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REVIEW OF THE UNITED NATIONS
CHARTER

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SUBCOMMITTEE ON THE UNITED NATIONS
CHARTER

Pursuant to S. Res. 126

83d Congress, 1st Session



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6. The proposed pact would, at this critical time in Soviet-American relations, tend to widen the rift between the two powers. Such a proposal emanating from the United States might be construed by the Soviet Union as an attempt to organize the world against it.

7. Since this proposal is one which would allegedly remedy "the structural defect" in the present Charter, i. e., the veto, it is highly improper to seek this end by bypassing article 109 of the Charter which provides a means for amending the Charter.

8. This resolution would not be an effective deterrent to aggression in this atomic age since the General Assembly could not convene and agree on action to be taken in time to prevent aggression.

9. The United States Constitution would need to be amended to permit this Government to enter into the proposed agreement since it might bind the United States to go to war without the specific consent of Congress.

2. SENATE CONCURRENT RESOLUTION 56 (THE TOBEY OR "WORLD FEDERALIST" RESOLUTION)

A. *Essentials of resolution*

This resolution declares the sense of Congress that a fundamental objective of United States foreign policy should be (1) "to support and strengthen the United Nations" and (2) "to seek its development into a world federation open to all nations with defined and limited powers adequate to preserve peace and prevent aggression through the enactment, interpretation, and enforcement of world law."

This is either a relatively simple proposal with limited implications or one with vast implications. Whether it is one or the other depends upon the meaning given the words.

In the words of Senator Tobey: "It is a policy statement * * * it is a general statement of purpose * * *." The details of implementation are left "to the wisdom of the minds of Congress and the United Nations." In answer to a question as to whether the resolution expresses a specific program, Senator Pepper answered that he was committed only to the exact words of the resolution. Senator Magnuson in a statement inserted in the record wrote that the World Federalist proposal—

contemplates a very limited deposit of sovereignty in the United Nations * * * it means that the internal functions of member states would remain untouched (hearings, p. 100).

Senator Morse in testifying in support of the resolution remarked that the resolution—

will at least give assurance that the American people are in favor of the United Nations proceeding in the direction of seeking to enact international law that will be fair and just and usable * * * (hearings, p. 103).

While this resolution was supported by the United World Federalists, Senators testifying in support of the resolution made it clear that they were supporting the resolution as drafted and not the total World Federalist program as set forth in publications of that organization. Mr. Cord Meyer, chairman of the national executive committee of the United World Federalists, gave the following views to the committee. By passing this resolution—

we in the United States would be declaring our willingness to join with other nations in transferring to the UN constitutional authority to administer and

enforce law that was binding on national governments and their individual citizens (hearings, p. 121).

A specific definition of the extent of the lawmaking powers would have to wait for thorough consideration of the problem by the Congress and the executive branch of the Government. Mr. Meyer did suggest, however, that the United Nations would need to be given legal authority to prevent the use of force, to control atomic-energy development, to regulate the size and character of national armed forces, to raise revenue, and to maintain such international police forces as required to enforce this body of law. Subsequently, Mr. Philip W. Amram speaking for the United World Federalists, made it clear that the United Nations should not be given powers, for example, in the "fields of trade, commerce, tariffs, currency, immigrations, and so forth" (hearings, p. 134).

Mr. Alan Cranston, president of United World Federalists, submitted a statement to the committee pointing out that "there can be no withdrawal" from a strengthened United Nations. He observed, however, that the Senators and Congressmen sponsoring this resolution—
are not committed to any particular formula. This resolution lays down no precise blueprint. It demands no immediate action by our Government, nor does it present any timetable. Tactics and strategy of implementation are not even suggested in the resolution. It simply declares a great purpose (hearings, p. 525).

The important thing to bear in mind in considering this resolution is that if it is adopted as a declaration of policy it will presumably require implementation. The committee is aware, of course, that the United World Federalists do have a fairly concrete program covering such matters as representation in a legislative body, an executive body responsible to the legislative, a judiciary with jurisdiction over individuals as well as states, etc. The committee did not feel that this program was a part of the pending resolution so did not examine in detail the way the UFW would propose the resolution be implemented if passed.

