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REGIONALISM AND SECURITY

BY

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INTRODUCTORY NOTE

Regionalism and World Security is a symposium of Articles which, with the exception of the last one entitled the Inter-American System and the United Nations Organization,* were first published in the Council's journal, *INDIA QUARTERLY*. Three of them—Regional Arrangements: The Indian Ocean Area, A Regional Authority for South-east Asia and European Regionalism have since been revised by the authors. The authors of *Regionalism and World Security* and *Australia's Approach to Security in the Pacific* thought that the Articles needed no revision.

With the establishment of the Inter-American System, the Pan-Arab League and the signing of the Canberra Agreement envisaging the establishment of a South Seas Regional Commission, the question of a regional approach to the problems of security and political, economic and cultural progress has assumed practical importance. The United Nations Charter has recognized it in Chapter VIII and provided for the existence of regional arrangements and their integration with the agencies of the U.N.O. Seven contributors have discussed in this monograph the different regional possibilities and the problems they involve.

Mr. Panikkar traces the earlier attempts in history at regional organization and points out the defects and merits therein and the obstacles in its way. Making a brief reference to the place of regional organizations for security purposes under the Dumbarton Oaks proposals and the U.N.O. Charter, he concludes that they should be regarded as 'agencies for dealing with special problems of local interest and not as institutions usurping the security functions of the world organization'. Sir V. T. Krishnamachari demonstrates, with reference to the Mexico Conference on inter-American relations, Pan-Arab League, and the Canberra Agreement between Australia and New Zealand, the necessity for a regional arrangement for the Indian Ocean area for security and also economic and cultural purposes. The Rt. Hon. H. V. Evatt indicates, with

* With acknowledgements to the Pan-American Union.

copious references to the Australian-New Zealand Agreement of January 1944, the necessity for building up a regional security system for the Pacific area within the framework of a general system of world security and Australia's natural interest therein. He rightly underlines the conditioning significance of the political, economic and social progress of the backward peoples of the South-West Pacific to the security organization of that area. Mr. K. Santhanam details a blueprint of a Regional Authority for South-East Asia and emphasizes the necessity of vesting the power of enforcement action only in the U.N.O. to preclude the possibility of the regional organization becoming a rival to the U.N.O., while the regional organization would work in the economic, political and cultural spheres. Mr. I. H. Baqai and Mr. G. A. Johnson sketch out respectively the background and circumstances which resulted in the formation of the Pan-Arab League and its objectives, and the various proposals advanced since 1930 for possible regional arrangements in Europe and the difficulties in their implementation. Lastly, Mr. Manuel S. Canyes gives a brief description of the U.N.O. and the I.A.S. (Inter-American System), their basic similarities and differences and shows the relationship between the two and the extent of possible co-ordination between them.

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REGIONALISM AND WORLD SECURITY¹

BY K. M. PANIKKAR

REGIONAL organization has quite a respectable background. The Armed Neutrality of the Northern Powers in the Napoleonic war was an attempt at regional organization, primarily for the purpose of defence. The Monroe doctrine which the United States promulgated, though essentially protective, was the beginning of a real regional organization, which in the course of a hundred years has developed into a prototype and model of such organizations. During the first Great War, the idea of regional organization again came to the forefront. Frederick Neuman's Mittel Europa, which definitely advocated an organization of the Danubian regions, may be taken as an example of this movement.

It is the growth of Nazi power in the thirties that gave a new impetus to political organizations based on geographical and economic factors. The system of Central European autarchy which the Nazi economists developed was a perversion of this idea, and its eastern counterpart, the co-prosperity sphere of East Asia, was not very different either in principle or in methods of action.

All these organizations, apart from the case of the Powers united in armed neutrality, have one special characteristic. The regional grouping visualized or attempted to be realized works around a predominant partner. It is the establishment of the paramountcy of a Great Power in a defined geographical region. The organization of Central Europe revolved round Germany; the pan-American system is based on the power, authority and manifest destiny of the United States. The East Asia co-prosperity sphere was a Japanese version of the same doctrine. In fact, so far, regional organization has meant nothing more than a polite phraseology for *lebensraum*.

1, First Published in *India Quarterly*, Vol. II, No. 2,

But essentially, the idea is attractive. It is obvious that States in the same geographical region have common problems, have similar interests and are more concerned with the affairs of each other than States situated far away. The maintenance of peace, prosperity and security in a defined geographical region is of vital concern to all the States of the region and should of necessity be their primary object. Therefore, whenever world organizations are contemplated, the urge for regional organizations becomes almost imperative.

This fact was recognized in the discussions at Dumbarton Oaks. The proposals that emerged from the discussions there provide expressly for the creation of regional organizations as the common interests of the countries constituting the region required it. Clause VIII C (i) of the proposals now embodied in the final Charter of the United Nations provided :

Nothing in the Charter should preclude the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action, provided such arrangements or agencies and their activities are consistent with the purposes and principles of the Organization. The Security Council should encourage settlement of local disputes through such regional arrangements or by such regional agencies either on the initiative of the States concerned, or by reference from the Security Council.

This clause was explained officially by the British Government in the following words :

There follows a section approving of the establishment of regional bodies for maintaining international peace and security, provided that such bodies and their activities are consistent with the purposes and principles of the Organization. They may be used to encourage the settlement of disputes but they can enforce sanctions only with the authorization of the Security Council, which must be kept informed of their activities (VIII) (C) (2) and (3). Nevertheless, such bodies may play a large part in the organization of international peace and security as planned by the Military Staff Committee, and it may be assumed that the smaller States will play a larger and more continuous rôle in them than in the Security Council, which is necessarily severely restricted in numbers.

The United Nations Charter (Chapter VIII, Article 5 and 4) expressly reserves the right of the Security Council to

override the regional organization and categorically states : 'this article (i.e., pacific settlement through regional organizations) in no way impairs the application of articles 34 and 35.' It is also provided that the Security Council shall, where appropriate, use such regional arrangements or agencies for enforcement action under its authority (Article 53) but no enforcement shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council, or by regional agencies without the authorization of the Security Council.

The essential points in the system contemplated here are :

- (1) the regional organizations will be subordinate to the world organization ;
- (2) their functions are primarily for the maintenance of peace and security, but the action taken by them in this behalf must be consistent with the purposes and principles of the world organization ; and
- (3) the enforcement of sanctions by a regional organization can only be with *the approval of the Security Council*.

In short, regional organizations under the San Francisco Charter are limited by the conditions laid down for the Security Council and can work only within the limited sphere prescribed by the Charter. From the point of view of security and maintenance of peace this is a very serious handicap.

The dominant feature of the Security Council is the veto power of the permanent Powers. As Mr. Vyshinsky demonstrated at the recent meeting of the U. N. O. the veto can be used even to prevent a resolution being taken up which indirectly reflects on one of the permanent members. The regional councils can enforce sanctions or take any serious action only with the approval of the Security Council where the veto power will operate to prevent any discussion affecting one of *the Great Powers*. Now it is clear that *there is no region in the World* where one (or more) of the Great Powers with permanent seats has not a direct interest. In fact Britain is a Great Power in every continent. No regional

organization is possible anywhere (even in America) without Britain being a party. The use of regional organization for the maintenance of peace and security becomes, therefore, subordinate to Britain's veto power and can never be used against Britain. In short the regional organization, in matters of security, will become merely another instrument for the effective assertion of the supremacy of the Great Powers.

It is perhaps for this reason that a large and influential body of opinion has strongly opposed the idea of entrusting regional councils with security functions. The fear has been expressed that the regional council will not only be unable to enforce sanctions against a Great Power, but may even be used to uphold and consolidate the influence and authority of Great Powers. There is undoubtedly much substance in this apprehension. A regional organization for the Mediterranean, for example, cannot exclude Britain or France from it. Both being permanent members of the Security Council, it is not possible for others to decide on a line of action which conflicts with the views of either of them. Again a Middle Eastern region must consider the position of Russia and Britain in relation to its own security and what action is possible by a regional council against two such Powers.

This brings us to one of the fundamental difficulties in regard to regional organizations. How is a region to be defined? Except the hemispherical region of America, where also Britain through Canada and Holland through Dutch Guiana have interests, there is no well-defined and self-contained region. The nearest approach to such an area is what may be called the Indian Ocean Region, where also France through Madagascar, Great Britain through her numerous possessions and Holland (at least for the time) through her Empire in Indonesia will have to be represented.

The Pacific regions are even more complicated. All the powers of the world seem to be interested there. The U.S.A., England, Russia, France and China—all with permanent seats in the Security Council, are interested in the Pacific regions. In short, regions not merely overlap, but cannot even exclude Powers belonging to other regions. From the security point

of view, it is clear that regional organizations however constituted cannot function successfully under the present Charter.

This does not, however, mean that regional organizations cannot have important functions to fulfil. If, as declared in the Charter, one of the objects of the world organization is to promote

- (a) higher standards of living, full employment and conditions of economic and social progress and development ;
- (b) solutions of international economic, social, health and other related problems : international cultural and educational co-operation ; and
- (c) universal respect for, and observance of, human rights and fundamental freedoms for all without distinctions as to race, language, religion or sex ;

then there will be great scope for the activities of regional councils.

This work which is of the very highest importance can only be organized on a regional basis. The conditions of different regions in the world differ so much that the promotion of higher standards of living, for example, has a different meaning in relation to the people of South-east Asia to what it has in European countries. The programme of any action to give effect to this object has to be worked out in terms of particular regions. Similar is the case with conditions of social progress. The question has a different significance in relation to India and China to what it has in relation, say to Russia. Clearly it is impossible for a central organization, however competent, and however universal in its outlook, to tackle these problems for each area. Without a proper devolution, the regions further away from the centre of the organization will receive but little attention. The experience of I. L. O. for example bears witness to this fact. Besides, from the point of view of standards of living, social and economic progress, and the observance of human rights and fundamental freedoms, it is the regions further away from Europe

and America that require urgent attention. The countries of the Arab region, the Middle East and South-east Asia require to be more urgently dealt with in these matters than the countries of western Europe. But is it likely that a central organization, dominated as it is bound to be by the problems of European nations, will find the time for initiating a policy of sustained action in these outlying regions? It is only by encouraging the growth of vigorous regional councils that these problems can be tackled at all. In this sphere at least the veto power of the Great Powers need not be feared.

The regional councils can be active over a very wide range in their own area and, what is more, can bring pressure on the central organization in matters of importance. Through a system of periodical enquiries, expert commissions and reports on specific issues, a regional organization can step up the activities of the constituent States especially in matters affecting standards of living, public health, labour conditions, control of epidemics and numerous other matters of fundamental importance. Also in respect of the political development of backward areas under the trusteeship system, the regional organization can act effectively as a watch-dog. It can also provide the representatives of areas which are not fully independent with a forum for putting their case without raising it in the very first instance to the position of international issues.

Properly looked at, regional organizations should be considered as agencies for dealing with special problems of local interest and not as institutions usurping the security functions of the world organization. No doubt even in the sphere of peace and security such an organization can, if developed with foresight and care, act as a guardian of the interests of the lesser units of the area. It can eliminate the causes of conflict, initiate the machinery of negotiation and by bringing world opinion to bear on issues prevent aggression. Regional councils may have, therefore, very useful functions to fulfil, but their usefulness will depend on a clear definition of area and of function.

REGIONAL ARRANGEMENTS: THE INDIAN OCEAN AREA

BY SIR V. T. KRISHNAMACHARI

AT the San Francisco Conference, much time was devoted to the problem of 'integrating regional arrangements and agencies with the establishment of a universal security organization.' The United States and the Latin American Republics took a leading part in the discussions. Before the Inter-American Conference met in Mexico City in February and March 1945, there had been evolved among these countries an agreement for self-defence against non-American powers. At the Mexico Conference, the scope of this was widened into a policy of collective defence for the duration of the war against aggression by any power, whether within the Continent or outside it. At the San Francisco Conference, the Republics were anxious that this new conception should become a permanent feature of inter-American relations and be integrated with the scheme of regional arrangements contemplated in the Charter as part of the world security arrangements. Similarly, the Arab States which had established a League sought to fit this into the general world scheme. Australia also showed interest in the question. Australia and New Zealand had consultations in 1944 and entered into the Canberra Agreement which deals *inter alia* with their joint strategic interests. This embodied the lessons of the second world war to both the Dominions and contemplated a regional zone of defence comprising the South and South-west Pacific areas, based on Australia and New Zealand and 'within the framework of a general system of world security.' As a result of these discussions, Chapter VIII of the Charter assigns a distinct place to regional arrangements in the world security system. Regional agencies are a recognized means for bringing about pacific settlement of disputes and for enforcement action. But, as peace is indivisible, these were to form integral parts of global schemes and operate under the control of the Security Council. Nor was the objective

of regional arrangements limited to ' security ' measures. The desirability of co-operation for cultural and economic purposes through such agencies was emphasized.

The Indian Ocean area has always formed a distinct region for military and strategic purposes. It is unnecessary to go into the earlier history which has been set out in Sardar Panikkar's recent book. Till the beginning of this century, peace in this area was maintained by the unchallenged might of the British sea power. The Second World War brought into prominence the vital position of this area in world security and its strategic value in relation specially to the defence of India. The establishment of the S. E. Asia Command working in the closest liaison with the Indian Command showed how essential for the ultimate victory of the Allies were strategic plans and integrated measures of defence covering the whole of this region as a single unit. There can be no doubt that the Indian Ocean area is a distinct region with special problems of its own and a regional arrangement for it is an essential part of inter-related plans for regions, all fitting into a comprehensive world security scheme.

The Asian Conference held in New Delhi in March-April 1947, though unofficial and non-political in character, aroused keen interest in the establishment of closer relations among the countries which took part in it. No definite proposals were put forward and considered : this was not in the programme of the organizers. But there can be no doubt that a feeling of solidarity has been developed by the Conference and that the free exchange of ideas among the delegates will lead, when conditions become more settled, to concerted action for maintenance of world peace.

