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by the United Nations**

Robert A. Graham, S. J.

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THE MAKING OF PEACE

Some Principles and their Practice
by the United Nations

ROBERT A. GRAHAM, S.J.
Institute of Social Order

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CHAPTER I

THE MEANING OF INTERNATIONAL PEACE

A Just World Order

If the human race has not thus far been brilliantly successful in achieving peace for itself, perhaps the reason is simply that it does not really know what to look for. Let us begin by clarifying in our own minds a few basic notions about international peace.

The Inner Meaning of Peace

Most statesmen act on the implicit assumption that peace is simply the absence of conflict, or the termination of disputes. The almost irresistible tendency of political leaders is to relegate to a secondary role the methods or procedures by which conflict is avoided or disputes disposed of. If peace is an end in itself, without moral connotations, then it is really inconsequential what means are used to achieve peace. History gives us many examples in which morality and justice were subordinated to the material condition mistakenly called peace. Of the Romans, their own historians said, "They lay lands desolate and call it peace." When great Powers meet together to settle their differences, whether in 1815, 1919 or 1947, the negotiators are under the strong temptation of confusing their mutual agreement with peace itself, irrespective of the terms of the peace. One would hardly call peace that situation in which for abject fear a small nation submits to the threats of a larger neighbor, even though not one shot is fired. A large nation can hardly allege that peace remains unbroken simply because its aggressions have met with no violent opposition from the victims or caused no undue disturbance of equilibrium among the great Powers.

If peace is to have any meaning to mankind it must connote justice as its foundation. To separate the moral element from international peace is to make peace a hollow shell. Justice is inseparable from real peace.

Peace Not an Absolute

The real meaning of peace comes to the surface whenever war breaks out. We then discover, somewhat belatedly, that what we really desire is not freedom from violence, bloodshed and hardship, but justice. There are things we are willing to fight for. Killing of our fellow men is deplorable to every Christian but there is such a thing as a just war. "Peace at any price" is really an immoral principle, since it means that we may permit evil when it is in our power to prevent it, or that we must submit to injustice. In other words, peace is not an absolute. *Fiat justitia, ruat coelum*, said the ancients. "Justice be, though the heavens fall." Many political leaders make fundamentally the same mistake as the pacifists in believing that the only thing desirable is avoidance of violence, no matter what other moral compromises might be involved. In either case they wrongly subordinate justice to material peace. Peace is certainly desirable, but only as a measure and token of justice and charity, not as a cloak of tyranny and aggression.

The people are sick of war. Rightly did the Holy Father say in 1944, "If ever a generation had to appreciate in the depths of its conscience the call: *War on War*, it is certainly the present generation." He who can show the way to lasting peace among nations will be reckoned the greatest benefactor of humanity. This present brief discussion of the elements that go into the making of a truly just peace may serve somewhat to that end.

Enemies of True Peace

There are three corrosive forces that undermine real international peace, by eating away at the spiritual structure of a just world order. These can operate for a long time without any discernible effect upon the external structure of international relations. But if unchallenged and unchecked they bring international society down in ruins.

The first is *national selfishness*. This is an enemy of charity, like all selfishness. It may be described as the besetting moral failure of nations and the one that in the long run conduces most to the outbreak of war. This applies equally to the nations who feel aggrieved as well as to those against whom the charges are made.

A second moral failing of nations is *bad faith*. This is chiefly evi-

denced in the breaking of pledges. International order and good will is predicated on the good faith of nations. The life-blood of international society is kept circulating only by good faith and sincerity in carrying out mutual agreements, in letter and spirit. Call this a juridical crime, if you will—a violation of *pacta sunt servanda*—but bad faith not merely indicates a weak sense of justice but also a charity that has gone cold. For it is the moral cement that binds the structure of international society.

The third congenital failing is *expediency*. In international politics it boils down to the idea that “might makes right.” The mere possession of power in almost any area of decision induces the subtle conviction that because we can, we may. The effect of this doctrine is to blur the distinction between right and wrong, whereas a primary condition of a Christian program for international peace is the constant awareness of the standards of morality. As the Holy Father said in his Lenten discourse in 1945: “It is the spirit of evil which wars against the spirit of God and which would banish from the earth the Kingdom of Christ and deify material force, in order to drive out of the lives of people and still more to abolish from international relations, every essential distinction between good and evil and between what is just and unjust.” No elaborate philosophy is required. All that is necessary is the power to do as we please. Self-deception will do the rest at the first opportune moment.

Peace in the United Nations

What does the United Nations understand by peace? Does it look upon peace as merely a material condition, or does it recognize also the moral phase of the subject?

It is helpful to distinguish two elements in the United Nations. One is the terms of the Charter; the other is the mentality and outlook of the most influential members of the Organization. The differences are signalized in the original draft prepared by the Big Four (the United States, Great Britain, the Soviet Union and China) at Dumbarton Oaks, as contrasted to the amendments later introduced into the final Charter at San Francisco.

At Dumbarton Oaks the pre-occupation of the great Powers was

the prevention and suppression of threats to peace, or breaches of the peace. The word "justice" was not mentioned in the length and breadth of the draft, except in reference to creating an international court of justice. The promotion of respect for human rights was mentioned in a very subordinate place, as a possible function of a social council. In other words, the Big Four thought that their only task was to prevent violence. That was peace.

At the full San Francisco Conference this was changed, after remonstrances by the other states. Justice was put into its proper place (Cf. Chapter VIII). Promoting respect for and observance of human rights was brought from the rear of the document to the very forefront and made to constitute one of the purposes of the United Nations. The smaller nations had a better grasp than the great powers that peace was more than a process of preventing violence.

Ambiguity in the United Nations Objectives

It is highly probable that the major Powers continue to cultivate that material conception of peace which came to light in the Dumbarton Oaks proposals. Although the Charter itself places a greater premium on the deeper causes of war and particularly upon justice and human rights, the large role played by power-minded states will always tend to create ambiguity in the meaning of peace as it is interpreted from day-to-day in the decisions of the United Nations. It is too much to say that the Organization as a whole entertains this mistaken conception of peace. Its principles are more sound than many persons give them credit for being (as will be seen in other chapters). But too many of the member states, particularly those who play the most influential roles, tend to ignore mankind's passion for justice above all else. This condition provoked the Holy Father to say on March 17, 1947, when receiving the Ambassador from Lebanon, "It is high time that a peace based on the mathematical calculations of the nations' respective resources and material force be replaced by one based on moral values."

Shortcomings of the United Nations Objectives

If we were to assign a category to the United Nations we would say that it is a strictly *secular* effort. This is not necessarily a reflection on the Organization, but merely a statement of its relations to the prob-

lem of peace, as just defined. It cuts itself off from religion, in its objectives as well as its administration and procedures. Atheism or anti-clericalism do not exist in any way comparable to the situation under the League, but the secularism remains. States combine with each other to work for peace, and yet they consciously avoid recognition of the power and place of religion in the cause of peace.

Just how different the approach of the United Nations is from that of the Holy Father may be judged from the fourfold foundation for peace which the Pope has indicated. In his address to the world on the last day of the war Pius XII put these words into the mouth of the war dead, speaking as from a common grave:

“Let there arise from the earth wherein we have been placed as grains of wheat the molders and builders of a new and better Europe, a new and better universe, founded
on the filial fear of God,
on fidelity to His Holy Commandments,
on respect for human dignity,
on the sacred principle of equality of the rights of
all peoples and all states, large and small, weak and strong!”

The United Nations feels that the filial fear of God and fidelity to His Holy Commandments are beyond its scope—and probably they are. It is satisfied, at the maximum, to found its peace simply on human dignity and the principle of equality. These are worthy, but inadequate.

This neglect of the rights of God by the United Nations may be regarded in several ways. It may be considered as a basis for predicting the inevitable failure of the Organization, as a human instrument built upon sand. Or it might be regarded as an opportunity, by reason of default, for the Holy Father. By declining to give religion a role in its peace efforts the United Nations has implicitly left a Court of Appeal higher than itself standing vacant. To the Papacy, there is no doubt to whom that vacancy belongs.

The Papacy and World Peace

The preceding remarks on the meaning of true peace lead us quite naturally to consider what position the Catholic Church, or more specifically its visible head, occupies in respect to international peace. The

Popes have always felt that the words of Christ, "Blessed are the Peacemakers," applied especially to themselves. To prevent Christian princes from fighting each other, to substitute peaceful procedures for trial by arms, to act as arbiters of disputes, above all to provide instruction and exhortation to all men of good will, have been for the Pontiffs among their major responsibilities.

The constant effort of the Pope is to maintain a position of common father of all nations, even at the moment when the rest of the world has already taken sides. During the recent war it was reported that the wife of Mr. Myron C. Taylor, personal representative of President Roosevelt at the Vatican, said impetuously to Pius XII, "Your Holiness, you must do something to show that you are on our side!" With the best of intentions, she was asking him to abandon his position above the conflict and to lose the strategic spiritual leadership he occupies as Father of Christian nations. After the war was over he replied to questions and demands that the Church intervene: "She is a mother. You do not ask a mother to favor or to take the part of one rather than another of her children." (Christmas Allocution, 1946.)

The Pope's mission of peace is not furthered by his taking sides in a conflict of arms, or identifying the cause of Christ Himself with the cause of any given alliance of nations, no matter how lofty their proclaimed aims. If the Pope did not ally himself with the United Nations against Hitler, neither did he ally himself with Hitler against even atheist Russia in 1941, despite pressure put upon him by the Nazi and Fascist governments.

The Pope and the United Nations

Will the Vatican ever join the United Nations Organization? It is commonly acknowledged that the Vatican State is eligible for membership, since it is a sovereign state recognized as such by international law. It is highly doubtful, however, that this will ever take place. It is not that the Pope condemns any organized effort among the states of the world for peace. As he himself has said of the United Nations, "The whole of mankind follows the progress of this noble enterprise with anxious interest." It is not that his obligations under the Lateran Treaty might seem to preclude application for membership. It is not that the enemies of the Church are the moving spirits of the Organization, as was often said to be the case of the League of Nations. It is

rather that the Pontiffs regard their mission of peace as on a higher level than that of any political association of nations. To seek membership in the United Nations might well seem to imply that the Church does not already possess from Christ Himself adequate authority to act as peacemaker among the nations. To be true to itself, the Holy See cannot put itself on a level with purely political powers. The Papacy is its own peace organization. At the same time the Pope does not regard the United Nations as a usurper of his prerogatives. This is an agency for the maintenance of international peace, through the use of armed force wherever necessary. The Popes have always left such matters to the secular authorities. Their weapons are moral and spiritual.

One practical reason that may suggest the improbability of the Vatican ever becoming a Member of the United Nations is the political compromises inevitable in the functioning of such an Organization. But even in the case of the International Court of Justice where this objection would not obtain, the aloofness of the Vatican may be expected. The Vicar of Christ is, if not judge, at least arbiter of nations on the highest level, the spiritual. The world does not of course acknowledge this today. That fact, however, is no reason for the Papacy not to remain true to its spiritual mission.

However, the Holy Father has not kept entirely aloof from international bodies. The Vatican's membership in Universal Postal Union might be cited. And in the early days of the League of Nations the Pope appealed to the Second Assembly on behalf of the relief needs of the people of Russia. Representatives of the Vatican also took part in discussions on the British mandate in Palestine and on the Reform of the Calendar, both being issues of direct concern to the Church.

Peace a Moral and Spiritual Process

Some day the governments of the world will come to realize what the peoples already know, that the making of peace is a moral and spiritual process arising from the motives of charity and justice. At that point they must appeal to the common father for a way out of their perplexities. The signs of such a change of thought are not very much in evidence at this moment. But it will not be for the first time that such a role may devolve upon the Vicar of Christ. When the civilization of pagan Rome went to pieces under the pressure of the

barbarians from the North the Church knit together a new structure. Once again the Church is called upon to rebuild by its teachings a world whose own paganism threatens to destroy it. Unafraid for its survival, unerring in its objectives, undisturbed by political urgencies however great, Rome can wait, admonish, teach patiently. But meanwhile confusion as to the real meaning of international peace persists among those who refuse to hear the voice of the Vicar of Christ.

REVIEW QUESTIONS

1. Is peace simply the absence of conflict? What additional element enters into real peace?
2. When do we realize that justice is what we really seek in peace? Illustrate.
3. What are three principal enemies of true peace? How do they undermine the structure of peace?
4. What does the United Nations understand by peace? What two ambiguous currents are at work in the United Nations?
5. In what respects does the United Nations exhibit shortcomings?
6. On what foundations should the new and better universe be founded?
7. What is the role of the Catholic Church in promoting peace?
8. Will the Pope ever join the United Nations? Give your reasons.
9. Discuss the future role of the Pope for world peace.