B. Principal arguments in support of resolution

(See hearings, p. 73 and following.)

1. The world situation "calls upon us to propose * * * a policy of an affirmative and courageous nature, that is capable of changing the tide of world opinion from desperate despair, to renewed hope and faith." (Senator Tobey, hearings, p. 74.) "Our policy must have a positive and affirmative answer to the challenge of communism." (Senator Pepper, hearings, p. 87.) This resolution, it is claimed, would serve those purposes.

2. The burden of an arms race "will not be eased until the United Nations in itself can guarantee the security of all nations" (Senator Magnuson, hearings, p. 100). Movement in the direction of a world federation through the United Nations would be a move toward giving the United Nations strength to guarantee peace.

4. Passage of this resolution would be—

another step in the direction of informing the American people * * * that we have to do something about setting up an international judicial system.

Furthermore, it would—

give assurance that the American people are in favor of the United Nations proceeding in the direction of seeking [authority] to enact international law * * * (Senator Morse, hearings, pp. 102 and 103).

5. This proposal calls for working through the United Nations. It would not destroy the United Nations in the process of seeking a more effective international organization.

6. The resolution calls for an organization open to all nations. It would not, therefore, drive the Soviet Union out of the United Nations or seek to set up a world organization from which the Soviet would be excluded. Even if the Soviet Union should refuse to come into the world federation, the organization would always be open to her. Moreover, it is unlikely that the Soviet Union would find it expedient to stay out of a world federation.

7. Supranational government is the only way to end war and the threat of war. State sovereignty must be curbed. This resolution is the first step in the direction of creating world government with power sufficient to preserve peace.

8. International control over modern weapons of destruction will require limited world federal government. This means that the international government and its courts must have jurisdiction over the individual. This proposal envisages such control.

C. Principal arguments against resolution

(See hearings, p. 427 and following.)

1. The constitutional issues posed by this resolution are as fundamental as any the United States has had to deal with since 1789. It is doubtful if the people of the United States have adequately considered or are now ready to place in the hands of others the power to dispose of the manpower and resources of the United States.

2. One may at least question whether a world federation based on democratic principles could prosper in a setting where—

two-thirds of the world's people live on less than adequate diet, one-half are illiterate, and only a minority live under truly democratic governments (hearings, p. 428).

3. If the United States goes into a world federation it will be necessary to compromise its way of life and institutions to some extent because it would be dangerous to assume that other nations would agree without question that the American way of life is best.

4. Questions have been raised as to the form of parliament contemplated, whether the United States representatives would be in a minority, what assurances there would be for the protection of minorities, what changes in the Constitution of the United States would be required etc., thus indicating some doubt as to whether proponents of the resolution had considered the full implications of the proposal.

5. It has been claimed that implementation of this resolution would not strengthen the United Nations, but would in fact destroy it by substituting another organization which would be something entirely different from the United Nations. A world federation would be a government with authority to legislate and enforce its will on states as well as on individuals. The United Nations, on the other hand, is an organization of sovereign states without legislative authority and without authority to apply its mandate to individuals.

6. Any delegation of "defined and limited powers" to a world government "adequate to preserve peace and prevent aggression" would, to be effective in the world in which we live, mean, in fact, a delegation of power approximating the delegation to our Federal Govern-

ment. Doubt has been expressed that even the supporters of the resolution would be willing to go this far.

7. There would be no assurance that in a true world federation Communist and Fascist parties would not, even though representing a minority of the people in the world, be able to obtain control of the world government. The proposal sponsored by the United World Federalists does not envisage any method whereby a state could withdraw from the world federation in such an eventuality.

8. A world federation could not expect by its mere existence to end the basic conflict between communism and capitalism, between totalitarianism and freedom. It would only project that conflict into a new area where more clearly than ever the stake would be world domination.

