

THE UNITED NATIONS

Origin of the U.N.O. : By 1938 the League of Nations almost passed into oblivion. Due to the aggressive activities of Japan, Italy and Germany and the indifferent attitude of the other big powers the League of nations almost became a defunct body. With a view to maintaining balance of power, the big powers again reverted to the pre-war policy of alliances and regional pacts. The Second world war broke out in 1939. For the second time the intensity of the war, the use of new types of destructive weapons, the vast scale of

casualties and destruction of property had made the people all over the world anxious for peace and security and they felt the necessity of establishing a well organised and more powerful world organisation. Some people had thought of the revival of the League of Nations. But most of the statesmen of the world resolved to form such organisation which would be able to infuse new hopes and confidence in the teeming millions for ever lasting peace and security. The United Nations was born out of such anxiety and determination.

Attempts of establishing an international organisation in the name of United Nations had already begun a few years before the end of the Second World War. In June 1941 the representatives of Britain, Canada, New Zealand, Australia and South Africa proposed for the first time in the London declaration the establishment of an international organisation in lieu of regional pacts as the means of enduring permanent peace and security. In August 1941 the U.S. President Roosevelt and the British Prime Minister Churchill issued a declaration known as the Atlantic Charter. The objectives of this Charter were to maintain international peace and security; to encourage international co-operation in the sphere of social, economic and cultural development of the world; to develop friendly relations among nations on the principle of equal rights and self determination of peoples and to recognise the fundamental rights and status of all people. In order to achieve these purposes it was declared

Terms of the
Atlantic
Charter

in the Charter that (1) all the signatories to the Charter will recognise sovereignty and equality of all states big and small, (2) will peacefully settle all sorts of disputes instead of war or threats of war, (3) will help the U.N.O. against a state violating treaties or engagements, (4) in the case of deter-

mining the frontiers of a foreign country the signatories will not dishonour the opinion of the people of that state, (5) the people of each state will enjoy the right of drafting their constitution according to their own desire, (6) in the sphere of trade and commerce and economy equal rights of all countries will be recognised, (7) all will try to create a favourable condition for all nations so that after the fall of Nazi Germany they can devote themselves to the task of internal reconstruction in freedom from fear and want and (8) all nations will equally try to preserve peace and security in the world by reducing armaments and ammunition.

In January 1942 representatives of 26 nations signed the United Nations Declaration at Washington. The Declaration subscribed to the principles embodied in the Atlantic Charter. The signatories to this declaration pledged to continue war against the enemy collectively and not to conclude separately any armistice with the enemy.

In the Moscow Declaration of 1943, the Foreign ministers of Britain, U.S.A., Russia, and China confirmed the necessity of forming a general

international organisation based on the principle of the sovereign equality of all peace loving nations for the preservation of international peace and security. The Moscow communique declared for the first time that "They recognise the necessity of establishing at the earliest practicable date a general international organisation, based on the principle of the sovereign equality of all peace-loving states, and open to membership by all such states, large and small, for the maintenance of international peace and security". Truly speaking, this Article laid down the foundation of the United Nations Organisation.

Next in 1945 the U.S. President, the British Prime Minister Churchill and the Soviet Prime Minister Stalin met at the Yalta conference and resolved to convene a session of the United Nations. The nature of its organisation was also settled at this conference.

The first session of the U.N. was convened at San Francisco in April-June of 1945. The delegates of 51 nations signed the U.N. Charter. The Charter came into force on October 24, 1945.

The first 51 nations who have signed the Charter are called the 'charter members'. The admission of a state to the United Nations is effected by a decision of the General Assembly upon the recommendation of the Security Council. The conditions for membership are that a state must be peaceful, and must agree to obey and follow the terms and obligations contained in the U.N. Charter. It should be noted that the five chief members of the Security Council (U.S.A., Britain, France, Soviet Union and Kuomin-tang China) have the right of veto. It is not possible to admit a new member without the unanimous support of these five permanent members. The chief reason of depriving Communist China of its membership is the opposition of the U.S.A. In October 1962 Communist China made an aggression upon India by violating international law. Hence she can never be called a peace-loving state according to one of the chief conditions of the U.N. Charter. However, after the Chinese nuclear blast (Oct. 1964), it would not be possible for long to keep communist China away from the U.N.

The United Nations is composed of six chief organs. There are (1) the General Assembly, (2) the Security Council, (3) The Secretariat (4) the Trusteeship Council, (5) the Economic and Social Council, and (6) the International Court of Justice.

The General Assembly is composed of all the members of the U.N. each represented by five delegates. Apart from this each member may have advisers and experts as may be required. The Assembly meets in regular annual sessions

Moscow
Declaration

Yalta
Conference

Birth of the
U.N.

Membership

Organs of
the U.N.

and for each session one President and seven Vice Presidents are elected. Special sessions may be convoked at the request of the majority of the members or of the Security Council. Each member of the General Assembly has one vote. The Assembly may discuss any matter falling within the scope of the U.N. Charter. Any member of the Assembly or of the Security Council or a non-member may initiate a discussion regarding international peace and security in the Assembly. The Assembly has no legislative power and the execution of its recommendations is not binding. Yet it is a forum of world opinion. The General Assembly may attract the attention of the Security Council towards a situation disturbing international peace and security. The non-permanent members of the Security Council and all members of the Trusteeship Council and those of the Economic and Social Council are all elected by the General Assembly.