CHAPTER II

TARGETS FOR STATESMEN

Peace Goals of International Policy

Statesmen cannot work for peace as an abstract idea. They have to have concrete goals. What are the goals of a nation sincerely devoted to the maintenance of peace in the world? This may seem like a superficial question, but the objectives of a peace-minded statesman have varied from age to age. For instance, in centuries gone by it was sufficient to secure personal friendship between royal families. A suitable matrimony would often solve a serious international quarrel. Civilization moves on, however; unfortunately this technique no longer has the importance it once had. Today international harmony rests on factors more impersonal than royal matrimony.

1. *Friendly Relations*

The modern statesman is not a matchmaker but a public relations expert. His first duty is to establish and maintain friendly relations with other states. This means a consistent course of action to convince other states that his own nation's policy is directed to friendship on terms of equality and mutual respect. This is not simply a question of verbal protestations or of personal relationships between kindred spirits. The test is action.

The atmosphere of friendly relations is not heightened by the maintenance of *large armaments*, by *one-sided foreign trade policies* or by *unwarranted interference* in the internal affairs of other nations. A nation must show itself by its actions that its intentions are friendly. This is axiomatic. In the long run the state of friendship is determined by actions, although for a long time words may have to be taken at their face value.

2. *Peaceful Settlement*

A second goal of statesmen is necessitated by possible breakdowns or crises in the course of cultivating these friendly relations. Even amongst friends disputes arise. A statesman's goal should be the peaceful settlement of these disputes. This also involves the duty of proffering his good offices when he is himself not directly concerned.

Disputes can be settled by two means: by *force* or through *negotiation*. In the cool abstraction of these pages the method of negotiation seems the only rational way of going about it. History, however, has given a different verdict. How many boundary disputes were settled by the simple method of seizure! The *fait accompli* or accomplished fact is one of the oldest forms of settling a dispute. Power politics, or the use of force, can be either overt or covert; the threat of force can be expressed by words, or implied by action. In any case it is a turning aside from one of the main goals of a statesman who is really trying to seek peace. A recognized principle of the United Nations is that all Members shall "refrain in their international relations from the threat or use of force" against the territorial integrity or political independence of any state, or in any other manner incompatible with the purposes of the United Nations. But it is difficult to keep this goal in sight. A great power is always tempted to use its material strength (political, economic or military) to impose its will directly upon the weaker party, in preference to appealing for a decision in a forum where such advantages do not avail. One special performance of power politics of which history informs us is the sacrificing of small countries in order to preserve the balance of power among great states.

3. *Common Welfare of Nations*

A third goal of statesmen who seek to promote lasting peace among nations is joint action in promoting the common welfare of nations. Here we begin to move into a broader field of vision transcending national considerations. There are problems world-wide in significance although sometimes only local in their manifestations.

This is especially true in those activities concerned with the living, working and trading of human beings. In social and economic matters there can arise evils that cannot be solved except by joint action in which the interests of all parties are collected, merged and adjusted.

Joint action means that the participating states have given up their power to decide individually what should be done in relation to a given problem. From the viewpoint of national interest, as we have known it hitherto, this is a limitation on freedom of decision. Yet a statesman who seeks peace must recognize that there are problems that are international in scope and that these should not be regarded or treated as though they were purely national. World trade and protective tariffs may be instanced in this connection. The economic anarchy that preceded the political anarchy of the war showed convincingly that some internal policies have a direct bearing on international peace. In economic and social matters the statesman requires a broad vision to see his own country as part of a greater whole.

4. *Mobilization of International Community*

A fourth goal is the mobilization of the international community against its foes, both internal and external. It is significant to note here again the widening of the scope of a real statesman. In the modern age there is no longer question of live and let live, of individual nations going their own ways, of peace conceived as the absence of conflict. The nations have become aware of each other as forming together a certain unity. They have also become aware that there can be and are enemies to that unity. Against those enemies this unity must be mobilized.*

* The nature of this international unity was expressed with amazing detail by Francis Suarez three hundred years ago. "The human race, though divided into no matter how many different peoples and nations, has for all that a certain unity, a unity not merely physical, but also in a sense political and moral. This is shown by the natural precept of mutual love and mercy, which extends to foreigners of every way of thinking. Wherefore, though any one state, republic or kingdom, be in itself a perfect community and constant in its members, nevertheless each of the states is also a member, in a certain manner, of the world, so far as the human race is concerned. For none of these communities are ever sufficient unto themselves to such a degree that they do not require some mutual help, society or communication, either to their greater advantage, or from moral necessity and need, as is evident from custom. For this reason they need some law whereby they may be directed and rightly ruled in this kind of communication and society." (De Legibus ac de Deo Legislatore, Lib. II, Cap. xix, 9). The American hierarchy in 1944 expressed this same thought succinctly as follows: "There is an international community of nations. God himself has made the nations independent for their life and growth. It is not therefore a question of creating an international community, but of organizing it."

There is something broader here than a partisan alliance of the kind we were familiar with in the 19th and 20th centuries. It is rather the appeal to our common interests, common ideals, common destiny and values. There have been grand alliances in the past, with solemnly avowed intentions of lofty purpose. In their constitution, their operation and their intention, these were nevertheless merely blocs of nations against other blocs of nations. Their ultimate basis was to maintain (or sometimes to alter) the political *status quo*. They were frankly *ex parte* coalitions and made no pretense at representing the international community of nations, whatever they may have alleged on behalf of the righteousness of their own cause.

Dimly seen, hesitatingly approached, the world community is gradually getting its due. A real statesman will assist that community to mobilize itself so that it can have a life of its own and above all be able to defend itself from its foes.

5. *International Protection of Human Rights*

Parallel with the trend to "one world" there must go the protection of the human rights of individuals. This is at once the most appealing objective of a true statesman and the most difficult. Perhaps both the appeal and the difficulty come from the fact that it is the highest goal of all. In the field of human rights the window opens upon all the spiritual values that are the well-springs of human existence and that give meaning to all else.

It is easy enough to mobilize international society against its external foes or openly rebellious angels. But internal enemies are elusive, if only because domestic foes are hard to identify or to stigmatize for what they are. States will betray themselves by the way they treat human beings within their own borders. As the international body politic begins to include all nations it will find itself obliged more and more to acquire norms and protections against domestic enemies who are members officially in good standing. The way a government treats its own people is a measure of its compatibility with the rest of the world.

World political unity profits nothing, if along with that there does not develop a keen appreciation of the dignity of human personality and a readiness to act in defense of human rights. This means an increasing

disposition to support social institutions, such as religion and the family, which are a bulwark against statism. Of what profit is world government or world federation if this institution is only a ready instrument of tyranny? It is the statesman's role to enhance this world-wide mobilization on behalf of human values as opposed to statist values. Respect for the sanctity of the individual must become second nature and firmly established in the moral thinking and tradition of international institutions. (cf. John Eppstein's *Defend These Human Rights.*)

Such are five main goals of international policy today. Handicaps and counterforces stand forth to block the path. There are forces in operation that have been strong enough, time and again, to bring frustration to statesmen and disappointment and sorrow to the peoples of the earth. There are pitfalls that have been the undoing of better men than we know in this generation and bid fair to wreck the dreams of those who have survived World War II. Let us see in what direction these forces or problem areas are to be found.

REVIEW QUESTIONS

1. List five specific goals for international peace.
2. Discuss the effect of large armaments, trade rivalries and political interference as detrimental to good relations.
3. What two methods are possible in settling disputes? Describe their character and operation. Which is preferable and why?
4. Should the nations try to cooperate in advancing their common welfare? Explain why nations frequently take a narrow view of the international common good.
5. What is meant by the mobilization of the international community? Would such mobilization apply even to the use of military power?
6. What is the connection between human rights and world peace?

CHAPTER III

PROBLEM AREAS OF PEACE

Getting Down to Realities

The forces at work to thwart statesmen need not always be bad in themselves. It is enough that they be bad in relation to the total picture. Indeed, if the obstacles to peace were patently and demonstrably evil, international order would be just a problem of detail. On the contrary, some of the root obstacles if looked at only in themselves have some plausible justification for their existence.

1. *National Security and Independence*

A conspicuous instance of this is found in the area of national security and independence. The first care of a statesman is his own country's safety and freedom. This duty is the reason impelling him initially to seek peace abroad. To assure this safety and freedom an intelligent leader encourages and promotes world political and economic stability. But at every stage he is prevented from devoting himself whole-heartedly to the cause of international cooperation by the fear, sometimes rational sometimes irrational, that in so doing he may fatally compromise his country's interests. Faint hearts falter at this juncture.

It is a common illusion for groups to imagine that they can live by themselves and that it is better for them to do so. Political groups are no exception. By ingrained habit, confirmed no doubt by sad experience, the citizens of a country are convinced that their own well-being depends on themselves alone. In fact, international law as well as the United Nations is based on the juridical equality of all states, large and small. This is implicit witness to the fact that in our present world system a nation wants to live its independent life and is convinced it can do so successfully, no matter how tiny its-territory or how feeble its resources. Such jealousy for the prerogatives of independence works in conflict with a program of peace based on a linking of the nations and a pooling of interests and destiny.

This warning for national security nationally guaranteed is presented most insistently by military men. "We cannot place our reliance upon forms of collective security," they say; "the only sure guarantee of a nation's safety and rights is its own military strength." From this principle they derive the policy of secrecy, of rivalry in armaments, the struggle for strategic positions, the unwillingness to trust the intentions of others. Such an attitude is contradictory to the letter and spirit of sworn pledges of international cooperation. Unfortunately it finds strong support among many civilians and ends with the country simultaneously pursuing policies of trust and mistrust, of cooperation and isolation. The anomaly of two policies being followed simultaneously only highlights the unstable nature of a peace program. It helps to explain too why neither policy has yet been able to guarantee peace.

2. *International Commerce*

World trade is a second problem area plaguing the efforts of peacemakers. There is nothing more plausible than economic self-righteousness. We are so much more aware of what is owing to us than we are of what we owe others. One need not be a follower of Karl Marx to acknowledge that the competition for world markets or for the sources of raw materials has been the prelude to wars between great trading or industrial states.

Nations strive to be economically self-sufficient with the same zeal that they want to be politically independent. They want to sell more than they buy, to invade foreign markets while setting up tariff barriers to imports from those same countries. Control of the sources of raw materials is greedily sought or jealously maintained through annexation, spheres of influence or commercial concessions in undeveloped areas. Is it too much to say that even today governments are prepared to fight a total war in order to get the economic advantages they feel the nation's life requires?

There are relatively few commonly accepted international standards of economic ethics or ideals. The political conscience of the international society, one must admit, has been highly developed. We do possess norms of conduct, however much these may be honored in the breach. But the economic conscience of mankind may be said to have been hardly stirred. Until some such principles are *formulated, commonly accepted,*

and *incorporated into practical programs* the world will not be adequately equipped to prevent war from growing out of economic maladjustments.

The problem is all the more complicated by the fact that while a government is pursuing one course politically, it can pursue quite another economically. One can annul the other. The economic ramifications of national life are so broad and so hidden from public, even from expert gaze that a country has often in the past embarked on an economic program before it is conscious of it. It is said that of old traders frequently went ahead of missionaries and diplomats. Today traders still go ahead of diplomats and often are more influential.

The need for closer economic cooperation as well as political cooperation was recognized by Pius XI who wrote in the Encyclical "Quadragesimo Anno" that ". . . Since the various nations largely depend on one another in economic matters and need one another's help, they should strive with a united purpose and effort to promote, by wisely conceived pacts and institutions, a prosperous and happy international cooperation in economic life."

3. *The White Race and the Status Quo*

A third problem area is the position of the dependent areas and the non-self-governing peoples. Rudyard Kipling called it the "White Man's Burden." There is a "ruling race" whose dominion is currently being undermined. The so-called North-South axis—a reminder that for the most part the dependent peoples live below the equator and are ruled by whites residing above the equator—is a problem whose magnitude is usually underestimated and which yet has potentiality for trouble greater than some other issues with which the world is currently preoccupied.

The strength of the movement to shake off the tutelage of the white race is discernible enough in India, which has achieved its independence. It is also manifest in Indonesia where the natives have been granted a constitution for a United States of Indonesia. The independence of Burma has also been promised by Great Britain. In former French Indo-China, the Republic of Viet Nam has taken its rise not without serious clashes between the natives and French troops.

