

ABSTRACT OF THESIS



CANADIAN POLICY TOWARDS INTERNATIONAL INSTITUTIONS

1939 - 1950

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## CANADIAN POLICY TOWARDS INTERNATIONAL INSTITUTIONS, 1939-1950

This thesis is a study of the attitude of the Canadian Government towards the organization and operation of international institutions rather than a study of the policies pursued in them. Special emphasis is laid upon two basic problems: the broad institutional framework of international society, dealt with in Part I, and the relationship of great and small states, the theme of Part II. Each Part is prefaced by a brief analytical chapter (Chapters II and VIII). Apart from the introductory chapter, the thesis is almost entirely confined to the period from the outbreak of war in 1939 to the immediate aftermath of the invasion of South Korea in 1950.

The opening chapter traces the development of Canadian policy towards international institutions from the early days after Confederation to the post-war period. During the inter-war years, the primary appeal of the League of Nations to Canada was as a means of asserting her international status. At the same time, she was most reluctant to assume international responsibilities, particularly obligations to impose automatic military sanctions against an aggressor. Early in the Second World War, her attitude began to change, and she came to accept not only the principle of collective security but also the need to play her full part in it. The Canadian Government was also determined to ensure that, in the reconstruction of international government, the fullest attention was paid to the question of removing the underlying economic and social causes of war.

## Part I

In Chapter II, the three concepts - universalism, regionalism and functionalism - with which Part I is concerned, are introduced. The Canadian Government was a convinced advocate of the organization of international institutions on a universal rather than on a regional basis because of Canada's interest in world-wide peace and prosperity, the global character of these problems and the danger of inter-regional rivalries. On the other hand, she appreciated the need to provide for some division of international labour and so supported the creation of functional bodies concerned with particular problems.

Chapter III deals with Canadian efforts to frustrate the final attempts to centralize and formalize the Commonwealth. Particular attention is paid to the question of the establishment of an imperial war cabinet, to the practice of holding Commonwealth consultations prior to international conferences and to the organization of a Commonwealth bloc capable of speaking with one voice on world affairs. Once Canada was finally successful in shaping the Commonwealth to her own way of thinking, her attitude of marked reserve towards it changed. By the end of the period, she had even come to accept it wholeheartedly.

The evolution of official Canadian opinion towards the Pan-American Union has been just the reverse. Canada began by vaguely aspiring to membership. Then, during the war, she became positively anxious to join. But, once the political and technical obstacles to her admission had been removed, she had second thoughts on the wisdom of such a move on grounds of both principle and expediency (Chapter IV).

During the early debates on the relationship of the specialised agencies

to the United Nations, a determined attempt was made to secure the assignment of responsibility for coordinating their work to the International Labour Organization. Canada took a leading part in opposing this as she considered the ILO an inappropriate body for this purpose. Instead, she favoured the establishment of an Economic and Social Council. The arrangement eventually worked out was, in important respects, considerably looser than she had originally hoped for. She had always conceded that, except where questions of international security were involved, the specialized agencies should be free of direct UN control in the administration of their substantive programmes, but she had envisaged a substantial measure of constitutional and financial integration. Furthermore, she wanted to see all of them treated alike. Despite a difference of opinion on this question within Canadian ranks, she managed to overcome all attempts to accord a privileged status to the ILO, though she was later forced to acquiesce in special treatment for the Fund and the Bank (Chapter V).

Canada was firmly on Hull's side in his long campaign to establish a strong general international security organization rather than a number of more or less autonomous regional organizations or power blocs. At the same time, she energetically supported the setting up of functional councils and commissions. Unfortunately, these have not proved strikingly successful. As a result, there has been an increasing tendency for regional economic commissions in ECOSOC to supersede the functional commissions. The Canadian Government was particularly opposed to the setting up of the Economic Commission for Latin America and has expressed its disapproval by refusing to participate in its work (Chapter VI).

The same regionalist tendencies have also been evident among the specialized agencies. Here again, Canada has either resisted them or sought to restrict them. She adopted her most determined stand in connection with the

Pan American Sanitary Organization which, she insisted, should be fully integrated into the World Health Organization before it became the WHO Regional Organization for the Western Hemisphere. As this was not done, Canada responded by boycotting PASO (Chapter VII).

## Part II

The theoretical foundation for the Canadian approach to the question of the proper relationship between great and small states was the functional principle. According to this, the position accorded members of international organizations should reflect their functional importance in the particular sphere with which the organization was concerned. In practical terms, this meant, in the first place, that the Great Powers were entitled to lead but not to dominate and, secondly, that control should be shared with such other states but only such other states as were willing and able to make a definite contribution to the object in view. In other words, middle powers like Canada should be accorded a status commensurate with their stature (Chapter VIII).

Although the functional principle was not formally enunciated until July 1943, it was already being used as an argument against exclusive great power control in the conduct of the war. As far as the political and strategic direction of the war was concerned, little headway was made in assaulting the monopoly position of the Great Powers; and Canada did not press the issue as it was in this sphere that their case was strongest. However, on the economic side, the situation was very different. Here, Canada was not only a much more significant factor but was also in a better position to enforce her demands. Consequently, she was eventually admitted to full membership of two of the five Combined Boards (Chapter IX).

A similar struggle ensued over the composition of the Central Committee

of UNRRA. At first, the Big Four succeeded in entirely excluding the smaller powers from membership on the Committee, though only at the price of drastically curtailing its powers. In the end, however, they were forced to agree to an expansion of its membership too. Henceforth, the threat to functional representation came, not so much from the Great Powers, as from the small powers. In view of their numbers, there was a danger that they might capture more seats on the executive councils of specialized agencies than they deserved. Canada sought to guard against this possibility principally by establishing functional criteria for membership of councils and by restricting their size (Chapter X).

Canada considered it even more important that the composition of UN councils should be determined on a functional basis. Provision for this was made in the case of the Security Council by specifying in the Charter that the six non-permanent members should be chosen primarily on the basis of their ability to contribute to the maintenance of international peace and security. However, scant attention has been paid to this requirement. Instead, election has depended more on geographical considerations than anything else. Moreover, most regions have claimed the right to name their own regional representatives. As a further precaution, Canada insisted that even states which were not members of a council should participate in its work whenever their interests were specially affected. She was particularly anxious that this procedure should be followed when the employment of her own armed forces was under consideration (Chapter XI).

The functional principle was applicable to voting as well as representation. Consequently, Canada supported the elimination of the small power veto in international organizations. At the same time, she was prepared to concede that there was a case for the retention of the great power veto provided it was confined within reasonable limits. However, neither majority voting on the basis of one-state, one-vote nor the unanimity rule were ideal solutions.

The ultimate answer to the problem was some form of weighted or functional voting (Chapter XII).

The effectiveness of provisions for functional representation and voting depends, in part, on the constitutional relationship existing between the councils and assemblies concerned. In general, the Canadian Government has sought to reconcile the conflicting demands for effective action and representative control by assigning considerable real authority for the formulation and execution of policy to councils, while retaining ultimate responsibility for broad policy in the hands of assemblies. The Security Council is the major exception to this general rule. Canada fully supported the decision to grant it priority, though not exclusive competence, in the maintenance of international peace and security (Chapter XIII).

The Canadian Government vigorously resisted the attempts of the Great Powers to by-pass the United Nations and operate instead through alternative machinery which perpetuated the wartime pattern of control. However, they were almost completely successful in excluding the smaller powers from any say in the determination of occupation policy or the terms of the peace treaties (Chapter XIV).

### Part III

The collapse of the Grand Alliance and the inability of the United Nations to ensure world security forced Canada to reconsider her policy of opposition to regional security arrangements, and eventually to embark upon a crusade for the creation of a North Atlantic alliance. NATO had a double purpose: the immediate military goal of strengthening the Western world and the long-run objective, on which Canada placed so much emphasis, of fostering the development of an Atlantic community. NATO also led to a revival of the wartime problem of how to organize a coalition of allies of unequal power and

influence so as to avoid excessive great power control (Chapter XV).

Canada has not been notably successful in getting her point of view accepted. The failure of the United Nations and the functional organizations to live up to the high hopes placed in them has encouraged, as well as been caused by, the growth of regionalism. The functional principle, too, has made little headway in most international organizations. Nevertheless, the Canadian case for universalism and functionalism (in both its forms) remains essentially sound (Chapter XVI).

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CANADIAN POLICY TOWARDS INTERNATIONAL INSTITUTIONS  
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Douglas G. Anglin

## PREFACE

This study deals with the attitude of the Canadian Government towards the organization and operation of international institutions rather than with its participation in them. In other words, it is an examination of Canadian policy towards the institutions themselves as opposed to the policies Canada pursued within them. Consequently, it is concerned with the official policy of the Government and not, except incidentally, with the views of the Canadian people as such. The views expressed by private Members of Parliament, newspaper editors, business and labour leaders and private groups of one sort and another were frequently interesting and important, but we are restricting ourselves here to a consideration of the attitude adopted by the Cabinet and Government officials.

Apart from the introductory chapter, this study is almost entirely confined to the period from the outbreak of war in 1939 to the immediate aftermath of the invasion of South Korea in 1950. The choice of the first date requires no justification, but that of the end date may be less obvious. In view of the numerous practical difficulties as well as theoretical objections to bringing the study of international relations completely up to date, some concluding date was imperative. The year 1950 seemed the most appropriate. Admittedly, it does not represent as sharp a break in Canadian policy or in the development of international organization as 1939 does, but Korea did nevertheless bring about a distinct shift in emphasis and peace.

Within these chronological limits, all international institutions,

including intergovernmental conferences, come within the scope of investigation. The core of the subject is clearly the United Nations and its related agencies, but such bodies as the Pan American Sanitary Organization and the International Commission for Northwest Atlantic Fisheries also find their place. This comprehensive approach is rendered necessary by the fact that, to a remarkable extent, the Canadian Government viewed international organizations as a whole. Hence, its policy can be fully understood only by examining the whole spectrum.

Attention is concentrated on two main themes: the development of the broad institutional framework of international society; and the relationship of great and small states. The first is essentially a problem of organization; the second, one of power. The powers and working of international institutions are dealt with only incidentally. This particular selection of topics can be justified on a number of grounds. To begin with, they are the really basic problems of international organization. They were among the first to receive attention when the revival of international institutions began in the middle of the war; and they have remained of continuing importance ever since.

Furthermore, these are the two issues in which Canada has been most interested and on which she early developed decided and distinctive views of her own. She first became seriously concerned with the problem of power in general and the role of the middle powers in particular early in 1942. Then, in July 1943, Mackenzie King formally enunciated the functional principle. He proposed that instead of surrendering exclusive control of international institutions to a handful of the most powerful states or distributing power equally among all nations, great and small, authority should be graduated. In each organization, a member would be entitled to a share of control corresponding to its ability to make a definite contribution in that particular sphere of activity.

By the summer of 1944, the Canadian Government had also developed a

fairly clear picture of the broad pattern of international institutions it hoped to see emerge, though it still had few firm ideas on other aspects of international organization. Canada's strong preference was for universal organizations rather than regional, partial or sectional ones. At the same time, she appreciated that it would be impossible, even if it were desirable, to centralize all international activities under one unitary organization. Consequently, she warmly approved of the establishment of specialized agencies.

Both the problems with which we will mainly be concerned involve the use of the concepts functionalism and regionalism, though they are used in a different sense in the two cases. The two meanings of these terms are quite distinct. On the one hand, they may refer to the organisational principle on the basis of which international cooperative action is conducted. Thus, international responsibilities may be dealt with by a series of functional bodies or divided up among regional organizations. On the other hand, the words may relate to the basis on which power is distributed among members of an international organization. For example, representation on councils may be determined by functional criteria rather than geographical considerations. In the first sense, the terms apply to the organizations concerned and, in the second, to the states members of the organizations. The use of these concepts in a dual sense is quite unavoidable. They are too fundamental to the problems to be considered to be dispensed with entirely and too well established in current usage to be altered. Admittedly, the term functionalism as applied to the problem of distributing power in international institutions came into use only fairly recently, but, as this was the use popularized by Mackenzie King himself, it cannot readily be discarded. In Part I, functionalism and regionalism are dealt with in the first of their two senses and, in Part II, they are dealt with in their second sense. Each Part is prefaced by a short analytical account of the Canadian attitude.

The particular organizational framework adopted was dictated by the fact that Canadian policy was based on certain well defined principles. These were thought of in Ottawa as ideals, though it was also realized that their adoption would have served Canada's own interests. In order that these principles might be clearly elucidated, it has been necessary to sacrifice straight chronology, though within each Part the topics are dealt with in rough chronological order. Moreover, Chapter XV on the emergence of NATO, is left to the last principally because it comes at the end of the period with which we are concerned. A further reason is that NATO involved both a reversal of the Canadian attitude towards regionalism revealed in Part I and a revival in an acute form of the problem of great power domination dealt with in Part II.

A concern for the principles underlying Canadian policy has also meant that, while most chapters deal with only one organization or a group of similar organizations, individual organizations are not necessarily treated as a whole. Rather, each aspect is dealt with in its appropriate place. The justification for this approach is that this is how Ottawa viewed international institutions.

As the development of Canadian policy took place against a background which may not be familiar to all readers, it has been thought desirable to include an introductory chapter giving an account of Canadian participation in international institutions prior to 1939 and of the shift of opinion which took place in Canada after the outbreak of war.

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## ABBREVIATIONS

AEC	Atomic Energy Commission
CAME	Conference of Allied Ministers of Education
CBC	Canadian Broadcasting Corporation
CFB	Combined Food Board
CMAB	Combined Munitions Assignment Board
CPRB	Combined Production and Resources Board
CRMB	Combined Raw Materials Board
CSAB	Combined Shipping Adjustment Board
ECAFE	Economic Commission for Asia and the Far East
ECE	Economic Commission for Europe
ECLA	Economic Commission for Latin America
ECOSOC	Economic and Social Council
EECE	Emergency Economic Committee for Europe
FAO	Food and Agriculture Organization
IBRD	International Bank for Reconstruction and Development
ICAO	International Civil Aviation Organization
ICNAF	International Commission for Northwest Atlantic Fisheries
IEFC	International Emergency Food Council
ILO	International Labour Organization (not Office)
IMCO	Inter-Governmental Maritime Consultative Organization
IMF	International Monetary Fund
IRO	International Refugee Organization
ITO	International Trade Organization
ITU	International Telecommunication Union
IWC	International Wheat Council
L.o.N.	League of Nations
NATO	North Atlantic Treaty Organization
OAS	Organization of American States
OEEC	Organization for European Economic Cooperation
PASB	Pan American Sanitary Bureau
PASO	Pan American Sanitary Organization (not Office)
PAU	Pan American Union
PICAO	Provisional ICAO
PJBD	Permanent Joint Board on Defence
UN	United Nations
UNESCO	UN Educational Scientific and Cultural Organization
UNRRA	UN Relief and Rehabilitation Administration
UNSCOB	UN Special Committee on the Balkans
UNTCK	UN Temporary Commission on Korea
UPAE	Postal Union of the Americas and Spain
UPU	Universal Postal Union
WHO	World Health Organization
WMO	World Meteorological Organization

A. E. C. O. R.<sup>\*</sup> - United Nations, Atomic Energy Commission Official Records.

British H. C. Deb. - United Kingdom, Parliamentary Debates, House of Commons, Official Report.

Canada at the United Nations, 1947 - Canada at the United Nations, 1947: Report on the Second Session of the General Assembly of the United Nations, Held in New York, September 16 - November 29, 1947 (Ottawa: King's Printer, 1948).

Canada and the United Nations - Canada and the United Nations, (Ottawa: King's Printer), annual volumes for 1948, 1949, 1950, 1951-2, 1952-53 etc.

C. T. S. - Canada, Treaty Series (Ottawa: King's Printer).

E. S. C. O. R.<sup>\*\*</sup> - United Nations, Economic and Social Council Official Records.

G. A. O. R.<sup>\*\*</sup> - United Nations, Official Records of the General Assembly.

H. C. Deb. - Canada, Official Report of Debates, House of Commons.

Off. Rec. of WHO - Official Records of the World Health Organization.

Report on the First Part of the First Session of the General Assembly - Report on the First Part of the First Session of the General Assembly of the United Nations, Held in London, January 10 - February 14, 1946 (Ottawa: King's Printer, 1946).

Report on the San Francisco Conference - Report on the United Conference on International Organization, Held at San Francisco, 25th April - 26th June 1945 (Ottawa: King's Printer, 1945).

S. C. O. R.<sup>\*</sup> - United Nations, Security Council Official Records.

Sen. Deb. - Canada, Debates of the Senate, Official Report.

Standing Committee on External Affairs, Minutes - Canada, House of Commons, Standing Committee on External Affairs, Minutes of Proceedings and Evidence.

Statements and Speeches - Government of Canada, Information Division, Department of External Affairs, Ottawa, Canada, Statements and Speeches.

United Nations, 1946 - The United Nations, 1946, Report on the Second Part of the First Session of the General Assembly of the United Nations held in New York, October 23 - December 15, 1946 (Ottawa: King's Printer, 1947).

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<sup>\*</sup> Roman numerals indicate year. E.g. (I) - 1st year (1946); (II) - 2nd year (1947).

<sup>\*\*</sup> Roman numerals indicate sessions. E.g. (I) - 1st session; (1/1) - 1st part of 1st session.

U.N.C.I.O. - Documents of the United Nations Conference on International Organization, San Francisco 1945 (New York: UN Information Organizations, 1945).

## CHAPTER I

### CANADA AND INTERNATIONAL INSTITUTIONS

The desire to assert Canadian status in the world has been a significant, and at times the dominant, factor governing Canada's attitude towards participation in international organizations from the earliest days almost to the present time. A study of Canadian policy towards international institutions begins, therefore, as a chapter in the development of dominion status.

Canada's first international associations were, naturally enough, with the United States. In 1871, Sir John A. Macdonald served as one of the five British members of the Joint High Commission which negotiated the Treaty of Washington. A Canadian also served as the British Commissioner on the Halifax Commission of 1877 established under the Treaty to arbitrate the fisheries dispute between Canada and the United States. A number of other bodies were also set up, prior to the First World War, to deal with specific issues which had arisen between the two countries: the Fur Seal Arbitration Tribunal, Paris, 1893; the Alaska Boundary Tribunal, 1903 and the Alaska Boundary Commission, 1907-1915; the North Atlantic Coast Fisheries Arbitration Tribunal, the Hague, 1910 and the Pecuniary Claims Commission, 1910-1926. In each case, Canadian judges, commissioners, agents and counsel were used as appropriate. It was not, however, until the establishment of the International Joint Commission in 1909 to handle boundary water questions that the Canadian Government

assumed the power of appointment or full responsibility for the conduct of proceedings from the British Government.

Meanwhile, Canada had begun to broaden her international contacts. The immediate occasion for Canadian action was generally some concrete issue concerning trade or communications in which she was directly interested. The conduct of high policy continued to remain beyond her grasp; but the Government was quick to capitalize on the opportunities that did present themselves to enhance Canadian status, with the result that the cumulative effect of a series of minor gains over a period of decades was quite substantial.

The first multilateral international institution which Canada joined was the Universal Postal Union. The UPU was set up in 1874, but Canada did not become a member until four years later. Her admission was held up by a French veto pending settlement of a dispute with Great Britain over sea rates.<sup>1</sup> Canada also joined five other international technical agencies prior to 1914.<sup>2</sup> These were the International Union for the Publication of Customs Tariffs (1890), the International Institute of Agriculture (1907), the International Office of Weights and Measures (1907), the International Radiotelegraphic Union (1908) and the International Office of Public Health (1910).

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<sup>1</sup>Canada, Report of the Postmaster General, 1876, pp. viii-ix; "Declaration between Great Britain and Switzerland, recording the Adhesion of Canada to the General Postal Union", 28 May 1878.

<sup>2</sup>During this period, she also took part in a number of technical conferences, such as the Paris Conference on the Protection of Submarine Cables of 1884. The first such conference in which Canada participated as a separate diplomatic entity was the International Radiotelegraph Conference, London, 1912.

In the International Institute of Agriculture, members were grouped into five categories for purposes of voting and contributions. It was so arranged that the scale of votes increased in arithmetical progression (1 to 5 votes), while the scale of assessments increased in geometrical progression (1 to 16 units of subscription). Each state was free to select the group of its choice. Originally, Canada opted for Group IV, but early in 1908 the British suggested that she join a higher Group "so as to increase the number of votes and consequently the voting power of the English-speaking countries, and possibly have through this means the upper hand on all questions".<sup>3</sup> As this elevation of status appealed to the Government, it authorized a transfer to Group II. In the Universal Postal Union, Canada had even greater illusions of grandeur and, consequently, asked to be ranked in Class I. She could afford this luxury as the UPU had only a modest budget. However, a very different situation was created when the League of Nations adopted the UPU's scale of contributions. Canada amongst others wailed loudly at the injustices of this arrangement and eventually succeeded, in 1924, in effecting an amendment to the Covenant.

The First World War led to a transformation in Canadian relations with international institutions. One reason for this was that the Canadian war effort stimulated national consciousness and, for the first time, produced a vigorous demand from all sections of the Canadian people for an international status more befitting a nation which had fielded an army of nearly half a million men. As a result, important changes took place in the constitution of the Empire. In particular, the Dominions were

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<sup>3</sup>[Department of Agriculture], Statement re: Organization of the International Institute of Agriculture and Part Played by Canada, n.d. [1915-20?]. p. 3.

admitted to participation in the Paris Peace Conference and thus entered the realm of high policy for the first time. Their anomalous and uncertain position was, however, underlined by the fact that they were accorded both separate representation in the Conference and representation as part of the British Empire. The former was mainly of constitutional significance, while the latter was of real practical importance. Finally, the war led to the establishment of a number of new international institutions, particularly the League of Nations and the International Labour Organization. As a result, Canada was afforded far greater opportunities to participate in world affairs than had existed hitherto.

#### Canada and the League of Nations

When Sir Robert Borden claimed that "Canada got nothing out of the war but recognition",<sup>4</sup> he was not complaining. At Paris, Canada was deeply concerned with questions of status, but with little else. As far as the League and the ILO were concerned, her primary objective was the unqualified right of independent representation. Separate membership for the Dominions in the League of Nations was achieved with comparative ease. Even the American Delegation raised no objection. As Colonel House noted in his diary: "If Great Britain can stand giving her Dominions representation in the League, no one should object."<sup>5</sup> It was only later, in the

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<sup>4</sup>Robert Laird Borden: His Memoirs (Toronto: Macmillan, 1938), II, 899.

<sup>5</sup>6 February 1919, Charles Seymour, ed., The Intimate Papers of Colonel House (London: Benn, 1928), IV, 323.

American Senate, that the bogey of the six British votes, enshrined in the Lenroot reservation, caused a stir.

Canada's membership in the International Labour Organization was also never seriously questioned, though there was some doubt, at one stage, whether she would be admitted on a basis of equality with other countries. The British draft convention provided that, for purposes of membership, the Dominions would be treated "as if they were independent states". Borden objected to the implications of this phraseology and eventually secured adoption of a provision according to which League membership would automatically carry with it membership in the ILO.<sup>6</sup> As a result of these efforts, the only suggestion of inferiority in either Organization in the matter of membership was the inclusion of the Dominions, though not the United Kingdom, as mere sub-headings under the British Empire, rather than in their proper alphabetical place, in the list of original members annexed to the Covenant.

Recognition of Canadian eligibility to representation on the League Council and the Governing Body of the ILO was not accorded so readily. At one time, it was intended to confine membership on the Council to the Great Powers. Borden proposed that, if this were the case, the British Empire member should, as a temporary expedient pending later reconsideration, be drawn from a panel which included Dominion representatives. Later, it was decided to expand the Council to include four "states" as non-permanent members. As there was some doubt as to whether the Dominions qualified as states, and considerable support especially from the Americans for their exclusion, Borden obtained a signed statement from

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<sup>6</sup>Borden, Memoirs, II, 949.

Clemenceau, Lloyd George and Wilson formally recording their "entire concurrence" in the view that the Dominions were eligible for election to the Council.<sup>7</sup>

There was even greater resistance to the idea that the Governing Body of the ILO should ever include more than one "British" member. The American Delegation, in particular, wished to retain the wording of the draft constitution, that "no High Contracting Party, together with its Dominions and Colonies, whether self-governing or not [should] be entitled to nominate more than one member". Fortunately, Wilson overruled his advisers and, thus, paved the way for the deletion of this restriction.<sup>8</sup>

In claiming complete equality of membership for Canada, the Canadian Delegation at Paris was upholding a principle, not expressing an aspiration for actual election to either the Council or the Governing Body. The question whether Canada would ever wish to exercise her rights was, at this time, of mainly academic interest.<sup>9</sup> This situation soon changed. At the First International Labour Conference in 1919, Canada was elected to the Governing Body and, apart from a brief period in 1935, has remained a member ever since. Her election to the League Council came at

<sup>7</sup> 6 May 1919, *ibid.*, pp. 947, 953, 961; G.P.deT. Glazebrook, Canada at the Paris Peace Conference (Toronto: Oxford University Press, 1942), pp. 63-7. In the end, Article IV of the Covenant referred to "members" rather than to "states".

<sup>8</sup> *Ibid.*, pp. 78-80; Borden, Memoirs, II, 945-54.

<sup>9</sup> David Hunter Miller, The Drafting of the Covenant (New York: Putnam's, 1928), I, 481; Glazebrook, Canada at the Paris Peace Conference, p. 78. But *cf.* Borden, Memoirs, II, 947-8.

the Eighth Assembly in 1927.<sup>10</sup> The previous year, the Irish Free State, taking advantage of an increase in the size of the Council, had sought unsuccessfully to gain a seat. In its report, the Canadian Delegation recommended that Canada should seek election at the next Assembly. In concurring in this view, the Government was primarily motivated by a desire to enhance Canada's international status and prestige.<sup>11</sup>

The establishment of the Permanent Court of International Justice created further problems for Canada. The draft statute drawn up by the Advisory Committee of Jurists in 1920 provided that there should be no more than one judge of the "same nationality". The Canadian Delegation to the First Assembly feared that this "might give rise to the false interpretation that a Canadian could not sit in the Court at the same time as a judge of the United Kingdom". Consequently, the statute was reworded and, as finally adopted, specified that no more than "one national of the same Member of the League" could be elected to the Court (Article 10).<sup>12</sup> The Government followed this up by enacting

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<sup>10</sup> See F. H. Soward, "The Election of Canada to the League of Nations Council in 1927", Canadian Historical Association, Report of the Annual Meeting, 1927, pp. 37-40 and "Canada and the League of Nations", International Conciliation, No. 283 (October 1932), pp. 375-8; Felix Morley, The Society of Nations: Its Organization and Constitutional Development (London: Faber, 1932), pp. 347-8.

<sup>11</sup> Canada's candidature reflected the general climate of opinion which at the time was strongly nationalistic rather than any specific popular demand for membership on the Council. The year 1926 had witnessed the King-Byng affair and the resulting general election, the Imperial Conference and the appointment of the first Canadian minister to Washington.

<sup>12</sup> L. O. N., Records of the First Assembly, Meetings of the Committees, I, 342, 344; Manley O. Hudson, The Permanent Court of International Justice, 1920-1942: A Treatise (New York: Macmillan, 1943), p. 158.



legislation in 1921 to define Canadian nationals.<sup>13</sup> As a result, a Canadian National Group was formed which met intermittently throughout the interwar period and nominated a number of distinguished Canadians, usually an English-speaking one and a French-speaking one, as candidates for election to the Court. None was ever elected, though in 1946 a Canadian did succeed in getting elected to the International Court of Justice.

Canada was less successful in eliminating other ambiguities in the 1920 Statute. In particular, it was not clear whether, in the event of a Canadian case coming before the Court, Canada was entitled to appoint a judge ad hoc under Article 31, if a British judge were already sitting on the Court. During the meetings of the Committee of Jurists in 1929, Sir Cecil Hurst sought to clarify the situation, but opposition to any interpretation which would have permitted two Commonwealth judges to sit on the Court simultaneously was such that the proposal had to be dropped.<sup>14</sup> Actually, there was never any occasion for the ad hoc appointment of a Canadian judge as no Canadian case ever came before the Court. Consequently, the issue has never formally been settled, though it has long since ceased to exist.

Canada was anxious, not only to claim all the rights and privileges of an independent state, but also to incur as few international obligations

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<sup>13</sup>An Act to Define Canadian Nationals, 11-12 Geo.V, c.4; H.C. Deb., 8 March 1921, pp. 645-6.

<sup>14</sup>Hudson, Permanent Court of International Justice, p. 367; L.o.N., Minutes of the Committee of Jurists (C.156, H. 66, 1929), pp. 70-2, 84-7.

as possible. While participation in international institutions was welcomed as a means of asserting her status, it also carried with it a threat to her newly won status which had to be guarded against. As one Member of Parliament declared in 1919, during the debate on the Covenant, Canada was now governed "by and from Ottawa, and not by and from London; and we do not want to be governed by and from Geneva".<sup>15</sup> There were two principal dangers: first, that the League would interfere in Canada's internal affairs; and, secondly, that it would call upon her to support sanctions.

Apart from the establishment of the International Labour Organization, relatively little attention was paid to economic and social questions at Paris in 1919. Even so, Canada was not at all enthusiastic about the advances which were made. Her main worry was that, under pressure from radical or disgruntled governments, the League of Nations or the ILO might attempt incursions into spheres which she regarded as solely within her domestic jurisdiction. The debates in Paris had already lent some colour to this fear. Accordingly, at the First Assembly, Newton Rowell pointed out that the functions outlined in Article 23 of the Covenant were merely "secondary" and warned against stressing them to the neglect of the primary purpose of the League which was the maintenance of peace and security.<sup>16</sup>

There were four issues on which Canada felt particularly sensitive: immigration, minority rights,<sup>17</sup> raw materials and tariffs. With respect to the first two issues, the Government was mainly concerned to defend the

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<sup>15</sup>Rodolphe Lemieux, a former minister, H.C. Deb., 10 September 1919, p. 157.

<sup>16</sup>10 November 1920, L.O.N., Records of the First Assembly, Plenary Meetings, p. 169.

<sup>17</sup>Though she insisted that the minority clauses in the Peace Treaties should be rigidly adhered to.

right of Canadians to discriminate against Asians by imposing immigration restrictions or bans, by denying them voting and other political rights, and by excluding them from certain trades and professions. The question came up in Paris in two connections. Early in the Conference, the Japanese asked for the inclusion of an article in the Covenant under which League members would agree to accord the alien nationals of other member States "equal and just treatment in every respect, making no distinction, either in law or fact, on account of their race or nationality". Borden, though less vitriolic than Hughes of Australia, was equally firm in resisting encroachments on Canadian sovereignty. He was willing to agree to just treatment, but balked at any suggestion of equal treatment. In this, he was supported by his Cabinet colleagues at home who were prepared to accept the Covenant only on condition that:

The right of each nation to regulate and control the character of its own population by restriction of immigration is maintained unimpaired, and that such control is recognized as a matter of purely domestic concern, and not one in which the League of Nations is concerned.<sup>18</sup>

In the end, the Japanese got nothing but an unforgettable snub. Borden also "criticized vehemently" a clause in the draft labour charter which provided that: "In all matters concerning their status as workers and social insurance, foreign workmen lawfully admitted to any country and their families should be ensured the same treatment as the nationals of that country". He suggested instead the innocuous formula finally adopted, that "due regard" should be paid "to the equitable economic treatment of all workers lawfully resident therein".<sup>19</sup>

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<sup>18</sup> 12 April 1919, Glazebrook, Canada at the Paris Peace Conference, pp. 69-70; also, Borden, Memoirs, II, 926-8.

<sup>19</sup> Ibid., pp. 932-3, 954-60. It should be noted that the Federal Government was not always constitutionally competent to accept international obligations, particularly in labour matters. This was not always a disadvantage as it sometimes served as a convenient pretext for inactivity.

Italy, another ally of the First World War and enemy in the Second, was the principal sponsor of a move to promote League action to ensure the equitable distribution of raw materials. The Canadian reaction to this was swift and effective. "It might just as well be clearly understood", Newton Rowell declared at the First International Labour Conference in Washington in 1919,

that the nations which have raw materials will deal with them as they believe fair and in the national interest; but they will deal with them by their own parliaments, their own legislatures, and they will not accept international regulation with reference to the control of their own property.<sup>20</sup>

A second attempt by Italy to stir interest in the matter at the First Assembly of the League of Nations was also squashed by Rowell. During the 1930's, Canada modified her attitude to some extent, and in 1936 King even welcomed a League inquiry into "any question, raw materials, population movements, labour conditions, that is felt to be a grievance". This change was due to an uneasy feeling that Canada's earlier policy may have contributed to bringing about Italian aggression in Ethiopia, to a growing appreciation of the value of the economic work of the League and to a realization that, as King expressed it, "the countries who are in trouble as regards raw materials are the countries who have them to sell, rather than those that have them to buy".<sup>21</sup> There was, however, no suggestion that Canada was prepared to permit League control of her raw materials.

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<sup>20</sup> ILO, Proceedings of the First Annual Meeting of the International Labour Conference, Washington, 1919, p. 154.

<sup>21</sup> H. C. Deb., 18 June 1936, p. 3872.

Finally, there was the tariff issue. Once again, the Government took a firm line and insisted that this was solely a matter of domestic jurisdiction. In April 1919, the Cabinet formally declared that nothing in the Covenant should "in any way interfere with the fiscal freedom of Canada, nor with the control or regulation of its own tariffs".<sup>22</sup> When, in 1929, Britain proposed a tariff truce, Canada responded with a barrage of excuses and a declaration that she intended to "reserve entire liberty of action".<sup>23</sup>

Canadian opposition to the assumption of military obligations under the League of Nations, or for that matter in the Commonwealth, was equally strong. There were two articles of the Covenant, Articles X and XVI, to which Canada took particularly strong exception. In the end, both were successfully interpreted away. The assault on Article X came first. As early as February 1919, C.J. Doherty, a senior Canadian Delegate to the Paris Peace Conference, castigated the Hurst-Miller draft as open to "the gravest objections" both generally and from the point of view of Canada in particular.<sup>24</sup> Sir Robert Borden followed with a memorandum of his own which demanded that the article should be either "struck out or materially amended".<sup>25</sup> In the end, as a result of resistance from both the French and

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<sup>22</sup>12 April 1919, Glazebrook, Canada at the Paris Peace Conference, p. 70.

<sup>23</sup>S. Mack Eastman, Canada at Geneva: An Historical Survey and Its Lessons, Contemporary Affairs series No.20 (Toronto: Ryerson, 1946), pp. 32-33.

<sup>24</sup>Text of memorandum in Glazebrook, Canada at the Paris Peace Conference, pp. 140-9.

<sup>25</sup>10 March 1919, ibid., p. 68.

the Americans, Article X was retained, and Canada, unlike the United States accepted it, though only as a temporary expedient. She was still determined to eliminate it as soon as possible; and at the First and Second Assemblies pressed vigorously and unsuccessfully for its deletion.

When the new Liberal Government came into office in December 1921, it adopted new tactics. Its aim, however, was the same since Mackenzie King liked the idea of military commitments even less than the Conservatives did. This was made clear at the time of the Chanak fiasco of September 1922. At the Third Assembly, the Canadian Delegation merely asked for an amendment to Article X. Although this was rejected in 1922, its substance was in effect accepted the following year when an interpretive resolution sponsored by Canada was opposed only by Persia. This resolution provided that, before recommending the application of military sanctions, the Council should "be bound to take account . . . of the geographical situation and of the special conditions of each State". Even so, each Member would still be completely free to decide the extent to which it was "bound to assure the execution of this obligation [Article X] by employment of its military forces".<sup>26</sup> Somewhat earlier, in 1921, Article XVI had been similarly emasculated on the initiative of the Scandinavian neutrals, though in its weakened state it somehow managed to survive. Consequently, the Canadian Government looked upon it as a continuing threat right up until the late 1930's.