The Security Council is the executive body of the U.N. It is composed of 11 members—five permanent and six non-permanent. The U.S.A., Britain, France, Soviet Russia and Kuo-min-tang China are permanent members. The six non-permanent members of Security Council are elected by the General Assembly for a term of two years. The permanent members have the right of veto.

By an application of this right a permanent member may reject any decision of the Security Council. Any state which is not a member of the Security Council may join in its deliberations if it is a party to dispute without vote. The presidency of the Security Council is held in turn by the members of the Security Council. Each president holds office for one month.

Langsam states, "To the Security Council was entrusted primary responsibility for the maintenance of international peace and security". It is entrusted with the responsibility of investigating any dispute or any situation which may disturb the world peace and security and to execute its decisions to that effect. Legal disputes are usually referred to the International Court of Justice. According to the charter, the members of the U.N. are under obligation to make effective any decision adopted by the Council. If, any state disturbs international peace and security the Security Council at the first instance may call upon the U.N. members to impose economic sanction or to sever diplomatic relations with the aggressor. If and when these measures fail, it may call upon the U.N. members to help it with army, navy and air force. It takes the advice of the Military Staff Committee in regard to military aspects of enforcement action. The responsibility of conducting military operations is entrusted with the Military Staff

General
Assembly

Security
Council

Power and
functions

Committee. If a member is attacked by an enemy state then the aggrieved state may form regional military pact for her own security until a decision is taken by the Security Council. Apart from this the Security Council may recommend to the General Assembly for the expulsion of any member of the U.N. from it or for the admission of a new one.

The U.N.O. has a secretariat. It is instituted on the model of the League Secretariat. The U.N. Charter has attached special significance to the Secretariat.

For, upon its efficiency depends the better functioning of the whole organisation. It is composed of a Secretary General, a number of assistant secretaries and a large number of international officials. The Secretary General is appointed by the General Assembly upon the recommendation of the Security Council. He acts as the Secretary General in all meetings of the General Assembly, of the Security Council, of the Trusteeship Council and of the Economic Council. He is authorised to bring to the attention of the Security Council any event or situation which in his opinion may threaten international peace and security. With a view to maintain the international character of the organisation, the Secretary General and the staff in the performance of their duties cannot seek advice or order from any authority outside the U.N.O. The Secretary and all the Assistant Secretary Generals enjoy diplomatic immunities of all kinds. The officials of the Secretariat cannot be prosecuted in any court for any acts performed by them in their official capacity.

The Trusteeship Council is entrusted with the administration of the mandated territories and of the territories which will remain thereunder by subsequent agreements. The main purpose of the Trusteeship system is to maintain international peace and security, to promote political, social, economic and cultural advancement of the people of the trust territories and to lead them towards self-government or independence. The Trusteeship Council is composed of the members elected by the permanent members of the Security Council and by the General Assembly. Each member has one vote. The first session of the Trusteeship Council was held in Lake Success in March 1947.

International peace and security depends not merely upon the execution of the obligations outlined by the U.N. Charter. It depends really upon the economic and social progress of the world. For that purpose the United Nations has formed an Economic and Social Council, under the supervision of the General Assembly. The council is composed of 18 members of the U.N. elected by the General Assembly for a term of three years. In the sphere of international economic and social co-operation the council is an important

agency. The chief functions of the council are (1) to collect data in respect to economic, social, educational, health and such other related matters and to submit reports thereon to the General Assembly, (2) to make recommendation with a view to promote respect for and observance of fundamental human rights, fundamental freedom and improvement of the standard of living etc. for all and (3) to convene international conference from time to time on matters falling within its jurisdiction. Many organisations have been set up under the Economic and Social Council. These are the World Bank, the Food and Agricultural Council, International Fund, International Labour Organisation, the United Nations Educational, Scientific and Cultural Organisation etc.

The International Court of Justice has been constituted on the model of the earlier world court. Practically all members of the U.N. are its members.

Any non-member of U.N. may join it on conditions to be set up by the General Assembly upon Security Council's recommendations. Each member of the U.N. undertakes to comply with the decision of the court in any case to which it is a party. If its judgment does not go to the satisfaction of a party to a dispute, then the aggrieved party may appeal to the Security Council. The court has jurisdiction over all international legal disputes and the legal cases of the member states. The International Court is composed of 15 judges. Not more than two of the judges shall be of the same nationality. The judges are elected for nine years by the General Assembly and the Security Council. Those candidates who obtain an absolute majority of votes in the General Assembly and in the Security Council shall be considered as elected.

Relation between the Security Council and the General Assembly :

The Security Council and the General Assembly may be called the government body and the deliberative body of the U.N. respectively. The chief responsibility of the Security Council is to preserve world peace and security. While on the other hand the chief function of the General Assembly is to discuss over all matters falling within the scope of the U.N. Charter. The Security Council has the sole authority to take the decision with regard to any such dispute or situation which in its opinion may threaten international peace and security. Of course, according to Article 15 of the Charter the Security Council has to place before the General Assembly an annual report of the measures taken by itself in the matters of international peace and security. But the General Assembly cannot revise or dismiss the decision of the Council. In some matters the Council and the Assembly act jointly, for example, admission or expulsion of U.N. members, the appointment of Secretary General and the judges of the International court. The Security Council is the permanent executive body while the General Assembly meets only in regular annual session or in special

sessions convened by the Secretary General. Of course, special sessions of the General Assembly can be convened at the request of majority members of the U.N. or at the Security Council's request. The General Assembly is actually a representative body while the Security Council being composed of only 11 members can be described as a diplomatic body as it consists of diplomats and officials.