Now there is no suggestion at the moment that these teeming millions of tutelary peoples will suddenly in a violent revolution throw off their rulers and subject the white race in turn. A war between races is not in prospect. But the situation arising out of the growing dissolution of the great colonial empires of Great Britain, France and The Netherlands, offers grave portents for the future. The world as we know it today is a complex equilibrium. A change in the relationships between the dependent peoples and their former supervisors can upset that equilibrium and produce disturbances elsewhere. The break-up of colonial empires is fraught with great significance for all countries. This is especially true in the case of Great Britain, whose withdrawal, political and military, from its outposts of Empire, has already brought on a visible world crisis.

4. *Ideologies and Cultures*

The fourth important problem area is in the intangible field of ideas. "Ideology" is the vague and unsatisfactory word that men have come to use. We think of Russian ideology first off, but the problem is not limited to communism alone. Can different and even opposing ideologies be the basis of a world united institutionally?

The problem arises most acutely in the minds of those who understand the power of an idea, whether this has a philosophical, religious or cultural character. Superficial politicians who are accustomed to take into account only day-to-day political contacts and necessities may minimize its importance. Yet back of political conflicts, back of economic friction is the war of ideas. Must a uniform ideology or concept of society be the indispensable minimum for a world at peace? Or at least can we adjust these differences in practical ways? The history of nationalism illustrates the impact of an idea.

Here we must think not only of Marxian ideology but, sad to say, also with corruptions of Christianity which grow out of Christian culture itself. This battle goes on everywhere; it knows no geographical limitations. Corruptions of democracy exist where democracy flourishes. Even in America, supposedly united in its conception of democracy, there exist corruptions of democracy.

The struggle is at its highest where ideologies are sponsored by governments. Here they possess a political arm to further their cause.

The problem then arises whether opposing ideologies represented by governments can co-exist in one world politically organized. The answer to this question can only be known for sure from trial and experience. If peace is to be achieved one does not reach this by abolishing all non-conformism, a dubious task at best, but in trying to establish a *modus vivendi* mutually satisfactory until one or other of the conflicting camps loses the vigor and impetus that constituted the original conflict. There are ideologies which today live side by side in relative peace, but which at one time appeared to have no other solution but the extermination of one or the other by war and bloodshed.

Sometimes people assume unconsciously that the ideological problem, particularly that regarding the Communist program, is a military problem. The inspiration for this belief probably is the example of Nazism which finally had to be crushed by military means. The problem is rather a social and philosophical one. The war of ideas is a peacetime conflict. And it is in peacetime that the issue is really decided. The outcome rests on the conviction of the propagandists, on the energy and diligence of its supporters, as much as on the idea's intrinsic worth or pragmatic appeal to the spirit of the age.

5. *National Solidarity at Home*

A last problem area is at our own door step. This may be called the problem of home opinion and national unity. A statesman who sets forth on a true program of international cooperation must activate his own people's will to peace. The citizens must themselves want peace, not as an abstract ideal but in relation to specific challenges involving decision and action. Foreign policy begins at home and no statesman can take the risks of a broad policy of world cooperation until supported by united conviction at home.

The process of achieving national unity is a precarious one. It should not be forgotten that England's period of "appeasement" was necessary for the crystallization of public opinion. A divided and confused Britain would have been the only result had Chamberlain attempted to invoke the argument of war upon Hitler at the time of the Munich crisis in 1938. In the aftermath of war this unity is even more difficult to reach, on account of the natural reaction of war-weary peoples. Frequently

foreign policy is achieved only through demonstrable and tragic failures that leave the ordinary citizen with no more doubts or hesitation. This process of reaching solidarity at home means, for a time at least, toleration of evils beyond the point of wisdom and prudence.

The unity spoken of here is of course not the unity of a monolithic state, based upon terror and the liquidation of opposition, but the unity of a free country and based ultimately on those judgments springing spontaneously from a free peoples' native conceptions of what is right and decent.

The new foreign policy enunciated by President Truman in his address to Congress on March 12, 1947 asking for substantial economic and military aid to Greece and Turkey, was an effect of that slow process so characteristic of a democracy's foreign policy. It was first necessary for the whole people to be made aware of the threat to American ideals presented by communist infiltration into Europe. Only then could the President launch a program that inaugurated a new foreign policy. Six months earlier, such a speech would have touched off bitter controversy and divided the country from top to bottom. The most important problem area in international peace is the home front. Until the American people were able to adjust their mutual differences (particularly that involving "foreign involvements") appeasement and vacillation unworthy of a great and idealistic nation were inevitable.

Review Questions

1. Why is national security and independence one of the factors that statesmen must contend with in working for peace?
2. Why do the intricacies and problems of international commercial life offer additional obstacles to a program of international collaboration?
3. What is happening to the "white man's burden?" What great crisis does this problem bring to statesmen?
4. Discuss the role of dynamic ideologies in relation to international unity.
5. Show how the threat to peace becomes greater when an ideology uses the power of the state as its instrument.
6. Why must national solidarity be the first concern of a statesman sincerely working for peace abroad?

CHAPTER IV

THE PROCESSES OF PEACE (1)

The United Nations at Work

It is generally agreed that international suspicion will remain at a high level as long as all the nations candidly advertise their mistrust of each other by the maintenance of large military forces. For this reason the Atlantic Charter and the Four Freedoms call for the reduction of armaments.

DISARMAMENT

But for a long time the Big Three systematically passed over this subject in their practical plans for the postwar world. There was no general pledge to disarm such as was made after World War I. Germany and Japan are disarmed; but the victors promised no one they would themselves dissolve their forces. The official reason for this de-emphasis of disarmament was that the major Powers have the high responsibility of maintaining peace, by force if necessary. This explanation was partly true and partly disingenuous. It was partly true insofar as the Members of the new United Nations are obligated to make available to the organization "armed forces, facilities and other assistance" to enable the Security Council to carry out its function of maintaining peace. The misleading part of the theme consists in the obvious fact that the United States, Great Britain and the Soviet Union were not sure enough of each other to embarrass themselves with a joint commitment to postwar disarmament.

So disarmament was a dead issue until October 29, 1946 during the meeting of the United Nations General Assembly. On this occasion Soviet Foreign Minister V. M. Molotov proposed that all nations should begin to disarm. In so doing he was following in the footsteps of his own predecessor, Maxim Litvinov, former Soviet Foreign Commissar who in 1928 proposed in the League of Nations general and complete disarmament, including "the complete abolition of all armed forces on land, on the sea and in the air." Like Litvinov's Molotov's proposal caught the United Nations by surprise. But quickly recovering, Senator Warren Austin on the following day promised full adherence to the

universal disarmament, in principle. After lengthy debate during the course of that session of the Assembly it was finally agreed that pursuant to the United Nations Charter, there was recognized the necessity of "an early general regulation and reduction of armaments and of armed forces."

The obstacles to a successful program of armament reduction and control are appalling. Between the two world wars disarmament proposals often boiled down to a process by which one government sought to disarm the other. Frequently, too, it was a maneuver to put a rival country in a bad light before world opinion. There are some who suspect that the Soviet initiative of October 29, 1946 was precisely of this character. Molotov deprecated the importance of troops on home soil, while stressing the menace to world peace presented by the atomic bomb which the United States alone possessed. The *chief* task of this disarmament commission, he said, would be the outlawing and destruction of all atomic weapons. For its part, the United States through Senator Tom Connally emphasized that the number of troops on home soil was as much a matter of international concern as those which by invitation were on the soil of friendly states.

WHAT TO DO WITH THE ATOMIC BOMB?

This became a question as soon as the first brilliant mushroom-shaped cloud began rising over stricken Hiroshima, in fact before that. The scientists who had been working on the Manhattan Project, as it was called, had urged that a demonstration first be made to the Japanese rather than use it initially on a live target. But the bomb was dropped. Whether it was right to do so is now an academic question, compared to the problem of what to do with the bomb now. The Security Council has been struggling, according to its instructions from the General Assembly, to draw up international agreements for the prohibition of atomic and other weapons of mass destruction. This includes the international control of atomic energy and other scientific discoveries adaptable to mass destruction to insure their use only for peaceful purposes.

Here we find the United States in one of its strongest moral positions in international cooperation, *as long as* its motives are protected against misinterpretation at home as well as abroad. Consider the position of the three countries which had produced the bomb—particularly the United

States upon whose soil the major part of the enterprise was concentrated. One of the allies in the great coalition against the Nazis, the Soviet Union, was kept in ignorance of the process. To keep the secret of the bomb, or share it with all—that was the question. To keep the secret was to start in motion a current of suspicion and fear on the part of those who were kept in the dark, along with frenzied research by those not in on the secret to find out for themselves. On the other hand, to make the knowledge of atomic energy development common property was equivalent to permitting the secret to fall into the hands of those who might misuse this knowledge.

After some hesitation, the “Atomic Powers” (the United States, Great Britain and Canada), issued the Truman-Attlee-King statement of November 15, 1945. Emphasizing the peril to peace if the new discovery were not controlled, and the advantages for human welfare if used properly (as a source of power), the three leaders proposed the creation in the United Nations of a Commission to formulate plans: 1) to control atomic energy to ensure its use only for peaceful purposes; 2) to eliminate atomic weapons and other major weapons adaptable to mass destruction from national armaments; 3) and lastly, but by no means least, to provide for effective safeguards by way of inspection and other means to protect complying states against the hazards of violations and evasions.

Thus far Moscow had not been consulted. At the Council of Foreign Ministers in Moscow, a month later, the Soviet Union joined with the United States and Great Britain in a program in essence the Truman-Attlee-King statement. A month later the General Assembly in London created the United Nations Atomic Energy Commission, without altering a word of the original draft drawn up in Moscow. This body held its first meeting at Hunter College in New York on June 14, 1946, at which the American representative, Bernard M. Baruch, presented the United States plan for an Atomic Development Authority.

In this way the United States, along with the other “atomic Powers” answered the political problems raised by the development and exclusive possession of the most destructive power known to man. The policy of this country, as embraced in the T-A-K statement and in the Baruch Report, as well as in the Acheson-Lilienthal Report, involves drastic and revolutionary proposals. We ask for the creation of an Atomic

Development Authority which would have control of all matters relating to atomic energy. The ADA would have 1) managerial control or ownership of all atomic energy activities potentially dangerous to world security, 2) the power to control, inspect and license all other atomic activities, 3) charge of international development of the peacetime uses of atomic energy, and 4) responsibility for research and development which would equip it to comprehend and therefore to detect the misuse of atomic energy. In the operation of this Authority, said Mr. Baruch emphatically, "There must be no veto to protect those who violate their solemn agreements."

No international body with such wide powers in a field so jealously guarded as armaments has ever been proposed by responsible officials. So radical were the proposals that people were saying the United States itself would never approve the ADA.

In defense of their apparently obstinate stand on the conditions attached to the handing over of the bomb's secret and all that pertained thereto, the American representatives alleged that just to prohibit or outlaw the bomb on paper would not prevent misuse of the bomb. Our previous experience with outlawing poison gas (and war itself, by the Kellogg-Briand Pact) ought to teach us this. In 1868 it was forbidden to use projectiles weighing less than 400 grams which contained explosives. It was traditionally unlawful to poison wells. In 1899 many states bound themselves for five years to refrain from throwing projectiles and explosives from balloons! In the case of this newly discovered nemesis, such verbal precautions are pitifully insufficient and would not be acceptable to those nations who developed the bomb.

Then also, if violators could by their veto as members of the Atomic Development Authority impede the operation of the body, that would be the end of the "effective safeguards" specified in all the directives of the United Nations. Under such circumstances the Senate of the United States would simply not approve any treaty presented to it for ratification.

Slow progress has marked the course of the international control of atomic energy. Is the United States contributing anything to world peace by its attitudes? These general judgments seem justified:

1. Our country took a generous initiative in offering to deliver the secret of the atomic energy to an international body for the benefit of all mankind.

2. We are entitled to insist, at the same time, that our action should not be liable to abuse, through the inefficiency or impotence of the international organ.

3. The mere outlawing of the bomb by international agreement is woefully short of this objective, even though highly desirable from the moral point of view.

4. The broad powers given to the ADA amount to a radical application of the principle that no country is entitled to be absolute sovereign where the safety and security of the whole international community is concerned.

The Pope has himself emphasized the urgency that prospective atomic warfare has induced for the nations quickly to agree on an effective international agreement to control these and other weapons of mass destruction, even at the cost of an out-moded idea of national sovereignty. On Christmas Eve in 1946 he said: "Recently a new factor has arisen to stimulate the desire for peace and the determination to promote it more effectively: the might of new instruments of destruction which modern technique has developed and continues to develop to such an extent that they appear to the terrified eyes of humanity infernal creations. This factor has brought the problem of disarmament into the center of international discussions under completely new aspects and provides an incentive that was never felt before." In this clear reference to the United Nations Atomic Energy Commission, the Pontiff highlights both the urgency of the program and the need for its effectiveness. The "completely new aspect" is the need to penetrate the hard shell of sovereignty that has prevented a really effective system in the past.

