
by a vote of 32 to 20 with five abstentions. In that case, the
small states successfully opposed the large ones. The Latin-
American and the Arab countries, with a few supporting votes,
outvoted the United States, China, three of the British Common-
wealth nations, and all of Europe, including the United Kingdom.[63]

There seems to be unanimous consensus that these "blocs"
do indeed exist at the United Nations, and the delegates them-
selves are quite open about this. For example, a member of the
Asian-African bloc said:

> There is no small nation here. There are blocs of
> nations. You don't negotiate as a single nation
> but as a member of a group. Of course, within your
> group there may be divergencies of policies, but
> the general ideas of the group are supported by
> all. This kind of group action on the part of the
> smaller powers decreases the amount of pressure
> big powers can bring on small powers.[64]

There are mixed feelings about the existence of such
blocs. In the plenary session of the General Assembly in 1947
Sir Carl Berendsen (New Zealand) showed his concern over this
development. Sir Berendsen stated:

> Another . . . source of irresponsibility is the
> system of bloc voting that has grown up. Let

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[63]Related in F. W. Wilcox and C. M. Marcy, Proposals for
Changes in the United Nations, p. 350.

[64]Quoted in G. L. Best, Diplomacy in the United Nations,
p. 179.

> no one tell me that what we have seen even at
> this session and on many occasions, of groups of
> powers voting as one, is a good system. Some of
> these blocs are large; indeed, they can become
> so large as, in effect, to constitute a veto
> with regard to any question of importance re-
> quiring a two-thirds majority. That is not a
> proper exercise of responsibility.[65]

On the other hand, there is the view that these groups

"perform a significant role in the preliminary stages of nego-

tiation before the public debates, votes and resolutions. . .

these groups constitute a channel of communications between

countries with similar interests".[66]

Which of these opposing views should be most acceptable?

Dean Rusk once stated:

> Ordinarily, issues in diplomacy may be joined to-
> gether, and in resolving problems with your friends
> you can give a little on one and take a little on
> the other. Perhaps, since many of them involve
> disagreeable choices, you can put a bundle of them
> together and get a result where you will like one
> part and your friends will like another part, but
> you find some basis on which to work it out.[67]

It would seem that what Mr. Rusk says about resolving problems

"with your friends" applies equally to discussion and negotia-

tion with unfriendly states.

It appears to be a normal part of diplomacy for states to

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[65] U. N. General Assembly, Official Records, 107th Meet-
ing (November 3, 1947), p. 695.

[66] T. Hovet, Jr., "United Nations Diplomacy" in "Diplomacy
in Transition", Journal of International Affairs, XVII, No. 1
(1963), 37.

[67] D. Rusk, "Parliamentary Diplomacy -- Debate vs. Nego-
tiation", World Affairs Interpreter, XXVI, No. 2 (Summer 1955),
129-130.

consult each other on matters of common interest, and, as men-
tioned previously, one of the reasons why this happens often at
the United Nations headquarters, is that it is rather easy.
Representatives of member states constantly meet each other,
not necessarily by careful prearrangement but simply because
they so often have business to discharge in the same building,
eat in the same dining room, use the same elevators, patronize
the same barber. There is a continual process of consultation,
arranged and casual, both among friends and across barriers.
It would seem to be a normal diplomatic attempt to increase
mutual understanding, to win friends and influence people, to
acquire or give information.

At the same time we should not underestimate the role
that these groupings play in the diplomacy of the United Nations.
They can conceivably, within their meetings, work for an accom-
modation of viewpoints to prevent clashes "within the arena of
public debates"[68] that would lead to a hardening of relations.
Concerned as they are with achieving support for formal propo-
sals, the group majority recognizes that unless concessions are
made to gain that support, it may only create friction and
bitterness.[69] Where public consideration tends to separate
issues, negotiation within and between groups can relate con-

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[68] T. Hovet, Jr., "United Nations Diplomacy", p. 37.

[69] For this reason the European small states, for example,
have avoided "talking big and acting small". See: C. C.
O'Brien, To Katanga and Back (New York: Simon and Schuster,
1963), p. 15.

cessions on one issue to concessions on other issues.

Also new delegations and delegates can test their skills
with other states in an informal caucus atmosphere of frank ex-
change that is not possible within a more formal public dis-
cussion. A state, for example, can thus test a proposal with-
out fear that it is publicly taking a viewpoint that can not
be adjusted. The groups in their discussions provide a place
in which delegations can share information informally and
thus assist in determining what is the point at issue. Ques-
tions can be asked without embarrassment, and delegations can
become better informed on the problems that will be considered
at a later time in the public debates.

Of course, smaller states must be constantly aware that
building voting majorities is not sufficient. They must
realize that no resolution passed in the General Assembly is
effective unless concessions are made to the power relation-
ships among the larger states. It is precisely at this point
that most of the criticism against these groupings has been
directed. These critics[70] say that the crystallization of
smaller powers into groups tends to deprive the Assembly of the
possibility of reaching an objective and unbiased judgment.
To a certain extent, of course, this charge is true. However,
it would seem that the situation could hardly be otherwise.
As S. D. Bailey has stated: "The Assembly is not a body of
scientists or philosophers engaged in an academic search for

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[70]See above, p. 91.

ultimate truth; it is not even a judicial body, pursuing justice; it is a political body, searching for the relative solutions and compromises which have merit only because the alternatives are more disagreeable."[71]

How accurate, however, is the view that these groups tend to make voting in the General Assembly rigid, and, therefore, make the outcome of certain proposals quite predictable? If each member were an unswerving adherent of one or other of a small number of blocs whose groupings on each kind of issue never varied, then the Assembly's voting on any dispute would be entirely void of interest or authority, since it would be precisely predictable and quite unaffected by the merits of the particular case. If, on the other hand, the stronger side in the Assembly cannot in practice be certain of a two-thirds majority[72] without the support of at least some of these uncommitted states, that in itself would enhance the significance of an Assembly decision, and provide some inducement to the minority to state its own case plausibly. To find answers to this, we may just briefly look at

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[71]S. D. Bailey, The General Assembly of the United Nations: A Study of Procedure and Practice (New York: Praeger, 1960), p. 22.

[72]The United States has often been accused of possessing a built-in, two-thirds majority. There is very little evidence that any majority the United States obtains is "automatic". The United States does, of course, do its share of "arm-twisting" in lining up support for its proposals. C. C. O'Brien in To Katanga and Back, pp. 22-23, relates how Cardinal Spellman, informed by the American United Nations Delegation of the intention of Ireland to vote in favour of a discussion on the question of the representation of Communist China, tried to persuade the Irish delegation to change its vote. His efforts failed.

some of the relevant voting patterns in the General Assembly.

"Bloc Voting" in the General Assembly[73]

At this point, it would be useful to emphasize that one of the outstanding facts about the way states associate in the General Assembly, is the tendency of member states to affiliate differently for different purposes. We may, therefore, distinguish between three types[74] of association among states at the United Nations. First, there is the ad hoc coalition which is improvised to deal with a particular problem and which disappears when the problem passes or changes in character. Second, there is the caucusing group. This is a term applied to any group of states which has some degree of formal organization, holds fairly regular meetings, and is concerned with substantive issues and procedural matters. Thomas Hovet, Jr., sees eleven[75] different groups while R. C. Ogley distinguishes only between

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[73]A number of studies proved very helpful in the preparation of this section, notably: Margaret Ball: "Bloc Voting in the General Assembly", International Organization, V (February 1951); Roderick C. Ogley: "Voting and Politics in the General Assembly", International Relations, II, No. 2 (April 1961); and Thomas Hovet, Jr., Bloc Politics in the United Nations (Cambridge, Massachusetts: Harvard University Press, 1960).

[74]The three classifications are mentioned both in S. D. Bailey, The General Assembly of the United Nations, and in T. Hovet, Jr., "United Nations Diplomacy" in "Diplomacy in Transition".

[75]Afro-Asian, African, Brazzaville, Casablanca, Arab, Western-Europe, European Community, Benelux, Scandinavian, Latin-American, and Commonwealth.

eight[76] different combinations. Most of the members of the
United Nations belong to at least one of these groups, and
some members belong to several. The United States, China,
Isreal, and South Africa do not belong regularly to any cau-
cusing group.

R. C. Ogley uses four criteria for his division:
"geographical propinquity, kinship, the assumption of mutual
or similar legal rights and obligations, and a common form
of government, giving a total of eight blocs."[77]

Third, there is the bloc. By this is meant that states
not only consult each other on a systematic basis, but almost
always act in unison. Thomas Hovet, Jr., defines a bloc as
"a group of states which meets regularly in caucus and the mem-
bers of which are bound in their votes in the General Assembly
by the caucus decision. Using this definition, there is at
present only one true bloc -- the Soviet bloc".[78]

Let us now take a specific example, the Assembly's vote
on the dispute over Dutch West Irian on December 10, 1954. The
proposal failed to get the necessary two-thirds majority,
thirty-four members voting for, twenty-three against, and three

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[76] Communists (including Yugoslavia), American (excluding
Canada), white Commonwealth, European Colonial Powers (excluding
Britain), self-contained Europe, Africa (excluding U. of S. A.),
Anti-Communist Asia, "uncommitted" Asia (including Israel).

[77] R. C. Ogley, "Voting and Politics in the General Assem-
bly", p. 161.

[78] T. Hovet, Jr., "United Nations Diplomacy", pp. 30-31.

abstaining. The support of this proposal came from the Communists, the American states, both the Asian blocs and Africa, but, whereas Africa and the Communists were quite solid, ten members of the American bloc, two of the Asian anti-Communists, and one of the uncommitted Asians failed to support the majority of their groups. On the opposite side were found both the European groups, and the white Commonwealth. The total number of exceptions to the voting tendency of each respective group was fourteen, more than half the Assembly minority.[79]

R. C. Ogley has shown that bloc minorities usually amount to about half the Assembly minority.[80] It would appear that the fact that there is such a wide range in the relative size of the bloc minorities on, for example, anti-colonial issues can be satisfactorily explained only by the existence of a substantial degree of flexibility on such issues.

The way in which one bloc lines up with another is even more important than the proportion of states voting otherwise than with their blocs. Ogley has shown, and this view is supported by Margaret Ball and Thomas Hovet, Jr., that there is no rigid pattern in this regard either.

Another point that one should consider is the average degree of solidarity with which a bloc votes, that is, how big

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[79] In other words, only half of those voting against or abstaining were made up of the blocs reacting as a whole in that way.

[80] R. C. Ogley, "Voting and Politics in the General Assembly", p. 164.

a fraction of its membership is usually found voting together.
Evidence seems to indicate on this point that even if it is cer-
tain on which side each bloc will vote, there is, for most blocs
and most issues, some degree of uncertainty as to how much each
bloc will count for.

In general, it can be said that blocs do not rigidly
determine the outcome of the Assembly's voting. It has been
stated that the growing dominance of the "Afro-Asian bloc" will
render the Assembly more ineffective. The implication is that
the West is now less sure of a two-thirds majority against the
Communists. This development may not be realized at all,
because evidence indicates that the blocs of Africa and Asia,
so far from being monolithic, are much less cohesive then those
of other continents.

Despite criticisms of the formation of groups at the
United Nations, to the contrary, there seems to be no single
basis for the divisions among the Assembly's members. I
believe that the criticism of groupings stems from the fact
that some authors are unwilling to accept the fact that politi-
cal considerations play an important part at the United Nations.
The joining of individual units into more or less disciplined
groups in order to improve their bargaining power is an inherent
part of any political process.

Conclusion

It is the practice of public debate which has given to
so much of contemporary multilateral diplomacy its "parliamen-
tary" character. The term "parliamentary diplomacy" was coined
by Dean Rusk to describe a form of multilateral negotiation in-
volving the following factors:

> First, a continuing organization with interest
> and responsibilities which are broader than the
> specific items that happen to appear upon the
> agenda at any particular time, in other words,
> more than a traditional international conference
> called to cover a specific agenda. Second, regu-
> lar public debate exposed to the media of mass
> communication and in touch, therefore, with pub-
> lic opinions around the globe. Third, rules of
> procedure which govern the process of debate and
> which are reached by majority votes of some des-
> cription, on a simple or two-thirds majority or
> based upon a financial contribution or economic
> stake, some with and some without a veto. Typi-
> cally, we are talking about the United Nations.[81]

The practice of parliamentary diplomacy brings with it
the danger of diplomatic oratory. Naturally, the General
Assembly provides a very fine platform, and it is a terrible
temptation for a politician to mount such a platform believing,
as Paul-Henri Spaak put it, "that at his feet are the represen-
tatives of the whole world, that his speech is going to be
broadcast over the radio in all languages, that the journalists
of the whole world are there to record his words, and that he
will be read or heard the next day, or even the same day, by
millions and millions of people".[82]

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[81]D. Rusk, "Parliamentary Diplomacy -- Debate vs. Nego-
tiation", p. 121-122.

[82]P.-H. Spaak, "The Role of the General Assembly", p. 613.

There is another factor that encourages diplomatic oratory. A study of the United Nations done in Canada states the following:

> The delegates of the Member States are appointed by their governments and whether or not they wish to be reappointed, many of them aspire to a public career of some kind which may well be furthered by their performance at the General Assembly. A politician or official . . . presented with a chance to appear on a world stage, naturally strives to make the most of it in the interest of increasing his reputation in his own country.[83]

In this chapter, I have not tried to deny the existence of this type of activity at the General Assembly. It exists, and sometimes, to such extremes that we can rightly speak of "diplomacy by insult" or "diplomacy by loudspeaker".[84] It is my opinion, however, that the openness of present-day diplomacy has been exaggerated. There seems to be no evidence to show that the addition of multilateral diplomacy has reduced the volume of bilateral diplomacy in the international system. Furthermore, when considering the amount of public diplomacy that takes place today at the United Nations, we should ask a basic question: How significant, for good or for bad, are its effects? Do the consequences justify either the hopes and claims of the "Wilsonians", or the fears and charges of the "Anti-Wilsonians"?

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[83] F. H. Soward and E. McInnis, _Canada and the United Nations_ (New York: Manhattan Publishing Co., 1956), pp. 220-221.