Since 1950, the relationship between the General Assembly and the Security Council has been drastically altered as the 'Uniting for peace' resolution has enabled the General Assembly to assume wide powers in case the Security Council fails to exercise its primary responsibility of maintaining international peace and security. "An informed world opinion is the factor most likely to affect the course of events and the General Assembly, better than any other organ, would reflect world opinion on what is right".

Activities of the United Nations : The responsibility of the U.N. is very wide as its ideals. Maintenance of world peace and security, settlement of disputes among the nations through mediation and peaceful means, conclusion of armistice among the warring nations, codification of international laws and their amendments, advancement of the human society etc. come within its purview.

During the first decade of its creation, the U.N. did not achieve much by intervening in the international disputes. Yet it cannot be denied that the U.N. has earned credit in the midst of adverse situation immediately after the Second World War. It was proved in the case of the League of Nations that no international organisations could achieve success unless the members particularly the major members of an international organisation display an attitude of patience and co-operation. This norm is no exception with the U.N. also.

All important activities of the U.N. are being operated by the Security Council either independently or in collaboration with the General Assembly. The chief obstacle in the better functioning of the Security Council is its members' right of veto. At the beginning Soviet Russia created obstacles in the way of smooth functioning of the Security Council by exercising the right of veto indiscriminately. By 1954 Soviet Russia had exercised this right in 57 cases. Whereas during that period France had exercised this right only on two occasions.

Let us review the activities of the U.N.O. since its inception.

In January 1946 Iran had accused Soviet Russia before the U.N. In accordance with a previous engagement, Soviet army was stationed in Iran during World War II. But as Soviet Russia did not withdraw her army even after the conclusion of the war and as the former interfered in the domestic

Soviet-Iran
dispute

affairs of Iran, the latter, lodged a protest. Russia denied the charges. In such circumstances the Security Council postponed the discussion over this issue. Meanwhile the dispute came to an end upon the withdrawal of the Soviet army from Iran.

In January 1946 Soviet Russia complained against Greece that the stationing of the British army in Greece and British interference in the internal affairs of Greece had endangered peace and security in that region. Greece denied the accusations of Soviet Russia and launched counter charges against Russia that the communist states had been aiding the Greek guerrillas against the Greek

Greco-Soviet
dispute

Government. Russia, Greece, Britain and Yugoslavia expressed their views in the Security Council. The Security Council closed the discussion arguing that the British army had been called into Greece by her own government.

In January 1946, Ukraine complained to the Security Council that the use of the British and Japanese troops against the Indonesian nationalists had been disturbing peace and security in that region. The Ukrainian representative proposed to appoint a commission to inquire into the fact. But the proposal was rejected. On the other hand, the representatives of the Netherlands strongly protested against the U.N. intervention in Indonesia. Consequently the Security Council dissolved the discussions.

Anglo-French troops were stationed in Syria and Lebanon during the Second World War though their independence was recognised. But as the Anglo-French armies continued to stay there even after the war both Syria and Lebanon complained to the U.N. in 1946. But the matter at last ended as Britain and France removed their troops on the advice of the Security Council.

Allegation of
Syria and
Lebanon

In April 1946 Poland alleged in the U.N. that the continuance of the Franco regime in Spain was a threat to peace and proposed that all members of the U.N. should sever diplomatic relations with Madrid. A sub-committee was appointed to investigate the situation in Spain. The committee refused to admit that the Franco government was endangering peace although it was fascist in nature. Upon the renewed allegation of Poland, the Security Council took the issue to the General Assembly. At the end of 1946 the General Assembly adopted a resolution excluding the Franco government from all international organisations and called upon the U.N. members to sever diplomatic relations with Spain. But as in the meantime democratic constitution was introduced in Spain under Franco, the General Assembly revoked its resolution.

Poland's
allegation
against Spain

In June 1946 India complained against South Africa that the South African

India's allegation
against South
Africa

government was discriminating against and mistreating the Indian minorities there. But the General Assembly refused to intervene in the domestic affairs of a state.

In August 1946, Greece had once more come on the Council's agenda. Ukraine again alleged that Greece's policy was threatening peace in the Balkan region. In reply, Greece brought a countercharge that Yugoslavia, Albania and Bulgaria had been provoking the communist guerrillas against the Greek government. A special investigation commission was appointed by the Security Council to enquire into the charges of both sides. In June 1947 discussion was held in the Council over the commission's report. Majority members of the Council opined that Yugoslavia, Albania and Bulgaria were actually aiding the pro-communist revolutionaries of Greece. But the Soviet and the Polish members of the commission held the Greek government responsible for the situation. As the Council failed to

Renewed
allegation
against
Greece

arrive at any decision, the Greek issue was taken up by the General Assembly. The Assembly directed Yugoslavia, Albania and Bulgaria to settle their disputes through the establishment of normal diplomatic relations and to refrain from giving any help to the communist revolutionaries of Greece. Yugoslavia thereupon ceased to give aid to the guerrillas in Greece. Meanwhile as the communist movement in Greece became weak, the matter lost its importance.