None of the schemes for general security paraded before the League of Nations during the 'twenties appealed to the Canadian Government. In

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<sup>26</sup>Text in R.A. Mackay and H.B. Rogers, Canada Looks Abroad (Toronto: Oxford University Press 1938), p. 327.

the case of the Draft Treaty of Mutual Guarantee, it seemed "very unlikely that the Canadian people . . . would be prepared to consent to any agreement binding Canada to give assistance as proposed to other nations".<sup>27</sup> Similarly, King considered it "hopeless" to expect the people of Canada to accept the Draft Treaty of Mutual Assistance as it created "an obligation wider in its extent and more precise in its implications than any which Article X could be interpreted as imposing".<sup>28</sup> The Geneva Protocol, too, was ruled out because of "its rigid provisions for [the] application of economic and military sanctions in practically every future war".<sup>29</sup> Only the Locarno Pact and the Pact of Paris evoked a favourable response in Ottawa, the former because it involved Canada in no military obligations,<sup>30</sup> and the latter because it involved no obligations for anyone. Indeed, in accepting the Pact of Paris, Mackenzie King used the

<sup>27</sup> Sir Joseph Pope, Under-Secretary of State for External Affairs, to L.o.N. Secretary-General, 19 June 1925, in *ibid.*, p. 328.

<sup>28</sup> King to L.o.N. Secretary-General, 9 July 1924, in *ibid.*, pp. 328-9. Interestingly enough, King questioned the utility of the provision limiting the obligation to assist victims of aggression to signatories on the same continent as he feared that enforcement action could not be confined to a continent. "It appears doubtful", he pointed out, "if hostile action can widely or indeed safely be undertaken by any state upon the principle of limited liability."

<sup>29</sup> King to L.o.N. Secretary-General, 10 March 1925, in *ibid.*, p. 330.

<sup>30</sup> Dandurand declared that the Locarno Treaty was "an accomplishment that could not be sufficiently loudly hailed by the world at large". *Sen. Deb.*, 17 May 1926, p. 71. The Treaty specifically provided for Canadian adherence, but this of course was never effected.

occasion to emphasize that Canada had "always opposed any interpretation of the Covenant which would involve the application of sanctions automatically or by decision of other states".<sup>31</sup>

It could scarcely be claimed that Canadian support for Locarno was motivated by any genuine belief in regionalism or any real concern for the welfare of Europe. Rather, what attracted Canada was the opportunity which Locarno provided of contracting out of direct responsibility for European defence and the prospect of lessening the danger that she might be called upon to honour her general obligations under the Covenant.<sup>32</sup> In fact, she supported regional security arrangements only to the extent that she held the view that the containment of aggression was the primary, if not the sole, responsibility of those states immediately threatened. This plausible theory was sedulously propagated by Canadian spokesmen throughout the interwar period. It was expressed most forcefully by King himself speaking before the League Assembly in September 1936. After dismissing the sanctions provisions of the Covenant as unworkable, he declared that proposals "for regional agreements to ensure immediate and definite military assistance against an aggressor show a closer approach to reality by linking the obligation with a definite contingency and a direct interest". He then

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<sup>31</sup> King to Secretary of State Kellogg, 30 May 1928, in Mackay and Rogers, Canada Looks Abroad, p. 331.

<sup>32</sup> This was an instance of what Pitman B. Potter termed the use of the doctrine of regionalism in "bad faith"; that is, "where regionalism has been advocated, not with a view to rendering international relations and cooperation more effective, but with a view to preserving greater national liberty of action while pretending to do the other thing". "Universalism versus Regionalism in International Organization", American Political Science Review, XXXVII (1943), 861.

added:

It is essential to recognize that the areas in which regional arrangements could be worked out are under present conditions restricted, almost wholly, to parts of Europe. League members in other parts of the world where this device is impracticable cannot reasonably object to the formation of such agreements by countries which consider them essential to their own security and the stability of their neighbourhoods.<sup>33</sup>

The Italo-Ethiopian War finished Article XVI of the Covenant. The Canadian Government reluctantly supported the initial sanctions recommended by the League, but virtually repudiated its own representative in Geneva when he made the personal suggestion that an oil embargo should be applied. Then, following the Italian entry into Addis Ababa, Mackenzie King urged that sanctions be lifted as soon as possible. Not content with this, he journeyed to Geneva to lecture the League on the dangers of trying to preserve peace by organizing war. The coup de grâce came in May 1938 when he declared that: "So far as the Canadian Government is concerned, the sanctions articles have ceased to have effect by general practice and consent, and cannot be revived by any state or group of states at will".<sup>34</sup>

Meanwhile, Canadian interest in the economic, social and humanitarian activities of the League of Nations had sharply increased. By the 1930's, Canada regarded them as the most important and constructive aspect of its work. During the debates on the revision of the Covenant, she consistently urged strengthening the machinery of non-political cooperation and, in particular, welcomed the recommendation of the Bruce Committee in August 1939

<sup>33</sup>29 September 1936, L.o.N. Official Journal, Special Supplement No. 155, p. 69. The Imperial Conference of 1937 went on record as welcoming "regional agreements of friendship and collaboration" between individual members of the British Commonwealth and non-members. Summary of Proceedings (Ottawa: King's Printer, 1937), p. 14. For a defence by King of the League as a "general organisation", see H.C. Deb., 18 June 1936, pp. 3869, 3872.

<sup>34</sup>H.C. Deb., 24 May 1938, p. 3182.

for the creation of a Central Committee for Economic and Social questions. Even, in the midst of the war, she continued to insist that the League and the ILO should as far as possible carry on their economic and social activities.<sup>35</sup>

It is important to examine the reasons underlying Canada's opposition to collective security, not only because her attitude on this question coloured her whole outlook towards international institutions throughout the interwar period, but also because the explanation is essential to an understanding of the later development of Canadian policy.<sup>36</sup>

One reason for Canadian unwillingness to agree to reciprocal military commitments under the League (or within the Commonwealth) was that Canada felt she had little to gain thereby. As Senator Dandurand declared in Geneva in explaining Canada's rejection of the Geneva Protocol, "in this Association for Mutual Insurance against fire, the risks assumed by the different states are not equal. A vast ocean separates us from Europe."<sup>37</sup>

<sup>35</sup>L.O.N. Summary of the Meetings of the December 1939 Session, Fourth Committee of the Assembly, p. 22; ILO, Minutes of the Private Sittings of the Fourth Session of the Emergency Committee, pp. 24-5; H.C. Deb., 17 February 1941, p. 817, 1 August 1942, p. 5149; League of Nations Society in Canada (March 1941), p. 6; Report on the San Francisco Conference, p. 47.

<sup>36</sup>For an excellent, concise analysis of Canadian objections, see L.B. Pearson, "Canada and the Postwar World", Canadian Affairs (1 April 1944), pp. 5-6.

<sup>37</sup>2 October 1924, L.O.N. Official Journal, Special Supplement No. 23, p. 222. Doherty in his memorandum of February 1919 had said very much the same thing: "This 'mutual guarantee society of unlimited liability' is one wherein, though the risks be unequal - in some cases startlingly so - the same premium is to be paid by all the members. Can anything be more manifestly unjust? . . . Let the mighty, if they will, guarantee the security of the weak. The respective positions will be more nearly equal if no reciprocal guarantee is exacted." Glazebrook, Canada at the Paris Peace Conference, pp. 144, 146.

Although Canada had just emerged from the greatest war in history, few Canadians perceived that they had had any direct interest in it. They had gone to war in 1914 because Britain had, not because of any recognizable stake in European security. In future, even this motive was going to be questioned, as it was at the time of Chanak. If, therefore, Canadians were no longer prepared to join automatically in all British wars, how much more unlikely was it that they would be willing to make "everybody's wars their wars"?<sup>38</sup>

Besides, after the Great War, Canadians amongst others rapidly developed a markedly anti-European complex, and this did not incline them towards guaranteeing European security. At the First League Assembly, Newton Rowell bluntly stated that,

it was European policy, European statesmanship, European ambition, that drenched this world with blood . . . Fifty thousand Canadians under the soil of France and Flanders is what Canada has paid for European statesmanship trying to settle European problems.<sup>39</sup>

Nearly twenty years later, Mackenzie King characterized Europe as a "continent that cannot run itself".<sup>40</sup> At the same time, throughout the inter-war period, Canadian spokesmen at Geneva made invidious comparisons between conditions on opposite sides of the Atlantic with nauseating frequency. They could rarely resist the temptation to attribute their good fortune to superior virtue and to urge the degenerate nations of Europe to forsake

<sup>38</sup>Ibid., p. 147.

<sup>39</sup>8 December 1920, L.O.N., Records of the First Assembly, Plenary Meetings, p. 329; also pp. 43, 171, 335.

<sup>40</sup>H.C. Deb., 30 March 1939, p. 2419. King did not claim this was necessarily his own view, though he evinced obvious sympathy for it.

militarism and national animosities and seek security by disarming and satisfaction by oozing goodwill. Europe could expect little sympathy from Canada until she put her own house in order.<sup>41</sup>

A further reason for Canadian reluctance to underwrite collective security was that the United States, in rejecting the Treaty of Versailles, had contracted out of all obligations. When she signed the Covenant, Dandurand complained in 1924, "Canada was then far from thinking that she would have the whole burden of representing North America when appeals would come to our continent for assistance in maintaining peace in Europe".<sup>42</sup> The absence of the United States accentuated Canada's opposition to military sanctions in four ways: it emphasized the inequality of burdens; it rendered sanctions less ineffective; it diminished the chances of ever luring the United States into the League; and it raised the spectre of sharp divergence of policy between League members and the United States.

Throughout the interwar years, and particularly in the late 1930's, the Canadian Government was prepared to go to almost any length, even to the point of draining all real content out of the Covenant, in order to achieve the cherished goal of universality. "The coercive and punitive provisions of the Covenant", King proclaimed to the League Assembly in September 1936,

have operated in the past as a deterrent to the kind of collaboration which must serve as an intermediate stage of a League of Nations which must be universal . . . .  
Every vacant seat in this Assembly is a broken link in

<sup>41</sup>In 1919, both Borden and Doherty objected to Article X on the grounds that it would require League members to enforce the territorial status quo, even though this might mean sanctioning injustices. Glazebrook, Canada at the Paris Peace Conference, pp. 63-9, 140-3.

<sup>42</sup>2 October 1924, L.O.N., Official Journal, Special Supplement No. 23, p. 221. Mexico did not join the League until 1931.

the chain of collective security.<sup>43</sup>

From then until the outbreak of war, Canadian spokesmen never ceased to emphasize the need for universality. In March 1937, King and Roosevelt even contemplated setting up a Permanent Conference on Economic and Social Problems in Geneva as a means of bringing together all the nations of the world, whether members of the League or not. According to King, the purpose of the proposed Conference was "to remove the evils . . . which lie at the root of national discontent, world unrest, and international strife - and which are the fundamental cause of war."<sup>44</sup>

Mackenzie King also claimed that the only "sure method" of preserving peace was "by peaceful means".

Collective security should not be identified with reliance upon force. Collective security of nations lies in the sense of social justice being secured through investigation and exposure of social wrongs, and the power of an organized public opinion founded upon the same.<sup>45</sup>

Sanctions were not just onerous or unworkable or insufficient in themselves; they were unnecessary and undesirable. "Successive Canadian Governments", as King pointed out in June 1936, "without any appreciable public dissent, had opposed the view of Geneva as 'an international war office', with the emphasis upon punishment rather than prevention";<sup>46</sup> but King personally went

<sup>43</sup> 29 October 1936, ibid., No. 155, p. 69.

<sup>44</sup> Memorandum to Roosevelt, 6 March 1937, Elliot Roosevelt, ed., F.D.R., His Personal Letters, 1928-1945 (New York: Duell, Sloan and Pearce, 1950), I, 664. Italics in original.

<sup>45</sup> Ibid., pp. 665, 666.

<sup>46</sup> H.C. Deb., 18 June 1936, p. 3868. R.B. Bennett declared on Remembrance Day 1934: "Obviously, there is no security in arms." League of Nations Society in Canada, Monthly New Sheet (November 1934), p. 1.

far beyond this and argued that investigation, conciliation and the force of world public opinion were, in themselves, enough. The explanation of his attitude is simple. He had begun his career as a consultant in industrial relations. Later, he organized the federal Department of Labour, becoming its first deputy minister and subsequently its minister. As a result of his studies and experiences, he concluded that the problems of international and industrial relations were identical. Wars were merely particularly vicious strikes; in both cases, the treatment and cure were the same: investigation and conciliation. Indeed, in 1948, towards the close of his political career, he could still claim that:

The method by which peace may be preserved between nations are wholly similar to those by which peace is preserved in industry . . . the principles which underlie international peace are precisely those which are the basis of industrial peace.<sup>47</sup>

Finally, there was the problem of national unity. Every Canadian Government has had to face the fact, if only for purposes of party political calculations, that foreign affairs and imperial affairs posed a constant threat to the unity of the country. This was particularly true of the interwar years when Canada was passing through an adolescent phase of national self-consciousness. While important sections of the population continued to hold extreme and wholly incompatible views on Canadian external policy, successive administrations in Ottawa could do little but seek refuge in a policy of non-commitments. The supreme master of this tightrope technique, and the only person to elevate it into a principle, was Mackenzie King. As late as 8 August 1939, one month before Canada entered the war, King could solemnly proclaim:

One thing I will not do and cannot be persuaded to do is to

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<sup>47</sup>"The Quest for Peace", Canadian Liberal (Spring 1948), p. 1.

say what Canada will do in regard to a situation that may arise at some future time and under circumstances of which we now know nothing.<sup>48</sup>

Furthermore, he sought not only to postpone reaching any decision as long as possible, but also to discourage "public controversy as to action in hypothetical contingencies".<sup>49</sup>

On the other hand, it should be noted that, while Canada accepted the American doctrine of "no entangling alliances", she was never committed to the path of neutrality. Indeed, in 1936, King specifically denied that,

in no circumstances would the Canadian people be prepared to share in action against an aggressor; there have been no absolute commitments either for or against participation in war or other forms of force.<sup>50</sup>

That this was so was shown by Canada's prompt, though far from automatic, response when Britain honoured her guarantee to Poland in 1939.

#### The Revival of international institutions

The First World War made Canada a nation in name; the Second made her a nation in fact. The impact was most obvious on the economic and industrial front. But of even greater importance was the transformation brought about in the international outlook of the Canadian Government and people. This change manifested itself in a number of directions.

In the first place, the immensity of their war effort gave Canadians

<sup>48</sup>F. H. Soward, et. al., Canada in World Affairs: The Pre-war Years (Toronto: Oxford University Press, 1941), p. 148.

<sup>49</sup>King, press statement, 17 September 1938, quoted in H.C. Deb., 30 March 1939, p. 2412.

<sup>50</sup>29 September 1936, L.O.N., Official Journal, Special Supplement No. 155, p. 68.

pride and confidence in themselves, something which had been conspicuously lacking in the past. In addition, their success in avoiding an open breach between French- and English-speaking communities on the explosive issue of conscription contributed immeasurably to the strengthening of national unity and to the consciousness of a national war effort.

This growing awareness of the reality of Canadian nationhood was also furthered by the virtual completion of the development of dominion status. Canada's separate declarations of war settled once and for all the vexed legal question which troubled Canadians during the 'thirties: whether they could remain neutral when Britain was at war. Admittedly, a few vestigial links with her previous subordinate status remained to trouble the constitutional purists, but it was a measure of the progress made towards maturity that the majority of Canadians recognized these, not as restrictions upon their freedom of action, but as matters which they were free to settle for themselves at their convenience.

Unfortunately, outside of Canada, there was still a certain tendency to look upon her as an appendage of the British, rather than as a separate national entity. "None of the Great Powers, the United States included," a well-informed Canadian observer commented in 1943, "takes our claims of sovereignty very seriously". That some circles in Britain should take this view was neither surprising nor important, but the persistence of misunderstandings in both Washington and Moscow concerning Canada's position was both perplexing and disturbing.

Admittedly, the Americans were normally only too happy to contribute what they could to the liquidation of the British Empire, but only too often they found it more convenient to deal with Britain alone than with five or six separate governments. Besides, the Commonwealth continued to baffle most Americans. "It is difficult, if not impossible", Leighton McCarthy

confessed in 1943, "for an American to understand the British Commonwealth of Nations."<sup>51</sup> Nevertheless, Canadians were justly rankled when, for example, the State Department used the British Government as the channel of communications with the Canadian Government<sup>52</sup> or American officials acted upon the assumption that Canada was covered by an agreement reached with Churchill. It was situations such as these which led L.B. Pearson to suggest rather facetiously on a number of occasions that it would all be so much simpler if Canada had "arranged a sham battle with the British, had a mock capitulation and signed a peace treaty. Then our present status might be better understood abroad."<sup>53</sup>

The misunderstandings in Moscow were more serious as they led to a mistaken view of the Commonwealth being used as a pretext for important Soviet policy decisions. In particular, the autonomy decrees of 1 February 1944 were specifically designed to confer dominion status on the Soviet republics.<sup>54</sup> The Canadian Government was aware of the confusion which

<sup>51</sup>Canadian Minister, Washington, letter to J. W. Dafoe, 29 March 1943, Dafoe Papers.

<sup>52</sup>Stanley W. Dziuban, United States Military Collaboration with Canada in World War II (Washington: Department of the Army, 1954), p. 147.

<sup>53</sup>8 March 1947, Statements and Speeches No. 47/7, p. 1. As late as 10 November 1945, Truman appears to have looked upon the Dominions as having a status comparable to that of American states. Memoirs by Harry S. Truman (New York: Doubleday, 1955), I, 540.

<sup>54</sup>Infra, p. 430. Soviet officials expended an enormous amount of time and energy on simulating the status of their republics to that of the Dominions. For example, Canadian diplomats in Moscow were quizzed on the precise differences between Canadian and British diplomatic uniforms, as the Soviet Government wished the design of the new Ukrainian uniforms to bear the same relationship to Russia's as Canada's did to Britain's. Canada has no diplomatic uniforms.

Canada's status was occasioning and did what it could to dispel Soviet illusions. One direct result was the early elevation, on 29 February 1944, of the Canadian Legation in Moscow to the status of an embassy.

A concern for Canadian status was, however, no longer an obsession with the Government. Canada was now far more preoccupied with shouldering her new responsibilities than with insisting upon her rights, more conscious of her stature in the world than of her status. She had become, in fact, a middle power with world-wide interests rather than, as in the past, a small power whose vision scarcely extended beyond her own doorstep.

A further indication of Canada's new perspective on the world was the spectacular growth in the Department of External Affairs and in the number of Canadian missions abroad. Prior to the war there had been only six such posts, four of which were subsequently forced to close. Soon after the outbreak of war, however, high commissioners were appointed to the capitals of the other Dominions; in 1941, penetration of Latin America began; and the following year legations were established in the U.S.S.R. and China. At the end of the war, there were twenty Canadian offices abroad and by the end of 1950, forty-six. As a result, the Government was, for the first time, in a position to formulate policies on most major international issues on the basis of information supplied by its own representatives throughout the world.

Canada's widening international interests were also reflected in the despatch of Canadian forces to almost every war front outside China and the Soviet Union. Although the bulk of the Canadian army was committed to Italy and Northwest Europe, smaller units were deployed in the Aleutians, Hong Kong, the British West Indies and North Africa, while air and naval forces were scattered across the globe. In addition, under her Mutual Aid programme, Canada contributed munitions and supplies valued at £2,271

million, mainly to Commonwealth countries but also to France, China and the Soviet Union. Assistance amounting to nearly \$2 billion, the bulk of it in the form of loans, was also provided for postwar relief and reconstruction.<sup>55</sup> Here was concrete evidence, not only of Canada's developing economic strength, but also of her growing political maturity.

This new sense of national responsibility also led to a reassessment of past attitudes towards collective security. The evolution of a fresh policy took place in two stages. The first, culminating in acceptance of the Charter of the United Nations, was initiated by the German seizure of Prague and the assault on Poland, though no real change of heart set in until after the fall of France and especially the attacks on Russia and Pearl Harbour. The second stage, leading up to the signing of the North Atlantic Treaty, was brought on by deadlock in the Security Council, the Czech coup and the Berlin blockade.

Each stage was preceded by significant changes in personnel at Ottawa. Although there has been only one party in power in Ottawa since 1935, and two prime ministers and three secretaries of state for external affairs in office, the element of continuity has not been as great as this might suggest. The year 1941 saw two changes of particular importance, both of which involved sharp breaks with the past. The first was the appointment in March of M.A. Robertson as Under-Secretary of State for External Affairs in succession to the late G.D. Skelton, who had held the post since

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<sup>55</sup>See my "Canada's External Assistance Programme" and "The Canadian Post-war Contribution to International Assistance", International Journal IX (1954), 193-207, 264-74.

1925.<sup>56</sup> Even more important, when Ernest Lapointe, for twenty years federal leader of the Quebec Liberals, died in November 1941, he was replaced by L.S. St. Laurent, a brilliant lawyer who had never before taken an active part in politics. Six years later, he became Secretary of State for External Affairs, while, at the same time, L.B. Pearson took over as his Under-Secretary. Within a year, they were taking the initiative in urging a North Atlantic security pact.

King's personal conversion to collective security appears to have begun during the spring of 1941. Beginning in March, he burst forth in a rash of speeches and statements proclaiming the need for a "new world order".<sup>57</sup> This phrase did not connote anything specific as King had no clear ideas on the future ordering of world affairs until much later. Nevertheless, King was sincerely grappling with the difficult task of reversing his pre-war attitude towards collective resistance to aggression; and not without some success. In August 1941, so eminent a critic and informed an observer as J.W. Daffoe could write:

Mr. King never accepted the League except as an agency for conciliation - any idea that it could or would resort to

<sup>56</sup> According to Bruce Hutchinson, Skelton opposed a Canadian declaration of war in 1939. The Incredible Canadian: A candid portrait of Mackenzie King, his works, his times and his nation (Toronto: Longmans, 1952), pp. 250-1. Another notorious isolationist, Loring Christie, Canadian Minister to Washington, passed away in April 1941. He had been a senior official of the Department almost continuously since the First World War. During 1941, Hume Wrong, L.B. Pearson and H.L. Keenleyside were all moved into key posts.

<sup>57</sup> In particular, his addresses in Toronto on 24 March 1941 and in London on 4 September 1941. See also H.C. Deb., 12 March 1941, p. 1457; 5 April 1941, p. 2198; 28 April 1941, p. 2289; 21 January 1942, p. 4477; 25 February 1942, pp. 833-4. The term "new world order" was not entirely new to King; he had used it in a Remembrance Day broadcast in 1937, as well as twice in late 1940 (ibid., 12 November 1940, p. 57 and CBC broadcast 31 December 1940). What was new was the context within which it was used.

force to prevent aggression and that this imposed obligations upon Canada gave him the chills . . . . But I think he has been thoroughly converted by the course of events.<sup>58</sup>

Although it may be doubted whether King's new faith went very deep at this time or indeed at any time, he had at least renounced isolationism,<sup>59</sup> and this was a long step forward. But before the evolution towards collective security could be complete, two further steps had to be taken: first, acceptance of the need to rely upon force for the preservation of peace and, secondly, approval of Canadian participation in a world security system.

The first clear indication that Canada was prepared to join in the enforcement of peace came only in June 1943; and, significantly enough, it came from St. Laurent, not from King. In an important address which, curiously, has not received the attention it deserves, St. Laurent declared that, this time, peace,

must be guaranteed by a strong international order; selfish isolation must never again be permitted to jeopardize that peace . . . . the only practical way to avoid the dire consequence of having to fight is to be ready to do so: ready in a measure greater than any enemy can marshal against us.

We must accustom ourselves to the view that preparedness for war does not mean war, and that firm international undertakings for mutual aid and protection do not mean any propensity to meddle in affairs with which we have no concern; that they merely mean that we do not intend to ever again be in such a state that predatory powers . . . can reasonably expect their

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<sup>58</sup>Letter to Viscount Cecil, 18 August 1941, Daffoe Papers. For statements by King himself, see H.C. Deb., 12 November 1940, p. 61; press statement 15 November 1941.

<sup>59</sup>Mansion House, London, 4 September 1941; Canadian Club, Ottawa, 17 September 1941; H.C. Deb., 8 September 1939, p. 27; 3 November 1941, p. 4055; 21 January 1942, p. 4477; CBC broadcast 15 February 1942.

might and force to overcome our own and that of the other nations pledged with us to mutual security.

He then added, "In creating and developing and conserving this ideal of strong international order . . . we shall take and perform our share of the resulting obligations".<sup>60</sup>

Mackenzie King himself was far less explicit in his public utterances. There appeared to be two reasons for his reticence. In the first place, he could not quite shake himself loose from his pre-war practice of discouraging discussion of problems of foreign policy. As late as March 1943, at the very time Eden was in Washington for important talks on post-war problems, King declined a request for a statement of the Government's attitude on external affairs on the grounds that,

the more public discussion is diverted to questions about what is going to be the attitude of this country and that country at the peace table and in the postwar period, the less the country will be impressed with the fact that this war itself is not yet won.<sup>61</sup>

Secondly, he did not want to commit Canada until the policies of other countries became a little clearer and, in particular, until she had been assured a voice in the councils of the nations commensurate with her expected contribution to world security. Accordingly, when in July 1943, King did deliver his first important pronouncement on Canadian policy towards postwar international organization, he confined his remarks to a demand for adoption of the principle of functional

<sup>60</sup>Catholic Women's League, Hamilton, 15 June 1943. Claxton was also outspoken. H.C. Deb., 9 July 1943, p. 4602; New York Times (2 September 1943), p. 7.

<sup>61</sup>H.C. Deb., 19 March 1943, p. 1397. Two days later, Churchill outlined his Four-Year Plan. King's attitude was widely criticized. See Round Table No. 131 (June 1943), pp. 277-80; Bruce Hutchison, "Win the Peace Now", Macleans Magazine (15 April 1943), pp. 45-6.

representation.<sup>62</sup>

The Moscow Declaration on General Security of 30 October 1943 had two important consequences in Canada. In the first place, it led Mackenzie King to come out openly in favour of collective security. Not only did he warmly welcome the Declaration at the time, but in January 1944 he finally conceded that it was "indeed true beyond question that the peace of the world depends on preserving on the side of peace a large superiority of power, so that those who wish to disturb the peace can have no chance of success".<sup>63</sup> Secondly, an interdepartmental Post-Hostilities Planning (PHP) Committee<sup>64</sup> was set up. Although its terms of reference encompassed a variety of issues of high policy, it was primarily concerned with formulating Canada's attitude towards international institutions and in particular towards a world security organization. This Committee turned out to be immensely important. Its moving spirits were its Chairman, Hume Wrong, and Escott Reid.<sup>65</sup> The Cabinet took very little interest in general questions of international organization. Even King

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<sup>62</sup>H.C. Deb., 9 July 1943, pp. 4555-61. However, in a Dominion Day speech, King did state that "we are already preparing to take our full share" in "the ordering of the world community for the future, so that there may be peace and justice, freedom and security for all". Ibid., 1 July 1943, p. 4226.

<sup>63</sup>Ibid., 31 January 1944, p. 41. This was only an incidental comment in the midst of an attack on the recently expounded Halifax-Smuts thesis.

<sup>64</sup>Ibid., 25 February 1943, p. 730; 4 August 1944, p. 5932.

<sup>65</sup>Other members of the Committee included Arnold Heeney, Louis Rasminsky, John Deutsch and John Holmes (Secretary). For a tribute to Wrong by King, see ibid., 28 March 1945, p. 300.

contributed little of a positive nature to the development of Canadian policy, though his known views on such questions as the Commonwealth were limits within which his officials had to operate.<sup>66</sup> This absence of strong political direction perhaps explains the rather doctrinaire nature of Canadian ideas.

Prior to the establishment of the PMP Committee, the Government had no firm views, apart from its advocacy of the functional principle, on the future pattern of international institutions. It had, however, long expressed the view that the new world organization should be set up as soon as possible. As early as March 1941 and repeatedly thereafter, Mackenzie King had warned that if the new world order was "not already on its way before the war is over, we may look for it in vain."<sup>67</sup> In July 1943, he declared that, "even before victory is won, the concept of the United Nations will have to be embodied in some form of international organization".<sup>68</sup> Speaking immediately afterwards, Brooke Claxton, King's Parliamentary Assistant, called for "faster progress" in building the "collective instruments" of postwar United Nations action; and, in September, he told

<sup>66</sup> One of King's secretaries has commented: "Upon many matters of external policy he took decisions as all in the day's work; that is, except for the advice and knowledgeability of his principal advisers in the public service, they were decisions based not upon profound personal study of issues, but upon the apparent needs of the moment." James A. Gibson, "Mr. Mackenzie King and Canadian Autonomy, 1921-1946", Canadian Historical Association, Annual Report, 1951, p. 20.

<sup>67</sup> Toronto, 24 March 1941. On 15 February 1942, following the signing of the United Nations Declaration, King stated: "Happily that new world order is already on its way." CBC broadcast. However, it was not until 30 May 1942 that there was any specific mention made of the need for "international political institutions". T.A. Grerar (on behalf of King), letter to Warwick Chipman, League of Nations Society in Canada (May 1942), p. 10.

<sup>68</sup> H.C. Deb., 9 July 1943, p. 4558.

a Washington press conference that the United Nations organization should be set up "now".<sup>69</sup>

Within a few months of its establishment, the PMP Committee had produced a draft outline of a United Nations organization which Mackenzie King took with him to the Meeting of Commonwealth Prime Ministers in London in May 1944. At the conclusion of this conference, King, in company with the other prime ministers, affirmed his support for the establishment of a world security organization "endowed with the necessary power and authority to prevent aggression and violence"; and pledged Canada's determination "to work with all peace-loving peoples in order that tyranny and aggression shall be removed or, if need be, struck down wherever it raises its head".<sup>70</sup>

In August, on the eve of the Dumbarton Oaks Conversations, King repeated his January statement and amplified on it. "We must indeed", he declared,

preserve a large superiority of power on the side of peace . . . from the hour of victory. We must keep it in the first place to disarm our enemies and prevent a revival of barbaric militarism in their countries. We must keep it also not only to meet dangers from other quarters which might arise, but to further constructive solutions of the

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<sup>69</sup>Ibid., p. 4602; 1 September 1943, New York Times (2 September 1943), p. 7. However, only a few days earlier, on 27 August, Claxton said Canada favoured establishing the world security organization "when possible". Violet Anderson, ed., The United Nations: Today and Tomorrow (Toronto: Ryerson, 1943), p. 157. See also H.C. Deb., 4 August 1944, p. 5908; 17 December 1945, p. 3637. On 27 December 1944, L.B. Pearson declared, in connection with the planning of peace: "Thank God that this time we are trying to do this before the guns cease firing". Canadian Club, Winnipeg.

<sup>70</sup>Nicholas Mansergh, Documents and Speeches on British Commonwealth Affairs, 1931-1952 (London: Oxford University Press, 1953), I, 586.

problems which give rise to such dangers.<sup>71</sup>

A week later, he went one step further and stated that:

We have made it clear that Canada will do its full part in carrying out agreed security schemes, whether they involve the creation of an international police force or, alternatively, of measures for seeing that there will always be an overwhelming preponderance of power available to protect the peace.<sup>72</sup>

Mackenzie King also uttered a warning at this time against an excessive preoccupation with power. He agreed that, between the wars, "too many people in too many countries placed too much faith in general promises like those in the Kellogg Pact", but he suggested that,

the reaction in the other direction [could] go too far. If the new world system is conceived in terms of power alone, peace may be kept for a time, but not for long . . . . The concentration on security, and on the need to marshal overwhelming force to meet threats to security, is not enough. Security from war is indeed essential, but real security requires international action and organization in many other fields.<sup>73</sup>

<sup>71</sup>H.C. Deb., 4 August 1944, p. 5908. King later emphasized that force would be kept in the background. "The main function of the police is not to catch criminals, but to make it obvious that crime does not pay." Ibid., 20 March 1945, p. 26.

<sup>72</sup>Ibid., 11 August 1944, p. 6271. In June 1936, in urging that sanctions against Italy should be lifted, King declared: "There is undoubtedly much that is attractive and persuasive in the conception of a world united to prevent by force a breach of the peace by any aggressor . . . . Two conditions are essential to the working of any such plan of universal compulsion. In the first place, there must be an overwhelming preponderance of power, economic and military, in the League as against any possible aggressor or combination of aggressors . . . . In the second place, there must be the certainty that the members of this body will be ready to exercise that force when the occasion arises, regardless of where it arises or whether they have any direct interest in the quarrel." Ibid., 18 June 1936, p. 3871. These remarks were not a defence of collective security, but an exposure of its impracticability.

<sup>73</sup>Ibid., 4 August 1944, p. 5909.

Indeed, in March 1945, he even dared to hope that the non-military activities of international organizations might be their principal concern.

If the defeat of our enemies [he said] brings about a securer world, we may hope that considerations of security will gradually recede into the background . . . . We should [then] come to think and act, less and less, in terms of force, and, more and more, in terms of forces - the forces that create or destroy international amity and goodwill.<sup>74</sup>

This concern for the creation of "positive conditions of peace" largely explains Canada's intense interest in the establishment of the Economic and Social Council.<sup>75</sup> In fact, the Canadian Delegation to the San Francisco Conference arrived with a complete redraft of the chapter of the Dumbarton Oaks Proposals dealing with international economic and social cooperation, much of which was eventually incorporated into the UN Charter.<sup>76</sup> The importance which Canada attached to this side of the work of the United Nations was further underlined by L.B. St. Laurent before the General Assembly in January 1946. "It is in a large measure to the Economic and Social Council", he said, "that we in Canada look to foster those conditions of well-ordered prosperity which will eliminate some of the most dangerous causes of war".<sup>77</sup>

<sup>74</sup>Ibid., 20 March 1945, pp. 26-7. But see Statements and Speeches No. 47/10, p. 2, 17 May 1947.

<sup>75</sup>"It is not enough to take measure to check aggression if at the same time we do not take steps to create the positive conditions of peace." Claxton, 25 May 1946, E.S.C.O.R. (II), p. 13.

<sup>76</sup>Report on the San Francisco Conference, p. 42; H.C. Deb., 16 October 1945, pp. 1200-1, 1207.

<sup>77</sup>18 January 1946, G.A.O.R. (I/1), Plenary Meetings, p. 202. See also Martin, Canadian Institute of Public Affairs, Lake Couchiching, 19 August 1945 and 91st ECOSOC meeting, 23 July 1947; H.C. Deb., 26 June 1947, p. 4684.

Similarly, the Canadian Government early recognized the implications for world peace of the activities of the specialized agencies. "You can have all the U-N-O's you like", James G. Gardiner declared in February 1946, in stressing the importance of FAO, "but people who could not get food would fight for it."<sup>78</sup> L.B. Pearson said much the same thing. "There can be no enduring peace in a world where men are half-fed, half-starved, just as there can be no peace in a nation, half-slave, half-free."<sup>79</sup> In a reference to the Bretton Woods organizations, King stated: "I am convinced the collaboration among nations in the economic and financial field is a vital part of any effective system of international security."<sup>80</sup> Prior to the opening of talks on the establishment of an International Trade Organization, James Mackinnon felt: "There could be no stronger assurance of peace than to have the conference achieve its objectives of lower tariffs, elimination of restrictive trade practices and the establishment of economic cooperation as the key to world prosperity."<sup>81</sup>

In the Canadian view, the greatest health problem facing WHO was "to find out why it is that the human race has attempted so seriously to

<sup>78</sup> Minister of Agriculture, Canadian Information Service Weekly (1 March 1946), p. 5. Earlier, on 16 October 1945, Gardiner had stated, in a CBC broadcast, that if FAO "succeeds over the years in banishing hunger from the earth, it will have taken the first long and necessary step towards the establishment of eternal peace". See also King, H.C. Deb., 14 June 1943, p. 3591.