[84] G. Goodwin, "The Expanding United Nations II -- Diplomatic Pressures and Techniques", _International Affairs_, XXXVII, No. 2 (April 1961), 174.

Again, it would seem that the dangers of open diplomacy have been greatly exaggerated. It would appear that the amount of public response to open diplomacy is relatively moderate. Public speeches do not change decisions to be taken in the General Assembly. It may not be very good for the public relations aspect of the United Nations, but, basically, these speeches are not going to sway mankind one way or the other. Delegates to the United Nations are presumably not less realistic than this; they must know that their voices do not usually carry very far into the public domain. Yet, they persist in speaking as if they were addressing mankind. Why?

I. L. Claude, Jr., has found a satisfactory answer to this question. He states:

> Sometimes, they mean to be speaking to particular elements of their own peoples . . . sometimes they address themselves to influential groups in other countries than their own . . . it is probably that most appeals to public opinion in the United Nations, however broad their ostensible target, are really aimed with some precision. And, clearly, they may have the desired impact . . . when one appeals to India at the United Nations, one is not addressing some 400 million Indians, but a relative handful of Indians in New York and New Delhi who function as India in world affairs.[85]

To look at this realistically, one must recognize that solutions in the General Assembly are the product of debates and pressures and negotiations within the confines of the Assembly, and are not primarily dictated by world public opinion. In short, multilateral diplomacy today is, to a considerable

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[85]I. L. Claude, Jr., "Open Diplomacy Revisited", pp. 25-26.

degree, technically open to the public gaze. In practice, it remains essentially a process of consultation and interaction among governments.

And, finally, side by side with some basic changes in the role of the General Assembly, there has taken place a significant change in the technique and nature of diplomacy pursued by the big powers like the United States. The old diplomacy based on the balance of power approach was that two or three big powers used to combine against a group of potential aggressors. But today the alliance in the General Assembly is not merely a combination, for instance, of the United States and the British Commonwealth. They may form the hard core of the two-thirds majority, but the smaller powers have to be wooed. Their votes have to be canvassed far more vigorously than ever before.

IV

THE ROLE OF THE SECRETARY-GENERAL: I

Background

Mr. Rusk gave as the first essential feature of "parlia-
mentary diplomacy" the idea of a continuing organization with
broader interests and responsibilities than the specific items of
the agenda at any particular time.[1] This continuity is facili-
tated by two diplomatic institutions: the permanent diplomatic
missions accredited to intergovernmental agencies,[2] and interna-
tional secretariats to service those agencies.

One could look at the International Secretariat as an
experiment in international public administration. The idea of
an international secretariat is a relatively new phenomenon in
international affairs "as it is also in public administration".[3]
Nevertheless, in this field lessons were available from the
quarter century experience of the League of Nations.

The Covenant of the League of Nations gave the Secretary-
General a very limited role in the maintenance of international
peace. Apart from performing secretarial functions at meetings
of the Council and Assembly, his powers were limited, under

[1]See above, p. 100.

[2]Discussed above, p. 76.

[3]W. R. Crocker, "Some Notes on the United Nations Secre-
tariat", International Organization, IV (November 1950), 598.

Article 11, to summoning meetings of the Council upon request of
any member of the League, and to making arrangements for a full
investigation and consideration of any dispute submitted under
Article 15. Both the first Secretary-General, Sir Eric Drummond,
and his successor, Joseph Avenol, appear to have taken a conser-
vative view of the Secretary-General's responsibilities. It has
been pointed out, however, that in doing this, "they undoubtedly
met the wishes of most governments".[4] The fact that Drummond
eschewed all publicity, limited himself at League meetings very
much to the role of the Organization's competent secretary, and
undertook no dramatic journeys, inclined many to regard him as an
administrator and little more. The majority of the committee set
up in 1930 to examine the League Secretariat's functions "played
down any idea that the Secretary-General might enjoy significant
political activities".[5] The general consensus of opinion on
Drummond seems to be that in his formal relations with the organs
of the League, the Secretary-General was "inarticulate in the
extreme". In his public role, he was "retiring and uninspiring".[6]
At the same time, several authors state that one should not

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[4]L. M. Goodrich, "The Political Role of the Secretary-
General", International Organization, XVI (Autumn 1962), 720.

[5]A. M. James, "The Role of the Secretary-General of the
United Nations in International Relations", International
Relations, I, No. 12 (October 1959), 621.

[6]S. M. Schwebel, The Secretary-General of the United
Nations: His Political Powers and Practice (Cambridge, Massa-
chusetts: Harvard University Press, 1952), p. 6.

underestimate the influence which the Secretary-General of the
League of Nations did exercise through private and confidential
contacts with representatives of member governments. Sir Eric
Drummond, for example, was "constantly at work behind the
scenes and he acquired a considerable reputation as one to whom
confidences could be entrusted, and from whom could be obtained
as impartial a summing up of a situation as one would be likely
to get".[7] Another view is that as "the Organization's highest
ranking official who was continuously on the job, thoroughly
familiar with League procedures and practices, and the trusted
confidant of governments, Sir Eric Drummond was in a position
to exercise substantial influence on the course of League acti-
vity in keeping the peace".[8] Schwebel contends that "it was
only in his diplomatic, 'behind-the-scenes' character that the
Secretary-General of the League was a potent political force".[9]

In general, this cautious and tactful approach was in
accord with the facts of the Secretary-General's position. Had
he attempted to assert, in a more positive manner, what might
be called the authority of the League, he would have received
short notice from its members and he would have found that this
authority was very tenuous indeed. Whatever influence the
Secretary-General had with them was marginal, and, in more

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[7] A. M. James, "The Role of the Secretary-General of the
United Nations in International Relations", p. 621.

[8] L. M. Goodrich, "The Political Role of the Secretary-
General", p. 720.

[9] S. M. Schwebel, The Secretary-General of the United
Nations, p. 6.

important issues, probably not even that. It was, therefore, only sensible for him to conduct himself very carefully.

E. F. Ranshofen-Wertheimer[10] in 1945 recognized the limitations and restrictions put by the Covenant of the League upon the external powers of the Secretary-General. He suggested that a future international organization should give political powers to the Secretary-General, who should be chosen rather from statesmen than civil servants. It is against this background and experience that the position and influence of the Secretary-General of the United Nations has to be studied.

The Secretary-General: Functions and Powers

In the drafting of the Charter of the United Nations, there appears to have been general agreement among participating governments that the chief administrative officer of the Organization should be given a more important role than his League predecessor.[11] This is amply shown by the fact that the Secretariat, to consist of a Secretary-General and a staff appointed by him, is declared to be one of the six "principal organs" of the United Nations.[12]

The Secretary-General is appointed by the General Assembly upon the recommendation of the Security Council. When a

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[10] E. F. Ranshofen-Wertheimer, The International Secretariat (Washington: Brookings, 1945), p. 38.

[11] See Charter, Article 7 (1), p. 7.

[12] See R. Russell and J. E. Mather, A History of the United Nations Charter (Washington: Brookings Institution, 1958), p. 11.

candidate is being considered for recommendation, the Security

Council meets in a private session. The General-Assembly may

reject a name submitted to it. In that case, however, it can

not proceed to make its own choice but must wait until another

recommendation is made. Voting on this question is by secret

ballot. The appointment of a candidate requires only a simple

majority of those present and voting in the General Assembly.[13]

In the Security Council, however, the recommendation of a can-

didate needs "an affirmative vote of seven members including

the concurring votes of the permanent members". In other words,

the recommendation is subject to the veto.

Considerable negotiation is involved prior to the

recommendation. It is expected that each Secretary-General

will come from a small country, and will not be too closely

affiliated with the policies of anyone of the great powers. Of

course, the veto in the Security Council guarantees this anyway,

and conversely, ensures the Secretary-General of the powerful

and unanimous sponsorship of the great powers.

The term of office for a Secretary-General is not

specified in the Charter. The framers of the Charter were

generally of the opinion that frequent re-election might either

deprive the Secretary-General of his independence or force him

to leave office as soon as he gained experience in the position.

In 1946 the General Assembly took a number of decisions in regard

[13]See S. D. Bailey, The United Nations: A Short Political
Guide, p. 34.

to this problem: The term of appointment should be such as to
enable a man of eminence and high attainment to take the posi-
tion; the first Secretary-General should be appointed for a
period of five years, with eligibility for reappointment; the
length of the term might be modified later in the light of ex-
perience; also, it would be desirable that no member should
offer a retiring Secretary-General any governmental position in
which the confidential information he had obtained might be a
source of embarrassment to other members.[14]

These decisions have strengthened the position of the
Secretary-General. To have provided that he should serve at the
will of the General Assembly would have placed him in sharp de-
pendence upon a fluctuating majority among the national delega-
tions, and would have made almost every vote on an issue in
which he had taken the initiative or otherwise exercised his
leadership, a vote of confidence directly affecting his role
as a chief executive.

The specific functions of the Secretary-General may be
classified under three categories: administrative and service,
political, and representative. The Secretary-General shall be
the "chief administrative officer of the Organization".[15] He is

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[14] W. Chamberlin, "Strengthening the Secretariat: Analysis
and Proposition", Annals of the American Academy of Political and
Social Science, CCXLVI (November 1954), 131.

[15] Charter, Article 97, p. 50.

to act in that capacity"[16] in all meetings of the General Assembly and the three Councils, to assign staff from the Secretariat to the various organs as required, to perform such functions as might be entrusted to him by the General Assembly and the Councils, and to report annually to the General Assembly on the work of the Organization.

The administrative and service function, then, includes the responsibility for organizing and directing the complex and varied activities which are necessary for the operation of the Organization. The staffs of the other organs, with the exception of the International Court of Justice, form a part of the Secretariat. The Secretary-General, therefore, is responsible for the performance of the essential staff work required if the General Assembly, the Security Council, the Economic and Social Council, and the Trusteeship Council are to function efficiently.[17]

A large number of resolutions passed by the General Assembly provide for some action on the part of the Secretary-General. This may involve, for example, communication with member governments, ascertaining the steps to be taken to give effect to the Assembly's recommendation, or the provision of information needed for consideration of a matter.

The administrative and service staff work involves certain technical functions. Studies are undertaken and expert

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[16]Charter, Article 98, p. 50.

[17]S. D. Bailey, The Secretariat of the United Nations (New York: F. A. Praeger, 1964), p. 21.

advice given to the other organs upon their request. Some of
the assignments given to the Secretariat in the field of reports
and studies include analysis of information submitted on the eco-
nomic, social and educational conditions in non-selfgoverning
territories; surveys of world economic conditions and trends,
preparatory work for the International Law Commission, and the
preparation of suggestions concerning the form and character of
reports of commissions and other subsidiary organs of the Econo-
mic and Social Council.[18]

Important financial responsibilities also are involved
in the administrative and service functions of the Secretary-General.
Subject to the authority and regulations of the General Assembly,
he prepares the budget of the United Nations, allocates funds,
controls expenditures, collects the contributions from members,
and has the custody of all funds. The Secretary-General has also
been delegated the task of consulting with the specialized agen-
cies and undertaking to develop arrangements for common fiscal
controls and for common budgetary, administrative, and financial
practices.[19]

A special case of an administrative responsibility
imposed on the Secretary-General by terms of the Charter is
found in Article 102, which provides that "every treaty and
international agreement entered into by any member of the United

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[18]Carnegie Endowment for International Peace, The United
Nations Secretariat (Washington: 1950), p. 11.

[19]See a discussion on "Financial Procedure" in S. D.
Bailey, The General Assembly of the United Nations, Chapter
VIII.

Nations" must be registered with the Secretariat and published
by it.

There is no doubt that the problem of administrative
co-ordination is a difficult one in an agency like the United
Nations, with its many states, six principal organs, various
subsidiary organs and specialized agencies, and broad scope
of functions. The "centrifugal tendencies are very great",
but the Organization will be relatively ineffective unless it
can operate as "an integrated system with a coherent over-all
program embodying generally recognized priorities".[20] With
the national divisions over what should be done and how, with
the inevitable vested interests in this or that activity, and
with the great diversity of cultural background found among
the personnel, strong leadership is needed to see that the United
Nations is a real system, and not a loose aggregation of sepa-
rate blocs.

The General Assembly has certain supervisory functions,
and the Economic and Social Council has co-ordinating respon-
sibilities in its field of effort. It remains for the Secretary-
General, however, to supply administrative co-ordination through
staff activities and daily operations. The preparation of the
various annual reports in the Secretariat offers an opportunity
to describe the activities and programs in perspective and in
relation to each other.[21] This is an invaluable assistance to

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[20]A. Vandenbosch and W. N. Hogan, The United Nations, p. 180.

[21]Charter, Article 98, p. 50.

the General Assembly and to the Economic and Social Council in the establishment of priorities. The Secretary-General, of course, has an important task of administrative co-ordination in securing proper organization and teamwork of the Secretariat itself.

The Secretary-General has important functions which may be described as political, meaning that they require the capacity to exercise discretion and influence in the formulation of policy. The chief source of authority regarding this can be found in Article 99 of the Charter. This article states that "the Secretary-General may bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security". Of this article Trygve Lie once stated that it conferred upon the Secretary-General of the United Nations "world political responsibilities which no individual, no representative of a single nation, ever had before".[22] This may have been a somewhat extreme point of view, but there can be no doubt that Article 99 of the Charter represented a new departure. The League of Nations Covenant had merely provided that in the event of war or threat of war, the Secretary-General should "on the request of any member of the League" summon a meeting of the Council. Article 99 does not, of course, derogate from the functions and powers of the Security Council. The purpose is to ensure that the Security Council shall have the opportunity of considering a matter within

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[22]Trygve Lie, In the Cause of Peace (New York: MacMillan, 1954), p. 39.

its competence, even if no state takes the formal step of re-
questing such consideration.