During the Second World War, Indonesia was occupied by Japan. Indonesia was a Dutch colony. When the Japanese army left Indonesia after the end of the war, the Indonesian nationalists proclaimed the Republic of Indonesia and declared its independence. But with the refusal of Holland to acknowledge the independence of Indonesia, armed clash between the two countries ensued. In

Indonesia

1947 Australia and India appealed to the Security Council to hold discussion over the dispute.

The Council appointed a Good Offices committee, which brought about a cease-fire in August 1947 and an armistice between Holland and Indonesia was signed in January 1948. But within a short time Holland renewed her aggression upon the Indonesia Republic by violating the terms of the armistice. In such circumstances the Council called upon the Dutch government to cease military operations in Indonesia, to release all political prisoners of Indonesia and to transfer power to the Indonesian Republic by July 1950. The Dutch government consequently recognised the Republic of Indonesia as an independent and sovereign state in accordance with the resolution of the Hague conference. In 1950 Indonesia was admitted as a member of the U.N.

Sometime before the world war II, Korea was occupied by Japan. At the

Cairo conference of 1943 the representatives of China, Britain, and the U.S.A.

Korean crisis

resolved that in due course Korea was to become an independent state. Soviet Russia had also approved this resolution. After the end of the World War, both the American

and the Russian troops entered Korea and took over the territory. Korea was divided into two parts between the U.S.A. and U.S.S.R. (for example South Korea and North Korea along the line of 38th parallel of latitude). However efforts to re-unite these two parts continued. But as Russia became a stumbling block, the United States brought the Korean issue before the U.N. General Assembly in September 1947. The General Assembly proposed to form a government for the whole of Korea through election. Russia opposed the proposal and closed the door of North Korea to the U.N. Commission. However, under the supervision of the U.N. Commission a general election was held in South Korea and a republic was established there in 1947. Seoul became the capital of the new republic and Syngman Rhee became its first President. In that year Korea became a member of the U.N.

Meanwhile under Soviet Russia's initiative Democratic Peoples' Republic was established in North Korea. The situation in Korea grew tense as the relations between the U.S.A. and the U.S.S.R. deteriorated in 1949 and 1950. And when at last in June 1950 North Korea attacked South Korea the situation became all the more complicated. At the request of the United States, the Security Council resumed its discussion over the Korean situation. Soviet Russia and Yugoslavia did not participate. The rest of the members of the Security Council accused North Korea and called upon her to refrain from hostilities and at the same time called upon all the members of the U.N. to help in the execution of the Council's directives. In the meantime upon the intrusion of North Korean troops into South Korea, the United States sent an army to the help of the Seoul government. Besides the U.S.A., 15 members of the U.N. sent military assistance to South Korea. But the situation took a turn when Communist China attacked South Korea on the side of North Korea. The U.N. declared China an aggressor. At the instance of Soviet Russia a conference for armistice was held in Sejong and a truce agreement was signed at Panmunjon in 1953. But the problem of the repatriation of the prisoners of war cropped up. India and other neutral states volunteered to take the responsibility of the prisoners of war. The U.N. has not yet been able to unify the divided Korea even after series of interventions.

Like the other native states of India under British rule, Kashmir was also under the direct rule of the British Crown. When in 1947 the British sovereignty in India came to an end, the sovereignty of the British Crown over the princely states came to

Kashmir issue

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an end as well. By the Independence Act of 1947 these states were given option to join either the Indian Union or Pakistan.

The state of Jammu and Kashmir is bounded by North East Tibet, China—Turkestan, in the north, the Soviet Republic of Turkestan, Afghanistan and West Pakistan in the north west and by India in the south. In October 1947 the Maharaja of Kashmir officially acceded to the Indian Union and thereby Kashmir became an integral part of India.

Immediately after the partition of India, Pakistan's machination for occupying Kashmir began. Supported and incited by the government of Pakistan, the tribals launched raids upon Kashmir and Jammu. To avoid war with Pakistan, the Government of India requested the United Nations in December 1947 to refrain Pakistan from aiding and abetting the raiders. The U.N. sent a commission to study the situation. In 1948 the commission proposed a truce between India and Pakistan and subsequently a truce was signed between the two countries.

More than 22 years have rolled on yet the U.N. has not been able to settle the problem of Kashmir. Commission after commission under MacNaten, Dixon, Jarring etc. came to Kashmir to end the Kashmir tangle but failed. At last the U.N. declared Pakistan an aggressor. In 1962 Ireland brought an anti-Indian proposal regarding Kashmir to the Security Council. But Soviet Russia dismissed that by using veto. That proposal put the aggressor and the aggressed on the same footing.

Though the U.N. has tried and failed in its attempts to solve the Kashmir problem, it cannot be denied at the same time that its handling of the problem has never been based on any sound principle.