Review Questions

1. Why is disarmament one of the most important ways of coming to grips with the problem of peace?
2. When did disarmament become a live issue? What difficulties exist? Why?
3. Explain why the United States is in a strong moral position in respect to its proposals for the control of atomic energy? Give the history.
4. What is the nature of the United States proposals for an Atomic Development Authority? Do you believe that this country is too obstinate in insisting on iron-clad guarantees with regard to inspection and control?
5. What did the Pope say about the problem raised by atomic energy?

CHAPTER V

PROCESSES OF PEACE (2)

The United Nations at Work (cont.)

Disarmament and atomic energy control are general problems not identified with specific countries. But international life is lit up by local conflagrations that call for quick action before the sparks fall elsewhere. To air disputes, to get at the facts, to issue warnings, to take prompt and vigorous measures, is the task of the Security Council of the United Nations

THE SECURITY COUNCIL

On January 19th, 1946 two days after the creation of the Security Council and before that body had even settled upon its rules of procedure, the Iranian (or Persian) government protested formally that "owing to the interference of the Soviet Union, through the medium of their officials and armed forces, in the international affairs of Iran, a situation has arisen which may lead to international friction." The Council was requested to investigate the situation and to recommend appropriate terms of settlement. Two days further on the Soviet Union asked the Council to investigate the presence of British troops in Greece, as creating "extraordinary tension fraught with grave consequences both for the Greek people and the maintenance of peace and security." Simultaneously the Ukrainian SSR officially drew the attention of the Council to a situation in Indonesia (Dutch East Indies) where British and Dutch troops had been engaged in skirmishes with native forces at odds with The Netherlands. This was, in the opinion of the delegate, a threat to the maintenance of international peace and security. A few days more, and Syria and Lebanon were jointly charging that the presence of British and French troops on their soil was an infringement of their sovereignty.

These four charges, unloaded upon the unready Security Council in rapid succession, illustrate the types of international friction, disputes or situations that the Security Council was designed to meet. All chanced to involve the presence of troops on alien soil, but each case presented a different situation in terms of the Charter. The first involved a charge of *active interference in the internal affairs* of a state through the presence of the troops of another state; the second was a charge against one state as *creating a threat to the maintenance of international peace*, through the presence of its troops on the soil of a friendly country; the third called attention to *a situation "likely" to endanger peace*, but without a specific accusation; the last was a simple protest of *infringement of sovereignty*. In the first and last cases the item was raised by the aggrieved parties themselves; in the others a third party not directly concerned brought the matter before the Security Council.

The ensuing debates featured a kind of public discussion such as had seldom been seen in the annals of diplomatic history, the chief performers being the British Foreign Secretary, Mr. Ernest Bevin, and the Soviet Vice Foreign Minister, Andrei Vyshinsky. While the technique was not entirely new, since the League Council had set the precedent, this was the first test of the stability and strength of the new United Nations. The results of these debates should be sought not directly in the resolutions arrived at but in the effects of the public airing of the facts.

It would save a lot of intellectual effort if the outcome of the debates on these four issues, as well as the others which followed them, were in the form of clear-cut decisions resulting in an outright acquittal or a clear verdict of guilt, with attendant condemnations, ultimatums or embargoes. Things happen that way only in highly developed societies whose cohesion is already assured and when common standards, commonly pledged, co-exist with adequate powers of enforcement backed in turn by public opinion and precedent. It would have been a political miracle if the Security Council in the first weeks, even days, of its existence, without experience, tradition or prestige, had been able to deal with these four issues with all the vigor and assurance we have been accustomed to witness in well-established governments. International politics works in much more subtle ways than national politics. And it is often a long time before the real effects of such procedures become evident. Let us examine the status of these same four questions, twelve months later:

Syria and Lebanon. The French and British, of their own accord, offered to withdraw their troops from Syria and Lebanon. To the great surprise of the Syrians and Lebanese, who had often been made such promises before, this pledge was fulfilled for Syria on April 15 following (an event celebrated by a public holiday in Damascus), and for Lebanon on September 1, the same year. This matter is now closed.

Indonesia. Here, a year later, the British Imperial Forces had been withdrawn from Sumatra and Java, and the draft for a United States of Indonesia had been agreed upon between the Indonesians and The Netherlands.

Greece. British troops remained in this country upon the renewed invitation of the Greek Government, but continuing unsettled conditions, arising not out of the presence of British troops but out of border disputes with nearby Yugoslavia, Bulgaria and Albania, had prompted the dispatch of a commission of inquiry along the border on behalf of the Security Council at the request of Greece.

Iran. The most significant denouement took place in the Iranian case. This issue became even more acute in March 2, 1946 when Soviet troops failed to evacuate the Iranian province of Azerbaijan at the time specified by the original treaty permitting their entrance (to protect the supply lines from the Persian gulf to the Soviet Union). A second round of debates ensued, this time at Hunter College in New York, to which the Council had moved. The start of this second series witnessed the famous walk-out of the Soviet representative Andrei Gromyko, who refused to participate in the discussions. The real motives of the Soviet failure to withdraw from Azerbaijan, in flat violation of a clear treaty engagement, never were quite clear. Soviet troops were eventually evacuated, leaving behind them a puppet "autonomous" government of Azerbaijan under Jaafar Pishevari, a Moscow-trained Iranian. To make a long story short, the whole bizarre experiment came to an abrupt end when the Central Government made a forcible entrance into this province. Soviet support was not forthcoming to the puppet regime and Pishevari on December 11, 1946 fled across the border to Russia whence he had come.

The four cases do not follow identical patterns, but they do serve to show the ways in which the Council can operate. The Russian fiasco in

Azerbaijan can be traced in part at least to the unjustifiable position which the USSR was shown to occupy and which was hinted at by Gromyko's refusal to participate in the debate. The Russians hesitated under this glare of publicity and the prospect of united opposition. They withdrew their troops and finally withdrew even their moral support from their puppet installation, writing the affair off as a total loss. The British and the French saw the handwriting on the wall in Syria and Lebanon and although they were under no compulsion by the Security Council (thanks to a paradoxical veto employed by the Soviet delegate), they saw that their position could not be justified before world opinion. On the other hand, the grounds for the presence of British soldiers in Greece were aired enough to establish a bona fide right—at that particular juncture—for these troops being on Greek soil and the rejection of the Soviet charge as unwarranted. The resulting position of Britain in this respect was that much stronger.

Stabilizing and Equalizing Role of Council

It would be oversimplifying the matter to suggest that these results ought to be attributed directly to the Security Council or that these cases really represented a severe test. But of the stabilizing and equalizing influence of the Council's actions there can be no doubt. Would these instances of international friction have been dealt with as adequately, if at all, or settled so early, had no such body existed? The "normal diplomatic channels" are devious and tedious; in addition they are commonly conducted in secret and confined to the states directly concerned. The fortunes of Iran were at a low ebb as long as it was compelled to negotiate privately with the USSR. The very existence of machinery to air disputes before a representative body is an advantage. Small states are particularly appreciative of this.

THE SPECIALIZED AGENCIES

The fight for peace is not confined to the political level. One of the miscalculations of the Covenant of the League of Nations was that it gave too much importance to political remedies and overlooked the social, economic and other non-political causes of war. The postwar order has witnessed the creation of many independent inter-governmental organizations with specialized tasks in the non-political field. Their job is to do their own bit in the narrow sphere allotted to them.

These are the "specialized agencies," as the United Nations Charter calls them, that is, bodies established by inter-governmental agreement and having wide international responsibilities as defined in their basic instruments or constitutions. These agencies are designed to achieve certain ends in the field of economic, social, educational, cultural and humanitarian cooperation. Some of them are related to permanent problems; others to only transitory situations. They are the "wisely conceived pacts and institutions," mentioned by Pope Pius XI in the Encyclical *Quadragesimo Anno*.

ILO

One of the oldest of these specialized agencies and perhaps the prototype of those launched by the United Nations, is the International Labor Organization. This body was created, as a result of a provision of the Peace Treaties of 1919, to bring about world-wide improvement in labor conditions and to be a guarantee of genuine protection for the worker against the hazards of his calling and the injustices of his situation. It is independent and self-governing, although its connections with the League of Nations were always close. It has its own budget, contributed directly to it by the member governments.

There is no space here to give the structure of the ILO or its technique in reaching its goals. What is of importance are two principles that impelled the institution of the ILO and which apply, *mutatis mutandis*, to other specialized agencies initiated for the postwar or still in process of formation. The ILO took the position that: 1. International peace can be established only if it is based on social justice; and that: 2. the failure of one nation to correct inhumane conditions of labor is an obstacle in the way of other nations which desire to improve conditions in their home countries.

There in a nutshell is the policy justifying specialized agencies. On the one hand there are causes contributing to lasting peace other than merely political ones; on the other the cooperation of *all* nations is necessary for a general improvement of conditions in *each* country. With varying forms according to the type of human activity concerned, these are the principles underlying all the specialized agencies.

The success of the ILO in a long quiet program of action encouraged the drafters of the San Francisco Charter to act on the policy of stimulating other organizations for technical work in various fields of inter-

national intercourse. These organizations, although autonomous, are brought into relationship with the United Nations through separate agreements.

UNESCO

One of the most dynamic of these specialized agencies is the United Nations Educational, Scientific and Cultural Organization. The role of UNESCO was described in this way by William Benton, chairman of the American delegation to the first conference of the Organization, "UNESCO is not conceived of as an international undertaking to promote education and science and culture as ends in themselves, but rather through education, science and culture, to advance the peace of the world." It aims to work through the means of mass media, particularly the radio, the creative arts, social sciences, libraries and museums. A program of student interchange and improved methods of writing textbooks are included in the activities. One highly important and tangible aim of the Organization is to diminish the barriers on communication between the countries, through changes in copyright laws, the high cost of cable and wireless communication, and the distribution of films and printed material which is often impeded by some countries. The rather ambitious scope of UNESCO may be judged from the estimate of one and one-half billion dollars that the U.S. National Commission (established by Act of Congress to represent this country at UNESCO) has regarded as not too high for the budget in the course of time.

BANK AND FUND

Economic warfare precedes armed warfare. The International Bank for Reconstruction and Development and the International Monetary Fund are twin organizations intended to meet financial and monetary necessities that pre-war experiences had accentuated. The havoc caused in international relations by currency instability prepared Europe for war in 1939. "The currency and exchange difficulties of the 30's," says an authoritative source, "are generally regarded as contributing to a considerable extent to the outbreak of the war."

Furthermore, the need for an international banking system which could bear the weight of large loans for financing large scale projects in devastated or undeveloped regions was also recognized in setting up the Bank. The Bank is expected to take the place of outright relief activities, such as those engaged in by UNRRA. It will also encourage private loans by guarantees.

ICAO

The International Civil Aviation Organization is another operative agency coming out of the war. ICAO took its rise in June, 1945, as a consequence of the rapid organization of a world network of airways. When peace came again it was clear that rules for civil aviation must be evolved and enforced by common consent. Otherwise postwar disorder in the air detrimental to good relations among the nations would most certainly ensue.

FAO

The Food and Agriculture Organization was instituted to promote a very important freedom—Freedom from Want. In specific words: “To make good nutrition, good health, and good standards of living for everyone the goal of world policies in food and agriculture, forestry and fisheries.” This means an organized effort to improve the production and distribution of food and food sources so that the whole human race may be able to get food necessary for the health of the world. For the first five years the budget of the FAO is set at \$5,000,000 a year. This is a small sum to pay for raising the level of food supplies for all the world.

IRO

The International Refugee Organization was set up to repatriate, or resettle in other lands, those unfortunate homeless persons whose lives were uprooted by the events of the war. Many of these persons come from zones now under Russian control. Whether the IRO should forcibly return all displaced persons to their places of origin was a major issue between the Soviet Union and the Soviet satellites, on the one hand, and the other countries. The issue was decided when “resettlement” and not only “repatriation” was established as the objective of the IRO. This meant that those who would not voluntarily return to their home countries, in which political changes had taken place since they were driven out, would be resettled elsewhere. The IRO in other words, recognizes the “right of asylum” and concedes that there are such things as political refugees. This is to say that political opposition is not a crime. To this proposition the Soviet Union never assented.