Another way in which the Secretary-General exercises a
political influence is through the annual report on the work of
the organization. This is prepared each year prior to the open-
ing of the regular session of the General Assembly, and it
serves as one basis for the opening debates and statements of
policy. The report is more than a routine summary. It states
the main issues, with the Secretary-General's own opinions and
recommendations.[23]

In addition to presenting his annual report, the Secretary-
General may propose items for the agenda of the General Assembly,
the Security Council, and the Trusteeship Council. He prepares
the provisional agenda for these organs and for the Economic and
Social Council, and he may make written or oral statements to
them. Thus he is in a position to exercise initiative and in-
fluence by making proposals, effecting the establishment of prior-
ities, and advocating the viewpoints which he considers appro-
priate.[24]

The representational function of the Secretary-General
arises from the fact that he is the only person who stands for
the United Nations as a whole. All the other organs are composed

[23]These reports were found to be an excellent source of
information on the accomplishments and problems of the United
Nations from year to year.

[24]See A. Cordier, "The Role of the Secretary-General" in
R. N. Swift, ed., Annual Review of United Nations Affairs, 1960-
1961 (Dobbs Ferry, N. Y.: Oceana Publications, 1962), pp. 1-14.

of a number of members and each has a special area of responsi-
bility. The delegations, of course, speak only for individual
countries. There is only one Secretary-General, however, and he
is concerned with the entire Organization.

The Secretary-General represents the United Nations in
negotiations with the other agencies and with governments, and
his office is the normal channel of communication with the
United Nations. The Charter provision that "the Secretary-General
shall act in that capacity in all meetings of the General Assem-
bly"[25] and the three Councils is an assurance that there will
not be a tendency for each organ to develop its own little
secretary-general. In addition, the fact that the staffs serving
these organs are a part of the Secretariat underscores the inten-
tion and practice of giving the Secretary-General an important
central place in the work of the United Nations. Also, under
Article 98, during the past decade, policy-making organs have
increasingly entrusted the Secretary-General with diplomatic
and operational functions.

The position of the Secretary-General, with the functions
and powers indicated above, gives an opportunity for leadership.
The powers granted in the Charter are stated in broad terms and
are not unduly restrictive in the development of this office.

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[25]Charter, Article 98, p. 50.

The Evolution of the Office of the Secretary-General[26]

To understand and explain the evolution of the political

and diplomatic role of the Secretary-General in the work of the

United Nations, it is necessary to consider a variety of factors.

These factors include the provisions of the United Nations Charter,

the way these provisions have been interpreted and have been

applied in reference to varying needs and circumstances, the

nature of the Organization itself, and, not of least importance,

the extent to which the Secretary-General was able to gain the

confidence of member governments.

As indicated earlier,[27] the Charter of the United Nations

provides a much more favourable legal basis for the development

of an important political and diplomatic role for the Secretary-

General than did the League Covenant. Of equal importance to the

actual provisions of the Charter in explaining the evolution of

the Secretary-General's role is the manner in which these provisions

have been interpreted. While Sir Eric Drummond took a narrow view

of his powers under the Covenant,[28] successive Secretaries-General

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[26]For the purposes of this thesis, the development of the
Secretary-General as a political and diplomatic instrument is
stressed. Less attention will be paid to his role in the develop-
ment of policy generally. Rather, attention will be given to the
role of the Secretary-General in the discharge of one of the major
responsibilities of the United Nations -- the maintenance of
international peace and security. Consequently, the role of the
Secretary-General in developing and executing policies and pro-
grammes of economic and social development, which has come to be
one of the major fields of activity of the Organization, will not
be discussed.

[27]See above, p. 107.

[28]See above, p. 105.

of the United Nations have interpreted their powers liberally.

Closely related to the legal bases of the Secretary-General's Charter powers, and helping to explain the liberal way in which they have been interpreted, is the conception of the nature of the Organization which has gained wide acceptance. As Dag Hammarskjold pointed out in the introduction to his 1961 report, there have been two competing views regarding the nature of the United Nations. On one hand, it has been regarded as "static conference machinery" for resolving conflicts, while on the other hand, it has been viewed as:

> a dynamic instrument of governments through which they, jointly and for the same purpose, should seek such reconciliation but through which they should also try to develop powers of executive action, undertaken on behalf of all members, and aiming at forestalling conflicts and resolving them, once they have arisen, by appropriate diplomatic means, in a spirit of objectivity and in implementation of the principles and purposes of the Charter.[29]

The acceptance of the latter view recognizes, in case of failure by the Security Council and General Assembly, the expanding political and diplomatic role of the Secretary-General.

Without question, a most important factor in explaining the development of the political and diplomatic role of the Secretary-General has been the political environment in which the United Nations has functioned. As mentioned, in the maintenance of international peace and security there is little doubt that the original intent of the framers of the Charter,

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[29] U. N. General Assembly, Sixteenth Session, Official Records (1961), Supplement No. 1A, p. 1.

translated into the clear terms of that document, was to make the Security Council the executive organ. It was to perform this role not only in the sense that it could take initial decisions regarding measures to be adopted, but also in that it could carry out, with the assistance of the Military Staff Committee in military measures, the detailed execution of these decisions. From the beginning, however, the Council was unable to discharge its responsibilities as initially envisaged due to the deepening divisions between the Soviet Union and the major non-Communist powers, as evidenced by the mounting number of vetoes. As a result, responsibility came to be increasingly assumed by the General Assembly. The "Uniting for Peace" resolution represented a forthright assumption by the General Assembly of responsibility in this area.

The General Assembly, however, lacked the powers of the Security Council, more particularly the power to take decisions binding on member states. Furthermore, the Assembly by its very nature -- its size, the variety of interests represented, and its operating procedures --[30] was incapable of exercising its powers, directly and continuously. Thus in dealing with the Greek, Palestine, and Korean questions, it established subsidiary organs to perform certain duties continuously and, to the extent necessary, on the spot.

In 1956, however, when called upon to deal with the

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[30] See S. D. Bailey, The General Assembly of the United Nations, pp. 70-130.

outbreak of hostilities in the Middle East, it requested the Secretary-General to act on its behalf in performing functions which it could not carry out itself. This was not the only course open to the Assembly -- it might have followed its earlier practice of appointing a person outside the Secretariat or setting up a committee or commission to do the work. No doubt the confidence which Mr. Hammarskjold had inspired in discharging earlier responsibilities was an important factor in explaining this decision.[31]

In the introduction to his 1959 report, Mr. Hammarskjold, commenting on the developing functions of the Secretariat, and the decisions of the General Assembly and the Security Council delegating various tasks to the Secretary-General, sought to reassure those who might be somewhat disturbed by this trend by asserting that "these decisions should not, of course, be considered as setting precedents changing the constitutional balance among the various organs of the United Nations".[32] It would seem quite clear, however, that the constitutional balance initially envisaged by the authors of the Charter was in process of change from the very beginning as the result of the impotence of the Security Council and the subsequent assumption of growing responsibilities in the peace and security field by the General Assembly. In addition, Mr. Hammarskjold on numerous occasions,

[31]H. Green, "Suez and the U. N.", Nation, CLXXXIII, No. 13 (September 29, 1956), 259.

[32]U. N. General Assembly, Fourteenth Session, Official Records (1959), Supplement, No. 1A, p. 5.

made it clear that the powers he was exercising flowed from his interpretations of his responsibilities as Secretary-General under the Charter and did not have their necessary basis in decisions of the Security Council or the General Assembly.

Another aspect of the postwar political environment influencing the development of the Secretary-General's role has been the political awakening of Asia and Africa, the liquidation of colonial rule, and the emergence of new independent states, all desirous of becoming members of the United Nations. This, to a certain degree, has resulted in a changed balance of influence in the Organization, and in a great increase in the relative influence of members with an interest in using the Organization for protection against the revival of imperialism as well as for development purposes. Furthermore, these new states generally seek to avoid involvement in the Cold War, while at the same time, the major parties in the ideological conflict are desirous of having their good will and support.[33] The result has been an emphasis on United Nations projects and programmes that require the development and utilization of the Secretariat as the Executive of the Organization. This naturally suggests an enlarged role for the Secretary-General and his staff, not only in the carrying out of economic and social programmes, but also in laying the basis for political activity, as for instance, in the Congo.

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[33] For a complete discussion of these points, see R. A. Moore, Jr., ed., The United Nations Reconsidered (Columbia, S. C.: University of South Carolina Press, 1963), Introduction.

These new states, having only recently succeeded in achieving independence, are anxious to ensure that they remain this way. Whether it is for assistance in economic and social development or for aid in establishing the conditions of internal security and order, and providing protection against outside intervention, for the most part they prefer United Nations assistance and look to the Secretary-General as the one who can most safely be trusted with the organization and direction of that assistance.[34] This attitude not only encourages initiatives by the Secretary-General and the use of his office to carry out programmes approved by the Assembly and the Councils, but it also provides the Secretary-General himself with an important political support that he can use in defending himself against criticism by major member governments "especially those seeking some selfish advantage for themselves".[35] It is significant that Mr. Hammarskjold, in defending himself against Soviet attacks over his conduct on the Congo operation,[36] chose to appear as the defender of the small states and to make his offer of resignation to them, and that he did not, as in 1956, place his future in the hands of the major powers.[37]

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[34] For an interesting discussion of the motives for these attitudes, consult R. C. Good, "Colonial Legacies to the Post-colonial States" in R. Hillsman and R. C. Good, ed., Foreign Policy in the Sixties: The Issues and the Instruments, pp. 35-46.

[35] L. M. Goodrich, "The Political Role of the Secretary-General", p. 721.

[36] See below, p. 161.

[37] See statement before the General Assembly, April 5, 1961. U. N. General Assembly, (1961) Fifteenth Session, Official Records, p. 191.

Finally, mention should be made of the personality factor as contributing to the development of the role of the Secretary-General. Trygve Lie, during his period of service, acted on the assumption that the Secretary-General had a positive role to play and did not hesitate to express his views on controversial matters and to take initiatives on his own responsibility. Nevertheless, evidence indicates that his actual influence on the other organs and on the decisions and conduct of member governments was not very large. Mr. Hammarskjold, on the other hand, was able, through a combination of skillful diplomacy and the full exploitation of the powers vested in him, to make the office of the Secretary-General a major influence in the discharge of the Organization's responsibility for keeping the peace. His successor, U Thant, was initially in a less strong position than was Hammarskjold in his first term, since he was designated Acting Secretary-General to serve only for the remainder of Hammarskjold's second term.[38] Nevertheless, his record to date in the choice of advisers and the definition of their relations to him, in views that he has expressed in controversial matters and proposals that he has made, strongly indicate

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[38]In November, 1962, U Thant was elected Secretary-General. His mandate will expire November, 1966. He set two conditions for his candidacy: (1) He agreed to election for a regular five-year term, but only if that term was counted as having started in November, 1961. (2) He insisted on an election by normal procedures. In other words, he refused to continue as Acting Secretary General. See "U Thant Asks Vote be held on 2 Conditions", Globe and Mail (November 19, 1962).

that the Secretary-General has continued to play an important independent role in the maintenance of international peace and security.

The United Nations has had three Secretaries-General: Norway's Trygve Lie, 1946-1953; Sweden's Dag Hammarskjold, 1953-1961; and, at present, Burma's U Thant, re-elected to serve until the Fall of 1966. To show how and to what extent, the political and diplomatic role of the Secretary-General has developed, I will, in the following pages, present a number of case studies of major international crises that were handled by the United Nations. Trygve Lie's period will be dealt with relatively briefly, focusing mainly on his role in the Iranian affair and the Korean crisis. A more detailed explanation and analysis will be given of Dag Hammarskjold's period in office, for I believe that during his tenure as Secretary-General, the power of this office was developed most effectively and con-spicuously. Special consideration will be given to his role in the Suez crisis and his role in the Congo. It is probably too early to make a fair and detailed evaluation of U Thant's activities as Secretary-General, but a brief summary of his contributions to-date will be presented.

Trygve Lie and the Office of Secretary-General: 1946-1953

There can be little doubt that the first Secretary-General of the United Nations, Trygve Lie, was determined to put his office on the political map. "Indeed, he can be criticized not only for trying to do this in too hasty and brash a manner, but

also for devoting a disproportionate amount of his time to this side of his responsibilities, giving inadequate attention to the administrative duties that were his."[39]

By the choice of Trygve Lie, members of the Organization made it quite clear that they expected the Secretary-General to have an important political role, as Mr. Lie's past experience and personal qualities -- seemingly well known to most member governments -- gave assurance that he would not be content with the passive role that Sir Eric Drummond had accepted.

The background Trygve Lie brought to the position of Secretary-General was mainly political. In 1935 he was elected to the Norwegian parliament. He served as Minister of Justice for four years and as Minister of Trade, Industry, Shipping and Fishing from 1939 to 1940. When the Nazis seized Norway in 1940, Trygve Lie was appointed Foreign Minister of the government-in-exile in London. Following the war, he continued as Foreign Minister and was associated with the United Nations from its inception. Trygve Lie headed the Norwegian delegation to the San Francisco conference in 1945.

Mr. Lie, in a subsequent account of his years as Secretary-General, says that in taking office he "had no calculated plans for developing the political powers of the office of Secretary-General", but that he "was determined that the Secretary-General should be a force for peace". He indicated that he was fully

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[39] A. M. James, "The Role of the Secretary-General of the United Nations in International Relations", p. 623.

aware of the limits imposed upon himself -- "limits of the
Charter's text and, even more, the limits imposed by the reali-
ties of national and international life".[40] Within a few
months of taking office, Mr. Lie entered the field of contro-
versy by intervening in the proceedings of the Security Council
to tender a legal opinion which favoured the case being put by
the Soviet Union in the Iranian dispute. The intervention
annoyed the United States.

In the course of the Council's consideration of Iran's
complaint that the Soviet Union was keeping troops upon her
territory, in violation of certain treaty obligations, Iran
suddenly withdrew the charges, announcing that amicable nego-
tiations with the U.S.S.R. were in progress. The Soviet Union,
thereupon, took the position that the withdrawal of the complaint
by the party which had requested its consideration by the Council
removed the complaint from the Council's agenda, especially since
the accused party also requested that the item be dropped from
the agenda. An eight-member majority disagreed.