<sup>79</sup> CBC broadcast, 20 June 1946; also UNRRA, 4th Session of Council, Journal, p. 57, 20 March 1946.

<sup>80</sup> H.C. Deb., 28 March 1945, p. 309; also 6 December 1945, p. 3040.

<sup>81</sup> Minister of Trade and Commerce, Canadian Information Service Weekly (12 April 1946).

wipe itself out" and to attempt to do something about it. Unless people were helped to acquire "the ability to live harmoniously in a changing total environment", the Government feared that man would follow "the dinosaur into oblivion". "The fact is", Brook Chisholm told the International Health Conference in July 1946,

that, in a new kind of world, we must have a new kind of people. The kind of people who could survive even ten years ago can no longer survive. We must face certain facts. We have been, throughout all our generations - and we still are - the kind of people who fight wars every fifteen or twenty years . . . . Back through all recorded history, the human race has indulged in that dangerous game. Until recently, it was not important in terms of survival of the race, but now it is important. I would suggest to you that the basic problem of health is survival.<sup>82</sup>

In the case of international civil aviation, Canada early became convinced that, without effective international control, there could be little hope of enduring peace. In April 1943, in the first official statement of government air policy, Mackenzie King stressed Canada's "overriding interest in the establishment of an international order which will prevent the outbreak of another world war".<sup>83</sup> Every subsequent pronouncement sounded the same note.<sup>84</sup>

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<sup>82</sup>12 July 1946, UN doc. E/H/FV/8, pp. 11-3.

<sup>83</sup>H. C. Deb., 2 April 1943, p. 1778.

<sup>84</sup>E.g., ibid., 17 March 1944, pp. 1577, 1578, 1580; 6 November 1945, pp. 1869, 1872; Proceedings of International Civil Aviation Conference (Washington: Government Printing Office, 1948), I, 73-4. The Canadian draft international air transport convention specified: "The Authority shall plan and foster the organization of international air services so as (a) to avert the possibility of the misuse of civil aviation creating a threat to the security of nations and to make the most effective contribution to the establishment of a permanent system of general security". H. C. Deb., 17 March 1944, p. 1582. The contrast with the attitude of the Canadian Delegation in Paris in 1919 is striking. In April of that year, A.L. Sifton described the proposed convention for an international air navigation commission as "probably the worst example of internationalism gone wild . . . . It is absolutely unnecessary as far as peace is concerned." Glazebrook, Canada at the Paris Peace Conference, p. 102.

There were a number of reasons for Canadian preoccupation with the security aspects of air transport. In the first place, failure to collaborate in the air would mean a relapse into the anarchy of the inter-war years. It would mean a return to an era of unrestricted and uneconomic competition between national airlines, supported by subsidies and backed by all the political pressure their governments could muster. This would, as in the past, inevitably generate endless friction and embitter international relations. As one Canadian official confessed at the time:

"There must be international control or there will be chaos." The military aspect of international aviation was even more important, and was undoubtedly the primary obstacle to international agreement in the 'thirties. "Civil air transport fleets, and civil aircraft industries", C.D. Howe pointed out, "represent a war potential, a reserve of both personnel and of industrial capacity which is all-important in time of war."<sup>85</sup> Furthermore, the establishment of commercial air routes was often of immense strategic significance, even if not accompanied by infiltration tactics such as characterized German activities in Latin America before the war. In view of the Japanese seizure of certain Aleutian islands and the construction of the Northwest Staging Route to Alaska, Ottawa was acutely conscious of the implications for Canadian security of the North Pacific air route. The same was true, though to a lesser extent, of the Crimson Route northeast across the Atlantic to Europe.

Canada's concern for the security aspects of the work of the specialized agencies helps explain her prominent part in bringing about their establishment. Indeed, only the United States and Britain contributed

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<sup>85</sup>Ibid., p. 1578; also 6 November 1945, p. 1869.

more. The Government was particularly interested in the international economic organizations and in ICAO.

On the national level, discussions on international economic policy began as early as 1941<sup>86</sup> in the Canadian section of the Joint Economic Committees, Canada and the United States set up in June.<sup>87</sup> Later, an interdepartmental committee was formed to consider international monetary problems.<sup>88</sup> One of the most significant results of its work was the "Tentative Draft Proposals of Canadian Experts for an International Exchange Union", dated 9 June 1943. This went a good way towards bridging the gap between the Keynes and American plans and helped substantially in bringing about eventual Anglo-American agreement. At every stage in the long negotiations leading up to Bretton Woods, Canada was in close touch with other countries, particularly Commonwealth countries and the United States, through diplomatic channels, periodical visits by experts and informal conversations.

<sup>86</sup>The Speech from the Throne read at the opening of Parliament on 16 May 1940 bravely asserted that "my Ministers are of the opinion that . . . it is desirable, as far as may be possible, to plan for the days that will follow the cessation of hostilities". H.C. Deb., 16 May 1940, p. 6.

<sup>87</sup>A report on a joint session, held in Montreal on 8-10 November 1941, states: "The bulk of the session, however, was devoted to a study of the major question of economic collaboration in the postwar period. In postwar studies of the Committees, attention was given not only to the nature of the problem, but also the development of effective international machinery for their solution. The interrelation of the Canadian and United States economies in the postwar period were reviewed both by themselves and in the light of the likely and desirable framework of world trade and exchange organization."

<sup>88</sup>H.C. Deb., 23 March 1944, p. 1743. The following officials made up the committee: W.C. Clark, W.A. Mackintosh, N.A. Robertson, G.F. Towers, Louis Rasminsky, John Deutsch, R.B. Bryce.

As a major agricultural nation, Canada was naturally intensely interested in FAO. The Canadian attitude towards its establishment was formulated in the first place in the Food Requirements Committee, originally formed in October 1942.<sup>89</sup> The actual drafting of a constitution was the task of the Interim Commission on Food and Agriculture set up by the Hot Springs Conference in May 1943. L.B. Pearson was Chairman both of this Commission and of the First FAO Conference which met in Quebec City in October 1945.

In no field was Canada more active than in that of civil aviation. On 22 May 1942, the War Committee of the Cabinet set up an Interdepartmental Committee on Air Transport Policy, which was subsequently reconstituted on 23 June 1943 as the Interdepartmental Committee on International Civil Aviation.<sup>90</sup> This was the body which drew up the Draft International Air Transport Convention approved by the War Committee in January 1944 and published in March. This scheme was not only the first in the field but, in a slightly revised form, served as the basis of discussion at the International Civil Aviation Conference in Chicago in November 1944.

The wartime reversal in Canada's attitude towards participation in world affairs in general and the acceptance of obligations to enforce the peace in particular was truly remarkable; but the conversion was never

<sup>89</sup>Orders in Council P.C. 9692, 22 October 1942 and P.C. 4892, 4 July 1944; H.C. Deb., 8 February 1943, p. 200.

<sup>90</sup>Ibid., 2 April 1943, pp. 1777-8; Wartime Information Board, "Postwar Planning in Canada", Reference Paper No.12 (30 July 1943), p. 7. The members of the Committee were C.P. Edwards, N.A. Robertson, W.C. Clark, H.J. Symington, J.A. Wilson, Escott Reid, W.F. Hanna, G. Herring, F.S. Bawden, J.R. Baldwin (Secretary).

quite complete at least as long as Mackenzie King remained at the helm. Unlike the United States, Canada was not thrust into a position of world leadership. Her new responsibilities were not forced upon her. They were accepted by her; and, in the process of accepting them, there were some Canadians, including King himself, who became a little restive at the risks they were running. As a result, a certain nostalgic desire to bury one's head in the drifting sand of "no commitments" still lingered on. This was part of the reason for Canada's rejection of the provision in the Dumbarton Oaks Proposals governing the employment of the armed forces of UN Members. She insisted that she should be assured either a voice in decisions concerning the use of her troops or a veto.<sup>91</sup>

A further instance was the withdrawal of all Canadian forces from Europe within a year of the end of the war.<sup>92</sup> This action was severely criticized by Vincent Massey, who had been the Canadian High Commissioner in London at the time.

We have long been frightened [he wrote] of the spectre of "commitments" . . . . "Status" and "Stature" are both meaningless things without the responsibility that should go with them. It would seem that we have not quite learned this lesson, and a case in point is the withdrawal of our forces from Germany in 1946 . . . . Our moral position in Europe is strong . . . . It would be stronger today if, like other small countries, we had continued to play, even a modest part in contributing to the forces which at present are maintaining order and security in Germany . . . . Our withdrawal at so early a date did nothing to enhance our prestige or give evidence of our readiness to assume responsibilities in peace as we had so willingly done in war.<sup>93</sup>

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<sup>91</sup>Infra pp. 368-70.

<sup>92</sup>Infra pp. 481-2.

<sup>93</sup>On Being Canadian (Toronto: Dent, 1948), pp. 87-8.

There has also been a noticeable reluctance, at times, to accept membership on international commissions dealing with difficult political problems. Thus, Canada avoided membership on the UN Commission on Korea (1948) and the UN Peace Observation Commission (1950), and Mackenzie King personally opposed Canadian association with the UN Special Committee on Palestine (1947).<sup>94</sup> But the clearest illustration of his fear of becoming too deeply involved in world affairs is provided by the history of Canada's relationship with the UN Temporary Commission on Korea.<sup>95</sup> UNTCK was set up in 1947 and, on American insistence, Canada was named a member. King was not consulted on the matter as he was in London at the time. When he learned what had happened, he was furious as he looked upon Korea as one of the most critical areas in the world.<sup>96</sup> He therefore demanded that Canada retire immediately and even despatched Pearson to Washington to

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<sup>94</sup>Blair Fraser, "Backstage at Ottawa", Maclean's Magazine (15 September 1950). In 1954, Canada also hesitated before agreeing to participate in the three supervisory commissions in Indo-China.

<sup>95</sup>Accounts of this affair are given by Hutchison, The Incredible Canadian, pp. 432-4 and Fraser, "Backstage at Ottawa", Maclean's Magazine (15 September 1950 and 15 September 1954). Pearson asked rhetorically in an address to the Canadian Institute of International Affairs in Vancouver on 21 June 1948, "Weren't we pretty timid about accepting obligations on the UN Korean Commission?"

<sup>96</sup>Hutchison states that King was told this by both Truman and Bevin. The Incredible Canadian, p. 433. Fraser appears to be mistaken in attributing the source of King's information to Roosevelt. "Backstage at Ottawa", Maclean's Magazine (15 September 1954). Roosevelt's spirit did warn King of the likelihood of war in the Far East in 1950, but this warning was not given until October 1948. See Blair Fraser, "The Secret Life of Mackenzie King, Spiritualist", Maclean's Magazine (15 December 1951), p. 9; Geraldine Cummins, Unseen Adventures: An Autobiography covering Thirty-four years of Work in Psychical Research (London: Rider, 1951), p. 179. Miss Cummins was King's medium on this occasion.

arrange with Truman for the withdrawal. Truman refused. More important, so did L.S. St. Laurent, J.L. Hilsley and other members of the Cabinet who threatened to resign if Canada backed out. In the end, a compromise was reached: Canada was to remain a member of UNTCK but would play only a minor part in its work. Actually, during the early months of the Commission's existence, Canada gave every appearance of searching desperately for a legal pretext to withdraw. At one point, due to a misunderstanding concerning what was being proposed, the Canadian member objected to the procedure being adopted for the observation of elections in South Korea and, when he was overruled, he refused to participate in further meetings pending fresh instructions.<sup>97</sup> Once the Government realized the error, it quickly authorized its representative to resume active membership on the Commission.<sup>98</sup> Thereafter, Canada ceased to disrupt the work of the Commission, and even cooperated loyally with the other members until its mandate expired in the autumn of 1948. The Commission was then reconstituted on a permanent basis with the same membership, except for the Ukraine, which had boycotted UNTCK from the first, and Canada, which gallantly withdrew in order to save the Commission the inconvenience of

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<sup>97</sup> 12 March 1948, UN doc. A/575, I, 27-30. A few days earlier, George S. Paterson, the Canadian member of the Commission, had warned that he would be compelled to take this action if the Canadian view were not upheld. Later, in the meeting, he withdrew briefly for personal reasons. This was incorrectly interpreted by a newspaperman present as a Canadian walkout. As St. Laurent explained: "There were no instructions to walk out and to refuse to attend any other meeting . . . . The advice [given him] was to say that he could not further participate until he had obtained further instructions". H.C. Deb., 10 March 1948, p. 2076; 12 March 1948, p. 2148.

<sup>98</sup> Ibid., 22 March 1948, p. 2453. Patterson was inactive from the 22nd to the 28th meetings of the Commission.

having an even number of members.<sup>99</sup> However, in the end, Canada was no more able to wash her hands of responsibility for events in Korea than she had been for events in eastern Europe before the war. In fact, within two years, Canadian troops were fighting in Korea.

The UNKICK affair was significant in another way. St. Laurent's firm refusal to countenance Canada's immediate withdrawal from the Commission marked the effective end of King's control of Canada's external affairs.<sup>100</sup> Henceforth, they were to be in the hands of St. Laurent and Pearson. This team had first come together in September 1946 when the former became Secretary of State for External Affairs and the latter Under-Secretary. Until then, King had jealously retained the External Affairs portfolio very firmly in his own hands. Even after he had been induced to give it up, he continued to guide Canadian external relations - until the show-down over Korea. The transfer of power was completed in the autumn of 1948 when St. Laurent became Prime Minister and Pearson succeeded him as Secretary of State for External Affairs. This remarkable partnership has continued ever since and has left its mark on Canadian policy. This is the team that crusaded for the Atlantic Pact, supported collective security on the distant shores of the wide Pacific and put its seal on the new relationship being forged within the Commonwealth.

All this was in the sharpest possible contrast with Canada's pre-war conduct. Indeed, a few aberrations apart, her record for responsible participation in world affairs has been notable. She has rarely shown

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<sup>99</sup>G.A.O.R. (III/I), 1st Committee, p. 1026; Canada and the United Nations, 1948, p. 228.

<sup>100</sup>Hutchison, The Incredible Canadian, pp. 432, 434.

bold leadership - that is an Australian, not a Canadian characteristic - but she has frequently played a significant and constructive role both within NATO and within the United Nations. Her close identification with the United States and Western Europe combined with her reputation for moderation and conciliation led to her selection as the Western representative on the Korean Ceasefire Group in 1950 and on the three Supervisory Commissions in Indo-China in 1954.

The contrast between Canada's international outlook before and since the War can be accounted for by the very different circumstances in which she found herself during these two periods. In the first place, the war had led her to the inescapable conclusion that isolationism was a snare and a delusion and collective security the price of survival. International goodwill, and the force of world public opinion were not enough to prevent aggression. Nor was collective security any longer the one-way affair that it was once thought to have been. In the age of the long-range jet bomber and nuclear missiles, who would dare to suggest that Canada was "a fireproof house far from inflammable materials"? Indeed, her immense wealth made her a prize greatly to be sought after.

Furthermore, on balance, national unity had been greatly strengthened by the war. There was much greater appreciation among both French- and English-speaking Canadians of how much they had in common and where Canada's true interests lay. Agreement on foreign policy was also made easier by the fact that the fresh threat of world domination came from militant communism. Finally, the revolutionary change in American opinion was of profound significance. Instead of being behind Canadian opinion, it was in important respects ahead of it. This meant that there was no longer the same danger of a fundamental divergence in policy between

London and Washington.<sup>101</sup>

In the interwar period, Canada was primarily concerned to assert and defend her national status, and to only a limited extent interested in the effective working of international institutions as such. During and since the war, she has come to attach far greater importance to such questions. As a result, she has been much more anxious to ensure that they were organized along proper lines and that adequate provision was made for her to contribute to their effective operation. Her efforts to achieve these ends and the degree of success which attended them are the themes of the chapters which follow.

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<sup>101</sup>"When in specific cases this result is not achieved," Pearson pointed out in an address to the Canadian Institute of International Affairs in Vancouver on 21 June 1948, ". . . then all the old Canadian fears come to the surface. The Palestine issue is a good case in point. The more bitter the dispute between the U.S. and the British points of view on this issue -- and it once became bitter -- the more cautious Canada became in supporting one side or the other; or in actively participating in UN committees or agencies set up to deal with the question. At the same time we worked hard, but well behind the scenes, to reconcile the U.S. and British points of view. The whole episode is revealing. It shows that the earlier postulates of policy still -- almost unconsciously -- apply, though not possibly with the same force as Canada grows in confidence and strength. It shows that we almost automatically stop playing the triangle in the international symphony when the British and American instruments are out of harmony." He then added: "Personally, I would have liked, in this Palestine issue, to have taken a strong independent stand, for what we thought was the proper and right solution and to have dismissed the British and Americans with 'a plague on both your houses, on votes in New York and oil in Arabia'. But then irresponsible civil servants can always afford the luxury of these courageous fancies."

PART I

UNIVERSALISM, REGIONALISM AND FUNCTIONALISM

## CHAPTER II

### UNIVERSALISM, REGIONALISM AND FUNCTIONALISM

#### Universalism versus Regionalism

The Canadian Government has exhibited a marked preference for the organization of international society on a global rather than on a regional or sectional basis. As far as Mackenzie King personally was concerned, the principal appeal of the universal approach was negative; it offered the most convenient and convincing answer to the partisans within Canada and elsewhere of an organized Commonwealth bloc in world affairs. But the main arguments used to justify Canada's stand were: first, that her interests were world-wide and could best be furthered in a world organization; secondly, that the major international problems were global in scope and could be dealt with effectively only within an institutional framework which was equally comprehensive; and, finally, that the existence of regional organizations might lead to inter-regional disharmony and even conflict. It may be noted in passing that any organization with a restricted membership is regarded here as a regional organization, regardless of whether the restriction is based on geographical location, a common interest in a particular area or political considerations. A universal organization, on the other hand, is one which operates on a world scale or, at least, has a membership which includes most, if not all, the states in the world.

In the period between the wars, the Canadian Government was a firm

believer in a general approach to international organization, except in the case of sanctions. To the extent that Canada supported provisions for sanctions at all, she considered they should be organized on a regional basis, particularly in Europe.<sup>1</sup> With the coming of the war and her conversion to collective security, she dropped her reservation on this point, and became a convinced advocate of a global approach to international security too. As her own security was intimately bound up with the security of all countries everywhere and not merely with the countries of a particular region, she had a direct interest in the establishment of a world security organization. Besides, the best hope of preserving a preponderance of power in the hands of peaceloving states was to organize security on as wide a basis as possible.<sup>2</sup> As L.S. St. Laurent pointed out, "regionalism of any kind would not provide the answer to problems of world security".<sup>3</sup>

In the economic and social field, Canada had long been convinced of the interdependence of all countries. The war merely strengthened her determination to press for world solutions to world problems. In the Canadian view, none of the really important economic problems facing the postwar world<sup>4</sup> -- tariff reductions and trade expansion, international credit and investment, exchange stability and convertibility, coordination of national employment policies, stability of primary product prices, even the recon-

<sup>1</sup>Supra, pp. 15-16.

<sup>2</sup>H.C. Deb., 9 July 1943, pp. 4601, 4602; 12 July 1943, p. 4649; 31 January 1944, pp. 41-2.

<sup>3</sup>13 January 1947, Statements and Speeches No. 47/2, p. 8.

<sup>4</sup>See St. Laurent's statement at Bretton Woods, 20 July 1944. Proceedings and Documents of United Nations Monetary and Financial Conference (Washington: Government Printing Office, 1948), I, 1195; also II, 1576.

struction of devastated areas -- was essentially regional in character or, to any significant extent, susceptible to regional treatment. The same could be said of most health and educational problems.<sup>5</sup>

Furthermore, the war had greatly increased Canadian vulnerability to world economic forces. As a major trading nation even before the war, Canada had been keenly sensitive to economic conditions in all parts of the world and, as a result, inevitably attracted to universal institutions. The dramatic increase in her export capacity as a result of the war, coupled with the prospect of economic and financial dislocation in her traditional markets gave her a special incentive to adopt a broad international outlook. She became even more concerned with world economic conditions as a whole and less concerned with the welfare of particular regions, whether Europe, the Far East, Latin America or the Commonwealth.

The final Canadian objection to regional organizations, and perhaps the most important, reflected a fear that they might develop into rival blocs committed to exclusively regional aims.<sup>6</sup> This was the ground on which Canada rejected "power politics" and "old-fashioned military alliances". In her view, peace could not be preserved by a balance of competing

<sup>5</sup>Alexander Loveday takes a contrary view. "Only a restricted number of the economic and social problems that arise", he writes, "require to be discussed on a world or a wide international basis. The great majority of problems are regional or can best be discussed among a limited number of countries". "Suggestions for the Reform of the United Nations Economic and Social Machinery", International Organization, VII (1953), 333.

<sup>6</sup>"It [the UN] can, if used, prevent the world breaking into competing blocs and groups and regions. That is all to the good, because international cooperation to be fully effective must be on a universal scale." Pearson, CBC broadcast, 1 July 1945. See also, H.C. Deb., 31 January 1944, pp. 41-2; 17 March 1944, pp. 1579-80; 4 August 1944, pp. 5910-1; 23 March 1945, p. 159; King, address to the Members of Both Houses of the Parliament of the United Kingdom, 11 May 1944; Pearson, Canadian Club, Toronto, 13 March 1944, and English-Speaking Union, Princeton, N.J., 14 May 1946.

power blocs, but only by enlisting the cooperation of all states within a world security organization. In this respect, a Commonwealth bloc was no more acceptable than any other regional grouping.

There was a similar anxiety, in the non-political sphere, to avoid conflict between narrowly conceived regional interests. As one Canadian spokesman said in 1947, Canada was "concerned lest in the future regionalism and regional autarchy [should] play the dangerous role which nationalism and national autarchy have played in recent years".<sup>7</sup> Not only would this not serve the immediate interests of the countries concerned, but even more important it could imperil peace and security.<sup>8</sup> Consequently, the Government fully subscribed to the view expressed by David Mitrany that:

There is little promise of peace in the mere change from the rivalry of Powers and alliances to the rivalry of whole continents, tightly organized and capable of achieving a high degree of, if not actual, self-sufficiency. Continental unions would have a more real chance than individual states to practice the autarchy that makes for division.<sup>9</sup>

On the other hand, it has been argued that regionalism facilitates rather than hinders the eventual evolution of universal solutions to problems in fields in which this is till an unattainable ideal. Thus, at the 1952 Annual Meeting of the International Monetary Fund, Pierre Mendès-

<sup>7</sup>Martin, 1 August 1947, 103rd ECOSOC meeting. Also B.S.C.O.R. (VII), p. 125.

<sup>8</sup>As early as June 1943, Canadian financial experts warned that, if international credit were not provided on a multilateral basis, bilateral deals would result. "It is difficult to imagine a more fruitful source of international dissension than a competitive trade and credit extension programme of this character." "Tentative Draft Proposals of Canadian Experts for an International Exchange Union", 9 June 1943, p. 7.

<sup>9</sup>A Working Peace System: An Argument for the Functional Development of International Organization (London: Royal Institute of International Affairs, 1943), p. 12.

France, in supporting the extension of regional arrangements such as the European Payments Union, declared: "We are convinced that any advancement towards regional multilateralism . . . is a useful step towards general convertibility." To this, Douglas Abbott, the Governor for Canada, replied:

I myself question whether a further extension of the system of regional arrangements is the way to achieve multilateral trade and general convertibility when such arrangements are dependent for their existence on discriminatory arrangements. The real payments problems, of course, are not regional in character. They are world-wide. Each country has to get into equilibrium with the rest of the world and it cannot achieve that end by purely regional arrangements. For that reason, my own personal feeling is that the attitude of the Fund towards these regional arrangements and extension of these regional arrangements should be an exceedingly cautious one.<sup>10</sup>

Canada's intimate relationship with both the United States and the Commonwealth made her especially aware of the dangers implicit in regional economic or political arrangements. Ottawa has always dreaded the prospect of a serious Anglo-American breach which forced Canada to side with one country against the other. Any form of organization, therefore, which brought the United States and Britain together, rather than dividing them, was warmly welcomed. As L. B. Pearson pointed out in 1944, one advantage to Canada of a world organization was that it would prevent the Commonwealth from "developing in a narrow and exclusive way which, among other things, might conceivably bring into conflict Canada's American and British interests".<sup>11</sup>

The Canadian Government played an active part in checking incipient regional tendencies and fostering the establishment of universal international institutions. This was particularly true in the economic sphere. The campaign got underway with the coining of the slogan, "prosperity, like security,

<sup>10</sup> 9 September 1952, IMF, Summary Proceedings of the Seventh Annual Meeting of the Board of Governors, pp. 104, 121.

<sup>11</sup> Canadian Club, Toronto, 13 March 1944.

is indivisible". This adaptation of Litvinov's famous dictum was first proclaimed by Mackenzie King in 1943.<sup>12</sup> Thereafter, it was echoed by him and other Canadian spokesmen on numerous occasions.

This emphasis on universalism did not mean that Canada was unalterably opposed to regionalism in all possible circumstances. She readily admitted that certain regional problems did exist and that some of these could appropriately be handled by regional organizations. But she did insist that the aims and activities of any regional organizations that were established should be fully consistent with the general interests of the world as a whole, particularly as reflected in the United Nations Charter. This meant that they should eschew any tendency towards exclusiveness. "The world today", Pearson warned in 1944, "is too small for exclusive groups, especially big ones."<sup>13</sup> Regional bodies should, in general, operate within a wider framework in order that the interests of all nations might be fully taken into account. The possibility was admitted that there might be valid geographical or political reasons for limiting membership in regional organizations to particular states; but it was considered that, in such circumstances, even greater care would have to be taken to ensure that a bloc did not emerge which sought to advance its own ends at the expense of other states.<sup>14</sup> In short, regional

<sup>12</sup> 22 June 1943, Canadian-Soviet Friendship Rally, Toronto. "We shall have found the key to a new postwar order when the nations of the world come to base their policies on the truth that prosperity, like security, is indivisible; that no nation liveth unto itself; that we are members one of another. This is the only basis of a sound foreign policy."

<sup>13</sup> Canadian Club, Toronto, 13 March 1944. The term "exclusive" was used particularly in connection with the Commonwealth. *Infra*, pp. 63-64.

<sup>14</sup> "Associations' which seem to be restricted to certain nations, even if they speak the same language, may well be open to doubt unless they can be justified on a regional and geographical basis, or on special political and historical grounds such as those which link the states of the British Commonwealth." Pearson, *English-Speaking Union*, Princeton, N.J., 14 May 1946. It is difficult to know what organization Pearson could possibly have had in mind here.

organizations were to be judged primarily from a world standpoint, rather than from any narrow regional point of view.

However, regional decentralization was not the only alternative to a single unitary world authority. The advantages of universalism could still be retained and yet the dangers of excessive centralization avoided by organizing international activities on a functional basis.

### Functionalism

Canada coupled her support for the organization of international activities on a global basis with a firm belief in a functional approach; that is, the establishment of separate organs or organizations to deal with each specific problem or group of related problems. Thus, instead of one all-embracing world organization bearing the whole burden of international business, there would be a number of international bodies each specializing in a particular field.

The functional principle of organization has found wide expression among the councils, commissions and specialized agencies of the United Nations and the autonomous organizations outside it. But functional organizations are no new phenomena; they have had a comparatively long history and, on the whole, a commendable record of achievement. In their modern form, they began with the international administrative unions of the pre-1914 era. There was also considerable functional development during the interwar period, most notably in the case of the International Labour Organization, but also with the establishment of expert and advisory committees under the League or affiliated to it. The extensive use of joint and combined bodies during the Second World War gave functionalism a further boost.

The Canadian case for functional organizations rested on three main

arguments: the need to give greater emphasis than in the past to international economic and social cooperation, the advantages of specialization, and the adaptability of the functional approach to the existing political situation. These arguments closely paralleled those put forward in June 1943 by David Mitrany in his Working Peace System: An Argument for the Functional Development of International Organization. In fact, this pamphlet appears to have had a profound influence on Canadian thinking and particularly on L.B. Pearson, the leading Canadian exponent of functionalism.

As we have seen, Canadian support for the non-political work of the League of Nations increased steadily throughout the interwar period. The war carried Canadian interest much further. The Government was particularly anxious that, in planning the postwar world, the economic consequences of the peace should be examined more carefully than in 1919. "In the last peace settlement", Mackenzie King declared in late 1944, "too little attention was paid to the necessity of the nations working together to achieve prosperity."<sup>15</sup> L.B. Pearson was even more insistent that the emphasis in future should be on welfare rather than on abstract rights.

We may get further [he suggested] in this "welfare" approach to international organization than ever we did along the road of glittering political abstractions. It has been sneeringly referred to by some as the doctrine of the "pint of milk a day for every Hottentot". Well, a pint of milk a day for everyone may in the long run prove a greater help to international co-operation and provide a surer basis for international organization than thunderous declarations about the rights of

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<sup>15</sup>[December 1944], King, "What Do the Liberals Stand For?", Maclean's Magazine (1 February 1945), p. 11.

man.<sup>16</sup>

This approach was fully in accord with the temper of the times which found the peoples of the world, at least in the West, more concerned with social action than constitutional rights. It was an aspect of the widespread insistence on a more positive role by governments in economic affairs. It was, in fact, a demand for a welfare state at the international level.

But there was more to the Canadian argument than this. Welfare was not just an end in itself; it had important implications for world peace. Mindful of the way in which aggressive elements in the Axis countries had succeeded in exploiting the economic distress of the 1930s for their own purposes, the Canadian Government was determined that more should be done in future to remove the underlying causes of international friction and thus prevent threats to the peace reaching a stage when it became necessary to suppress them.<sup>17</sup> In the Canadian view, the best way to give adequate stress to international economic and social cooperation was to establish separate functional organs for the purpose.

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<sup>16</sup>"Canada and the Postwar World", Canadian Affairs (1 April 1944), pp. 12-3. In his closing remarks on 1 November 1945, as Chairman of the First FAO Conference, Pearson commented: "This [functional] approach to international progress and understanding . . . is, of course, essentially a non-political and non-diplomatic approach to the solution of international problems. But it is the best approach because it is concerned with the welfare of the individual, not the pride and prejudice of the nation . . . . No Hollywood producer of historical romances will ever be able to make much out of the meetings of the committees on statistics or agricultural production. But millions of workers may some day live better lives because of these meetings. That is an objective more desirable to achieve, I suggest, than the altering of a boundary or the policing of an election." FAO, Proceedings of the First Session of the Conference, pp. 182-183.

<sup>17</sup>Supra, pp. 33-37.

In any event, it was clear that, with the growing volume of international business, some decentralization of responsibility was inevitable. Before the war, international activities were, broadly speaking and with the notable exception of the ILO, centralized in the League of Nations. This was satisfactory as long as the scope of League activities was comparatively limited. But, as the burden on the Council and the Assembly increased, it became necessary to consider establishing additional machinery. Hence, the Bruce Committee proposal of August 1939 for a Central Committee for Economic and Social questions.

League experience suggested two further arguments in support of a functional development of international organization. In the first place, members of the Assembly and the Council, not only did not have the time, but rarely had the knowledge, much less the inclination, to devote sufficient attention to the whole range of problems which came before them. As a result, many questions, mainly of a technical nature, were either not settled at all or dealt with by persons who were neither interested in the issues involved nor fully competent to take decisions upon them.

Furthermore, as the League Council was essentially a political body, it was inevitable that political considerations should all too frequently have intruded into its discussions of economic and social questions. This was a danger hinted at by the Bruce Committee and very much in the minds of the Canadian Government when planning postwar international institutions. In fact, one of the greatest attractions of the functional approach was that it appeared to offer a real prospect of non-political questions being taken out of politics. At San Francisco, the Canadian Delegation declared that the establishment of a separate council to deal with economic and social problems represented "a great advance" over the League of Nations in that it "avoided

their subordination to political issues".<sup>18</sup> Similar hopes were placed in the semi-autonomous specialized agencies, and for a time it seemed as if these might have been justified. At the conclusion of the First FAO Conference in November 1945, its Chairman, L.B. Pearson, congratulated the delegates on the way in which they had eschewed politics. "It may be", he added,

that once or twice in our deliberations considerations of international politics and national prestige have raised their embarrassing heads. But this happened on refreshingly few occasions and when it happened we put these complicating and irrelevant issues in their place as quickly as possible.<sup>19</sup>

Unfortunately, this early optimism did not last. One by one, each of the councils and agencies succumbed to the corrupting influence of politics. "If it was ever the hope of those who framed the United Nations Charter", a Department of External Affairs report stated in 1949,

that, by establishing a separate and independent [Economic and Social] Council to deal with international economic and social questions, they would be able to insulate the discussion of such matters from the political tensions and schisms of the times, those hopes have now been proven to be illusory.<sup>20</sup>

The striking contrast between the idealism which inspired the creation of UNRRA in 1943 and the conflict and recrimination which accompanied its collapse in 1947 was particularly disillusioning.<sup>21</sup>

The final advantage claimed by Canada for the functional approach was its remarkable flexibility. Functional organization permitted variety,

<sup>18</sup>U.N.C.I.O., X, 21.

<sup>19</sup>1 November 1945, FAO, Proceedings of the First Session of the Conference, p. 182.

<sup>20</sup>Canada and the United Nations, 1948, p. 85; also p. 21.

<sup>21</sup>Statements and Speeches No. 47/10, p. 2.

experimentation and initiative.<sup>22</sup> It made it easier to develop appropriate procedures for the solution of particular problems, to adapt the organization to the job, to the conditions under which it would be called upon to operate and to the special needs of the moment. Also, by enabling states to participate only in the agencies of special interest to them, functionalism increased the likelihood that organizations would be controlled by the leading countries in the field.<sup>23</sup>

Most important of all, functionalism was readily adaptable to the exigencies and uncertainties of the war and postwar years. Indeed, the functional approach was so natural that it was never formally adopted; it simply emerged. One reason for this was that it was clearly not possible in the middle of the war to plan and construct the comprehensive political structure which was eventually required. Yet, there were a number of pressing problems, especially international relief, which demanded attention before the end of the war, and others which would probably never be tackled at all if advantage were not taken of the favourable psychological climate which prevailed in wartime. The Canadian Government was fully aware of this situation and, as we have seen, as early as March 1941, Mackenzie King declared that unless the new world order was already on its way before the war was over, it might never materialize.<sup>24</sup> By adopting a functional approach to the development of international organization, it was not necessary to delay a beginning until progress in all fields could be made or to slow up the pace of advance in one field

<sup>22</sup>United Nations, 1946, p. 75.

<sup>23</sup>That is, functional representation would be fostered by functional organization. See Part II.

<sup>24</sup>Supra, p. 24 ; also Louis Rasminsky, "International Credit and Currency Plans", Foreign Affairs, XXII (1944), 601, 602.

because of difficulties encountered in another.

