

When that view was formally put to the International Court of Justice for an advisory opinion, the Court indicated that it did regard the costs of peace keeping as "expenses of the organization" to be borne by the member states in the normal way. The General Assembly subsequently endorsed that opinion by a very substantial majority. In doing so, it endorsed the legal character of assessments for peace keeping and, by implication at least, the relevance of Article 19 to arrears incurred on peace-keeping account.

But if the legal position was clear, the plain fact is that the generality of the membership were determined to avoid a confrontation in circumstances where they were not convinced that all other means of resolving the crisis had been exhausted. That position was, I think, underlined beyond any doubt by the events of the past week.

As far as Canada is concerned, we should have felt bound to support the application of Article 19 to the defaulting countries if there had been a confrontation on that issue. We accept the advisory opinion of the International Court. We regard Article 19 as relevant to the arrears accumulated on peace-keeping account. We consider the loss of vote in the General Assembly in this situation as mandatory. And we think that, on balance, there would have been great harm to the continued financial stability of the United Nations if there had been failure to apply the one effective sanction the United Nations Charter has for persistent financial default.

On the other hand, there are those who argue that a confrontation, whatever its outcome, would at best have yielded a Pyrrhic victory. For even if there had been a majority in favour of depriving the defaulting member states of their vote in the General Assembly, it is doubtful if those states would, in such circumstances, have been willing to settle their arrears. If, on the other hand, the move to invoke Article 19 had failed to command a sufficient majority, some of the most loyal supporters of the United Nations might have had difficulty in continuing to accept the principle of collective financial responsibility and the support in those countries for the United Nations cause would inevitably have received a serious setback. In either case, the financial problem of the United Nations would have remained unsettled. There would have been division and recrimination among the membership. The capacity of the United Nations for future collective action would have been weakened. And much of the patient work that has gone into providing at least a minimum basis of accommodation between the United States and the Soviet Union might have been undone. These are some of the considerations that seemed to many member states to argue against a confrontation if that could be avoided.

I have spoken of the crisis of solvency, which continues. I have also spoken of the crisis of confrontation, which, for the time being at any rate, has receded into the background. Beyond these, however, lies what I consider to be the real crisis facing the United Nations and on the outcome of which will depend whether or not the United Nations will continue to have an effective and assured capacity of maintaining peace and security. And that is the constitutional crisis.