The countries which are comprised in this zone are, broadly speaking, those extending from the Persian Gulf eastwards to Indonesia and including Australia. When this is said, it will be realized at once how the whole question of a Defence Council for this zone is bound up with the larger and unsolved issues of the relations between the national freedom movements in many of these countries and the former colonial powers. India and Pakistan have only recently

emerged as Dominions. At present they are engaged in working out their own defence and other policies and, with grave internal preoccupations, have not yet got to the stage of becoming seriously interested in regional security programmes. Further, in both the Dominions Constituent Assemblies are framing new constitutions which will define their relations with the British Commonwealth. It was clearly because of these reasons that Pandit Jawaharlal Nehru could not do more than acknowledge Dr. Evatt's proposal made in February last for a regional conference of the countries of South-east Asia to discuss common economic and defence matters. Burma is practically in the same position, having only recently reached an agreement with Britain on the question of its Independence and of the relations between the two countries in regard to defence. Relations between the Netherlands and Indonesia are still unsettled. The Linggadjati agreement which was signed in 1946 left important issues unsettled, including the vital one of the actual content and precise implications of the *de facto* sovereignty of the Republic recognized by that agreement. At the present moment, efforts to bring about a political settlement are being made by the Three-nation Good Offices' Commission of the Security Council. Nothing decisive has so far emerged from the talks and it is feared that the recent proposals for a provisional Government for West Java will add another complicating factor to an already difficult situation. Nor has France found a solution of its relations with Indo-China. In March 1946, France recognized the Republic of Viet-Nam (the ancient name for Annam) as a 'free State having its government, its parliament, its army and its finances forming part of the Indo-Chinese Federation and the French Union.' Annamite nationalists desire the incorporation with Annam of the two other Annamite States—Tonkin and Cochin-China—and when early in the year, France proclaimed Cochin-China as a free state associated with France 'within the framework of the Indo-Chinese Federation and the French Union,' renewed fighting began. In the last few months military operations have grown more intense and in the words of an impartial authority 'France is spending money she can ill afford on a distant and

unpopular war and the Viet-Nam scorched earth policy is devastating the country-side.' The proposals for a federal constitution for Malaya are well advanced and the new régime will come into being quite soon. It is only when all outstanding conflicts are settled and new relationships are established that there can be political and economic stability in this region and the countries concerned will be in a position to consider schemes for co-operative action in defence and in the economic and cultural spheres.

There have been recent pronouncements in Australia, mostly of a provisional nature in view of the uncertainties referred to above, on the reorientation of Australian policy called for by the changing conditions in the Indian Ocean and Pacific Ocean areas. The extent and nature of Australia's interest in South-east Asia will depend largely upon the relations that will be ultimately established between the British Commonwealth and India and Pakistan, and the extent of Britain's commitments in the future for the local defence of these Dominions. Two points however seem clear. Firstly, Australia will assume much greater 'regional responsibility' than in the past in the interests of the British Commonwealth. Secondly, Australia desires to establish the most friendly relations with the peoples in this area and to assist them in their efforts to achieve independence. It will be recalled that at San Francisco the Australian delegation under Dr. Evatt fought, more than any other, for the inclusion in the Charter of principles which should govern the administration of non-self-governing territories and their ultimate political destiny. The recent defence plan of Australia should be regarded as no more than 'a provisional pattern. . . . designed and framed in the dim light' surrounding the future course of events—an interim programme which reflects the unsettled conditions in this and the Pacific areas.

When new governments come into existence, a Defence Council should be established in this region in which representatives of all powers interested will sit as equals and devise common security schemes and share in their execution. What the countries concerned are can be tentatively indicated. India, Pakistan, Ceylon, Burma and Malaya should certainly

be on the Council. Afghanistan, Iraq and Iran are also concerned : so also Thailand and the new States that will come into existence in Indo-China and Indonesia. Britain's interests will depend largely on the relations between the British Commonwealth on the one side and India and Pakistan on the other and so will those of Australia and South Africa. The share of France and the Netherlands will depend on the terms of settlement of the Indo-Chinese and Indonesian problems. Details of a regional plan cannot obviously be worked out till the political map of this region becomes clearer. There are however fundamental points worth emphasizing. Firstly, the entrances to the Indian Ocean are commanded by the Commonwealth. Secondly, the continent of India occupies a central key position in this region. Thirdly, Australia is prepared to assume greater regional responsibility in the interests of the Commonwealth and possesses the necessary industrial potential for such a rôle. With India and Pakistan as Dominions and united in a common defence policy, the broad outlines of a regional scheme would be : bases in Sokotra and Mauritius jointly held with Britain ; possibly a base in India or Ceylon ; and Singapore as the joint responsibility of Australia and Britain. Another point worth emphasizing is that no regional arrangement based on the Commonwealth countries alone would be adequate. The other countries in the area should also assume their share of the obligations and receive full representation on the Council.

Such a regional arrangement is also essential for economic purposes. A complementary organization to the Defence Council suggested above would be an Economic Council, comprising representatives of the governments concerned. The Indian Ocean area (excluding Iraq, Iran and Afghanistan) forms a portion of the 'monsoon' area which is the subject of a brilliant study by Professor V. D. Wickizer and Professor M. K. Bennet (of the Food Research Institute of the Stanford University). The main characteristics of this area are : its rice economy, its mineral wealth, and the extremely low standard of living of the bulk of its people—lower than anywhere else in the world except perhaps in parts of China and Africa. A permanent Economic Council such as the one sug-

gested can promote common effort not only in the immediate tasks of reconstruction and repairing of war damages but also in permanent measures for raising standards of living by intensive improvements in agriculture, including the evolution of a more diversified economy ; the working of the mineral wealth in the interests of the people of the countries concerned ; and the building up of suitable large-scale industries.

There is also the need for cultural co-operation among the countries. The civilizations in this area possess common origins and have acted and interacted on one another and the study and spread of knowledge of them will promote a sense of unity. The cultural problems evoked much interest at the Asian Relations Conference and a concrete suggestion was made for an Asian Institute with a strong central organization to promote studies in the culture and civilization of the Asian countries and to bring about wider and more sympathetic understanding among them. An Asian Relations Organization has been established as a first step.

One conclusion emerges from this necessarily sketchy and tentative scheme for regional arrangements in South-east Asia. The present state of relations between France and the Netherlands on the one side and the national movements in Indo-China and Indonesia on the other is fraught with danger to world security and one of the most urgent tasks facing the United Nations is to bring about a settlement which will ensure political and economic stability in this strategically important area.

AUSTRALIA'S APPROACH TO SECURITY IN THE PACIFIC¹

BY THE RIGHT HON. H. V. EVATT, K.C., M.P.

THE Australian approach to the problem of post-war security is very largely determined by its geographical position in the Pacific area. As a continent of the South Pacific, Australia abuts on to the long island chain generally lying athwart the South-eastern portions of Asia. The island of Timor for example lies within a few hours' flying time from Darwin. Through this link and that of the neighbouring Indonesian island chain Australia is brought into direct contact with South-east Asia. To our immediate north lie the large island of New Guinea and the many other island dependencies of Great Britain, France, and the United States, as well as the former Japanese mandated islands in the South Pacific. On the west our shores reach out to the Indian Ocean.

Inevitably then Australia has a direct and vital concern in conditions which will ensure political stability, economic and social progress and peaceful co-operation between the peoples of South-west Asia and the South Pacific generally and the Western nations at present having authority over them.

We have come to realize in Australia that there is little uniformity in the stages of internal development among the varied island peoples near to Australia. These differences of cultural level have, however, a certain uniform basis in the universally low standard of living and general impoverishment of most inhabitants of the island territories, many of which, especially in South-east Asia, are immensely rich in natural resources. Australians also realize that the problem of adjusting varying and often backward native societies to meet the pressures and needs of a modern industrial world, with its constant calls for enlarged access to essential raw materials and for expanding markets, is difficult indeed.

1. First Published in *India Quarterly*, Vol. II, No. 1, January 1946.

Australia and New Zealand, if only because of their geographical position, have a fundamental common interest in seeing that this adjustment is made with a minimum of political unrest and with the fullest regard for the well-being and progress of the peoples concerned.

The expression of the Australian and New Zealand interest is found specifically in Article 13 of the Australian-New Zealand Agreement of January 1944 :

The two Governments agree that within the framework of a general system of world security a regional zone of defence comprising South-west and South Pacific areas shall be established and that this zone should be based on Australia and New Zealand stretching from the arc of islands North and North-east of Australia to Western Samoa and the Cook Islands.

In making this declaration of their common approach to a defence policy the Australian and New Zealand Governments did not envisage that their resources alone would be adequate to ensure the security of this island defence zone. Article 34 of the same Agreement provided for the calling of a conference to discuss *inter alia* the organizing of security on a regional basis in this area :

The two Governments agree that, as soon as practicable, there should be a frank exchange of views on the problems of security, post-war development and native welfare between properly accredited representatives of the Governments with existing territorial interests in the South-west Pacific area or in the South Pacific area, or in both, namely, in addition to the two governments, His Majesty's Government in the United Kingdom, the Government of the United States of America, the Government of the Netherlands, the French Committee of National Liberation and the Government of Portugal, and His Majesty's Government in the Commonwealth of Australia should take the necessary steps to call a conference of the Governments concerned.

REGIONAL DEFENCE AND PACIFIC SECURITY

These provisions of the Australian-New Zealand Agreement place primary emphasis on the building-up of a regional defence system covering the immediate northern approaches to Australia and New Zealand. It will be recalled, however, that when Japan launched her war on the peoples of the

Pacific, the Australian Government was a party to negotiations among the so-called ABDA Powers designed to establish American-British-Dutch and Australian mutual defence arrangements. Participation in the ABDA negotiations indicated Australia's realization that her security could not be based solely on limited local arrangements covering the immediate northern island approaches to her shores.

The experience of the Japanese war and its revelation of the impossibility of isolating a serious centre of insecurity in the Pacific area have brought Australians to consider their security in terms of the Pacific area as a whole. At the same time, the Japanese war with its consequence of prolonged and savage struggle in the New Guinea jungles and other islands immediately off Australia's northern coastline has intensified Australia's preoccupation with the problems of home defence and the securing of the island defence zone fringing the north of Australia.

Any attempt to fix a clear-cut line of separation between essentially local and Pacific wide security plans would be unreal in a world of shifting strategic considerations. In a speech in the House of Representatives on 17 July 1944, the late Mr. John Curtin as Prime Minister indicated Australia's view of the interdependence of local and wider security systems while at the same time stressing the great significance of the former :

The small nations of the world as well as the great have their part to play in the maintenance of peace. In many cases their geographical locations in important strategical areas make them potential battle-grounds....The new system of world security must safeguard the weak as well as the strong, but the weak must recognize their responsibility for doing what they can towards the defence of their territories and by co-operation in the wider system of regional security in the areas in which they and their territories are situated.....

The Prime Minister went on to indicate the rôle which Australia and New Zealand could play in developing an adequate defence system on a regional basis, provided British Commonwealth defence co-operation embracing at least the United Kingdom, Australia and New Zealand were made an essential part of that system.

REGIONAL AND WORLD SECURITY

The Prime Minister's statement of the Australian approach to security in its defence aspects was of course made prior both to the United Nations Conference on International Organization and to the revelation of the potentialities of atomic and other new forms of warfare.

The extent to which Australia will rely upon the United Nations Organization for its security must naturally depend upon practical demonstration by the United Nations of its capacity to discharge its responsibilities effectively and, in particular, to reach immediate and satisfactory adjustment of the problem of control over the atomic bomb and similar new weapons of destruction. In this regard in a speech to the House of Representatives on 30 August 1945, urging ratification of the Charter, I expressed the view that:

....The case for the Charter has been increased by the destructive capacity of the newest and most terrible weapon of warfare. The destructive potential of atomic energy is too great to be entrusted to one great power. If the new weapon is placed under the control of an impartial Security Council, under special safeguards, the very knowledge that it lies at the Council's disposal will be a powerful deterrent against future aggression. But if it is not brought under the authority of the United Nations there will be an ever present sense of insecurity and fear weighing upon the peoples of the world. None of us now can have any illusions as to what the future holds for mankind should governments, and above all any one of the great powers, fail to honour fundamental obligations under the Charter.

I would say that the experiences of World War II have compelled many Australians to abandon a tendency to isolation conceived in terms of their country's immediate geographical position in the South Pacific. September 1939 and its aftermath have demonstrated that peace is indivisible and the atomic age upon which we are entering underlines with terrible emphasis the indivisibility of war.

It would be wrong, however, to suggest that the Australian conception of security in the Pacific is being shaped on an international basis merely by the repercussions of Hiroshima. I recall for example that in the Australian-New Zealand Agreement of January 1944, the proposed regional zone

of defence was to be established 'within the framework of a general system of world security.'

Again at the U.N.C.I.O. at San Francisco, the Australian delegation made a contribution of appreciable importance in effecting a realistic compromise, now defined in Article 51 of the Charter, between regional security systems and the authority of the Security Council. The Australian view was that any defence arrangements, whether on an imperial, regional or other basis, should operate as an integral part of any nation's fundamental right to self-defence, but this right of regional action was formulated in such a way that the authority and responsibility of the Security Council to act at any time and in any way was safeguarded.

It may be fairly said then that any Australian Government must in the first instance provide for the most effective defence system covering the northern approaches to the Commonwealth. In the establishment of such a system much reliance will naturally be placed upon defence co-operation arranged between members of the British Commonwealth. At the same time, Australians cannot forget the grim experience of 1942-3, when, given the pre-occupation of British armies in resisting Nazi Germany, Australia had to rely upon its own resources and those of the United States for survival. Australians recognize in the United States the most powerful nation whose people touch the waters of the Pacific Ocean and in framing its post-war security requirements Australia will naturally have in mind the war-time experience of association with the United States in mutual defence arrangements. To what extent such local and regional security arrangements will be superseded by reliance upon the United Nations Security Council is a matter which history must decide. The present Australian Government has consistently emphasized its belief that the problem of organizing security is world-wide in its scope and that it should be handled by the security Council on that basis backed by the full confidence and authority of the United Nations.