Furthermore, not only was it impossible to reconstruct the world by any single legislative act, it was also undesirable to try. To some extent, this is what had happened in 1919 and the result was what Pearson rather scathingly termed a "half-baked, hastily-contrived shakily set-up peace structure".<sup>25</sup> He considered it far better to proceed empirically, as had been done with the Combined Boards, setting up international institutions as the need arose and according them the powers and responsibilities which the circumstances of the time demanded. L.B. Pearson's support for what might be termed functional peacemaking was so strong that an extended expression of his views seems justified. Speaking in the spring of 1944, he declared:

There are two ways to commence the process of United Nations postwar organization. We could have started from the top and worked down. There could have been convened a great United Nations assembly with all-embracing terms of reference. This could have set up a general political council which would have thrown off various constituent bodies with responsibility to the central political organization. That would have been a logical and possible a spectacular approach. It is the way we have tried to do these things in the past - when we have tried to do them at all.

This time the approach has been different and has been along functional lines. This means the calling of special conferences to deal with special subjects and to set up permanent postwar bodies covering these subjects, leaving the vital political organization to be constructed later. This procedure means working from the ground up, going from the specific to the general, from the easier, if you like, to the more difficult. It is a practical approach to the problem and it is the one now being made.

This may seem a somewhat timid procedure for organizing the peace: creeping up on it, taking one objective after another. It is a long way removed from the heroics and the romance of the Congress of Vienna or even the tense controversies and dramatic encounters of Versailles. But

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<sup>25</sup>"Canada and the Postwar World", Canadian Affairs (1 April 1944), p. 3.

if unspectacular, it is possibly the best way to proceed. For one thing, this step-by-step approach means we will not be misled by thinking that a single peace treaty will settle everything.<sup>26</sup>

In the succeeding chapters of Part I, the Canadian attitude towards universalism, regionalism and functionalism will be developed in relation to particular organizations in greater detail.

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<sup>26</sup> 13 March 1944, Canadian Club, Toronto. A year later, the Canadian attitude had changed and the Canadian Delegation to the San Francisco Conference argued that, in order to prevent "the unnecessary multiplication of specialized agencies", the initiative for the creation of further ones should rest with ECOSOC. Report on the San Francisco Conference, p. 44. A Canadian amendment to this effect was, in substance, adopted (Article 59). U.N.C.T.O., X, 128, 195, 309. See also E.S.C.O.R. (I), p. 55.

### CHAPTER III

#### THE COMMONWEALTH

Canada's earliest external associations were with the Commonwealth, and this relationship has always been a basic consideration in her external policy. Nevertheless, it was not until 1951 that L.R. Pearson could declare, "We now accept wholeheartedly the Commonwealth of nations".<sup>1</sup> There were two principal explanations of the cautious Canadian approach. In the first place, her association with the Commonwealth began when it was still an empire and she a colony. Although she contributed perhaps more than any other member to the evolution of the British Empire into an international institution, she was slow to recognize her achievement or to adjust to the new situation. A century or more of struggle for self-government had bred a deeply suspicious and essentially negative attitude towards the Commonwealth, particularly among French-speaking Canadians; and this persisted right into the post-war era. These visions of the past generated a mental block which goes a long way towards explaining Canada's hesitation to embrace the Commonwealth wholeheartedly.

The second important factor has been Canada's position as a North American nation and especially her proximity to the United States. With the decline of the threat of annexation following the Treaty of Washington in 1871, the presence of the United States became a source of strength

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<sup>1</sup>10 April 1951, Statements and Speeches No. 51/14, p. 4.

rather than of weakness. Confident of the protection of the Monroe Doctrine, Canada felt little real need for the Commonwealth connection. Unlike Australia and New Zealand, her isolation from Europe gave her a sense of security; hers was a "fire-proof house". Even when these illusions were shattered, she turned, not to the Commonwealth, but to the United States. The element of mutual security which the Commonwealth did provide was, in the Canadian view, one-sided.<sup>2</sup> It seemed that the only threat to Canada was the threat that the Commonwealth would embroil her in disputes in which she had no recognizable interest. The Commonwealth, therefore, appeared to offer Canada few positive benefits, certainly none to compensate for the unwelcome and onerous obligations which membership was thought by some and feared by others to imply.

Canada continued in the Commonwealth partly because a substantial body of Canadian opinion still felt a strong sentimental tie with Britain, but also because the other members accepted the terms she laid down as the limits within which she was prepared to cooperate. These terms may be reduced to three inter-related propositions: membership should be compatible with full equality of status and complete independence; the Commonwealth should not be exclusive in character or seek to operate as a bloc; and there should be no specific commitments or, in general, formal institutions.

The Canadian position on the Commonwealth begins with the assertion of Canada's national autonomy. "In all our relations with other parts of

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<sup>2</sup>In 1943, King did admit that the Commonwealth did provide "a measure of mutual security". He added: "If tomorrow Canada were to be out of the British Commonwealth of Nations, she would have to find some nations with which she would wish to be associated sufficiently closely to find security in that association. And I think in all probability she would return immediately to the group with which at the moment she is associated". H.C. Deb., 12 July 1943, p. 4685.

the Empire and with other countries," Mackenzie King told Parliament early in 1943, ". . . we intend to stand on the ground of a status of our own equal to that of . . . the United Kingdom."<sup>3</sup> Consultation was permissible, even at times welcomed, but any form of cooperation and certainly any commitment which could conceivably be construed as reversing the trend which had led through dominion status to full self-government was bound to be resisted. It is now clear that most of the proposals for closer integration of the Commonwealth put forward during the war were singularly unrealistic; but, even if they had been more practical, the Canadian Government would not have been psychologically prepared to give them serious consideration. Towards the end of 1943, one senior Canadian official expressed a not uncommon view when, upon returning from a visit to London, he warned a friend:

The man . . . we must watch in empire control is Churchill . . . . He is necessarily opinionated and ruthless, and he has been trained from his youth in empire conceptions that are not ours.

He added, however, that "poor old England is going to have a hard time after the war, and will I think be in no position to dictate to any of the Dominions". Others in the Canadian Government detected the sinister hand of Beaverbrook or of Halifax at work, while still others put the blame, not on any one individual, but on the imperial system as a whole.

Nor were these suspicions entirely unfounded. For instance, during the early years of the war, British officials in Washington did little to correct the common American misconceptions concerning the Commonwealth. The reason for this was that they rarely found, for example, the view that London was the capital of the Commonwealth, in conflict with their own ideas of what was "right and convenient". However, during Eden's visit to

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<sup>3</sup>H. C. Deb., 19 March 1943, p. 1398.

Washington early in 1943, the Canadian Government detected "a marked change" in the British attitude. "I think I told you", the Canadian Minister in Washington wrote a friend at the time,

when you visited here last June [1942] that the leading members of the British Embassy did not take the same view as we do of the importance of the British Commonwealth and the autonomous position of each of its members, but I think there is a considerable change since then in their attitude, though perhaps not so much in their fundamental views.<sup>4</sup>

One manifestation of this change was the increasing frequency with which the term British Commonwealth was used in place of Empire.

Secondly, Canada considered that the Commonwealth should reflect a broad international outlook. Above all, it should avoid developing "in a narrow and exclusive way".<sup>5</sup> The term "exclusive", though a favourite with Canadian spokesmen, has never been explicitly defined; its meaning is nonetheless clear. If the Commonwealth is to escape the charge of being exclusive, it must not be, or even appear to be, "a power bloc exploiting its own interests". It must seek to achieve its ends by the pursuit of policies which can be shared with other nations. It must eschew arrangements among its members which operate to the detriment of non-members or which exclude states whose legitimate interests are involved. In sum, Commonwealth members must not emphasize their relations with each other at the expense of their relations with other states.

If the Commonwealth were to take a narrow view of its own interests, Canada might find her membership in it inconsistent with her desire to

<sup>4</sup>Leighton McCarthy, letter to J.W. Daffoe, 29 March 1943, Daffoe Papers.

<sup>5</sup>Pearson, Canadian Club, Toronto, 13 March 1944; "Canada and the Postwar World", Canadian Affairs (1 April 1944), p. 14; King, H.C. Deb., 31 January 1944, p. 42.

participate fully in the task of building "an effective international organization on a wider scale".<sup>6</sup> Relations with the United States would be especially affected. Canada has always insisted that her Commonwealth connection should in no way restrict Canadian-American cooperation. She has also been haunted by a fear of serious Anglo-American differences. This is the classic nightmare of all Canadian governments, but never before had the consequences threatened to be so serious. In the past, such a cleavage would have proved acutely embarrassing to Canada; now it could undermine the prospects of peace. For, as Mackenzie King repeatedly expressed it, the continued close association of the Commonwealth and the United States was "the surest guarantee" of world security.<sup>7</sup>

The Canadian Government was, therefore, determined to resist any tendency for the Commonwealth to develop into an exclusive organization. "In considering new methods of organization", King warned in an address to Members of the British Parliament on 11 May 1944, "we cannot be too careful to see that . . . the new methods will not appear . . . to peoples outside the Commonwealth, as an attempt to establish a separate bloc." He then added in a striking passage:

Like the nations of which it is composed, the British Commonwealth has within itself a spirit which is not exclusive, but the opposite of exclusive. Therein lies its strength. That spirit expresses itself in cooperation. Therein lies the secret of its unity. Cooperation is capable of infinite expansion. Therein lies the hope of the future.<sup>8</sup>

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<sup>6</sup>St. Laurent, 13 January 1947, Statements and Speeches No. 47/2, p. 7.

<sup>7</sup>H. C. Deb., 25 August 1943, p. 5436; 11 August 1944, p. 6274; 19 November 1945, pp. 2275-6.

<sup>8</sup>Nicholas Mansergh, ed., Documents and Speeches on British Commonwealth Affairs, 1931-1952 (London: Oxford University Press, 1953), I, 588.

The legal counterpart to the view that the members of the Commonwealth are in some special political relationship with each other is the inter se doctrine. This asserts that intra-Commonwealth relations are distinguished from international relations by the fact that the latter are governed by international law while the former are not. Although not all the legal complications arising out of this doctrine have yet been fully disposed of, it is now generally recognized that, at least as originally formulated, it is no longer tenable. Otherwise, it would not be proper to consider the Commonwealth an international institution.

The present status of the inter se doctrine will not be examined here in any detail, as the question has been dealt with adequately by others,<sup>9</sup> but a brief reference to the Canadian position is called for. Canada has never, certainly not since 1939, favoured the inter se doctrine; at the most, she has reluctantly acquiesced in its continued acceptance. The reasons for this are not hard to find. The development of dominion status has largely consisted of a struggle for personality in international law. Insistence on the inter se doctrine has, therefore, appeared to be a denial of Canadian autonomy. Furthermore, the doctrine is based on a conception of the Commonwealth, as an exclusive club, which Canada rejects.

Since 1939, the Government has taken a number of steps to disavow the inter se doctrine. Perhaps the most important and certainly the most spectacular were the separate declarations of war, 1939 to 1941,<sup>10</sup> but the

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<sup>9</sup>Most recently by R. Y. Jennings, "The Commonwealth and International Law", B.Y.I.L., XXX (1953), 320-51. See also C. C. Aikman, The British Commonwealth and the United Nations, unpublished Ph.D. thesis, University of London, 1948.

<sup>10</sup>Despite Lapointe's curiously old-fashioned legal arguments contending that neutrality was impossible. H.C. Deb., 31 March 1939, pp. 2466-7; 9 September 1939, pp. 66-9. On one occasion, King also took this view. Ibid., 16 January 1939, p. 52.

same policy has been pursued in a number of other ways. Beginning in 1942, the phrase "the diplomatic unity of the Empire" was quietly dropped from official correspondence.<sup>11</sup> Thus, in the agreement concluded with Mexico early in 1944 for the exchange of ambassadors, the Canadian Government, for the first time, omitted to add that the exchange of missions in no way modified the diplomatic unity of the Empire.<sup>12</sup> The Government continued to sanction the use of such terms as high commissioner and external affairs, which suggest a distinction between Commonwealth relations and international relations, but these are merely quaint hang-overs from an earlier era. Certainly no legal significance can be attached to them.<sup>13</sup>

The two fields in which the case for the continued validity of the inter se doctrine appears most plausible are imperial preference and intra-Commonwealth disputes. The extension of even more favourable tariff concessions to Commonwealth countries than to other supposedly "most favoured" nations and the exclusion of certain disputes between Commonwealth countries from the jurisdiction of international tribunals originally reflected an

<sup>11</sup>James A. Gibson, "Mr. Mackenzie King and Canadian Autonomy, 1921-1946", Canadian Historical Association, Annual Report, 1951, p. 13.

<sup>12</sup>In December 1941, Roosevelt listed the states to be invited to adhere to the United Nations Declaration in alphabetical order, despite Eden's expressed wish that the Dominions be grouped with the United Kingdom as in the St. James's Palace Declaration of 24 September 1941. Canada warmly welcomed Roosevelt's initiative, though there is no evidence that she was consulted on the question. Robert E. Sherwood, Roosevelt and Hopkins: An Intimate History (New York: Harpers, 1948), pp. 447, 452, 453.

<sup>13</sup>H.C. Deb., 18 September 1945, p. 244. Apart from the matter of appointment, the status of high commissioners in Canada has gradually been assimilated to that of ambassadors and ministers. Department of External Affairs, Press Release No. 94, 20 December 1948.

inter se conception of the Commonwealth; but as both are now sanctioned by international law, or at least are consistent with it, the inter se implications no longer necessarily follow. Imperial preferences have, for example, been written right into the General Agreement on Tariffs and Trade. In any case, the Canadian Government is no great believer in imperial preferences; it has repeatedly made it clear that it is prepared and indeed anxious to bargain away its present rights as part of a larger deal with other countries.

In accepting the optional clause of the Statute of the Permanent Court of International Justice in 1930, the Canadian Government appended a reservation excluding "disputes with the Government of any other Member of the League which is a Member of the British Commonwealth of Nations" from the compulsory jurisdiction of the Court; this reservation continues in force under the Statute of the International Court of Justice.<sup>14</sup> The mere existence of this reservation does not, however, establish the claim contained in the inter se doctrine, for this is a legitimate reservation under international law.<sup>15</sup> It might even be argued that the inclusion of a specific provision is evidence that the inter se doctrine in itself would not have sufficed. Besides, the Canadian Government made clear at the time, and has maintained ever since, that it "would have preferred to make a

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<sup>14</sup>C.T.S., 1930, No. 9; Statute of the International Court of Justice, Article 36:5. A similar reservation was made in connection with the General Act for the Pacific Settlement of International Disputes, 1928, C.T.S., 1931, No. 4. Canada has yet to accede to the revised General Act of 1948.

<sup>15</sup>On 21 September 1929, prior to signing the Optional Clause, Dandurand declared that Canada deemed it "opportune" to enter a reservation concerning inter se disputes even though "a doubt may exist as to such a reservation being consistent with Article 36 of the Statute of the Court". C.A.W. Manning, The Policies of the British Dominions in the League of Nations (London: Oxford University Press, 1932), p. 40.

separate declaration of policy on this point, without an express reservation".<sup>16</sup> In fact, since the war, a number of inter se air agreements have specifically conferred jurisdiction in disputes on the Council of ICAO and, in one case, on the International Court of Justice itself.<sup>17</sup> Under Article 84 of the ICAO constitution, any contracting state may appeal from a decision of the Council to the International Court.

The third principle which the Canadian Government considered should govern Commonwealth relations was that they should be conducted on an informal basis. This applied to the obligations of membership as well as to the institutional structure of the Commonwealth. As one of his secretaries has pointed out:

Mr. King never willingly acquiesced in any formalizing of the working relationships which had developed during his years of office. Narrowness in outlook, rigidity in action, and any emphasis on centralization must, as<sup>18</sup> he put it, drain the life blood from the Commonwealth.

His successor as Prime Minister adopted the same attitude. "We should continue to resist", St. Laurent said in 1947, "as in the past, efforts to reduce [the Commonwealth] to formal terms or specific commitments."<sup>19</sup>

<sup>16</sup> Dandurand, Sen. Deb., 4 April 1950, p. 140. On 2 June 1955, in a new declaration of acceptance of the optional clause, the United Kingdom Government again entered a reservation concerning inter se disputes. Cm., 9517. It should be added that under a Canadian-American treaty signed in September 1940, other Commonwealth countries are not regarded as third countries for purposes of membership on the international arbitration commission. C.T.S., 1941, No. 9.

<sup>17</sup> C.T.S., 1945, No. 17; 1946, Nos. 22, 34; 1947, Nos. 17, 19. The air transport agreement of 16 August 1950 with New Zealand provides for reference of disputes arising out of the agreement to the Court if the Council of ICAO should "decline to consider such a dispute or is not empowered to do so". C.T.S., 1950, No. 14, Article A.

<sup>18</sup> James A. Gibson, op. cit., p. 15.

<sup>19</sup> 13 January 1947, Statements and Speeches No. 47/2, p. 7.

Mackenzie King's bitter, almost pathological opposition to centralized Commonwealth machinery was frequently mistaken for hostility to the Commonwealth itself. Hostility to a certain type of Commonwealth there certainly was, but opposition to cooperation on the basis of the three principles outlined above, there never was. Although Mackenzie King never found self-justification difficult, it is unquestionably true that he genuinely believed that his every action had been directed to strengthening the Commonwealth and furthering the common interests of its members.<sup>20</sup> And it must be conceded that the course of events gives some substance to this claim. If his stature as an architect of the Commonwealth is to be judged by the extent to which the present Commonwealth conforms to his principles and is the result of his efforts, then he must rate very high. He guided the evolution of the Commonwealth in such a way that, not only was the secession of Canada never advocated by more than an insignificant segment of Canadian opinion, but, when the time came, the Asian members of the Commonwealth chose freely to remain within the fold. At the same time, it must be admitted that there has been some tendency to exaggerate the Canadian contribution and to attribute greater foresight to Canadian leaders than an examination of their past attitudes can sustain. It may not be wholly fair to suggest that Canada converted the British Empire into a Commonwealth in a fit of absent-mindedness; but it is undoubtedly true, as is evident from the three principles discussed above, that her contribution was more negative than positive. Canada did not so much propose the pattern of the present Commonwealth as reject all possible alternatives.

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<sup>20</sup> E.g., H. C. Deb., 11 August 1944, p. 6274; 28 March 1945, p. 299.

### Organization for the Conduct of the War

The issue of closer imperial relations was never so unimportant as in the late 1930's. The major constitutional issues which had produced a succession of imperial conferences during the previous decade had been substantially settled by the passage of the Statute of Westminster in 1931; and there seemed little else to bring the Commonwealth together. The spirit which prevailed at the Imperial Economic Conference held in Ottawa in 1932 was scarcely an encouraging augury for the future. Even the activities of the multitude of imperial economic and scientific agencies were in decline. Neither the abdication crisis of 1936 nor the Munich crisis two years later led to a gathering of Commonwealth statesmen. Indeed, had it not been for the Coronation, imperial conferences might have come to an end in 1930, instead of in 1937.

The invasion of Poland and the entry into the war of Britain and all the Dominions, except Bire, dramatically altered the situation. The Commonwealth was now engaged in a common endeavour to ensure the security of its members, though the full gravity of the situation was not immediately apparent. It was not long, therefore, before the view was expressed that the Commonwealth should organize itself more effectively for the common prosecution of the war. In the end, a great variety of schemes for the creation of what was loosely termed an imperial war cabinet or council were put forward. In general, these could be grouped into three broad categories. The first envisaged the establishment of a council of Commonwealth prime ministers, more or less on the model of the Imperial War Cabinet of 1917-18. Unlike the imperial conferences, such a body would meet regularly and frequently. Its members might even be plenipotentiaries, authorized to make

decisions on behalf of their governments. In the event, no imperial war cabinet was ever set up during the war as to do so would clearly have required the consent of all Commonwealth governments, and Canada amongst others objected. The second approach involved the continuous association of resident Dominion ministers in London with the day to day work of the British War Cabinet on a consultative basis. This was essentially a compromise proposal, but its merit was that even though it was unacceptable to some Dominions, it could be implemented by others. This, in fact, is what happened. Finally, there was the possibility of convening an imperial conference. This never proved feasible, though a more informal gathering of prime ministers met in 1944.

As a result of the early collapse of Poland and the onset of the phoney war, the movement for closer imperial cooperation got off to a slow start. The Chamberlain Government felt little need to call upon the Dominions for advice or even assistance. However, two steps were taken in the autumn of 1939. The first was the launching in December of the Empire Air Training Scheme (re-named the British Commonwealth Air Training Plan in May 1942); the second was the conference of Commonwealth ministers which met for six weeks in London, beginning late in October. This dealt primarily with problems of finance and supply. It was in no sense an imperial conference or cabinet as Mackenzie King was at pains to point out.<sup>21</sup> During the conference the question of convening an imperial conference or forming an imperial war cabinet was not even discussed, formally or informally, though Chamberlain appears to have raised it earlier with

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<sup>21</sup>Office of the Prime Minister, Press Release, 4 October 1939.

King.<sup>22</sup> Certainly, the Canadian Government expressed no desire to play a greater part in the higher direction of the war.

The fall of France not only transformed the whole character of the war and brought Britain perilously close to disaster; it also completely altered the position and importance of the Dominions. Instead of being mere marginal suppliers of troops and materials who could be called upon to fill the gaps in the British war effort, almost overnight they became vital to the continued conduct of the war and to the very survival of Britain herself. Even so, the question of greater Dominion participation in the direction of the war did not immediately become an issue. The fateful summer of 1940 seemed a singularly inappropriate time to raise delicate questions. As late as 12 November 1940, Mackenzie King could present a lengthy report to the House of Commons on the war without so much as mentioning the issue.

A few weeks earlier, however, Sir Andrew Duncan, British Minister of Supply, had sounded out James G. Gardiner, Canadian Minister of Agriculture, then in London, on a proposal to establish an Empire War Cabinet. Gardiner was in no position to give an authoritative statement on behalf of the Canadian Government, but he guessed correctly that it would not welcome the suggestion. He foresaw two possible objections.

First, the Empire was on a surer foundation when our differences were not being discussed continuously in a Council which eventually might require to become an elective body with all the political discussion

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<sup>22</sup>T.A. Crerar, letter to the writer, 8 December 1955. Senator Crerar was the Canadian ministerial representative at the London conference. King later stated: "The matter [of an imperial war council] . . . is one which from time to time has received careful consideration. It was discussed at the beginning of the war when Mr. Chamberlain was in office, and has been considered on several occasions since." H.C. Deb., 17 February 1941, p. 811. Senator Crerar has no knowledge of these exchanges.

on international policy which might be involved. Second, the friendly relationship with great neutrals like the U.S.A. were probably more easily maintained if centralization was not too apparent.<sup>23</sup>

No action was taken on the suggestion at the time, but the issue came to a head four months later, with the arrival in London of Prime Minister Menzies. Australia had long been uneasy about the course of the war, and was now thoroughly alarmed at the military situation in the Middle East and the developing crisis in the Far East. Menzies, therefore, demanded that the general direction of the war be taken out of the hands of the British War Cabinet and turned over to an Imperial War Cabinet on which all the Dominions were represented. Mackenzie King was determined to wreck any scheme for the formation of an imperial war cabinet or for direct Canadian representation in the British Cabinet. Three days before Menzies' arrival in London, King gave the House of Commons the first full statement of the grounds of his opposition. This effectively vetoed the proposal; for although the British were receptive to it, they made it clear that it could not be implemented without the concurrence of each of the Dominions.

Menzies remained undaunted; and subsequent military defeats in Greece and Libya only strengthened his conviction that a radical reorganization at the top was imperative. Furthermore, Churchill's "unsatisfactory attitude of mind" on issues involving the status or interests of the Dominions profoundly shocked him.<sup>24</sup> He undertook, therefore, to convert the other Dominion Prime Ministers to his cause. Early in May 1941, formal proposals

<sup>23</sup>James G. Gardiner, memorandum to King, n.d., [November 1940].

<sup>24</sup>Paul Hasluck, Australia in the War of 1939-1945: Government and the People, 1939-1941 (Canberra: Australian War Memorial, 1952), p. 347.

were submitted to King, Smuts and Fraser. On 7 May, Menzies passed through Ottawa on his way home and personally pressed his case in the War Committee of the Canadian Cabinet. He unquestionably made an impressive appeal. One senior member of the War Committee was amazed to find, in one holding such views, not the "slightest trace" of "kow-towing" to Britain; he was even forced to admit that there was "a good deal of soundness" in Menzies' line of reasoning. But Mackenzie King remained unconvinced. In a series of lengthy cables to other Commonwealth leaders, he deployed what Churchill termed "formidable constitutional arguments" against Canada being committed by her representative to decisions of a council in London.<sup>25</sup> His brief visit to Britain during the summer only confirmed his views. Upon his return, he announced that he was "more firmly than ever opposed to the formation of an imperial war cabinet".<sup>26</sup> New Zealand and the Union of South Africa, though more temperate in the expression of their opinions, also declined to support the Australian proposal.

Australia revived her demand for an imperial war cabinet shortly after Pearl Harbour, but as the idea was still unacceptable agitation for it soon died down. Instead, in February 1942, a Pacific Council was established in London, comprising the United Kingdom, Australia, New Zealand, India, the Netherlands and China - not Canada. The issue of an imperial war council cropped up again at regular intervals over the next two years or so, but it was never again seriously pressed. Mackenzie King even claimed early in 1943 that the Commonwealth governments were unanimously of the opinion that the creation of such a body would be "the greatest possible mistake".<sup>27</sup>

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<sup>25</sup> W. S. Churchill, The Second World War (London: Cassell, 1948-54), III, 365.

<sup>26</sup> Press statement, Montreal, 7 September 1941, Times (9 September 1941), p. 3.

<sup>27</sup> H. C. Deb., February 1943, p. 43.

There were several reasons for the decline in importance of this question. To begin with, the entry of the Soviet Union and the United States into the war radically altered the scope of the conflict and rendered a purely Commonwealth council less appropriate. Then, with the turn of the tide in favour of the United Nations, attention was increasingly directed to strengthening the machinery of Commonwealth cooperation in preparation for the peace, rather than for the conduct of the war. Finally, the determined opposition of Mackenzie King and others convinced even the most ardent advocates of an imperial war cabinet of the utter futility of their cause.

The Canadian Government considered an imperial war cabinet was unnecessary, unworkable and, above all, undesirable. King was prepared to concede that, in the first world war, such a body was "a useful and, indeed, a necessary instrument",<sup>28</sup> but he claimed that the situation during the second world war was different in two important respects. In the first place, as he himself stated in London in August 1941, "no single point of difference had arisen since the beginning of the war between us in matters which are essential", whereas in the last war differences arose "continually".<sup>29</sup> There was, therefore, "no need for regular conferences" as these were "usually summoned to iron out differences of opinion".<sup>30</sup>

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<sup>28</sup>Ibid., 17 February 1941, p. 811; also 1 February 1943, p. 43.

<sup>29</sup>Press conference, London, 21 August 1941, Times (22 August 1941), p. 4. R. MacGregor Dawson (who quotes a different version of this statement) considered that King was speaking "with more optimism than accuracy". Canada in World Affairs: Two Years of War, 1939-1941 (Toronto: Oxford University Press, 1943), p. 209. Three years later, King was even more unqualified in his claim. "In the course of this whole war", he asked rhetorically, ". . . has there been a single difference between Britain and Canada . . . from the beginning up to this very moment." H.C. Deb., 11 August 1944, p. 6274.

<sup>30</sup>Press statement, Montreal, 7 September 1941, Times (9 September 1941) p. 3.

Secondly — and this explained the unparalleled harmony which it was alleged prevailed in Anglo-Canadian relations -- the Canadian Government had been kept fully informed on all important matters and, apart from the "one or two occasions" when decisions had to be taken without delay,<sup>31</sup> it was given an opportunity of expressing its views freely and frankly before the British Government took action. This was in happy contrast to the situation portrayed in Sir Robert Borden's angry protest to the British Government in 1916.

During the past four months since my return from Great Britain, [Sir Robert stated] the Canadian Government . . . have had just what information could be gleaned from the daily press and no more. As to consultations, . . . steps of the most important and even vital character have been taken, postponed or rejected without the slightest consultation with the authorities of this Dominion. It can hardly be expected that we shall put 400,000 or 500,000 men in the field and willingly accept the position of having no more voice and receiving no more consideration than if we were toy automata . . . Is this war being waged by the United Kingdom alone, or is it a war waged by the whole empire?<sup>32</sup>

The very different relationship which existed between Canada and Britain during the second world war can, in the main, be accounted for by the wide acceptance accorded the altered status of the Dominions and by

<sup>31</sup>King, H.C. Deb., 1 February 1943, p. 43. One such occasion was in April 1940 when it was decided to send a detachment of Canadian troops to Norway, though Ottawa's chief complaint then was that it was not informed of the decision by either the British Government or the Canadian authorities in Britain for some thirty hours. Similarly, in September 1942, Canada protested at the failure to inform her of the decision to invade North Africa, not at the failure to consult her in advance. C.P. Stacey, Six Years of War: The Army in Canada, Britain and the Pacific (Ottawa: Queen's Printer, 1955), pp. 258-63, 323.

<sup>32</sup>Robert Laird Borden: His Memoirs (Toronto: Macmillan, 1938), II, 622. J.L. Ralston wrote to K. Stuart on 15 January 1944: "I am quite satisfied that those in authority today at the War Office understand and recognize our position thoroughly, and also that in the Government itself there is a great change from the days of the Great War when Sir Robert Borden had to become very forthright in his communications with them." Stacey, Six Years of War, p. 225.

improvements in the channels of Commonwealth communication. During the first war, apart from the Imperial War Cabinet, the normal links with the British Government were through the Governor-General or the High Commissioner in London, and thence to the Colonial Office.<sup>33</sup> These channels were circuitous, inadequate and unsatisfactory; even so, they were not always fully utilized.

The position in the 1939-1945 war was very different; four important changes had been introduced.<sup>34</sup> The first and perhaps the most important of these was the establishment of diplomatic relations between Commonwealth countries. During the inter-war years, the diplomatic functions of the Canadian High Commissioner in London became increasingly significant, and this fact was formally recognized when his duties were redefined in 1938. Beginning in the late 1930's, it also became the practice of the Secretary of State for Dominion Affairs, and a senior Foreign Office official, to meet at least fortnightly with the Dominion high commissioners in London. In wartime, such meetings were held almost daily, generally immediately following meetings of

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<sup>33</sup>From 1914-17, the Acting High Commissioner was also a member of the Canadian Cabinet. In 1917, a separate Minister of Overseas Military Forces was appointed to London. The Imperial War Cabinet resolved on 30 July 1918 that Dominion Prime Ministers should have the right of direct communication with the Prime Minister of the United Kingdom on matters of cabinet importance, and vice versa. Heather J. Harvey, Consultation and Co-operation in the Commonwealth: A Handbook on Methods and Practice, (London: Oxford University Press, 1952), pp. 184, 166.

<sup>34</sup>On a number of occasions, King outlined the arrangements which existed for Commonwealth consultation. H.C. Deb., 17 February 1941, p. 812; 1 February 1943, pp. 44-5; 31 January 1944, pp. 39-40; 11 August 1944, pp. 6274-5. For an appraisal of the system by Vincent Massey, the Canadian High Commissioner in London, see the account of his press conference in Ottawa on 17 February 1944, New York Times (20 February 1944), p. 21.

the War Cabinet.<sup>35</sup> Meanwhile, as a result of the decision of the Imperial Conference of 1926 that Governors-General should cease to represent the British Government, a British high commissioner arrived in Ottawa in 1928. Early in the war, Canadian high commissioners were appointed to Australia, New Zealand, the Union of South Africa and Eire; and by 1942, high commissioners had been received in Ottawa from each of these countries. The expansion of Canadian representation in foreign countries also provided valuable contacts with Commonwealth representatives in other capitals. This was true especially of Washington where regular meetings of the heads of Commonwealth missions were held in the British Embassy every second week.<sup>36</sup> On at least two occasions, during Churchill's visits in June 1942 and May 1943, Commonwealth conferences also took place there.

Secondly, the Department of External Affairs, which twenty-five years earlier had only a skeleton organization, was now a major department of the Government, well-staffed with able and ambitious men. It was, therefore, in a position to maintain continuous and close contact with the Dominions Office and the Departments of External Affairs in other Commonwealth countries.

Thirdly, during the second world war, direct communications on matters of high policy between Commonwealth prime ministers became much more important. This was greatly facilitated by the introduction of the telephone.

<sup>35</sup>H.C. Deb., February 1943, p. 44; 31 January 1944, p. 39; House of Lords Debates, 2 April 1941, cols. 966-71; 2 November 1943, cols. 510-18. For the origins of these meetings, see Nicholas Mansergh, Survey of British Commonwealth Affairs: Problems of External Policy, 1931-1939 (London: Oxford University Press, 1952), pp. 433-4.

<sup>36</sup>Leighton McCarthy, letter to J. W. Daffoe, 29 March 1943, Daffoe Papers.

Finally, the advent of air travel greatly increased personal contact between Commonwealth governments, both at the ministerial and at the official level. Twelve Canadian cabinet ministers made a total of twenty visits to Britain in wartime, two-thirds of them in the two-year period from the autumn of 1940 to the autumn of 1942. At the same time, a host of British and Dominion leaders passed through Ottawa, generally on their way to or from London or Washington. Churchill, for example, paid three visits to Canada (compared with King's two trips to Britain). King considered "occasional visits" of this sort for direct consultations on "aspects of the common war effort which necessitate detailed enquiry" were more effective than "more formal and imposing" arrangements.<sup>37</sup>

What did this all add up to? In Mackenzie King's terminology, there existed a "real but invisible imperial council" in "constant and instantaneous conference", "a continuing conference of cabinets" (not ministers or prime ministers) functioning so perfectly that it would be "difficult, if not impossible" to improve upon it.<sup>38</sup> Only once did he even hint that the system of consultation was capable, "in certain particulars, of further development",<sup>39</sup> but on no occasion did he admit that any other system would be more effective or even as effective.

Not only was the existing system better than any conceivable alternative, but it produced none of the undesirable consequences which would inevitably flow from the establishment of an imperial war council. The feature

<sup>37</sup>H. C. Deb., 17 February 1941, pp. 812, 813.

<sup>38</sup>Ibid., p. 812; also 25 February 1941, p. 1008; 1 February 1943, pp. 43, 44; 31 January 1944, p. 40; Canadian Club, Ottawa, 17 September 1941.

<sup>39</sup>H. C. Deb., 31 January 1944, p. 36.

most frequently singled out for condemnation was the necessity of Dominion prime ministers absenting themselves from their countries for long periods during times of crisis.<sup>40</sup> There were several objectionable aspects of this. In the first place, they would be "at a complete disadvantage" in comparison with the British prime minister who would have his expert advisers and Cabinet colleagues readily available for consultation. As a result, Churchill could act promptly and with authority, whereas the Dominion prime ministers would be faced with the choice of acting on their own exclusive responsibility without knowing for certain whether they had the support of their cabinets, or of referring all important matters back to them, in which case decisions would be delayed and the principal advantage claimed for an imperial war cabinet lost. "If a prime minister attending an imperial conference", Mackenzie King pointed out,

is to be other than an autocrat or dictator and to settle everything by his own word and decision, he would wish to communicate with his colleagues in Canada and get their views and the collective view, before he gave an official decision in the name of his own country.

Otherwise, collective cabinet responsibility would be seriously undermined. The virtue of the existing arrangement was that, in each capital, the prime minister could consult his colleagues and advisers and reach a decision within perhaps an hour and a half in "the secure knowledge" that, in each case, it represented "authoritatively and finally" the views of that government as a

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<sup>40</sup> King, *ibid.*, 17 February 1941, pp. 811, 812; 25 February 1941, p. 1008; 28 April 1941, p. 2294; 29 April 1942, p. 1978; 1 February 1943, pp. 43-4; 9 July 1943, p. 4600; 31 January 1944, p. 40; 11 August 1944, pp. 6275, 6276; press conference, London, 21 August 1941, Times (22 August 1941), p. 4.

whole.<sup>41</sup>

It might be asked, if Churchill could flit from Asia to Africa to America conferring with allies and neutrals, great and small, and committing the British Government to decisions of the greatest importance, why could not King do the same in London? The answer is that King was not Churchill in either temperament or power; now was Canada, Britain. Churchill liked to roam far afield, dealing directly with heads of governments and maintaining only long-distance contact with his Cabinet at home, whereas, King never felt secure except in the company of his colleagues. Besides, he never had the personal authority in his Cabinet or the respect of his countrymen which enabled Churchill to wield so much influence.

