

INTERNATIONAL AFFAIRS

THE UNITED NATIONS AS VIEWED FROM GENEVA*

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The United Nations Organization is an essentially American product, as the jeep or the atomic bomb. Conceived at Dumbarton Oaks near the American Capitol, inspired by American ideas, born under American chairmanship on the American West Coast, having decided on a permanent site in America, it is even endowed with an American surname. In fact as in word, there would be no United Nations were there not a United States.

It is therefore very generous of an American body to ask me, as a foreign visitor to your shores, what I think of this American product. But it is correspondingly embarrassing for me to attempt to tell you. When one is invited out to dinner, it hardly does to comment, except in terms of the highest enthusiasm, on the cuisine of your host or on the beauty of his daughter.

Your invitation to this intellectual feast therefore obliges me to choose between politeness and sincerity. As I am speaking here at your request, not in any diplomatic capacity whatever, but solely as a friend among friends and as one man of science to a host of academic colleagues, known and unknown, I unhesitatingly opt in favor of complete frankness. I venture to trust that our common ideals of scientific freedom will assure my impunity from any reproach of indiscretion or of impertinence.

I

Before describing the international view as seen from Geneva, may I be allowed briefly to define the point from which it is observed. Geneva is, first, a city in the heart of Europe. It is, second, a city in small and traditionally neutral Switzerland. It is, finally, the seat of the League of Nations. The new organization is therefore to be judged from the point of view of the old and of a neutral European country.

Now *Europe* is a small but very densely populated continent. Long the hotbed of international conflict, it was the birthplace of the two successive world wars which are the real parents of the two successive organizations for the maintenance of peace.

Europe is densely populated not only by individual human beings, but also by so-called sovereign states. Without burdening this paper with any

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demographic statistics, I will venture to call attention only to two outstanding facts, which seem particularly relevant to our present discussion.

The first is that, of the eight Great Powers existing on the eve of the First World War, six were European. Of these six European Great Powers, only three—Great Britain, France, and Italy—emerged victorious from the First World War; but all of them, except dismembered Austria-Hungary, maintained or shortly regained their status as Great Powers in the inter-war period.

Today there are nominally only five Great Powers left in the world, and only three in Europe. In fact, however, there remain only two or at most, three, states which are in a position to exercise any decisive influence over the destinies of mankind. And of these two or three truly Great Powers, one is American, another is half-Asiatic, and the third is essentially maritime and therefore foreign to the continent of Europe.

Europe is therefore, for the first time since the origins of the history of civilization, deprived not only of the world domination she has long exercised abroad, but even of a truly European leadership at home. The former master has become the servant of the outside world. Such is the price he has paid for the criminal folly of the two world wars, of which he was both the principal author and the chief victim.

The same, most significant fact is reflected in the composition and, of course, also in the seat of the new world organization. Of the twenty-eight sovereign states which constituted the political population of Europe on the outbreak of the Second World War, three have forfeited even their nominal independence, nearly ten others have at least temporarily forfeited their real independence, and twelve, that is, about half of the total, are not as yet members of the United Nations. To view the United Nations from Geneva is therefore to see them from a continent which has so little influence over the new organization that it in fact feels almost foreign to it.

This is particularly true of Switzerland, which had been especially intimate with the League of Nations. This intimacy was due to geographical propinquity, and also to the referendum which, in 1920, preceded Switzerland's adherence to the Covenant. Thanks to the long campaign which preceded the vote, her population had probably become more familiar with that document than had any other nation.

At present, Switzerland is indeed doubly foreign to the United Nations. She is foreign, first, because, as all other states which were not drawn into the late war, she is not yet welcome to the circle of the self-styled "peace-loving" belligerents who created and who alone compose the new organization. But she is foreign to the United Nations also because her people, having been independent for over 600 and neutral for the last 400 years, are more attached to their independent neutrality than ever before, and

because the Charter of San Francisco was deliberately framed so as to exclude independent neutrals from the ranks of its signatories and adherents.

As for Geneva itself, it is not only a European and a Swiss town. It has long been and still is the seat of many international organizations. Of these, the League of Nations and the International Labor Organization were, of course, by far the most important. While feeling somewhat alien to the United Nations as European and as Swiss, Geneva is therefore particularly interested in the new organization as the closest witness of the activities of the old. The attitude of Geneva toward the United Nations is thus perhaps not quite identical with that of the rest of Switzerland. Apart from considerations of economic interest, which may play their part in shaping public opinion, the city of Calvin and Rousseau is, for ideal and sentimental reasons also, probably sadder than the rest of the country over the turn of events which has led to what might be called the de-Europeanization or Americanization of the organization of peace.