At the same time it must be remembered that the Pacific area wherein Australia's immediate interests are located has

its special conditions and needs. The Charter of the United Nations, as I have indicated, recognizes that such regional requirements have a legitimate rôle within the framework of the international system. During the war against Japan, Australian experience found in the Pacific War Council, at least during one stage of its existence, an agency whereby Australia's defence interests might be effectively presented. It may be that arising from this and other agencies such as the Far Eastern Advisory Commission the Pacific nations will find the incentive and the experience to devise a regional security system within the ambit of the United Nations Organization to cover the Pacific area.

In any approach to the problem of organizing security in the Pacific, Australia naturally recognizes the special position of India. The Indian Ocean covers the western approaches to Australia and from the harbours and bases of India, of Ceylon and Burma there is a vital line of communications with Australia's near north. The war with Japan revealed the close inter-dependence between the security of South-east Asia and that of Burma and India and in any future plans for regional security in the Pacific this war-time experience will have due influence. It is equally true that the intimate relations between conditions of security in an area and the political and economic welfare of its peoples apply to India and Burma as to South-east Asia and Australia's near north generally.

SECURITY AND WELFARE

I have said that the Australian approach to the problem of security is determined mainly by our geographical position. There is, however, another conditioning factor which is of distinctive significance for Australia and one which has been given added emphasis by the Japanese war and recent events in Indonesia, Indo-China and Burma. I refer to the relationship between conditions determining the well-being—political, economic and social—of the peoples of the South-west Pacific and the security of that area.

In April 1943, during an address at the Overseas Press Club in New York, I endeavoured to point to the decisive importance of this relationship :

No world or regional system of security, however, could be permanent unless it has an adequate basis in economic justice....It is not, however, for us to negate the attitude of Japan to impose this ("co-prosperity") system on the peoples of the Pacific nor to establish machinery for international security unless we can envisage a system of improved standards of life for all Pacific peoples. The Atlantic Charter promises to the people of the Pacific, as well as to the peoples of more developed parts of the world, freedom from want. The United Nations have a duty to see that this promise is implemented.

If freedom from want means anything, it means decent standards of living for all peoples and the end of any possibility of unfair exploitation of weak peoples by those who are stronger and economically more fully developed.

This emphasis upon the endeavour to create conditions of well-being in the island territories of the South-west Pacific as a prerequisite of Australian security and that of other Pacific countries was given formal expression in the proposal for a South Seas Regional Commission in Article 31 of the Australian-New Zealand Agreement, January 1944 :—

The two Governments agree that it shall be the function of such South Seas Regional Commission as may be established to secure a common policy on social, economic and political development directed towards the advancement and the well-being of the native peoples themselves, and that in particular, the commission shall

- (a) recommend arrangements for the participation of natives in administration in increasing measure with a view to promoting the ultimate attainment of self-government in the form most suited to the circumstances of the native peoples concerned ;
- (b) recommend arrangements for material development including production, finance, communications and marketing ;
- (c) recommend arrangements for co-ordination of health and medical services and education ;
- (d) recommend arrangements for maintenance and improvement of standards of native welfare in regard to labour conditions and social services ;
- (e) recommend arrangements for collaboration in economic, social, medical and anthropological research ; and
- (f) make and publish periodical reviews of progress towards the development of self-governing institutions in the islands of the Pacific and in the improvement of standards of living, conditions of work, education, health and general welfare.

The scope of the South Seas Regional Commission, which the Australian Government is anxious to see established in the immediate future, may well embrace the Australian island territories, the British colonies of the South Pacific, the condominium of the New Hebrides and the French colony of New Caledonia, Samoa, and other adjacent island dependencies. It would be in keeping with the Australian approach if similar responsibilities were undertaken by a regional commission embracing the South-east Asia area lying between Indo-China and Dutch New Guinea.

It will be seen that the functions of the South Seas Regional Commission are essentially advisory. The Commission will promote collaboration between the Powers concerned for the purpose of developing the political, economic, and social well-being of the peoples living in territories adjacent to Australia and New Zealand.

For its part, the Australian Government has already given proof of its intentions in recent legislation providing for the provisional restoration of civil administration in Papua and the mandated territory of New Guinea. In presenting this legislation in the House of Representatives, on 4 July 1945, ~~my~~ colleague, Mr. E. J. Ward, as Minister for External Territories declared :

Apart from the debt of gratitude that the people of Australia owe to the natives of the territory, the Government regards it as its bounden duty to further to the utmost the advancement of the natives and considers that can be achieved only by providing facilities for better health, better education and for a greater participation by the natives in the wealth of their country and eventually in its government.

A comprehensive programme is to be followed for the rehabilitation and development of the territories having regard to the moral and material welfare of the native inhabitants and the strategic importance of the area to Australia. The Government has already taken decisions on a number of matters, the most important of which is that relative to native labour. In the past, native labour has been employed under the indenture system. It has already been announced that it is the intention of the Government to abolish this system as soon as practicable and the decisions that have been taken and which are now outlined are designed to remove the indenture system from Papua and New

Guinea within a period of five years or at an earlier date as may be determined by the Government.

Mr. Ward went on to detail other steps proposed by the Government to secure the economic and social well-being of the peoples of New Guinea and Papua. These included the raising of the wages to a tentative minimum rate of fifteen shillings a month plus rations, issues, housing and medical care; the elimination of professional labour recruiters; an improved and prescribed dietary scale; a reduction of hours of labour to 44 per week; and other measures to improve health, education and general economic conditions throughout New Guinea and Papua. In his reply to the debate the Minister for external Territories concluded by stressing Australia's objectives in introducing these and subsequent reforms:—

As we go on with our plans for the improvement of the conditions in Papua and New Guinea generally we will make these Territories a means of real defence for the continent of Australia. We hope to be able to set an example to the world by the conditions we establish there, and by the manner in which we develop the Territories. When the system of trusteeship begins to operate fully, Australia will have no need to be ashamed of what has been accomplished by a Labour Government in caring for its dependent Territories, and particularly for the needs of the inhabitants.

The Australian approach to the relation between security and the welfare of the peoples of the South Pacific is not limited to immediately neighbouring territories. At the San Francisco Conference the Australian delegation was prominent in pressing not only for a system of international trusteeship but for a general obligation towards all non-self-governing peoples to be assumed by the administering States. This emphasis found expression in Chapter XI of the Charter: the declaration regarding non-self-governing territories. It will be recalled that this declaration imposed 'as a sacred trust' the obligation on all States, concerned to promote to the utmost...the well-being of the inhabitants of non-self-governing territories and to this end, *inter alia* 'to develop self-government, to take due account of the political aspirations of the peoples, and to assist them in the progressive development of their free political institutions, according to

the particular circumstances of each territory and its peoples and their varying stages of advancement.'

This declaration and the trusteeship provisions of Chapter XII in the Charter, if they are scrupulously observed, will do much to satisfy one basic impulse promoting Australia's approach to the problem of non-self-governing peoples. This, as defined in Article 28 of the Australian-New Zealand Agreement, is that the principles of the Atlantic Charter should apply to the Pacific as elsewhere and in the exercise of their imperial rule colonial powers in the Pacific and elsewhere should accept the principle that the main purpose of their administration is 'the welfare of native peoples and their social, economic and political development.'

There is, however, another powerful motive other than that of moral and political principle which directs Australian policy towards the problem of colonial peoples, particularly in South-east Asia. Before the Japanese surrender, during a session of the San Francisco Conference on 10 May 1945, I put the Australian case for a general application of the principle of trusteeship in these words:—

For more than three years the peoples of South-eastern Asia and Indonesia have been under Japanese military overlordship. Their political structures have been subjected to shock and strain. Their economies have been distorted by the demands of Japan's war machine. Their social life has been profoundly disturbed. They will need help and guidance for their material and moral rehabilitation. At the same time they will remember that their former rulers were overcome. They will be uncertain and perhaps suspicious of the motives of some at least of the returning Powers. It is vitally important that these uncertainties be removed and that the peoples of this region be given a solemn pledge that the purpose of administration will be their welfare and advancement. Their goodwill must be fostered, not only because their co-operation is essential to good administration in their own interests, but because they inhabit a vital strategic area. Many of these peoples are clearly 'not yet able to stand by themselves under the strenuous conditions of the modern world.' This is a dangerous situation not only for them, but for all of us. It is necessary that powers capable of playing an effective part in maintaining security should be present in this region until the indigenous peoples can stand on their own feet. This goal should be approached by progressive steps, but the

over-riding interests of security forbid that there should meanwhile be a strategic vacuum in this vital zone.

But the conditions of security in this area will not exist unless the peoples are prepared to co-operate with stronger States. To secure this co-operation, it must be made clear that the purpose of administration is their welfare and advancement, and their security as well as ours. A solemn declaration in this Charter would give meaning to the co-operation of East and West in this region. The principle of trusteeship would thus contribute to security.

The degree to which subsequent happenings in Indo-China, Indonesia, Burma and elsewhere have justified the case which Australia argued at San Francisco needs no emphasis from me. As far as Indonesia is concerned, whatever the outcome of the conflict, Australia, by necessities of geography, strategy and economy, cannot avoid being vitally concerned. The Australian people earnestly hoped from the outset that the desires of the Indonesian peoples, as of all other similarly placed peoples, for changes in their pre-war status and economic and social conditions would be justly met by free negotiation within the framework of principles and obligations laid down by the United Nations Charter. It is difficult to avoid the conclusion that the present disturbances throughout South-east Asia are both a challenge and a testing-time for the United Nations' declared approach towards the aspirations of non-self-governing peoples.

Australians can never forget the grim months of January to March 1942, when the Japanese overwhelmed Allied resistance throughout South-east Asia at least partly in consequence of the inertia and lack of active and organized sympathy for the Allied cause on the part of hundreds of thousands of potential Allied reinforcements. Australia's primal need for security dictates that conditions must not again be such as to induce any attitude of indifference, or at worst of antipathy, on the part of the peoples of the South Pacific towards the Powers exercising authority over them.

The foregoing is no more than an outline of the basic motives and interests of Australia towards the problem of security in the Pacific. As I have indicated, the discovery of

the atomic bomb and other new weapons on the use of which space no longer sets serious limitations, must considerably modify attitudes and policies drawn up under earlier conditions. Nevertheless, though the methods of safeguarding Australian interests may be reconsidered in the light of new strategical conditions, those interests and the principles expressing them remain.

The Japanese war has brought a new consciousness to Australians of the island territories of the South Pacific. Many thousands of Australian soldiers have had first-hand experience of the conditions in which many of the Pacific island peoples live and of their needs and their qualities as human beings. Many do not forget they owe their lives to Papuan carriers who tended them along the deathly slopes of the Kokoda trail and in the mud and heat of New Guinea's jungle.

There is an Australian phrase which perhaps expresses what these men, and I believe the whole Australian people, feel: It is that these Pacific peoples who in Australian experience were our valued Allies against the Japanese should now have a 'fair go'. Such a new deal for the peoples of the South-west Pacific is not only a fundamental conviction of Australian labour: it is a primary condition for the creation of any lasting stability in an area which juts into the vitals of Australia's security.

A REGIONAL AUTHORITY FOR SOUTH-EAST ASIA

BY K. SANTHANAM

CHAPTER VIII of the Charter of the United Nations deals with Regional Arrangements. Such arrangements are to be encouraged as instruments for pacific settlement of local disputes. Article 53 lays down: 'The Security Council shall, where appropriate, utilize such regional arrangements or agencies for enforcement action under its authority. But no enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council.' There is some confusion in this matter. The question of enforcement through regional agencies can arise only if these agencies are organized for such action. This provision is perhaps due to the existence of an Inter-American Defence Board under the Pan-American Union. As this Union is the only regional arrangement that exists at present, it is not unnatural that the draftsmen of the Charter should have thought in those terms. But deeper reflection will show that the power and integrity of the U. N. O. will suffer if regional arrangements are thought of as possible agencies of enforcement action. This should be the exclusive prerogative of the Security Council. The exclusion of coercive and punitive powers from regional organizations will enable these organizations to be built up in an atmosphere of mutual trust and preclude the possibility of a regional organization becoming a rival to the U. N. O. in any part of the world.

What then should be the functions of regional organizations? They may be classified into three broad categories: (1) Prevention of tendencies making for disputes; (2) investigation and pacific settlement of disputes; (3) economic, social and cultural co-operation. It is obvious that these things can be done more quickly and efficiently through regional organizations than through the U. N. O. while enforcement action even between two minor nations is fraught with such explosive possibilities that it can be safely handled only

by the U. N. O. In other words, a regional organization should be a watch-dog of the U. N. O. which will observe and follow the trends of factors making for ideological racial and economic conflicts and take early and continuous action to check them. If this distinction of functions between the U. N. O. and regional organizations is accepted, it will be found that a rational and systematic grouping of the whole world into compact regional organizations will be considered an integral part of the work of the U. N. O. So long as a regional organization is thought of as an agency for the enforcement of economic or military sanctions, it will become an object of interest to the big powers and they will insist on a place in them. Thus advocates of a regional authority for South-east Asia or the Indian Ocean are forced to include Britain, Holland and France among the powers entitled to be represented in that authority. Some go so far as to say that the U. S. A., being vitally represented in the Pacific as well as in the general distribution of power in the world, should be represented. It is obviously futile, if not positively mischievous, to make every regional organization a committee of big powers. It is only through a sharp distinction between co-operative and mediatory functions on the one hand and enforcement action on the other that this unfortunate development can be avoided. It may be asked whether a regional organization will not cease to have any interest for its members if it has no say in the enforcement action or the formulation of plans and the distribution of forces needed for such action. It may if regional organizations are formed haphazardly without any basic principles or needs. It is therefore suggested that the following principles may be adopted for regional organizations :

- (1) the region should be compact but sufficiently extensive ;
- (2) all the members should as far as possible be in the same stage of economic development :
- (3) it should not contain big blocks which have already developed irreconcilable racial or ideological antipathies,

It is suggested that South-east Asia is at present a region which satisfies all these tests and is fit for a regional organization.

