(Dumbarton Oaks - What it is and what it should be)

First Article

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Public discussion, in England and in the United States, on their respective international policy, and the last political events in Europe and their results, has shed more light on the coming Conference of the big three (or four if France is invited to attend), and have risen the hopes for a better future.

The General International Organization, as proposed in the Dumbarton Oaks Conference, cannot be a living thing unless it is animated by a political and moral substance that will shape its very nature. For it is not a constitution, national as well as international, that can live only by its own structure, as an end in itself, like a machine that is devoid of workable material.

History shows us that each time the constitution of a political body was framed, it was done with specific moral and political aims to ensure it to the nation, as it was in America and in France in the last quarter of the XVIII century. Among those aims - liberty, independence, and unification were the ideals that were to awaken, in the people, a consciousness of their own personality. But, at the same time, particular classes, interested groups, oppressed minorities, and military castes, sought their personal aims so that the best ideals suffered through the misuse by those who had turned the moral value to their particular advantage.

It is sufficient to remember the Reign of Terror of the French Revolution, the refusal of England to give Ireland home rule, the question of slavery and the war of secession in the United States,
the system of military pronunciamentos in Spain and the Hispanic-American Countries, the social struggle in Europe and in America between industrialists and workers. *Capital & Labor*

What happened in each nation can happen in the international organization. The past League of Nations was the first experience. Dumbarton Oaks will follow. It is, however, the duty of those who have more living moral implications of the political life and more responsibilities for their countrymen to contribute efficiently not only in shaping the constitution of the future general International Organization (though avoiding what is now called "perfectionism") but, what is more important, in basing it on moral principles, on a stable policy and on concomitant social and economic aims.

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It is obvious that public opinion in America (and also in other countries) is divided between those I would call Democratic Internationalists and the authoritarian Realists. The former note that the General Assembly of States, as proposed at Dumbarton Oaks, would be reduced to a more or less decorative function. Through the provisions of Chapter five, this assembly may consider the general principles of co-operation in maintaining the peace and international security; it may discuss every inherent question; it may make recommendations in this connection; but that is all it can do. Whenever it is necessary to deliberate and to execute (in connection with any of the purposes of the "Organization") the Security Council must be resorted to; the Assembly can never have a voice nor interfere in what is the exclusive and absolute concern of said Council.

Moreover, only on the recommendation of the Council, the new
member States be received by the Assembly as they can also, upon such recommendation be suspended from the rights or privileges of the Organization as member-states, which have possibly failed to live up to their obligations.

Even in economic, social or other matters of non-political nature, the Assembly must limit itself to making recommendations. Thus, from the paralyzing system of a legislative Assembly with the rule of unanimity for political or otherwise important affairs, as was that of Geneva, we jump to the opposite case of a consultative, powerless Assembly, indeed a sort of minor under guardianship.

The old assembly was anti-democratic, because every state or little state, through the rule of unanimity would affirm its independent sovereignty, and was thus able to impose its veto on the bills of all the other states. The new assembly will also be undemocratic, because the individual states will have, by constitutional rule, renounced to all deliberative power by investing the Security Council with it.

Therefore, the Catholic Bishops of America with their serious, well balanced and on the whole favorable declaration of the General International Organization, have opportunely affirmed that this organization "must try to include, with due regard for the basic equality of rights, all the large and small, strong and weak nations" and that "its constitution must be democratic."

Contrary to this democratic conception are those who fear the weakening of the Security Council, which would remain at the mercy of the Assembly and of its majorities, which may also be very variable, according to the fluctuation of the interests of the States. These people assert (and it seems that their opinion is becoming the prevailing one in America) that the direction of the international peace
must be the concern of the three great States, because on them has fallen and will fall in the future, the responsibility for every world war.

I said three, because China (which is among the great states with a right to a permanent seat in the Council) has not yet surmounted the crisis of war and internal order, and because France, admitted at the ninth hour, has not yet had complete parity with the first three.

