

## THE INTER-AMERICAN SYSTEM AND THE UNITED NATIONS

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**T**ODAY humanity as a whole as never before in the history of the world shares in common a fervent desire for lasting peace and security. This common aspiration is shared by peoples of all ideologies, all nations, all races and all creeds. The people of this country, together with those of many other lands, seek this peace and security within a framework of spiritual and individual freedom, of respect for human dignity and the opportunity of free men to work together through the sovereign governments of their own choosing. Without such freedom, respect and opportunity, there can be no lasting peace and security.

Almost overnight due to the extraordinary advances in science and the result of the war, the people of the world suddenly find themselves drawn together in a community of nations. However, there has been no comparable rapid evolution in their mores, in the conditioning of their beliefs, their patterns of thought and reactions. While heads of state and ministers of foreign affairs are able to gather in any one of the capitals throughout the world within a space of a little more than twenty-four hours, the people whom they represent are often centuries apart in their thinking. Until these chasms between the patterns of thought and reactions of different peoples can be bridged, the tasks of their representatives in the United Nations will be difficult and will often seem insurmountable, requiring great patience, tolerance and understanding. There is a common ground, however, which is developing and which can bridge these differences. This common ground is the change-over from primary concern with the rights of sovereign states to concern with the rights of peoples.

While the United Nations has not been in existence long enough to give full expression to this concept (as M. Spaak has pointed out, the United Nations may be weak, but it is indispensable), its development must be progressively in this direc-

tion if we hope to preserve the existing peace and lay the foundations on the basis of which free men can find opportunity and security.

In this hemisphere one of the reasons for the great strength and steady development of the Inter-American System during the past fifty years has been that the people of the New World share in common certain fundamental beliefs, hopes and aspirations. These bonds have grown primarily out of the common aspirations of the people for the respect of human dignity and freedom.

It would be unrealistic to consider the function of the world organization, to say nothing of its relations with the Inter-American System, without for a minute considering the position of the United States in world affairs today. Whether we like it or not, it is impossible for the United States to avoid the responsibility and influence which go with our extraordinary power.

They can become negative forces unless we exert consistent, positive leadership in world affairs, a progressive, liberal leadership constantly working for freedom and democracy at home and abroad, a leadership dedicated to the realization of those goals set forth in the Bill of Rights, a leadership which recognizes and adheres to moral and spiritual values and champions the greatest possible development of the material well-being of mankind throughout the world, a leadership based on clear objectives—a national purposefulness—which is so strong and convincing that its current will be felt throughout the world, giving hope and courage, a sense of security and confidence to the peoples of all lands.

That purposefulness must include the perfecting of our own system at home in the sense of carrying forward toward the attainment of the goals of social progress and freedom of opportunity, and the development of an economic stability which will prevent the booms and depressions which have had such devastating effect in the past at home and abroad. We must make democracy a dynamic force working not only in the interests of the people of our own country, but in the interests of the people of the world as a whole—a force not to oppress or oppose or dominate any other system or group, but a force which will serve the best interests of all peoples.

A nation's foreign policy can only be a reflection of its domestic policy. Our foreign policy will be a bankrupt foreign policy unless it is backed by a progressive democracy. If the forces which make up a democracy at home can demonstrate to the world the ability to produce or create a sound economic structure—to progress socially—they have at the same time demonstrated that democracy offers to the peoples of the world not only the promise of political liberty but the promise of economic advancement.

Two world wars should have proved to everyone's satisfaction that the peace of the world is indivisible, and thus the United Nations was created to make possible the attainment of the universal objective of peace and security. Of paramount importance in the creation of the world organization, was the determination of the appropriate relations of the member nations and the regional associations of those nations to the world organization.

This question was the subject of much discussion and debate at Dumbarkton Oaks, Mexico City and San Francisco. Fortunately for all concerned the sequence of these three meetings afforded the opportunity for a logical development of the steps necessary to permit a sound and constructive integration of the Inter-American System within the framework of the world organization. The question was first raised at Dumbarton Oaks, and was the subject of intensive study at Mexico City.

Since the time of Simon Bolivar members of the Inter-American System have always thought of it as an integral part of the world scene, both by reason of the cultural and economic ties to Europe as well as from the point of view of the concept of world order, based on international law and justice.

In keeping with this tradition the American republics unanimously adopted a resolution at Mexico City endorsing the establishment of a general international organization in which they state "that the American Republics represented in this Conference are determined to cooperate with one another and with other peace-loving nations in the establishment of a General International Organization based upon law, justice, and equity; that these Republics desire to make their full contribution, individually and by common action in and through the Inter-American System, effectively coordinating and harmonizing

that system with the General International Organization for the realization of the latter's objectives."