9. There is no substantial evidence that other states would be willing to join a world federation.

3. SENATE RESOLUTION 133 (THE SPARKMAN RESOLUTION OR THE "ABC" PROPOSAL)

A. Essentials of resolution

This resolution, if passed, would advise the President that it is the sense of Congress that the United Nations Charter should be revised to (a) eliminate the veto in matters involving aggression, (b) avert the threat of atomic catastrophe and reduce the cost of the armament race, and (c) create an effective, tyranny-proof international police force under a workable Security Council and World Court.

If a permanent member of the Security Council vetoes these proposals, other members of the United Nations should enter into a world pact excluding states who would not accept the proposed revisions of the charter. Members of this world pact, which would presumably include nations "in possession of overwhelming atomic and military power," shall "on the principle of enforceable law against aggression or armament for aggression," "avert, by firm action now, the third world war later."

In order immediately to implement the North Atlantic Treaty, there should be established an "emergency defense force" to operate as an auxiliary to national armed forces of participating state. This "international contingent" would be a "well-paid professional force, owing its allegiance to the Atlantic Council" and recruited from volunteers who are citizens of smaller states. United States funds authorized for use to implement article 3 of the Atlantic Pact should be used to equip this force.

Provision is made for vesting the command of the international contingent in the special defense committee provided for in article 9 of the North Atlantic Pact.

Senator Sparkman in presenting this resolution stated that by its adoption—

We can create now, with Russia if possible, without Russia if necessary, an overwhelming world collective front open to all nations under a law just to all. . . .

(hearings, p. 197).

It should be noted that this resolution does not encompass the total ABC plan which is sponsored by the Citizens Committee for United

Nations Reform. That plan was more fully covered by Senate Concurrent Resolution 50, Eightieth Congress, second session (see hearings, p. 208), which was not before this committee.

B. Principal arguments in support of resolution

(See hearings, p. 172 and following.)

1. This resolution proposes to build upon the United Nations. It seeks to strengthen the United Nations by drastic amendments, but amendments which are essential if the organization is to survive. It does not propose to set up a new or competing organization. The United Nations is now, however, impotent because of the veto. This proposes a way to eliminate the veto in matters of aggression and to make other necessary changes.

2. The plan calls for movement toward creating "overwhelming power" if the Soviet Union does not go along with the proposed strengthening amendments. The threat of war can only be eliminated if there is overwhelming power on the side of international organization.

3. The resolution suggests a device, the international contingent, whereby the United Nations could immediately be strengthened even though the amendments relative to the veto were not adopted. Quick action is necessary to meet the existing threat to peace.

4. American atomic, military, and economic superiority is only temporary. It is essential before that superiority is lost that there be created an international organization with strength to enforce the peace.

5. If the Soviet Union rejects the proposal to amend the Charter of the United Nations "they will thereby demonstrate to the satisfaction of the great majority of the American people that really they do not want peace * * *" (hearings, p. 221).

6. The plan if adopted would create a strong, effective international organization adequate to preserve peace and yet would not involve the creation of a world parliament or the delegation to an international organization of such powers as that over immigration and tariffs which would interfere with the everyday life of the citizen.

C. Principal arguments against resolution

(See hearings, p. 457 and following.)

1. While the resolution is silent on the nature of the amendments to the Charter, it appears that what is involved is a transformation of the United Nations into some form of world government. There is no detailed blueprint of exactly what is contemplated in implementation of the plan, however.

2. The negotiation of a world defense pact, under article 51, in the event the Soviet Union would not accept the proposed amendments to the Charter, would be open to many of the objections set forth in the discussion of Senate Concurrent Resolution 52 which proposed an article 51 pact.

3. Furthermore, the provisions of the resolution calling for an organization possessing "overwhelming atomic and military power," so that in the event one of the permanent members of the Security Council does not accept the amendments proposed, "firm action now" might avert a third world war, might lead to the inference that war is to be prevented by threatening to start one.