AREA

It is proposed that the South-east Asia region should consist of India, China, Burma, Siam, Indo-China, Malaya, Indonesia, Philippines and Ceylon. It may be considered that any region which includes India and China becomes unduly big in territorial extent and even more so in the totality of population involved. The countries mentioned contain nearly half of humanity, and it may be thought that if a regional organization for this area can be built up, it will in due course come to dominate the world. It should, however, be remembered that this regional organization will not contain any coercive powers or armaments. The whole region has many common characteristics. Political democracy has still to be established in all the countries included. They are all in the early stages of industrial development. The main problem of migration is the movement of Indian and Chinese labourers and traders. No racial or ideological antipathies exist in any acute form. A co-ordinated economic and social development of this region will raise the level of humanity at large. Though the population is immense, this region will not for a long time be comparable to America or the U.S.S.R. in wealth or industrial and military power. If they pull together, they will be in a position to resist the economic imperialism of America and the ideological imperialism of the Soviet Union.

There are obviously many difficulties in the way of forming an effective regional organization in this region. The greatest obstacle is of course the political dependence of some parts of this region. The recently achieved independence of India, Pakistan and Burma and Dominion Status for Ceylon has considerably eased this handicap. It is to be hoped that Indonesia and Indo-China will soon be free. Still, so long as any part of this region is politically dependent there will always be uncertainty as to how far the regional authority composed of representatives of the respective governments

will speak and act in the true interest of the people concerned. It is altogether impracticable to have a peoples' organization over the heads of the governments.

It may be useful to dispose of three possible objections to the region proposed. It can be argued that, if China is to be included, Japan and Korea should also be included, as they will be important economic and political entities closely connected with the proposed region. There is some truth in this argument. But there are weighty objections to this extension. Besides making the region too big, it will involve complications which it is not desirable to invite. The reintegration of Japan into international relations is going to be a difficult and prolonged affair and it is in the interest of Japan herself that she should be free from entanglements during this period. Both the U.S.A. and the U.S.S.R. are likely to get alarmed at any proposal which may suggest the re-emergence of Japan as the leader of a region which they had recently subjugated by force of arms. Similarly, Korea has affiliations with the U.S.S.R. which it is not desirable to disturb by drawing her into an orbit, the centre of gravity of which lies far southwards. In course of time, another regional organization may spring up consisting of the U.S.S.R., Japan, Korea and China for the Far East, but conditions will not be ripe for this development for quite a long time.

Is it not desirable to include Australia and New Zealand in this region? As the main purpose of the regional organization is not that of preparation for defence in the event of war, it is doubtful whether the two countries will be anxious to join it. Even if they do, there are two serious difficulties in the way of their inclusion. So long as they are determined to preserve their countries exclusively for the white people, the racial barrier will only be intensified by their inclusion. The standard of life and the economic development of these countries are on a far higher level than those of the other countries of this region and their economic problems will be of a different order. Hence, it is not desirable to include them in the South-east Asia regional organization.

Thirdly, it can be argued that India is as much interested in the areas and peoples to her West as in those to the South and East. This is quite true. But the area of the Arabian Sea, Persian Gulf and the Red Sea is an entirely distinct region which should be dealt with by a separate regional organization. It is, however, doubtful if any such organization is possible in the near future. It is an area in which strategic considerations and the fight for oil are bound to play a crucial part. Economic and political problems of the countries of this area are also far more complex. Already, the movement for a federation of Arabian peoples is gathering force and any attempt at a larger organization may hamper this vital development. Neither in the matter of emigration nor of trade is this area of great importance to India and China.

It has been argued that the Indian Ocean region is a separate compact unit and that it is desirable to confine the regional organization to it. It will mean that China and the Philippines should be left out of the area proposed in this note. One defect of this arrangement will be that by the side of India, the other countries may feel small and insignificant and this may induce them to combine against India in the regional organization. A far more serious objection is that the most difficult question which has to be tackled by the regional organization, viz. migration and settlement, cannot be properly dealt with without China. There is thus an overwhelming case for a regional organization consisting of the nine countries, China, the Philippines, Siam, Indo-China, Malaya, India, Pakistan, Burma, Ceylon and Indonesia.

ORGANIZATION

In the Report to the Ninth Conference of the Institute of Pacific Relations held at Hot Springs, Virginia, in January 1945, submitted by a Chatham House study group, the following organs have been proposed: (1) a political organ for conference and decision; (2) a court of international justice, related to the world court and a quasi-judicial organ for arbitration; (3) an economic organ for the conception, super-

vision and co-ordination of development and welfare programme; (4) a defence organ and (5) an organ of intellectual co-operation. It has been argued in the first part of this note that enforcement action should not be decentralized. Hence defence organ will not be needed. In its place an organ dealing with migration, settlement and nationality will be needed as they are among the most difficult problems of this region. Each of these organs may now be briefly considered.

POLITICAL ORGAN : REGIONAL COUNCIL

It is desirable to have it constituted as simply as possible. One delegate from each of the nine countries with a substitute when he is unable to attend should form a compact body and the equality of representation should enable the smaller countries to feel that they have an equal status. It would not however be realistic to treat the opinion of all the units as of identical value though it is out of question to make it proportionate to area or population. It will be a reasonable compromise if India and China are given 4 votes, Indonesia and Indo-China 2 votes each and the other five countries one vote each and it is prescribed that a minimum of 12 votes will be needed for a valid decision. This Regional Council will be generally responsible for the whole organization, its finance, secretariat and the linking of its organs with their counterparts belonging to the United Nations Organization.

REGIONAL COURT OF INTERNATIONAL JUSTICE

This will function as the court of original jurisdiction for disputes between members of the regional organization and appeals from it should be allowed to the Permanent Court in order to provide for uniformity in International Law. As the cases that may arise may not justify the appointment of permanent judges, the Chief Justices of the highest courts of the nine members should be treated *ipso facto* as judges of this regional court and one of them appointed as Chief Justice for a period of two years by a system of rotation. The Chief Justice should have authority to constitute a bench of three judges to hear any case, and though there should be a per-

manent department of justice attached to the secretariat of the regional organization, the Chief Justice will be authorized to appoint temporary staff at his headquarters for the duration of his period.

REGIONAL ECONOMIC AND SOCIAL COUNCIL

The functions of this Council will be somewhat larger than those of the similar body under the U.N.O. As the whole region is economically undeveloped, the organ will have to make special provision to help its members. It may employ experts in finance, industry and business management to advise any member of the regional organization who may ask for their services. It will be the business of the Economic Council to watch the economic development of all the members and provide machinery through special conferences, bulletins and other means to make the experience of each member available to the others. Agrarian and labour questions are to a considerable extent similar to the entire region and it would make the economic evolution of the region easy and smooth if effective machinery for pooling of information can be established.

MIGRATION COUNCIL

While every member will be free to regulate immigration, the regional organ should be able to lay down the principles of political and economic treatment of immigrants. It will keep watch over discriminatory legislation or administration and suggest arbitration in cases where acute discontent is caused by such action. It will also make an intense study of population problems of the region.

CULTURAL COUNCIL

The work of this council for intellectual co-operation will be mainly threefold (1) conferences and tours of persons of scientific and literary eminence within the region; (2) exchange of university students between members of the region; (3) establishment of certain regional research institutes to deal with medical and scientific problems common to the whole region.

HEADQUARTERS, FINANCE AND SECRETARIAT

Rangoon and Singapore are central to this region and either may be chosen as headquarters. The funds needed by the organization must be settled by the regional council on a three year basis and it will be fair if India and China pay a third of the amount and the rest allocated to the rest of the area on the basis of population. This may amount to a larger *per capita* contribution on the part of the smaller countries but the sacrifice will not be heavy and they obtain a proportionately larger voice in the organization. It is not unreasonable to provide that in the recruitment of the staff, representation should be roughly proportional to the contributions. The organization will have a Secretary-General who will be generally responsible for the entire Secretariat. He will be assisted by four joint-secretaries in charge of the departments of Justice, Economics, Migration and Culture. The records of the proceedings of the Council will have to be in the English language at least for some time. There is no reason for adopting the multilingual system of the League of Nations.

THE RELATIONS WITH THE U. N. O.

There should be a convention that the United Nations Organization and its allied organs would work through the regional organizations in all matters within the jurisdiction of the latter. In return the regional organization will have to submit regular reports on its activities to the United Nations Organization.

The composition of the economic, migration, and cultural councils will be analogous to that of the political council and does not require elaboration. The distribution of funds between the various organs will have to be made finally by the political council which will be the authority receiving contributions from the members. It may however be expected that the Budget will be framed at a joint meeting of the Presidents and Permanent Secretaries of all the organs.

SUMMARY

It is desirable to have a South-east Asia regional organization. Its membership will be open to China, India, Pakistan,

Siam, Indo-China, Malaya, Indonesia, Burma, Ceylon and the Philippines. The organization will have only authority to take preventive and mediatory action in the field of security of the region. It will possess no power of enforcement action and consequently will have no armaments or military staff at its disposal. It will have a political council, a regional court of justice, a social and economic council, a migration council and a cultural council. The regional court will be composed of the Chief Justice of the highest Court of Justice of each member. The other councils will consist of one representative from each of the members with a substitute. In all these councils India and China will have four votes each, Indonesia and Indo-China two votes each and the other members one vote each. Decisions will be taken by not less than twelve votes. The Head-quarters will be at Singapore or Rangoon. India and China will each bear one-third of the cost and the balance will be distributed among the other members on the basis of population. The work of the regional organization will be co-ordinated with that of the U.N.O.

THE PAN-ARAB LEAGUE¹

BY I. H. BAQAI

THE Arab League is now almost a year old. Since its formation in March last year 1945 it has considerably grown in strength and is now well established in its permanent headquarters at the Boustan Palace in Cairo. Its voice in international affairs carries the weight of an acknowledged representative of the entire Arab World and is being gradually recognised by other Powers as a most effective agency for peace and stability in the Middle East. There is anxiety to win its friendship and to influence its policies. The League, however, is lucky to know its own mind on vital issues that concern the Arab World and there is a general unanimity of opinion about them amongst its members. The creditable part played by the Arab delegation at the San Francisco Conference and the Security Council was a great deal due to this unity and uniformity achieved by the League.

This unity was long overdue. For no two peoples are so close to each other as those living in the area generally described as the Middle East: they have strong natural ties of a common language, rich in literature and thought; common historical traditions, which successfully overcome local differences and dynastic feuds; and a common religion, in which even non-Muslim Arabs take pride as the best contribution of the Arabs to the world. These helpful factors for unity were always there and the unity achieved should, therefore, be taken as natural and spontaneous and not as patterned on any outside movement or inspired by any foreign Power.

During the first world war Arab countries were swept by a 'wave of nationalism.' Arab 'nationalism,' however, sought not only the independence of a number of small Arab States, but also Arab unity. At the peace conference of 1919 the Arab leader Amir Faisal not only stressed the claims

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of the Arab-speaking peoples of Asia to independence but also pleaded for their unity, laying special emphasis on the cultural, geographical and economic factors that made for cohesion amongst them. For the Arab independence and unity went together and therefore the picture of the Arab World as it emerged from the last war was far from satisfactory from this point of view. By the post-war settlements the Arab lands were sub-divided into the Lebanon, Syria, Palestine, Trans-jordan, Iraq, Saudi Arabia (as it was known in 1925 after the unification of the two kingdoms of Ibn Saud), and the Yemen. These countries were promised independence according to the Hussein—Mac-Mahon Letters of October 1915. But in 1916 Britain and France concluded the Sykes-Picot agreement which was wholly incompatible with the promises made by Sir Henry Mac-Mahon to the Arabs. A new mandatory system was introduced and according to this Britain secured a privileged position in Iraq, Palestine and Trans-jordan, while France acquired a corresponding status in Syria and the Lebanon. The Sykes-Picot agreement thus put off the complete independence and union of Arab countries for thirty years. It was admittedly an act of injustice.

This division not only weakened the Arab States but also led to other artificial barriers to unity like frontiers, different dynasties in power, different systems of law, currency and other differences of administration. The Arab leaders were, however, alive to all these difficulties. Their ambition was to win freedom and achieve unity for the entire Arab World which now consisted of Egypt, the Sudan, Cyrenaica, Palestine, Trans-jordan, Syria, Lebanon, Iraq and the States of the Arabian peninsula in the east end of Tripoli, Tunis, Algeria and French and Spanish Morocco. Bitterness against France and Britain added a new factor to Arab nationalism and unification movement in the post-war world.

Working on these lines a conference was held in Jerusalem in December 1931. Delegates to this conference formulated a covenant which proclaimed the Arab lands to be an indivisible whole and that unity and complete independence were the goals, to which all Arab efforts were to be directed.

Arab solidarity was further demonstrated by the interest shown by the rulers of Arab countries in the Palestine question.

Two other events during the thirties greatly helped in the Arab unity movement. One was the Treaty of Taif concluded between King Ibn Saud and Imam of the Yemen in June 1934. This peace treaty, while confirming Ibn Saud's power and suzerainty, also greatly advanced the Arab cause for unity. This was the aim of this treaty and it was, therefore, described in the preamble as a 'Treaty of Moslem and Arab brotherhood, to promote the unity of the Arab nation, to enhance its position, and to maintain its dignity and independence.' A similar treaty was concluded with Iraq in April 1936 and in May Ibn Saud also made a Treaty of Friendship with Egypt. These treaties became the nucleus of a great Arab league.

Egypt was by now coming to the forefront as leader of the Arab World. The Anglo-Egyptian Treaty of 1936 made Egypt an independent State and released her to take a leading part in Arab politics. Meanwhile Arab opinion, was being more and more consolidated about Palestine and it appeared that, if for no other reason, the Palestine question alone would unite all Arab countries into a solid bloc. The Palestine Conference, held in London in 1939, clearly exhibited this unity.

The break out of the second world war in September 1939 once again brought forth the strategic importance of the Middle East. Feverish propaganda was done from both sides to win the friendship and support of the Arab countries. To the British strategy, the Middle East is of the greatest importance—a fact recognized since Napoleon's defeat in the battle of the Nile. To Germans, the possession of this area was the key to world power. Among Arab countries there was a desire for neutrality. In the first war they had helped the Allies and the result had been French rule in Syria and the immigration of large numbers of Jews into Palestine. This had already created a very strong anti-British and anti-French feeling among them. Moreover German propaganda had won many Arab leaders who rightly or wrongly believed that they stood to gain by an Axis victory. But for Iraq, which declared war against Britain in 1941, all other Arab countries, however,

remained neutral and even in Iraq the Pro-Axis régime was soon ousted and was replaced by a pro-British Government which in 1943 brought the country into the war on the side of the United Nations.