The delegates were equally convinced of the importance of preserving the great gains which had been made during the past fifty years through the gradual evolution of the Inter-American System—a system of voluntary association of free sovereign nations built on trust and confidence, mutual respect and common beliefs—an association dedicated to continental unity, an association pledged to peaceful settlements of differences and common problems through consultation, conciliation and arbitration, an association which had solemnly pledged itself to the principle that an attack against one should constitute an attack against all. It was an association of more than fifty years, which reached a high point of mutual trust and confidence under the leadership of President Roosevelt whose policy of the Good Neighbor has been unequivocally embraced by the peoples of all the Americas.

The Act of Chapultepec, which was adopted at the Mexico City Conference, called for a reciprocal assistance pact and specifically provided for the integration of this regional pact within the world organization to be created. It is stated in the Act of Chapultepec: "The above Declaration and Recommendation constitute a regional arrangement for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action in this Hemisphere. The said arrangement, and the pertinent activities and procedures, shall be consistent with the purposes and principles of the General International Organization, when established."

Thus the thinking was well advanced and the groundwork was laid on the subject of the relationship of regional arrangements to the world organization by the time the delegates arrived at San Francisco. At San Francisco the appropriate functions and responsibilities of the regional arrangements within the framework of the world organization were worked out and defined in detail in Committee 3 of Commission 3 on Enforcement Arrangements and in Committee 4 of Commission 3 on Regional Arrangements and in numerous meetings of the Big Five.

I think it is worth mentioning at this point, in view of what happened in the elections on Tuesday, that Senator Austin, who unfortunately could not be here this morning, was a member of

the United States delegation at Mexico City and sat on the committee which worked out the Act of Chapultepec. Through his deep understanding of the part of the United States in world affairs and his leadership in the movement for continuing participation in those affairs, he was able to play a very significant rôle in the formation of the Act of Chapultepec and its proper and appropriate integration into the world organization. At San Francisco Senator Vandenberg was the member of the United States delegation on Committee 4 of Commission 3, which was responsible for working out regional arrangements. Because of his fairness and his sincere belief not only in a bipartisan foreign policy for the United States but also in our participation in world affairs, he was able to bring about the final integration of the two systems, particularly from the point of view of future functions. So we see the continuity moving forward and, from the point of view of world organization and regional systems, I believe we need not feel concern over the impending change in leadership in the Senate and the House. It seems unlikely that there will be a repetition of our experiences after the last war, when a similar political change took place.

The conclusions reached at San Francisco recognized and made possible the preservation of the great values developed within the framework of the Inter-American System. In Article 52 it was stated: "Nothing in the present Charter precludes the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action, provided that such arrangements or agencies and their activities are consistent with the Purposes and Principles of the United Nations."

It further goes on to recommend the encouragement "of the development of pacific settlement of local disputes through such regional arrangements or by such regional agencies either on the initiative of the states concerned or by reference from the Security Council." In Article 53, the Charter further states that "The Security Council shall, where appropriate, utilize such regional arrangements or agencies for enforcement action under its authority."

It rightly safeguards, however, the over-all authority of the world organization by making provision that "no enforcement

action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council."

Because of the danger, inherent in the power of veto given to the permanent members of the Security Council, that at a time of crisis the Council might be deadlocked and unable to take effective action, at the insistence of the small nations the further provision was included that "Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken the measures necessary to maintain international peace and security." This preserved the right of individual nations or groups of nations to take necessary measures for self-defense until appropriate action by the Security Council.

Now let us examine action falling within the framework of responsibility of the Economic and Social Council.

Important as are the security functions in the preservation of the peace, the work in the field of economic and social coöperation will be even more important in the long run because it is dedicated to the creation of "conditions of stability and well-being which are necessary for peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples." It is the accomplishment of these goals which will remove the great majority of the causes of war. Thus the United Nations in Article 55 pledges itself to promote:

"a. higher standards of living, full employment, and conditions of economic and social progress and development;

"b. solutions of international economic, social, health, and related problems; and international cultural and educational cooperation; and

"c. universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion."

At Mexico City only two months earlier, the delegates to the Inter-American Conference had unanimously adopted a resolution calling for coöperation in accomplishing the same broad objectives. That resolution stated that "The fundamental economic aspiration of peoples of the Americas, in common with peoples everywhere, is to be able to exercise effectively their

natural right to live decently, and work and exchange goods productively, in peace and security.”

