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NATIONAL SOVEREIGNTY AND INTERNATIONAL ORGANIZATION

A speech by the Secretary of State for External Affairs, Mr. L.B. Pearson, delivered at Princeton University, Princeton, N.J., on April 15, 1952.

In discussing this subject, I should like to look tonight behind the headlines for a brief period and consider some of the movements and forces now operating in the field of international organization; forces ranging from the narrowest nationalism to those which advocate the "Parliament of Man, the Federation of the World".

National sovereignty in its present-day form is generally considered to have originated in the rise of unified states in Western Europe during and after the Renaissance. With the development of such states the doctrine of national sovereignty was elaborated as one of the basic principles of international law and politics. Sovereignty is a concept which, of course, has a number of meanings. In one common usage it refers to the jurisdiction over the land surfaces of the globe. In this sense of territorial sovereignty there is now not much international dispute. The land areas of the world have practically all been divided up among sovereign states, although there are still issues regarding the demarcation of boundaries and a few serious conflicting territorial claims.

Nationalism, as a spur in the scramble for territory in the old manner is, then, largely extinct. Nationalism, however, as an expression of the desire of a people for self-government and independence, is still very much alive. Indeed, at a time when long-established states are becoming increasingly aware of the disadvantages of a rigid adherence to the principle of national sovereignty in international dealings, there is a wave of insurgent nationalism throughout the Islamic and Asian world and throughout the overseas dependencies of the European nation states. Perhaps it is inevitable and right that nationalism must find expression in political freedom before its limitations are realized.

In any event its strength has been shown in recent years by the partition of existing political entities and the emergence of new independent states. So we have Syria, Lebanon, Jordan, the Philippines, Burma, India, Pakistan, Ceylon, Israel, Indonesia, and, most recently Libya. The Wilsonian principles of self-determination are, in a delayed reaction, adding to the multiplicity of independent nations throughout the world. Nor is the process yet completed, for a number of new states will probably appear in the years ahead. This national and anti-colonial feeling may often result in disturbance and confusion and, indeed, in some premature and unrealistic decisions in those international agencies where it now has a powerful platform on which to express itself.

In its name, the United Nations, for instance, has decided that a former colony like Italian Somaliland, weak and poor and primitive, is to be given the privilege and the responsibility of governing itself as a sovereign state. It may well prove to be unequal to the responsibility. The national urge, however, cannot be stopped. Nor should it be, although it might, with advantage, accept some guidance and develop some appreciation of the inevitability, and the permanence, of gradualness!

This fragmentation of political society, resulting from the triumph of the national idea, must presumably run its course before the opposite trend towards closer international political association can make general headway. One example of what I mean is to be found in the British Commonwealth of Nations. That association rests firmly in 1952 on the only basis which would be accepted by its members, their complete national independence. Now that this has been achieved, however, there is less constitutional and political sensitiveness than formerly about the closest possible co-operation between those members. Yet such co-operation does not express itself in organizational forms so much as in the practice of consultation, and in the desire to work together, a desire which cannot always be realized because of the differing interests and circumstances of the member-states. These differences make any centralized formal organization of the Commonwealth extremely difficult, if not impossible, but they do not prevent a close, almost a family, relationship. That relationship, and other things, now provides a very important link between East and West, as three of the independent members of the new Commonwealth are India, Pakistan and Ceylon.

At present, then, movements towards national independence and towards international organization run side by side throughout the world.

The latter movement, whether it finds expression in the United Nations, the North Atlantic Treaty Organization, or the European Council or Defence Community - and I propose to say a few words about all three - is, of course, bound to have an effect on the traditional concept of national sovereignty.

As a principle of international law national sovereignty has meant that states will not brook any interference with their domestic jurisdiction by other states or by international organizations, through decisions which they have not themselves accepted. The more developed and politically mature countries have, however, gradually been coming to realize as a result of their actual political, military and economic experiences, that their security, indeed their very existence, may require some modification of this doctrine of exclusive national sovereignty and domestic jurisdiction, which was once considered sacrosanct.