Actually, America, Great Britain and Russia feel they hold all the power in their hand. The other two associates will eventually succeed in asserting themselves, but it seems natural that, for the time being, the yes or the no of America or Russia, and relatively that of Great Britain, will have greater weight than that of France or China. Whether we like it or not, the pentarchy is already established and its power will dominate the world.

The Dumbarton Oaks plan no precise method for voting in the Security Council is included, because agreement was not reached on this point. We know that the most debated point at the Conference was on the Russian proposal designed to assure the right to vote also to that state interested in the question to be decided. This proposal was made in opposition to the other, formulated during the course of the discussion, that although to make the deliberations of the Council valid there will be necessary besides the prescribed majority, the unanimous vote of the five states with permanent seats, exception was made for the case where one or more of the members of the Council (even though holding permanent seats) were interested parties.

This requirement of the unanimity of the five members seems
Special mention is made of the air force at the disposal of the Security Council, because with this force, a rebellious State can more directly be obliged to fall back into line. Meanwhile there is proposed a Military Directive Committee which will have to give aid to the Security Council. The various resolutions of the three Sections of this Chapter, including Section 4 on regional arrangements, are well delineated, but of course they will undergo changes in the revision which will be made by the Assembly of the United Nations. It is to be hoped that there will be avoided, both the monopoly in the whole matter of military sanctions by the five powers with permanent seats, and the dictatorship of the Security Council over the whole world. This shadow which hangs over Dumbarton Oaks, causes a perplexity to arise among the other nations which feel that they have to suffer a noticeable let-back. This decreases in their international personality. At any rate, a few revisions of the proposals of this Chapter will suffice to give a more consentaneous tone to the real collective responsibility of all the nations.

President Roosevelt, in one of his election speeches said that if all wars will be prevented for an anticipated period of ten or twenty years, keeping firm the international organization (even if it is not perfect), we can have confidence that we shall overcome the danger of a third general war. This is the idea which prevails today in the political world, to establish an international organization which will be able to function and at the opportune moment intervene authoritatively in the quarrels among the nations, rather than to establish an ideally perfect organization which in practice is ineffective. And it is for
perilous to many, because it attributes to one of them alone a veto right, which would stall the international machinery. The defenders of this rule, instead, assume that peace may be maintained in the world only if the great powers, which will have means and armies at their disposal, keep united, even in the procedure of deliberation, so as to find, in permanent co-operation, the road which will lead them to rise above their particular points of view and their national interests. To us this seems a sort of veto privilege, agreed upon beforehand, so as always to make the stronger of the five prevail over the weaker, whether they are States with permanent seats or elective seats, or States not belonging to the Council. The most suitable formula for a necessary, although limited functional dynamism of this Council, would be to set at three (in secondary questions) or X (in the principal questions) the minimum number of the votes of the States with permanent seats; and at three and four, respectively, of the States with elective seats. Thus the right to dissension would not be suppressed by maneuvers, nor would it become dominant over the others, like a veto.

The most dangerous of the measures established at Dumbarton Oaks concerning the privileges of the five great powers affects precisely the very constitution of the General International Organization. In fact any possible and even necessary amendment (and there can be no perfect constitution, once and for all) will have to be adopted by two-thirds of the Assembly and ratified by each individual State in accordance with its procedure; but they will go into effect only if ratification is obtained from all the five States with permanent seats, plus the majority of the other States.

This measure tends to block from this very moment any really interesting modification; just one of the five States can make any
this reason that much will have to be conceded to the promoters of 
Dumbarton Oaks, given the responsibility which they must assume. 
Provided, however, that the way will be left open for the necessary 
ammendments to the Constitution when it will be clear that it is not 
functioning satisfactorily, and also provided that the post-war 
economic reconstruction will come about with broadness of view points 
and a generosity of impulse. One of the mistakes of the past was 
exactiy that of enclosing world economy within customs barriers, the 
anti-emigration laws, monopolisitc egoisms and international cartels. 