In 1956 there was a large-scale uprising in Hungary against the former pro-Russian government. The Hungarian Prime Minister Nagy sought help from Russia to suppress it. As a result the nationalist movement assumed a violent turn and gained momentum against the Nagy government. At such a juncture, the Nagy government

refused to receive help from Russia and appealed to the U.N. for the neutrality of Hungary. Meanwhile the Nagy government fell and pro-Soviet Kadar came to power. At the invitation of Kadar, thousands of well armed Soviet troops marched into Hungary and mercilessly suppressed the people's uprising in a brief span of time. At this turn of events, a resolution sponsored by Cuba for the settlement of the Hungarian crisis was endorsed by the U.N. General Assembly to the effect that Russia was to withdraw her army from Hungary and a U.N. investigation commission was to be appointed. But the Kadar government refused to assent to the resolution. Kadar even refused to permit the U.N. Secretary General Hammarskjold to enter there. The U.N. commission

submitted a report on Hungary. Soviet Russia strongly protested against the U.N. interference in the internal affairs of Hungary. As a result the U.N. could not make much progress on the issue.

In Rhodesian affairs, the U.N. promptly intervened on the petition of Britain. With a view to bring down the rebel regime of Ian Smith, Britain appealed to the Security Council. The Security Council gave Rhodesia Britain (April 1966) a mandate to stop tankers by force, if necessary from offloading their oil cargo at the port of Beria in Portuguese Mozambique and then pipelined into Rhodesia. The Security Council resolution represented only the second time in 21 years of the U.N. history that the mandatory provisions of the chapter VII of the Charter had been invoked. It was also for the first time that Britain had asked for a judgment that the rebellious regime in Salisbury constitutes a threat to peace.

Under the term of treaty signed between the Republic of Egypt and Britain, the latter agreed to withdraw her army from the Suez canal within the stipulated period. But when in 1955 the Egyptian President Nasser announced the nationalisation of the Canal and freezed the Canal Company's funds in Egypt, Britain and France jointly accused Egypt in the Security Council for the violation of the treaty. After a debate in the Security Council, six principles forming a basis for future negotiation on the Suez Canal were adopted, for example, (1) there shall be free transit of all nations through the Suez Canal (2) no foreign power shall enjoy any kind of control of the Canal, (3) Sovereignty of Egypt shall be respected, (4) the users of the canal shall enter into agreements with Egypt regarding the tolls and other charges, (5) a portion of the dues shall be allotted for the development of the Canal, and (6) the disputes between the Egyptian government and the Suez Canal Company shall be settled by arbitration. Thus a settlement of the dispute seemed possible when both sides endorsed those principles.

But very soon difference of opinion regarding the application of those points cropped up between the government of Egypt and the Suez Canal Company. The crisis deepened when Israel at the instigation of France attacked Egypt in 1956. The U.N. asked Israel to withdraw her army from Egypt. On October 31, 1956 the U.S.A. moved a proposal in the Security Council urging that use of force should not be allowed in Egypt. Britain and France rejected the proposal by resorting to veto. Immediately after that Britain and France launched a joint attack upon Egypt. On November 7, 1956 the General Assembly adopted a resolution directing the withdrawal of the Anglo-French-Israeli forces from Egypt. With a view to restore peace in Egypt, a committee of seven U.N. member-states including India was appointed. A U.N. force

composed of the troops of these seven states was despatched to Egypt. It was due to the effort of the U.N. that the war in Egypt came to an end and Britain, France and Israel were compelled to withdraw their forces. Thus a great catastrophe was averted.

Egypt conditionally accepted the stationing of a U.N. force in Egypt that it would not infringe Egypt's sovereignty over the Canal. In June 1958, the International Bank for Reconstruction and Development announced that an agreement had been reached on the draft of a final agreement between the Suez Canal Company and the Egyptian government for the settlement of the compensation to Suez stock holders. Subsequently, the final agreement was signed in Geneva in July 1958. The International Bank undertook the responsibility of collecting compensation from the United Arab Republic.

By large majorities, the General Assembly adopted four resolutions on 10 December 1982 calling for continuance of U. N. machinery to promote the establishment of a Palestine state on territory under Israeli occupation. The Assembly adopted a resolution asking the Palestinian Rights Committee to "keep the situation relating to the question of Palestine under review" and making suggestions to the Assembly and Security Council as appropriate. The U.S.A. and Israel voted against the resolution. A third resolution endorsed plans for the international conference on the questions of Palestine to take place in the Palais de Chaillot in Paris next August (1983). The fourth and last resolution stated that lasting peace in West Asia could not be established without unconditional Israeli withdrawal from the occupied Arab territories nor without Palestinian self-determination. Costa Rica, Canada, Israel and the U. S. A. voted against it.

U. N. O. as an organ for international peace : The importance of the U. N. O. as an organ for preserving international peace can not be underestimated. Right from 1947, the United Nations has been playing the role of a peace-preserving organ in the international sphere. The cases of Palestine, Syria, Korea, Indo-China, Kashmir, Suez Canal, Morocco, Tunisia, the Congo, Cuba, Cyprus, Berlin and Indonesia may be cited. In each case the U. N. has succeeded in enforcing negotiated settlement. In the case of Korea, the collective security measures were enforced. Like the League of Nations, the U. N. has not been able so far to build up an international army. But it has succeeded in creating the U. N. Emergency Force in 1956. This force has rendered great service as a peace-organ in the Middle East in 1956, in the Congo in 1960 and in Cyprus since 1964. This Emergency Force is composed of contingents from the small and neutral states. To the credit of the U. N. it should be admitted that it has wielded these diverse contingents into a united organ inspired with the high ideal of humanism. In Cyprus this force is doing meritorious work

by preventing communal conflicts between the Greek and Turkish inhabitants of the island in such a way as not to hamper the final solution of the political future of the island. Commenting on the importance of the U.N. peace-keeping force in Cyprus, U Thant observed, "It is an attempt on the international level to prepare the ground for the permanent, freely agreed solution of a desperate and dangerous situation by restoring peace and normality". Besides Cyprus, the U. N. Truce Supervision Organisation is on duty in Palestine and in Yemen-Saudi Arabia border. There is a demand for posting U. N. peace-keeping force in the sensitive areas. Doubtless, the posting of U. N. peace-keeping force in the sensitive areas has checked the spread of the cold war.