War brought forth other problems too for the United Nations. The first and foremost was of supply. With the virtual closure of the Mediterranean to merchant shipping in 1941, the British decided to make the Middle East a self-contained economic unit. The Middle East Supply Centre was created to achieve this end. The Centre was a great success. It fostered and co-ordinated industrial expansion and showed to the Arab leaders the advantages of planning and regional collaboration. Another practical factor, which during the war made for closer union, was the building by the army of military roads linking more thoroughly Egypt, Palestine, Syria, Lebanon and Iraq. The construction of the railway from Haifa to Beirut and Tripoli in Syria fully connected Egypt, the Middle East and Turkey.

The world war II thus greatly stimulated the Arab unity movement. The British Government welcomed and encouraged the idea of an Arab union. At the Mansion House on 29 May 1941 Mr. Eden said : 'It seems to me both natural and right that cultural and economic ties between Arab countries, yes, and political ties too, should be strengthened. His Majesty's Government, for their part, will give their support to any scheme that commands general approval.' In reply to a question in the Parliament on 24 February 1943 he said : 'As they have already made plain, His Majesty's Government would view with sympathy any move among the Arabs to promote their economic, cultural or political unity. But clearly the initiative would have to come from the Arabs themselves, and so far as I am aware no such scheme, which would command general approval, has yet been worked out.' This second statement produced wide interest in Arab unity. It also received a great impetus from the personal interest of King Farouk in an Arab Union.

On 30 March 1943 Nahas Pasha made a statement in the Egyptian Senate asking the Arab Government to make a

general examination of the whole problem. He believed that it was the duty of the Egyptian Government to take the first steps by making official approaches to all the other Arab Governments with a view to ascertaining their individual points of view, before inviting them to a formal meeting at Cairo.

In Iraq General Nuri Pasha welcomed Mr. Eden's statement. A branch of the Egyptian Arab Union Club was opened in Baghdad and there was general support for an Arab Union. In July 1943 Nuri Pasha reached Cairo to have discussions with Nahas Pasha. Similar interest was shown by the Palestinian Arabs and by King Ibn Saud who said: 'There are no differences among the Arabs, and I believe that with Allied aid they will be united after the war.' The Syrian Parliament also passed a resolution on 26 August 1943 asking the Syrian Government to work for the attainment of a confederation of Arab States and the future unification of Arab countries.

Interest was also aroused in the Arab countries of North Africa. The Arab press in Tangier pointed out that Arabs in Morocco also desired to be included in the scheme of Arab unity.

In August 1943 Nahas Pasha asked the Arab Governments to send their representatives to Cairo for further discussions. As a result of these discussions it was decided to hold a conference of all the Arab countries (excepting Saudi Arabia and the Yemen) in Alexandria on 25 September.

The inaugural meeting was attended by the five delegations from Egypt, Iraq, Syria, Lebanon and Trans-jordan, each headed by the Prime Minister of its country. Renewed invitations were sent to Ibn Saud and Imam Yahya who ultimately agreed to send their representatives to the conference. Musal-Alami came to represent the Arabs of Palestine. The Conference lasted till 7 October when the various resolutions were signed.

The Protocol containing the text of the resolution was issued in a *communiqué* by Nahas Pasha. The resolutions fall under five headings:—

1. *The League of Arab States*—This would consist of such independent Arab States as wished to join it, and would

have a Council in which the States would be represented on a footing of equality. The functions of the Council would be (i) to execute inter-State agreements ; (ii) to organize periodical conferences ; (iii) to protect, by all possible means, their independence and sovereignty against aggression ; and (iv) to concern itself generally with the affairs and interests of the Arab countries. The Council's decisions would be binding only on States which accepted them ; but if two members agreed to refer a dispute to the Council for settlement they must then abide by its decision. In any event the use of force to settle disputes between one member and the other would be prohibited. No member would be permitted to pursue a foreign policy prejudicial to the policy either of the League or of any of its member States, but within this limit members would be free to conclude agreements with other members or with non-members. In any dispute likely to lead to war between one member and another or between a member and a non-member the Council would mediate with a view to reconciling the parties. The statutes of the League Council would be drafted by a Commission, to be formed without delay from the members of the Preparatory Committee ; this Commission would also examine possibilities of the conclusion of agreements between the Arab States.

2. *Co-operation for economic, cultural, social and other purposes*—The States would co-operate closely in economic and financial affairs, including commercial exchanges, tariffs and currency policy, agriculture and industry ; in the field of communications, including railways, road and air-transport, post and telegraph ; in cultural matters ; in questions of nationality, passport visas, execution of judicial decisions and extradition ; in social questions ; and in the sphere of public health. For each category in the above list, a Commission of experts would be formed to draft a plan formulating the methods, scope and machinery of co-operation. The work of this Commission would be integrated and supervised by a Co-ordinating and Drafting Commission, which would prepare the resolutions, in the form of draft agreements, for submission to the Governments.

3. *The future strengthening of these bonds*—The Preparatory Committee expressed the hope that, following this first success, the Arab countries would proceed to consolidate it by other achievements.

4. *Decisions with particular reference to Lebanon*—The Arab States represented on the Preparatory Committee unanimously affirmed their respect for the independence and sovereignty of Lebanon within her present frontiers, Lebanon having followed a policy of independence proclaimed by her Government in the ministerial programme which secured the unanimous approval of the Lebanese Chamber of Deputies on 7 October 1943.

5. *Decisions with particular reference to Palestine*—(a) The Committee considered that Palestine was an important part of the Arab world, and that the rights of the Arabs in Palestine could not be infringed without danger to the peace and stability of the Arab World. At the same time it regarded 'the engagement assumed by Great Britain' in the White Paper of 1939, as constituting 'acquired rights for the Arabs.' These engagements were enumerated as the stoppage of Jewish immigration, the protection of Arab lands and the preparation of Palestine for independence; their execution would be a step towards peace and stability. The Committee proclaimed their support for the realization of Palestine's legitimate aspirations and the protection of her rights. (b) The Economic and Financial Commission was asked to examine a proposal to the effect that the Arab Governments and peoples should contribute to the 'Arab National Fund' for saving the lands of Palestine, and to submit its conclusions to the next meeting of the Preparatory Committee.

The publication of this Protocol was favourably received in the press of all Arab States. The delegates on returning to their respective countries gave detailed accounts of the Conference to their people. There was an all round enthusiasm for the proposed Arab League. Moreover the Lebanon crisis of November 1943 had further strengthened the desire for the Arab unity.

The plans to hold an early meeting of the Preparatory Committee were held up for sometime by the general election in Egypt. The new Government in Egypt headed by Dr. Ahmed Mahar Pasha, however, showed equal keenness for Arab unity. Meanwhile, negotiations with King Ibn Saud and Imam Yahya to obtain their agreement to the Protocol continued. Abdur Rahman Azzam Bey, the Egyptian Minister for Arab Affairs, who was appointed Azmir-al-Hajj last year, remained behind in Saudi Arabia after the completion of the Hajj in order to discuss this question with King Ibn Saud. On 3 January he advised the Egyptian Prime Minister that the King had ordered his representative to sign the Protocol. The Imam of Yahya also agreed and sent his representative Sheik-al-Kubsi to sign the Protocol.

On 13 January the Egyptian Foreign Minister issued an invitation to the Foreign Ministers of Iraq, Lebanon, Syria, Trans-jordan, Saudi Arabia and the Yemen to a meeting at Cairo to draft the constitution of the League of Arab Nations.

The Conference of Foreign Ministers was opened at Cairo on 8 February by Nuqrashi Pasha, the Egyptian Prime Minister, Abdur Rahman Azzam Bey, the Minister for Arab Affairs, also assisting. Musa-al-Almai took part as an observer on behalf of the Arabs of Palestine at the invitation of the Conference. The constitution of the League was drawn up by M. Pharaon and distributed to the members of the Conference. At the 17th and final meeting on 3 March the constitution was discussed and signed. It was announced that this draft constitution would be submitted to a meeting of the Preparatory Committee on 17 March. The Preparatory Committee was duly convened on 17 March and on the 20th it transformed itself into the general Arab Congress. The Constitution, after being approved in its definitive form, was signed on the 22nd by representatives of six of the seven Foundation Members of the League. The representative of the Yemen could not arrive in Cairo in time to sign the Constitution, but the name of the Imam appeared in the preamble of the Covenant together with the names of the heads of the other States.

The formation of the League was well received by the Arab as well as non-Arab countries. Its enthusiastic secretary Abdur Rahman Azzam Pasha envisages a great future for it. It has already made its voice felt in matters affecting the Arab world and strongly pleaded for British evacuation from Egypt, for Anglo-French evacuation from the Levant States, for the declaration of Palestine as an Arab State and the stoppage of Jewish immigration and for the independence of Tripolitania. On all these issues, whether affecting Syria or the Lebanon, Palestine or Tripoli, the Arab countries showed remarkable solidarity and even to-day they stand behind Egypt in her demand for the revision of her treaty with Britain. This solidarity has been the achievement of the League on the political side.

The League has not neglected the economic and cultural side. The Economic Committee of the Arab League appointed three sub-committees (i) to consider how to safeguard the interests of Palestinian Arabs in their landed properties; (ii) to make a survey of the agricultural conditions in the Arab countries, and (iii) to report on their commerce and industry. This committee was also to consider the question of customs and import duties and unification of currencies of the Arab countries.

On the cultural side the League has drawn up a cultural convention consisting of 24 sections. It is proposed to establish a permanent office of cultural relations, and it will hold sessions thrice a year in different Arab countries. Again, the exchange of professors and students and the encouragement of educational and scientific missions and the establishment of cultural and social clubs are contemplated. On the Working Committee of the Cultural Institute all Arab countries will have representation.

The two immediate problems before the League are firstly to prepare evidence and a statement of the Arab case to the Anglo-American Commission on Palestine and secondly to stress the urgency for the independence of Tripolitania and Cyrenaica. The Arabs of North Africa have shown great interest in the formation of the Arab League and were very

keen to join it. They have been fighting for their independence for more than thirty years and are now insistent on it. In this demand they have the support of every Arab State.

Regarding the extension of the Arab League beyond its present membership, Azzam Pasha told a press correspondent that they had already made direct contacts with North Africa in the Spanish Zone and a delegation from Spanish Morocco had come to Cairo to take part in the work of the League. He also stated that contacts would be made with non-independent Arabs in the French Zone and with the Sheiks of the Persian Gulf.

According to the constitution the non-Arab countries cannot join the League. But as all other States in the Middle East are predominantly Muslim, closer co-operation between them and the League will not be difficult. Instead of opposing a union of Iraq, Iran, Turkey and Afghanistan—the basis of the Saadabad Pact of 1937—the League should welcome it as the two unions can co-operate in keeping off foreign aggression. The spectre of a third world war is looming large on the Middle East and there can be no safer guarantee of peace than the closer union of all peoples, Arabs and non-Arabs, in that area.

EUROPEAN REGIONALISM ¹

By G. A. JOHNSON

‘The search for a formula of European co-operation in conjunction with the League of Nations, far from weakening that body, should not, and could not, tend but to increase it, for it is in close keeping with the ideals of the League.’ So the French Government declared in 1930, recommending to European States-members of the League the project for Federal Union with which M. Briand’s name is specially associated. Further quotation seems apposite :

The need for establishing a permanent régime of solidarity based on international agreements for the rational organization of Europe arises from the very conditions of security and well-being of the nations whose geographical position already imposes on them in this part of the world a real solidarity.

No one to-day doubts that the lack of cohesion in the grouping of the material and moral forces of Europe does in fact constitute the most serious obstacle to the development and efficiency of all political or judicial institutions on which the foundations of any universal organization of peace tend to be based. This dispersion of energy does not limit less seriously, in Europe, the possibilities of enlarging the economic market, the attempts at intensifying and ameliorating industrial production, and thereby every guarantee against labour crisis, which are sources of both political and social instability..

The very activities of the League of Nations, whose responsibilities are rendered all the more heavy by the fact that it is a universal organization, might meet with serious obstruction in Europe if these territorial divisions were not counter-acted at the earliest moment by a bond of solidarity....

It is on the plane of absolute sovereignty and of entire political independence that the understanding between European nations must be brought about.

In its language, this document bears mark of conditions which no longer survive. Almost all the propositions quoted are open to criticism. It was produced, moreover, as again the text betrays, at a time when Germany, though not yet Nazi, was a member of the League and Russia not, and the strongest cement in Europe was fear of bolshevism. Yet even to-day it expresses, subject to suitable modification, the ideas of most regionalists, though plans nowadays are less spacious than M. Briand's and still less spacious than Mr. Streit's. There are, moreover, yet few who would, like Mr. Culbertson, divide the whole world into regions, each a federation, forming the basis of world federation. Current objects are more limited. What is aimed at, for the most part, is a neighbourhood association. Even so this is recommended for much the same reasons as the French plan for the whole of Europe, namely security, political and economic convenience and well-being and greater efficiency as an international instrument. Other motives not so openly advertised are ideological sympathy and mutual protection against powerful fellow-members of the United Nations organization.

Of these claims on behalf of regionalism the United Nations Charter is concerned directly with only one, the part played by regional agencies in maintaining peace and security. To the general principles of regional security there was no serious objection either at Dumbarton Oaks or at San Francisco. Such arrangements for settlement of local disputes are 'encouraged' both in the draft and in the final Charter. Their use by the Security Council for enforcement action under the Charter was approved. Difficulty arose at San Francisco over the question whether under them immediate sanctions could be imposed on an aggressor, as under the European treaties designed to check renewed German aggression. The case in point was the pan-American arrangement adopted at Mexico City in March, known as the Act of Chapultepec, views about which were coloured on the one side by the Monroe Doctrine and on the other by Argentina's adherence to the Act on the eve of the San Francisco Conference. A compromise was eventually reached. Since objection to unqualified blessing of regional security plans

arose in this American instance first, because it seemed uncertain that there would be adequate submission to the supreme authority of the Security Council in view of the citation of a rival international doctrine and, second, because it involved association with a State of quasi-Fascist character, one might have expected that the effect would be to encourage European schemes to which there could be no such objection. So far, however, there has been no sign of this.