Moreover, Mackenzie King faced a more difficult domestic political situation than any other Commonwealth prime minister with the exception of Smuts. Cabinet, Commons and country were at times deeply divided over the extent of Canada's participation in the war, an issue which was basically one of Commonwealth relations. Even among many who saw clearly that the war was not just another imperial adventure, there was still a tradition of hostility to the merest suggestion of centralized control from London. For these reasons, King found it imperative to remain in Ottawa keeping a close check on the pulse of the nation. He was also acutely conscious of the importance of reaching decisions in the "atmosphere" of Ottawa, rather than London. The lesson of Menzies, who during his lengthy visit to Britain in 1941 became "out of touch with his country" and, as a result, was defeated in Parliament

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<sup>41</sup>H.C. Deb., 1 February 1943, pp. 43-4. "I may receive a cable at my office at eleven o'clock in the morning; I can have my colleagues together at half-past eleven; and in a great many cases I am able to send a reply at half-past twelve". King, ibid., p. 44. For a defence of King, see N. Mansergh, "The Commonwealth: Problems of Multi-racial Membership", Political Studies, III (1955), 238-9.

on his return to Australia, was not lost on King.<sup>42</sup>

Besides, he attached decisive importance to the position of the United States, and considered that the "greatest service" he could render was to act as an interpreter between Roosevelt and Churchill. This, he felt, required him to remain in Ottawa, partly so that he might reflect a truly North American outlook and warn the British Government of possible repercussions of their policies on the United States, but also in order to be close to Roosevelt. Early in 1941, King claimed that:

The possibility of immediate personal contact between the Prime Minister of Canada and the President of the United States in critical situations affecting the relations between the United States and the British Commonwealth may easily be more important to the common cause than any service which a prime minister of Canada could render at the council table in London.<sup>43</sup>

The immediate issue he had in mind was the crisis in Canada's foreign exchange

<sup>42</sup> King, *ibid.*, 17 February 1941, p. 812; 1 February 1943, p. 44; Claxton, *ibid.*, 9 July 1943, p. 460. In a pointed reference to Menzies, then on his way to London, King intimated that, in view of the Far Eastern crisis, it was of "the highest importance" that the prime ministers of the Commonwealth countries most directly concerned should stay at home. He also expressed the opinion that Canadian ministers visiting London should not "remain long enough to lose contact with Canadian conditions and the circumstances with which the government is contending at home". *Ibid.*, 17 February 1941, p. 813.

<sup>43</sup> *Ibid.*, see also *H.C. Deb.*, 28 April 1941, p. 2294; 1 February 1943, p. 44; Blair Fraser, "Backstage at Ottawa", *Maclean's Magazine* (15 July 1941), p. 10. King's interventions were not always welcomed. Thomas Jones noted in his diary, after a conversation with Norman Davis on 7 May 1937 concerning Anglo-American trade negotiations, that: "Another complication was that Mackenzie King was fancying himself as a sort of Van Zeeland in the field of Dominion economics and especially as the negotiator between the States, Canada and England. But he made a poor impression on Hull on his recent visit to Washington." *A Diary with Letters, 1931-1950* (London: Oxford University Press, 1954), pp. 338-9.

reserves which was resolved by King and Roosevelt in the Hyde Park agreement of April 1941, but the general point remained even after the United States entered the war. The personal friendship between these two war leaders was unquestionably significant, though King greatly exaggerated its importance. He was undoubtedly a victim of the same subtle flattery which had led so many of Roosevelt's associates to believe themselves indispensable to the President.

Following his failure in May 1941 to convince the other Dominion prime ministers of the need for an imperial war council, Menzies pressed three other demands: an early convening of an imperial conference, direct Australian representation in the British War Cabinet and the appointment of Australian liaison officers to senior posts in British Government departments.<sup>44</sup> No action was taken on this last request. Nor was an imperial conference called. In May 1941, Churchill suggested a meeting for July or August, but this did not prove feasible and the idea was dropped.<sup>45</sup>

The Canadian attitude on this proposal is not entirely clear. Mackenzie King claimed publicly that he was not averse in principle to visiting London,<sup>46</sup> and he did in fact fly overseas at the end of August 1941, but he evinced no great enthusiasm for the project. He may have feared that such a meeting would create an undesirable precedent for formalizing Commonwealth relations. In any case, the suggested length of the conference, a month or

<sup>44</sup>Hasluck, Government and the People, 1939-1941, pp. 347-8.

<sup>45</sup>Churchill, telegram to King, 11 May 1941, Second World War, III, 680.

<sup>46</sup>N. C. Deb., 28 April 1941, pp. 2293, 2294.

six weeks, was longer than King cared to be absent from Ottawa. It seems likely, therefore, that he was not too unhappy when the scheme collapsed.

The other proposal, for the appointment of an Australian minister in London, did materialize. Earlier, Churchill had resisted the admission to the War Cabinet of Dominion ministers other than prime ministers, as he feared this would result in "too large a permanent addition to our members", and, therefore, entail "far-reaching structural changes which are not in contemplation". He was willing to agree to a single minister representing the Dominions jointly, but he conceded that there was "no chance" of this proving acceptable to the Dominions.<sup>47</sup> Eventually, he relented and, despite the "serious problems" involved, granted resident ministers the same privilege to attend meetings of the War Cabinet and its Defence Committee as were already invariably accorded visiting prime ministers. Beginning in November 1941, an Australian minister attended by courtesy whenever "war matters and Australian matters" were discussed. This, however, did not satisfy the Curtin Government and, early in 1942, it specifically requested that its representative should have "the right to be heard in the War Cabinet in the formulation and direction of policies". This, too, was conceded and, from 1942 to 1946, an Australian Office existed in the War Cabinet building.<sup>48</sup>

The same facilities were extended to the other Dominions but neither Canada nor the Union of South Africa accepted the offer. In declining,

<sup>47</sup>British H.C. Deb., 3 December 1940, col. 435; Churchill, telegrams to Menzies, 19 August 1941, and to Padden, 29 August 1941, Second World War, III, 365, 759.

<sup>48</sup>British H.C. Deb., 27 January 1942, cols. 612-3. New Zealand asked for similar representation but exercised her right for only a brief period during a visit by Walter Nash to London.

Mackenzie King stated:

If at any time in the future we should find the means of consultation inadequate . . . our Government will not only be prepared but glad to avail itself of [this] supplementary arrangement.<sup>49</sup>

Needless to say, this situation never arose. In fact, King was far more hostile to the plan than he indicated publicly at the time. He considered that Canada House in London amply met Canadian needs. The appointment of a resident minister would only duplicate the existing machinery and reflect on the person of the High Commissioner. Besides, membership in the Canadian Cabinet might give the British a misleading impression of a resident representative's authority. This could prove embarrassing to him and confusing to others. In practice, he would be no more entitled to commit his colleagues without consulting them than the High Commissioner could.<sup>50</sup>

In the light of Canada's traditional attitude towards the Commonwealth and the difficult domestic situation at home, King's steadfast opposition to any centralizing tendencies is certainly understandable. It was even, to a large extent, justifiable. Whereas, in the first world war, the channels of intra-Commonwealth communications virtually broke down, throughout the second war they worked extraordinarily well, at least as far as Canada was concerned. It was no longer necessary to squeeze information out of London or to press for opportunities of expressing Canada's views. Furthermore, there is much to be said, ceteris paribus, for King's claim that the place

<sup>49</sup>H.C. Deb., 28 January 1942, p. 106.

<sup>50</sup>Ibid., 17 February 1941, pp. 812-3. In a telegram to King from London on 1 November 1939, T.A. Crerar stated: "Anything resembling Argyll House organization in last war should be wholly avoided". Argyll House was the headquarters of the Minister of Overseas Military Forces. Stacey, Six Years of War, p. 195.

for a prime minister, particularly at a time of crisis, was at home.

Nevertheless, Mackenzie King's reluctance to cross the Atlantic and his dogmatic refusal even to consider any more formal Commonwealth relationship did not always serve Canada's immediate interests. The price of aloofness was the surrender of control over the conduct of the war to the British War Cabinet and the British General Staff. Perhaps, if Canada had shared some of Australia's bitter experiences in the early years of the war, she would have shaken off her ideological misgivings and demanded an effective voice in the strategic direction of the war. As it was, she preferred to be committed by decisions taken by the British than by decisions reached jointly by a body in which she participated. She was content to remain on the sidelines, exerting what pressure she could through diplomatic channels, cable communications and occasional brief excursions to London. It was nonsense to suggest that, in such circumstances, Canadian views on questions of high policy would receive adequate attention. Only a senior minister or prime minister on the spot, prepared to back up his demands with all the authority at his command and able to remain until his demands were met, could have hoped to exercise any appreciable influence on British policy. As one distinguished scholar, since appointed King's official biographer, pointed out at the time, the result of this policy was that "the Dominion, while sedulously preserving her autonomy, at the same time relinquished in effective fashion any real control over the general war policy of the allied powers".<sup>51</sup> Yet King considered this arrangement "about as perfect a system . . . as it is possible to have".<sup>52</sup> The same observer has

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<sup>51</sup> Dawson, Canada in World Affairs, p. 204.

<sup>52</sup> H.C. Deb., 1 February 1943, p. 43.

also asserted, and nothing that has transpired since has weakened the force of his claim, that:

Mr. King could scarcely maintain that he has had as great an influence over war policy as that exercised by Sir Robert Borden after the creation of the Imperial War Cabinet . . . Decisions were being taken [in London] which might lose the war or might affect the future of Canada for all time to come, but Ottawa remained aloof, unperturbed, and, so it almost seemed, uninterested in the vital decisions which were daily being made. Yet Canada had the same Prime Minister who some years before had battled courageously for the Dominion's right to control its own halibut and, on another occasion, to send a thousand or so men to fight the Turk. Mr. Mackenzie King had strained at the gnat, but had swallowed the camel; and more than that, had swallowed it not under protest, but with every sign of enjoyment.<sup>53</sup>

This is the real weakness in King's case: his evident failure to appreciate the price of his policy, or at least his willingness to pay the price.

Fortunately, during the crucial eighteen months following the fall of France, no great issue arose to disturb the tranquillity of Anglo-Canadian relations. Thereafter, with the entry of the Americans into the war, the situation was greatly altered. The problem of Commonwealth cooperation became merged with the larger question of the framework of Allied cooperation. Canada could, therefore, safely demand her rightful place in the councils of the United Nations. The question now became one of stature or function, rather than of status.

Commonwealth relations per se did not entirely cease to be an issue after Pearl Harbour. Roosevelt and Churchill were determined to retain ultimate control over the conduct of the war in their own hands, with the lesser allied grouped under either Britain or the United States. Accordingly, it was envisaged that the Commonwealth would be linked with the Combined

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<sup>53</sup>Dawson, Canada in World Affairs, pp. 210, 211-2. "I have some doubts as to whether we have in our present government anybody as resolute in asserting our rights and defending our position as were three of the four Canadian representatives at Paris [1919]: Borden, Arthur Sifton and Doherty. They were alert and on the job at all times." J. W. Lafoe, letter to Chester Bloos, 22 March 1943, Lafoe Papers.

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Boards in Washington through machinery established in London. The full story of Canadian opposition to the British representative on the Combined Boards acting as spokesman for the Commonwealth will be dealt with later in connection with Canada's efforts to secure direct representation.<sup>54</sup> Suffice it to say here that, at the end of January 1942, the British proposed the creation of Commonwealth liaison bodies in London for consultations on questions within the scope of the Anglo-American boards. Despite Canadian rejection of the proposals, clearing houses for food and for raw materials were eventually set up. Canada kept in touch with both of them, but did not formally join either. Quite apart from all the familiar objections on political grounds to membership on such bodies, there was the practical consideration, widely acknowledged, that Canada's geographical position and her intimate economic relationship with the United States made any proposal that Ottawa deal with Washington via London utterly ludicrous.

#### Organization for Peace and the Making of the Peace

By the summer of 1943, it was possible to look forward to the end of the war. The advance of Axis forces had been halted and their retreat begun. Momentous plans had been drawn up to bring about ultimate victory, now a virtual certainty. The United Nations were, therefore, able to devote increasing attention to the problems of the peace which would follow the war.

The outlook was not entirely reassuring. It was already clear that the United States and the Soviet Union would emerge from the war immensely strengthened, while Britain would be seriously weakened and Europe almost a

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<sup>54</sup>  
Infra, pp. 292-3, 301.

power vacuum. If, as seemed possible, perhaps even likely, the United States were once again to withdraw into her shell, the U.S.S.R. would be in an unprecedented position to dominate the continent of Europe. Much would, therefore, depend on whether the wartime coalition of the Big Three continued into peace-time. But here the prospect was not encouraging; already the first ominous signs of a rift between the Allies were appearing.

For Britain, the situation was particularly disquieting. Quite apart from the economic consequences for her of the war, she could never hope on her own to match the two new Titans in population and resources. British influence in the world would, therefore, inevitably suffer, unless it were somehow bolstered from outside. Three principal suggestions as to how this might be done were put forward: closer association with the United States, with Western Europe or with the Commonwealth.<sup>55</sup>

The formation of an Anglo-American axis was not seriously canvassed on either side of the Atlantic. The Americans found little in the proposal to attract them and the British feared that, in so unequal a partnership, they would be but the tail to an American kite. To some extent, this proved to be the case even before the end of the war. During 1943, American forces for the first time exceeded British forces in strength; and this led to a subtle change in Anglo-American relations. Hitherto, British strategic thinking had dominated in discussions in the Combined Chief of Staff Committee. Now American military plans began to carry the day. And, in the final months of

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<sup>55</sup>A State Department memorandum of 13 April 1945 expressed the view that: "The British long for security but are deeply conscious of their decline from a leading position to that of the junior partner of the Big Three and are anxious to buttress their position vis-à-vis United States and Russia both through exerting leadership in the countries of Western Europe and through knitting the Commonwealth more closely together." Memoirs by Harry S. Truman (New York: Doubleday, 1955), I, 14.

the war, combined planning collapsed almost entirely. American power was so predominant that scant attention had to be paid to the views of any other country, including the United Kingdom.

The second suggestion was put forward tentatively by Smuts. In November 1943, he called on Britain to "cease . . . to be an island" and join with the smaller democracies of western Europe to form "a great European State" capable of dealing as "an equal partner with the other Colossi".<sup>56</sup> This, too, evoked little enthusiasm and was quietly dropped, until revived by Churchill in his Zurich speech of 1946.

The third possibility offered greater appeal both from a sentimental and a practical point of view. It was expressed most forcibly by Lord Halifax. In his Toronto address of 24 January 1944, he echoed the fears voiced by Smuts that, in future, Britain alone would hardly be able to claim equality with the three great "Titans", the United States, Russia and China. He then argued:

If, in the future, Britain is to play her part without assuming burdens greater than she can support, she must have with her in peace the same strength that has sustained her in this war. Not Great Britain only, but the British Commonwealth and Empire must be the fourth power in that group upon which, under Providence, the peace of the world will henceforth depend.

Accordingly, he suggested that "on vital issues" the Commonwealth should strive to "achieve a common foreign policy expressed not by a single voice but by the unison of many". Furthermore, it was "both desirable and necessary" that "in all the common fields - Foreign Policy, Defence, Economic Affairs, Colonial Questions, and Communications - we should leave nothing

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<sup>56</sup> Empire Parliamentary Association, London, 25 November 1943, in Mansergh, Documents, I, 571.

undone to bring our people into closer unity of thought and action".<sup>57</sup>

Smuts considered his speech "explosive stuff", but it produced only a mild stir compared with the outcry that followed on the heels of the Halifax proposals. Within a few days, the Canadian Parliament convened, and Mackenzie King took the earliest opportunity to denounce both the Smuts and Halifax proposals. What he stated privately in communications to other Commonwealth prime ministers can only be surmised, but it is known that he despatched a flood of lengthy cables to them, re-affirming his unalterable opposition to any such schemes.

The Canadian Government objected to the Halifax proposals on three distinct grounds. In the first place, they envisaged a world dominated by the four Titans. Secondly, they implied that peace should be organized on the basis of a balance of power between regional blocs clustering around the Great Powers rather than on a universal basis. And, finally, they involved the organization of the Commonwealth into a separate bloc capable of speaking, if not with one voice, then as with one voice on all questions of international concern. The last two objections were related: Canada opposed both regionalism in general and the consolidation of the Commonwealth into a regional organization. The first two will be dealt with later.<sup>58</sup> Here, we will be concerned only with the view that Commonwealth members should adopt and support a common approach to international problems, and perhaps even speak through one spokesman at international meetings. This has been variously referred to as

<sup>57</sup>Ibid., I, 577-9.

<sup>58</sup>infra, pp. 206-9, 349-51.

the doctrine of one, a single or a common voice or policy.<sup>59</sup>

The objections which the Canadian Government raised to this doctrine were similar to those put forward earlier to proposals for an imperial war cabinet. If the Commonwealth were to speak with one voice, then "obviously" that voice would "ordinarily" be the voice of the United Kingdom. What purported to be a common policy would, in fact, be in all essentials the policy of the British Government, however disguised. Thus, acceptance of the single voice doctrine would mean a return to colonialism; and this the Government was not prepared to countenance.<sup>60</sup> "We cannot at this stage of our history as a free nation", Mackenzie King asserted, "turn back upon the process by which we reached free nationhood."<sup>61</sup> Only a foreign policy formulated by Canadians and clearly based solely on Canadian interests could hope to appeal to the Canadian people. As Brooke Claxton pointed out, "No one could get support in Canada for a policy determined from outside of Canada".<sup>62</sup>

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<sup>59</sup>No attempt will be made to differentiate the possible shades of meaning between these terms. A few examples of attempts by others should indicate why. Lord Halifax advocated "a common foreign policy expressed not by a single voice but by the unison of many". Mansergh, Documents, 1, 577. Earlier Claxton had stated: "While we should try by consultation to have a common policy, we should not have a single policy, which is quite another thing." H.C. Deb., 9 July 1943, p. 4602. King said that the issue raised by Lord Halifax was whether the Commonwealth was to have "a single or common policy as distinct from each nation of the British Commonwealth having its own policy". Ibid., 31 January 1944, p. 36.

<sup>60</sup>[December 1944], King, "What Do the Liberals Stand for?", Maclean's Magazine (1 February 1945), p. 38; H.C. Deb., 4 August 1944, p. 5964.

<sup>61</sup>Ibid., 28 March, 1945, p. 308.

<sup>62</sup>Ibid., 9 July 1943, p. 4603.

This argument was to some extent unreal, for it ignored the stubborn fact that, in this interdependent world, not even the greatest powers were entirely free to fashion a foreign policy of their own choosing. It might have been unfortunate, but it was nevertheless true that Canada was asserting her right to a foreign policy of her own at a time when the pressing need was for a merging of national sovereignties. The Government was not entirely unaware of this. It was prepared to admit that ultimately only a world government would do; but it maintained that the Commonwealth was not the ideal framework within which to experiment.

Even if it had been possible to devise Commonwealth machinery to formulate a genuinely common foreign policy Canada would still have found this unacceptable. Such an arrangement was liable to be misunderstood in other countries, particularly the United States. It might even cause them to question the right of the Dominions to separate representation in international institutions. The Economist echoed Canadian fears when it stated in June 1943:

However reasonable it may seem in London, any suggestion that the British Commonwealth should act as a unit, but still have six or more votes in any international gathering, will meet with resistance in Washington.<sup>63</sup>

Finally, it was claimed that the Commonwealth could make a greater contribution and exert a greater influence if each of its members was free to speak its own mind.<sup>64</sup> In these circumstances, agreement would be an impressive

<sup>63</sup>Economist (5 June 1943), p. 713. It may not be entirely a coincidence that this article appeared shortly after a visit to London by Scott Reid, the leading opponent in the Department of External Affairs to consultations with Commonwealth countries prior to discussions with other countries.

<sup>64</sup>Claxton, H.C. Deb., 9 July 1943, pp. 4599, 4602; Martin, ibid., 4 August 1944, p. 5933.

demonstration of the strength of their case. Even disagreement would have the merit of underlining the voluntary nature of the association; in any case, it was preferable to an enforced and artificial unity.

The single voice doctrine, in one form or another, was the underlying issue in four separate but related questions: the practice of Commonwealth countries consulting among themselves prior to discussions with other countries, the development of common policies towards post war problems, the establishment of additional Commonwealth institutions and the modification of existing ones, and joint Commonwealth representation on international councils.

The British Government favoured prior agreement among Commonwealth countries on a common approach to all problems arising out of the war. In most instances, Canada was prepared to join in such consultations, provided she was free to consult with non-Commonwealth countries too, and provided no attempt was made to formulate a Commonwealth line. She had a deep-seated aversion to anything which savoured of an attempt to gang up on other countries. Commonwealth discussions did, in fact, take place on the drafting of the United Nations Charter and the peace treaties, and also in connection with the more specialized questions of post-war economic and civil aviation policies, but only after prolonged debates had ensued concerning the nature of these meetings.

Talks on monetary and commercial matters were initiated first. In October 1942, a group of Commonwealth experts met in London for a preliminary discussion of post war international economic relations in general and Keynes'

early ideas on an International Clearing Union in particular.<sup>65</sup> Although the Canadian Government was prepared to participate in these discussions, Mackenzie King felt constrained to emphasize repeatedly that these discussions - "there has been nothing in the nature of what one would call a formal conference" - were "purely informal and exploratory" and in no way binding on the Government.<sup>66</sup>

Canada's ready acquiescence in this procedure on this occasion soon landed her in difficulties. Although, for a year or more, Canadian and American officials had been holding preliminary conversations on general postwar economic problems, the formal Canadian-American monetary discussions did not take place until April 1943. Consequently, the British gleefully concluded, or at least acted on the hopeful assumption, that Canada would always be agreeable to Commonwealth conversations prior to an approach to the Americans. Late in May 1943, therefore, the British proposed a further conference in London on the same informal, exploratory and expert basis to discuss international civil air transport problems. The War Committee of the Cabinet discussed the matter on 2 June 1943, and considered it unacceptable.

Two principal objections were advanced against the proposal, both of which reflected Canadian concern for relations with the United States. To begin with, there was much to be said, from a Canadian point of view, for talking with Washington, rather than London, first. In the aviation field, Canada had more important and more intimate ties with the United States than with Britain. Therefore, to acquiesce in the British suggestion on this occasion would confirm the opinion, already widely held in Washington, that Canada

<sup>65</sup> R. F. Harrod, The Life of John Maynard Keynes (London: Macmillan, 1951), p. 541; H.C. Deb., 12 July 1943, p. 4629.

<sup>66</sup> Ibid., 5 March 1943, p. 994; 29 March 1943, pp. 1628-9.

was not willing to discuss anything there before consulting other Commonwealth countries. If she were ever to disabuse Washington (and London) of this notion, now was the time. Besides, wartime aviation developments in Canada and her favourable geographical situation combined to place her in a strong position to bargain on her own. This also meant that she had much to offer the Commonwealth, a fact which helps explain British eagerness to enlist her support. On the other hand, throwing in her lot with the Commonwealth offered few attractions to Canada, and some positive disadvantages. By going it alone, she could negotiate directly with the Americans without the added complication of introducing extraneous imperial considerations. In the end, this worked to Britain's advantage; for, by gaining the respect of the Americans, the Canadian Delegation to the International Civil Aviation Conference in Chicago was able to effect a compromise between the conflicting views of the British and the Americans, and thus salvage much for which Britain stood.

The second objection was more general. It took account, not so much of Canada's immediate interests, as of the common interest of all nations in cooperative aviation development. The Canadian Government feared that any semblance of caucus tactics on the part of the Commonwealth would lead to a violent reaction in the United States and thus prejudice the possibility of eventual agreement. For the Commonwealth to present joint proposals to the United States, however tentatively and informally, was to invite rejection. Even if no attempt were made to reach prior agreement within the Commonwealth, the mere fact of meeting in London was liable to be misunderstood, if not deliberately and maliciously misconstrued. This would almost certainly happen if, as the British apparently intended, Washington was not officially informed

of the meeting beforehand.<sup>67</sup>

Canadian determination to do nothing to render broad international agreement more difficult to achieve reflected the Government's intense concern, already noted,<sup>68</sup> with the security aspects of international civil aviation. Besides, it seemed likely that air transport would be one of the first postwar problems to be dealt with. It was, therefore, "vital", not only that there should be agreement, but that it should be based on sound principles generally applicable to other spheres of international cooperation such as trade, finance and especially security. "An enlightened settlement", C. D. Howe explained,

. . . can constitute a model for the settlement of other difficult international problems, and create an atmosphere in which the settlement of these other problems will become easier. Failure to devise a working system of cooperation and collaboration . . . will prejudice the establishment of an effective world security organization.<sup>69</sup>

Clearly, the Canadian Government took a most serious view of the issues involved in the British proposal; its acceptance might have dashed all hope of an international air agreement and, in addition, prejudiced the chances of

<sup>67</sup> Churchill also considered Anglo-American agreement on postwar civil aviation more important than agreement within the Commonwealth. On 10 June 1943, he wrote, in a minute to Lord Cherwell: "The difficulty of getting agreement among the Dominions at this stage should not prevent the formulation of British policy after consultation with them. At the same time, it is of the utmost importance and urgency to ascertain the views and wishes of the United States. Everything will be much easier if agreement is reached with them." Second World War, V, 565.

<sup>68</sup> Supra, p. 37.

<sup>69</sup> H. C. Deb., 17 March 1944, p. 1578; also Proceedings of International Civil Aviation Conference (Washington: Government Printing Office, 1948), I, 74.

achieving world security. The Government did not, however, feel able simply to reject the proposal outright. The frightening magnitude of the issues involved compelled it to submit a constructive alternative. It therefore suggested that the United States be invited to be represented at an informal meeting of Commonwealth officials to be held in Ottawa. The British countered with the suggestion that the talks take place at the ministerial level and include the Soviet Union and China as well as the United States. They also indicated that it would be a happy coincidence if the Commonwealth delegates were to turn up a week early. None of these modifications was acceptable to the Canadian Government. It was prepared to sponsor a conference in Ottawa only if it were small, informal and non-committal, yet included the United States from the first. The Government was willing to exchange views in writing with other Commonwealth governments, but it was adamantly opposed to facing them across a table. On 9 July, after a further month of negotiations, during which it became evident that the Canadian counter-proposal was equally unacceptable to the British, the Government withdrew its invitation.<sup>70</sup>

Meanwhile, Washington had got wind of these negotiations and, on 8 July, a pretty full account of them leaked into the press.<sup>71</sup> Mackenzie King had been dreading this and so, when a few days later he was faced with a direct question in Parliament, he frankly dodged it.

My hon. friend [he said] has heard of fishing expeditions . . . I regard the press report . . . as flying a kite with a view to drawing information from this administration that might serve certain ends but perhaps not all the ends that we would wish to see served. I prefer to say nothing at

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<sup>70</sup>The Canadian suggestion was later adopted with great success in another field which had traditionally been a source of much international friction. A U.S.A. - British Commonwealth Telecommunications Conference was held in Bermuda, 19-21 November 1945, though admittedly a Commonwealth Telecommunications Conference had been held in London the previous July.

<sup>71</sup>Montreal Gazette (9 July 1943), p. 19.

this time in reply to the question my hon. friend has asked.<sup>72</sup>

This scare reinforced Canadian determination to proceed with the utmost circumspection.

Negotiations continued intermittently throughout the summer. Finally, on 31 August 1943, a compromise was reached at a meeting in Quebec City of the War Committee of the Cabinet attended by Churchill. Canada agreed to drop her opposition to a ministerial conference and her insistence on American participation if the non-committal and informal nature of the talks was fully explained to the Americans beforehand. "We refused to go", a senior Canadian official explained, "unless Roosevelt was informed of the meeting as we were very much against giving [the] U.S. the idea the empire was ganging up against them." Immediately after the meeting, Churchill left for Washington where he explained the situation to the President and obtained his approval. In a memorandum to him confirming the understanding reached, Churchill wrote:

I have told our Government that you made no objection when I said that we intended to hold a preliminary Commonwealth meeting in London or Canada, and that this would be only to focus our own British Commonwealth ideas for subsequent discussions with the United States.<sup>73</sup>

No sooner had the Canadian Government agreed to the Commonwealth conversations than it began to have second thoughts about the wisdom of its decision. What worried it was not Roosevelt's attitude, but the reaction of the airlines lobby in and out of Congress. This powerful group was ever ready to exploit for its own ends any false moves foreign governments might make. At one stage, the Government even considered initiating immediate

<sup>72</sup>H. C. Deb., 13 July 1943, p. 4696.

<sup>73</sup>13 September 1943, Churchill, Second World War, V, 585.

talks with the Americans to forestall the anticipated criticism. In the end, it was decided instead to explain directly to the Americans Canada's own understanding of the limited scope and nature of the forthcoming air conversations in London.

Canadian reluctance to embark on Commonwealth air talks was not due merely to reservations concerning procedure. The Government had no desire to collide head-on with other Commonwealth countries over the issue of air policy, and yet, at the time, it seemed almost inevitable that a clash would take place. The reason for this was that Canada was strongly opposed both to the joint Commonwealth operating company and to the closed imperial sky policy being pushed by the influential Beaverbrook-Balfour wing of the British Government.<sup>74</sup>

Opposition to a joint operating company represented a reversal of earlier policy. During 1935-36, before the organization of the nationally-owned Trans-Canada Airlines, the Government had agreed to sponsor a trans-Atlantic air service jointly with the United Kingdom, Newfoundland and the Irish Free State. On account of the war, the scheme was never fully implemented. Subsequently, the Government regretted having consented to an arrangement whereby it would be merely "a minority shareholder in an international airline".<sup>75</sup> Under a wartime agreement, Trans-Canada Airlines embarked in 1942 on a trans-Atlantic service of its own; and it was understandable that it should wish to continue to do so after the war. Consequently, in October 1942, the Government informed the other signatories of its desire

<sup>74</sup> Lord Beaverbrook was in charge of coordinating civil aviation and Harold Balfour was Parliamentary Under-Secretary of State for Air.

<sup>75</sup> H. C. Deb., 20 April 1944, p. 2214. Canada was to own 24 $\frac{1}{2}$ % of the stock of the proposed joint air corporation.

to be released from its obligations. The response was unfavourable; the British considered such a step inopportune and the Irish regarded it as a breach of faith. This initial setback in no way weakened Canada's resolve to scrap the 1936 agreement. Having failed to secure the consent of the other parties, she decided simply to abrogate it unilaterally on the grounds that the joint operating company envisaged in the agreement had never been set up and that "material changes in circumstances" had taken place since it was signed (notably the establishment of Trans-Canadian Airlines able to compete on the North Atlantic route on its own) which rendered it "no longer . . . applicable to present conditions".<sup>76</sup> These claims, even if true, were irrelevant. There was, in fact, not a shred of support in international law for the Canadian action, and it rendered rather hollow Mackenzie King's high sounding pronouncements on the sanctity of treaties.<sup>77</sup> In the circumstances, it can readily be appreciated that the Government was in no mood to consider at the London meetings the establishment of an airline owned jointly by Commonwealth governments. Furthermore, any discussion of the matter was bound to prove embarrassing.

Under the closed imperial sky policy, the Commonwealth would have been treated as a single entity. Foreign airlines would have been forbidden to engage in "domestic" flights within the Commonwealth. Commonwealth countries

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<sup>76</sup> H.C. Deb., 22 February 1943, pp. 580-1; 17 March 1944, pp. 1575, 1576; 20 April 1944, p. 2214.

<sup>77</sup> E.g., in appealing for support for a Canadian declaration of war on Germany, King said: "One of the reasons we are asking this Parliament to support our policy at the present time is that we believe that it is only by the triumph of those nations which are seeking today to keep treaties intact, and only as treaties are regarded as sacred, will it ever be possible for a civilization based upon contractual relations to exist hereafter." H.C. Deb., 8 September 1939, pp. 32-3. Also, ibid., 25 February 1942, pp. 833-4.

might also have granted each other reciprocal concessions to enable Commonwealth airlines to compete with foreign airlines on international air routes. This approach was clearly unacceptable to Canada, and not only because of the constitutional implications involved in this provocative assertion of the inter se doctrine. This blatant attempt to discriminate against the United States would, in the Canadian view, have wrecked any hope of a general settlement of international air transport questions and led directly back to the jungle of the inter-war years with its explosive mixture of cut-throat competition, economic nationalism and international rivalry. The only conceivable circumstances in which Canada would have agreed to a Commonwealth agreement of this sort would have been if a wider agreement were impossible. Even in this case, Canada would have insisted that membership be open to all other states in the hope that it might eventually become universal.

The Commonwealth air conversations eventually took place in London, 11 to 13 October 1943. The doubts and misgivings and the total lack of enthusiasm which the Government felt on the eve of the talks were well expressed by one member of the Delegation, who wrote on 4 October 1943:

I am not looking forward to the meeting as I visualise [C.D.] Howe and I will to some extent be the discordant elements. An empire arrangement is wanted so that Canada's strong position can be used not for the benefit of Canada but for the benefit of the Empire. G.B. [Great Britain] must of course in their view control in their hands any Empire line . . . . I think the other parts of the Empire having no air system are in favor of an Empire Company, so that we are likely to be pretty much alone and the P.M. [Mackenzie King] doesn't like the idea of being painted as an Empire buster by George Drew, Globe and Mail et al. However, Howe and myself have pretty stiff backs and no decision will be reached at this meeting. We will listen, argue a bit and probably be thoroughly disliked.

In the event, the Canadians found their experience in London much less of an ordeal than they had anticipated. The British proved more anxious to reach an understanding with the Dominions than to press any particular views

of their own. They accepted, therefore, the Canadian contention that the meeting should seek, not an agreed policy, but a "common view on certain general principles". Certainly, no attempt was made to present the United States with "any cut-and-dried empire plan".<sup>78</sup> The official communique issued afterwards stressed the "informal and exploratory" nature of the conversations and pointed out that the "conclusions reached were subject to confirmation" by the governments concerned.<sup>79</sup> The conclusions reached were, however, eminently satisfactory. The Canadian Delegation, with the strong support of the Australians, succeeded in securing acceptance of the view that the interests of international aviation should be subordinated to the requirements of security, though there was some disposition on the part of the British to try to interpret this to mean imperial security rather than, as Canada insisted, general security. It was also unanimously agreed that developments in civil aviation should take place "within an international framework, and that closed discriminatory systems could only promote disharmony, and endanger the chances of reaching that broad agreement which is necessary".<sup>80</sup>

The Department of External Affairs, in announcing the intention to hold the London "conversations", was careful to point out that they would be followed "in due course" by discussions with other members of the United Nations, including the United States and the Soviet Union.<sup>81</sup> The "conversations" with the Americans took place in Montreal the following March, just

<sup>78</sup>C.D. Howe, press conference, London, 18 October 1943, Times (19 October 1943), p. 2; H.C. Deb., 20 April 1944, p. 2213.

<sup>79</sup>Ibid., 17 March 1944, p. 1580.

<sup>80</sup>Ibid., pp. 1579, 1580.