In order to further these objectives, it was unanimously resolved at Mexico City to establish a permanent Inter-American Economic and Social Council to take the place of the emergency Inter-American Financial and Economic Advisory Committee. This new body was empowered “to maintain liaison with the corresponding agency of the general international organization when established and with existing or projected international economic and social agencies.”

Thus it is evident that both the Inter-American System and the world organization share common objectives in these all-important fields, and provision has been made for the integration of their respective mechanisms. The world organization must work out the over-all patterns and the Inter-American Economic and Social Council must aid in carrying them out while at the same time coördinating and initiating programs of a purely inter-American character.

The practicability of this type of collaboration is well illustrated by the experience of the International Labor Organization created by the League of Nations. After operating on a world basis for fifteen years, the ILO finally came to the conclusion that in order to obtain positive results it would have to operate not only on a functional basis but on a regional basis as well; and therefore, for the past ten years, it has been holding inter-American regional conferences and has developed its organization along regional as well as functional lines. I think this is a very interesting practical experience in international coöperation and an example of the relation of world organization to regional activities.

We have the necessary mechanism on both a world basis and a regional basis, and adequate provision has been made for their effective integration. But let us be frank and realistic—the effective function of the structure within this international framework will depend on the attitude and action of the individual nations. As a nation particularly blessed in a world of suffering and poverty, we can either carry on with a breadth of vision which permits us to encompass our own realistic self-interest in terms of the general welfare and prosperity of the people of the rest of the world, and increasingly become a gen-

erating force in a new era of world prosperity and human well-being, or there is real danger that we may become the most hated and feared country in the world, thus undermining our own security and well-being as well as that of the people of other lands.

The traditional modes of international economic collaboration are no longer sufficient—we need new and broader avenues of international economic relationships based on the principle of individual freedom and initiative within a framework of inter-governmental coöperation.

The international exchange situation is such that we cannot hope to deal decisively with the economic and social developmental problems of the world exclusively on a loan basis. To accomplish these objectives, United States equity capital, technical know-how and managerial skill must go forth on an unprecedented scale and take part in the economic and social development of the world on a partnership basis.

Unless the real wealth of the people throughout the world is increased, unless we coöperate effectively with the hundreds of millions of people in such areas as Europe, Asia and Latin America with the result that they may expand their production to a point where they have sufficient earning power to increase their standard of living and to enable them to exchange goods on an international basis, we cannot hope for permanent peace and security in the world. In order that the United States play the part which is its responsibility in accomplishing this result, we must be prepared to take the steps which will be necessary to stimulate and supplement the existing institutions for the flow of equity capital.

The problems are great, and only by exercising patience and tolerance and by using the kind of resourcefulness and imagination which have made this country what it is today will we and the other nations achieve the goals to which the peoples of the world universally aspire. The international mechanisms have been created, the basis for the delicate adjustments of their inter-relations have been effectively worked out. It now only remains for the leaders of the individual nations to use them wisely. This they can do if they make their primary concern the rights and welfare of the people.

## REMARKS

CHAIRMAN KIRK: Thank you very much, Mr. Rockefeller!

I can think of no person whom I would rather present to discuss this next topic on our program than the man we have with us this morning. Throughout a distinguished career of a quarter of a century, when he has spent his spare time as a professor of international law at Harvard, Manley Hudson has had the opportunity to serve as a legal adviser to innumerable international organizations and governments. He has had time to do a great deal of important writing in the field of international law and jurisprudence. He has had in addition to that an opportunity to serve in a practical capacity as a member of the Permanent Court of International Justice.

It is therefore a source of very special gratification to the Academy that we are able to present to you this morning Judge Hudson who now will discuss for you the topic of "International Justice and International Order".

JUDGE MANLEY O. HUDSON: This topic, "International Justice and International Order", is not of my phrasing. I suspect that some of you may have been as puzzled about it, as I was in attempting to prepare a few remarks. I am sure that in this field none of us wishes to pose as a prophet. For my part, I find my spectacles very limiting when I try to look into the future. I believe Thomas Jefferson said that in his wildest moments he found it impossible to look further into the future than nineteen years. He chose the figure nineteen because he said nineteen years is the period within which a majority of the adults living at any one moment will be dead. Well, if Thomas Jefferson limited himself in his world to nineteen years, I think it would be more becoming for me to limit myself in this world to nineteen months or perhaps you would substitute nineteen days.