4. It has been suggested that if we seek to give effect to this plan "the only possible bridge between the east and west would collapse; and yet, the problem of bridging the gap between the east and the west is precisely the crucial problem of our times."

5. Another argument against this resolution concerns the proposed international contingent. There is no evidence that the smaller states would be willing to have their citizens volunteer to serve on such a force, problems of command would be most difficult, it would probably interfere with or complicate present attempts under the North Atlantic Treaty to develop integrated defense forces, it would be an international force outside the scope of a police force as contemplated for the United Nations and not within the control of any national state.

4. SENATE CONCURRENT RESOLUTION 57 (THE KEFAUVER OR "ATLANTIC UNION" RESOLUTION)

A. Essentials of resolution

In the light of the experience of the United States in the creation of a Federal union as a means of safeguarding the individual liberties and common heritage of the American colonies, this resolution requests the President to invite the democracies of the North Atlantic (Canada, United Kingdom, France, the Netherlands, Belgium, Luxemburg, and the United States) to name delegates representing their principal political parties to meet in a federal convention "to explore how far their peoples * * * can apply among them, within the framework of the United Nations, the principles of free federal union." Other democracies might be invited to join the convention or come into the union, if one were established, at a later date.

The resolution calls for a convention "to explore" the possibilities of the creation of an Atlantic Union. Representation to the convention, according to supporters of the resolution, would be roughly on a population basis; voting would be by states on the instrument the conference might produce, subject to subsequent ratification by the parties; the United States delegation might include representatives from the executive, the legislature, State officials, and private citizens. Some proponents of the resolution envisage a constitution which would contain a bill of rights, and a frame of government including a legislature, an executive capable of enforcing law upon the citizens, and a judiciary to adjudicate disputes between citizens. Power might be divided in three ways: (1) those reserved to the people, (2) those reserved to the states, and (3) those delegated to the union. The latter might include "(1) a union defense force and foreign policy; (2) a union free market; (3) a union currency; (4) a union postal system; (5) a union citizenship, in addition to national citizenship; and (6) a union power of taxation to render the union capable of implementing and exercising its delegated powers" (Mr. Justice Roberts, hearings, pp. 235-236).

United States participation in such a union would require amendment to the Constitution. An attempt to form such a union would not, according to its proponents, violate any provision of the UN Charter. The union would be "totally independent" of the Charter.

The Atlantic Union proposal differs from most of the other proposals in two very important ways. In the first place, it does not con-

template any kind of open door for the Soviet Union to come in if it wishes. Secondly, while it does not propose bypassing the United Nations, neither does it call for working through the United Nations.

B. Principal arguments in support of resolution

(See hearings, p. 228, and following.)

1. This is a simple resolution that asks nothing more than that the United States "explore" the possibility of applying federal union principles to unite the democracies of the North Atlantic. No one should object to exploration of this important matter at this critical time in world history.

2. This resolution contains an idea and a definite plan for strengthening the democracies in the cold war. It is realistic because it seeks to bring together peoples with a like heritage and with experience in democracy.

3. An effective Atlantic Union would reduce the danger of Soviet aggression since it would "cement the tremendous resources of these democracies" and thereby supply the only safety we can expect in this world—"a tremendous preponderance of power * * *" (Justice Roberts, hearings, p. 248). "No nation on earth would dare attack" such a union (Mr. Clayton, hearings, p. 267).

4. Passage of the resolution would quiet European fears of our possible return to isolationism.

5. This plan cannot be vetoed or delayed by the United Nations; and yet it would immeasurably strengthen the United Nations by uniting those members most devoted to the UN aims of world peace, world freedom, and world justice.

6. An Atlantic Union would establish a free market for 400,000,000 people. This would provide an element of stability for the people within the union as well as for people outside the union who would have to deal with it. "Competition within this vast, rich, free market area, would create within a few years the most efficient system of production and distribution that the world has ever known."