The real problem underlying this controversy was Article
99 of the Charter, under which "the Secretary-General may bring
to the attention of the Security Council any matter which in his
opinion may threaten the maintenance of international peace and
security". As mentioned previously, this article certainly gives
the Secretary-General an important and far-reaching right of

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[40]T. Lie, In the Cause of Peace, p. 42.

political initiative, the exercise of which is left entirely to the discretion of the individual occupying that office. The Report of the Preparatory Commission states that "the responsibility which Article 99 confers upon the Secretary-General will require the exercise of the highest qualities of political judgment, tact, and integrity" and points out that Article 99 "confers a special right which goes beyond any power previously accorded to the head of an international organization". It states also that "it is impossible to foresee how this article will be applied".[41]

Already Rule 48 of the Provisional Rules of Procedure of the General Assembly gives the Secretary-General the right, at any time, upon invitation by the President, to make to the General Assembly either oral or written statements, concerning any question which is being considered by the General Assembly. The Provisional Rules of Procedure prepared for the Security Council by the Preparatory Commission lacked provision for the Secretary-General to address written or oral communications to the Council. The problem of the range of Article 99 came up in the Iranian case.[42]

Mr. Lie decided to enter into the controversy between the Soviet Union and the United States as to whether the question should be retained on the Council's agenda, which the former

[41] Report of the Preparatory Commission, XX (December 23, 1945), 87.

[42] H. G. Nicholas, The United Nations as a Political Institution, pp. 47-48.

opposed and the latter favoured. He made known his disagreement
with the United States view, both in a Memorandum to the Presi-
dent of the Security Council and by a personal intervention in
the Council proceedings. No sooner had he taken these actions,
than his intervention became the topic of a controversial, and
sometimes bitter, debate on the competence of the Secretary-
General to take this approach.

The Soviet delegation supported his right to intervene,
upon his own initiative as well as at the invitation of the
Council. The United States delegate, on the other hand, said he
was "not at all sure that the Charter can be construed as author-
izing the Secretary-General to make comments on political and
substantive matters". The British delegate inclined to the view
that the members should "let experience show how the powers of
the Secretary-General should be put into practice".[43]

The Memorandum of the Secretary-General was subsequently
referred to the Council's Committee of Experts. The point at
issue here was established very quickly by the Committee: "[it]
. . . resolved itself largely into whether his interventions would
be at the pleasure of the President of the Security Council or at
the discretion of the Secretary-General."[44] The report of this
Committee was unanimously adopted in June 1946. The text adopted
read: "The Secretary-General, or his deputy acting on his behalf,

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[43]The foregoing account, and quotations are derived from
T. Lie, In the Cause of Peace, pp. 87-88.

[44]Committee of Experts, Summary Record of the 47th meet-
ing, Document S/Procedure/100.

may make either oral or written statements concerning any question under consideration by the Security Council." The Committee of Experts went on to draft a second rule, which stated: "The Secretary-General may . . . be appointed as rapporteur for a specified question." The Committee's Report included a provision that the Secretary-General's appointment as a rapporteur would require his "approval and consent", so as to avoid imposing upon him "duties of political mediation" which might in his view impair his "impartial position".[45] These rules,undoubtedly, stood as a recognition by the Security Council of the Secretary-General's mediatorial and political capabilities.

Intervention in a political dispute, so early in the Organization's history, involved a decision on the part of the first Secretary-General to take initiatives of his own "calculated to develop the United Nations as an instrument for international co-operation, with an impartially functioning executive arm".[46] Mr. Lie described his attitude in a letter to a friend discussing the Iranian question, when he said that he had "tried to look at the matter as might a Foreign Minister of Norway confronted with a hypothetical case".[47] Some years later, Mr. Hammarskjold used somewhat similar terms stating that "often the Secretary-

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[45] Committee of Experts, Summary Record of the 51st meeting, Document S/Procedure/106.

[46] Quoted in J. P. Lash, "Dag Hammarskjold's Conception of his Office", International Organization, XVI (Summer 1962), 545.

[47] T. Lie, In the Cause of Peace, p. 8.

General has had to go into action where formerly a third government would have functioned, but where in this day and age, with present complex relations between governments, it has appeared simpler and more effective to turn to the Secretariat of the United Nations".[48]

Following this Iranian episode, Trygve Lie seems to have proceeded with much greater caution,[49] although he did not completely cease his public participation. In 1947, he urged the session of the General Assembly to take steps to obtain compliance with a resolution adopted the year before, which requested the withdrawal of ambassadors and ministers from Franco Spain. But the Assembly not only did not accede to his request, it failed to reaffirm the resolution.

In the summer of 1948, Mr. Lie resumed his intervention and, at the same time, brought forward a more modest goal for the United Nations of mediation and conciliation. In his report to the 1948 session of the General Assembly, he endorsed the Marshall plan, and urged the creation of a United Nations guard. Later in the year, Mr. Lie joined with Dr. Herbert Evatt, President of the Assembly, in urging the great powers to make one more effort to reach agreement on the Berlin question. This was after

[48] D. Hammarskjold, "Why the United Nations? An Answer.", Address to the Norwegian Association for the United Nations, University of Oslo (June 3, 1958), pp. 25-26.

[49] It should be noted here that the Security Council did not accede to Mr. Lie's request to remove the Iranian question from its agenda. As far as could be determined, it is still on the agenda now.

the Soviet Union had vetoed a Security Council resolution request-
ing it to lift the blockade. Lie then joined the "neutrals" on
the Security Council in proposing a solution for the Berlin
currency question, which ostensibly was the reason for the Soviet
blockade, but it was rejected by the Western powers.

At the same time, Mr. Lie did not hesitate to take an
active part in and make plain his views on the more public,
important, and controversial matters of this period, such as the
Palestine case and the question of Chinese representation. The
Secretary-General's "Twenty-Year Programme for Achieving Peace
through the United Nations" must also be mentioned in this
connection, in furtherance of which Mr. Lie visited Washington,
London, Paris, and Moscow in the second quarter of 1950.[50]

The taking of such public stands could not but result in
the Secretary-General finding himself in increasingly unsatis-
factory positions and his continued holding of the office became
a controversial issue. His biggest problems developed, however,
when he became involved in the Korean question. Mr. Lie's ini-
tiative in the Korean question is an important event in the
development of the Secretary-General's office, especially when
viewed in the context of the expansion of its political authority.

After receiving news of the Korean invasion on June 24,
1950, he at once cabled the United Nations Commission in Korea

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[50]For a more detailed discussion of all these events, con-
sult L. M. Goodrich and A. P. Simons, The United Nations and the
Maintenance of International Peace and Security, pp. 52-58, and
T. Lie, In the Cause of Peace.

requesting a report. Prior to the Emergency Meeting[51] of the

Security Council, Mr. Lie came to a decision crucial to his

career, his office, and to the United Nations. The Secretary-

General could have contented himself with formally presenting

to the Security Council the report which he had received from

the United Nations Commission in Korea. But he chose a bolder

role, highly charged with political connotations. Mr. Lie

addressed the Council, at the very beginning of its meeting,

before the members had stated the policies of their governments,

and he declared:

> It [is] plain that military actions have been
> undertaken by North Korean forces. These actions
> are a direct violation of the Resolution of the
> General Assembly . . . as well as a violation of
> the principles of the Charter. The present situ-
> ation is a serious one and is a threat to the
> international peace. The Security Council is,
> in my opinion, the competent organ to deal with
> it. I consider it the clear duty of the Security
> Council to take steps necessary to re-establish
> peace in that area.[52]

Thus the Secretary-General labelled the North-Koreans

as the aggressors, anticipating similar action by the Security

Council; he noted the dangerous international ramifications of

the Korean events; he delivered the unsolicited and important

legal opinion that the Security Council was the "competent organ"

to deal with the Korean crisis; and he called upon the Security

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[51] Although the Korean conflict was first brought to the
attention of the Security Council by the United States, Mr. Lie
subsequently took the position that he invoked his right under
Article 99 for the first time in that matter.

[52] U. N. General Assembly, Fifth Session, 289th meeting,
Official Records (1950), p. 177.

Council to fulfill its "clear duty" to meet the aggressor's challenge.

With this statement in the Security Council, Mr. Lie anticipated and associated himself and his office with the "most determined effort the world has yet seen to give reality to the principles of collective security".[53] To a certain extent, the strength and influence of the Secretary-General were enhanced by the Korean initiative. He "established the political potency of the Secretary-General. The Secretary-General emerged as a co-ordinate arm of the Security Council's attempt to enforce collective security".[54] Moreover, his stand exceeded all others in the unmistakability of its political character, not only because it revealed the Secretary-General in the role of Organizer of an international army, but because it showed him as a foremost advocate of employing that army against the declared interests of the Soviet Union.[55]

There were other, more negative, consequences of Mr. Lie's actions in Korea, however. The Secretary-General unquestionably compromised his usefulness by his Korean policy, in so far as it depends upon his successfully avoiding a major commitment to one side or the other. Some governments had disagreed with the substance of Mr. Lie's proposals and views before.

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[53] S. M. Schwebel, The Secretary-General of the United Nations: His Political Powers and Practice, p. 104.

[54] S. M. Schwebel, The Secretary-General of the United Nations: His Political Powers and Practice, p. 110.

[55] D. Rees, Korea: The Limited War (New York: St. Martin's Press, 1964), p. 35.

Whenever he was faced with opposition, Mr. Lie did not have the resources of power and influence at his disposal that would have enabled him to give effect to his initiatives. His "was a moral power, not a physical one, and moral power in this world is not conclusive".[56] Mr. Lie's Korean initiative led to his boycott by the Soviet Union, which was a decisive factor in his resignation in 1952. It must be stressed, however, that this boycott reflected a disapproval of the posture Lie had taken in the Korean affair, but it did not necessarily represent a denial of his right as Secretary-General under the Charter to take important political initiatives.

Several authors seem to feel that even had Mr. Lie not been prone to make clear what he thought the attitude of the United Nations ought to be on controversial questions, it is open to some doubt whether he would have been able to win the confidence of the Organization's members. His general attitude towards international relations, as revealed in the Introductions to his Annual Reports on the work of the Organization, was one "which was unlikely to lead foreign offices to place very much reliance on his judgment and perspicuity".[57] Mr. Lie seemed to focus on the "desirable" in international politics, rather than on the "necessary, continuous adjustment of interests".[58] Often,

[56]T. Lie, In the Cause of Peace, p. 42.

[57]A. M. James, "The Role of the Secretary-General of the United Nations in International Relations", p. 624.

[58]A. M. James, "The Role of the Secretary-General", p. 624.

therefore, Mr. Lie would make unrealistic claims for the United Nations. To take one example, in 1948, he wrote about the United Nations that it is "the chief force that holds the world together against all the conflicting strains and stresses that are pulling it apart".[59] The following year he wrote of an "important reason for the growing strength of the United Nations. This is the evolution of the General Assembly into one of the strongest forces for peace that the world has ever seen . . . its sessions have become the supreme testing ground of the policies of member nations."[60] To speak of the United Nations in such unrealistic terms must have resulted in some hesitation among member states to accept Mr. Lie's appraisals of existing situations.

Professor Goodrich believes that Mr. Lie, while staying entirely within the Charter law, "sought to provide leadership too openly and independently" and without "sufficient care to have the support of those whose approval was necessary".[61]

Another, and perhaps more important, reason why Mr. Lie encountered difficulties in seeking to develop the potential of his office was the fact that "at that early stage of the Organization, the governments, jealous of their prerogatives as members of the political organs, felt little need for an active political

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[59] U. N. General Assembly, Third Session, Official Records (1948), Supplement, No. 1.

[60] U. N. General Assembly, Fourth Session, Official Records (1949), Supplement, No. 1.

[61] L. M. Goodrich, "The Political Role of the Secretary-General", p. 724.

role by the Secretary-General".[62]

Strong Soviet opposition to Mr. Lie caused principally by his stand on Korea, prevented the Security Council from recommending his re-appointment for another term. In view of the deadlock in the Council, the General Assembly decided to continue Mr. Lie in office for a period of three years, but the Soviet Union refused to deal with him. After Mr. Lie's resignation in 1953, Mr. Hammarskjold was appointed in his place. It is perhaps significant that a choice of Mr. Lie's successor fell not on another political figure, but on a career civil servant and expert economist.

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[62]E. Stein, "Mr. Hammarskjold, the Charter Law and the Future Role of the United Nations Secretary-General", American Journal of International Law, CVI (January 1962), 23.

THE ROLE OF THE SECRETARY-GENERAL: II

Background

Dag Hammarskjold, who was appointed Secretary-General in April 1953, came to his position following a distinguished career in international affairs and economics. At the age of 31, after having served one year as Secretary in the National Bank of Sweden, Mr. Hammarskjold was appointed to the post of Under-Secretary of the Ministry of Finance. He concurrently served as Chairman of the National Bank's Board, from 1941 to 1948. Early in 1945, he was appointed an adviser to the Swedish cabinet on financial and economic problems which arose as a result of the war and the post-war period.

During these years, Mr. Hammarskjold played an important part in shaping Sweden's financial policy. In 1949, he was appointed Under-Secretary of the Foreign Ministry, and in 1951 he joined the Cabinet as Minister without Portfolio.

Dag Hammerskjold was a delegate to the Paris conference in 1947 when the Marshall plan machinery was established. He was his country's chief delegate to the 1948 Paris Conference of the Organization for European Economic Co-operation. He was Vice-Chairman of the Swedish delegation to the sixth regular session of the United Nations General Assembly in Paris and was Chairman of his country's delegation to the seventh session in

New York in 1952-1953. Generally, he was considered to be a
brilliant administrator, a technician rather than a politician.[1]

Dag Hammarskjold's Conception of his Office

In one of his first declarations as Secretary-General,
Dag Hammarskjold said that no part of his task was "more
challenging than the one which consists in trying to develop all
the potentialities of that unique diplomatic instrument which
the Charter has created in the institution called the Secretary-
General of the U. N."[2] This declaration could have served as a
warning to those who had voted for his election on the assump-
tion that he would be an unobtrusive behind-the-scenes adminis-
trator, "a sort of confidential clerk", as he remarked to an
interviewer at the time.[3]

Despite the fact that in his first year as Secretary-
General, he was devoted to administrative responsibilities, he
saw his job from the outset as a political one. Administration
was only "a tool" he said, and "this is a political job and I
am a political servant".[4] Although he affirmed the political

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[1]For a detailed description of Hammarskjold's background
and experience, see R. I. Miller, Dag Hammarskjold and Crisis
Diplomacy (New York: Oceana Publications, 1961), pp. 14-17.