ITO

The proposed International Trade Organization contemplates a very difficult task. Initiated by the United States it is based on the idea that international peace rests to a great extent also on a coordinated pro-

gram of world trade policies. The effect of the work of the ITO if successful would be an expanding world economy, the establishment and maintenance in all countries of high levels of employment and real income, and the creation of economic conditions conducive to world peace. The long delay and exhaustive discussions that have gone into the preparations for this specialized agency are signs that here is one of the most difficult knots to be untied. One thing is certain, if the ITO or some substitute is not brought into being, a world trade war and the stifling of international commerce is in the making. Out of such a situation do wars grow.

The above enumeration and all-too-brief description of specialized agencies does not exhaust the list. It does offer samples of the idea of the *functional approach* to international peace. The system of specialized agencies, each concentrating on a well-defined and limited area of friction or source of friction, may not seem to have any considerable direct influence on the prevention of war. No one of them alone or even all of them collectively could in the last analysis prevent a war. Yet each in its own sphere is aimed at removing the conditions out of which wars come. They form part of the process of peace. They are the avenues opening on the road to peace. The ultimate success of these programs cannot be foretold. But each of them is part of a general assault upon those things that divide nations. Without their remedial and preventive work, ordinary international political disputes will assume unwonted virulence.

PEOPLES WHO DO NOT RULE THEMSELVES

Territorial aggrandizement is one of the oldest forms of power politics. We are discussing here the processes of peace, or how to come to grips with the forces that cause war. That particular kind of territorial aggrandizement known as imperialism consists in acquiring control of primitive and undeveloped territories and administering them without consulting the wishes of the inhabitants and in exploiting the natural resources for the primary benefit of the master country. The age of imperialism has really been over many years. Its effects are still with us. Powerful forces are pulling each way, and all of them have some claim for justice on their side. For Britain, Winston Churchill said, "I have not become the King's First Minister in order to preside over the liquidation of the British Empire." Yet the Labor

Government a few months later was actively engaged in little less than that. The pressures of the dependent peoples had become too great to resist.

Liquidating Imperialism

How can the international society come to grips with this monstrous challenge to the ingenuity of the political man? The United Nations divided the regions involved into two parts: 1. Those colonial empires of Great Britain, The Netherlands, Belgium, France and others which have been administered as such by these countries for decades and centuries; and, 2. those dependent regions which are expressly submitted to a trusteeship system administered by the United Nations.

As for the first part of this task, it was left to the free choice of the colonial Powers to decide the fate of their own colonies. But at the same time, the United Nations binds them to a joint declaration of colonial policy. This joint declaration at least provides the United Nations with norms for criticism of the conduct of the colonial Powers, if it does not give the Organization any direct powers of intervention.

It may seem that the imperial powers were let off easy by this method employed by the United Nations Charter. The subsequent years after the San Francisco Conference were to reveal, however, that these countries, especially Great Britain, were prepared to go (and did go) much farther on their own accord toward the self-government and independence of their dependent territories.

Mandate and Trusteeship

Not the colonies, strictly so-called, but the mandates and trusteeship territories cause the real problem for the United Nations. The Trusteeship Council of the United Nations was finally constituted on December 14, 1946. It was the last of the five principal organs of the Organization. The delay experienced in its formation was a sufficient sign of the difficulties involved in the issues. It was a full year before even one of the former League mandates was submitted to the jurisdiction of the Council. Here was obviously a delicate matter involving vested interests and a new kind of supervision. Why, in fact, should the mandatory powers deliver to the United Nations the mandates

they had from the extinct League? They were under no obligation, legally, to do so. It was not even surprising that one mandatory power, the Union of South Africa, announced its desire and intention of annexing its own mandate of Southwest Africa, a former German colony which the Union had administered as a mandate since the end of World War I. This proposal was rejected by the Assembly in 1946 and the South Africans continued to administer the mandate according to its original terms. Other mandatory states announced that unless the terms of trusteeship were accepted in practically substantial form as presented, their proposal would be withdrawn and the mandates would be administered as they had been under the League.

U. S. Trusteeship in the Pacific

The old urge to the advantages, sometimes real, sometimes imaginary, of control of territory affected even the United States, despite its previous record of spurning all appearances of territorial aggrandizement. This country announced during the General Assembly in late 1946 that it intended to submit trusteeship proposals for the Pacific Islands, former German possessions, which Japan had received under mandate from the League. Among these islands were some of the most honored names in the annals of American heroism, Saipan, Tinian, Eniwetok and Peleliu, as well as Bikini, site of the atomic bomb tests of 1946. But the United States announced further that it intended to place these islands under the "strategic area" provisions of the Charter, Article 82. To express the meaning of this proposal in plain words, the United States said that a million square miles of ocean would be blocked off as a strategic zone, nominally under the United Nations as trusteeship territory, but actually (on account of the provisions of this Article) under the undivided and undisputed control of the administering authority.

The justification for these wide claims by the United States was that these islands had been wrested from the Japanese at the price of blood and heroism. The security of this country required that never again should it be necessary to regain these islands at a similar price. In any case, on April 2, 1947 the Security Council approved U. S. trusteeship of these islands under the terms proposed by the United States.

Here, as in almost any issue in international policy, there is much

to be said for each point of view. But somewhere there is a just solution, a compromise between legitimate needs of individual nations and the international interest. Reaching this compromise is part of the processes of peace to which this Chapter has been devoted. But a lasting solution, a fair compromise will not be reached without liberal doses of that Charity and Justice that are the starting point and the returning point of all international relations.

REVIEW QUESTIONS

1. What is the task of the Security Council?
2. Describe the four cases that were brought before the Council in the first few days of its existence?
3. Twelve months later, what was the status of these issues?
4. How do these cases show the operation and area of influence of the Council?
5. What is meant by saying that the Council has a stabilizing and equalizing influence?
6. What are the specialized agencies? What purpose do they serve? In what fields do they operate? Enumerate some of them.
7. Do you believe that peace must be based on social justice? Explain the purpose of the International Labor Organization.
8. Do you think that education and cultural influences have any bearing on world peace? What is UNESCO?
9. What world economic conditions contributed to the outbreak of the war? What are the Bank and the International Monetary Fund?
10. In what fields are these specialized agencies intended to work: ICAO, FAO, IRO and ITO?
11. Show how these agencies, working together, can remove the conditions out of which war comes.
12. What is imperialism? How is it being liquidated?
13. What is the task of the Trusteeship Council of the United Nations?
14. Explain the United States policy towards the Japanese islands? Do you approve or disapprove?

CHAPTER VI

GERMANY

"Against Renewal of Aggressive Policy"

One special way of preventing war is to single out a prospective disturber of the peace and deprive him, if we can, of his power to make war. This is the task that the three major Powers, the United States, Great Britain and the Soviet Union, have assumed to themselves with respect to Germany, Italy, Japan and the satellites of the Berlin-Rome-Tokyo Axis. It is a course that raises almost as many problems as it attempts to solve. Its effectiveness as a peace-making process is not beyond question, although the results may be adequate within a certain limited sphere.

United Nations By-passed

The winding up of World War II, particularly the terms of the peace treaties, as well as the armistice terms, is not the task of the United Nations Organization. The Big Three reserved to themselves a free hand in what was to be done about the former enemy. Thus at one stroke a very large and extremely important sphere of international relations has been withdrawn temporarily at least from the purview of the new peace organization. Article 107 of the Charter expressly provides for this as follows: "Nothing in the present Charter shall invalidate or preclude action, in relation to any state which during the second World War has been an enemy of any signatory to the present Charter, taken or authorized as a result of that war by the Governments having responsibility for such action." In other words, the United States, Great Britain and the USSR retained complete say in deciding the ultimate fate of the Axis members and all the preparations thereto during the occupation. This refers particularly to boundaries, reparations, de-militarization and de-nazification. The United Nations is not authorized to intervene in this area.

This organic separation of the peace treaties from the peace organization is one of the main differences between the League of Nations and the United Nations. In 1919 the Treaty of Versailles included not only the terms of peace with Germany and the other Central Powers, but it included the League Covenant as an integral part. During the recent war a different approach was decided upon. The United Nations was pushed almost to completion before the war was over and was not conditioned upon the peace treaties. The Charter was signed at San Francisco on June 26, 1945, while Super-Fortresses were still raiding Tokyo and while preparations were under way to drop the first atomic bomb on Hiroshima.

The effect of this strategy was to bind the major Powers to an important postwar system of international cooperation while their wartime cooperation was still close. When the war ended and the victors began to be aware of their differences among themselves the United Nations was already an accomplished fact. It is not difficult to imagine what kind of world order would exist today if we were still quarreling over the peace organization as we did over the peace treaties.

The Rights of the Victors; Their Wrongs

But this very process of separating the United Nations from the peace treaties created an anomalous situation. It carved out of Europe and the Orient sizeable chunks of territory and their attendant problems, in effect leaving the Organization to perform secondary tasks among new problems as they arose among the Members of the United Nations or with neutral states. The major Powers had virtually a free hand in disposing of the Axis.

In other words, the reconstruction and rehabilitation of our former enemies was at the tender mercies of the victors who acknowledged no opposition or restraint except their own interests, influenced in great or less or no degree at all by considerations of justice. The most direct effect of this situation was that the peace settlements were influenced predominantly by the power thinking of the Big Three. The decisions reached at the conferences at Yalta, Teheran and Potsdam, as well as those of the Council of Foreign Ministers in London, Paris New York and Moscow, were inevitably those which were often the outcome of a sheer power struggle, i. e., the relative negotiating ability of the participants, which in turn was in direct proportion to the military

and political strength in each instance. Under circumstances so unpropitious for moral considerations, it is almost a miracle that still greater injustices were not done.

Of the right of the victors to punish the unjust aggressor there is no doubt. As Victoria wrote three centuries ago, "Even after victory has been won and redress obtained and peace and safety have been secured, it is lawful to avenge the wrong received from the enemy and to take measures against him and exact punishment from him for the wrongs he has done." And in fact a fairly plausible case could be made for this broad assumption of authority by the Big Three to the exclusion of the other countries and of the United Nations. Together, they had won the military side of the war. Frankly, the peace settlement in the heart of Europe was too important to be surrendered to a new untried body manifestly unequal to the job. It was not cynicism necessarily but solid realism to first make sure that the major Powers could find suitable adjustment of their relationships in the new Europe. Until the United States, Great Britain and the Soviet Union, in the full flush of victory, each inordinately conscious of its own contribution to the war, had reached a stable *modus vivendi* in the Axis-minus world, it would be illusory to hope that the infant Organization would get anywhere, or that any treaty with the defeated enemy would be possible, let alone permanent.

Potsdam

When the President of the United States, the Prime Minister of Great Britain and Marshal Stalin met at Potsdam on July 17, 1945, to decide among themselves what to do to Germany pending the peace treaty, there was no audible protest from the other nations, although subsequently France and Australia challenged some of the decisions.

It is disturbing to contemplate a few men deciding, without appeal, what is to happen to a half-continent of seventy or eighty millions. This is too much power for any small group to possess. But they had it. For the moment the victors were all-powerful. Seldom in history had a war ended so decisively. As the Holy Father said at Christmas in 1946, "Seldom in the history of the world has the sword traced such a clear line of division between the conquerors and the conquered." Thanks to the policy of "unconditional surrender" there was no obligation to the losers in the form of promises to the defeated country. The

victors did not even have to deal with a government of Germany. The will of the conquerors was supreme.

And what was the will of the conquerors? Primarily, to prevent Germany from again becoming a threat to the world. On this the Big Three were firmly united, whatever further private ideas and aims they might entertain. Secondly, to punish those Nazis who had been responsible for initiating the war. Thirdly, to exact reparations for damage wrought. The means to make Germany unable to wage war again were chiefly three-fold. 1. *Demilitarization*: To deprive Germany for all time of those heavy industries which are the arsenal of modern war; 2. *De-cartelization*: To break up the highly developed system of cartels which had made international trade and commerce ready instruments of political and military aggression; 3. *Democratization*: To break the power of those classes and groups, particularly the military caste, which had been the brains and motivation of the aggressive policy. This meant, speaking positively, educating the Germans to democratic habits of government.

Prevention, Wantonness and Human Dignity

If we accept the thesis that a given nation may be formally charged with being a likely cause of war in the future, then the action taken thus far in regard to Germany is quite justified. One way of achieving peace is to take away from warlike nations the power to wage war. It would be a hardy historian who would undertake to prove from the past fifty years that Germany was not peculiarly susceptible to the blandishments of military adventurers. The Holy Father has implied that the victors have the right to take the necessary safeguards to prevent Germany from being the source of war. At Christmas in 1946 he said: "No doubt such a disastrous war, unleashed by an unjust aggression and continued beyond lawful limits when it was clear that it was irreparably lost, could not be terminated simply in a peace which did not include guarantees that similar acts would not be repeated." He went on to warn, however: "Nevertheless, all the measures of repression and prevention should keep their character of means and hence remain subordinate to the lofty and ultimate purpose of a true peace which, providing the necessary guarantees, contemplates the gradual cooperation of conquerors and conquered in the work of reconstruction . . ."