It is interesting to note in this connection that the Soviet Union, which calls itself a progressive people's democracy and is based on a supra-national ideology, now often poses as a determined adherent and defender of the doctrine of full national sovereignty and opponent of international intervention or supervision. The Soviet has, in fact, an almost pathological concern for national sovereignty and the equality and independence of states, whenever any form of international action is proposed which would lay its own territory or its own domestic activities open to examination by others. On other

occasions, when the action concerned means interference with "capitalist" states, it takes, of course, the opposite view. Consistency in these, as in some other matters, is not a Communist virtue.

We might first look at the effect of international organization on national sovereignty by examining the Charter of the United Nations. This Charter is the most far-reaching international treaty in force today, and is at present the basic instrument of international organization. As such, it represents a considerable advance over the Covenant of the League of Nations which it replaced. Nevertheless, the Charter is, according to its first principle, based on the sovereign equality of all its members, though this principle is not always recognized in practice.

The Charter also contains a categorical provision that nothing in it should authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state. This merely asserts another general principle, of course, and does not define what are essentially domestic matters. The way is left open, therefore, for discussion and dispute regarding such a definition - and the position taken in such discussion is often concerned more with political than legal considerations.

It should perhaps be mentioned that the Charter does contain a significant clause, though up to the present it has not been widely applied, that the Organization shall ensure that states which are not members of the United Nations act in accord with its principles so far as may be necessary for the maintenance of international peace and security. To this extent the United Nations, at least in theory, asserts itself as an international body having some authority over non-member states, even though these states have not given their consent in any form to the terms of the Charter or actions which the various United Nations bodies may decide to take. This is at least an indication of the emergence of an international authority existing above and apart from its member-states, and threatening their freedom of action.

Because it is based on the principle of the sovereign equality of its member-states, the United Nations operates in most respects on the rule of one state, one vote. This follows the respected practice of universal suffrage in democratic communities. The application, however, of this simple principle to the conduct of affairs of international bodies leads to certain special difficulties. While it is proper to recognize that states have a right to equality in international law, it is equally sensible to recognize that they vary widely in their populations, economic resources and power, as well as in the stage they have reached in political development. The granting of equal voting rights to each of the sixty members of the United Nations means, because of the disparity in their size and wealth, that decisions are sometimes taken on an unrepresentative basis. Indeed, some decisions have been characterized as not only unrepresentative, but irresponsible, because of the use of voting power based on the one state, one vote principle. The United States, for example, contributes more than a third of the annual operating budget of the United Nations but a large number of small states, which in the aggregate may contribute a very small proportion of the operating funds, can have resolutions adopted, by the exercise of their collective voting rights, calling for very large expenditures by others on all kinds of projects. Groups of states could also succeed in

having resolutions adopted calling for military and other action which might not have to be taken by them at all but by a very few states which may be in a dissenting minority. This situation might be intolerable if the resolutions of the General Assembly had a binding legal effect on all the United Nations members, or if the smaller states exercised their voting power irresponsibly.

Even in its present form this exercise of voting power, which is something apart from veto power, at times threatens the effectiveness and could, in certain circumstances, threaten even the integrity of the United Nations. It has led to suggestions that there should be some form of weighted voting corresponding in rough fashion with the population, the strength and actual contribution of the member-states to the Organization. These proposals for new voting procedures are usually quite complicated and rarely find widespread support. Agreement on criteria for weighting is almost as impossible to achieve in international political bodies as it would be in regard to weighted voting by state representatives in the United States Senate. The criterion of population alone, for instance, would certainly not do, because it is often in conflict with such tests as economic resources and development, trade and commercial importance, or military strength.

The principle of one state, one vote, does not, of course, apply to all the agencies of the United Nations. Indeed the General Assembly is the only such agency in which every member-state is represented and, therefore, has a vote. The membership of other organs is restricted in the interest - not always realized - of speedy and effective action. In the Security Council, on which, according to the Charter, the members conferred primary responsibility for the maintenance of international peace and security, there is another kind of deviation from the rule of equality. I refer, of course, to the provision that in other than procedural matters affirmative votes must include those of the five permanent members: China, France, the Soviet Union, the United Kingdom and the United States. It is, however, not this rule itself, but its excessive and irresponsible exercise, principally by the Soviet Union, which has had such unhappy consequences and has largely frustrated the effective operation of the Security Council in political and security matters. The veto possessed by a select group only, is an extreme form of weighted voting and the dissatisfaction caused by its operation is a warning of the difficulties of devising both equitable and workable constitutions for international organizations.