<sup>81</sup>10 October 1943, Times (11 October 1943), p. 4.

prior to the Anglo-American talks in London.<sup>82</sup> The Russians and Chinese were invited to Ottawa for similar discussions, but these could not be arranged.<sup>83</sup>

The fierce debate which raged over the holding of air talks in London was of decisive importance in determining the scope and nature of future Commonwealth conversations. There were two consequences of major significance. First, although the attempt to hammer out a common policy was not entirely abandoned, with one possible exception early in 1945, it was never again seriously pressed. Secondly, Canada's eventual acquiescence in these preliminary Commonwealth discussions, encouraged the British to propose further talks in other fields. In fact, from the spring of 1944 onwards, the number of Commonwealth gatherings increased significantly. One or more meetings were held before almost every international conference convened to establish an international political or economic organization -- Bretton Woods, Dumbarton Oaks, Chicago, San Francisco, Havana.

Early in March 1944, Commonwealth Economic Policy Talks were held in London.<sup>84</sup> These were a continuation of the October 1942 discussions, but covered a broader range of topics: exchange stability, investment, trade and employment and restrictive business practices. Early in the proceedings, the

<sup>82</sup> Ibid., (1 April 1944), p. 4; H.C. Deb., 17 April 1944, p. 2083; 21 April 1944, p. 2265. In referring to these meetings, Howe said: "I dislike the word 'conference' in connection with any of them. They were described as conversations." Ibid.

<sup>83</sup> Ibid., 25 May 1944, p. 3209.

<sup>84</sup> Ibid., 1 May 1944, p. 2488; Harrod, Keynes, p. 573. Canadian-American Conversations on commercial policy (Article VII of the Lend-Lease Agreement) had already taken place in Washington, 3-7 January 1944, and New York, 12-13 February 1944. Postwar Foreign Policy Preparation, 1939-1945 (Washington: Government Printing Office, 1949), p. 193; H.C. Deb., 3 February 1944, p. 138.

British officials inquired as a matter of course whether, in view of the forthcoming Anglo-American conversations on these questions, Dominion representatives wished to draft an agreed statement on each of them for presentation to the Americans. In each case, the Canadian experts asked that the British speak only on their own behalf, and this view was accepted.

During the London talks, particular attention was devoted to the establishment of an International Monetary Fund. The previous year, Britain and Canada as well as the United States had published detailed draft proposals, and these had since been widely debated in all the Allied countries. Following the preliminary Commonwealth discussions, consultations were held among United Nations experts. Out of these emerged, on 21 April 1944, the "Joint Statement by Experts on the Establishment of an International Monetary Fund". Further informal Commonwealth discussions took place in Atlantic City in June, immediately prior to the Bretton Woods Conference.<sup>85</sup>

The most important Commonwealth meeting of the war, and the first acknowledged conference, was the meeting of Commonwealth Prime Ministers in London in May 1944. When Churchill first raised the question at the Quebec Conference the previous August, Mackenzie King expressed his readiness to attend, though it proved difficult to arrange a time convenient for all concerned.<sup>86</sup>

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<sup>85</sup>Harrod, Keynes, p. 576.

<sup>86</sup>New York Times (23 September 1943), p. 10; H.C. Deb., 28 January 1944, p. 6. However, a reliable and usually well-informed journalist reported: "At Ottawa predictions were two to a penny as late as April 1 [1944], that Prime Minister King wouldn't attend the conference of Commonwealth prime ministers, if indeed the conference were held at all." Blair Fraser, "'Canada Came of Age'", Maclean's Magazine (1 July 1944), p. 5.

The conference differed from the earlier imperial conferences in a number of important respects. To begin with, it was a far less formal affair. This was perhaps inevitable in wartime, but it was significant as it set the pattern for the future. There were fewer set speeches and formal functions. There was also no formal agenda, and less advance preparation of conference documents. Nor, apart from the final communiqué, was there any published summary of proceedings or joint statement containing the text of resolutions adopted. The Prime Ministers were much more concerned to exchange opinions with each other than to achieve agreement on the spot. Consequently, it was unnecessary for them to be accompanied by a host of experts and advisers as in the past. In 1937, the Canadian Delegation had consisted of four ministers in addition to the Prime Minister and fourteen senior advisers; in 1944, Mackenzie King took only a handful of officials with him.<sup>87</sup>

In some respects, the difference between imperial and Commonwealth conferences was not as sharp as might be thought. The imperial conference had never been, in any real sense, an executive or policy-making body; its resolutions were never regarded as binding agreements. Commonwealth

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<sup>87</sup> H.C. Deb., 31 March 1944, p. 2042. Referring to the October 1948 meeting of Commonwealth prime ministers, King stated: "The meeting in London is not . . . in the nature of an Imperial Conference at which several ministers and their advisers will be present, and where decisions upon policy will be made." Press Release, 25 August 1948. Vincent Massey was almost alone among Canadians in publicly mourning the passing of the Imperial Conference. "It is a regrettable fact", he wrote in 1948, "that no Imperial Conference has been held since 1937. It is time another one took place. Such hasty improvised meetings of Prime Ministers as have since been held are, of course, useful for they are better than nothing. But they offer no substitute for formal conferences with adequate preparation and opportunities for the full consideration of vital questions." On Being Canadian (Toronto: Dent, 1948), p. 107.

conferences, in fact, bore a marked resemblance to what Mackenzie King had always considered imperial conferences were, or at least ought to have been. In January 1944, he stated that his views on the nature of the forthcoming conference were the same as those he had expressed in 1937. At the concluding session of the Imperial Conference of that year, he had said:

The task of the Imperial Conference has been well defined as that of considering whether the several governments represented, while preserving their individual rights of decision and action, can co-ordinate their various policies in such a way as to assist one another, and help forward the cause of peace. Its function is not to formulate or declare policy.<sup>88</sup>

As the Commonwealth Prime Ministers gathered in London on the very eve of the Normandy landings, it was natural that their thoughts should have been directed primarily to the war situation. At the same time, the prospects for an early liberation of Europe made it inevitable that they should also devote a good deal of attention to post-war problems and to the revival of international institutions. This, in fact, is what happened. In particular, careful consideration was given to the proposals framed by the United Kingdom Government for a United Nations organization, and to the question of Dominion participation in the occupation of Germany after the war.<sup>89</sup>

The Declaration issued at the conclusion of the Conference stated that the Prime Ministers were "in complete agreement" on "the principles which determine our foreign policies, and their application to current problems".<sup>90</sup>

<sup>88</sup> 15 June 1937, Imperial Conference, 1937, Summary of Proceedings (Ottawa: King's Printer, 1937), pp. 64-5; H.C. Deb., 31 January 1944, pp. 38-9.

<sup>89</sup> Report on the San Francisco Conference, p. 7; H.C. Deb. 22 May 1944, p. 3099; 31 January 1945, p. 6954; 28 March 1945, p. 300; New York Times (7 May 1944), p. 18.

<sup>90</sup> 16 May 1944, Mansergh, Documents, I, 586.

The significant words here are "foreign policies". No attempt was made to draw up a single policy for the Commonwealth. Rather, what was sought and achieved was a "convergence" of separate policies.<sup>91</sup> This was in marked contrast to what was expected or feared in some quarters beforehand. A few months earlier, Lord Halifax had sounded the clarion call for a single Commonwealth view on foreign policy. Only Mackenzie King had spoken out strongly against him. Smuts had earlier voiced a different variant of the Halifax tune, while Fraser had also seemed to express some sympathy for the Halifax approach. The strongest partisan of all of closer Commonwealth collaboration was Curtin. During 1943, he had advocated two significant additions to the machinery of imperial conferences. In a series of public utterances, he spoke of the need "for some Imperial authority" which would be, "if not an executive body, at least a standing consultative body". He suggested the creation in London of "a standing sub-committee of the Imperial Conference" with "a structure similar to the present Pacific War Council" and composed of the British Prime Minister, the Dominions Secretary, the resident High Commissioners and any Dominion ministers who happened to be visiting in London. He also advocated attaching a permanent secretariat representative of all Commonwealth members to the imperial conference to service it and furnish it with expert advice.<sup>92</sup>

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<sup>91</sup> King, opening statement, Commonwealth Prime Ministers' Meeting, 1 May 1944, Times (3 May 1944), p. 8; H.C. Deb., 22 May 1944, p. 3099.

<sup>92</sup> 14 August, 6 September and 14 December 1943, Mansergh, Documents, I, 562-4. See also Curtin's press conference, London, 4 May 1944, Times (5 May 1944), p. 4. Presumably Pearson had the Curtin proposals in mind when he warned of the danger of attempting to confine the Commonwealth within "any constitutional or administrative straitjacket". Canadian Club, Toronto, 13 March 1944.

While, therefore, the Prime Ministers met amidst much talk of a "single voice" doctrine, all this melted away soon after the meetings got underway. The simple truth was that, when it came down to it, no single government was prepared to sacrifice its national sovereignty for the sake of centralized institutions. Even Curtin put forward only a watered down version of his original proposal which specifically reserved to each government "sovereign control of its policies". The essence of this plan was closer and more frequent consultations at every level, ministerial, diplomatic and official. One aspect of it, monthly conferences of the British Prime Minister with the Dominion High Commissioners, to supplement their regular daily meetings with the Secretary of State for Dominion Affairs, was accepted though not implemented. The other suggestions were referred back to individual governments for consideration and shelving.

Mackenzie King took the lead in opposing any change in existing arrangements. "Let us beware", he warned British parliamentarians, "lest in changing the form we lose the substance; or, for appearances' sake, sacrifice reality".<sup>93</sup> He took no exception to the establishment of a Commonwealth "research bureau" or "reference library"; indeed, he said he would be "delighted to see it furthered". But he suspected that Curtin contemplated a permanent secretariat which would be "dealing with questions or programmes for all parts of the Empire, and attempting to settle them there"; and that was unacceptable. King flatly refused even to consider a "centralized secretariat directing . . . any of the affairs of the Common-

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<sup>93</sup>11 May 1944, Mansergh, Documents, I, 588.

wealth".<sup>94</sup> According to Curtin himself,

During the conference, Mr. Mackenzie King said that, whilst there was much in my proposals with which he was in agreement, the questions raised would have to be carefully considered along with the whole range of matters connected with world security.

He then added,

I do not seek to convert my friend, Mr. Mackenzie King, to my views, any more than I can accept from the Australian point of view, his opinion that the present means of co-operation has worked with complete success.<sup>95</sup>

Thus, the status quo was preserved. The Declaration signed by the five prime ministers made no specific mention of the constitutional debate beyond eulogizing the existing system and pointing out that its strength lay "not in any formal bond but in the hidden springs from which human action flows".<sup>96</sup>

The Commonwealth Conference of May 1944 was, in a real sense, a preliminary to the Dumbarton Oaks conversations which began the following August. As these talks were confined to the Great Powers, the United Kingdom alone among Commonwealth countries attended. Nevertheless, the Dominions were consulted continuously through daily meetings of their representatives in Washington with the British Delegation.<sup>97</sup>

<sup>94</sup>H.C. Deb., 11 August 1944, pp. 6274, 6276. In the absence of a secretariat, the Dominions Office has to some extent filled the gap. "It plays an effective part as a sort of liaison . . . inside the Commonwealth", Hume Wrong explained. Standing Committee on External Affairs, Minutes, 25 October 1945, p. 7.

<sup>95</sup>Australian House of Representatives, Debates, 17 July 1944, p. 39. Earlier Curtin had announced his willingness to proceed with his plans even if Canada was not prepared to join in it. "If I cannot have four brethren", he told a press conference in London on 4 May 1944, "and can have three, well, three's better than none." Times (5 May 1944), p. 4.

<sup>96</sup>Mansergh, Documents, I, 586.

<sup>97</sup>H.C. Deb., 14 August 1944, p. 6426; Report on the San Francisco Conference, p. 7.

In the spring of 1945, the British tried to convene a second major Commonwealth conference in order to establish a Commonwealth line on issues likely to arise at San Francisco. Mackenzie King rejected this proposal outright. Later, when he had been assured that nothing in the way of a Commonwealth bloc was contemplated, he agreed that Canada should be represented by two government officials, her High Commissioner in London and the Associate Under-Secretary of State for External Affairs. Neither Mackenzie King nor any member of his cabinet attended, though the other Dominions were all represented by either their prime ministers or their deputy prime ministers. As Parliament was in session, King's duties at home served to excuse his absence from London and avoid the appearance of an open breach, but it is doubtful if he would have wished to go in any case. Canadian representation accurately reflected Ottawa's interest in the meeting and its assessment of its importance.

The meeting took place in London, 4 to 13 April 1945. In accordance with Canadian custom, Vincent Massey sought, in his opening statement to establish beyond all possibility of doubt the basis on which Canada was prepared to participate in the talks and, at the same time, to quiet the fears of those outside the Commonwealth who were ever ready to suspect the worst whenever it came together. This assurance had more than routine significance in view of the revival of the bogey of the six British votes following the revelation, a few days earlier, of the Yalta agreement on multiple representation in the United Nations. The nations of the Commonwealth, Massey pointed out, would not go to San Francisco "as a bloc bent on concerting their votes in opposition to those of others". The meeting was merely "a normal event . . . in full accordance with our traditional and reasonable practice. Any other interpretation placed upon it would be

wrong and misleading". He refused to admit that there was anything exclusive about the London discussions as there had been "no failure to talk things over with some of our friends outside the Commonwealth". In an obvious reference to the recent meetings of members of the Pan American Union at Chapultepec, and of the Arab countries at Cairo, he pointed out that, in any case, the Commonwealth "was not the only group of countries which has met to consider each other's views in advance of the great Conference".<sup>98</sup>

The Commonwealth has never acted or voted as a bloc at meetings of the United Nations. Indeed, one of its most striking features is its continued existence in the face of the most alarming internal divisions. "On our Committee", L.B. Pearson remarked at San Francisco, ". . . almost every possible alignment of opinion and voting took place. The members of the British Commonwealth of Nations, for instance, once or twice voted together".<sup>99</sup>

<sup>98</sup>Harvey, Consultation and Co-operation in the Commonwealth, p. 310. Massey personally regarded these apologetic pronouncements "unnecessary and undignified". Writing in 1948, he said: "In Canada we have been oversensitive to the charge that the Commonwealth is given to selfish collective action. The approach of any important meeting of its members has been likely to evoke routine assurances from this country, almost suggesting an uneasy conscience, that there is no intention to act as a group or, indeed, to come to agreement on anything. Others [e.g. Latin Americans] are not so squeamish." "There is little danger of a uniform point of view in the British Commonwealth. But there is surely nothing reprehensible in our agreement when we do agree . . . . At all times we should refuse to accept the notion that there is any impropriety in our consulting together on any matter of common concern." On Being Canadian, pp. 104, 105.

<sup>99</sup>U.N.C.L.O., VI, 176-7. "I think the San Francisco Conference has proved for once and all the absurdity of the notion that all the countries of the British Commonwealth will always speak and vote as a single block." St. Laurent, H.C. Deb., 16 October 1945, p. 1195. For a useful analysis of bloc voting during the second part of the First Session of the General Assembly, see The United Nations, 1946, pp. 23, 280-3.

An inner Commonwealth group, comprising Britain and the older Dominions other than South Africa, does to some extent exist, but even it is scarcely comparable to the Arab, Latin American or Soviet blocs. This does not mean that Commonwealth delegations do not consult among themselves. During the San Francisco Conference, there were "frequent Commonwealth meetings at which frank discussions took place".<sup>100</sup> The same has been true at meetings of the Preparatory Commission of the United Nations and at sessions of the General Assembly ever since.<sup>101</sup> Experience, in fact, seems to suggest that the less the Commonwealth votes as a bloc, the more it needs to discuss and if possible iron out its differences. In this connection, it is perhaps worthy of note that it is increasingly common for Commonwealth meetings to be called on the initiative of the Indian Delegation.

The situation with regard to specialized agencies has been very similar: informal consultation prior to their establishment and during their meetings. As has already been pointed out, two series of Commonwealth conversations preceded the Bretton Woods Conference of July 1944. In the case of ICAO, following the preliminary meeting of Commonwealth representatives in London in October 1943, two further "Commonwealth Air Conversations" were held in Montreal on 23 to 28 October and 9 and 10 December 1944, that is just before and just after the International Civil Aviation Conference in

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<sup>100</sup>St. Laurent, H.C. Deb., 16 October 1945, p. 1195.

<sup>101</sup>"In the early days of the United Nations, I asked a Canadian whether there were Commonwealth meetings at Lake Success. He laughed and said that, as in League days, the answer was 'There are no meetings. And at any meetings held, no decisions are taken. And any decisions taken are not binding'." Gwendolen Carter, "The Commonwealth in the United Nations", International Organization, IV (1950), 259. It is not clear whether the practice of holding Commonwealth meetings in Geneva prior to meetings of the League Assembly has been continued in the United Nations.

Chicago. British Commonwealth Talks on Trade and Employment have also been held in conjunction with the UN Conference on Trade and Employment and related tariff negotiations.<sup>102</sup>

Following the First World War, Canada attended the Paris Peace Conference in a dual capacity: as a nation in her own right and as a part of the British Empire. (In effect, the Imperial War Cabinet moved to Paris and became the British Empire Delegation.) This ensured both continuous Commonwealth consultations and indirect Dominion representation on the vital committees of great powers which actually drafted the treaties. The position after the Second World War was very different, not only because the expedient of a British Empire Delegation was no longer acceptable, but also because of the very different political climate which existed. As a result of this, no general settlement has yet been possible in either Germany or the Far East. Commonwealth consultations this time have been much less formal than in 1919, and no attempt has been made to lay down a single line of policy. They have been effected mainly through diplomatic channels, though in addition there have been a number of Commonwealth meetings devoted

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<sup>102</sup>The following British Commonwealth Talks on Trade and Employment have been held: 15 meetings in London, 3 October to 25 November 1946, prior to and during the First Session of the Preparatory Committee of the UN Conference on Trade and Employment, London, 15 October to 26 November 1946; 27 meetings in London, 11 March to 2 April 1947, and 20 meetings in Geneva, 6 May to 10 October 1947 prior to and during the Second Session of the Preparatory Committee and subsequent tariff negotiations, Geneva, 10 April to 30 October 1947; London, 31 March to 4 April 1949, prior to the Third Session of the Contracting Parties of GATT, Annecy; London, September 1950, prior to Torquay tariff negotiations; and London, 4-12 October 1954, prior to the Ninth Session of the Contracting Parties of GATT, Geneva. *Times* (12 October 1946), p. 4; (3 April 1947), p. 4; (5 April 1949), p. 4; (18 September 1950), p. 4; (13 October 1954), p. 4.

to a discussion of the terms of the peace treaties.

On 24 August 1945, Attlee invited the Dominion prime ministers or their representatives to London for consultations during the first session of the newly-created Council of Foreign Ministers. Neither Mackenzie King nor any of his colleagues was able to attend for a variety of convincing and convenient reasons, but King's explanation to the House of Commons and his reiteration of his familiar theme about the existence of "a continuing conference of cabinets of the Commonwealth" scarcely left the impression that he regretted, in any way, that pressure of more important business kept him in Ottawa.<sup>103</sup> Certainly his tone changed perceptibly a few days later, when, as a result of the defection of a cipher clerk in the Soviet Embassy and the exposure of Soviet espionage in Canada, he found it necessary to pay an extended visit to Britain in the near future.<sup>104</sup>

No Commonwealth meeting could be arranged in the autumn of 1945, but the following spring Attlee announced his intention to be At-Home to any of his Commonwealth colleagues and associates who cared to drop in on him prior to the Peace Conference opening in Paris on 29 July. As a result, from 23 April to 23 May, a series of consultations took place in London. Mackenzie King did not arrive until 19 May, but as usual he was amply armed with the best possible excuses - an important Dominion-Provincial Conference and pressing parliamentary duties. However, this time, he made no attempt to hide his annoyance at having to journey to London.

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<sup>103</sup>H.C. Deb., 6 September 1945, p. 10. That same day, Evatt arrived in London in response to Attlee's invitation.

<sup>104</sup>Ibid., 21 September 1945, p. 361; 27 September 1945, pp. 491, 493; 18 March 1946, p. 49. King was absent from Ottawa from 30 September to 17 November 1945. He visited Washington on his way both to and from London.

I think a man's first duty [he said] is to his own country and to his own Parliament. If I had consulted my own feelings at this time I would have remained here, but . . . I have given my word that I would go.

He then launched into his familiar profession of faith in the existing system of consultation by cable which he once again asserted was "about as perfect as any system could be".<sup>105</sup>

There has been some suggestion that Mackenzie King's obvious annoyance was due to a suspicion that the Labour Government wished to line Commonwealth countries up behind a common policy towards the peace treaties.<sup>106</sup> Whatever justification there may have been for this fear, nothing of the sort transpired. The final statement issued four days after Mackenzie King's arrival re-affirmed, in an accent distinctly Canadian, the belief that "the existing methods of consultation have proved their worth". The possibility of introducing improvements was not entirely excluded, but the creation of "any rigid

<sup>105</sup>H.C. Deb., 9 May 1946, p. 1348. King continued: "I wish to make it perfectly clear that I am not going to attempt at any consultations to say what this Government's opinion is . . . I shall be very happy at any conference to give my views in a general way as to opinions that I think this country would wish to have fully considered. But as for presenting at a conference the official view of departments of government and without the presence of their experts as well, I can assure the House that I shall be careful to refrain from committing anyone in a manner that is likely to occasion embarrassments." Only the day before, King had had to deny Attlee's claim that King had "agreed" to British policy in Egypt. Far from agreeing, Canada had not even been consulted and had offered no advice on the matter; nor did she wish to. Ibid., 8 May 1946, pp. 1324-5.

<sup>106</sup>Blair Fraser, "Backstage at Ottawa", Maclean's Magazine (15 June 1946). Attlee found that as a result of the war King was no longer "almost morbidly apprehensive of being dominated by the Government of the United Kingdom", although he was "still apt to be rather non-committal and to be unwilling to make pronouncements when away from his Cabinet". As It Happened (London: Heinemann, 1954), pp. 177-8.

centralized machinery" was definitely ruled out on the grounds that it "would not facilitate, and might even hamper", the unity of the Commonwealth and the autonomy of its members.<sup>107</sup>

This was the last occasion on which Mackenzie King had to sally forth to slay the one-voice dragon. By October 1948, when the Commonwealth Prime Ministers next gathered in London, the situation had been transformed. With the admission of independent India, Pakistan and Ceylon to full membership in the Commonwealth, there was no longer the slightest possibility of centralization succeeding.<sup>108</sup> Furthermore, the decision freely taken by each of the Asian members of the Commonwealth to remain associated with it was a dramatic vindication of the principles of Commonwealth co-operation for which Mackenzie King had striven (however dimly he may, at times, have perceived them) all his political life.

The consultations held in London in the spring of 1946 dealt primarily with the draft peace treaties with Italy and the East European satellites. Two subsequent conferences dealt with the Japanese peace settlement. The first was held in Canberra, 26 August to 2 September 1947. The United States attempted to head off this meeting by inviting Canada and the other member nations of the Far Eastern Commission to a conference in Washington on 19 August. In its reply, the Canadian Government indicated that, as it had

<sup>107</sup> 23 May 1946, Mansergh, Documents, I, 596. King never formally reported to Parliament on his discussions in London, but his mood on his return was much happier than before his departure. He announced that the meetings had been of "exceptional value" and that he was "never more grateful" that Canada was a member of the Commonwealth. H.C. Deb., 17 June 1946, p. 2530.

<sup>108</sup> The Ottawa announcement of the meeting ended with the statement: "It is not the practice on these occasions to take formal decisions." Office of the Prime Minister, Press Release, 13 September 1948.

already accepted an invitation to attend the meeting in Canberra, "it would find it difficult to be represented at a conference in the United States" on the date suggested. However, in order to disarm American critics, the Government stressed the informal nature of the Commonwealth gathering.<sup>109</sup>

Brooke Claxton, the chief Canadian delegate, also emphasized the "free and non-committal" nature of the Conference in his opening statement.

I dare say [he said] that no one here is in a position, even if he so desired, to commit his Government to a course of action until an opportunity was given to hear the views of the other nations with interests in the Pacific.<sup>110</sup>

At the time of the Canberra Conference, it was expected that a Japanese Peace conference would be convened in 1948. This did not prove possible; and the Commonwealth took up the matter again when their foreign ministers met at Colombo, 9 to 14 January 1950. The Colombo deliberations were continued in London in the Commonwealth Working Party on the Japanese Peace Treaty which met from 1 to 17 May, under the direction of the Commonwealth High Commissioners.<sup>111</sup> Far from achieving a common policy on a Far Eastern settlement, the Commonwealth was noticeably disunited. For different reasons, neither India nor Burma (which had attended the Canberra Conference) accepted an invitation to the San Francisco Conference in 1951, or signed the Japanese

<sup>109</sup> Department of External Affairs, Press Release No. 22, 26 July 1947. Vincent Massey has stated that the Canadian assurance to the United States that the Canberra Conference "did not foreshadow the formation of a British 'common front' . . . seemed both unnecessary and undignified". On Being Canadian, p. 105.

<sup>110</sup> Statement, Canberra Conference, 26 August 1947. The Canadian position is fully supported in the final conference communique. Mansergh, Documents, II, 1170-1.

<sup>111</sup> Report of the Department of External Affairs, Canada, 1950, pp. 19, 74. The Japanese peace treaty was also discussed at meetings of Commonwealth Prime Ministers in London in October 1948 and January 1951.

Peace Treaty.<sup>112</sup>

Another significant manifestation of the single-voice doctrine was the proposal that Commonwealth countries should be jointly represented on the councils of international institutions, though separately represented in their assemblies. This suggestion that Britain should share her seat with the Dominions was put forward during the war at a time when it was not contemplated that the smaller powers should have any representation at all on international councils. It represented, therefore, a distinct concession to the Dominions. Even so, it was unacceptable to Canada. On constitutional and ideological grounds, she preferred no representation to any form of joint Commonwealth representation.

The attitude of the Canadian Government was first made clear at the time the Combined Boards were being formed.<sup>113</sup> In February 1942, it rejected a British proposal that the British representative on each board should speak on behalf of the Commonwealth as a whole. At one stage, the Canadian General Staff was prepared to agree to a Commonwealth Joint Staff in Washington, from which Commonwealth representatives on the Combined

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<sup>112</sup>In view of this, the following comment is particularly wide of the mark: "The unusual feature of the Colombo Conference is that it will apparently be an attempt to frame a single view on various problems of foreign policy, to which all the Dominions will subscribe and for which they will all jointly be responsible -- rather as Cabinet Ministers frame a government policy. It remains to be seen whether or not this means that, in discussing the Japanese peace treaty with the United States, one Commonwealth delegation will be responsible for putting forward the case for the Commonwealth as a whole instead of several delegations arguing each for its own Dominion government." Economist (19 November 1949), p. 1118.

<sup>113</sup>Infra, pp. 292-3, 301.

Chiefs of Staff Committee and its subordinate agencies would be drawn on a rotating panel basis, but the Cabinet rejected this suggestion too. In the end, Canada did not participate in any of the arrangements concluded with the other Dominions. In fact, in the case of the Combined Raw Materials Board, instead of operating through the Empire Clearing House in London, Canada agreed to what amounted to joint Canadian-American representation; the American member on the CRMB, who was also a member of the Materials Coordinating Committee, United States and Canada, spoke on behalf of both countries. It should also be noted that Canada represented Newfoundland interests on certain commodity committees of the Combined Food Board.

The question of joint Commonwealth representation became an important issue in connection with three postwar international organizations: the Central Committee of UNRRA, the UN Security Council and the Allied Council for Japan. The idea of Commonwealth representation certainly appealed to the British; and, on a number of occasions, they strongly intimated that they would welcome it if it were generally acceptable to the Dominions. Even without any formal arrangement, British Governments had in the past sought as far as possible, to act only with the support of the Dominions. "It is my duty", Churchill explained in 1941, "also to make sure, as I have made sure, that anything I say or do in the exercise of my office is approved and sustained by the whole British Commonwealth of Nations".<sup>114</sup> Nevertheless, Britain did not press for joint representation, once it became clear that it was likely to encounter serious opposition.

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<sup>114</sup>24 August 1941, Charles Wade, ed., The War Speeches of the Right Honourable Winston S. Churchill (London: Cassell, 1952), II, 59.

The United States, on the other hand, was considerably more open in her advocacy of joint Commonwealth representation, partly as a result of her traditional distrust of multiple British representation. This aspect of the question came out clearly during a discussion by Roosevelt, Hopkins and Welles, early in March 1943, of a British proposal for separate representation of Canada and Australia on the Central Committee of UNRRA. According to Hopkins' own account:

I said I believe by this technique we would be constantly outvoted, and that I thought we should put our foot down in the very beginning in this Food Conference and insist on the main committee of 4 members only and let the British decide whether they want their membership to come from England or Canada. Both Welles and the President agreed to this.<sup>115</sup>

Earlier, in January 1943, Acheson had proposed that, in order to meet the Canadian demand for representation on the Committee, Britain and Canada should share a seat. This failed to satisfy Canada. Two months later, Eden magnanimously suggested that the joint representative should be a Canadian. However, as Canadian objections to the principle of joint representation remained, even this generous gesture was declined.

The vision of a Commonwealth collectively represented in the councils of the Great Powers was greatly encouraged by Lord Halifax's Toronto address in January 1944. As already noted, he argued that the Commonwealth should become the fourth Great Power because Britain on her own could no longer hope

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<sup>115</sup> 10 March 1943, Robert Sherwood, Roosevelt and Hopkins: An Intimate Story (New York: Harper, 1948), p. 707. The American draft air convention of October 1944 provided that the Executive Council would be composed of "two members . . . appointed by the Government of the United States; two by the Government of the Union of Soviet Socialist Republics; two by the British Commonwealth of Nations; and one each by Brazil, China and France", with the remaining six members being selected from the states without "direct representation". A similar arrangement was contemplated for the Interim Council. Proceedings of International Civil Aviation Conference, I, 562, 563, II, 1317-8.

to rival in influence the United States, the Soviet Union or China. Even after the meeting of Commonwealth Prime Ministers in May 1944, both Churchill and Eden continued to refer to the British Commonwealth, rather than the United Kingdom, as one of the Great Powers.<sup>116</sup> It is, of course, possible that they meant no more than was meant in practice by the continued designation of a "British Empire" represented on the Council of the League of Nations.<sup>117</sup> On the other hand, it seems inconceivable that neither of them was aware of how his remarks would be construed.

In August, the question of a Commonwealth seat on the Security Council was raised in the Canadian Parliament by a number of Conservative M.P.'s. Although King saw little point in attempting to "revive a controversy over an issue which has been settled", he did not waste the opportunity to denounce once again the single-voice doctrine. On this occasion, he stressed the practical difficulties of devising a workable system of effecting a common policy, and inquired how a representative responsible to a number of governments would act if faced with conflicting instructions. Would he act only when all Commonwealth countries were in agreement, or would he simply ignore the wishes of the minority? "At the very best", he concluded, "action would be delayed and decisions blurred. At the worst, we would run the risk of rendering the Commonwealth impotent in international affairs and perhaps

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<sup>116</sup> E.g., British H.C. Deb., 24 May 1944, cols. 782-3; 25 May 1944, cols. 1054-5. Curtin spoke in the same vein when addressing the Canadian Parliament. H.C. Deb., 1 June 1944, p. 3460. King refused to give an interpretation of Eden's words. Ibid., 12 August 1944, p. 6419. Infra, pp. 349-50.

<sup>117</sup> At the Paris Peace Conference of 1919, a Committee of the British Empire Delegation reported favourably on a proposal that the Dominions should participate in the choice of a British Empire representative on the League Council; but no action was taken on the matter. Gwendolen Carter, The British Commonwealth and International Security: The Role of the Dominions, 1919-1939 (Toronto, Ryerson, 1947), p. 13.

of disrupting it".<sup>118</sup>

Shortly afterwards, the Dumbarton Oaks Proposals were drawn up. In these, the "United Kingdom" was named a member of the Security Council, while the Dominions were made eligible for election to one of the non-permanent seats. Nevertheless, as late as March 1945, certain Opposition critics in Parliament were still asking the Government to reverse this decision at San Francisco. Government spokesmen argued, in reply, that Canada could scarcely claim both independent representation in the General Assembly and indirect representation through the Commonwealth on the Security Council. A more convincing case was put by Brooke Claxton, who quoted at length from Asquith's great speech of 1911, rejecting Sir Joseph Ward's proposal for an advisory Imperial Council of State. Authority in foreign affairs, Asquith asserted, "cannot be shared", and to attempt to do so would be "absolutely fatal to our present system of responsible government".<sup>119</sup> Two world wars later, Claxton was still content to cling to this classic argument. It may not have been a very enlightened or progressive outlook for the eve of the atomic age, but it made sound constitutional sense and, at least as applied to the Commonwealth, it unquestionably suited the Canadian temper at the time.<sup>120</sup>

The one real attempt -- in the Allied Council for Japan -- to operate a system of joint Commonwealth representation confirmed Canadian doubts concerning the practicability of such an arrangement. When, in December 1945,

<sup>118</sup> H.C. Deb., 4 August 1944, p. 5910.

<sup>119</sup> Crerar, H.C. Deb., 26 March 1945, p. 202; Claxton, 27 March 1945, pp. 253-4.

<sup>120</sup> Before the close of 1945, King was insisting that "some surrender of national sovereignty" and with it, "some form of world government" was essential to the survival of civilization, H.C. Deb., 17 December 1945, p. 3638.

the Great Powers were unable to agree to Australia's demand for separate representation on the Council, Britain offered to share her seat with the Dominions and India, and to permit Australia to name the joint representative. Canada alone declined to participate in this arrangement.<sup>121</sup> In practice, the system never functioned very smoothly, though this was not entirely due to inherent weaknesses. It had been agreed that the Commonwealth representative on the Allied Council for Japan should receive his instructions from the Australian Government which undertook, before framing them, to consult the other Commonwealth governments concerned. This, H.V. Evatt rarely did. As a result, the Commonwealth spokesman was frequently in doubt as to whose views he was expressing. This weakened his authority and contributed to the Council's failure. The experiment was never repeated.<sup>122</sup>

The war led to a general trend towards a functional approach to international organization. In this respect, the Commonwealth proved to be no exception. The most striking development has been the series of ministerial conferences on foreign affairs, defence, economic affairs, finance, production and supply and civil aviation. In addition, a number of new specialized organizations have been set up.

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<sup>121</sup>"Canada and the Far Eastern Commission", External Affairs, (December 1948), p. 4. The Union of South Africa also remained outside, but she had not participated in the Pacific War and had not been invited to join the Far Eastern Commission.

<sup>122</sup>In July 1952, a senior British officer, Maj.-Gen. S.N. Shoosmith was appointed Deputy Chief of Staff to the UN Supreme Commander in Korea. Canada was consulted on the matter and welcomed the appointment, but did not consider that he did or could represent Canadian interests at the Headquarters of the Unified Command. House of Lords Debates, 28 July 1952, col. 299.

Functional agencies are not new to the Commonwealth, but prior to the war they were more noted for their number and variety than for their success. Some attempt was made in 1933 by the Imperial Committee on Economic Consultation and Co-operation (Skelton Committee) to rationalize the machinery on the economic side and reorganize it on a basis more in keeping with the complete constitutional equality of the participating governments, but the process of reform had not been completed by 1939. At that time, the principal imperial bodies with which Canada was associated were, with their dates of establishment and present titles, the Imperial War Graves Commission (1917), the Commonwealth Shipping Committee (1920), the Standing Committee on British Commonwealth Forestry (1923), the Commonwealth Economic Committee (1925), and the Executive Council of the Commonwealth Agricultural Bureaux (1929). The main organizations set up since have been the Commonwealth Air Transport Council (1945), the Commonwealth Telecommunications Board (1948), the Commonwealth Liaison Committee (1948) and the Consultative Committee for Co-operative Economic Development in South and South-East Asia (1950). There is also a United Kingdom-Canada Continuing Committee on Trade and Economic Affairs (1948).

