

secondary countries with world-wide interests on the other. Each great power is assured not only of full participation in the consideration of the dispute from the beginning, but it can itself prevent any decision to impose sanctions, even if it be in a minority of one in the Security Council. All the other members of the Organization are asked to obligate themselves in the Charter to carry out any decision of the Security Council, including decisions which might require them to send into action the forces which they are all expected to place at the Council's disposal, as well as decisions which might gravely disrupt their economic life".

The first of the three constitutional problems concerned the method of election of non-permanent members of the Security Council. The principle of permanent membership for the Great Powers was not seriously contested, and the decision to elect six non-permanent members for two-year terms was accepted as a satisfactory compromise between an unwieldy body that would have a large number of small states, and a more efficient one in which the representation of small states would be limited. When it came, however, to defining the terms on which the non-permanent members should be chosen, some Governments, and in particular the Government of Canada, considered that account should be taken of the position of a middle power. In the absence of any definition of a middle power, it was difficult to determine a formula which would cover the situation adequately. The best that could be done was to write into the Article of the Charter which provides for the election of non-permanent members to the Security Council a phrase in which an attempt is made to articulate the principle that middle powers should be given special consideration. The Article to which I refer is Article 23, which directs that in the election of non-permanent members of the Security Council due regard shall be "specially paid, in the first instance, to the contribution of members of the United Nations to the maintenance of international peace and security and to the other purposes of the organization, and also to equitable geographical distribution".

This emphasis on the ability of member states to accept responsibilities and obligations was a matter of particular concern to the Canadian delegation at San Francisco. It has sometimes been referred to as the functional principle of representation in an international organization, and the idea which it embodies has now gained a fair degree of acceptance. It was stated in general terms in the Canadian Parliament by the Prime Minister of Canada on August 4, 1944, at a time when the planning for a new international organization was still incomplete.

This statement is as follows:

"The simple division of the world between great powers and the rest is unreal and even dangerous. The great powers are called by that name simply because they possess great power. The other states of the world possess power - and, therefore, the capacity to use it for the maintenance of peace - in varying degrees ranging from almost zero in the case of the smallest and weakest states up to a military potential not very far behind that of the great powers.

"In determining what states should be represented on the Council with the great powers, it is, I believe, necessary to apply the functional idea. Those countries which have most to contribute to the maintenance of the peace of the world should be most frequently selected. The military contribution actually made during this war by the members of the United Nations provides one good working basis for a selective principle of choice."

The second constitutional question which was a matter of particular concern to the middle powers during the drafting of the Charter was the need to provide some safeguard for the interests of states which are not represented on the Security Council but which are