These introductory remarks should suffice to explain why, when espied from the European, Swiss, and local observation point of Geneva, the United Nations nymph appears less glamorously attractive than she did to her closer admirers on the sunlit beaches of California where she was born, or than she does now that she is more tediously engaged in going to school in New York and in house-hunting in the apparently not all too hospitable vicinity.

But if the point of view of Geneva is undoubtedly critical, it is not in the least unsympathetic; still less is it envious. We Europeans, Swiss, and Genevese would be truly unforgivable if, fully conscious as we are both of the terrible difficulties and of the supreme importance of the task assumed by the men of Dumbarton Oaks, of San Francisco, of London, and of New York, we should fail to bid them Godspeed and to offer them whatever little assistance our enfeebled resources allow us still to render the common cause of international peace and good-will.

II

It is, of course, out of the question here to subject the 111 articles of the Charter to a critical analysis and point by point to compare them with the corresponding provisions of the Covenant. Rather would I like to call attention to what strikes me as the all-important origin of the new organization and to indicate the chief traits which, as I see it, are the logical and indeed almost inevitable consequences of that origin.

The United Nations Organization was born of and during a great war. The founders of the organization were both the initial, pacific victims of, and the final, complete victors over, the bellicose foes whose wanton aggression had obliged them to fight in self-defense. The war itself had

broken out after the collapse of the League of Nations, set up a quarter of a century ago for the maintenance of peace. Such, in my eyes, are the fundamental facts which explain the characteristics of the new organization.

Now what are these characteristics? Let me stress but three of them. The first is the composition of the United Nations. Born of and during the war, this composition was naturally limited to the victorious Allies. How indeed could it have been otherwise? Neither the as yet undefeated enemies, nor the unwelcome and unwilling neutrals, could have assumed the dignity and the name of the United Nations. United in war, these nations intended to remain united in the peace which they felt bound to impose on belligerents and neutrals alike. What the Allied and Associated states had been in the first world war, the United Nations were in the second. But whereas the Allied and Associated states in 1919, on the morrow of the armistice, felt impelled to create a pacific League or better, Society of Nations, the United Nations in 1945, on the eve of the armistice, decided to remain united to protect themselves and, only quite incidentally, the rest of the world against any possible new aggression.

The second consequence of the belligerent origin of the United Nations Organization is, in my eyes, its hierarchic structure, its authoritarian spirit, and the unpacified and militant character of the most significant provisions of its Charter. In war there is and there can be no equality of nations. The powerful command and the weak obey. The position of belligerent allies on a battlefield is comparable to that of the crew and passengers on a shipwrecked vessel. The vigorous, if they are generous, do what they can to save their feebler fellow-victims, but, if they are intelligent, they neither heed the protests of the latter nor do they seek nor take their advice.

That is why the San Francisco Charter, drafted as it was by belligerent allies before the end of hostilities, much as it speaks of the "sovereign equality of states," violates that principle to a degree unknown in all previous annals of international law. It not only distributes influence according to importance, as does the United States Constitution, for instance, by granting to New York more representatives in Congress than to Nevada, and as did the Covenant of the League of Nations by recognizing the privileged position of the permanent members of the Council. But, what is much more debatable, the Charter further creates two distinct sets of rights and duties. It, in fact, places the five Great Powers above the law laid down for the others, a procedure for which there is, to my knowledge, neither precedent in the law of nations, nor analogy in any liberal national constitution. Not only is the international aristocracy of the powerful recognized as such in the Charter and endowed with al-

most unlimited authority over the underprivileged masses, but its individual members are assured of almost unlimited impunity in case of violation of their pacific covenants. It is indeed open to serious speculation whether any but the five great members of the United Nations can still be held to be free nations, inasmuch as all the others have surrendered the right of peace and war into the hands of a body on which all but six of them enjoy no representation.

This is as much as admitted in the recently published, very useful commentary on the Charter by Messrs. Goodrich and Hambro. Discussing Article 24, they truly write: "This provision, taken in conjunction with the provision of Article 25, results in the relinquishment by certain members of the organization of a considerable amount of their freedom of action, since they agree in advance to be represented by and to be bound by the decisions of a body on which they are not necessarily represented and over whose decisions they have no effective control. This is, of course, not true of the permanent members of the Security Council."

The supreme authority of the Security Council is, to be sure, limited by the absolute and unqualified sovereignty of its five permanent members. It is therefore not cynicism, but only clear-sightedness, to note that the freedom of the under-privileged members of the United Nations is conditioned by the disunity of their privileged masters.