[2]D. Hammarskjold, Address to the American Association
for the United Nations [A. A. U. N.] (New York, United Nations:
Office of Public Information, Press and Publications Bureau,
September 14, 1953), Press Release SG/336, p. 2.

[3]A. M. Rosenthal's account of a Talk with the Secretary-
General in 1953, published in New York Times (September 19,
1961).

[4]A. M. Rosenthal, New York Times (September 19, 1961).

responsibilities of his office at the very beginning of his incumbency, he did so in statements that left much room for further interpretation. He stated, for example, that the Secretary-General's job was to "listen, analyze and learn, so that he will be able to give the right advice when the situation calls for it". The Secretary-General should be "active as an instrument, a catalyst, perhaps as an inspirer -- he serves".[5]

Dag Hammarskjold emphasized the concept of the Secretary-General as the "trusted consultant" of all sides. This was particularly true in connection with the East-West conflict, which, at that time, he saw as the supreme challenge confronting the Organization. The Secretary-General was indispensable as the "link" between East and West "because in this split, this damned world split, there is nothing to take its place".[6]

The Secretary-General should not, he emphasized, unsolicitedly mix into the affairs of member states, but it was his duty to form "a most complete and objective picture of the aims, motives, and difficulties of the member nations" and on the basis of that knowledge "to seek to anticipate situations that might lead to new conflicts or points of tension and to make appropriate suggestions to the governments before matters reach a stage of public controversy".[7]

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[5] Press Conference at Idlewild (April 9, 1953).

[6] A. M. Rosenthal, New York Times (September 19, 1961).

[7] Speech to the A. A. U. N. (September 14, 1953), p. 3.

Mr. Hammarskjold also believed that he should express
his views with "full frankness" to the governments concerned
in regard to issues before the Organization. "These conclusions
must be completely detached from any national interest or policy
and based solely on the principles and ideals to which the govern-
ments have adhered as members of the U. N."[8] He conceived of
the Secretariat and the Secretary-General in their relations
with the Governments as representatives of a secular "church"
of ideals and principles in international affairs of which the
U. N. is the expression".[9]

The Secretary-General should not, in Mr. Hammarskjold's
view, force himself on governments or compete with governments
or volunteer as mediator. He must not be regarded as a sort of
international busybody. But at the same time, the "right of
initiative" given the Secretary-General under Article 99 "is im-
portant because the right implies a recognition of his respon-
sibility for action for peace, in such form as may be appro-
priate, irrespective of the views and wishes of the various
member governments".[10]

These were the terms in which Mr. Hammarskjold described
the role of the Secretary-General during his first year in
office. The more realistic approach to the position of the United

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[8] Speech to the A. A. U. N. (September 14, 1953), p. 5.

[9] Speech to the A. A. U. N. (September 14, 1953), p. 6.

[10] Speech to the National Press Club, U. N. Press Release,
SG/378 (April 14, 1954), p. 2.

Nations on the diplomatic scene made him a far more acceptable

Secretary-General to the member nations than his predecessor.

To an audience at Ohio University he said:

> The legislative process in the United Nations is
> not a substitute for diplomacy. It serves its
> purpose only when it helps diplomacy to arrive at
> agreements between the national states concerned.
> It is diplomacy, not speeches and votes, that
> continues to have the last word in the process
> of peace making . . . The United Nations, despite
> some formal resemblances, has none of the powers
> of a world government or parliament. It is a
> framework for diplomatic operations. The power
> of decision . . . remains with the member govern-
> ments.[11]

This has been a frequent theme of Mr. Hammarskjold's

public pronouncements and, in particular, he has warned states

against the belief that voting victories in the General Assembly

are in themselves of great value; they are, he once told them,

"likely to be illusory unless they are steps in the direction

of winning lasting consent to a peaceful and just settlement

of the question at issue".[12] A year after taking office, Mr.

Hammarskjold stated: "I am afraid that . . . leading govern-

ments too often forget that the United Nations has a less

dramatic, but more frequently useful role to play in world

affairs. This role is to serve as a complement to the normal

diplomatic machinery of the governments, adding a much needed

multilateral weapon to the arsenal of diplomacy".[13]

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[11] Quoted in _United Nations Bulletin_ (May 15, 1953), p. 26.

[12] U. N. General Assembly, Nineth Session, _Official Records_ (1954), Supplement, No. 1, Introduction.

[13] Quoted in _United Nations Bulletin_ (June 1, 1954), p. 17.

The term "quiet diplomacy" has really become the phrase which is most closely associated with Mr. Hammarskjold. Very shortly after his election he was insisting that while it is most necessary that a measure of publicity should accompany diplomatic exchanges, it should not illuminate the whole process, for that would almost certainly lead to what a delegate to the United Nations had called "frozen diplomacy".[14] To this theme Mr. Hammarskjold frequently returned, urging that importance of supplementing the public diplomacy of conference chambers with the private exchanges of corridors and suites. He did not fail to emphasize that the United Nations is eminently suited for this purpose, with its bringing together of delegates from nearly all states.

Dag Hammarskjold believed it to be in keeping with the philosophy of the United Nations Charter that the Secretary-General "should be expected to act without guidance from the General Assembly or the Security Council should this appear to him necessary towards helping to fill any vacuum that might appear in the systems which the Charter and traditional diplomacy provide for the safeguarding of peace".[15]

Thus, in addition to what might be called his normal diplomatic activity -- the conferring with permanent represen- tatives and delegates to the United Nations -- and, in addition, of course, to his heavy administrative responsibilities, the

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[14]Canada's Lester B. Pearson

[15]Quoted in United Nations News (July 28, 1958), p. 35.

Secretary-General considered himself free to take any action he considered necessary to solve a problem, whether he had been asked to do so or not.

Dag Hammarskjold as Secretary-General: 1953-1961

The first of Mr. Hammarskjold's newsworthy missions began late in 1954 when he was asked by the General Assembly to seek the release of any men and of eleven United States airmen in particular, who were detained in China as a consequence of their participation in the Korean war. His endeavours towards this end included a visit to China, and the release of the airmen in the following summer was probably due in large measure to his efforts.[16]

The most interesting. and noteworthy development in this case, however, was the so-called "Peking Formula". His discussions with Chou En-Lai were held not on the basis of the General Assembly resolution regarding the imprisoned airmen, which Peking rejected, but on the basis of the authority of the Secretary-General under the Charter.

The "Peking Formula" meant:

If an organ of the United Nations asks the Secretary General to do something and does so without delegating its authority, he has only the authority vested in him under the Charter, although he is, of course, guided by the resolution. On Peking's side the attitude was "we don't care a damn about your instructions, but we recognize your authority. You are an independent organ of the U. N. What your relationship is to the Security Council or the

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[16]A detailed account of his visit to China can be found in R. I. Miller, Dag Hammarskjold and Crisis Diplomacy, Chapter II.

General Assembly is your business." I would
take a very dim view of such governments starting
to discuss my relationship to the Council or
Assembly.[17]

In 1956 the Security Council gave Mr. Hammarskjold the
job of bolstering the shaky armistice regimes in the Middle
East. Mr. Hammarskjold, in welcoming the mandate, was careful
to note that the specific responsibility placed upon him by the
request neither detracted from nor added to the authority of the
Secretary-General under the Charter.[18] He considered himself to
be acting in two capacities. He was the agent of the Council
with a clearly defined mandate, but the Secretary-General always
remained Secretary-General and, as such, had the unlimited right
under the Charter to bring up with the parties any matter
affecting peace or security.

While Mr. Hammarskjold played an important positive
political role during these early years, his emergence as an
independent political force, serving not only as the agent of
member governments, but also as the faithful exponent of United
Nations purposes and principles, became clearly established with
the Middle East crisis of 1956. First of all, it is to be noted
that the Secretary-General, by his statement before the Security
Council on October 31, 1956,[19] made it clear that he would only

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[17]Quoted in J. Lash, "Dag Hammarskjold's Conception of his
Office", p. 548.

[18]See Document S/PV 722 (April 4, 1956), paragraph 51.

[19]U. N. Security Council, Eleventh Year, 751st meeting,
Official Records (October 31, 1956), pp. 1-2.

serve on the basis of full acceptance and respect for the pur-
poses and principles of the Charter, and that if the member
governments, more particularly the permanent members of the
Security Council, were not prepared to act on the same assump-
tion, they could draw the necessary consequences. Furthermore,
the resolutions, adopted by the General Assembly after the
question of Israeli, British, and French military action had
been submitted to that organ in accordance with the "Uniting
for Peace" resolution, placed important responsibilities on the
Secretary-General to secure the implementation of the Assembly's
request for a cease-fire.[20] He was also expected to undertake the
organization and direction of a United Nations force to facili-
tate that withdrawal and assist in creating conditions favourable
to peace.[21]

An appraisal of a fully functioning United Nations exe-
cutive may be aided at this point by a glimpse behind the scenes
at one significant moment in Dag Hammarskjold's Secretary-Generalship.
This particular example concerns the negotiations between Mr.
Hammarskjold and the government of Egypt concerning the terms
upon which the United Nations Emergency Force (UNEF) would take
up its duties in Egypt.

In the face of the Israeli-British-French invasion in

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[20] R. I. Miller, Dag Hammarskjold and Crisis Diplomacy,
p. 69.

[21] S. Hoffmann, "Sisyphus and the Avalanche: The United
Nations, Egypt, and Hungary", International Organization, XI
(Summer 1957), 449.

October 1956, the General Assembly held its first Emergency

Special Session. Acting within the limits of its authority under

the United Nations Charter, the Assembly on November 5, 1956,

recommended the establishment of a United Nations command for an

emergency international force to secure and supervise the cessa-

tion of hostilities in Egypt, and requested the Secretary-General

promptly to execute the resolution. The government of Egypt

accepted this resolution in a telegram to the Secretary-General.[22]

The next day, Mr. Hammarskjold submitted a report to the

Assembly suggesting principles to guide the functioning of such

a force. The report balanced two countervailing legal and poli-

tical issues: one, the right of the Assembly to determine the

tasks of the force and the basis on which it would fulfill its

mission; the other, the necessity for consent of the government

of the territory on which the force would be stationed or

operate.

The Report interpreted the function of the force to be

to "help maintain quiet during and after the withdrawal of non-

Egyptian troops, and to secure compliance with the other terms

established in the resolution of November 2, 1956".[23] These

terms were vague and inprecise. As recommendations, they were

subject to acceptance by Egypt.

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[22]R. I. Miller, Dag Hammarskjold and Crisis Diplomacy,
pp. 84-85.

[23]U. N. General Assembly, First Emergency Special Session,
Official Records (1956), "Second and Final Report . . . on the
Plan for an Emergency International United Nations Force", pp. 19-26.

In the course of discussions with the commander of the force, General Burns, concerning implementation of the resolutions, the Egyptian government requested clarification as to how long the force would remain in Egypt.[24] The Secretary-General replied that, while a definite reply was impossible, the emergency character of the force linked it to the liquidation of the crisis. Moreover, he said, that if different views should arise as to the ending of the crisis, the question would have to be negotiated with the parties.

The Egyptian government persisted in seeking a more definite reply. In a Memorandum dated November 11, 1956, the government noted that, since it was agreed that Egyptian consent was indispensable for the entry and the presence of the United Nations forces on its territory, "if such consent no longer persists, these forces shall withdraw".[25]

The following day, November 12, the Secretary-General reminded Egypt that the conditions motivating its consent to the entry and the presence of the force were the same as those to which the General Assembly had directed the tasks of the force. Accordingly, he assumed it would be recognized that, so long as the task was not completed, the reasons for the consent of the government remained valid, and hence withdrawal of consent prior to the completion of the task would run counter to the acceptance

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[24] "Cairo Is Cautious About U. N. Corps", New York Times (Nevember 10, 1956).

[25] O. Caruthers, "Egypt Approves U. N. Police Plan", New York Times (November 13, 1956).

by Egypt of the decision of the General Assembly. If a difference were to develop, whether or not the reasons for the arrangements were still valid, the matter would be brought up for negotiation with the United Nations. Immediately prior to the dispatch of this note, the Secretary-General and the government had agreed to publish their accord on entry of the UNEF into Egypt. In view of previous exchanges, Mr. Hammarskjold did not anticipate that his note would introduce any new difficulty.[26]

However, the following morning, November 13, Egypt advised the Secretary-General of its refusal to subscribe to his interpretation and insited that the announced agreements remain inoperative until the misunderstanding was cleared up. This message caused a further delay of the transportation of troops to Egypt by at least 24 hours.[27] The same day, Mr. Hammarskjold sent messages to Egypt making it clear that, if arrangements were permitted to break down over the principles that the troops must remain until completion of their task, he could not avoid going to the General Assembly for a decision as to what could or could not be accepted as an understanding. Egypt, thereupon, permitted the troops to arrive, thus acquiescing in, while not expressly accepting, the Secretary-General's position.[28]

In his effort to follow up the situation, in which

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[26]See R. I. Miller, _Dag Hammarskjold and Crisis Diplomacy_, pp. 102-103.

[27]T. J. Hamilton, "U. N. Delays Police Force for Mideast", _New York Times_ (November 14, 1956).

[28]O. Caruthers, "U. N. Chief Lands In Egypt, Confers With Nasser", _New York Times_ (November 17, 1956).

different stands had been maintained by Egypt and himself, Mr.
Hammarskjold was guided by the countervailing considerations
reflected in his report of November 6, referred to earlier. On
the one hand, Egypt had an undisputed constitutional right to
request withdrawal of the troops, even though initial consent
had been given. On the other hand, it now seemed possible, on
the basis of Egypt's tacit acquiescence in his own stand, to
induce that government to limit its freedom of action by agree-
ing to make a request for withdrawal of troops conditional upon
the completion of their task. Whether or not the task was, in
fact, completed would be a question which would have to be sub-
mitted to interpretation by the Assembly.[29]

The Secretary-General decided to seek an agreement
whereby Egypt would declare to the United Nations that it would
exercise its full sovereign rights with regard to the troops on
the basis of a "good faith interpretation" of the tasks of the
force. The United Nations would make a reciprocal commitment to
maintain the force so long as the task was not completed. Such
a formula, while not explicitly providing for agreement between
the United Nations and Egypt on withdrawal, came close to that
line and preserved the principle upon which Mr. Hammarskjold had
insisted. In effect, such an agreement would establish as a con-
dition for withdrawal of the troops agreement on the fact that
their task was completed. The Secretary-General proceeded to

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[29] J. P. Lash, Dag Hammarskjold: Custodian of the Brush-
fire Peace (New York: Doubleday and Company, 1961), p. 95.