The United Nations' responsibility is not merely confined to maintaining peace by averting war. To help in the tasks of economic and social reconstruction of different states and to promote co-operation and understanding among the nations of the world in the economic and social sphere in general are as well the chief purposes of the U. N. It has various specialised agencies viz., W. H. O., F. A. O., World Bank, UNESCO, I. L. O. etc.

The F. A. O., I. L. O., World Bank, the Fiscal commission, Economic Development commission have been endeavouring to improve the economic standard of the world. The World Bank has been trying its best to improve the economic condition of the member-states by offering them both short terms and long terms loans. The U. N. is helping the member-states with various sorts of technical aids, without which the economic reconstruction of the under-developed nations, is well nigh impossible. Besides the U. N. has been encouraging the developed and wealthy countries of the world to invest their capital in the under-developed countries.

The U. N. activities in the promotion of international trade is praiseworthy. The U. N. keeps a careful watch to ensure free-trade among the nations of the world. An agreement was concluded to that effect in 1947. About 40 nations subscribed to that agreement.

Under the auspices of the U. N. there has been considerable progress in the sphere of education, science and technology. In this respect the UNESCO has been playing a great role. The UNICEF and W. H. O. of the U. N. are working on various plans to improve the public health of the world.

The U. N. has also played great role in protecting human rights and interests and fundamental rights of the minorities in many countries.

THE U. N. O. AND THE LEAGUE OF NATIONS

The League Covenant was, in fact, a part of the treaty of Versailles and the success of the League largely depended upon the success of the Treaty of Versailles. Practically the big powers joined the League of Nations with

a view to preserving the treaties concluded among the nations during the First World War as well as to effecting reconstruction of the world anew. But the objectives of the United Nations are quite different. Many small and big nations of the world have joined the U. N. with a firm determination to prevent recurrence of war without imposing a severe peace treaty upon the defeated nations.

Whatever may be the origin, there is similarity in the ideals of the League of Nations and those of the United Nations. Both the League and the U. N. were formed with the purpose of preserving the interests of the mankind of the world instead of serving the same of a particular country or nation. Wilson described the nature of the League thus "An eye of the nations to keep watch upon the common interest, an eye that does not slumber, an eye that is everywhere watchful and attentive". The idea of world organisation which was conceived at the time of the establishment of the League has assumed a greater shape by means of the U. N. From this point the U. N. may be called a complementary to the League.

The U. N. has six chief organs viz. the General Assembly, the Security Council, the Economic and Social Council, the Trusteeship Council, the International Court of Justice and the Secretariat. The League had three organs viz. the Assembly, the Council and the Secretariat. So from the point of view of composition the League may be primarily called a political organisation and the U. N. as political, economical, social and cultural organisation.

The decisions of the General Assembly on important issues require a two thirds majority of the members present and voting, while on other issues require a simple majority of the members present. But in the League of Nations all decisions required unanimity as the League members were never willing to sacrifice any portion of sovereign rights.

It is true that the veto power of the permanent members of the Security Council creates difficulties in the discharge of the U. N.'s duties. But the procedure of unanimous decision among the members of the League Council equally created enormous difficulties for its smooth functioning. It should be noted that the member-states of the League who were not the members of Council were not under compulsion to make effective or accept the decisions of the Council.

The demarcation of functions between the U.N. General Assembly and the Security Council has been well defined. The responsibility for the maintenance of international peace and security has been entrusted to the Security Council. But the responsibility of the League Council and the League Assembly was not clearly defined and from that point of view the League was weak as a world organisation.

The U. N. charter has placed much emphasis on the principle of collective security. The U. N. is empowered to intervene in the event of aggressive war or even in the case of threat to international peace anywhere in the world. Whereas the League could intervene only in the case of aggression. In case of emergency the U. N. is empowered to apply military force against an aggressor and can call upon its members to make their armed forces available to it. The League, on the other hand, had no military forces at its disposal. Moreover, the League-members had no obligation to execute the decisions of the League.

In certain respects the League was in a better position than the U. N. Firstly, the responsibility of the League-members was clearly defined while it lacks in the case of the U. N. members. Secondly, the U. N. members have nothing to do until the Security Council takes decision against any state, violating the Charter, whereas the League-members were empowered to impose economic sanction upon an aggressor before the League Council could take any decision.