7. The peoples of the world interested in democracy and freedom would get a psychological lift from the creation of a union of the democracies. Such a union would hold forth hope to people behind the iron curtain who now see no hope of eventual liberation, as well as to backward and colonial peoples of the world who aspire to freedom and democracy.

8. An Atlantic Union would create such a preponderance of military and economic strength on the side of freedom that the Soviet Union would be willing to make an agreement that might lead to world peace.

C. Principal arguments against the resolution

(See hearings, p. 435 and following.)

1. The establishment of a federal union as between the United States and any other country or countries would involve not only basic economic and social changes but also important changes in the structure of the United States Government. It is very doubtful if the American people are ready to amend the Constitution to the extent necessary to give an Atlantic Union the powers it would need to be effective.

2. The establishment of a federal Atlantic Union would have—
profound economic repercussions upon agriculture, industry, and labor of all participating countries (hearings, p. 436).

Such a union at this time might raise more problems than it would solve and care would need to be exercised—

not to set in motion forces which will render more difficult the maintenance of the solidarity of the free world in support of the principle and purposes of the United Nations (hearings, p. 437).

Furthermore, the establishment at this time of such a federation might not provide additional strength but might instead be a source of weakness and internal divisions within the Atlantic Treaty area.

3. While it is recognized that new basic functional problems, such as the dollar gap, must be solved and new institutional forms will undoubtedly be necessary, it is easy to overemphasize the importance of institutional changes. The establishment of new institutional forms will not of itself solve the problems.

4. If the Government were to sponsor at this time a convention to explore the possibilities of Atlantic Union, it might raise false hopes. If the convention did not succeed, it might well lead to reactions unfavorable to the cause of collective security.

Under present circumstances, such a convention appears more likely to bring to light and emphasize the divisions among the proposed members of the Atlantic Union than to lead to substantial progress in the desired direction (hearings, p. 438).

5. The representative of the Department of State indicated his belief that a convention should be called

only if it is clearly evident that (1) it will advance American interests; (2) that both the convention and program have the support of the American people and other peoples concerned, with a full understanding of the implications of each; (3) that there is a reasonable chance of agreement; and (4) that it would strengthen rather than weaken both the north Atlantic community and support for the purposes and principles of the United Nations Charter (hearings, p. 438).

6. An attempt by the Atlantic nations to create a preponderance of power might be construed by other nations as an attempt on the part of the democracies to dominate the world. That construction of the event would certainly be put forth by the Soviet Union. Furthermore, such a development might be construed as a surrender to the balance of power theory and might intensify the armaments race.

5. SENATE CONCURRENT RESOLUTION 66 (THE TAYLOR OR "WORLD CONSTITUTION" RESOLUTION)

A. Essentials of resolution

This resolution, in the words of Senator Taylor, calls for the Charter of the United Nations to "be changed to provide a true world government constitution * * * preferably one such as that drafted by the Committee to Draft a World Constitution. * * * Such a change could be made by calling a general conference as provided for in article 109" of the charter and "if that cannot be done under present conditions" then "a world constitutional convention of delegates" elected directly by the people should be called by the President "for the purpose of adopting a world government constitution."

With reference to the power which such a world government should have, Senator Taylor said:

We would have to sacrifice considerable sovereignty to the world organization to enable them to levy taxes in their own right * * * to raise sufficient armed forces to keep the peace in the world * * * If the Russians didn't come into,

this proposed world government, then naturally a police force would have to be just about as big, probably, or maybe bigger, than the present armed forces of the western nations (hearings, p. 318).

While the pending resolution does not spell out details of a constitution for the proposed world government, it is clear from the statements of supporters of the resolution that they have in mind a constitution such as the preliminary draft constitution of the Committee To Frame a World Constitution. This proposed constitution, according to its drafters, grew out of the—

common feeling of [members] that plans of international atomic control would not be feasible * * * except in the frame of a world federal government with power extending to all fields of universal relevance for the maintenance of peace and for the promotion of justice * * * (hearings p. 330).