Capodachino, the UNEF staging area in Italy and, during the night
of November 15-16, elaborated a draft text along these lines.[30]

During the evening and night of November 17, he met with
President Nasser of Egypt for seven hours, their discussion being
limited virtually to this one issue. The President made clear to
the Secretary-General that he fully understood that the question
of the extent of the task would become decisive for the relations
between Egypt and the United Nations and that this would deter-
mine Egypt's political freedom of action. The definition of the
task in the Assembly resolutions was very loose, hence Egypt
would be accepting a far reaching and unpredictable restriction.[31]

In the face of President Nasser's great reluctance, Mr.
Hammarskjold felt obliged, in the course of the discussion, to
threaten several times that, unless an agreement of this type was
made, he would have to propose the immediate withdrawal of the
troops. An aide-memoire embodying his point of view was accepted
by Egypt and reported to the General Assembly, which approved it
without dissent on November 24, 1956.[32]

It is clear, then, that in this situation as in so many
others, the Secretary-General was required to find a balance

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[30]See R. I. Miller, Dag Hammarskjold and Crisis Diplomacy,
p. 106.

[31]See W. R. Frye, A United Nations Peace Force (New York:
Oceana Publications, 1957), p. 30.

[32]U. N. General Assembly, Eleventh Session, Official
Records (November 20, 1956), "Annex to Report of Secretary-General
on Basic Points for the Presence and Functioning in Egypt of the
UNEF", A/3375.

between the rights of national sovereignty and the legitimate concerns of the international community. This he was able to do through the skillful exercise of all the attributes of a unified executive.

Mr. Hammarskjold's success in the Middle East in 1956 and 1957 undoubtedly encouraged him to develop further his peace-keeping role when trouble broke out in Lebanon in 1958. This time the Soviet Union and the United States were on opposite sides, with United States intervention in Lebanon being attacked by the Soviet Union as a violation of the Charter. After the Soviet representative on the Security Council had vetoed the Japanese draft resolution proposing an increase in the United Nations Observer Group in Lebanon [UNOGIL] to facilitate American withdrawal, Mr. Hammarskjold proceeded on the basis of his own liberal interpretation of the relevant Charter provisions and of the views expressed by the representatives of governments to do on his own responsibility what the draft resolution would have authorized him to do if it had been adopted. Furthermore, he made it clear that the purpose of the Observer Group was to protect Lebanese independence as well as to prevent infiltrations from outside. The latter had been the declared purpose of the Security Council in establishing UNOGIL.[33]

It is interesting to note here, that in the Suez crisis there were dissents from the way Mr. Hammarskjold read the basic

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[33]T. J. Hamilton, "Hammarskjold Reports Observation Group Is Off to Good Start", New York Times (June 27, 1958).

Assembly resolutions calling for a cease-fire, withdrawal, and the establishment of the UNEF. The objections came from Israel, Britain, and France. At no time were these three countries able to muster a substantial vote in support of their own reading of the relevant resolutions. At all times, Mr. Hammarskjold had the backing or acquiescence of more than two-thirds of the Assembly, including the United States and the Soviet Union. In the Lebanese crisis, although the Soviet Union had vetoed a resolution enlarging UNOGIL, it did not protest Mr. Hammarskjold's decisions to strengthen UNOGIL in line with the vetoed resolution. Its objection had been to the omission from the resolution of a demand for the immediate withdrawal of United States troops from Lebanon.[34]

In the introduction to his report for 1958-1959, Mr. Hammarskjold undertook to expound his views regarding the changing political role of the United Nations, and more particularly, that of the Secretary-General. He noted that while

> the statement of objectives in the Charter is binding and so are the rules concerning the various organs and their competence . . . it is not necessary to regard the working methods indicated in the Charter as limitative in purpose . . . The United Nations, as a living organism, has the necessary scope for a continuous adaptation of its constitutional life to the needs of the Organization.[35]

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[34] For a discussion of these points, see R. I. Miller, Dag Hammarskjold and Crisis Diplomacy, Chapter VI, and D. A. Schmidt, "Dulles sees Gain by U. N. in Lebanon", New York Times, (July 2, 1958).

[35] U. N. General Assembly, Fourteenth Session, Official Records (1959), Supplement, No. 1A, p. 2.

In this connection, he called attention to the "special diplomatic and operational functions" with which the Secretary-General had been entrusted by various decisions of the General Assembly and Security Council, and to instances where he had dispatched personal representatives at the request of governments without authorization by the Assembly or the Council. Mr. Hammarskjold concluded:

> Thus the wider functions, which in specific cases have been exercised by the Secretary-General, fully maintain the character of the United Nations as an Organization whose activities are wholly dependent on decisions of governments. On the other hand, the development reflect an incipient growth of possibilities for the organization to operate in specific cases within a latitude of independence in practice given to it by its member governments for such cases.[36]

His intervention in Laos in 1959 was the clearest case of this so-called "preventive diplomacy". He intervened at the request of the Royal Laotian Government without any formal mandate from the Council or Assembly.[37] His letter to Council members informing them of his intentions stated that he would leave behind in Laos a personal representative. "The legal basis for a decision to leave a personal representative in Laos, apart from the consent of the Government of Laos," he wrote, "would be the general responsibilities of the Secretary-General regarding developments which might threaten peace and security, combined

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[36]U. N. General Assembly, Fourteenth Session, Official Records (1959), Supplement, No. 1A, p. 3.

[37]M. Hornady, "Hammarskjold Sees Laotian Envoy", Christian Science Monitor (August 20, 1959).

with his administrative authority under the Charter".[38]

It was in July 1960 and the months following that, the Secretary-General's political role assumed its most advanced and, at the same time, controversial form. While this marked the first formal use of Mr. Hammarskjold's power under Article 99 of the Charter, the special significance of the Congo experience did not lie in this fact. Rather, it lay in the wide discretionary powers which were vested in the Secretary-General by the resolutions of the Security Council and the General Assembly, the failure of these organs to give the Secretary-General specific directives for dealing with rapidly changing and unanticipated circumstances, and, in the absence of these directives, the willingness of the Secretary-General to look in other directions for guidance and in effect to make himself an independent interpreter and executor of the will of the Organization.[39]

In July 1960, the Secretary-General was requested to provide military assistance to the Central Government of the Republic of the Congo. The basic mandate is contained in a single paragraph of the Security Council resolution which reads as follows:

> The Security Council . . . decides to authorize
> the Secretary-General to take the necessary steps,
> in consultation with the Government of the Republic
> of the Congo, to provide the Government with such
> military assistance as may be necessary, until,
> through the efforts of the Congolese government,
> with the technical assistance of the United Nations,

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[38]Hammarskjold's letter, November 7, 1959, quoted in Christian Science Monitor (November 19, 1959).

[39]E. Stein, "Mr. Hammarskjold, The Charter Law and the Future Role of the United Nations Secretary-General", p. 96.

> the national security forces may be able, in the
> opinion of the Government, to meet fully their
> tasks"[40]

The only additional guidance was provided by the Security Coun-
cil's approval of principles concerning the use of United
Nations Forces drawn from the operation of the United Nations
Emergency Force in Egypt.[41]

This resolution is an obvious example to demonstrate the
extent to which the member states entrusted the Secretary-General
with tasks which required him to take action which unavoidably
may have run counter to the views of at least some of the member
states. The agreement reached on the general terms of a resolu-
tion may no longer exist when more specific issues are presented.
Even where the original resolution is fairly precise, subsequent
unforeseen developments may render controversial the action called
for under the resolution. Thus, in this case, the unanimous
resolution authorizing assistance to the Central Government of
the Congo offered little guidance to the Secretary-General when
"that government split into competing centers of authority, each
claiming to be the central government and each supported by
different groups of member states".[42]

In 1956, as was explained previously, the Secretary-
General was placed in the position of having to negotiate the

[40]U. N. Security Council, 873rd meeting, Official Records
(July 13, 1960), Document S/4387, p. 1.

[41]W. F. Frye, "Congo Policy: A Day for 'Mr. U. N.'",
Christian Science Monitor (August 22, 1960).

[42]"'Unity' Demands Greet Dag in Congo", New York Times
(July 28, 1960).

complex series of arrangements with Egypt and the other states concerned in the Suez crisis on the basis of the few broad principles laid down by the Assembly. Most of the burden was, at that time, placed on the Secretary-General. Because of the concurrence of interests of the two principal powers, the Secretary-General succeeded in retaining the essential support throughout the negotiations. In the Congo crisis, however, the initial agreement collapsed when Mr. Mobutu, after the removal of Premier Lumumba, expelled Communist diplomats from the Congo at a moment when Mr. Khruschev was on his way to the General Assembly.[43]

An analysis of the Secretaty-General's dilemma will help us to understand the position of this official in the confines of an international organization. What is the Secretary-General to do in such a case? It would be a simple solution, Mr. Hammarskjold indicated, to refer the problem back to the political organ. But so often, because of the clash of interests and positions, the required majority in the Security Council and General Assembly can not be obtained for any particular solution. Since this is frequently evident in advance of a meeting, member states conclude that it would be futile for the organs to reach a decision. Thus the Secretary-General is left to solve the problem at "his own risk with as faithful an interpretation of the instructions, rights and obligations of the Organization as possible in view of international law and the decisions

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[43]M. Rossi, "Fiasco in the Congo, New Republic, CXLIII (December 19, 1960), 8-9.

already taken."[44]

The dilemma faced by Mr. Hammarskjold in the Congo was --
should the Secretary-General, to avoid offending one or another
group of members, take the easy way out and refuse to implement
a valid decision on the ground that a specific implementation
would be opposed to positions some members took? Should he, for
example, have abandoned the operation in the Congo, because almost
any decision he made as to the composition or role of the Force
would have been contrary to the attitudes of some members as
reflected in debates or in votes, although not in a formal deci-
sion?[45]

Mr. Hammarskjold's answer, on the basis of law, was that
he could not abandon the Congo operation. He saw the crucial issue
in whether or not the Secretary-General can resolve controversial
questions on a truly international basis without obtaining the
formal decisions of the organs.[46]

On the basis of experience he believed that the Secretary-
General could do just that -- the Secretary-General could carry
out "his tasks in controversial political situations with full
regard to his exclusively international obligations under the

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[44] E. Stein, "Mr. Hammarskjold, The Charter Law and the
Future of the United Nations Secretary-General", p. 20.

[45] C. C. O'Brien clearly referred to this specific problem
in a statement issued on his departure from the U. N. and from the
Irish Foreign Service. See To Katanga and Back, Appendix III,
pp. 347-349.

[46] D. Hammarskjold, "The International Civil Servant in
Law and Fact", Address at Oxford University (May 30, 1961),
U. N. Press Release SG/1035.

Charter and without subservience to a particular national or
ideological attitude". He is not a "kind of Delphic oracle who
who alone speaks for the international community",[47] but he has
available for his tasks varied means and resources.

One can enumerate these means and resources in the follow-
ing manner. There are the principles and purposes of the Charter.
There is the body of legal doctrine and precepts (supplementing
the Charter principles) that has been accepted by states generally
and particularly as manifested in the resolutions of United Nations
organs. Of course, problems of political judgment will probably
still remain after these resources have been resorted to. In
that case, the Secretary-General must somehow reduce the element
of purely personal judgment by seeking to obtain what is regarded
as representative opinion of the Organization. He could do this,
for example, through consultations with permanent missions to
the United Nations, safeguarding himself, therefore, by diplomatic
privacy. In addition, he could rely on advisory committees, such
as those on UNEF and the Congo, composed of representatives of
the governments most directly concerned and representing diverse
political positions. To Mr. Hammarskjold, these committees pro-
vided an essential link between the judgment of the executive and
the consensus of the political bodies.[48]

The reliance on the latter two methods was compounded

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[47] Quoted in E. Stein, "Mr. Hammarskjold, The Charter Law
and the Future of the United Nations Secretary-General", p. 20.

[48] For a comprehensive discussion, see E. Stein, "Mr.
Hammarskjold, The Charter Law and the Future of the U. N. Secretary-
General", pp. 20-21.

many times by the refusal, or inability, of the Security Council

and the General Assembly to provide specific instructions. As

Mr. Hammarskjold explained at Oxford University, "unforeseen and

unforeseeable problems . . . made it necessary for [him] re-

peatedly to invite the Council to express themselves on the

interpretation given by the Secretary-General to the mandate

contained in the Security Council's resolution of July 13, 1960".[49]

As mentioned, this need for interpretation resulted es-

pecially from the politically charged situation which arose

because of the secession of Katanga and the disintegration of

the central government of the Republic of the Congo. Failure

of the Security Council to give him more specific instructions

placed upon him the necessity of choosing between two unpleasant

alternatives: refusing to proceed further unless specific in-

structions were forth coming, which required a harmonization of

member government views impossible to achieve; or, proceeding

on the basis of his best judgment reached after appropriate con-

sultations, as to the course of action most consistent with the

declared policies of the Organization and the purposes and prin-

ciples of the Charter.

Clearly, the assumption of this kind of responsibility

in situations where the important interests of major powers are

involved, carries a considerable degree of risk for the Secretary-

General. As Trygve Lie was forced to recognize, the limits of

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[49]D. Hammarskjold, "The International Civil Servant in
Law and Fact", p. 9.

the political role of the Secretary-General are defined not only
by the provisions of the Charter but also by the facts of inter-
national life. The turn of events in the Congo in late August
and early September 1960 caused dissatisfaction in the Soviet
Union, and the Secretary-General became a convenient scapegoat.[50]
Mr. Hammarskjold's tragic death in a plane crash in Africa
prevented probably a complete final showdown between the Soviet
Union and the institution called the Secretary-General, but a
few excerpts from the General-Assembly debates should suffice
to show the Soviet resentment of the actions taken by the
Secretary-General.