There is possibly another indirect reference to regionalism in the U. N. Charter, in those Articles dealing with 'specialized agencies.' The obvious reference is to international organizations such as the International Labour Office or the World Federation of the Trade Unions, which may be brought into relation with U. N. O. Since, however, it is possible that regionalism in Europe would assume a functional character, that case may also be covered.

Of possible regional arrangements in Europe, here are the chief, arranged in no special order. Suggested blocs are:—

Western, possibly including Britain and France,
Eastern, under Russian protection,
Middle,
Danubian,
Balkan,
Scandinavian,
Latin.

Obviously not all these could exist simultaneously. There are other possible arrangements, a European union, either in M. Briand's sense or in that for which the late Hilda Monte passionately pleaded from a predominantly economic point of view, in both cases excluding Russia and possibly Britain. Neither seems likely in present circumstances. 'Pre-war arrangements, political or economic, such as the Little Entente, the Balkan Pact, the Oslo Pact (comprising Denmark, Norway, Sweden, Finland, Belgium and Holland) and the Baltic Pact (Latvia, Lithuania and Estonia) need to be mentioned for, though all no longer exist and some have almost certainly gone for ever, others show possibilities for fresh alignments under different names. Agreements reached during the war,

between Poland and Czechoslovakia and between Yugoslavia and Greece, need to be considered. Finally there is the interesting and romantic project for a 'Zone of Small Nations' advocated by Prof. Seton-Watson on the basis of the little publicized Peasant Programme signed in London in 1942 by representatives of Bulgaria, Czechoslovakia, Greece, Hungary, Poland, Rumania and Yugoslavia. This differs from the rest in having a fairly clear social as well as economic basis. There are besides the racial conceptions of pan-Slavism and pan-Teutonism, both of which have regional aspects which, however, will not here be directly considered.

Before trying to assess the importance of some of these groupings, it seems worth while to examine briefly why one long-lived regional association finally collapsed. Frantisek Palacky, who has been called the father of Czech nationalism, is said to have been the first to declare that if Austria did not exist it would have been necessary to invent her. Had the Liberal movement of 1848 succeeded, Austria, with or without Hungary, might have been reconstructed as a genuine multinational federal State. But the interests of Liberal Austrian Germans were torn between Austrian problems and the contemporary struggle going on in Germany. Reaction triumphed, and probably the last chance of successful democratic reconstruction of Austria disappeared, though Dr. Rudolf Schlesinger holds that few Parties among the many peoples of Austria-Hungary were determinedly irredentist at the beginning of the war of 1914-18 and that, among the Czechs, even so late as 1917, there were few who believed a complete dissolution of the Hapsburg State possible or even desirable.

Mr. Ernest Bevin lately said that he was one of those who had thought the old Austro-Hungarian empire economically right and politically wrong. Many would accept that verdict as it stands, but it needs critical examination. Inappropriateness of Austro-Hungarian political institutions made collapse inevitable, but lack of economic cement made reconstruction impossible. The Hapsburg dynasty and the Magyar Lords between them had effectively prevented the growth of political institutions corresponding to the wishes of the various nationalities submerged in the empire; but had economic

development been more intelligently undertaken, it seems unlikely that the only durable link between the Succession States would have been hostility to the return of the Hapsburgs. On the other hand, this very fact is a warning against uncritical enthusiasm for regional schemes which are based only, or primarily, on supposed obvious economic advantages. Many factors contribute to making a nation. It would be rash to assume that the foundations of regional groupings are less complex, or that, if shared history, including a long common struggle against the Turkish invader, failed to produce a regional group which survive the removal of centralist oppression, and reaction, mere theory of common advantage will do as a substitute, especially if the need does not seem desperately urgent.

We may perhaps digress further and examine why when Austria, one multinational State, perished in 1918, another, Russia, survived and grew immensely stronger in spite of initial partition. Briefly the main causes of Russian success, which may be studied in detail in Dr. Schlesinger's recent book,² seem to be Great Russian predominance—in Austria, no nationality came near to forming a majority of the population—; the colonial character of a great part of the Czarist empire; identification of the revolutionaries with oppressed peoples and classes; satisfaction of the economic demands of the under-privileged; the genuine enthusiasm of the leaders of the October Revolution (not least M. Stalin, the Georgian) for national equality, and, above all, the driving energy of the Communist party. Outside Russia it would be necessary to recreate these conditions in order to make multinationalism succeed in any given region, and in view of the more developed national consciousness of the peoples involved, it is doubtful whether even acceptance of Communism would be enough by itself. Compulsion would almost certainly be necessary, though this, of course, could take many forms not all of which might be obvious.

From multinationalism which failed and multinationalism which succeeded, we turn back to some of the many regional

proposals already mentioned. It is suitable that plans for a region of all Europe (Russia and possibly also Britain excluded) should be examined first. It is unnecessary to suppose that the larger the group, the more difficult the task of forming it. For many of these schemes, statistics of mutual trade are quoted. Those for what we may call the domestic trade of Europe as a whole are not least impressive. Culturally Europe, in spite of diversities, exhibits a more harmonious pattern than does All-America. Turning to defence, we may admit that it would certainly not be more difficult to provide national contingents for a European army or police force, which might serve as a joint European contingent in the international force at the disposal of U.N.O., than to contribute these contingents separately to U.N.O. But objections immediately spring to mind. Most recent conflicts have originated inside Europe. From the rather risky assumption that they will not do so in future, it follows that Europe is organized for defence against some outside aggressor. The number of possibilities is limited and the organization, if strong would be provocative, if weak tempting.

Leaving aside for the present economic objections to what would tend to become a closed area, we may pass on to an objection which is almost certainly decisive ; a united Europe would revolve round Germany. That would be so even if Germany were kept disarmed and split up and if its industries were controlled by the partners. Either the disabled giant would rise to his feet with general consent or he would shake off his chains. Europe dominated and organized by a Germany which had cast aside chauvinist sentiment might be a world asset. But practical experience of Europe under German leadership makes such a solution wholly unacceptable. Hitler's New Order was the culmination of the United Europe projects. To say that it was bad because Fascist, does not prove that it would be better, because Communist or even Liberal-democratic. It could not survive without compulsion. Europe as a whole, therefore, seems an unsuitable region. We do not propose to consider whether it could more readily be organized as a federation of regions.

Discussion of Austria-Hungary has supplied criteria for examining the various proposals for reorganizing Central and Eastern Europe. The only effective unifying agency visible there at present is Russia. While Russia's policies are unaltered, it is likely to remain so. Such war-time projects of confederation as the Czecho-Polish and the Greeco-Yugoslav have gone with the wind that blows over the steppes. Framed in exile by men not all of whom were in touch with popular feeling in their respective countries, they are inappropriate to present political circumstances in spite of their many good points. The Czecho-Polish arrangement is specially impracticable. Though some propagandists for this and similar ideas hopefully supposed that Russia would welcome a middle bloc—'a strong and friendly group of States capable and determined to resist German aggression'—Russia has shown very plainly that she does not. We may even suppose that it is not purely accidental that the present Governments of Poland and Czechoslovakia, both friendly to Russia, both socialistically inclined, have discovered more causes of difference than of unity.

A Danubian federation is at present impracticable. Whether it would be so were Russian influence removed can only be guessed. Its most obvious basis would be something like the peasant programme mentioned earlier, but industrial development of the more backward countries would tend to cause cleavage. It has to be seen whether the present peasant-worker compromise in Austria will be any more durable than the last. It is worth noticing however, as a guide to future possibilities, that the peasants have been politically successful in Hungary and, though the common lists of unified parties make it difficult to disentangle separate interests in Yugoslavia and Bulgaria, it is reasonable to suppose that peasants as such remain a strong political force there too. Meanwhile a different tendency is at work. If, with Russia's blessing, the Communist-dominated Governments of Yugoslavia and Bulgaria settled the old quarrel over Macedonia, partly at Greek expense, and formed a union of Southern Slavs, realization of a larger Danubian or Balkan project would become much more difficult.

The proposal of a Latin bloc may, we think, be summarily dismissed. It seems to begin and end in the fertile brain of

M. Paul-Boncour, though some have said that Gen. de Gaulle favoured it. Without a change of régime in Spain it is obviously impossible and, if the past attitudes of the proposed partners towards one another persist, even the elements of closer union seem absent. A Scandinavian bloc, though in many ways easiest to arrange and most sensible and practical, seems equally unlikely. The chief obstacle here is that the three countries combined would not have the resources or the population of a Great Power and, with exposed frontiers, there would be no gain in security. Economic arrangements seem scarcely more useful, in view of the great dependence of Denmark on foreign trade and of Norway on shipping for the international market.

Thus is reached the regional project which is more persistently canvassed and most fiercely criticized, that for a Western bloc. To judge by a recent statement of Mr. Bevin's it would appear that the chief, almost the only, obstacle to this is Russian opposition. We are not sure that this is so, even though it is plain that Russia has little liking for it and that Communists, in the West, taking their tune from Russia, have even less. It is not altogether clear what is meant by a Western bloc; there are several versions. Common to most, however, is the scheme that Britain and France, with smaller associates should combine for defence and other purposes, sometimes clearly sometimes vaguely set out. Of regional projects in general it is often and, we think, correctly maintained that close relations should be between approximate political equals, though not all who argue thus have pushed their conclusions far enough and seen that it is advisable also that ideologies and the constitutions which express them should be similar (so that in joint organs there is no possibility of a totalitarian member voting down democratic members whose delegations tend to express diverse views) and that economic and social organization should correspond so that there is no possibility of unwanted domination by one interest or class. Be this as it may, participation of a Great Power is fatal to regional projects of federation or confederation. What it produces is a sphere of influence, which may have advantages for all participating, but whose essence is inequality. In the

Western bloc, however, there would be not one Great Power but two and some think that their influence would cancel out. What good that would do is difficult to see. It would seem to weaken all common endeavour and might lead to complete deadlock. Presumably, however, what is hoped for is persistent mutual accommodation which the smaller States-members would foster as best as they could in their own interests. Even so, the basis of the plan is Anglo-French alliance, by whatever name it may be called, so that the plan stands or falls by that.

Mr. Churchill's dramatic offer of union between Britain and France was made in the face of imminent danger to both. Some have deduced from this that the only effective spur to regionalism is crisis threatening partners temporarily engaged in the same task, usually the task of war. Offers made in such circumstances have been well described as 'the product not of complete unity of purpose but of anxiety for more complete unity.' As between Britain and France the mood has passed and may recur only in conditions similar to those which originally created it. However, the memory remains and if it is considered that union, either when proposed by Mr. Churchill or earlier, would have prevented war or led to earlier victory, it should serve to encourage similar projects.

It is time to consider one such plan in detail. We choose the scheme published in the *Economist* in June 1945 and lately conveniently re-published by the (British) National Peace Council. Closer association between Britain, France, Holland and Belgium, and possibly part of Scandinavia too, is here described as 'a first strategic priority in all planning for security after the war.' (Apparently, however, this view is based on a premature reading of modern developments in the art of war; aircraft and armoured weapons make 'the whole of Europe west of the German frontier—one might as well say west of the Elbe—...too small to form more than a single strategic area.' The Atom bomb and the rocket perhaps make that true of the whole world). Supplies would be pooled, equipment standardized; conscription would be applied in all member-States. A single defence force would be 'the full answer,' but if that is impracticable much could be done by

assignment of tasks and co-ordination through a joint Chiefs-of-Staffs Commission.

The phrase 'west of the Elbe' is worth noting. Participation of at least Western Germany seems to be hinted at. It is said too that, 'if the countries of Western Europe with their colonial dependencies were to co-operate, their territories would girdle the earth, and on every Continent and in every sea they would be in control of airfields and naval bases from which to guard the peace of the world.' A Western Association is described, in language reminiscent of that used by Poles about the Middle Bloc, as 'far from constituting a menace to Russia' and as 'a strengthening of the existing Anglo-Soviet and Franco-Soviet Pacts.' But what has been quoted above explains Russian doubts. It is besides improbable that collaboration extending through colonial dependencies could accurately be called a regional arrangement (though it might include several of these) and plainly, whatever it had to recommend it from the point of view of the participants or that of world security, it could not be regarded as meant for the defence of Western Europe only.

Economic arguments are that the countries named are all dependent to a high degree on foreign trade and also to a high degree on trade with each other, and that they are all interested in policies of social security and full employment. Statistics of trade are given, and it is interesting to find that not only the colonies but also the British Dominions and India are included. Trade with Germany is added to the total. Indeed, it is frankly declared to be possible that 'Germany, or at least western Germany, would also be associated, voluntarily or involuntarily, with the policy,' that is to say, the economic policy. Lest, however, it be thought, by the U.S.A. for example, that what is aimed at is a closed economy, that is expressly denied: 'Political principle and physical circumstances are alike opposed to it.' A reference to 'what Ottawa should have been, not what Ottawa was' is presumably meant to reassure; but since it is accompanied by suggestions for mutual reduction of tariffs and for exploring loopholes in 'the most-favoured-nation barrier,' reassurance is unlikely. Finally it is said in words that remind us of the Briand Plan (or the

U.N.O. Charter for that matter) that the peoples of Europe are in no mood to accept freely a diminution of their sovereignty. But the 'modest beginnings,' of a military alliance and a far-reaching commercial treaty might well lead through 'close and constant collaboration of policymakers at every level' to 'such a network of collaboration that the practical objectives of a federal solution would be largely achieved.'