While the committee which prepared the draft constitution recognized that "the 'conceivable circumstances' for the rise of a world republic are not at hand," the pending resolution would, if approved, advise the President of the sense of Congress that he should "immediately take the initiative" in action designed to establish "a true world government."

The draft world constitution would endow the world government with authority to enact laws to preserve the peace, to issue money and control credit, to regulate commerce affected with federal interest, condemn by eminent domain, to settle conflicts among component parts of the world state, to make final decisions on boundary changes among component states, to administer immature territories, etc.

It is not essential for the purposes of this report to analyze the draft constitution further since the resolution calls merely for a convention to consider a constitution along the lines of that proposed. (For the full text of the draft constitution see: Hearings before the Committee on Foreign Affairs, House of Representatives, May 4, 1948, at p. 485.)

B. Principal arguments in support of resolution

(See hearings, p. 318 and following.)

1. "Only a true world government can achieve everlasting peace," said Senator Taylor. That is what this resolution envisages. Anything less than world government would be merely a stopgap.

2. Atomic control is not conceivable and feasible except in the frame of a world federal government with power extended to all fields of universal relevance for the maintenance of peace.

3. The west has not met the point—

which Russia has persistently made, namely, that Russia does not choose to surrender any organ and function of her national sovereignty to allegedly super-national organizations, atomic or other, whose management she thinks is constitutionally in the hands of an automatic anti-Russian majority (hearings, p. 332).

The proposed world constitution is so—

checked and balanced as to make, under any foreseeable circumstances, the building of any automatic majority impossible.

4. A true world government proposal would be such that if Russia refuses to join—

her refusal must be unequivocally wrong, so as to aline the vast majority of mankind with the world-government builders until the Russian people join (hearings, p. 333).

C. Principal arguments against resolution

(See hearings, p. 460 and following.)

1. The Department of State—

cannot support world federation as an objective of United States foreign policy (hearings, p. 460).

This position was taken because it was—

difficult to see how a general conference to establish a world government could serve a useful purpose unless (a) the United States Government were prepared to propose a plan with the conviction that the American people would support it, and (b) there already existed a substantial agreement among the great powers.

The Department of State felt that both elements were lacking.

2. Differences in political tradition, economies, literacy, and language make it questionable whether there is a common ground on which a workable world federation could be established. General agreement on fundamental laws and institutions patterned along democratic lines would seem essential.

3. Most of the arguments against Senate Concurrent Resolution 56, the World Federalist resolution, are equally applicable to Senate Concurrent Resolution 66.

4. Unless there were reasonable assurances that a world constitutional convention would emerge with an instrument likely to be accepted by the majority of the states of the world (a situation deemed unlikely by opponents of this resolution), the calling and failure of such a convention would do more to delay the ultimate establishment of world order than a slower more realistic approach.

5. It would be most difficult, if not impossible, to formulate a basis of representation for the legislative body of a world federation. While the draft world constitution proposes a method of apportioning seats to the world legislature based upon population (1 delegate for each million of population or fraction thereof above one-half million, with the proviso that extant sovereign states with populations of 100,000 to 1,000,000 shall be entitled to elect 1 delegate), it has been pointed out that this method would give overwhelming power to the have-not nations as contrasted with the nations with industrial productivity and wealth.

6. In summary, it may be said that the opponents of Senate Concurrent Resolution 66 believe that it is impractical, visionary, and not cut to the pattern of the world in which we live.

6. SENATE CONCURRENT RESOLUTION 12 (THE FULBRIGHT-THOMAS OR
"EUROPEAN FEDERATION" RESOLUTION)

A. Essentials of resolution

This resolution states that Congress "favors the political federation of Europe" in order that a peaceful and prosperous order in Europe may be encouraged. This resolution first offered when the Marshall plan was under consideration, grew out of the belief that "it was necessary for European countries to move along political lines in connection with any movement along economic lines or social lines" if Europe was to become more stabilized and better established (hearings, p. 344).