Soviet Foreign Minister Andrei Gromyko in a speech on
March 21, 1961,[51] to the session of the fifteenth General
Assembly stated that:

> Having without any legitimate grounds taken the
> whole affair [of the Congo] into his own hands,
> Hammarskjold began to decide on his own what
> should and what should not be done . . . He
> began to determine on his own choice which coun-
> tries should send their troops to the Congo and
> in what quantities, placed those troops under
> his own command and became, indeed, some sort of
> United Nations Field Marshal.

Mr. Gromyko further said:

> An intolerable situation has, indeed, taken shape
> in the United Nations at present where Hammarskjold,
> taking advantage of his office of Secretary-General,

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[50] B. Munn, "Russia, Hammarskjold Clash On Congo Policy",
Washington Post (September 15, 1960).

[51] The speech was given after the Soviet Union had broken
relations with Mr. Hammarskjold.

is usurping the prerogatives of its bodies,
one after another, and in some cases has acted
for these bodies trying to support them by his
own person . . . If Hammarskjold is allowed to
follow this course, he may assume himself to
be Prime Minister of a world government.[52]

In his final report to the General Assembly, Mr. Hammarsk-
jold dealt with the controversy that had arisen over the way he
viewed the rights and obligations of his office. He stated that
he had not tried to bypass the main organs of the United Nations.
He had sought their guidance when politically controversial
issues had arisen in the carrying out of Council or Assembly man-
dates. When such guidance had not been forthcoming, developments
had sometimes led to situations in which he had to shoulder res-
ponsibility for certain limited political functions, which may be
considered to be in line with the spirit of Article 99, but which
legally had been based on the decisions of the main organs them-
selves, under Article 98, and thus the exclusive responsibility
of member states acting through these organs.[53]

The controversy over this development, Mr. Hammarskjold
felt, was "only superficially related to this or that specific
action and the way in which it is considered to have been carried
through. They are also only superficially related to the choice
of means used for translating decisions into reality". The differ-
ences over executive functions "reflected basic divisions over

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[52]U. N. General Assembly, Sixteenth Session, Official
Records (1961), Supplement, No. 1A, p. 7.

[53]See Mr. Hammarskjold's statement before the U. N.
General Assembly, April 5, 1961, Official Records, p. 191.

whether the organization was to be limited to a standing diplomatic conference or to move in the direction of an organized international community".[54]

Long before the Congo crisis, Mr. Hammarskjold had envisaged the possibility that the discharge of his responsibilities under Article 99 might embroil him in conflict and that such conflict might endanger his future value as a negotiator. In such an event Mr. Hammarskjold said he would have to resign.[55]

Mr. Hammarskjold's exchanges with Soviet representatives created a vivid awareness among the small nations of their stake in the maintenance of the integrity and authority of the office of Secretary-General.[56] He had used the powers of that office on behalf of the small nations, and they rallied to his defense while he was still alive. The election of U Thant as his successor in circumstances which appear to have maintained the independence and efficiency of the executive may "perhaps have been his final service to the office which was dearer to him than his own life".[57]

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[54]U. N. General Assembly, Sixteenth Session, Official Records (1961), Supplement, No. 1A, p. 8.

[55]Speech in Copenhagen (May 1, 1959), U. N. Press Release, SG/812.

[56]In the following months, the Soviet Union continued its attack, which culminated in the Troika proposal. In this proposal the Soviet Union suggested the establishment of three Secretaries-General: one from the West, one from the Communists, and one from the "uncommitted" nations. Unanimity would be required for decisions.

[57]J. P. Lash, "Dag Hammarskjold's Conception of his Office", p. 566.

U Thant as Secretary-General

In the Fall of 1961, Mr. Hammarskjold's mantle of "quiet diplomacy" fell on the shoulders of U Thant. Mr. Thant was certainly no newcomer to the quiet art of diplomacy. As Burma's permanent representative to the United Nations since 1957, he had created for himself a reputation of being a capable negotiator.[58] Chairman of the Burmese delegation in 1959, he became a Vice-President of the General Assembly and, in 1961, he served effectively as Chairman of the Congo Conciliation Commission. It has been stated, however, that U Thant owed his position less to his administrative abilities, although they are considerable, than "to a series of accidents -- of which the most relevant is that his birthplace happens to be Burma".[59] Mr. Thant assumed office as Acting Secretary-General with its implied limitations upon his powers, since both the Soviet Union and the United States had certain reservations about the suitability of U Thant. The popular Soviet argument at that time was still the Troika proposal.[60] It has been suggested that the main reason the Soviet Union concurred in his appointment was that they did not want to antagonize the Asian countries in the United Nations. The United States, in turn, had many doubts about Mr. Thant's

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[58] J. A. Joyce, "Strength of U Thant", Christian Century, LXXX (August 28, 1963), 1047-1050.

[59] H. F. Busch, "U Thant: Inscrutable Shepherd of the U. N.", Readers Digest, LXXXIV (March 1964), 114.

[60] See Footnote 56, p. 161.

"neutrality".[61] To satisfy both powers, an arrangement was
worked out by which the Acting Secretary-General had to consult
a small group of "principal advisers" in the Secretariat who
represented the various ideologies within the United Nations.[62]

When U Thant took up the task of Secretary-General, it
was generally felt that the Secretariat had so over-extended its
independent role in the Congo conflict, that it would henceforth
be scrutinized much more carefully by the members of the United
Nations. The record of the first few years since the death of
Dag Hammarskjold, however, can hardly be read as indicating
that the Secretariat's executive activity has come to a halt.

During 1962, while neither the General Assembly nor the
Security Council debated the Katanga problem, the Secretary-
General and his staff continued to pursue the Organization's
proclaimed goal of re-unifying the Congo. The Secretariat pro-
moted the successive rounds of talk between the rebel leaders;
it drew up a plan for reconciliation; it asked all governments
concerned to put economic pressure on the regime of Mr. Tshombe;
it sought and obtained military reinforcements to strengthen the
United Nations Force in the Congo for any confrontations they
might become involved in; and, when conflict finally did come,
the Secretariat authorized the military action that brought the

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[61] A. Krock, "A Speech Which Raised Several Basic Questions",
New York Times (December 6, 1962).

[62] T. J. Hamilton, "Power and Pressing Problems", Globe and
Mail (December 4, 1962).

secession of Katanga to an end.[63]

In mid-1962, U Thant's determination to be a dynamic and forceful Secretary-General was shown once more. Mr. Thant entered into arrangements that eventually led to the installing of a small United Nations Force in Dutch West New Guinea (Irian) during the agreed period of transition from Dutch to Indonesian control. It is significant that only afterwards was the Assembly invited to comment. This approach proved also that U Thant welcomed any attempt to settle many issues outside the forum of the United Nations. The Good Offices of the United States and the United Nations were instrumental in bringing about a settlement.[64]

In October and November of 1962, the Secretary-General proved to be the only element in the United Nations Organization "that could make any significant contribution to the resolving of the Cuban crisis.[65] Both the United Nations and Mr. Thant personally emerged from this crisis with increased stature and prestige.[66]

On November 30, 1962, U Thant was officially elected as the new Secretary-General. The New York Times reported that the election meant "a personal triumph for Mr. Thant, who has followed

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[63]A. Boyd, "The Unknown United Nations", International Journal, XIX, No. 2 (Spring 1964), 206-208.

[64]See New York Times (December 6, 1962).

[65]K. Teltsch, "U Thant Asks Vote Be Held On 2 Conditions", Globe and Mail (November 19, 1962).

[66]"U Thant", Winnipeg Free Press (August 31, 1963).

and enlarged the tradition set by his predecessor, Dag Hammarsk-
jold, in 'quiet diplomacy' and in executive action. He has pur-
sued neither the Western nor the Soviet line. Under the circum-
stances, he is not only the best but also the only available
candidate capable of saving the United Nations from collapse".[67]

When Mr. Hammarskjold died, even the most fervent believers
in the United Nations were saying that his loss was irreparable,
that only once in a generation does a leader of such stature
emerge, and that the United Nations would never recover. The
fact would seem to be that under its new Secretary-General, the
United Nations has recovered remarkably well, and much of the
credit for this development belongs to U Thant. He did not
always operate under the easiest of circumstances,[68] but U Thant's
position today seems more secure than ever. In his years of
office, he does not seem to have alienated any major group while,
at the same time, his initiatives -- in such trouble spots as the
Congo, Cuba, Yemen, Cyprus -- speak well for Mr. Thant and for
the future of the Secretariat in general.

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[67]"U Thant's Election", New York Times (November 30, 1962).

[68]See "The Delicate Diplomacy of U Thant At U. N.", Ottawa
Journal (May 8, 1962).

A major problem, legal in appearance but political in sub-
stance, has come dangerously close to causing "the death of the
United Nations". This problem was the result of the refusal by
several countries (among them the Soviet Union and France) to make
financial contributions for certain peace-keeping activities. For
a detailed analysis of this problem, see H. J. Morgenthau, "The
U. N. Of Dag Hammarskjold Is Dead", New York Times Magazine (March
14, 1965), pp. 32-33ff.

Conclusion

The development of the political and diplomatic role of
the Secretary-General in the years since 1945 raises questions,
affecting not only the future of the Secretariat but also of the
Organization itself, that need serious consideration. The first
of these is whether this enlargement of the Secretary-General's
personal responsibilities to the point where, as in certain stages
of the Congo operation, he is giving practically all his time to
handling one particular matter and is called upon to make deci-
sions affecting the important interests of member governments,
is wholly to be welcomed.

While the liberal interpretation of the Charter allows
this, it does not require it. Had it not been for the great
prestige of Mr. Hammarskjold and his readiness to take on great
responsibilities in the Congo, other methods would in all likeli-
hood have been used. In earlier situations where the General
Assembly or the Security Council was called upon to deal with
critical situations, subsidiary organs were set up and utilized
to perform various peace-keeping functions on behalf of the
parent organ.

Calling upon the Secretary-General to undertake these
tasks may expose him to the risks of antagonizing influential
governments. It makes the evasion of political responsibility
by the political organs very easy, i. e., the Security Council
and the General Assembly. It places such a heavy demand on the
Secretary-General's time and energy that he may be forced to

neglect other important responsibilities resting upon him. Furthermore, as the political power and influence of the Secretary-General grows, the difficulty of finding a person to fill the job who is equally acceptable to the major governments in a politically and ideologically divided world is bound to increase.

There are definite advantages, however, in having the Secretary-General perform major political functions in the peace and security field. He is an official continuously on the job, presumably possessing qualifications of a political and personal nature which equip him for difficult diplomatic and administrative tasks. He has in the Charter a legal basis for taking initiatives and assuming responsibilities. He has at his disposal a large and well-qualified staff, representing a variety of experiences and national points of view. He is, therefore, in the position, acting directly or through his chosen representatives, to mobilize a variety of skills and experiences, and, with the traditions of an impartial and highly qualified international service to support him, to command the confidence and trust of governments.

Although the Secretary-General is dependent on governments for support, his position is not one of complete impotence. National governments may stand between him and the people they represent, but the same governments in their relations with each other do not always have common views nor speak with one voice. It is, therefore, possible for the Secretary-General to play one group against the other and, by skillful diplomacy, achieve effective support. During the Suez affair in 1956, Mr. Hammarskjold,

acting for the General Assembly, had the support of the United

States and the Soviet Union, although perhaps for different

reasons, as well as that of other members. Thus, the British and

French governments had no real alternative to yielding before

this array of power and influence. In 1960, the Soviet Union

reluctantly gave its support initially to the Congo operation,

even though it may have had some doubts as to whether the United

Nations would vigorously pursue the line it advocated of ousting

the agents of "western imperialism". Later, the Soviet Union

probably did not carry its opposition to Mr. Hammarskjold to

the full limit for fear of antagonizing the Asian and African

states that were supporting him.

It must, however, be recognized that there are limits to

the responsibilities that the Secretary-General can be expected

to assume. His political position is not sufficiently strong

to permit him to oppose a major power. "Like the pope, he has

no fighting battalions at his command",[69] and is restricted

largely to the use of skillful diplomacy. The Secretary-General

is not in the position of a popularly elected head of state who

has a large constituency to which he can appeal in case of con-

flict with rival authorities. Yet, although governments may

treat him as expendable, such treatment damages the whole organi-

zation which he represents. It is, therefore, desirable that

governments, through their actions in the General Assembly and

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[69] L. M. Goodrich, "The Political Role of the Secretary-
General", p. 731.

the Security Council, do not place upon him the responsibility

for taking decisions on questions of vital importance to them on

which they are unable to agree and are unwilling, in fact, to

accept his decision. The reverse is also true; the Secretary-

General should not willingly assume responsibilities that are

beyond his effective power and influence.

If the Secretary-General is to assume large responsibi-

lities in conducting negotiations and in supervising and

directing peace-keeping operations such as UNEF and the U. N.

operation in the Congo, it is essential for him to have adequate

political guidance. This guidance should initially come from

resolutions of the Security Council and the General Assembly.

We have seen, however, that the directions contained in such

resolutions are not always adequate for dealing with rapidly

changing and unforeseen situations. It is inevitable that

the Secretary-General should exercise a certain amount of dis-

cretion in discharging his responsibilities. Consultation

with his top advisers in the Secretariat should help inform

him of national views and other considerations to be taken into

account. The maintenance at the headquarters of the United

Nations of permanent missions by member governments provides

the Secretary-General with means of direct contact with, and

of informing himself regarding, the views of member governments.

The use of an advisory committee, composed of representatives of

governments most directly concerned, as was established by the

General Assembly in the Middle East crisis and by the Secretary-

General in 1960 during the Congo crisis, is another possible means of keeping the Secretary-General continuously informed regarding the views of governments.