It would appear, moreover, that in exchange for the vital rights of sovereignty the small United Nations have surrendered into the hands of the Security Council, they have received in return no real guarantees of enhanced safety. To be sure, they are promised effective protection against aggression, but only against such aggression as would neither be willed, nor encouraged, nor at least tolerated, by any one of the five Great Powers. Now, is it not obvious that the dangers so provided against are as imaginary, or at least as unlikely, as are real and, alas! not too improbable those perils to which small states remain exposed by such aggressive action as may be undertaken with impunity, not only by any one of the Great Powers, but by any other state with the approval, or even without the expressed and active disapproval, of any one of the Great Powers?

This further very characteristic weakness of the security system set up under the San Francisco Charter would hardly be comprehensible were it not for the belligerent origin of that strange document. Allied together in a common struggle against a common foe, the United Nations were obviously as ill-prepared to consider any danger other than that by which they had been threatened and with which they were successfully dealing, as they were ill-disposed to conceive of the treasonable possibility of any armed conflict among themselves. But natural as are the relevant provisions in a treaty of defensive alliance drafted in the course of a war, they

would hardly seem sufficient to establish and to maintain security in an enactment intended for the pacific organization of the international community as a whole.

That is why also the Charter, voluble as it is on the subject of collective security and of international arbitration, is almost mute on that of general disarmament. In 1919, such disarmament was looked upon both as the price to be paid for, and still more as the great prize to be collected after, the effective organization of peace. In 1945, such a goal was obviously held to be too distant and too uncertain to justify any dangerously premature consideration of collective disarmament.

Viewed in the perspective of history, the reduction and limitation of national armaments, even if it is not a condition of, is assuredly a most faithful index to, international security. If that is so, then the San Francisco Charter, by its very discretion on that vexed issue, is evidence of the lack of confidence felt by its authors in its protective virtues.

The last point on which the Charter of the United Nations would seem to reflect its belligerent origins is that of its relation to the Covenant of the League of Nations. The Charter was born of a war which the Covenant had failed to prevent. Hence the distinctly, and often even aggressively, critical attitude of its Californian drafters towards the work of their Geneva predecessors. But as the Covenant was in fact the product and the expression of much political wisdom, and as the experience gained by the League was not lost upon its often well-informed but somewhat ungrateful successors, they were led on many points to emulate and to imitate, but were ever loath to copy, its provisions. Thus the Assembly of the League became the General Assembly of the United Nations, the Council of the League, the Security Council and the Social and Economic Council of the United Nations, the old Permanent Court of International Justice, the new International Court of Justice, and the discarded and discredited Mandates System, the novel, much more ambitious but perhaps less really promising International Trusteeship. Was it not, in part also, for similar reasons that Geneva was spurned by those whom Westchester county seems so uncertainly impatient to welcome?

There is nothing in these developments to surprise, still less to arouse the indignation of, the philosophical student of human affairs. It would be misleading, however, and therefore unfortunate and possibly even mischievous for the future, if the idea got abroad that the League of Nations had succumbed to the imperfection of its Covenant and that the United Nations could be expected to thrive on the superiority of their Charter. Would it not be far truer, and not really paradoxical, to say that, in so far as the Covenant can be held responsible for the downfall of the League, it was by reason of its virtues and not of its shortcomings? Had the Covenant provided for the unrestricted freedom of action of the Great

Powers, that is, in fact, for the impunity of all dangerous aggressors, it would assuredly have been an inferior document. But had it been so, President Wilson might have been spared the opposition of the Senate and the United States, by joining the League, might have spared itself and the rest of the world the horrors of the recent war.

One all-important fact should be stressed in conclusion: the international community, no less than the states which compose it, should be judged on its policies much more than on its constitution. Now there is no doubt that the League of Nations failed to live up to the standards of its Covenant, whereas in its initial stages the United Nations rather seem inclined to rise above those of their Charter. There lies the great hope of the future.

As the late President Lawrence Lowell used to say, hypothetics, that is, speculation as to what might have been, is an intellectual pastime as vain as it is captivating. What is far more certain than conjectures about a past that was not, is that today no international organization for the maintenance of peace can hope to succeed without the active leadership of the government, and without the eager support of the people, of the United States of America. If in order to secure this American coöperation, it was necessary to recognize the exclusive right of Great Power veto and thereby to legalize the sovereign inequality of nations, then these sad blemishes on the San Francisco charter may still prove to have been blessings in disguise. For peace can survive that right, if it be not exercised, and that iniquity, if it be soon abolished. But what world peace could not survive would be American isolationism, that is, indifference to the fate of mankind on the part of the most powerful of the liberal, and of the more liberal of the two most powerful, nations of the world.

Such, viewed from Geneva, is the mission, the responsibility, and the unique privilege of this country. Such is the message which I venture to bring from the oldest to the greatest of living democracies.