As the Pontiff hints, the process of stripping Germany of the industrial, political and military potential for war is open to abuses. It is very hazardous to attempt to distinguish a peace of just retribution and prevention from a peace of vengeance and wantonness. With no one to challenge them the great Powers can make and have made serious moral and political errors in the occupied countries, detrimental to the permanent interests of Europe and of the world as a whole. For example, one would hesitate to defend the Allies for authorizing the wholesale forced expulsion of large sections of the German populace from Eastern Germany, taken over by Poland. It will never be certain that the reparations provisions and the proposed long term of bondage are warranted even in terms of good statesmanship. The long delay in concluding the peace treaties with the Axis satellites and with Germany is a circumstance contributing to the unrest, confusion and uncertainty of all Europe, enemy and non-enemy alike. Meanwhile the moral degradation and despair of many millions of people grew apace as human dignity was overlooked in the quest for further means of making a great nation impotent.

Fortunately, the actual experience of occupation did cool the ferocity of the original Potsdam program. The so-called Morgenthau plan, whatever may have been its original intent to reduce Germany to an agricultural economy, has never been carried into effect. The first emotional desire to crush out the last sparks of German nazism and militarism has been moderated by experience, by a realization that in peacetime these aims cannot be brought about in such a simple and mechanistic fashion. But not before serious, perhaps permanent, damage had been done and grave wrongs perpetrated.

Doctrine of Collective Guilt

One thought frequently expressed in the immediate postwar months deserves some attention. This is the doctrine of "collective guilt." The argument is that the German people willingly assented to or supported the deeds of the Nazis, the assault upon Poland, the horrors of the concentration camps, etc. Officially, this view was never sponsored by the United States. It was even repudiated by Stalin. On November 21, 1945, at the opening of the War Crimes Tribunal in Nuremberg, American Chief Prosecutor Robert Jackson said: "We want to make it clear that we have no purpose to incriminate the whole German people . . ." If the German people had willingly accepted

the Nazi program, he went on to say, there would have been no need for the Storm Troops at the beginning, there would have been no need of concentration camps or the Gestapo. The Pope, too, has said, "If justice presumed to judge and punish not merely individuals but even whole communities together, who could not see in such a procedure a violation of the norms which guide every human trial?"

The idea of holding millions of persons individually responsible for what the Nazis did is wanton hatred. Implicitly, however, the theory of collective guilt runs through the actions, decisions and writings on Germany. Indeed it serves as a convenient answer justifying whatever the Germans of any age, sex, political affiliation or wartime status suffer from the hardships of occupation. This includes even the denial of the inherent right of everyone to be treated as a human being.

Moral for Democracies

The theory of collective guilt is a very dangerous one for democratic peoples to sponsor. For if ever a nation will really share the collective guilt of an aggressive war it will be where the people have the largest say in the policies of the state. In countries where governments are run along totalitarian and dictatorial lines, the role of the people (and therefore the culpability) is slight. It is in free countries that the citizens have the greatest obligation to be alert as to what is being done in their name.

REVIEW QUESTIONS

1. Is the United Nations given responsibility for the peace treaties? Explain the organic separation of the treaties from the Charter.
2. Why were the peace conferences unpropitious for moral considerations?
3. What are the rights of the victors of World War II? What did the Pope say about the completeness of the victory of the Allies?
4. What was the will of the conquerors, in respect to Germany? What three steps were particularly emphasized to prevent Germany from being the source of another war?
5. What did the Pope say about the policy of the Allies? What warnings did he utter? Discuss the Pope's statements.
6. What do you think of the doctrine of collective guilt?

CHAPTER VII

OTHER ISSUES

Stumbling Blocks, Shibboleths and Red Herrings

In a given period of international politics, certain special issues get more prominence than others. One reason is their peculiar importance at that time; another is the strange quirks of fancy or antipathy that take hold of the public in world affairs just as much as in national life.

THE RUSSIAN QUESTION

No light question is the Russian one. For many years after the Russian Revolution the Union of Soviet Socialist Republics was treated as an outcast among the nations. The United States did not recognize the USSR until 1933. The League of Nations finally admitted the country to membership, only to expel it in 1939, at the time of the attack on Finland. The dubious distinction of being the only country thrown out of the League (Germany and Japan quit), as the climax of a long history of exclusion and quarantine had its effect both on Soviet susceptibilities and on the policy and thinking of the Western World.

A regime that espouses world revolution as its official ideology should not have been surprised at the treatment it received from the prospective victims. Added to this back-log of ostracism came the Hitler-Stalin pact of August, 1939, which set the stage for the invasion of Poland by the Wehrmacht a few weeks later. Subsequent events, such as the Anglo-Soviet twenty year alliance, U. S. lend-lease to Russia, the conferences of the Big Three at Teheran, Yalta and Potsdam, were complete reversals of the previous situation. But the skeletons in the closet continued to rattle.

It has been said that *the* problem of our day is the problem of Russia. Just what the problem consists in is not usually understood. What was to be done about the "bad boy" of international society? There

were four possibilities open to Great Britain and the United States during the war:

1. Make a separate peace with Germany and then turn with Hitler on Russia. It appears that at one stage of the war Stalin was suspecting his Allies would do just that, although the idea was preposterous on the face of it.

2. Destroy the Germans and then attack the Russians. In other words, wage another war. No one ever seriously contemplated such a move, although the Germans themselves hoped for something like that to happen after their own defeat.

3. Finish off the Germans but then settle down to a state of siege, an armed truce much like that between Hitler and Stalin until 1941. This would leave Europe in a state of constant suspense and would provide no hope of relief to the half of Europe occupied by the Red Army.

4. Adopt a policy of permanent postwar cooperation with the former outcasts on the basis of equality and mutual respect.

Under the circumstances the policy of cooperation was the only rational and legitimate course to adopt.

The Soviet problem was not whether the Western world should try to cooperate with the Russians, but how far such cooperation could be permitted to jeopardize the material, political and moral interests of the Western world. Were there any grounds for assuming that the Soviet world that took its rise on a materialistic, anti-religious and revolutionary program could in practice live side-by-side with the rest of the world? Would political fraternity with such a regime put in jeopardy the values of Christian civilization? This is a question that cannot be decided on *a priori* principles, although there is a strong temptation to do so; it can only be answered by the test of actual experience.

That very experience has been enough to convince a great many minds of the impossibility of ever living at peace with the Soviet Union as it is now constituted. Russia's vast territorial acquisitions, made in violation of the Atlantic Charter and at the expense of gallant Allies and heroic victims of Nazi oppression, have more than jeopardized

the war-time unity of the East and West. Unfortunately, both the United States and Great Britain bear some of the moral responsibility for the tragedies that have befallen Poland, Lithuania, Latvia, Estonia and other countries, whose only crime was their proximity to the Soviet Union.

But in spite of this black record no responsible person can fail to be reluctant to give up the effort to make Russia once again a respected member of the international community. In all fairness, it must be said that the United States never had any illusions concerning the magnitude of the task of dealing with the USSR on terms of mutual respect and confidence. Mistakes of policy and principle have been made, recognized and repented. But the basic policy of seeking cooperation with the Russians remains the same. The alternative is dead-lock in the East, a division of the world into coalitions, a Europe perpetually torn between two jealous power poles. To date no statesman has been willing to take upon himself the responsibility for such a program.

“UNANIMITY OF THE GREAT POWERS”

For its part, the USSR has shown itself a very reluctant and suspicious candidate to the society of nations. The “iron curtain” of censorship and restrictions that obtains has symbolized the traditional isolation of Russia. That country has declined to join the major specialized agencies, such as the ICAO, the Bank and Fund or UNESCO. It further heightened its sense of isolation by its conduct in the United Nations Security Council. This became notorious when the Soviet Union began to employ its veto prerogatives in the Council with wild abandon.

By the time the General Assembly convened the second time in October 1946 many States had become so aroused that a clamor was raised to abolish or moderate the veto powers of the great Powers. Guillermo Belt, delegate of Cuba, called for the total abolition of the veto through amendment of the Charter. Australia was more moderate and simply asked the Assembly to go on record as considering that in some instances the use and the threatened use of the veto power had not been in keeping either with the general purposes and principles of the Charter, or with the promises made by the great Powers themselves at San Francisco. At that time the five permanent members of the

Council promised that their veto prerogatives would be used "sparingly."

The reckless use of the veto by the Soviet delegate, whether Vyshinsky or Gromyko, standing as every veto does, against the will of the overwhelming majority has been a pointed reminder of the position presently occupied by the USSR in the United Nations as in the world generally. It is a country keenly conscious of its friendlessness and determined to defend its interests with the boldness and drive characteristic of a military campaign.

The defense offered by the Foreign Minister, V. M. Molotov, during this Assembly at Lake Success was that the veto rights of the permanent members of the Council were nothing more than the expression of the principle of the "Unanimity of the Great Powers." It was imperative for world peace, he said, for the major countries to act together in all matters. The transparent fact was known to all, however, that in practice such unanimity meant the yielding of the wishes of everyone else to the demands of the USSR. Secretary Byrnes alluded to this in his report on the Paris Peace Conference of 1946 when he said, "Two states can quickly reach an understanding if one is willing to yield to all demands. Every understanding requires the reconciliation of differences and not a yielding by one state to the arbitrary will of the other." He was speaking as one who knew. In the peace conferences as in the Council the Soviet Union had acted as though the principle of unanimity meant that other nations had to agree to their original unaltered and unamended position. When the other countries long habituated to the processes of compromise refused to accept this principle, the veto was brought forth.

It should not be overlooked, at the same time, that the United States and Great Britain, along with France and China, have the same veto prerogatives and are counting on using this right if and when their vital interests so dictate. It is no wonder that during the debate all the permanent members of the Council defended the veto provisions of the Charter even though admitting the existence of abuses.

The unpredictability of international politics, particularly where the Russians are concerned, showed itself in the weeks immediately subsequent to the General Assmby of late 1946. Without contest, the Soviet representative gave in on issues he had uncompromisingly

defended. This took place in the Security Council when delegate Gromyko agreed to an investigation into Greek border disputes (a proposition he had previously vetoed), and by abstaining from voting without claiming this constituted a veto (contrary to a proposition steadfastly asserted only a few weeks earlier by his superior, Andrei Vyshinsky.) The processes of peace and international politics do not always follow a logical course!

INTERVENTION AND NON-INTERVENTION

A very important rule of the Charter prohibits intervention of the United Nations in affairs which are essentially within the domestic jurisdiction of any state.. This provision does not prejudice the possible application of sanctions as provided in the Charter. Just what constitutes intervention and non-intervention has been, is now, and is destined for many years to remain a matter of political opinion. At what point do the international as well as internal affairs of a nation become the legitimate concern of the whole international community? Or, to reverse the question: at what point in its peace-making efforts does the United Nations become a busybody and a meddler? Two extreme tendencies can be seen in any answers or attempted answers. The principle of non-intervention can be so interpreted as to deny the United Nations (or the international community) sufficient authority to perform its work properly. On the other hand, it could be expanded in a degree that would deprive national states of their legitimate right to determine their own affairs and solve their own problems.

Here we have one of the most basic questions in the science of international relations. The United Nations must have sufficient authority; the states must be protected from illegitimate interference. Where is the dividing line? What norms are there?

1. *The Case of Franco Spain*

Two interesting cases in this respect came before the General Assembly in its session in late 1946. These were charges involving the regime of Generalissimo Franco in Spain and the treatment of Indians in the Union of South Africa.

Since the very beginning of the Organization, the Government of Spain, of which Franco is the head, has been the *bête noir* of a great

many Members. During the war the sympathies of Spanish officials had been extended to the Axis, although Spain itself remained neutral. It was asserted that the Franco regime was Fascist in nature, origin and purpose, imposed upon the Spanish people with the help of the Axis, and to that extent a threat to peace and an affront to liberty-loving peoples everywhere. Special prosecutors in this respect were the Soviet Union, France, and many Latin American countries, especially Mexico. The Polish delegate brought up the issue before the Security Council, where it was fully debated (in the absence of Spain, however). No action was taken however, on account of a paradoxical veto interposed by Gromyko who said the resolution proposed "doesn't go far enough."