Let us now turn for a moment to the North Atlantic Treaty Organization. It was largely because of the failure of the United Nations to implement, through the Security Council, the Charter provisions for organizing collective security universally that certain countries felt it necessary to make their own more limited collective defence arrangements by an agreement concluded under Article 51 of the Charter. This short and simple international agreement, the North Atlantic Treaty, the third anniversary of whose signature was celebrated two weeks ago, remains, until the United Nations can function more effectively, the most important international instrument for the defence of the free world and the preservation of international peace. Unlike the United Nations Charter, the North Atlantic Treaty does not erect an elaborate and somewhat rigid structure for carrying out the aims and objectives of its signatories. Apart from establishing a Council on which each of the parties to the Treaty is represented, and a defence

ministers' committee, the Treaty leaves the development of the machinery for its implementation to evolution and experience.

Consequently, in the space of about three years, there have already been a number of changes in that machinery. NATO is now, in fact, a very different body from that which was set up after the Pact was signed. Gone are the Defence Ministers and Finance Ministers Committees, the Defence Production Board, the Finance and Economic Board and the Committee of Deputies. We have now only one Council consisting of the representatives of governments and, after the Lisbon decisions, to be in permanent session. The ministerial meetings of the Council will now be merely regular sessions, with a higher level of governmental representation. The technical and day-to-day work of NATO will be done by either committees of the Council, or by committees of a permanent secretariat, which is now to be organized under a Secretary-General.

When the nature of this key post, the Secretary-Generalship, was under discussion at Lisbon, there were two points of view expressed. One, that the Secretary-General should be merely the chief administrative officer of the Organization, the head of its Civil Service. The other, that the Secretary-General should be more than this; that he should be given enough power and authority to be the active directing head of the Organization, with direct access to governments on questions of policy, and with membership on the Council. The latter view prevailed and the Secretary-General is now not only a member of the Council, but its Vice-Chairman as well, which means that at the great majority of meetings he will preside, as the ministerial chairman will not normally be present. This is an interesting and an important development in international organization; an international official becoming a member of and presiding over a Council composed of the representatives of national governments. In this sense, the NATO Secretary-General has been given greater authority in his organization than that conferred by the Charter on the Secretary-General in the United Nations.

In its broad operations NATO works on the principle of equality and unanimity among a group of sovereign powers. Every one of its members, even the smallest, has technically a veto! But this is not important because NATO is not an agency for international legislation but for international negotiation and agreement. When you are negotiating, you don't count heads - at least not formally. In fact, we have never had a formal vote at NATO, or taken action by other than a unanimous decision. We do not operate by vote or veto, but through discussion, the reconciliation of differing viewpoints, and decisions based on the general will. In these discussions, and the resulting decisions, special weight, of course, attaches to the opinion of those members whose governments carry the greatest share of the burden and the greatest responsibilities. But these, in their turn, do not ride roughshod over the opinions of the other and smaller members. In short, we are a partnership with a will to work together as freely co-operating states. That is why we have been successful in coming to agreed decisions on such important questions as the level of defence programmes, the sharing of defence burdens, and the relationship of NATO to the European Defence Community. On no other basis could NATO work satisfactorily - or indeed work at all.

Even in NATO, however, decisions are merely recommendations to governments and parliaments, where the ultimate authority lies. That is why, when we are tempted to become exultant over resolutions passed at, say, Lisbon, we should not forget that our exultation can easily be turned into something else by the attitude taken to those resolutions by the legislatures in Paris or London, Washington or Bonn.

The equal status of NATO members is also qualified by the fact that the Organization, in certain matters, has to function by means of smaller committees on which not all the members are represented.

For example, the main strategic and military planning organ of NATO is the so-called Standing Group, located in Washington. It consists of the three big members of NATO - France, the United Kingdom and the United States - rather than of all fourteen signatories to the Treaty.