Such, then, is the outline of a typical regional project. Whether, though a step towards unity on a limited scale, it is also in the interests of the larger unity of the United Nations has to be considered. It is unlikely to be approved without qualification by either Russia or the U.S.A. More important to those who are immediately concerned is whether it is practicable. Common arrangements for defence presuppose a common enemy. If part of Germany is to be voluntarily or involuntarily included in the association, obviously Germany cannot be that enemy. So it may seem that common arrangements for defence are unnecessary if not provocative. Economically the case is not so strong as it seems. Some have urged that Britain should develop closer relations with her neighbours as an alternative to accepting a loan from the U.S.A. on disagreeable terms. But this seems wholly unpracticable when the needs of the liberated countries are great and urgent and can be filled only with the help of the U.S.A. The same argument militates against a Western economic bloc.

We have glanced at the soil in which regional ideas were planted and have grown up. We have inspected some of these briefly and one at greater length. We might have done well to emphasize that plans differ, not only in content but also in extent, according as their origins are in political, economic, social, cultural or other considerations; but this is perhaps too great a complication. We have seen that the United Nations Charter has little to say about regional associations. In conclusion, this point may be examined in more detail.

The Charter expressly encourages the pacific settlement of local disputes by regional agencies and sanctions their employment for enforcement action under the authority of the Security Council in circumstances which are carefully

defined. Though it creates no obstacles to their development, requiring simply that their activities should be consistent with the purpose and principles of the United Nations, and that the Security Council should be fully informed only of activities undertaken or in contemplation by them for the maintenance of international peace and security, it seems to take no interest in them except as organizations for military security. Even so the limitations imposed are not unimportant. The joint Chiefs-of-Staffs Commission mentioned in our summary of the project for a Western Association would presumably have to communicate its plans and decisions to the Security Council. Unless, however, the promoters of regional agencies have aims inconsistent with those of the United Nations in mind, there should be no objection to this. But what seems fairly clear is that in the Charter regionalism in its wider aspects is regarded as something to be tolerated rather than encouraged. Were regional administrations or quasi-administrations to become numerous, the Charter and the Organization might have to be recast, so that they, rather than separate nations, would be represented. Of such development, however, there is yet no sign. Instead there are growing up spheres of influence which, though in a sense regional, are properly regarded as expansion of existing world power-systems. About these the Charter has nothing to say.

POSTSCRIPT

Since this article was written 18 months ago, enthusiasm and antipathy have grown. Large plans for regional cohesion at once arouse hostility among those excluded, even though exclusion is by their choice. If economics is the basis, political implications are discovered; if exchange of information, subversive propaganda is taken to be the intention. Though the impulse towards some form of union is stronger, the stimulus tends to be external—the threat of a general economic catastrophe, or big-Power pressure. Behind the Marshall Plan and the Cominform are Powers one of which is wholly, the other largely, extra-European. However, economic difficulties might have led to projects for customs unions without the impetus given by the U.S.A. During the Paris talks on Mr.

Marshall's project, many countries agreed that it was desirable at least to study the implications of a European customs union and the first meeting of the study group has since been held. The Benelux group (Belgium, Netherlands, Luxembourg) seem to have taken the lead in this movement; but experience in this group, a small edition of the Oslo Pact, shows that it is easier to plan than to perform. Though the Benelux project has been under discussion since 1944, what has come into operation only in the last few months is something less than a customs union. In Paris too, the idea was mooted of a customs union between France and Italy.

The Treaty of Dunkirk, signed in March 1947 between Britain and France, seems unlikely to serve as the basis of a West European group since, on the model of the Anglo-Russian treaty, it is directed mainly against revival of German aggression. The only specific new arrangement capable of enlargement seems significantly to be the pact for mutual assistance reached in early August 1947 between Bulgaria and Yugoslavia. This also contemplates a customs union. The U.S. policy in Greece and Turkey, however, seems to rule out a new Balkan Pact, which in present circumstances could only be inspired and dominated by Communists in close association with Russia. Cominform on the one hand and the Marshall Plan on the other, taken in conjunction with the purges of liberal politicians in Eastern Europe and the Rightward tendency in Western Europe, mark the lines of cleavage. Ambiguously situated countries like the Scandinavian view these developments with especial apprehension.

A union of the whole of Europe is, in such circumstances, impossible by pacific means. Present conditions, though tending to promote regionalism on a smaller scale, offer little opportunity to judge of its advantages as a permanent programme. It is swamped by the Great-Power ideological conflict which finds political and economic expression in groups destined to rivalry. Spontaneous impulses towards closer association are thus overlaid and distorted.

THE INTER-AMERICAN SYSTEM

AND

THE UNITED NATIONS ORGANIZATION

BY MANUEL S. CANYES

The establishment of the United Nations Organization has given rise to many questions in the minds of people in the Americas, chief among which are the following: What will be the effect of the world system on the Inter-American System; will the latter function with the same freedom of action as in the past; what are the similarities and differences between the two; and what is the position of the second in relation to the first?

An attempt will be made to answer these questions, first by briefly describing the two organizations, then by pointing out their basic differences and similarities, and finally by showing the degree of co-ordination between them.

THE INTER-AMERICAN SYSTEM

The Inter-American System, the oldest and most elaborate regional organization in the world, was initiated in 1826 at Panama with the first Congress of American States. After a long period of slow and modest development in which it became systematically well-rooted, the inter-American system reached its first stage of formal existence at the First International Conference of American States held at Washington in 1889-90. It was at this Conference that the institution known today as the Pan-American Union was created.

Since 1890 the regional organization of the Americas has experienced fifty-five years of steady progress unmatched anywhere else in the world. This progressive growth has been achieved by means of international as well as special and technical conferences. In these meetings, particularly in the

first, the American States have concluded numerous treaties, conventions, declarations and resolutions which embody the fundamental principles of the system and constitute the basic law of the continent, and have created many permanent agencies that carry on in the interim between conferences certain specific tasks which serve to give practical application to the conclusions reached and the principles established at such conferences.

Those fundamental principles may be enumerated briefly as follows: Absolute juridical equality and complete sovereignty and independence of each State; respect for and faithful observance of treaty obligations; rejection of all methods for the solution of controversies between nations based on force, on the violation of treaties or on their unilateral abrogation; non-intervention by one State in the internal or external affairs of another; condemnation and proscription of wars of aggression; non-recognition of territorial acquisitions by force, diplomatic pressure or any other coercive means; and settlement of all international disputes by peaceful methods.

The foregoing principles, of a juridical nature, are supplemented by many others of an economic, social and cultural character which govern the relations of the American States in these fields. All are the product of an element indispensable to the success of any international organization—a spirit of friendly co-operation. This element has been ever present in the inter-American movement and has contributed more than any other to its achievements.

The Inter-American System is not an isolationist movement; on the contrary, the spirit of co-operation which gives it strength and vitality is world-wide in scope. The Pan-American Union as well as other inter-American agencies have maintained a co-operative relationship with other international organizations. This was particularly true with reference to the League of Nations and various organs of the League. Such co-operation not only will be maintained with the new World Organization, but undoubtedly will be developed to a much higher degree.

In the preamble of Resolution IX of the Inter-American Conference on Problems of War and Peace, held at Mexico City in 1945, providing for the 'reorganization, consolidation and strengthening of the Inter-American System,' the following statements appear: 'The Inter-American System is and has traditionally been inspired by a deep sense of universal co-operation...' 'The Inter-American System should maintain the closest relation with the general international organization and assume the appropriate responsibilities in harmony with the principles and purposes of the general international organization.'

The Inter-American System is not in itself a single central organization. As pointed out, it functions principally through the media of conferences and permanent agencies. These are the main instrumentalities of the system. One supplements the other. The conferences offer the means to meet, exchange views and reach agreements on problems of common interest. The permanent agencies provide continuity to the movement.

Among these agencies which constitute the life-blood of the system and operate in every field of inter-American endeavour, the Pan-American Union is first in importance. As the official international organization of the twenty-one American republics, it acts in the capacity of permanent secretariat of the International Conferences of American States, the meetings of the Ministers of Foreign Affairs, and many special or technical conferences. To carry out these functions, the Pan-American Union prepares the programme and regulations for each conference; compiles advance documentary material relative to the topics included in the agenda for the information of the delegates; serves as the depository for the archives and the instruments of ratification of treaties and conventions; and in the interval between the conferences undertake to give effect to the resolutions adopted and requiring implementation. In addition, the Pan-American Union performs many other functions in the whole field of inter-American activity, serves as a centre of information regarding the countries-members of the Union and their relations, and prepares numerous publications for general distribution,

Although it is true that the Inter-American System is not a single centralized organization, there is a large degree of co-ordination and supervision through the Pan-American Union, which as the central agency of the system, acts as an executive body. This co-ordination and supervision will probably increase in order to make the system more effective and workable. The recent Inter-American Conference on Problems of War and Peace assigned to the Governing Board of the Pan-American Union, as an additional function, the supervision of all inter-American agencies which are or may become related to the Union.

THE UNITED NATIONS ORGANIZATION

The United Nations Organization created at San Francisco, represents a second universal effort to establish adequate machinery for the maintenance of international peace and security. This is its main objective and all collateral activities will be aimed toward this end. The first effort in the same direction, embodied in the Covenant of the League of Nations, failed to accomplish its purpose, and as a result the world has been plunged into its most devastating war.

This tragic experience has convinced the peace-loving nations of the world that every possible attempt must be made to prevent another breach of the peace. The newly devised methods, born of practical experience, rest on stronger foundations than the old ones. Only time will tell whether the structure of the new organization will be more solid and more effective than that of its predecessor in withstanding the tests which future years will bring before it.

The United Nations Organization, although favoured by a long background of experience and international co-operation, is new and untried. Its success will depend not on its basic structure, which unquestionably is well-built in spite of its recognized weaknesses, but on a simple factor: the co-operative spirit and the good faith of its members, particularly of its more powerful ones. As has been indicated, co-operation is an indispensable element to the success of any international

organization. The Inter-American System has thrived and become stronger with the march of time principally because of this underlying factor in its practical operation.

The Inter-American System and the United Nations Organization are not exactly alike. There are many intrinsic differences between the two, arising from their dissimilar origins and purposes. Both are international organizations, but one is regional in scope, the other universal. One is the product of a long steady growth, particularly fitted to the continent where it has developed. The other is new and encompasses the whole world. Its problems are much greater because of factors not present in the Inter-American System, such as the diversity of governmental institutions, the diversity of economic interests, and the diversity of languages, all giving rise to international rivalries and antagonisms.

On account of its universal scope and objectives, the functions and activities of the United Nations Organization cover a much larger field than that embraced by the Inter-American System. In the latter, for instance, there is no Security Council, no Trusteeship Council, nor an International Court of Justice. The first exercises certain functions for the purpose of maintaining international peace and security not provided for in the Inter-American System because they are beyond its scope; the second has to do with the administration of trust territories, which may only be dealt with properly through a world organization; and the third is charged with the administration of justice on a world-wide basis. There have been many attempts to establish an inter-American Court of Justice, but so far no concrete results have been achieved. The actual establishment of such a court, however, would not be inconsistent with the Statute of the World Court.

In their basic structure the two organizations have many similarities. They will be set forth in double-column form under general headings. For purposes of simplification the two organizations will be described with their initials, *UNO* standing for the United Nations Organization, and *IAS* for Inter-American System.

*Basic Structure***UNO**

Is governed by a Charter and a Statute establishing the International Court of Justice, one of the principal organs of UNO.

Pending the coming into force of the Charter and the establishment of the United Nations, a Preparatory Commission has been created for the purpose of making the necessary provisional arrangements.

IAS

Is governed by a statute composed of resolutions adopted at International Conferences of American States. Provision for a Charter to govern the system was made at the Inter-American Conference on Problems of War and Peace held at Mexico City in 1945. This Charter is to be signed at the Ninth International Conference of American States scheduled to meet at Bogota in 1946.

Purposes

To maintain international peace and security, and to that end, to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace.

To develop friendly relations among nations based on respect for the principles of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace.

To achieve international co-operation in solving international problems of an economic, social, cultural or humanitarian character, and promoting and encouraging respect for human rights and for

The fundamental purpose of IAS is also to maintain continental peace and security. Until recently no provision existed for recourse to force to preserve peace, because settlement of disputes by peaceful means has always been one of the main purposes of IAS. The Act of Chapultepec in March 1945 provides for certain measures, including the use of force if necessary, to prevent or repel aggression. The Act is to be replaced by a permanent treaty to be drawn up at a special Inter-American Conference.

The promotion of peace, friendship, and commercial intercourse has always been one of the main purposes of the Pan-American Union.

IAS has constantly endeavoured to solve through international co-operation constitutional problems of an economic, social, cultural, or humanitarian character as well as to promote respect to human rights

UNO

fundamental freedom for all without distinctions of race, sex, language, or religion.

IAS

and for fundamental freedoms for all without distinction of race, sex, language or religion. The charter to be adopted at Bogota is to have as Annexes two Declarations, one on the Rights and Duties of States and the other on the Rights and Duties of Man. The Declarations will be a codification of existing inter-American principles.

Principles

Is based on the principle of the sovereign equality of all its members.

The member States must settle their international disputes by peaceful means in such a manner that international peace and security and justice are not endangered. The peaceful means provided in the Charter are negotiations, inquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other means which the parties may choose.

All members must refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or from any other measure inconsistent with the purposes of the United Nations. Armed force is to be used only in the common interest.

Absolute juridical equality and respect for the sovereignty and independence of each State is one of the fundamental principles of the Inter-American System.

The settlement of international disputes by peaceful means is also one of the fundamental principles of IAS. Toward this end the American Republics have developed a comprehensive system for the pacific settlement of international disputes which is embodied in nine treaties, conventions, and declarations. These instruments establish a variety of procedure covering every method of pacific settlement.

In IAS the territory of a State is inviolable and no territorial acquisitions obtained by force are recognized. As long ago as at the First International Conference of American States, the American Republics declared that the principle of conquest shall not be recognized as admissible under American public law, and that all cessions of territory shall be void if made under threats of war or in the presence of an armed force.

Membership

UNO

The original members of UNO are the States which, having participated in the United Nations Conference on International Organization at San Francisco, or having previously signed the Declaration by the United Nations on 1 January, 1942, sign the Charter and ratify it.