Later the charge was raised anew in the Assembly, along with a demand that every country break off diplomatic relations with Spain. Finally, the Assembly called upon those states having diplomatic relations with Spain to withdraw the *heads* of the diplomatic mission, on the grounds of the Fascist nature of the Franco regime. A few states dissented from this decision, notably Argentina and El Salvador, for the reason that such action by the Assembly constituted unwarranted interference in Spain's internal affairs, *sc.* pressure applied from the outside to compel a change in government. This they regarded as a very dangerous precedent.

The furore aroused over the Spanish question was a highly artificial one instigated by the very active Spanish exiles, with the generous help of the communists all over the world. Both Great Britain and the United States certainly do not intend to give the Soviet Union an ideological foothold in strategic Spain. Such a course would be political folly. At the same time the political tenets of the government of Francisco Franco are completely out of harmony with the traditions of Britain and America. The policy of these two countries has been to welcome a change in the government of Spain, but without interfering with the legitimate freedom of choice of the Spanish people and most of all without precipitating another civil war.

But the principle involved in the Assembly's decision is significant. It implies that the *kind* of internal regime of a country is a matter of concern for the international community. If that is the case then it may be applied also to other countries as well as to Spain. The violations of human rights within the borders of a country have a significance

that go beyond those borders. As the Bishops said in 1944: "The ideology of a nation in its internal life is a concern of the international community. To reject this principle is tantamount to maintaining that the violation of the innate rights of men in a country by its own government has no relation to world peace." Mankind is linked by these bonds of human rights. International solidarity rests upon them.

2. *Indians in South Africa*

At the General Assembly the delegate of India, Mrs. Vijaya Lakshmi Pandit, complained that Indians in the Union of South Africa were the victims of discrimination and mistreatment. These persons were descendants of Indians brought years ago to South Africa to labor and whose status was settled in agreements or alleged treaties between India and the Union. In rebuttal, Marshal Jan Christiaan Smuts contended that the United Nations had no right to take any action in this case since it concerned domestic legislation and the persons on whose behalf the complaint was brought were legally nationals of South Africa, even though racially Indians. As for the international agreements which were offered as grounds for the intervention of the United Nations, he challenged the contention of India on the score that they were not and could not be treaties setting up international obligations between India and the Union. He then asked that the International Court of Justice be asked for an advisory opinion whether this question was a matter essentially within the domestic jurisdiction of the Union of South Africa. He was confident that the Court would find in his favor.

Evidence seems rather compelling that in South Africa there prevails a degree of race discrimination hardly matched anywhere in the world.

Should the amelioration of this internal situation, if it exists as described, be left for the South Africans to bring about by themselves in their own good time? Or should the United Nations take it upon itself to rebuke one of its member nations for violating the spirit of the Charter? After long and sometimes bitter debate a relatively innocuous resolution was passed stating that the treatment of Indians should be in conformity with the agreements and the Charter, and asking for a further report on this issue at the next meeting of the Assembly. The

Indian delegation was exultant. The South Africans were furious and resentful. In their opinion they had been denied the fundamental right of access to the Court and had been implicitly condemned without being told what specific agreements or provisions of the Charter the Union had broken. But by a two-thirds majority the Assembly decided to take jurisdiction in this case. It decided on the *broad* rather than the narrow interpretation of its rights in the internal affairs of countries where human rights were concerned.

SOVEREIGNTY

The subject of intervention is just one aspect of the whole problem of sovereignty. What is sovereignty? The sovereignty of a state is its immunity from any law above itself. According to the principles of international law since the time of Bodin in the seventeenth century, each nation is the final judge in its own case. This doctrine is more commonly called the doctrine of "absolute sovereignty," to emphasize complete immunity from a superior law which is enforceable without the consent of the state.

Such a conception of the rights of states is incompatible with the notion of a world of law. Many persons have even gone so far as to say that "world government" which completely extinguishes sovereignty is the only road to a world order based on justice and law. Without going that far it is certainly evident that there is no chance of effective international law as long as every nation insists on its right to be final judge in every case affecting itself.

Speaking technically, the United Nations actually has diminished the scope of sovereignty as it had been understood in previous decades. The Security Council possesses powers that in former days would have been considered unwarranted derogations of the sovereignty of the members against whom action is authorized. In addition the "principle of unanimity" which prevailed in the League of Nations out of deference to this principle of sovereignty has been abandoned. In the General Assembly today decisions are by a two-thirds majority of those present and voting.

But the whittling-down of sovereignty has not proceeded at fast enough pace. One of the criticisms of the American proposals for the international control of atomic energy has been that the proposed Author-

ity violates sovereignty. "I deem it necessary to emphasize," said Soviet Delegate Andrei A. Gromyko to the Atomic Energy Commission of the United Nations on March 5, "that granting broad rights and powers of such a kind to the control organ is incompatible with the sovereignty of the state. Therefore, such proposals are unacceptable and must be rejected as unfounded."

Now there is no doubt that the Baruch proposals contemplate international action that flies in the face of sovereignty. Never before had any proposal involved such international power over internal matters. But as was sufficiently shown above when this program was described, there is no other way of effectively meeting the problem raised by the discovery of this unprecedented weapon of mass destruction. So strong, however, is the doctrine and practice of absolute sovereignty imbedded in the structure of international society that not even the fear of an atomic weapons race appears sufficient to shake it.

REVIEW QUESTIONS

1. Discuss four possible attitudes or policies that were possible for the Western Powers in respect to the USSR during the war. What policy was eventually adopted?
2. Do you think it is possible to cooperate with Communist Russia without jeopardizing Christian values?
3. What prospects or problems would face the Western World if it decided to get along without Russia?
4. What is meant by the "unanimity of the Great Powers?" Give the history and meaning of the veto in the Security Council.
5. Is it true to say that the United States also clings to the veto power? Why?
6. What is the "principle of non-intervention?" Why is this one of the basic questions in the science of international relations?
7. Discuss this principle as applied to the cases of Franco Spain and the Union of South Africa.
8. Is it desirable or not desirable for the United Nations to take the broad interpretation of its rights to deal with the internal affairs of nations? What issues are involved in each answer?
9. What is sovereignty? What is the principle of absolute sovereignty? Why is this principle incompatible with the rule of law?
10. Discuss the application of the principle of sovereignty in relation to atomic energy control.

CHAPTER VIII

INTERNATIONAL LAW, CRIMINAL AND OTHER

“Conspiring, Initiating, Waging a War of Aggression”

One of the most serious criticisms of the United Nations Charter is that it lays more stress on peace than on justice. It was as though a peace not based on justice could be a real peace worthy of the name. The belittling of justice was starkly evident in the original draft prepared by the great powers at Dumbarton Oaks. It was said that justice is a broad concept, lacking in clarity, whereas a threat to peace among nations is a visible condition and more likely to obtain the general concern of nations. National politics is tolerant of evils and injustices in other lands until these begin to constitute a threat to our own interests or security.

Changes at San Francisco

There could be nothing more disastrous and mistaken than for peoples and their governments to imagine that a lasting peace can be built without regard to justice.

Fortunately good sense and the instinctive urge to justice found expression at San Francisco and the Charter emerged strengthened as a juridical document. As the result of the representations of many delegations, the purposes of the Charter are now “to bring about by peaceful means, *and in conformity with the principles of justice and international law*, adjustment or settlement of international disputes . . .” (Italics indicate clauses added.) In the article denoted to the principles one pregnant phrase was introduced into the draft text: “All Members shall settle their international disputes by peaceful means in such a manner that international peace and security, *and justice*, are not endangered.” In the declaration of intent expressed

by the preamble the peoples of the United Nations are determined "to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained. . . ." Further, the San Francisco Conference added to the Assembly's assigned responsibilities that of making studies and recommendations for the purpose of "encouraging the progressive development of international law and its codification." In these ways the power-minded draft of the Big Three at Dumbarton Oaks became at San Francisco a juridical instrument.

How to Get Justice

There has always been general agreement that justice is a foundation of civil society, national as well as international. Law is a protection against the encroachment of might. Law has proved time and again to be, in the end, more powerful than might. It administers justice without regard to expediency or the accidents of politics.

There are several ways of getting justice done:

1. By having recourse to one's *private efforts* to seize what is rightfully ours. There are occasions when this can be defended as the only way to get justice. But it is "taking the law into one's hands" and is wide open to abuse and self-deception.

2. By having recourse to *politics*, through the help of political power. Many a true claim has been achieved through the control of the political machinery, e.g., through electoral reforms, by pressure on the government. The winning over of a political leader to one's point of view is a means of vindicating rights. But this method, too, can be abused since politics is directed at reaching specific temporal ends which may or may not be the right ends. At least governmental intervention is *prima facie* evidence in our favor.

3. By having recourse to *law*. Here for the first time our claim is examined on its merits and the achieving of our rights is not bound up with our private power to take what is rightfully ours. In human society we have not been able to discover a safer or more equitable method of promoting justice among the citizens of this earth.

In the international field nations have relied heavily on their own

power to secure or to maintain what they claim is their's. And thereby hangs a tale of power politics.

Therefore more and more the nations are trying to realize a *political* vehicle to get what they want. They have felt the need of an international forum for the discussion of their claims. Their desires are clothed in the authoritative decisions of an international body. Although this method involves compromise and negotiation and seldom gets us all we think is ours by rights, it is an orderly and peaceful procedure. Such decisions are *prima facie* evidence of the rectitude of our claims.

A higher goal is necessary still. Until nations can rest their cause upon justice without implicit reference to military power or political influence there will always be lacking some of the perfection that civil society within nations already has, *sc.* a system of *law* whose ultimate efficacy rests upon the merits of the case and not on the actual possession of power.

Law "Inter-Nations"

One may perhaps be tempted at this juncture to exclaim: "Therefore we need world government!" That would be jumping to conclusions. The development of international law does not consist of a process reducing it to the same category as the domestic law of the national states. It is by no means clear that justice between nations can only be established by transforming international law into "municipal law," as it is termed. International law is law *inter-nations*. Its development and codification consists in laying down legal norms in precise language so that they may serve as practical norms for the conduct of states and as common gauges of the rights and wrongs of international policy. Enforceability, or the police power, is a secondary matter. The prime necessity is an accepted legal code of conduct by which the nations may be judged—by world opinion before they are judged by the sword.

Codifying Nuremberg

On December 13, 1946 the General Assembly established a Commission on the Development and Codification of International Law, comprising seventeen members. This was not an original venture. A

commission of this kind had been at work under the League of Nations, but without conspicuous success. But the attempt is being continued with the conviction that the United Nations could hardly perform a greater service to world order. One of the first steps taken to his end by the Assembly was to support and affirm the principles on which the Nuremberg War Crimes Trials were conducted. The commission will regard it as a matter of primary importance to formulate the Nuremberg principles in a general codification of offenses against the peace and security of mankind. It is the beginning of an International Criminal Code. One of the most important and difficult parts—largely neglected at Nuremberg—of this task is that of defining “aggression.”

What were the principles of international law recognized and employed by the International War Crimes Tribunal at Nuremberg? Two revolutionary ones are of special importance:

1. That aggressive war is an international crime.
2. That individuals chiefly responsible may not plead immunity from prosecution on the score that such actions were “acts of state” or commands of superiors.

The Nuremberg indictment also charged the Nazis big-wigs with violations of the laws of war. Chief interest, however, rests on the two principles of criminality and of individual responsibility for aggressive war itself.

Hasn't aggressive war always been a crime? To say that such a war is an international crime means that it is an offense, a) punishable, b) in virtue of international law. That is to say, such a war is not only morally *wrong* and also legally *unjust*, but in addition *criminal*. Previously wars between states had always presumed, in law, the good faith of the belligerents. A greedy monarch may have been morally wrong in coveting his neighbor's rich lands. That was no concern of the international lawyer. Or his action could even be objectively illegal, in violation of a clear treaty for which damages could be exacted by the injured state. But it never entered the mind of international law to call this a criminal offense, which would make the culprit an outlaw from the world community. In short, no state could commit a crime, much less could heads of states or their chief ministers be punished for their criminal actions.

Therefore at Nuremberg, the Nazi defendants were being accused of a crime which was not a crime at the time they initiated the war. The criticism thereupon was made that Goering, Ribbentrop, etc., were being tried on a *ex post facto* law or a law that was promulgated after the fact.

Making the Punishment Fit the Crime

The situation at Nuremberg may be best understood by admitting frankly that international law was at a crossroads. Here were culprits who deserved the severest penalties. But on what procedures? Three courses were possible:

1. Hang them under the penalties provided for the small war crimes (murders, atrocities, etc.) which already existed in international law. But that meant their guilt for the larger crime of launching an aggressive war would go untried, unjudged and unpunished.

2. Hang them (or shoot them) summarily and extra-legally, while appealing for the sanction of world opinion. But in that case international law would not even be considered.