The reconciliation of unequal power and equal rights in this case is accomplished in two ways. First, the Standing Group is subordinate to and reports to a Military Committee which comprises the Chiefs of Staff of all the member countries. Secondly, the Standing Group, when it is discussing any matter that particularly affects a government not represented on it, invites a representative of that government to take part in that discussion.

There has been another NATO development which has reflected the difficulties of reconciling the legal equality of states with their actual inequality. At its meeting last September in Ottawa, the Council decided to attempt to relate the military requirements for the defence of the North Atlantic area to the political and economic capabilities of its member-states. This was to be done through an investigation conducted, in form, by a temporary committee representing all the members. In practice, however, the Committee operated largely through a smaller Executive Committee which came to be known popularly as the "Three Wise Men". These three - they were American, British and French officials - made a number of recommendations regarding the military and economic contributions of each country to the common cause. These resulted from what might be described as an inquisitorial examination into the defence programmes and economic and financial resources of the member countries. The fact that all yielded gracefully to this exercise is an interesting commentary on the extent to which sovereign states are now prepared to co-operate for the promotion of their joint defence and security and to subject themselves to international attention and supervision.

The fact, however, that they did not all accept every detail of the recommendations of the "Three Wise Men" shows where the ultimate authority still resides, even in an organization the members of which work so closely and co-operatively together as they do in NATO. Yet those governments which demurred at some of the "Wise Men" proposals recognized that recommendations from a group representing the most powerful members of the coalition must exercise considerable influence on them; that they could not and should not be ignored in the national decisions to be taken. The impact of these recommendations, I should add, was increased by the fact, an increasingly normal and dubious practice, that they leaked into the press before the governments could deal with them.

It can, I think, be said that this new examination procedure, though its results on this occasion were important and valuable, caused some concern among the governments of those countries not directly represented on the Executive Committee. As a result, it has been agreed that future enquiries of this nature in NATO - and they will take place periodically - should be conducted as a part of the normal operations of the NATO Council without the fuss and fanfare which inevitably attaches to a special committee of big names from big countries.

Another NATO development, important from the point of view of international organization and national sovereignty, was the creation of an integrated force under a Supreme Allied Commander in Western Europe, General Eisenhower. We had become accustomed, of course, to integrated forces under unitary commands during the Second World War, but it was a very radical step in terms of international organization to establish one in peacetime as we have now done. General Eisenhower was "seconded" for this high post, which he has filled with such great distinction and general approval, by the President of the United States at the request of the North Atlantic Council. He was - and his successor will be - in a very real sense the Commander-in-Chief of each separate NATO contingent as well as of all the NATO forces combined. He takes his instructions from all the NATO governments through the Standing Group whose decisions are subject to the approval first of the Military Committee and then of the North Atlantic Council. He has, however, access not merely to the Standing Group but to each NATO Chief of Staff or Defence Minister or even the head of each Government if that is necessary to accomplish his mission. He may make recommendations to the Standing Group or to national governments, as would a national Chief of Staff, with respect to national forces placed under his command. He is also responsible for overall planning, and for the organization and training of the national forces assigned to him. In wartime, of course, his authority would be even more extensive.

In all these NATO arrangements for collective defence planning and organization, the forms of sovereignty have been respected. But, in fact, national policies have been modified by them to achieve a common international purpose. The fourteen nations of NATO are by their own decisions becoming a team for purposes of defence and not fourteen individual players.

This is a recognition of the truth that in the free world the independent sovereign state is no longer clothed with sufficiently effective power for external defence. NATO, we hope and believe, can clothe itself as an international organization with such power precisely because its members are not abandoning sovereignty but interpreting it in accordance with the facts of contemporary political life.

The process, however, is not an easy one. This unique attempt by fourteen sovereign states to plan and organize a joint defence programme in time of peace on occasion becomes bogged down in delay and difficulties. There are those, therefore, who say that, to make our NATO operations speedier and more effective, we need a central political authority which can itself make decisions that would be binding on all member countries. Such a body, it has been proposed, should formulate and execute a common foreign and defence policy for all the North Atlantic countries. In practice, however, this might well mean that the three larger countries in the alliance, or even the single largest one, would determine the policy of and dominate the whole organization. The other member-states are, fortunately or unfortunately, not yet prepared to make this extensive surrender

or delegation of political and military authority. They would feel that they are being called on to share the costs and the risks of a coalition without commensurate participation in its control; a point of view which has been put in its extreme form in the slogan "no annihilation without representation".