B. Comment on resolution

This resolution has been pressed during the past few years when one of the aims of the Marshall plan has been to encourage the economic unification of Europe in order that its economy as a whole might recover. Proponents of the resolution have felt that it was a mistake to assume, as they felt the administration was doing, that the nations of Europe could be brought together in an economic union without some kind of a political union. While the resolution never passed, the preamble of the Economic Cooperation Act, as amended, states that it is the "policy of the people of the United States to encourage the further unification of Europe." There is some doubt as to the meaning, whether this language refers to political federation, economic federation, or both. (See Conference Report of Foreign Economic Assistance Act of 1950, H. Rept. No. 2117, 81st Cong., 2d sess., p. 16.)

The representative of the State Department in testifying on this resolution commented with gratification upon "the rapidity with which the European nations have on their own initiative undertaken various progressive steps toward stronger economic and political interrelationships." In view of this fact and the positive statement on this subject, which Congress has inserted in the Economic Cooperation Act, the Department felt that "it might be preferable for Congress not to adopt any particular resolution on this subject at the present time." (Hearings, p. 462.) This did not necessarily represent the committee's opinion.

7. SENATE CONCURRENT RESOLUTION 72 (THE FERGUSON RESOLUTION)

A. Essentials of resolution

This resolution is based on the assumption that "the United Nations is the world's best hope" for peace and the belief that the experience of the past 5 years now makes it possible to strengthen the United Nations "by development of its powers, its procedures, its facilities, and policies of its members." It expresses the sense of Congress that the United States Government should cooperate with other governments to strengthen the United Nations by interpretation of the Charter, by action taken or usages developed, by supplementary agreements among nations who desire to strengthen the United Nations, and, if necessary, by amendment of the Charter.

Specific suggestions for strengthening the United Nations are offered which include:

(a) Voluntary agreement to remove the veto from questions involving the peaceful settlement of international disputes and the admission of new members;

(b) An effort to arrange for the admission of all states qualified under article 4 of the Charter, thereby making the organization as nearly universal as possible;

(c) The elimination of certain reservations made by the United States when it adhered to the statute of the International Court of Justice;

(d) The development of a United Nations guard force;

(e) Renewed efforts to reach agreement to provide the United Nations with national contingents of armed forces called for in article 43 of the Charter;

(f) The conclusion of collective self-defense arrangements under article 51.

(There was some difference of opinion among supporters of this resolution as to the meaning of this provision. Mr. Eichelberger testified that this point "embraces the Thomas-Douglas resolution, S. Con. Res. 52 (hearings, p. 351). Mr. Hickerson of the Department of State observed that the State Department does "not interpret it (point (f)) as encompassing Senate Concurrent Resolution 52" (hearings, p. 466));

(g) The administration by the United Nations of disputed areas when peace so requires;

(h) Provision for independent sources of revenue for the United Nations;

(i) Preparation of an international criminal code and statute for an international criminal court.

B. Principal arguments in support of resolution

(See hearings, p. 348 and following.)

1. This resolution proposes a number of ways to strengthen the United Nations without requiring a revision of the text of the Charter. The resolution is practical because it builds on the organization we have and will not involve the difficulties which would be attendant upon Charter amendments. It proposes a method of evolution, not revolution which might destroy what we have.

2. The Charter now contains both the commitments and the political and legal framework upon which an effective international organization can be built. It is not machinery which is lacking, but the will and effort on the part of states to make that machinery work. The United Nations can be strengthened by interpretation of the Charter, by multilateral treaties consistent with the Charter, by usage, and, if necessary, by revision.

The technique of strengthening the United Nations by methods short of amendment is illustrated by the way in which the use of the veto could be controlled without amendment of the Charter. A voluntary agreement among the Big Five not to use the veto in specified types of cases could achieve the same end as an amendment of the Charter and would be much easier to accomplish.

Similarly, there is provision in the Charter (art. 43) for members to agree on the forces they are to make available to the United Nations. Thus no amendment of the Charter is necessary to create an international police force. What is needed is agreement, not a new instrument.

