

drew his authority in some measure from that Government. If, for instance, Korean morale slumped heavily or if the President were taken prisoner, the Korean Government might conceivably dismiss MacArthur.

4. There are also difficulties in the way of naming MacArthur personally as Commander through whatever procedure might be adopted. If he were incapacitated, it would be necessary to name a new Commander and it would, therefore, be more satisfactory to designate the United States Commander in the area as the Supreme Commander.

5. There are serious legal difficulties about the formal designation of the United States forces as United Nations forces. The act covering United States participation in the United Nations only authorizes forces made available under Article 43¹⁰ of the Charter to operate as United Nations forces outside the authority of Congress. Congressional control is retained under this Act of any other forces made available to the United Nations, which technically remain United States forces operating to enforce Security Council decisions.

6. There remain three possible solutions which they are now considering:

(a) That the Security Council should ask the United States to take command of the forces offered by any members of the United Nations;

(b) That the Security Council should request the participating countries to establish a unified command; and

(c) That the Security Council should note with approval that the forces provided by all members are operating under a unified command.

7. The last of these is the easiest, but I am not sure that it would adequately meet your point of view. As these matters are under very active consideration in the State Department, your comments would be welcome as soon as possible.

8. I have not repeated in this message the objections to a fairly direct form of United Nations control which Hickerson made to me, as these are clearly stated in paragraph 3 of Holmes' message to you No. 421 of today.

¹⁰ En vertu de l'article 43, les États membres doivent, sur demande, mettre des forces militaires à la disposition du Conseil de sécurité afin de maintenir la paix et la sécurité internationales. La contribution de chaque État sera définie par un accord spécial négocié avec le Conseil de sécurité. Article 43 requires member states to make military forces available to the Security Council on request in order to maintain international peace and security. Under the terms of this article, each state's individual contribution is to be defined in a special agreement negotiated with the Security Council.