There is probably no final answer to this dilemma between functional efficiency and sovereign equality. The lines along which we are trying to find one in NATO involve the recognition of leadership, power and special responsibilities, on the one hand, and recognition, on the other hand, of the necessity (as the price for free co-operation) for the stronger members of the international association to give consideration to the special problems and the sensibilities of the others. Only in this way, and it requires a high degree of tolerance, understanding and maturity, can a coalition of friendly but free states be made to work.

Our third example is the move towards European unity. This is more significant, in some respects, even than the United Nations or NATO, as an evidence of the trend towards closer international association and its effect on national sovereignty. This is a stirring development of historic significance. There are, of course, many reasons for it: the urgent need for collective defence against the Soviet threat; the growth of European feeling, in the face of the preponderance of power of Soviet Russia and the United States of America; the lesson of two wars, that Europe to survive must remove the cause of strife between European countries themselves, especially between France and Germany; finally, the desire to increase European economic and productive activity in order to reduce the present dependence on United States assistance. For these and other reasons there seems to be a general dissatisfaction in Western Europe with the limitations and disadvantages of national sovereignty and an urge to a broader European basis for political organization.

From this urge has come the Brussels arrangements, the Council of Europe, the Schuman Plan and the proposed European Defence Community.

These developments illustrate not only the benefits that may come from greater unity on a regional rather than a national basis but also the complexities that arise in devising constitutional arrangements to this end which are both equitable and workable. Here again the problem of voting rights has been conspicuous. The smaller countries in Western Europe included in these projects have been concerned about the protection of their equal rights and the achievement of a fair share in the direction of the new organizations. At the same time it has been necessary to give recognition to the unequal functional contributions of the participating countries. Therefore, the principle of one state, one vote, has had to be modified in the interest of co-operative efficiency.

For the Schuman Plan, for instance, there will be an Assembly composed of seventy-eight delegates from the six member states, appointed by the various national parliaments or elected by direct suffrage. France, Germany and Italy will each have eighteen delegates and votes, Belgium and the Netherlands, ten each, and Luxembourg four. There will also be a Council of Ministers composed of one member from each state, but in this Council, there is a balancing of voting rights in favour of France and Germany, which are the largest coal and steel producing

This Schuman Plan Assembly is expected to serve also the European Defence Community. When it meets, however, to consider problems concerning the European Army, France, Germany and Italy, as the largest contributors in money and men, will have an additional three delegates, giving them each twenty-one votes. In the Council of Ministers for the European Defence Community there will also be a weighted voting procedure to take into account the differences in the contributions of the various member-states. The normal method of taking decisions in this Council will be by majority vote. Since there will be six ministers, it was necessary to find a procedure to deal with cases where the voting results in a tie. Whenever this happens, the side which includes the nations making two-thirds of the aggregate contribution in funds and manpower would be considered to have the majority. In cases where a two-thirds majority is required, the four countries in the majority would have to include those providing two-thirds of the budget and troops. In some cases, however - they will be few but important - the Council of Ministers will only be able to give directions to the executive body of the European Defence Community by unanimous voting.

These are all very important developments in the field of European international organization and they would have been unthinkable twenty years ago. There are, however, those on this continent who are impatient because more progress has not been made, and who think that during the last five years, all national boundaries should have been eliminated in Western Europe, all national traditions and loyalties lost in the larger European concept.

The surprising thing, however, is not that so little has been done, but so much. As President Truman said in his message to Congress on March 6, Europe "has moved faster toward integration in the last five years than it did in the previous five hundred". Our impatience, in fact, might well be directed, not at the Europeans but at those who, in Mr. Walter Lippmann's words, produce "grandiose and superficially conceived schemes for remaking Europe by the end of last week."

We in North America should, I think, be hesitant to try to apply the patterns and the formulae of our own federations to other peoples and other regions of the world. The happy circumstances and conditions which made possible the creation of the American union and the Canadian federation may not be paralleled elsewhere. Countries have different histories and traditions and the solutions to their problems may not necessarily be found in consolidating or adapting existing political forms and institutions. New situations may call for entirely new ideas, new solutions, some of which may be as yet unknown to the students of political science.