In the words of Schumann, "The United Nations Organisations is the League of Nations in a new guise". Practically speaking though these two world organisations have much in common in regard to basic objectives and methods, yet the U. N. marks an improvement on the League of Nations in many respects. Firstly, although the basic objectives of the two world organisations are mostly the same, yet the objectives and ideals of the U. N. are more clearly defined. Secondly, the League Covenant put much importance upon the League-members. But the U. N. Charter has placed much emphasis upon world opinion. Thirdly, the power and responsibility of the League Assembly and the League Council were not clearly demarcated. But those of the U. N. General Assembly and the Security Council have been clearly defined. Fourthly, the League-members were empowered to take decision against an aggressor on their individual initiative, while that power has been vested in the Security Council. Fifthly, there was no provision for the preservation of fundamental human rights in the League Covenant. Whereas the U. N. Charter has put emphasis on it. Sixthly, the League Covenant said nothing about economic, social and cultural co-operation in international sphere. But the U. N. Charter has put stress upon this aspect in clear terms.

Hence viewed from all these points, the United Nations may be called a distinct improvement upon the League of Nations as world organisation.

United Nations as World Forum: When the United Nations was formed in San Francisco in 1945 it had 51 members. Since then the number of its member states has more than doubled. This is no doubt, a great step forward towards the goal of universalism of the organisation. Still the goal is far away.

There are still some territories that are under colonial rule and cannot, therefore become a part of this international organisation. Recently China has been admitted to the U. N. and India has taken the initiative.

In November 1965 the issue of the "restoration of the lawful rights of the People's Republic of China in the United Nations" was debated in the General Assembly. Ceylon, Pakistan and France supported the motion in favour of seating Peking. Britain announced that it would vote for Peking but would not take part in the debate. India supported the motion but did not take part in the debate. The argument of France and others who supported the motion was that "since for good or evil, no international problem could be tackled adequately without Peking's participation and the world body might well suffer irreparable damage if it persisted in excluding Peking from all its deliberations". Faced with possible defeat, the United States, which has successfully kept Peking out since 1951, concentrated its efforts at the General Assembly on reviving its tactics first used in 1961 by insisting that Peking's entry must be voted by two-thirds majority. Some of the members voted in favour of Peking but insisted on two-thirds motion for the purpose of barring Peking's entry in the U. N. However, in spite of a full swing debate, the issue remained unresolved.

Nevertheless, the goal of universalism has been more or less achieved as far as the world of ideas is concerned. For it is inconceivable that non-self-governing countries would ventilate through the United Nations forum ideas and views which are not already being ventilated there by the newly freed Afro-Asian countries.

Broadly, three streams of views and opinion prevail today at the world platform. The Western view is led by the United States, the socialist view by the Soviet Union and the neutralised group by the Afro-Asian countries. It is in regard to the third bloc that there take place most of the manoeuvrings, competition and rivalry of the first two blocs. The Afro-Asian bloc makes the fullest use of the world platform not only to defend their own position but to support the admission of those territories which are still outside the United Nations. The move of the Afro-Asian bloc has created a great reaction upon the Western bloc. The former British Prime-Minister Sir Alec Douglas Home expressed his thorough disapproval of the allegedly irresponsible way by which the Afro-Asian countries are making use of the world forum thus and heralding its doom.

With a view to get the Afro-Asians to its side and to beat the Soviet bloc, the Western bloc has raised the slogan that while Western colonial powers have been sacrificing their national interests by liquidating their colonial rule

as quickly as possible, the Soviet bloc has been steadily proceeding to re-chain the free peoples. This anti-Soviet slogan of the Western bloc has to certain extent succeeded in creating a division in the Afro-Asian bloc. The newly freed Afro-Asian peoples do not venture to open their mind before the world forum and it was amply proved during the last session on the General Assembly (1963) when they got many opportunities to refute the outpourings of Western decolonisation. In that session of the Assembly, Kenya and Portugal figured prominently whereby some of the Afro-Asian representatives tried to refute the Western claim that "they were sacrificing their health, wealth and happiness of hand over power to their erstwhile colonial subjects". The claim of Britain and the United States that they are endeavouring to liquidate Portuguese colonialism and South Africa's racial terror, was vehemently protested by Afro-Asian representatives. The African speakers asked, "How is it that a little, backward, impoverished dictatorship like Portugal can flout the resolution of this great organisation? What is it that gives strength to the fascist government of South Africa to challenge with impunity the almost universal censure directed against its policies in the United Nations forum?" The Afro-Asian peoples believe that the United Nations is incapable of implementing its resolutions effectively because Portugal is associated with NATO and the Western powers have huge investments in South Africa. In December 1964, the U. N. special committee has not only advocated full scale economic sanctions but has gone further to suggest that strongest measures, even expulsion of South Africa from the U. N. and its specialised agencies may be adopted to bring that recalcitrant member-state to its senses and compel it to shed its blatant racialism. Certainly, this recommendation of the U. N. special committee to combat the racial apartheid of South Africa is a definite advance on all the moves hitherto sponsored by the international body.

The United Nations approved subsequently in December 1966 a resolution by a wide margin proposing mandatory economic sanctions against South Africa as the only peaceful means of ending its apartheid policies. The resolution further demanded that Britain, the U.S., France and other major trading partners of white-ruled South Africa take urgent steps to cease their trade. It branded the racial system followed by the South African regime as a crime against humanity.