Therefore, the proposers of the Dumbarton Oaks thought it proper 
to give the new organization the task of facilitating the solution of 
economic, social and humanitarian problems of the United Nations. 
Unfortunately, the phraseology of Chapter IX is too vague and generic; 
the duties of the Assembly in this matter, are only indicative and 
consultative; there was no mention of the pledges, assumed in the 
Atlantic Charter in economic matters, nor was mention made of the 
International Labor Office which still exists and is still functioning. 
There was, as for the rest of the proposals, either lack of courage, 
or lack of a broad viewpoint. There is necessary, therefore, an accurate 
revision, which will give the feeling that the economic, social and 
humanitarian affairs of the entire world are an integral and necessary 
part of the future organization for world peace. 

Russia and England have been accused of pursuing, in Europe, 
a power pit politics, with the aim of gaining ares of influence; 
the United States also has been accused of pursuing a pit policy of 
economic expansion and of naval and air supremacy. The monopoly of the 
post war era by the big three, as it has been forseen, is a symptom not 
ooly of the national consequences of this war, but also of a fear that
attempt mod[ification futile, while all the other States, large and small, if they believe their rights have been infringed (and up to now they have very few recognized rights) will have to join in a coalition, forming half plus one (at least 30 or more of them) in order to obtain the desired effect.

There is even more to it: the weapon of the veto may even be used by the parliamentary minorities of each State, which will have to ratify the proposal. If, for example, the United States of America keeps the rule of two-thirds of the Senate for the ratification of the International Constitution, the hostile vote of one-third plus one of the Senate will be enough to defeat the proposed amendment, despite the favorable vote of all the member States. What may be said of the United States may also be said of Russia or China, of Great Britain or France, according to their present or future constitutions and parliamentary rules of procedure.

The objection we raise is so serious that it should lead the proponent States to a clarification before the plan of constitution is imposed on the Assembly of the United Nations.
makes all three suspicious and diffident of each other. Therefore, 
the Dumbarton Oaks proposals are constructed in such a manner as to 
give the three quite unlimited power, indeed practically a world-
dictatorship; and, for that reason power equilibrium of the big three 
is and will be unstable until it is founded on solid rock, as a basis 
of the General International Organization which can not shake at 
the will of one of them.

The famous historian and sociologist, Guglielmo Ferrero, in his 
latest books, gave evidence of the disastrous effects of fear in politics, 
as the main cause of the national and international political crisis. 
And since Dumbarton Oaks, as it stands, cannot succeed in eliminating 
fear, it is not able to give security to the new world organization.

All say that the future of the world is linked to the complete 
solidarity of the three: United States, Great Britain and Russia; but 
solidarity does not work if the forces of cohesion are lacking; the 
same fear of the future is not sufficient to bind them together "for 
life and death".

For this very reason, Senator Vandenberg suggested a treaty among 
interested powers, as a preliminary act for the Dumbarton Oaks proposals, 
with the specific aim of demilitarizing Germany and Japan, and keeping 
them so. It is not easy to have Russia consensient now, because she is 
not at war with Japan; and besides it is not feasible that two nations 
like Germany and Japan be under foreign control as vanquished countries 
forever. Perhaps a treaty for twenty-five or more years is commendable 
and will be practical and useful. But, after a quarter of a century 
new ideas, new feelings, new interests will change the world. The big 
three will be the big five, big six, big seven. We cannot foresee how 
China, India, Brazil will go; if the Arabs will be united and prepared 
to regain political influence; if Africa will be confederated what will 

Continuing our analysis on Dumbarton Oaks we find another much debated point, the lack of regulating and directive principles, which should guide the activity of the Security Council. The points of the Atlantic Charter, which today bear the signature of all the United Nations, have not been incorporated nor mentioned in the present proposals, nor has the Assembly been granted any directive power, nor has there been any mention of the traditional international law and of the agreements previously established, not even as rules to be kept in mind by the International Court in its decision.

I agree with those who say that all this is presupposed, in such a way, however, as not to hamper the action of the Security Council, and adapting the evolution of the facts to the principles to come about in a spontaneous manner and not in a pre-established form. It is necessary, indeed, to avoid the rigid formulations and too precise pledges, but not in such a way as to go to the extreme, in which the lack of rules and laws will make arbitrary power and opportunism easier.