3. There is some doubt whether the American public fully understands the nature and extent of the obligations which world government would impose upon them as individuals, and whether Americans are in fact ready to accept those obligations. The reservation of the United States in accepting compulsory jurisdiction of the International Court, the alleged "bypassing" of the United Nations with respect to the Truman doctrine, the Marshall plan, and the North Atlantic Pact, all raise questions as to how far the American people are willing to go in giving real authority to an international organization.

In the face of that doubt, it is argued that the willingness of the American people to accept the minimum obligations that would go

with any world government can be tested by the reception which the proposals of this resolution would find.

4. This resolution represents the highest common denominator of all the other pending resolutions. Proponents of other resolutions all agree that they wish to strengthen the United Nations, or at least present their proposals in such a way as not to injure the United Nations. Even the opponents of all resolutions looking toward world government generally support moves to strengthen the United Nations.

5. The Department of State in general favors this resolution as one which suggests a number of "useful steps" which "do not offer a panacea" but help us move toward "a better international community" (hearings, p. 463).

C. Principal arguments against resolution

1. This resolution offers little, if anything, that is new. Many of its propositions have already been put forth by United States representatives to the United Nations and have not been accepted. To urge further attempts "at a political level" to secure agreements for military forces called for in article 43 of the Charter will have no effect. The same may be said about most other elements of the resolution.

2. The United Nations as presently organized is manifestly incapable of dealing with the east-west conflict which pervades international relations today. What is needed is a radical, bold approach which will put "preponderant force" on the side of the freedom-loving states or which will create a world federal union with or without the Soviet Union. The pending resolution merely calls for the United States to continue along the road which has been so unproductive of international accord for the past 5 years.

3. The American people recognize that in this atomic age bold action is required if disaster is to be averted. This resolution does not call for bold action and does not hold forth the hope that the people of the world require.

III. ANALYSIS OF PENDING RESOLUTIONS

The committee, in its study of the pending resolutions and in considering the testimony of witnesses, noted a number of elements of agreement. While for the most part the elements of agreement were on broad, general propositions and not on specific details, it may be helpful to note the areas of agreement as well as the areas of disagreement at this point.

1. ELEMENTS OF AGREEMENT

Deep concern of the American people

All elements of American life were represented in the hearings conducted by the committee. Iowa farmers, Wall Street lawyers, students, housewives, laborers, veterans, businesswomen—all agreed that the relations of the nations of the world left much to be desired. Probably never before have so many Americans been so aware that the foreign relations of the United States were of such direct concern to them individually. When in the past international relations have degenerated into war, it has meant conscription, the disruption of



Committee To Restore The Constitution ®

Inspired by the Hon. John Janney (1877-1967), last of a long line of Virginia patriots.

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18 August 1992

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Dear Mr Stephenson,

Your courtesy in sending me a photocopy file on extracts from, "Review of the United Nations Charter - A Collection of Documents", Document #87, United States Senate 83d Congress, 2nd Session, released January 7, 1954, is appreciated.

I have a well-worn copy of this Senate document - and many others - that have been the source of material used in my books and in the BULLETIN, Committee to Restore the Constitution for many years.

"The Plan to Surrender America to the New World Order", May 1991 Committee bulletin, copy enclosed, is an example.

The Committee has repeatedly stated that the intent of the Congress is to dismantle the Constitution, in compliance with directives from the International Banking Cabal. Among the many 'proofs of a conspiracy' contained in Document#87 is the finding in "Sei Fujii v the State of California", #69, pages 288-289:

"The Charter (of the United Nations) has become the 'Supreme Law of the Land and the Judges in every state shall be bound thereby, any Thing in the Constitution or Laws of any State to the contrary notwithstanding".

A solution to the United Nations problem is, of course, more difficult than discussion of the problem.

Details on the "solution" are contained in my new work book, "America in Crisis Survival Portfolio", published March, 1992.

Thank you for your interest in the public education mission, Committee to Restore the Constitution.

Sincerely,

Archibald E. Roberts, LtCol, AUS, ret, Director