The respective stand of the Western and the Soviet blocs is quite understandable. But the stand of the Afro-Asian bloc does not seem to be clear always. Because, some of the Afro-Asian peoples are allied (though not satellite) with the Western bloc and some with the Soviet bloc depending on the degree of assistance and aids. And this is quite natural for the underdeveloped countries of Africa and Asia. They can never be vocal in the world forum

as long as they depend on the major power blocs.

The United Nations is facing a great crisis— financial and political. The 19th session of the General Assembly has not succeeded in getting down to business. The issue on the surface is a financial one, but in reality political. The trouble has been created over the issue of Soviet arrears. Washington insists that Moscow must pay its assessed share of United Nations peace-keeping operation

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expenses mostly in Congo or lose its voting rights in the General Assembly according to the Charter's Article 19 which prescribes this penalty for a country if the arrears equal or exceed the amount or contributions due from it for the preceding two full years. Moscow has desired being in arrears since the peace-keeping assessments are ultra vires having been made by the General Assembly and not by the Security Council which alone, in its view, is competent to make such assessment. The matter was referred to the International Court of Justice which expressed the view that Congo expenses were not illegal but regular. The International Court being an advisory body, its verdict has, no doubt, strengthened the stand taken by Washington but has not become thereby mandatory.

The root of the matter is the role of the Security Council in questions of peace and Security. Since the time of the Korean war Washington had the General Assembly pass the "Uniting for Peace Resolution", which authorised the General Assembly to discharge the peace-keeping functions of Security Council deadlocked through the veto of the Soviet Union. The Soviet Union has consistently maintained that veto given to the big powers in the charter is meant to be a veto and cannot be circumvented by General Assembly resolution. It is on the basis of this stand that Moscow has refused to acknowledge the Assembly's competence to assess dues to pay for the Congo operations. There is no doubt that any Punitive action under Article 19, might result in a Soviet walkout if not withdrawal from the U. N. The reason why the Assembly could not begin its work in December last, was simply that it did not venture to vote, because it apprehended that it would lead to a confrontation or "show-down" of the U. S. A. and the U. S. S. R. The Assembly's act of self-immolation was not the result of simply a financial crisis. It was the outcome of a political dispute of the cold war variety. With a view to resolving the impasse, both Washington and Moscow agreed to the suggestion of the Afro-Asian group to create a special fund to wipe out the deficit and to find out the ways and means of financing all future peace-keeping operations. But ultimately neither Washington nor Moscow seriously responded to that proposal.

What ails the U. N. is something basically more serious than shortage

of funds. U Thant is not alone in warning that the world body has reached a state of perpetual crisis, its authority uncertain and its effective power of peace-keeping paralyzed by Big Power differences in the Security Council, while the hundred-odd members of the Assembly maintain only the show of "a glorified debating society". U Thant has suggested a solution which is not quite new in its plea for a revision of the U. N. charter. This charter framed by the victors of the Second World War is doubtless outmoded. The Allies could and did act unanimously during the war against the Axis Powers. But now the situation is totally changed. In the words of U Thant, "changes in alignments since the war, with old comrades falling out and old enemies becoming friends, had rendered the U. N.'s basic documents somewhat out of date". It is now being found again that the principle of Big Power unanimity is impossible to realise and the Big Power veto blocks effective action. U Thant believes that the U. N. could be made workable if there was a fair and equitable distribution of functions between the Security Council and the General Assembly by a suitable amendment of the Charter. But such an amendment will have to eliminate the Big Power veto and provide for majority decisions binding on all member-states.

With the passage of time, situations have changed in the field of international relations. Politicians and thinkers have been debating over the years about the value and efficacy of the U. N. in the context of the changed situation. But this debate has been much more of a clash of principles and assumptions than a question of substance. Different opinions have been expressed differently about the potential of the United Nations. According to one school of thought—let us call this the 'realist school'—the

United Nations is looked upon as an instrument of national foreign policy of the member-states. That is, the member-states use this institution for their national self-interest. This school argues that the member states utilise the General Assembly and the Security Council to mobilise collective international action in their favour and to debar such action which might endanger their interests. The other school of thought—let us call them 'functionalists'—insists that the U. N. is greater than its members, that its institutions are more than merely instruments of national foreign policy. The functionalists assert that the U.N. as a collective organisation has acted in the interest of the stability of the international system even when such action has gone against the policy aims of member states.

Despite its shortcomings, it is to be admitted that the United Nations has adjusted itself to the changing international environment. The U. N. charter is flexible enough to fitted to problems of an unforeseen era. "Despite the

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paralysis of the Security Council and the often times vitriolic clamor of the General Assembly, the U. N. O. has acted to diffuse international tensions surrounding a member of disputes. It has even played a modest part in super-power disputes. Moreover, it has acted to impose non-military sanctions pursuant to the enforcement of its decisions."¹ It is to be admitted that the U. N. has stopped wars on many occasions and at the same time it has fought wars. Some progress has been made by mobilising and accommodating the expanded membership of new states. It has played a modest role for the preservation of international peace and stability. It has so far acted successfully within the area where it could act. "There is something to be said for the fact that the United Nations has not become totally irrelevant to contemporary international politics, especially since the danger of such irrelevance was very high during the early years of the organisation."² Here lies the potential of U. N. In fact, the potential relevance of the U. N. is high because opportunities for such relevance are open. The potential of the U. N. depends on the maturity of the international community.