One of the points which will necessarily have to be previously established and in a constitutional form is the definition of an aggressor, so that all the nations may know, even those nations who will eventually be outside the organization, under what conditions they may suffer international sanctions.

Not only is the nation which resorts to arms, attacking another nation, considered an aggressor; but also that nation which surpasses the armament limitations, agreed upon in common or imposed by decision, will have to be considered potentially an aggressor; and
happen to France and her empire.

It is plainly clear that no Holy Alliance was able to maintain in Europe, the pattern fixed by the Congress of Vienna in the beginning of the XIX century; so no Dumbarton Oaks or Big Three pact will prevent the changing and the renewal of the world.

We affirm the necessity of a pact similar to the one proposed by Senator Vandenberg, we are in favor of the Dumbarton Oaks proposals, we hope that the General International Organization will be activated very soon; we agree that now the main responsibility of the coming peace rests on the shoulders of the big three or four or five. But we are against any fixed system for ever; we ask the responsible men not to close the door for amendments to the constitution of the General International Organization, not to condemn peoples to a perpetual servitude, not to give or take permanent monopolies of political and economic world affairs by the law of victory; because after a war victory must come a peace victory; not chaos, not continual unrest, not a spirit of revenge, not the preparation for the third World War.

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also a nation which, having received the mandate of the Security Council to execute some measure necessary to the maintenance of peace and does not submit to it, will have to be considered and treated as an aggressor. That such nations are in the right will not serve as a justification for them; because, if they have a right to assert against another Nation or against the International Organization itself, they shall have to resort to friendly intermediation, or to arbitration, or they shall have to seek a decision of the competent Court, never to make use of force, breaking pacts and violating collective discipline.

The Nation which does not belong to the General International Organization, which is not a neutral nation, and which has not made agreements with the Security Council, will also have to be considered potentially an aggressor. I say which is not neutral, because in this case, as in the case of Switzerland, it would cease to be a threat to the peace of the other Nations. But in all other cases, it can be a threat, present or future, and treated as such, until it shall be induced either to enter the organization and submit to its laws, or to make agreements directed towards not disturbing the peace and therefore towards peacefully settling all eventual questions.

There remains the case of resistance to the aggressor. It is clear that one can resist an armed assault and in certain cases one must resist, though "cum moderamine inculpatae tutelae", as the ancients used to say. At the same time, the nation assailed will have to resort to the Security Council, putting the case up to its decision. The eventual resistance cannot be classified as war, nor can the armed intervention of the nations called by the Security Council to the defense be classified as war. It would only be a question, in the first case, of an opposition in force to an act of violence, and in the second of police intervention.
It is true that a war between rebellious nations and the General International Organization can occur in the future, just as it happened in America when the southern states seceded. This would not be a legitimate war, but one of those revolts against the central authority which, as they can occur for the partisan factions within a nation, can occur for various reasons also in an organization of nations. It would be imprudent not to foresee them and prevent them on time, but it would also be foolish to feed the resentment of the small nations and of minority groups through the injustice of the big nations and the majority groups, and to reduce an organization which is of a moral and juridical nature to an oligarchy of a few well-armed nations. The new Organization will have to be so strong as not to fear the freedom of its members, and so democratic as not to fear the tyranny of its leaders.

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The new and most interesting point of the General International Organization is Section B of Part VIII, relative to even the military sanctions for the maintenance of peace. Unlike that which had been established in the covenant of the League of Nations, the decisions in this matter are not incumbent upon the Assembly of Nations but upon the Security Council. This simplifies the procedure, gives a greater sense of responsibility and makes possible a timely intervention so as not to aggravate the situations. Moreover, the Council is previously authorized to use armed force, when this is necessary. To this end, there are foreseen a series of agreements, either regionally among the States, or between the States and the International Organization, concerning the military contribution which it is presumed may be requested according to the case.