Impatience is also being shown in another direction. It is argued that European unity is not only too late; it is too little; that there must be Atlantic Federation or Union, if the Western World is to prosper, or even to survive. So proposals to this end have been made and are being actively pursued.

In all such proposals a distinction should, of course, be made between those which are based on the participation of governments as units, and those under which representatives will be directly elected to international bodies by the people of the participating countries. The latter, if they exercise real powers, come much closer to what we usually describe as a federation. By analogy with existing federal states, a

regional federation would include a popularly elected parliament with defined though limited legislative powers, a common executive or cabinet, a common foreign policy, a common citizenship, common defence forces, a common currency, a common budget and system of taxation, as well as other features of the central institutions of a federal state.

Those who advocate such schemes of federation, either on a regional or wider basis, do so usually from the highest of motives. They perform, I think, a good and useful service in preparing public opinion for the political changes which will undoubtedly be called for in the future to promote international co-operation. As a practising and I hope practical politician, however, as well as a quondam student of political science, I confess that I sometimes find some of the blueprints of the brave new international world so far removed from the possibilities of the present that it is difficult to consider them in realistic terms. Our ultimate destiny - to safeguard our very existence - may require some form of federalism on a regional or even a wider basis. But meanwhile we have to work with the institutions which exist today and attempt to adapt them for the more ready and efficient and equitable solution of our current problems. This is, I suggest, a necessary and practicable task, and the insistent demand for something more far-reaching to be achieved immediately may at times be an obstacle to its accomplishment.

So I think that normally it is better to proceed to the organization of international action on a step-by-step and functional basis, each step taken after the previous one has been proven to be of value to our peoples, rather than to attempt to bring about, by one great leap, some grandiose plan for union now.

May I suggest in conclusion that, in forming our attitudes towards various schemes for integration and union, and for international organization generally, we keep certain main ideas to the forefront of our thinking.

We should be reluctant, if not unwilling, to press others to make a greater abandonment of their sovereign rights than we are willing to make ourselves. We should also remember that small powers are often more sensitive about their rights than large ones. If they weren't they might not have any. If they are realistic, however, they must also know - these smaller powers - that, by insisting on standing alone or in isolation or neutralism or whatever they may call it, they are not likely to get very far in determining their own fate. Today it is only by working with others that smaller countries can exercise any influence on the big decisions by the big powers which determine their own fate. This should strengthen their belief in international co-operation and international organization. It may also make them insistent on a voice and influence within this co-operation and these organizations, in the effort to recapture some of the control over their own destinies which they may once have possessed and a large part of which, it must be admitted, most of them have now lost.

That is why any international partnership such as NATO, to work effectively and smoothly, must be based on the voluntary participation of its constituent units. That is why the more powerful members should resist any temptation to exercise undue pressure on the others, and also why all the members should refrain from exercising pressure on hesitant or unwilling countries to join the group.

The general principle of equality must, I think, continue to guide us in our approach to projects for closer co-operation. However, the equality appropriate to status need not, and in many circumstances should not, extend to function. You may recall that the creatures in George Orwell's "Animal Farm" lived under the slogan, "All animals are equal but some animals are more equal than others." In a similar sense, all states are equal, but some are more equal than others. Of these, the United States of America is the "most equal" of all. That imposes on this country - as it faces - with its friends - the problems ahead and seek for solutions to them - special responsibilities. It also offers special opportunities.

We in Canada - your neighbour, your best and most candid friend - feel that this country, constant to the concept of freedom and generous to the ideals of co-operation, will continue to accept these responsibilities and to use these opportunities for the general good.

Under United States leadership and with the whole-hearted and effective co-operation of the other free countries of the world, we have the right to hope that one day we will secure a world where the weak will at last be safe, because the strong will have learned to be righteous.

The days ahead will be perplexing, difficult and dangerous, but if the free countries - under the leadership of the United States - work together whole-heartedly and efficiently for good purposes - we may hope that one day we will have a peace which will be more than the absence of bullets or bombs; that one day we will live in a world where the weak will be safe and without fear because the strong will have learned to be just and to be righteous.

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