The Canadian attitude towards functional cooperation on a Commonwealth basis has been governed by two principal considerations. In the first place, Canada felt that Commonwealth organizations could be justified only where there was a real need which could not be, or at least was not, met better by some organization with a wider membership. For example, in 1948, Canada opposed a suggestion that the South Pacific Air Transport Council, a regional organ of the Commonwealth Air Transport Council, provide air navigational facilities for the region. "We suggested", a Canadian spokesman later reported, "that this was an undertaking for ICAO rather than for a small group

of countries composing a special regional air council."<sup>123</sup> Similarly, the Government has had grave doubts whether, in view of the establishment of FAO, there is any justification for the continued existence of the British Commonwealth Forestry Conference.<sup>124</sup> The Commonwealth Economic Committee has also, in the Canadian view, largely outlived its usefulness as most of its functions have been taken over by either FAO or the Commonwealth Liaison Committee.<sup>125</sup> The Commonwealth Shipping Committee, on the other hand, continues to carry on useful activities which, owing to the collapse of efforts to establish an Inter-Governmental Maritime Consultative Organization, are not duplicated elsewhere.<sup>126</sup> In some cases, it has proved possible to use the Commonwealth as the nucleus around which to build a more general organization, most notably in the case of the Colombo Plan. Needless to say, the Canadian Government has enthusiastically welcomed this development.

Secondly, Canada has insisted that the organization and activities of Commonwealth bodies should be politically and constitutionally acceptable. That is, there should be no suggestion of a narrow or exclusive Commonwealth approach to world problems, and membership should be on a basis of complete

<sup>123</sup> Standing Committee on External Affairs, Minutes, 24 November 1949, p. 110.

<sup>124</sup> In officially welcoming the delegates to the Sixth British Commonwealth Forestry Conference in Ottawa on 11 August 1952, R.W. Winters was noticeably cautious on the question of the value of such conferences. All he said was that "I am sure that this, the Sixth Conference, will provide further evidence that co-operation in the field of forestry science, even between countries whose physical and other conditions differ widely, is profitable to all concerned." Statements and Speeches No. 52/31, p. 1.

<sup>125</sup> Standing Committee on External Affairs, Minutes, 9 July 1946, pp. 190, 192; 31 May 1948, p. 115; 24 November 1949, p. 133.

<sup>126</sup> Ibid., 9 July 1946, p. 193; 31 May 1948, p. 115.

equality. In 1947, the British Commonwealth Forestry Conference offended against both these canons. To begin with, the Conference reaffirmed a resolution, originally adopted in 1920, concerning the development of "a stable forest policy for the Empire". This implied a view of the Commonwealth which was unacceptable to the Canadian Government. The 1947 Conference also asked the British Government to set up a Technical Committee on Aerial Survey of Forests which would include members appointed by other Commonwealth governments.<sup>127</sup> Prior to the war, the Skelton Committee had regarded this form of organization inappropriate; it is not surprising, therefore, that after the war the Government considered it even less appropriate.

In recent years - since 1950 perhaps - there has been a marked change in the official Canadian attitude towards the Commonwealth. L.B. Pearson publicly recognized this when, in April 1951, he stated, "We now accept wholeheartedly the Commonwealth of Nations".<sup>128</sup> There are several important reasons for this shift of opinion.

In the first place, the Commonwealth itself has changed, and its evolution has been along lines acceptable to the Canadian people. This is no accident. It would be too much to claim that Canada built the modern Commonwealth; yet it cannot be denied that the actions of her statesmen, from the earliest times onwards, in pressing for autonomy and firmly rejecting almost every proposal for closer imperial cooperation have been immensely significant, if only in a negative way, in determining the course of Common-

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<sup>127</sup> Fifth British Empire Forestry Conference, Great Britain 1947, Summary, Report, Resolutions and Reports of Committees (London: H.M.S.O. 1947), pp. 18, 19.

<sup>128</sup> 10 April 1951, Statements and Speeches, No. 51/14, p. 4. Unless otherwise indicated, the other quotations given below are also taken from this address.

wealth development. The Commonwealth as now organized is consistent with Canadian principles; and there is little disposition on the part of the centralists in Britain and elsewhere to try to turn back the clock. Besides, not only has equality of status within the Commonwealth been established indisputably; a measure of equality of function has also been achieved. Britain is no longer the great power she once was, and several of the Dominions are now important middle powers in their own right. Frank recognition of this on all sides has made cooperation easier.

At the same time as the Commonwealth has been emerging into its present form, Canada herself has been growing up, both inwardly and outwardly. As her national status has developed, her national unity has been strengthened and her national stature more in evidence. "There is [now] none", Lester Pearson pointed out,

or at least little of the touchiness on our part, which once must have complicated relations with Downing Street, and there is now certainly none of the desire to dominate which we used to detect in Whitehall . . . . In our relations with the United Kingdom we have come of age and have abandoned the sensitiveness of the debutante. This has been made easier because any worry we once may have had, and we had it, that British imperialism or continentalism might pull us into far away wars not of our own making or choosing, has passed.

Canada's changed attitude to the Commonwealth also reflected a changed attitude to the world. This has been greatly aided by a parallel growth of internationalism in the United States, culminating in the NATO alliance of 1949. If the American eagle could embrace the British lion, instead of forever twisting his tail, without sacrificing the principles of the American Revolution, then presumably it was not a surrender to imperial blandishments for Canada to do the same. Furthermore, if a regional arrangement like NATO could be explained away, then surely the old argument that the Commonwealth might weaken the United Nations required re-examination.

The achievement of national maturity also broadly coincided with a change of leadership in the Government: the retirement of Mackenzie King and his succession by St. Laurent, ably assisted by Pearson. Both recognized that the Commonwealth and the world had changed radically and, therefore, that Canada's attitude to each would have to change too.

Two further developments served positively to stir Canadian interest in the Commonwealth. The first was the altered balance of power within the western world. The assumption by the United States of a position of world leadership has, to some extent, led Canada to shift her fears and suspicions and even some of the old touchiness from London to Washington. The familiar Canadian reactions to British policy in the past have frequently been duplicated in Canadian-American relations since the war. It is highly significant that Pearson's remarks on the Commonwealth, quoted above, were contained in an address devoted to an analysis of Canadian-American relations. The conclusion he came to was that "the days of relatively easy and automatic political relations with our neighbour [were] . . . over" -- while a new era in Commonwealth cooperation was just beginning. The contrast is striking. It was King who rejected the view that the Commonwealth should speak with one voice emanating from London; but it was Pearson who refused to become a camp-follower of the United States. "We are not willing", he proclaimed, "to be merely an echo of somebody else's voice." Similarly, it was King who opposed any prior commitment to fight in every British war regardless of the issues at stake or the position of other countries; it was Pearson, on the other hand, who refused to concede that "whenever the United States is engaged in any kind of war, we are at war".<sup>129</sup> Furthermore, in recent years,

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<sup>129</sup> 24 March 1955, Statements and Speeches No. 55/10, p. 13. This was an adaptation of Laurier's dictum of 1910 that, "If England is at war we are at war".

Canada has thrown her weight on the British side of the scales in almost every instance when Anglo-American political differences have arisen particularly over Asian issues (though she had been more vocal in private, than in public). Part of the explanation of this is that "we have come to appreciate as possibly never before, the wisdom, tolerance and far-sighted steadiness of vision of the British people". There is also a more subtle influence at work; consciously or unconsciously, Canada has sought to counteract American dominance and thus maintain a balance of power within the western coalition.

Finally, and "possibly . . . most important of all", Canada was aware of the value of the Commonwealth "as a vital and almost the only bridge between the free West and the free East". That she should want to strengthen this bridge with Asia was, in itself, remarkable; before the war, she insisted on burning her bridges abroad. Fortunately, the emergence of the Asian Dominions as independent members of the Commonwealth came at a moment when, for the first time, Canadians were forced to take a serious interest in Asian affairs. Both events served to strengthen Canadian interest in the Commonwealth.

The extent to which Canada's attitude towards the Commonwealth has changed is evident from the fact that she now considers membership in it a real asset rather than a doubtful asset. The Commonwealth is now looked upon as a progressive association rather than a reactionary one, a hopeful development for the future rather than a restraining link with the past, a help rather than a hindrance to international cooperation, a force for peace rather than a possible cause of discord.

## CHAPTER IV

### THE INTER-AMERICAN SYSTEM

Canada was born and brought up in the Commonwealth, but she lives in the Western Hemisphere. Consequently, her participation in the inter-American system might seem as natural on geographical grounds as her association with the Commonwealth does on political and historical grounds. Yet Canada has never joined the Pan American Union.<sup>1</sup> Her relations, or lack of relations, with the Union fall into two fairly clearly defined periods. Up until 1944, she moved steadily towards PAU membership, and might actually have joined during the war, but for the opposition of the United States and certain Latin American states. After 1944, this opposition from within the Pan American Union died away, but so did interest in Canada. Since then, she has even at times shown a pronounced aversion to aligning herself too closely with the organization. There would now seem to be little prospect of her becoming a member, at least within the foreseeable future.

When the Pan American Union headquarters were built in Washington in 1910, a twenty-second chair inscribed with the name Canada was ordered for use in the board room. Thus, even prior to the First World War, eventual

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<sup>1</sup> Although strictly speaking the Pan American Union (PAU) was only the principal agency of the Union of American States established in 1890, the term has been and still is widely used to refer to the inter-American system itself. In 1948, the PAU became the secretariat of the new Organization of American States (OAS).

Canadian membership was envisaged. Canada was not, of course, eligible for immediate admission as membership was restricted to American republics. She was, in fact, disqualified on three separate counts: she was neither a republic, nor fully independent, nor, except in a geographical sense, American. The first was but a formal obstacle, and the other two rapidly ceased to be valid. Nevertheless, it was not until the end of the Second World War that she was considered fully eligible.

The first important occasion on which the question of Canadian membership arose was the Sixth International Conference of American States in Havana in 1928. In his instructions to the American Delegation, Secretary of State Kellogg discussed the implications of Canadian admission. He pointed out that Pan American conferences were "essentially conferences of governments and not of mere geographical groups or territorial units"; and then added:

If colonies, possessions or dominions, whose foreign relations are controlled by European States, were represented in these conferences, the influence and policies of European Powers would be injected into the discussion and disposition of questions affecting the political entities of this hemisphere. Whatever value such conferences would have it would not be that attaching to a conference distinctively American.<sup>2</sup>

The issue of Canadian membership came up informally during the Conference when both the Mexican and Chilean Delegations unofficially declared themselves in favour of the move. In view of this, Kellogg took the matter up with Coolidge and cabled the American Delegation that the President:

Does not like the idea of British Empire being indirectly

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<sup>2</sup>Foreign Relations of the United States (Washington: Government Printing Office), 1928, I, 583.

admitted, Agrees with me, however, that if it is proposed by South American countries with any prospect of its being accepted, the United States should not oppose it.<sup>3</sup>

This contingency did not arise as no proposal was formally presented to the 1928 Conference.

The next conference convened in Montevideo in 1933. Prior to it, Mexico proposed that the item "Consideration of the desirability of having Canada participate in the Inter-American Conferences", should be included on the agenda. However, due to certain technical objections, this was altered to read "Participation in Pan American Conferences". Mexico also favoured inviting a Canadian observer to the Conference, but did not press the issue when opposition developed among some of the other Latin American countries. The Department of State still considered Canadian entry "inadvisable", though it no longer gave fear of British meddling in American affairs as the reason. Once again, the American Delegation was instructed not to oppose Canadian admission if the question came before the Conference.<sup>4</sup> However, the United States made sure this did not happen. At one stage, Canadian membership was actually approved by a sub-committee, but on American insistence the proposal was reconsidered and dropped.<sup>5</sup>

The issue was revived in 1936 in connection with the Inter-American Conference for the Maintenance of Peace. As this was not a regular Pan American Conference, the technical obstacles to Canadian participation no

<sup>3</sup>Ibid., 1933, IV, 127, 128.

<sup>4</sup>Ibid., pp. 127-9.

<sup>5</sup>Stanley W. Dzinban, United States Military Collaboration with Canada in World War II (Washington: Department of the Army, 1954), p. 306.

longer had the same validity. This gave Washington particular cause for anxiety. According to Sumner Welles, Roosevelt saw "no more logical reason why Canada should be represented than Jamaica or, for that matter, than British, French, or Dutch Guiana". Welles also claimed that a number of Latin American states, notably Brazil, were strenuously opposed to Canadian participation. During the Conference, only one issue arose affecting Canada, the question of the accession of non-member states to Pan American conventions. Welles felt that, "as a component part of the British Empire", Canada should be debarred from entering into conventions drawn up by "the independent American republics",<sup>6</sup> but the Conference decided otherwise. It specifically rejected a committee report restricting the right of accession to "states, members of the Pan American Union", and instead extended it to "American states".<sup>7</sup>

The Eighth International Conference of American Republics held in Lima in 1938 led to further discussion of the problem. An unofficial approach may even have been made to the Canadian Government.<sup>8</sup> However, no official action was taken at Lima.

While successive administrations in Washington stewed over the prospect of Canadian intrusion into the United States' private backyard, in Canada, prior to 1939, the issue evoked only a glimmer of interest. In 1933, the American Minister in Ottawa reported:

I gather the very distinct impression that Canada has no

<sup>6</sup> Foreign Relations of the United States, 1936, V, II. The American diplomatic papers dealing with subsequent conferences have not yet been published.

<sup>7</sup> John P. Humphrey, The Inter-American System (Toronto: Macmillan, 1942), pp. 139, 243-4, 290.

<sup>8</sup> Two years later, Mackenzie King indicated that Canada had not "recently" been invited to join the Pan American Union. H.C. Deb., 6 August 1940, p. 2540.

desire whatsoever to be represented in any way at Pan American conferences and that the excuse that Canada is not a republic was found a very convenient one and was immediately seized upon with delight and encouraged as far as possible.<sup>9</sup>

The Government studiously refrained from expressing its views on the matter until March 1939. Then, Mackenzie King admitted for the first time that membership was "a possibility which should be given consideration in the future"; but, for the present, he doubted if public opinion in favour of it had yet become "sufficiently widespread, or sufficiently informed and matured, to warrant immediate steps in that direction".<sup>10</sup>

Sentiment in Canada supporting participation in the Pan American Union stemmed in the main from two main groups: French-speaking Canadians, who responded to a natural feeling of kinship with the Latin and Catholic peoples of Central and South America,<sup>11</sup> and anti-imperialists who were generally either nationalists or isolationists or both. The nationalists welcomed the opportunity to assert Canada's right to join an organization to which Britain did not belong, while the isolationists were attracted by the vision of hemispheric neutrality. They hoped, by strengthening Canada's ties with the Western Hemisphere, to weaken her links with the Commonwealth and, thereby, improve her chances of avoiding being dragged into a European war.

There were also some who claimed that membership would stimulate Canadian trade with Latin America, but Canada's interests in this respect appear to have been met satisfactorily by the network of trade commissioners maintained in the area. Exports were also fostered by participation in the Postal Union of the

<sup>9</sup>Foreign Relations of the United States, 1933, IV, 129.

<sup>10</sup>H. C. Deb., 30 March 1939, p. 2421.

<sup>11</sup>See, Iris S. Podesa, "Pan American Sentiment in French Canada", International Journal, III (1948), 334-48.

Americas and Spain (UPAE). The circumstances under which Canada became a member of this organization were somewhat unusual. In order to enable Canadian businessmen operating in Latin America to compete on equal terms with American firms, the Government, in January 1930, extended the domestic postage rate to the countries of that region, only to discover that this action violated the Universal Postal Convention which Canada had ratified only two months earlier. The only way in which she could regularize her conduct was to join the UPAE, which she did in 1931. The only other sphere in which Canada indicated any real interest in Latin American affairs prior to the war was radio communications. During the 1930's, she attended a number of inter-American radio conferences, and joined the Inter-American Radio Office set up in 1939.<sup>12</sup>

The fall of France in 1940 opened a fresh chapter in Canadian relations with Latin America. Canada now had a direct and immediate interest in the defence of the American continents. This was recognized in August 1940, when, under the Ogdensburg Agreement, the United States and Canada set up the Permanent Joint Board on Defence to consider the defence of "the north half of the Western Hemisphere"<sup>13</sup> - from the Arctic to the Amazon. A month earlier, at Havana, the Foreign Ministers of the American republics had declared that any violation of the territorial integrity or political independence of "an American State" by a non-American state would be regarded as an act of aggression against all of them. For what it was worth, this implicitly assured Canada of Latin American support in case of attack.

Canada had wanted to attend the Havana Conference, until Washington indi-

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<sup>12</sup>C. I. S., 1938, No. 18. Canada was also represented at the first conference of the American members of the ILO in January 1936.

<sup>13</sup>18 August 1940, C. I. S., 1940, No. 14.

cated she would not be welcome. As Mackenzie King later explained to the House of Commons, the presence of Canadian representatives would have been "embarrassing to the United States and to the South American republics".<sup>14</sup> Evidently, Canada's declaration of war in 1939 had merely confirmed the doubts which existed in some circles concerning the degree to which she had shaken herself free of British influence and become truly American in outlook. There was also some hesitation on the part of certain republics to associate themselves too closely with a belligerent lest this compromise their neutrality.

A further reason Canada did not press for representation at the Havana meeting was that she recognized that Canadian admission to the Pan American Union at that time might have been misunderstood in other countries. Certainly, enemy countries would have been quick to construe this as a sign of weakness on her part. Consequently, Mackenzie King intimated that the issue might well be shelved until after the war.

There are [he said] times and seasons for all things . . . . I have no doubt at all that if we indicated a desire to become a member at some appropriate time, the opportunity would be forthcoming . . . . There are no doubt advantages in such membership, but those will be still open, I hope and believe, when this war is over.<sup>15</sup>

King ended his remarks by indicating that "even more important" than the question of PAU membership was the extension of Canadian diplomatic representation to Latin America. Six trade commissioners were already resident in the region, but they could not meet the needs of the new situation. Steps were taken almost immediately to initiate an exchange of envoys with Argentina and Brazil; and this took place the following year. Negotiations were also begun in 1941 leading to the establishment of diplomatic missions in Chile and

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<sup>14</sup>Dziuban, U.S. Military Collaboration with Canada, p. 307; H.C. Deb., 31 July 1940, p. 2195.

<sup>15</sup>H.C. Deb., 6 August 1940, pp. 2540, 2541.

Mexico.<sup>16</sup> Canada's economic interest in Latin America was also boosted by an expansion of her commercial representation and the despatch of an impressive trade and goodwill mission, headed by the Minister of Trade and Commerce, J.A. MacKinnon, which toured six South American countries from August to October 1941.<sup>17</sup>

Shortly after Pearl Harbour, the American Foreign Ministers decided to consult again in January at Rio de Janeiro. As the conference promised to be of considerable importance, Canada expressed a desire to be present even if this required her to join the Pan American Union. She assumed that, as the United States and some of the Latin American republics were now allies or associates, the objections raised earlier to her participation in the Havana meeting no longer applied. It came as somewhat of a shock, therefore, when Roosevelt opposed Canadian participation. A number of the Latin American states were prepared to sponsor Canada, but the Government was unwilling to have her name put forward without an assurance of American support.<sup>18</sup> King later admitted that Canada "might have

<sup>16</sup> Canadian ministers were accredited to Brazil on 30 September 1941, to Argentina on 13 November 1941 and to Chile on 2 January 1942. The first Canadian Trade Commissioner to Chile arrived in Santiago in May 1942. Agreement on the exchange of diplomatic missions with Mexico was not announced until 30 January 1944.

<sup>17</sup> For MacKinnon's report to Parliament on his tour, see H.C. Deb., 27 February 1942, pp. 892-906. The Mission originally set out in November 1940, but was forced to return when the Minister fell ill after visiting only a few West Indian centres.

<sup>18</sup> Dziuban, U.S. Military Collaboration with Canada, p. 309. See also the press despatch from Buenos Aires, 17 December 1941, reporting "Foreign Office sources" as saying that Canada would be invited to the Rio meeting and that Argentina might sponsor her membership in the Union. Montreal Gazette (18 December 1941), p. 1. Government spokesmen in Ottawa refused to comment publicly on this report, but did keep newspapermen informed off-the-record of the progress of negotiations. On 16 December, the American Minister in Ottawa discussed the question with King; two days later, Hume Wrong took the matter up with Sumner Welles in Washington.

expected" an invitation, but did not receive one "for reasons which I cannot explain publicly". All he was prepared to say was that:

During this period of war there are special reasons why the South American republics and the United States might wish to discuss certain economic and other problems without having representation present from any member of the British Commonwealth of Nations . . . . it is not simply a matter of relations between Canada and other countries on this continent.<sup>19</sup>

The continued opposition of the State Department to Canadian admission to the Pan American Union was now based, not on Canada's alleged dependence on Britain nor her belligerent status, but rather on a fear that the presence of Canadian representatives would complicate the situation at Pan American meetings and make them more difficult to control. The primary American objective at Rio was to get the ABC countries to break off relations with the Axis powers as a first step towards the achievement of complete hemispheric solidarity.<sup>20</sup> The issues involved were considered so grave for the future security of the United States that she was not prepared to do anything which might increase the risk of failure. Furthermore, Washington was anxious to keep Canadian-American differences out of the Latin American arena if at all possible. The possibility of such differences arising was vividly brought home to the State Department at the very time Canada was pressing for an invitation to Rio, by the alarmingly tolerant view she was taking of the Free French seizure of St. Pierre and Miquelon. The basic difficulty was that, although Canada was in many ways an American nation, she did not always act like one; her interests and outlook were still essentially European.<sup>21</sup>

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<sup>19</sup>H.C. Deb., 1 August 1942, pp. 5146-7.

<sup>20</sup>See Sumner Welles, Seven Major Decisions (London: Hamish Hamilton, 1951), Chapter IV.

<sup>21</sup>Dzuban, U.S. Military Collaboration with Canada, pp. 311-3. On 3 September 1943, Lewis Clark, American chargé d'affaires in Ottawa expressed the view in a despatch to the State Department that, except where vital Canadian interests were involved, Canada still tended to be guided by British foreign policy. Cordell Hull seems to imply the same. "The question of Canada's becoming a member of the Pan American movement of cooperation", he wrote, "was not much discussed

. . . . .

The situation was further complicated by disagreement between the two Governments on a question of fact: whether or not the Latin American republics would welcome Canadian membership. On 15 October 1941, J.A. Mackinnon declared in an interview in Rio de Janeiro that "all South America desires that Canada should enter the Pan American Union".<sup>22</sup> On the other hand, the State Department insisted that, on the basis of the information available to it, considerable opposition to Canadian participation still existed in Latin America. Following the Rio Conference, Sumner Welles reported that the consensus of opinion there had been that no official action should be taken concerning Canadian membership until after the war. However, the Canadian Government continued to receive overtures particularly from the principal Latin American states. Early in April 1942, therefore, the Canadian Legation once again took the matter up with the State Department.<sup>23</sup> This led to nothing; and for nearly a year and a half the issue lay dormant.

Meanwhile, Canada was quietly strengthening her links with Latin America and with the technical organizations operating in the region. For example, during September 1942, Canada was officially represented at two important conferences for the first time, the Pan American Sanitary Conference in Rio de Janeiro and the Inter-American Conference on Social Security in Santiago.<sup>24</sup>

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<sup>21</sup> (contd)  
 . . . of especially urged either by Canada or the United States, both having in mind the fact that, although Canada is free to make her own decisions, she gets in and fights alongside the British whenever the United Kingdom becomes involved in war." The Memoirs of Cordell Hull (New York: Macmillan, 1946), II, 1480.

<sup>22</sup> Humphrey, Inter-American System, p. 284, n.4. Upon his return to Canada, Mackinnon expressed similar views at a press conference on 28 October 1941.

<sup>23</sup> Dziuban, U.S. Military Collaboration with Canada, p. 310.

<sup>24</sup> Canada first signified a desire to join the Inter-American Committee on Social Security on 18 August 1941. International Labour Organization, Minutes of the Ninetieth Session of the Governing Body, p. 64. The Committee is linked with the ILO.

Subsequently, in February 1943, Canada formally became a member of the Inter-American Statistical Institute.<sup>25</sup> Later, the Government formally and publicly gave its sanction to "the presence of Canadian officials and experts at technical and scientific conferences of a Pan-American character". Mackenzie King felt that such contacts, however "modest and limited", "all helped to bring about a better knowledge of Canada".<sup>26</sup>

Canadian agitation for admission to the Pan American Union reached a peak in the autumn of 1943. Until then, the Government had refrained from making its wishes known publicly. Now, in a series of public pronouncements, it made its position abundantly clear. The opening shot in the campaign was fired by Brooke Claxton, Parliamentary Assistant to the Prime Minister. Speaking to a press conference in Washington on 1 September 1943, he stated that the Canadian people would be glad to join the Pan American Union.<sup>27</sup> In November, Leighton McCarthy, Canadian Minister to the United States told a Montreal audience that:

It may be that the time is coming when Canada will take an even larger share in the affairs of the Americas than she has yet played in her cooperation with the United States, and that she will become an active participant in the plans for hemispheric solidarity now being carried forward through the medium of the Pan American Union.<sup>28</sup>

These speeches were accompanied by a further extension of diplomatic contacts with Latin America. In January 1944, agreement was finally reached on an

<sup>25</sup>Order in Council P.C. 1026, 8 February 1943. The Government considered membership would be "of great benefit . . . both from the practical point of view and from the point of view of international relations on this hemisphere". H.C. Deb., 24 July 1944, p. 5306.

<sup>26</sup>H.C. Deb., 4 August 1944, p. 5913.

<sup>27</sup>New York Times (2 September 1943), p. 7.

<sup>28</sup>16 November 1943, Montreal Gazette (17 November 1943), p. 11.

exchange of missions with Mexico and Peru. The previous month, the Canadian Legation in Brazil had been elevated to an embassy, and early in 1944, it was decided that the other missions, including the new ones, should also be of embassy status.<sup>29</sup>

In view of the sharp increase in interest in the Pan American Union shown in official circles in Canada as well as in the press, Ambassador Atherton in Ottawa suggested to the Department of State in January 1944 that it re-examine its policy. Cordell Hull, however, continued to oppose any action at least for the duration of the war. Once again, there had been a shift in the basis of American opposition. During the inter-war years, the United States considered Canada was but a mouthpiece of the British. At the time of the Rio meeting of American Foreign Ministers, the objection was that, as Canada's interests and her attitude on world affairs differentiated her sharply from all other American nations, it would be difficult to integrate her smoothly into the Pan American system. Now, the argument was that problems of regional organization must, for the present, be regarded as secondary; the really vital issue was the establishment of the general international organization envisaged in the Moscow Declaration of 30 October 1943. Once that had been achieved, consideration of regional arrangements and Canada's relationship to them could safely be resumed. For this reason, the resolution calling for Canadian membership in the Pan American Union which Chile introduced at the Inter-American Conference on Problems of War and Peace in Chapultepec in March 1945 was, on American insistence, effectively emasculated. As finally adopted ("with enthusiasm"), it merely paid a "tribute of admiration and gratitude" for Canada's great war effort "in defence of the American continent" and expressed the wish

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<sup>29</sup>The change in Argentina was delayed until after the resumption of normal relations on 9 April 1945.

of the Conference that her "collaboration with the Pan American system may daily become closer and closer".<sup>30</sup>

Mackenzie King's reply was decidedly cautious and non-committal, in marked contrast with the warmth Canada had displayed earlier.

We are convinced [he wrote] that the increasing solidarity of the peace-loving peoples of this hemisphere will contribute materially in the postwar period to both regional and world security. We greatly welcome the increased collaboration of the Americas.<sup>31</sup>

The reference in the conference resolution to the Pan American system was ignored completely. Clearly, Canadian enthusiasm for PAU membership was waning. Further support for this view was provided by an address which the Canadian Ambassador, H.L. Keenleyside, delivered at a Pan American luncheon in Mexico City on 22 May 1945. He used the occasion to dwell upon the obstacles to Canadian membership in the Pan American Union. He laid particular emphasis on two points.

Some Canadians [he said] feel that Canada would become too much American and would lessen her ties with the United Kingdom and other European countries. Finally, some Latin-American countries are believed to be against Canada's entrance into the Pan-American Union because they feel that Canada would be something like a spy for Great Britain and other European countries. However, this feeling is very small and I think that most of the Pan-American Union members would like Canada to join in.<sup>32</sup>

The really significant factor which he failed entirely to mention was that the Government had had second thoughts on the question of Canadian membership and was now gravely doubtful of its wisdom.

The shift in Canada's attitude first became evident late in January 1944

<sup>30</sup> 9 March 1945. Dzuiban, U.S. Military Collaboration with Canada, p. 315; New York Times (27 February 1945), p. 15; H.C. Deb., 20 March 1945, p. 23.

<sup>31</sup> 16 March 1945, ibid.

<sup>32</sup> New York Times (23 May 1945), p. 13.

when Mackenzie King readily accepted the State Department's suggestion that a decision on the question of Canadian membership should be postponed until after the war. King had a special reason for wishing to shelve the matter for the time being. A few days earlier, Lord Halifax had addressed the Toronto Board of Trade, and King felt compelled to take up the challenge. It would, therefore, have been singularly inappropriate as well as politically unwise if, at that very time, he were to seek membership in an organization which exhibited a number of the undesirable features and tendencies which he was so determined to avoid in the Commonwealth. "It would, indeed, be an odd thing", Vincent Massey commented later, "if, after opposing the establishment of a permanent secretariat for the British Commonwealth, we joined the Pan American Union . . . which carries on its affairs through centralized machinery in Washington".<sup>33</sup>

But there was a more fundamental reason for not pressing the issue at the moment. King was by now a determined advocate of a general approach to international institutions. He, therefore, agreed with Hull that it was, not only reasonable and proper, but imperative that nothing be done to prejudice the emergence of a new League on a universal basis. Once this new body had been established and the relationship of regional organizations to it clarified, the Government could re-examine the situation.<sup>34</sup> Furthermore, the Pan American Union itself was in a state of transition. In the past, the concept of Pan-Americanism had been associated with the attempt to isolate a hemisphere from the rest of the world; and it was still too early to be sure that it could shake itself free of this tradition. Canada was, therefore, carefully watching the course of its development. On two occasions, Government spokes-

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<sup>33</sup>Massey, On Being Canadian (Toronto: Dent, 1948), p. 150. Massey also contrasted the "complete" equality which existed in the Commonwealth with the "paper" equality in the Pan American Union.

<sup>34</sup>H. C. Deb., 4 August 1944, p. 5913; New York Times (27 February 1945),

men pointed to this danger. In November 1943, Leighton McCarthy coupled his plea for closer Canadian collaboration with members of the Pan American Union with a warning that Canada would find it difficult to accept any form of Pan American isolationism.<sup>35</sup> The following March, L.B. Pearson was even more specific. After stressing Canada's interest in preventing the Commonwealth developing in "a narrow and exclusive way", he added:

Similarly, Canada might find it difficult to join any Pan-American Union which was narrowly hemispheric and cut itself adrift from the rest of the world. In short, the world today is too small for separate, exclusive groups, especially big ones.<sup>36</sup>

To clinch the case for shelving the question, Mackenzie King pointed out that the Canadian public, as a whole, had shown remarkably little interest in Pan American affairs. A Gallup Poll taken on 12 January 1944 revealed the startling fact that seventy-two per cent. of Canadians either had never heard of the Pan American Union or did not know what it was. This was not, of course a conclusive argument against Canadian membership, for Canadians were undoubtedly equally ill-informed on many other aspects of world affairs, but it was a convenient excuse for delaying "active consideration" of the matter until the end of the war. There was, in fact, little dissent from King's view that there did not yet exist a sufficiently "wide general appreciation in [the] country of the purpose and responsibilities of the Pan American Union" to justify Canadian participation in it.<sup>37</sup>

A further important factor, perhaps even the decisive consideration, in bringing about a re-assessment of Canadian policy, was the conduct of Latin American delegations at international meetings. The series of United Nations

<sup>35</sup> 16 November 1943, Montreal Gazette (17 November 1943), p. 16.

<sup>36</sup> Canadian Club, Toronto, 13 March 1944. See also, Statements and Speeches No. 47/7, p. 2.

conferences, which began at Hot Springs and Atlantic City in 1943 and continued at Philadelphia, Bretton Woods, Montreal and Chicago in 1944, provided ample opportunity for Canadian delegates to observe their continental cousins at work. Their reactions to their enlightening experiences varied from mild consternation to utter disgust. Canada had, of course, encountered these antics before the war at Geneva, but then, at that time, she did not take the League of Nations seriously either. What appeared then as clever or amusing, now seemed dangerously frivolous and disruptive.

Canada had long decried caucus tactics within the Commonwealth, but in the Latin American bloc their evil effects were greatly magnified by its voting strength and by the shameless and often irresponsible way in which it used its power to serve its own narrowly-conceived interests. The first serious shock for the Canadian Government came in November 1944 when, in the elections to the Provisional International Civil Aviation Organization, the Latin Americans captured more than a third of the seats on the Council. Further confirmation of the power and character of the Latin American bloc came at San Francisco. As a result of its experience at conferences where the Latin Americans were merely a minority, the Canadian Government came to wonder whether it really wanted to plunge into an organization composed almost entirely of Latin Americans. The shift in the attitude of CCF leaders in Parliament was indicative of the general trend. In the past, they had warmly advocated Canadian participation in the Pan American Union, but after the war they came out in opposition to such a step. Most significantly, they attributed their change of heart to their "disillusioning experiences with Latin American bloc politics at international conferences".<sup>38</sup>

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<sup>38</sup>Eugene H. Miller, "Canada and the Pan American Union", International Journal, III (1948), 34-5. See also Soward and Macaulay, Canada and the Pan American System, Contemporary Affairs series No. 21 (Toronto: Ryerson, 1948), p. 33. M. J. Coldwell, leader of the C.C.F., supported PAU membership as late as 1944 (H.C. Deb., 4 August 1944, p. 5929), but quickly changed his mind after his San Francisco Conference and the Second Part of Assembly.

Canadian experience as a member of the Postal Union of the Americas and Spain (UPAS) has served as a useful reminder of the dangers to which she might be exposed if she became entangled in the web of pan-American politics. Under the UPAS Convention, members assume three obligations governing their conduct in the UPU. The first is to advise one another, six months in advance, of the propositions they intend to present to Universal Postal Congresses. Canada takes no exception to this, and in fact welcomes advance warnings of storms ahead. Secondly, UPAS members agree to hold "a preliminary conference" fifteen days before the opening of Universal Postal Congresses in order to determine "the procedure of joint action to be followed". As in the case of the Commonwealth, which has also adopted the practice of holding preliminary meetings, Canada has acquiesced in consultations among UPAS members prior to Universal Postal Congresses; and she usually manages to attend. Thus, she participated in preliminary UPAS meetings in Buenos Aires in 1939 and Brussels in 1952, though, because of the time element, not in the Paris meeting of 1947. She has, however, stubbornly resisted any commitment to "joint action". This is clear from her objection to the third and most important provision. According to this, UPAS members,

obligate themselves to instruct their delegates to Universal Postal Congresses to sustain unanimously and firmly, all principles established in the Postal Union of the Americas and Spain, and also to vote in accordance with these postulates, except only in cases where the propositions to be debated affect only the countries proposing them.<sup>39</sup>

This was, of course, completely unacceptable; and in ratifying the Convention Canada, along with the United States, specifically reserved "complete liberty of action in Congresses of the Universal Postal Union".<sup>40</sup> The principal

<sup>39</sup>C.T.S., 1947, No. 41, Articles 27, 29 and 28 respectively.