  While the Secretary-General cannot escape the necessity of a personal decision if important responsibilities of a diplomatic and executive nature are placed upon him, he must realize that his position is not comparable to that of a head of state. His actual influence on a given situation is bound to be determined largely by his intelligent and skillful use of methods that are essentially diplomatic in nature, and a major concern of his must always be to act on the basis of an adequate consensus among interested governments, a consensus which he himself may well have had a major share in forming.

VI

IN CLOSING

The Charter of the United Nations, as it emerged from
the San Francisco Conference in 1945, represented a series of
compromises among states with diverse interests, varying politi-
cal, economic, and cultural backgrounds, and wide disparities in
national power. It was hoped that most of these compromises would
endure, but it was anticipated that some of them might not last.
Accordingly, many powers and functions of the Organization were
stated in general terms with the expectation that they would be
interpreted in light of future, specific situations, and provi-
sion was made in Articles 108 and 109 of the Charter for its
amendment and review. The founders of the United Nations recog-
nized at the time that the Charter was "a human rather than a
perfect instrument. It has within it ample flexibility for
growth and development, for dynamic adaptation to changing con-
ditions".[1]

During the twenty years of its existence, the United
Nations has become quite a different organization from the one
envisaged by the Charter. The functioning of the Organization
has had to be adapted to postwar conditions, many of which were

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[1]Statement by former Secretary of State, Cordell Hull,
June 26, 1945. U. S. Department of State Bulletin, XIII (July 1,
1945), 13.

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not foreseen when the Charter was drafted. None of the changes made to date, however, have been accomplished through the amending process provided by the Charter.[2] To some extent, this has been due to difficulties inherent in the process, especially to the fact that any one of the five permanent members of the Security Council could veto a proposed amendment.

The changes made thus far have been brought about in other ways. When certain provisions of the Charter have proved to be inapplicable or could not be implemented, substitute arrangements have been improvised. Other provisions have been reinterpreted in the light of developments since the San Francisco Conference. The conclusion of supplementary treaties or agreements also has made it possible to effect further changes. And last, but not least important, the organs and procedures of the United Nations have undergone an evolutionary growth through the process of trial and error.

The United Nations was designed on the assumption that the Great Powers in the alliance destined to be victors in World War II, would remain united to maintain the future peace of the world. The United Nations would be the instrument through which these powers, in co-operation with others, of course, would give effect to their mutual determination to keep the peace against any threats that might arise from some future dictator. That view of the postwar world rapidly turned out to be an illusory hope.

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[2]For the only exception, see Footnote 24, p. 40.

One might well have expected that, when the conceptual basis for the United Nations collapsed, the Organization would fall down beside it.

But the United Nations adjusted gradually to the political and power realities of the quite different world that emerged. In the absence of major power agreement in the Security Council, it drew on the Charter's authority to balance the weakness with a greater reliance upon the General Assembly. In short, the political organs of the United Nations survived and did effective work under the shadow of the nuclear arms race, despite the so-called cold war between the major powers whose unity was once presumed to be its foundation. In the political environment of the second half of the twentieth century, both technical and political reasons dictated the need for large-scale and diversified international organizations.[3] But it does not necessarily follow that the United Nations was destined to work in practice or even to survive. Indeed, its very survival may well be one of its more notable achievements to-date.

In the world of today, any breach of the peace could lead to the destruction of civilization. If we are to entertain hope to avoid this, the world must develop a reliable system for reconciling international conflict without resort to force. The United Nations is such an attempt. Peace in the world community means not an end of conflict, but an accepted system of dealing with conflict and with change through non-violent means.

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[3] An interesting discussion of this topic can be found in C. Eagleton, International Government (New York: Ronald Press Co., 1948), pp. 1-50.

Traditional bilateral diplomacy has a heavier task today
than at any time in history. But with the annual agenda of
urgent international business growing rapidly, with the birth of
more than half a hundred new nations in less that two decades,
an institution that can serve as an annual diplomatic conference
becomes almost a necessity. It is hard to imagine how one could
conduct or co-ordinate foreign affairs if one "were limited directly
through bilateral channels with the 114 nations with which we
[United States] have diplomatic relations today". The following
may serve as an example: "at the last General Assembly repre-
sentatives of 111 countries met for more than three months to
discuss, negotiate and debate. . . When the tumult and the shout-
ing had died, the General Assembly had adopted . . . 113 resolu-
tions. This is what we have come to call parliamentary diplo-
macy."[4]

Simultaneously, outside the formal agenda, the General
Assembly also has become the "world's greatest switchboard" for
bilateral diplomacy. For many of the young and small nations,
lacking a fully developed diplomatic service, the United Nations
is the main, sometimes the only mechanism available for the
conduct of their diplomacy. If there has, however, been the
development of a distinctive diplomatic method in the United
Nations, it has been the development of a number of techniques
that provided an opportunity to intermingle and balance public

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[4] A. W. Cordier and W. Foote, ed., The Quest for Peace
(New York: Columbia University Press, 1965), p. 74.

and private procedures of diplomacy.

This blending of public and quiet diplomacy gives a uniqueness to the diplomatic method of the United Nations that has been influenced by at least three factors: the growth of the role of the Secretary-General, the establishment of permanent missions, and the development of caucusing groups and blocs. Each of these three elements is, in a sense, an outgrowth of the nature of public diplomacy in the United Nations, but the significance of these elements has really been felt in the environment they have created for the development of quiet diplomacy.

As the United Nations developed and as the agenda of each organ expanded, the headquarters became the location for a continual round of meetings. Most of the members of the United Nations have permanent missions located at the seat of the Organization. It is natural that the existence of these permanent missions provided a basis for continual contact between nations. States were thus provided with another area of diplomatic contact in addition to the normal exchange of ambassadors. This existence of permanent missions, therefore, provided a convenient framework for quiet diplomacy.

With the development of the Security Council arrested, the role of the General Assembly has increased and so, too, has the role of the Secretary-General. The most significant aspect of the development of the role of the Secretary-General has been the tendency of delegates to thrust heavy responsibilities upon the Secretary-General. While the General Assembly in 1956 agreed

upon the creation of a UNEF in the Middle East, it gave the
Secretary-General the responsibility of attending to the details
involved in establishing such a force. Mr. Hammarskjold's success
in carrying out these tasks through the devices of quiet diplo-
macy, influenced the General Assembly and the other organs to
entrust even more responsibilities to him. Gradually, the Office
of the Secretary-General has developed as an important factor in
diplomatic negotiations.

The Secretary-General serves as a catalyst in facilitating
quiet diplomacy. An issue might be brought to public discussion
as was the case in the Cuban crisis in the Fall of 1962, but once
the issue was exposed, the negotiations between the United States
and the Soviet Union were not only conducted quietly between
their permanent missions, but also through the Good Offices of
the Secretary-General which served as a medium for the exchange
of views and as a source of suggestions of means for negotiation
and reconciliation.

Another element that has facilitated the development of
quiet diplomacy in conjunction with public diplomacy at the United
Nations has been the gradual evolution of caucusing groups and
blocs within the membership of the Organization. These groups
have gradually emerged as an informal diplomatic apparatus.

The United Nations has only begun to explore the variety
of techniques of diplomacy that are at its disposal to facilitate
negotiations between states. Success has been achieved in a
variety of cases. One of the most notable developments has been

in the area of what Mr. Hammarskjold called "preventive" diplomacy.

As mentioned, there is a distinct danger that the Secretary-General will become overburdened as a result of the reluctance of the Security Council and General Assembly to take action. At the same time, the expansion in United Nations membership is creating problems for diplomacy. There are more issues on the agenda, more delegates desiring to speak, more draft resolutions submitted, more amendments introduced, more votes requested, more meetings to attend, and more delegates to be consulted.

It is very difficult to predict in which direction the United Nations will continue to develop. In closing, however, a few suggestions will be presented which, if implemented, might facilitate the growth of the United Nations as a useful political and diplomatic instrument.

Diplomacy at the United Nations: Some Proposals

In the first place, every effort should be made to improve the policy-making role of the political organs, particularly the General Assembly, but also the Security Council. In the early years of the Organization, whenever an important matter came before the Security Council or the General Assembly, these bodies, almost as a matter of standard procedure, appointed committees from among their members which would investigate the problem, proceed if necessary to the scene of the controversy, and report with proper recommendations to the parent body. This practice might well be resumed. It would seem that a sub-committee of the

Security Council or a Commission of the Assembly would have been much more useful to the Secretary-General in the Congo case than an advisory committee which he had to appoint himself and which had no independent responsibility. An Assembly commission could have given the Secretary-General at least some guidance for which he asked. It must be possible to increase the role of the political organs and their subsidiary bodies in the "interplay between parliamentary operations in the United Nations political action, diplomatic negotiation, military operations and administrative measures, without impairing the basic effectiveness of the pattern of action evolved, for example, in the Congo enterprise".[5]

In the second place, the trend towards a more informal type of negotiation at the United Nations could be further encouraged by an increasing use of the President of the General Assembly. There is some precedence for this. For example, Mr. Pearson, during his Presidency of the General Assembly in the Fall of 1952, was deeply involved in efforts to achieve an armistice in Korea. A more recent example is Mr. Quaison-Sackey of Ghana, who, as President of the nineteenth session of the General Assembly, played an important role in solving the financial crisis at the United Nations.

In the third place, in dealing with controversies generally -- depending on the nature of the case and whether fact finding,

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[5]U. N. General Assembly, "Introduction to the Annual Report of the Secretary-General on the Work of the Organization", Official Records (1960).

mediation, or other tasks are called -- the political organs of

the United Nations could resort more frequently to individual

mediators and experts. The facilities for this procedure were

once in existence. On April 28, 1949, the General Assembly

established a Panel for Inquiry and Conciliation. The inter-

national Panel was to be composed of "persons who by reason of

their training, experience, character, and standing were deemed

to be well fitted to serve as members of Commissions of Inquiry

or Conciliation".[6] The Panel has been used only rarely and has

now been allowed to lapse. The Panel could be revived and

brought up to date so that the organs would have at their dis-

posal the services of distinguished individuals on whom they

could call when necessary. When such a mediator in a controver-

sial case outlives his utility, he can be replaced without an

institutional crisis.

Articles relating to the composition and use of the Panel

for Inquiry and Conciliation permit the President of the General

Assembly to appoint persons from the panel to undertake tasks of

inquiry or reconciliation, when requested to do so by the parties

to a dispute. There would appear to be no reason, however, why

the President of the General Assembly could not associate some

members of the Panel with him in any informal conciliatory work

in which he would be engaged.

There is another way in which this Panel might be used.

The United Nations Charter encourages parties to a dispute to

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[6]U. N. General Assembly, Fourth Session, Official Records
(1949), Supplement, No. 1.

attempt to settle the conflict themselves before bringing it to the United Nations. It might be suggested at times that disputing parties be encouraged to turn to the international Panel, and by agreement to secure the services of one of its members as a mediator and conciliator. If this fails, then the question could be taken to the proper organ of the United Nations. The Panel would seem to constitute a resource for peaceful settlement which could be more fully used by the United Nations.

In the fourth place, the problems that have resulted from the rapid growth of membership in the General Assembly must be overcome. The cumbersome structure of the Assembly must be streamlined. The General Assembly can never be effective by doing its work in the seven main committees, each of which is composed of over one hundred representatives. Steps must be taken to ensure that the substantive work is done in sub-committees of workable size.[7] One other suggestion might be made in this connection.

Following the opening statements by the parties to a dispute in the Security Council or the General Assembly, a Rapporteur might be appointed to negotiate with the parties. Naturally, there are times when it is desirable for the opening statements of the parties to be followed by statements on the part of other members which reveal the degree to which sentiment exists for peaceful settlement. To allow the debate to go on to the passage

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[7] See S. D. Bailey, The General Assembly of the United Nations, p. 55.

of a resolution frequently results in a hardening of positions

and an exacerbation of the conflict.[8] It might be suggested, then,

that the Security Council and the General Assembly should experi-

ment with a plan under which it would terminate debate following

the principal statements on the part of all interested parties

and at that point turn the negotiations over to a more private

treatment.[9]

These are but some suggestions to provide more opportuni-

ties for diplomacy at the United Nations. Theyindicate that the

United Nations has by no means exhausted the possibilities of

further shaping its procedures and its personnel in ways which

might aid it in gaining the confidence and trust of its members

in its work in peaceful settlement.

In conclusion, I wish to re-emphasize that it would be

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[8]For a discussion of the dangers of "forcing a vote", see
S. D. Bailey, The General Assembly of the United Nations, Chapter
VI.

[9]In this connection, it is of importance to point to psy-
chological experiments that are being conducted in industry in an
attempt to solve "intergroup hostility". In one such experiment,
the management of a large company and the leadership of an inter-
national union were confronted for two days in an attempt to
develop between them a "problem-solving relationship". Each side
was asked to formulate an image of itself and its opponent. Ex-
changes between the two sides took place to discuss the images.
Near the end of the experiment, the two parties seemed to be
"listening better to each other". The experiment showed that what
"the two groups shared in common, they were not able to recognize.
More importantly, what they shared in common, they saw as differ-
ences". For a detailed description of this experiment, consult
R. R. Blake, J. S. Mouton, R. L. Sloma, "The Union-Management
Intergroup Laboratory: Strategy for Resolving Intergroup Con-
flict", Journal of Applied Behavioral Science, I, No. 1 (January
1965), 25-57. I wish to thank Dr. J. E. Kersell for bringing this
article to my attention.

wrong to believe that the United Nations provides the only means open to states for the discussion and settlement of international disputes. Diplomats are actively involved in negotiations in many of the world's capitals, and some international problems are settled outside the United Nations by the parties involved through direct negotiations or through the agency of third parties or regional organizations. Further, wherever possible, states should try to settle their disputes themselves before bringing them before the United Nations. The indispensability of skillful and persistent diplomacy at a time when almost any international crisis or incident can escalate into a nuclear war is obvious. With the growing realization of this fact, the task of improving techniques of international diplomacy and communication becomes very important. Whatever else can be said about the United Nations, there appears to be no doubt that, if the United Nations failed, the "world would be the poorer for the loss of a not easily replaceable diplomatic lifeline".[10]

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[10] G. Goodwin, "The Expanding United Nations II -- Diplomatic Pressures and Techniques", p. 180.

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