3. Mobilize the full legal apparatus of law and make an experiment in new procedures to face this unprecedented challenge to law and order.

For some time in the early years of the war the Allies seemed to favor the second course. There no apparent effort to decide by what procedures this task was to be accomplished. But on August 8, 1945 an agreement was signed by the United States, Great Britain, the Soviet Union and France, setting up an International War Crimes Tribunal based on the policy that the whole weight of international law should be brought to bear on the Nazi leaders for their chief crime, *sc.* that of conspiring, initiating and waging aggressive war.

The Break with Juridical Positivism

The crisis faced at Nuremberg was not a crisis in law, precisely. It was a crisis in legal philosophy. Here were men being tried individually for a deed which at the time they performed it was neither a crime according to the contemporary views of international law, nor

a deed for which they personally could be held responsible. In short, was international society so irrationally constituted that it could not provide any juridical means for its own defense? Was the fact that no *written human law* covering these offenses existed at the time to be permitted to frustrate an injured world conscience?

If the answer was Yes, then legal positivism had run into a dead-end. This theory recognizes no law except what is written in the black and white of human enactments. It recognizes no law but that laid down by governments. The decision reached and sentence executed at Nuremberg implies a definite break from the philosophy of legal positivism. Although many cogent arguments were brought forward at Nuremberg, on the basis of existing positive law (such as the Kellogg-Briand Pact outlawing war, or the Geneva Protocol—which never came into force), the validity of the case at Nuremberg rested finally in the appeal to that law that precedes all human laws. As Father Edmund A. Walsh has written (*AMERICA*, November 9, 1946): “As truth is not created by the mind but is apprehended, so justice is sought by law, not created by it.” He added, “The irrational application of an axiom of municipal and constitutional law to the unheard-of and undreamed-of enormities revealed at Nuremberg would have been indeed a self-refutation of juridical positivism as well as an insult to intelligence.” In the same issue the dilemma was put like this by Gustav Gundlach, S.J.: “If, in the case in hand, we agree to be led by juridical positivism to demand positive statutes as an absolute necessity, we arrive at the following conclusion. On the one hand we are confronted by the clearly established fact of crimes and their inescapable liability to punishment; on the other, by the absolute impossibility of society’s taking any action for lack of any positive international norms. . . . Such a situation is absurd and indicates the self-refutation of juridical positivism.”

It is significant to note than in the General Assembly this thought was recognized by an eminent jurist of international standing, J. M. Yepes of Columbia, who, on December 11, 1946, told the delegates: “The trial of war criminals at Nuremberg shows us the way to follow, because this historic trial is a confirmation of the philosophic doctrine according to which law is anterior to and superior to the State. It was enough to invoke at Nuremberg the norms of objective law and of the moral law to find immediately a law applicable to a case which had not been foreseen by any positive legislation.”

The Crime of Genocide; Crimes Against Humanity

The United Nations has also taken steps to declare genocide an international crime. What is genocide? Genocide has been defined by Professor Raphael Lemkin as "the deliberate destruction of racial, religious or national groups, through systematic means, co-ordinated on a large scale against members of those groups, and resulting directly in deprivation and prevention of life, physical debilitation, moral debasement or total obliteration of a culture or a religion." Genocide is not only a crime against human groups, not only the definite killing of certain groups, but it may also take other forms such as compulsory abortion, separation of wife and husband, in order to prevent the continued existence of the group. Such denial of the right of existence to entire human groups is more than mere murder, more than mass murder. It is not simply atrocity. The crime envisioned here was brought to its highest perfection by the Nazis in their systematic attempt to exterminate or fatally wound the Poles, Jews, Russians and Gypsies as races. It has come into being with the rise of the all-powerful totalitarian system which knows no moral scruples or political safeguards against the plans of the controlling clique. Such a crime, as the General Assembly states, "shocks the conscience of mankind, results in great losses to humanity in the form of cultural and other contributions represented by these human groups, and is contrary to the moral law and to the spirit and aims of the United Nations." Of course the mere declaration of the General Assembly does not suffice to make genocide an international crime, much less preclude genocide being perpetrated. But it is an essential first step.

The Nuremberg verdict reached other important decisions in convicting the Nazi leaders. Count Four in the charges against them was crimes against humanity. This meant "murder, extermination, enslavement, deportation and other inhuman acts committed against an entire population, before or during the war; or persecution on political, racial or religious grounds in execution of or in connection with, any crime within the jurisdiction of the tribunal, whether or not in violation of the domestic law of the country where perpetrated." Crimes against humanity are crimes committed within the territory of an aggressor state on its own population during a war of aggression. These are crimes connected with the war. The underlying philosophy is that a government waging aggressive war might endeavor to destroy its potential opposition, from religious, political or intellectual circles, through crimes. That happened in Nazi Germany. Crimes against

humanity are within a postwar jurisdiction organized by victorious powers. It is important to note the difference between genocide and crimes against humanity. Genocide can be committed in peace and war; crimes against humanity only in war and by an aggressor state against its own nationals. In the case of both the crime of genocide and crimes against humanity, the persecution of religious groups or religious leaders looms large.

Shortcomings of the Trial

Aside from the complaint that the crimes charged to the defendants (at least those referring to aggressive war) were *ex post facto*, one particular criticism is heard. That arises from the fact that among the judges sat the representative of the Soviet Union. A few years earlier the USSR had embarked on an invasion of Finland that the world roundly condemned as sheer aggression and for which Russia was expelled from the League. And shortly afterwards Russia and Germany joined in a pact to divide Poland. It is asked what kind of justice is done when such a country is allowed to sit judging aggressors? The participation of that country seemed to make a mockery of the trial.

The lawyers' answer to such a complaint would be that one can only judge those who have been indicted and that participation as judge and accuser does not invalidate the court's decision just because the officials were themselves guilty of another crime of the same kind. It was not the concern of the Nuremberg Tribunal that, for reasons not touching the case in hand, the Soviet Union and its leaders had not been indicted. What the criticism really amounts to is that at Nuremberg justice had not been done adequately, that not all criminals have yet been apprehended, nor all crimes avenged.

Therefore the pertinent question out of Nuremberg is not the legitimacy of the trial or the completeness of its judgment, but the good faith of the accusers. Are the victors-turned-judges willing to have the same international law turned against themselves that was applied for the first time to the Nazis? This is the real debate and only the future will give the answer. The Allies will have to prove their sincerity by adhering in the future to the standards they themselves have established for others, and by their efforts to see that *all* criminals receive condign punishment. Coming years will enable the world to know how to judge the Nuremberg judges.

What Profit Nuremberg?

The Nuremberg trials will not prevent war. Establishing the beginnings of an international criminal code is not the same thing as creating an international police. An international police force is still very far in the future. Nuremberg did not even define aggression.

But, totalling up, international law is now armed with sharper tools to perform its functions. New principles and procedures have been introduced into the legal thinking of the world. The effect of these principles and procedures will be to better equip international law to set up standards for world conduct. International law is not created by method of legislation. It can grow only through development and its most rapid growth takes place at the turning points of history. The aggressions of World War II were one of those turning points. As far as we can judge today international law is the better for Nuremberg. And with law comes justice. "The work of justice is peace."

REVIEW QUESTIONS

1. What important changes were made in the Charter at San Francisco?
2. Enumerate three ways of getting justice done.
3. Why is recourse to law the highest form of achieving our rights?
4. Does the perfection of international law necessarily lead to world government?
5. What were the principles of international law at Nuremberg?
6. What is meant by saying that aggressive war is an international crime?
7. What different ways were there of dealing with the Nazi war criminals?
8. What is legal positivism?
9. Why was the crisis at Nuremberg in effect a crisis in legal philosophy?
10. Discuss "genocide" and "crimes against humanity," as treated at Nuremberg.
11. In your opinion what were the defects of the Nuremberg War Crimes Tribunal?
12. What positive and lasting good was accomplished at Nuremberg?

CHAPTER IX

HOW CATHOLICS VIEW THE UNITED NATIONS

Progress Towards the Ideal

The creation of the United Nations did not outmode the bi-lateral diplomatic negotiations and agreements that have been customary between nations for centuries. Still less did it relieve each government from the obligation of examining its foreign policy in the light of justice and decency, even prior to any reference to the general organization. Nevertheless, more and more international life will converge on the common agency established for the joint maintenance of international peace and security. The moral ideals of international life must sooner or later find their focus in the United Nations. How does the United Nations stand in the eyes of Catholics? Does it correspond to the traditions of Christianity and to the full demands of a right and moral world order?

The Natural International Society

It is general Catholic teaching, based especially on the spiritual solidarity of the human race, that there exists a natural international community quite independently of any adventitious agreements among statesmen. As recently as February 2, 1947 a committee appointed by the National Catholic Welfare Conference declared in their "Bill of Rights": "The human family constitutes an organic unity or a world society. The states of the world have the right and the duty to associate and to organize in the international community for their common welfare."

Organizing This Society; Shortcomings

But between the general framework of the natural society of nations and the particular terms of a charter there is a large gap. It is no surprise therefore that there is much to criticize in the San Francisco Charter. The striking critique of the American Bishops, previously mentioned, which dealt at length with the defects of the draft charter prepared by the Big Four at Dumbarton Oaks, is a sample of the reservations entertained by Catholics. These same Bishops, writing a year later in support of American ratification, said that "the Charter which emerged from the San Francisco Conference, while undoubtedly an improvement on the Dumbarton Oaks proposals, does not provide for a sound, institutional organization of the international society." Nevertheless, they went on to say, "our country acted wisely in deciding to participate in this world organization."

This position must be distinguished from two quite opposite viewpoints current among some Americans. One of these schools of thought believes that a strong world body is an unwarranted invasion of the legitimate independence of states. In short, they are unsympathetic to the very principle on which any world organization could be based. The other group takes the approach that the United Nations should not be criticized under *any* circumstances.

Constructive Criticism of U.N.

That explains why Catholic students of the United Nations while fully in sympathy with the aims and spirit of the new Organization and while ready at all times to further its interests, feel at liberty to call attention to its shortcomings. With the Bishops, they feel that it is still more like an alliance of nations or a pure "machine" for settling disputes. In their opinion this is in effect a denial of an objective order of justice which serves as the basis for true juridical obligations. As proof of this suspicion they allege the veto prerogatives of the permanent members of the Security Council. This seems to put the great powers above the law and to undermine the conception of equal enforcement of the law. They believe, too, that the world court should have more than purely advisory functions. They think that an international organization should consider the ideology of a nation as a matter of international concern and that the cloak of sovereignty should not be allowed to shield domestic tyrants from punishment. Until

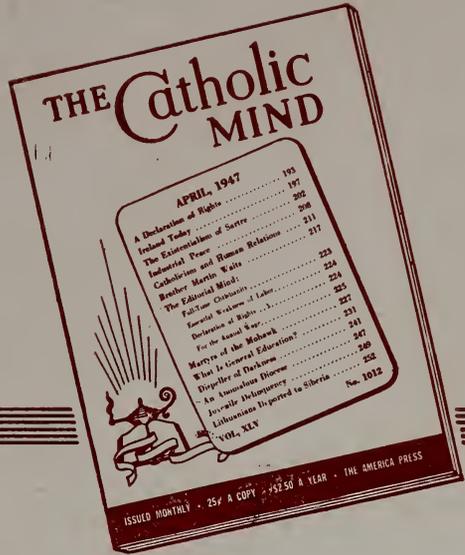
these and other changes are made in the San Francisco Charter, the full demands of Christian ethics will not be met.

It is of course obvious that no charter, operating in the political field as every peace organization must, will ever really meet the rigid requirements of all justice and charity. But out of these criticisms have grown the desire to amend the Charter so as to transform it into a more nearly perfect instrument of international cooperation based on juridical principles. It is likely that a constitutional convention will be called in 1955, ten years after the coming into force of the San Francisco Charter. In the interim the real task is to see that the United Nations adheres to the good principles it already professes.

REVIEW QUESTIONS

1. How does the United Nations stand in the eyes of Catholics?
2. What is the natural international society?
3. Is the United Nations the juridical organizing of this community? Explain.
4. What are the shortcomings of this juridical organizing as compared with the theoretical perfection of the international community?
5. What has been the attitude of the American hierarchy towards the United Nations?
6. Is this statement correct: "American Catholics are in full sympathy with the United Nations, both in theory and in practice; but they reserve the right also to criticize what they regard as its intrinsic moral shortcomings." Discuss.
7. Distinguish the attitude of most Catholics from two other viewpoints, each opposite to the other.
8. Enumerate a few of the major criticisms of the United Nations Charter. What can be done about these defects?

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