Membership in UNO is open to all other peace-loving States which accept the obligations contained in the charter and, in the judgement of the Organization, are able and willing to carry out these obligations.

The admission of any such State to membership in UNO will be effected by a decision of the General Assembly upon the recommendation of the Security Council.

IAS

The Statute of the Pan-American Union provides that the Governments of the American Republics enjoy, as of right, representation at the International Conferences of American States and the Pan-American Union.

Membership in the Pan-American Union is composed of the 21 American Republics: Argentina, Bolivia, Brazil, Chile, Columbia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, United States, Uruguay, and Venezuela.

Organs

The principal organs* of UNO are: the General Assembly, the Security Council, the Economic and Social Council, the International Court of Justice, the Trusteeship Council and the Secretariat.

The principal organs of IAS are: the International Conference of American States, the Meetings of the Ministers of Foreign Affairs, special or technical conferences, and the Pan-American Union.

The General Assembly

The General Assembly consists of all the members of UNO. Its functions and powers cover any

The organ in IAS most similar to the General Assembly is the International Conference of

*The Security Council, the Trusteeship Council, and the International Court of Justice have already been mentioned on page 6, and therefore are omitted in this section, with the exception of the Security Council about which further comparative comments are made.

UNO

matters within the scope of the Charter or relating to the powers and functions of any organs provided in the Charter.

Specifically, the Assembly may consider general principles of co-operation in the maintenance of international peace and security, may discuss any question relative thereto and make recommendations, unless the question is being dealt with by the Security Council; and may initiate studies and make recommendations for the purposes of:

(a) Promoting international co-operation in the political field and encouraging the progressive development of international law and its codification; and

(b) Promoting international co-operation in the economic, social, cultural, educational, and health fields, and assisting in the realization of human rights and fundamental freedoms for all without distinction of race, sex, language, or religion.

It is to meet in regular annual sessions and in such special sessions as occasion may require.

The Security Council

The Security Council consists of eleven members, five permanent and six non-permanent, to be elected by the General Assembly. Its primary responsibility is to maintain international peace and security. Toward this end, the Security Council has been granted many specific powers, in connexion with the pacific settlement of dis-

IAS

American States. These Conferences have met in the past at five-year intervals and in the future will meet at four-year intervals.

The Pan-American Conferences formulate general inter-American policy and determine the structure and functions of inter-American instruments and agencies. They may cover any matters of general inter-American interest. These are supplemented by:

(a) The Meetings of Ministers of Foreign Affairs, which deal exclusively with emergency questions affecting IAS and with situations and disputes that may disturb the peace of the continent and

(b) Special or technical conferences for the study of certain problems of common interest which cannot be properly considered at the International Conferences of American States.

IAS does not have a Security Council, because it has always aimed to maintain continental peace and security through economic stability, the development of cultural relations, and the settlement of all differences by peaceful means. The counter-part of the Security Council in IAS is the Governing Board of the Pan-

UNO

putes, threats to the peace, breaches of the peace and acts of aggression; regional arrangements, and international trusteeship. Because of its important duties within the organization, the Security Council is to function continuously.

IAS

American Union, composed of a representative from each member State. Its functions, however, are not like those of the Security Council. They cover every matter that affects the effective functioning of IAS and the solidarity and general welfare of the American States within the limitations imposed by the International Conferences of American States or the Meetings of Ministers of Foreign Affairs.

The Economic and Social Council

The Economic and Social Council of the UNO consists of eighteen members elected by the General Assembly. Its main functions shall be:

To initiate studies and reports with respect to international economic, social, cultural, educational, health and related matters and to make recommendations with respect to any such matters to the General Assembly, to Members of the United Nations, and to the concerned specialized agencies established by inter-governmental agreement, which may be brought into relationship with the United Nations under the provisions of the Charter;

to prepare draft conventions for submission to the General Assembly, and to call international conferences in accordance with the rules prescribed by the Organization, with respect to matters falling within its competence;

The Inter-American Conference on problems of War and Peace held at Mexico City in 1945 provides for the establishment of an Inter-American Economic and Social Council, subsidiary to the Governing Board of the Pan-American Union, and composed of members designated by the respective Governments. It began to function toward the end of 1945 as provisionally organized by the Governing Board of the Pan-American Union. The Ninth International Conference of American States will determine this year 17 January 1946 at Bogota its permanent form of organization.

The functions of the Inter-American Economic and Social Council are as follows:

To carry out recommendations of the International Conferences of American States;

to serve as the coordinating Agency for all official inter-American economic and social activities;

UNO

to make recommendations for the purposes of promoting respect for, and observance of, human rights and fundamental freedoms for all;

to perform such functions as fall within its competence in connexion with carrying out the recommendations of the General Assembly; to furnish information to the Security Council, and to assist the Security Council upon its request; and

to perform such other functions as are specified in the Charter or as may be assigned to it by the General Assembly.

IAS

to promote social progress and the raising of living standards for all American peoples;

to undertake studies and other activities upon its own initiative or upon the request of the Government;

to collect and prepare reports on economic and social matters for the use of the American Republics;

to maintain liaison with the Economic and Social Council of the United Nations and with existing or projected international economic and social agencies.

The Secretariat

The Secretariat of the UNO comprises a Secretary-General and such staff as the Organization may require. Their method of appointment and their functions are specifically prescribed in the Charter.

In IAS the Pan-American Union serves as the General Secretariat. It comprises a Director-General, an assistant Director, and a staff under various administrative divisions which deal with foreign trade, statistics, economics, intellectual co-operation, music, judicial matters, agricultural co-operation, travel, and labour and social information.

Military Staff Committee

For the purposes of taking action to prevent breaches of the peace or acts of aggression, there is to be established a Military Staff Committee to advise and assist the Security Council's military requirements for the maintenance of international peace and security, and for other related purposes. It will consist of the Chiefs of Staff or the permanent

There is no body in IAS comparable to the Military Staff Committee of the United Nations, because the functions contemplated are not world-wide in scope and cover a field in which UNO exercises an over-all authority.

There is, however, an inter-American Defence Board, established in Washington under a resolution of the third meeting of the

UNO

members of the Security Council or their representatives.

However, any member of the UNO not permanently represented on the Committee is to be invited by the Committee to be associated with it when the efficient discharge of the Committee's responsibilities requires the participation of that Member in its work.

The Military Staff Committee shall be responsible under the Security Council for the strategic direction of any armed forces placed at the disposal of the Security Council.

With the prior authorization of the Security Council and after consultation with the appropriate regional agencies, the Military Staff Committee may establish regional sub-committees.

IAS

Ministers of Foreign Affairs held at Rio de Janeiro in 1942, for the purpose of studying and recommending to the American Governments measures necessary for the defence of the continent.

The Inter-American Conference on Problems of War and Peace held at Mexico City in 1945 provides in one of its resolutions for the creation of a permanent military agency composed of the representatives of the General Staffs of the American Republics, for the purposes of proposing to the Governments of the said Republics measures for a closer inter-American military collaboration and for the defence of the Western Hemisphere.

The military agency might in time become the regional sub-committee in America of the World Military Staff Committee.

RELATION OF THE INTER-AMERICAN SYSTEM TO THE UNITED NATIONS ORGANIZATION

The Charter of the United Nations provides in Chapter VIII, dealing with *Regional Arrangements* :

Article 52

1. Nothing in the present Charter precludes the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action, provided that

such arrangements or agencies and their activities are consistent with the Purposes and Principles of the United Nations.

2. The Members of the United Nations entering into such arrangements or constituting such agencies shall make every effort to achieve pacific settlement of local disputes through such regional arrangements or by such regional agencies before referring them to the Security Council.

3. The Security Council shall encourage the development of pacific settlement of local disputes through such regional arrangements or by such regional agencies, either on the initiative of the States concerned or by reference from the Security Council.

This Article in no way impairs the application of Articles 34 and 35.¹

Article 53

1. The Security Council shall, where appropriate, utilize such regional arrangements or agencies for enforcement action under its authority. But no enforcement action under regional arrangements or by regional agencies without the authorization of the Security Council, with the exception of measures against any enemy State, as defined in paragraph 2 of this Article, provided for pursuant to Article 107, or in regional arrangements directed against renewal of aggressive policy on the part of any such State, until such time as the Organization may, on request of the Governments concerned, be charged with the responsibility for preventing further aggression by such a State.

2. The term ' enemy State ' as used in paragraph 1 of this Article applies to any State which during the Second World War has been an enemy of any signatory of the present Charter.

1. Articles 34 and 35 provide briefly that the Security Council may investigate any dispute, or any situation which might lead to international friction or give rise to a dispute, and that any such State member may bring any such dispute or situation to the attention of the Security Council or of the General Assembly. A non-member State may bring to the attention of the two bodies mentioned any dispute to which it is a party if it accepts in advance, for the purpose of the dispute, the obligations of pacific settlement provided in the Charter.

Article 54

The Security Council shall at all times be kept fully informed of activities undertaken or in contemplation under regional arrangements or by regional agencies for the maintenance of international peace and security.

Chapter VI of this Charter, dealing with the 'pacific settlement of disputes', provides :

Article 33

1. The parties to any dispute the continuance of which is likely to endanger the maintenance of international peace and security shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice.

2. The Security Council shall, when it deems necessary, call upon the parties to settle their dispute by such means.

Chapter VII, relative to 'action with respect to the peace, breaches of peace, and acts of aggression', provides :

Article 51

Nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations, until the Security Council has taken the measure necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defence shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security.

The foregoing are the only Articles in the Charter of the United Nations placing restrictions on the herebefore completely independent functioning of the Inter-American System. These restrictions, however, operate only in one field—the

maintenance of international peace and security, and then only in one instance—adoption of enforcement action.

The American States may settle their differences on their own initiative through any of the peaceful procedure available in the Inter-American System. As a matter of fact the United Nations Organization is expected to encourage the development of pacific settlement of local disputes through regional agencies or arrangements. The American States, nevertheless, may not take coercive measures on their own initiative. The Security Council must authorize in each instance action of this type, with two exceptions: (1) signatories of the Charter may take action, with the limitations prescribed, against a State which during the Second World War was their enemy; (2) any State or group of States, in their exercise of the individual or collective right of self-defence, recognized under the Charter, may take measures on its own initiative in the event of an armed attack until the Security Council has acted to maintain or restore peace. The only obligation in this case is promptly to inform the Security Council of the action taken.

It follows from the preceding statements that it is only in the field of enforcement action that the United Nations Organization exercises under the Charter, with the two exceptions noted, an overall authority affecting the Inter-American System. With regard to all other activities which the American States may undertake or may have in contemplation for the purpose of maintaining continental peace and security, the only requirement is to keep the Security Council fully informed.

The extent and effect of the provisions of the United Nations Charter quoted above can best be illustrated by reproducing here a part of the Report of the Director-General of the Pan-American Union on the action of the San Francisco Conference on regional arrangements submitted recently to the Governing Board of the Pan-American Union.² The

2. See *Pan-American Union* (Washington): Congress and Conference Series, No. 48.

Director-General draws the following conclusions from the Articles of the Charter transcribed above :

1. Upon regional agencies or arrangements rests the primary responsibility to seek a pacific settlement of disputes before they are referred to the Security Council. In fact, the Security Council is expected to encourage the solution of local disputes through regional arrangements or by regional agencies, either on the initiative of the States concerned or by reference from the Council.

2. The foregoing provision, however, is subject to two limitations: (a) The Security Council may investigate any dispute, or any situation which might lead to international friction or give rise to a dispute; and (b) any State, whether member of the international organization or not, may bring any such dispute or situation to the attention of the General Assembly or of the Security Council. The jurisdiction of the Council within these limitations, however, has been construed to extend only to the *investigation* of a question, and not to the replacement or duplication of the efforts of the regional agency in seeking a peaceful settlement.

3. The right of any group of nations to enter into agreements for self-defense is recognized. Consequently, the Act of Chapultepec, or the treaty that may be concluded to convert this wartime measure into a peacetime agreement is entirely in harmony with the World Charter.

4. Should any nation party to such defense agreement be attacked, the other contracting States may carry out their obligations to join in its defense, as an emergency measure and until the Security Council has taken the measures necessary to maintain international peace and security.

5. The Security Council retains the right to intervene directly whenever it may deem it necessary in order to maintain or restore international peace and security. Action by the Security Council, however, in connection with the investigation of a dispute or the use of force, may be prevented if one of the permanent members exercises its veto power. This veto power does not extend to discussion in the Council or to the preliminary phase of peaceful settlement. If a permanent member is a party to a dispute, such member must refrain from voting in any action of the Council directed towards peaceful settlement. In such a case the permanent member can only exercise its veto power with regard to the application of sanctions and enforcement measures directed against it.

With regard to fields other than the maintenance of international peace and security, such as economic, social, cultural and ~~juris~~ legal, there is no provision in the United Nations

Charter for co-ordination and supervision. Regional agencies may continue as in the past to carry on their respective programmes in accordance with their requirements. In practice, however, the world organization undoubtedly will maintain directly or through its various organs co-operative relations with regional agencies for the purpose of obtaining more effective results through co-ordinated efforts. Voluntary co-operation in all these fields between the regional agencies concerned and the appropriate organs of the world organization should be easily established because both will stand to gain from such a close relationship.

The foregoing summary outlines the general characteristics of the United Nations Organization and the Inter-American System ; sets forth their basic similarities and differences ; and seeks to explain the operation of the second within the framework of the first.

As has been noted, the regional organization in the Americas has been restricted to some extent in its operation by the Charter of the United Nations because it was felt at San Francisco that in order to maintain world peace there must be one supreme authority. The absolute independence heretofore enjoyed by regional agencies in the field of international peace and security has been sacrificed in some respects to provide what is considered a more practical centralized machinery. However, if at any time the universal machinery should break down and fail to keep the peace, the American States would be free to act within their own sphere.

The world today is much smaller than in the past due to new means of communication and transportation. To live in it peacefully and securely, with a greater degree of prosperity and well-being for all people, international co-operation is essential ; and to attain this goal, a close relationship between the regional and the world organization is indispensable.