<sup>40</sup>Ibid., Final Protocol. Almost identical provisions were found in the 1936 Convention which Canada ratified without reservation, even though the United States reserved "full freedom of action". C.T.S., 1937, No. 16.

objection to the assumption of a commitment of this sort is that it "could conceivably lead to the formation of opposition blocs which would be most undesirable".<sup>41</sup> But, curiously enough, another reason advanced for opposing this provision is that, as a member of the Commonwealth, Canada should be free to take a stand on issues affecting the Commonwealth as a whole.

As unity of action on the part of UPAS countries has never been fully implemented at Universal Postal Congresses, Bolivia proposed in 1950 that sanctions be applied to the dissenters. She suggested, as a first step, that members pledge themselves,

to abstain from supporting proposals or actions by countries that have not complied with the undertaking of unity of action on vote, or that have been absent without justification from the discussions that are of interest to members of the Postal Union of the Americas and Spain.

The Canadian Delegation considered this a stupid proposal and argued publicly that it was impractical. It was subsequently withdrawn.<sup>42</sup>

Although Canada has exhibited a marked reluctance to line up too closely with the Latin Americans at international conferences, she has not always completely dissociated herself from them when it was in her interest to enlist their support. Thus, at the International Radio Conference in Atlantic City in 1947, the twenty-two American countries put forward a united front in support of the table of frequency allocations drawn up at the Inter-American Radio Communications Conference in Rio de Janeiro two years earlier. In fact, throughout the 1947 Conference, the American Delegations held numerous caucuses and maintained hemispheric solidarity on many of the technical issues that arose.

<sup>41</sup> W. J. Turnbull, Deputy Postmaster General, letter to the writer, 5 January 1956.

<sup>42</sup> Union Postal de las Americas y España, Documentos del Sexto Congreso Postal Americoespañol, Madrid, 1950, III, 159, 160.

Shortly after the war, the United States lifted its ban on the admission of Canada to the Pan American Union. This was only logical. The war was over and the United Nations was on its feet. Canada was in a friendly and co-operative mood and was probably less open to British influence than at any time before or since. Besides, the State Department had finally been assured that the necessary support for Canadian membership existed in Latin America.<sup>43</sup> The Canadian Government was never officially informed of this change of heart, but in 1949 L.B. Pearson, in referring to the "negative attitude" adopted by Washington in the past, indicated that, "we have reason to believe . . . that now the attitude would be different".<sup>44</sup>

In April 1947, two American statesmen, Senator Vandenberg and Sumner Welles openly advocated Canadian membership in the Pan American Union. Welles' views were significant as they represented a change of front. Vandenberg's views were more important for, as Chairman of the Senate Foreign Relations Committee, he attended the Inter-American Conference for the Maintenance of Continental Peace and Security at Rio in August-September 1947. He was anxious that Canada should cease to be "a ward of the inter-American system", and therefore specifically raised the matter of Canadian adherence to the Rio Pact in meetings of the American Delegation. It was finally decided that, in view of the fact that the Treaty was open for signature by all "American States" (Article XXIII), no special provision was required to enable Canada

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<sup>43</sup> Dziuban, U.S. Military Collaboration with Canada, p. 315. In June 1945, the U.S. Army member of the PJBD suggested that Canada join the "military family of American nations". Ibid., p. 698.

<sup>44</sup> Standing Committee on External Affairs, Minutes, 18 November 1949, p. 27.

to adhere.<sup>45</sup>

Similarly, when the inter-American system was reorganized and renamed the Organization of American States at Bogota in April 1948, membership was again opened to "American States" (Article 108). Thus, Canada's monarchical status is no longer a disqualification and can no longer serve as an excuse for remaining outside. Nor is there any longer any need to await a formal invitation. All that is required now is Canadian signature and ratification. The initiative has, therefore, been placed squarely in the lap of the Canadian Government, and its refusal to take any action makes it abundantly clear that it no longer wishes membership in the Pan American Union. As L.B. Pearson admitted, "we do not want to take the initiative" as "the present situation is more or less satisfactory".<sup>46</sup> In the circumstances, therefore, a formal invitation would prove distinctly embarrassing. As Pearson has indicated, "this lack of an invitation has not caused us any great distress".<sup>47</sup> Actually, in recent years, both the United States and Latin American countries have privately pressed Canada to join, but she has politely but firmly declined to do so.<sup>48</sup>

Several factors explain Canada's continued refusal to participate in the Organization of American States. The first is her strong bias against regionalism in general. This is nowhere more evident than in Pan American

<sup>45</sup> New York Times (15 April 1947), pp. 1, 16; Arthur H. Vandenberg, Jr., ed., The Private Papers of Senator Vandenberg (London: Gollancz, 1952), p. 370.

<sup>46</sup> Standing Committee on External Affairs, Minutes, 18 November 1949, pp. 20, 27.

<sup>47</sup> 8 March 1947, Statements and Speeches No. 47/7, p. 3.

<sup>48</sup> However, Pearson stated in 1949: "We have not had any serious approaches from other governments." Standing Committee on External Affairs, Minutes, 18 November 1949, p. 20.

affairs. The clearest proof of this is to be found in her deliberate decisions not to join in the work of the UN Economic Commission for Latin America and the Pan American Sanitary Organization.<sup>49</sup> She has also been extraordinarily suspicious of attempts to link organizations of which she is a member, notably UNESCO and UPAA, to the OAS.<sup>50</sup>

Quite apart from this general factor, there is the practical consideration that there is no obvious incentive for Canada to seek membership in the OAS. In August 1940, King had considered that membership might prove advantageous;<sup>51</sup> but by February 1949, St. Laurent was more sceptical. "So far", he said, "it has not appeared to us that there would be any decided advantage in a formal membership of the Pan American Union".<sup>52</sup> Lester Pearson was even blunter. "If there were any advantages", he said, "we would join".<sup>53</sup>

There is little evidence to suggest that Canada's economic or political interests would be furthered significantly by OAS membership; and some suggestion that they might be actually harmed. While the Department of Trade and Commerce is inclined to argue that membership would boost Canadian trade in Latin America, External Affairs officials remain unconvinced. In fact, they

<sup>49</sup>Infra, pp. 229-32, 255-58.

<sup>50</sup>UNESCO Doc. 10/Proceedings, p. 386. At the Madrid Congress of the UPAA in 1950, Venezuela proposed a UPAA-OAS agreement patterned on the UPU-UN agreement. Canada opposed this on the grounds that it would have unduly restricted UPAA's freedom of action.

<sup>51</sup>H.C. Deb., 6 August 1940, p. 2540.

<sup>52</sup>Press Conference, Washington, 12 February 1949, External Affairs, I (1949), 33. Reaffirmed four years later. H.C. Deb., 27 March 1953, p. 3341.

<sup>53</sup>Standing Committee on External Affairs, Minutes, 18 November 1949, p. 20.

feel that Canada would likely make more enemies than friends by joining OAS because she would inevitably become embroiled in the quagmire of Latin American politics and particularly in the cross-fire of United States-Latin American disputes. In support of this contention, they assert that the principal reason Canada is being urged by both Americans and Latin Americans to become a member is that both expect she would side with them. In such circumstances, she could not help but disappoint one side or the other, and would probably end up by antagonizing both and, consequently, dissipating the store of goodwill which unquestionably now exists.

Finally, there is Canada's interest in the defence of Latin America. This has always been slight. Despite the flicker of interest she showed for brief periods following the fall of France and Pearl Harbour, Canada has always considered South America as of secondary strategic importance. During the war, she regarded shipments of American arms to Latin America as a needless diversion of military resources in short supply to a backwater area of the world. This same assessment of the military significance of the region helps explain the complete indifference in Canada to the Rio Pact of 1947.<sup>54</sup> The contrast here with Canada's response to the North Atlantic Pact is striking.

In the final analysis, perhaps the fundamental explanation of the dramatic shift in Canada's attitude to the inter-American system is geopolitical. As a result of the lessons of the war and post-war years, she has come to recognize that her real interests lie in the Northern Hemisphere rather than in the Western Hemisphere. To her surprise, the Atlantic has turned out to be a link uniting her with Europe, rather than a moat dividing her from Europe, while the unexpressed theory that the nations of North and South America were united by

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<sup>54</sup>Dziuban, U.S. Military Collaboration with Canada, pp. 316, 317, 318, 344, 717.

special bonds of interest and friendship merely because of the existence of the isthmus of Panama has been shown to have been false. "If you look at the map of the world", Lester Pearson declared,

you will see that the Northern Hemisphere is a little more important to Canada than is the Western Hemisphere, and all our lines of contact - strategic, commercial, cultural, and so on - are across the North Atlantic.<sup>55</sup>

On another occasion, in a Pan American address in New York, Pearson neatly summed up the present attitude of the Government.

Perhaps our position [he said] vis-à-vis the Pan American Union . . . is not unlike that of the maiden who, having been asked why she did not marry her swain, replied that he hadn't asked her. When pressed as to what she would do if he did ask her, she hesitated and coyly admitted that though they were close friends she wasn't sure that they were in love with each other. However, she might add, I will always feel a deep sisterly affection for him, and, perhaps, this might eventually develop into love and even marriage.<sup>56</sup>

Stripped of the language of diplomatic courtesy, this is a frank confession that the days when Canada aspired to occupy the twenty-second chair in the Pan American Union building in Washington are over. By remaining outside the OAS and cultivating close relations with Latin Americans in other ways, she appears to have achieved an ideal balance between a sympathetic concern for their problems and a friendly detachment.<sup>57</sup>

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<sup>55</sup> Standing Committee on External Affairs, Minutes, 18 November 1949, p. 20. "In contrast with the Pan American Union, for example, it [the North Atlantic community] reflects political, economic and cultural interests which in the history of Canada have been of importance in the growth of its freedom and security." Pearson, "Canada and the North Atlantic Alliance", Foreign Affairs, XXVII (1948-49), 374. Also, Statements and Speeches No. 47/7, p. 3.

<sup>56</sup> 8 March 1947, ibid.

<sup>57</sup> There was a hint of a possible shift in Canadian policy when a Canadian observer attended the 4th session of the Inter-American Economic and Social Council in Rio de Janeiro in November 1954. Department of External Affairs, Press Release No. 74, 22 October 1954. This was the first occasion on which Canada was represented at a meeting of any OAS organ. There was strong opposition within the Department of External Affairs to this move on the grounds that it would commit Canada to eventual OAS membership. However, there is no evidence to suggest that this will be the case.

## CHAPTER V

### RELATIONSHIP OF THE SPECIALIZED AGENCIES TO THE UNITED NATIONS

The United Nations Charter contemplated that non-political questions would be dealt with by governments in three distinct ways. Certain activities would be the direct responsibility of the Organization, and especially of the Economic and Social Council. Others would be handled by semi-autonomous specialized agencies brought into relationship with the United Nations. Finally, some would be left to independent organizations outside the UN system entirely. These three approaches are, on the international level, broadly analogous to government departments, public corporations and private associations on the national level.

The allocation of subjects between functional agencies and functional commissions of ECOSOC has not been governed by any clearly defined or consistent principles. One reason for this is that most of the specialized agencies were well on the way to being established even before Dumbarton Oaks. Consequently, ECOSOC was, at the most, left with only residual responsibilities. Three functional commissions were specifically provided for in the Charter (Article 68) and, in accordance with a Canadian suggestion, the initiative in creating further commissions or agencies was left to the Organization (Article 59). The Government considered that ECOSOC would be "in a strong position" to determine whether any new work which came up could "best be carried on by it-

self, by an existing agency, or by the creation of a new agency".<sup>1</sup> In actual practice, the expedient of a specialized agency has normally been resorted to in three sets of circumstances: first, where there was an important and fairly well-defined task to be undertaken; secondly, where the functions to be performed were mainly technical or operational in nature; and, finally, where it was desirable to try to take the subject out of politics. The International Refugee Organization was an example of an agency which could be justified on all three counts.

It was never intended that all international institutions should be brought into relationship with the United Nations as specialized agencies. According to the Charter (Article 57), only organizations "established by intergovernmental agreement and having wide international responsibilities . . . in economic, social, cultural, educational, health and related fields" were eligible. There were, thus, three qualifications. In the first place only organizations operating within certain related fields could qualify. This restriction was added at San Francisco,<sup>2</sup> but it has always been interpreted very broadly. Consequently, a number of technical organizations, ITU, UPU and WHO, have been brought into relationship with the United Nations. The Canadian Government appears originally to have favoured the restrictive policy adopted at San Francisco. Later, however, it pressed strongly for agreements with all the organizations listed above.<sup>3</sup>

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<sup>1</sup>Report on the San Francisco Conference, p. 44; U.N.C.I.O., III, 592.

<sup>2</sup>The Dumbarton Oaks Proposals used the words, "economic, social and other organizations and agencies"; a Canadian amendment proposed instead the use of the phrase, "economic, social and similar governmental organizations and agencies". U.N.C.I.O., III, 594; my italics.

<sup>3</sup>International Telecommunications Conference, 1947, Doc. No. 164 TR-E, p. 4; E.S.C.O.R. (VI), p. 450.

Secondly, specialized agencies had to be intergovernmental organizations. This condition was inserted in the Charter at San Francisco on the initiative of the Canadian Delegation in order to exclude non-governmental organizations such as the World Federation of Trade Unions.<sup>4</sup> Canada also suggested the provision banning organizations which did not have "wide international responsibilities". Her primary concern here was to preserve the autonomy of the many joint bodies created by bilateral agreement between the United States and Canada;<sup>5</sup> but she also wanted to rule out regional organs of economic and social cooperation such as those associated with the Pan American Union or the Arab League.<sup>6</sup>

The position of the numerous lesser agencies, operating in narrow technical fields of their own, created a special problem. While many of them had a world-wide membership, they could scarcely claim to exercise "wide international responsibilities". They could not, therefore, properly be considered eligible to become specialized agencies. On the other hand, the continued existence of these seeming anachronisms as independent entities was profoundly annoying to those who looked for a logical pattern of international institutions which could be neatly portrayed on simple little charts. The American Government was particularly anxious to wind up as many of these minor bodies as possible or absorb them into existing organizations as it was under heavy pressure from Congress to rationalize the structure of international agencies.

The Canadian Government repeatedly voiced its opposition, in the interests of economy and coordination to "the unnecessary multiplication of inter-

<sup>4</sup>U.N.C.I.O., III, 594, X, 309. Canada took a similar stand in FAO. FAO Conference, 1st session, Journal, I, 92, 124.

<sup>5</sup>Report on the San Francisco Conference, p. 43; U.N.C.I.O., X, 272, 394-5. There are at present five of these: the International Boundary Commission (1908), the International Joint Commission (1909), the International Pacific Halibut Commission (1923) the International Pacific Salmon Fisheries Commission (1930) and United States-Canada Joint Committee on Trade and Economic Affairs (1953).

<sup>6</sup>E.g., the Arab Language Institute, UN Preparatory Commission, Com-  
ings, p. 20.

national organizations".<sup>7</sup> At the same time, its approach to the problem was more pragmatic than that of the United States. Consequently, it has in certain cases been more sympathetic to the survival of independent agencies. Many of them, such as the International Bureau of Weights and Measures (1875) and the International Union for the Protection of Industrial Property (1883) dated back to the nineteenth century; and, as they continued to carry on useful work with a minimum of fuss and expense, there seemed little point in disturbing them for the sake of a doctrinaire insistence on symmetry. Other organizations, the International Seed Testing Association<sup>8</sup> for example, could be justified on the grounds that they provided valuable personal contacts for specialists in a particular field.

Apart from these very minor bodies, Canada has favoured a number of independent commodity organizations, particularly the International Wheat Council. She has always opposed suggestions that the IWC should become a specialized agency (or a part of ITO) on the grounds that it is a business organization and, therefore, ought to be run on a business, rather than a civil service, basis.<sup>9</sup>

<sup>7</sup>G.A.C.R. (I/2), Plenary meetings, p. 828; (IV), Joint 2nd and 3rd Committees, p. 21; E.S.C.O.R. (IV), pp. 182, 272-5; UN doc. E/AC.24/SR.14, p. 3; FAO doc. CL9/SR.3a, p. 4; Canada and the United Nations, 1948, pp. 85, 89. In June 1948, India proposed the establishment of an International Commission on Irrigation and Canals. Canada was one of the few countries to show any interest in the idea, and had some difficulty backing out when she discovered that both Britain and the United States were opposed to the scheme on the sound grounds that existing organizations, especially ECAFE and FAO, were fully competent to deal with the situation.

<sup>8</sup>At its Ninth International Congress in Washington in May 1950, Canada opposed an American proposal to convert the ISTA into a technical commission of FAO. The ISTA is a semi-governmental body.

<sup>9</sup>On one occasion, in opposing a provision for a possible IWC-FAO agreement, a Canadian spokesman exclaimed: "I'd just like to say that I'm a strong believer of being master in one's own house". International Wheat Conference, 1949, Doc.43, p. 37.

In general, however, Canada has pressed for a fairly highly integrated system of international institutions, with centralization taking two forms. She considered in the first place, that each institution should be established on a global basis, with as few concessions to regionalism as possible (see Chapter VII); and, secondly, that they should all be linked together and coordinated by a central United Nations body. The nature of this machinery of coordination and the extent of its control over the specialized agencies is the theme of this chapter.

#### Machinery of Coordination

Although, in the spring of 1943, Roosevelt envisaged a series of entirely uncoordinated functional agencies, his view received little support. Cordell Hull, in particular, was adamant on the need for "some sort of over-all agency of coordination in the whole field of economic and social cooperation".<sup>10</sup> It was also widely acknowledged that ultimate responsibility should rest in the representative assembly set up by the United Nations and more immediate responsibility in some smaller body; but there was no unity of view on the nature of this body or on its relationship to the assembly. Three broad possibilities existed. The task of coordinating the work of the specialized agencies could be assigned to a world economic council, to a subsidiary commission of the General Assembly, or to the International Labour Organization.

Canada's early views were not very specific. In the spring of 1944, L.B. Pearson spoke of the need for "some central United Nations machinery" and, on another occasion, for "some supreme United Nations Council". "Otherwise",

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<sup>10</sup>The Memoirs of Cordell Hull (New York: Macmillan, 1948), II, 1643.

he warned, "we will have separate and unrelated agencies shooting up and branching out in all directions." He also suggested that the techniques of cooperation developed by the wartime Combined Boards provided useful experience in working out a sound relationship between the functional post-war organizations.<sup>11</sup> On only one aspect of the problem did Canada, at this time, have firm opinions, and that was that the ILO was not the appropriate coordinating authority.

To understand what lay behind the ambition of the International Labour Office to promote the ILO<sup>12</sup> to the status of a super-specialized agency, it is necessary to appreciate the delicate position in which the Organization found itself in the middle of the war. Although the ILO had been one of the most successful experiments in international cooperation in the inter-war years, there was no assurance that it would not be swept aside in the process of reconstructing a new world order. One reason for this was that it was an integral part of the League of Nations; and, unless it could cut itself adrift, there was a danger that both organizations would founder together. This constitutional tie had already seriously undermined the political foundations of the ILO in a way which cast an even darker cloud over its future. When, in December 1939, the Soviet Union was expelled from the League, she automatically ceased to be a member of the ILO. For ideological and other reasons, Russia had never played an active role in the ILO, but her expulsion all but sealed any prospect of securing her cooperation in the future. This was made abundantly clear in an article which appeared in Izvestia on 25th April 1944. In a number of other countries, too, notably the United States, there was widespread sentiment for sweeping the board clean, blotting out the stigma of past

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<sup>11</sup>Canadian Club, Toronto, 13 March 1944; "Canada and the Postwar World", Canadian Affairs (1 April 1944), p. 11.

<sup>12</sup>The abbreviation ILO, as used here, refers to the Organization, not the Office (or secretariat).

failure and starting afresh to build a brave new world on a purely United Nations basis.<sup>13</sup> The know-it-alls in Washington and elsewhere had little patience for the Geneva old hands whose experience they dismissed as inapplicable to the changed circumstances of the world. This contempt for the past accounts for the apparently deliberate campaign to snub the ILO, most notably by failing to invite it to the Hot Springs Food and Agricultural Conference.<sup>14</sup>

The reaction of the International Labour Office to this situation was understandably aggressive. Early in 1944, it issued a Report outlining its proposals on the future policy, programme and status of the ILO,<sup>15</sup> and these served as the basis of discussion at the Twenty-Sixth Session of the International Labour Conference which opened in Philadelphia in April. This Report pointed out that the ILO had "a primary interest in the achievement of harmonious working relationships between all the constituent functional parts of the body of social and economic institutions which the world's needs require". Consequently, it argued, the ILO should, in addition to discharging its more

<sup>13</sup> Even Hull, who had brought the United States into the ILO in 1934, appears to have favoured scrapping it. On 29 October 1943, during the Moscow Conference of Foreign Ministers, he "suggested the establishment of an international commission to develop the work that had been well carried on by the International Labour Organization toward the improvement of labour standards and conditions". *Memoirs*, II, 1304.

<sup>14</sup> The Workers' Group in the Governing Body formally expressed its "astonishment and dismay" at this exclusion, while the Acting Director declared on 10 May 1944: "We have done our utmost, sometimes in difficult circumstances, to establish the closest possible cooperative relations with other international agencies". International Labour Conference, 1944, *Record of Proceedings*, p. 193.

<sup>15</sup> International Labour Conference, 26th session, *Report I: Future Policy, Programme and Status of the International Labour Organization*. The quotations which follow are taken from pp. 39-43, 185-8. The italics are mine.

immediate responsibilities, serve as a forum for "the general exchange of views on objectives and methods of approach". More specifically, it should "scrutinize all international economic and financial policies and measures" adopted by governments as well as other international organizations and have the right to "include in its decisions and recommendations any provisions which it considers appropriate".

An even clearer insight into the full range of the Office's ambitions was provided by the imposing list of problems of "special importance" which were regarded as "among the matters to which urgent attention should be given by the International Labour Organization". This select list began with "the maintenance of full employment and the raising of standards of living" and included "migration for employment and settlement" and the provision of "adequate protection for the life and health of workers in all occupations" as well as:

Provision for child welfare and maternity protection, and the provision of adequate nutrition, housing and facilities for recreation and culture; [and]

The assurance of equality of educational and vocational opportunity.

It was a formidable programme. Indeed, it more than amply covered the whole ambit of activities spanned by the specialized agencies then contemplated.

The Office justified its pretensions on the grounds of the ILO's unique competence. It was an established organization with extensive experience and an impressive record of achievement. Furthermore, it was less highly specialized than the new functional agencies, then in process of being set up. Finally, and most important of all, there was its tripartite character. As a "forum of representative opinion", it was, so it was claimed, singularly well-adapted to review "the whole field of social and economic policy". In fact, in its annual debates on the Director's Report, it had long served as "a world parliament of social and economic affairs". Also the continued participation

in its activities of representatives of "highly important elements of organized opinion" would ensure "an adequate backing . . . from public opinion" for the work of the junior specialized agencies entrusted to its care.

This grandiose scheme received a frosty reception from Member governments. None of them, not even the British Government, was prepared to back it to the full. The reaction of the Canadian Government was particularly strong. It rejected outright the fundamental assumption underlying the proposals, viz., that the ILO was the "uniquely appropriate instrument" to coordinate all international activities in the economic and social sphere. Furthermore, far from the tripartite principle justifying such a claim, it was, as Paul Martin pointed out at Philadelphia, a limiting factor,

limiting the peculiar competence of the Organization to those matters which are of special importance and direct relation to the sections of the national communities -- employers and workers -- represented in it.<sup>16</sup>

In particular, the ILO could scarcely pretend that the representation in it of employers and workers entitled it to speak on behalf of agriculturalists or consumers. Canada welcomed the suggestion that an endeavour be made to secure representation of agricultural employers and workers in the Organization, but she felt this still could not justify the frank attempt of the Office to inflate the role of the long-established Permanent Agricultural Committee to embrace not only agricultural labour questions as in the past, but all aspects of agriculture.<sup>17</sup> This was a field where other groups in the community were more directly concerned. Besides, it had been intended that a new functional

<sup>16</sup> 26 April 1944, International Labour Conference, 1944, Record of Proceedings, p. 111. The further excerpts from this address, quoted below, are taken from pp. 110-2. On 22 April 1942, Vincent Massey declared that: "His Government was also fully conscious of the fact that the ILO, by virtue of its tripartite constitution, was particularly well fitted to plan an important role both in the preparation for reconstruction and at the Peace Conference itself." ILO, Minutes of the Fifth Session of the Emergency Committee of the Governing Body, p. 40, summary record.

<sup>17</sup> Report I, pp. 61-2, 77-8.

organization, FAO, should deal with the wider aspects of agriculture.

This line of reasoning led the Canadian Delegation at Philadelphia to insist on two points: first, that the scope and functions of ILO should be clearly defined and specifically restricted to its "rightful fields" in order to "save troublesome rivalries in the future"; and, secondly, that its relations with other functional agencies should be "on a basis of equality". Canada was opposed to any attempt by ILO to acquire "a primacy over other international bodies with equal functional importance in related spheres".

These objectives were substantially attained by the adoption of two amendments to the draft declaration on the aims and purposes of the ILO (the "Philadelphia Charter"). The first left the ambitious programme of economic and social reform outlined by the Office virtually intact, while providing that the ILO would merely "further" these aims. Thus, the implication that this task was to be undertaken solely or even mainly "by the International Labour Organization" was avoided. The second amendment, a Canadian proposal, entitled the ILO merely to "examine and consider", rather than to "scrutinize", all international economic and financial policies. This not only restricted the authority of the ILO, but cleared up a situation which was a cause of genuine misunderstanding, for it transpired in the course of a prolonged debate that the word "scrutinize" meant very different things on the two sides of the Atlantic. According to British usage, it apparently meant little more than the right to be informed and to tender advice on questions involving the interests of labour. In North America, on the other hand, the word connoted much more; the power of scrutiny, in fact, implied a substantial measure of control. Where the International Labour Office stood in this linguistic debate is not clear, but the tenor of its proposals and its wartime sojourn in Montreal strongly suggest that it was not entirely unaware of the subtle distinction in usage, and that it would have been quite prepared to exploit the confusing situation to the full if

it could have got away with it.<sup>18</sup>

These alterations in the draft Philadelphia Charter may seem trifling, but there were of immense significance. They severely clipped the wings of the International Labour Office and ended all prospect of the ILO assuming the role of overlord to the galaxy of functional agencies then in process of emerging.

The Dumbarton Oaks Proposals provided that the General Assembly and, under it, the Economic and Social Council should coordinate the work of the specialized agencies. The Canadian Government approved of this arrangement in principle, though it favoured greater emphasis being placed on the role of ECOSOC. Accordingly, it introduced a number of amendments, which were adopted in substance at San Francisco, designed "to strengthen the position of the Economic and Social Council as the body charged with coordinating the activities of the agencies". These amendments empowered the Council to take the initiative in concluding agreements with existing agencies (Article 63:1) and in setting up new ones (Article 59), to participate in the deliberations of the specialized agencies (Article 70), to obtain reports from them on the steps they had taken to implement its recommendations and those of the General Assembly (Article 64:2) and to coordinate their work through recommendations to the General Assembly and to UN Members (Article 63:2).<sup>19</sup>

Unfortunately, at the same time, the Canadian Delegation undid much of

<sup>18</sup>See, Times (4 May 1944), p. 5. The Acting Director claimed at the conclusion of the Conference that: "The so-called right of scrutiny was never in my view intended to lead us away from what is our proper preserve." 10 May 1944, International Labour Conference, 1944, Record of Proceedings, p. 194.

<sup>19</sup>U.N.C.I.O., III, 592, 594; X, 21, 150-1, 309; Report on the San Francisco Conference, pp. 42, 43-4.

its good work by inflating the functions and authority of ECOSOC in other respects too. In particular, the Council was saddled with the enormous responsibility of promoting "higher standards of living, full employment, and conditions of economic and social progress and development" (Article 55a). ECOSOC was also entitled, as a result of Canadian efforts, to "make or initiate studies or reports", and not just recommendations, on matters within its competence (Article 62:1), and to perform services for Members and specialized agencies (Article 66:2).<sup>20</sup> The Canadian Government cannot, of course, be held solely responsible for swamping ECOSOC with more tasks than it could possibly handle, but it must assume, and has been only too happy to assume, a substantial measure of the blame. In any case, the results have been disastrous. ECOSOC has been called upon to serve as a forum for discussion and negotiation of economic, social and even political matters, and as the body directly responsible for a vast range of activities carried on through its many commissions, committees and boards. It is not surprising, therefore, that it has been unable to carry out effectively what perhaps ought to have been its primary purpose, the coordination of the work of the specialized agencies.<sup>21</sup>

In approaching its task of coordination, ECOSOC has been cautious and unsure of itself. At first, its members felt that, apart from direct action by the Council itself, all that was required was coordination at the administrative level through a committee composed of the Secretary-General and the executive heads of the specialized agencies. Accordingly, an Administrative Committee on

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<sup>20</sup> Ibid., pp. 42-3.

<sup>21</sup> See, A. Loveday, "Suggestions for the Reform of the United Nations Economic and Social Machinery", International Organization, VII (1953), 325-9; I. Lubin and F. Mardin, "ECOSOC: Concept and Practice", Journal of International Affairs, IX (1955), 67-78.

Coordination was set up in September 1946.<sup>22</sup> The weakness of this arrangement was that, owing to the inability of the Council to cope adequately with its massive responsibilities, the task of coordination was largely left to officials. Their work was valuable as far as it went, but Canada amongst others considered that ultimately this was a matter which should be dealt with by governments, as it was they who controlled the purse strings.<sup>23</sup>

There was need for coordination at two levels in addition to the administrative level. Coordination at the working level presented no real problem. Canada was satisfied that the commissions of the Council could, in general, be relied upon to deal with situations within their own spheres, though she was anxious that the Economic and Employment Commission should assume special responsibilities to oversee all economic affairs.<sup>24</sup>

As far as the policy level was concerned, there were two principal suggestions for additional machinery. The British favoured a committee of all the members meeting during Council sessions. Canada welcomed this as "a first step in the right direction", but considered that, by itself, it would prove inadequate. ECOSOC would have very little time at the end of a busy session to consider the recommendations of such a committee. She, therefore, supported an

<sup>22</sup>ECOSOC Res. 13 (III). The ACC was first termed the Coordination Committee and later the Secretary-General's Committee on Coordination. Canada had favoured the establishment of such a Committee at least as early as October 1945.

<sup>23</sup>E.S.C.O.R. (VI), p. 174; Canada and the United Nations, 1948, p. 115; UN doc. E/AC 24/SR.3, p. 4.

<sup>24</sup>UN doc. E/AC.24/SR.17, p. 13. Canada also supported the establishment of an Advisory Committee on Planning and Coordination to meet prior to the 3rd session of ECOSOC's Social Commission. E.S.C.O.R. (VI), pp. 27, 175; UN docs. E/AC.7/23, p. 9, E/AC.7/SR.42, p. 10; Canada and the United Nations, 1948, p. 100.

American proposal to convene a small committee on coordination to meet a week before the opening of Council sessions. This was not necessarily regarded as an alternative to the first proposal; the Council could still institute a committee of the whole or leave the matter to its main committees. In the end, the American plan was rejected in March 1948, and a Committee on Coordination on the British model agreed to instead.<sup>25</sup>

Although, at the time, Canada had "serious doubts" concerning this arrangement, she subsequently became reconciled to it. This was partly due to a realization that there was a limit to the extent to which tampering with the machinery would make the engine run more efficiently. There was also the danger that "over-ambitious and over-elaborate schemes of coordination" might result in a structure "so cumbersome that it would defeat its own simple objective". For these reasons, the Government had, by 1949 or so, come to regard the existing system as "generally satisfactory" and to seek further improvements within the established framework as well as by means of a broader approach.<sup>26</sup> The need for a new approach arose out of the fact that there was, at least from the point of view of coordination, a basic constitutional weakness in the UN system, viz., that, in the case of the specialized agencies, ECOSOC lacked the direct supervisory powers which it held in respect to its own commissions. Effective coordination, therefore, depended at the administrative level on voluntary co-operation between the secretariats of the various agencies, and at the policy level on the willingness or ability of governments themselves to coordinate the views of their spokesmen in international organizations.

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<sup>25</sup>Originally known as the Committee on Matters Relating to Coordination. E.S.C.O.S. (VI), pp. 174-5, 441-3, (VII), pp. 835-6; UN docs. E/AC.24/SR.3, pp. 5, 10, E/AC.24/SR.4, pp. 4, 5; Canada and the United Nations, 1948, p. 117.

<sup>26</sup>Canada and the United Nations, 1948, pp. 116-7, 183; 1951-52, p. 92; UN doc. E/AC.24/SR.17, p. 12.

Canada had long emphasized the need to coordinate policy at the national level. In the UN Preparatory Commission she had suggested that members should accept "primary responsibility" for coordinating the work of the specialized agencies. In particular, in order to avoid "confusion and conflict", they should as far as possible harmonize the instructions given their delegates. A paragraph to this effect was actually inserted in the Commission's Report, though in a somewhat diluted form in view of Soviet insistence on the right of countries to issue any instructions they wished to their delegates.<sup>27</sup> In pressing this proposal, the Canadian Government had in mind the fact that "representatives of States to one organization advocate or support policies frequently different and far too often directly opposite to those proposed and supported by representatives of the same States in another organization".<sup>28</sup> This problem sometimes arose as a result of the practice, among many smaller and usually less developed countries, of leaving their delegates more or less free to act on their own discretion. But the United States, with less excuse, was also a frequent offender. A classic example was the conduct of the American Delegation to the UN Preparatory Commission, which undid a good part of the work of the American Delegation to the earlier Executive Committee, owing to the fact that the dominant element in the two Delegations represented different and, to some extent, hostile agencies of the United States Government.

Apart from the special case of the Martin affair discussed below, the Canadian record has been remarkably good. The basic machinery of coordination at Ottawa consists of the Cabinet at the top and an Interdepartmental Committee

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<sup>27</sup> UN Preparatory Commission, Committee 3, Summary Record of Meetings, p. 19; UN doc. PC/CS/13, pp. 1-2; Report on the First Part of the First Session of the General Assembly, p. 20.

<sup>28</sup> Lionel Chevrier, 7 June 1949, ICAO doc. 6897-C/799, p. 13.

on International Organizations set up in December 1949 on the model of the British Steering Committee on International Organizations.<sup>29</sup> In addition, there are a number of other interdepartmental bodies, such as the Interdepartmental Committee on the Food and Agriculture Organization, dealing with more specialized topics.<sup>30</sup> The one criticism that might be made is that coordination is too effective. The immense care taken in the formulation of Canadian policy almost inevitably ensures that it will rarely be bold and imaginative. This is undoubtedly part of the explanation of Canada's extraordinarily passive role as a member of ECOSOC.

However, few countries suffer from this particular difficulty, and Canada has been fully justified in urging, on every possible occasion, the need for adequate coordination of national policies.<sup>31</sup> In the vast majority of cases, this has yet to be achieved. As has already been suggested, this problem is all the more important because of the nature of the relationship between the United Nations and the specialized agencies, to an examination of which we now turn.

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<sup>29</sup>The occasion for the creation of this Committee was Canada's election in the autumn of 1949 to a second term on ECOSOC. There is no obvious explanation why it was not set up earlier.

<sup>30</sup>"Coordination of Canadian Policy at the United Nations", External Affairs, V (1953), 12-6; Canada and the United Nations, 1949, pp. 16-7; H.C. Deb., 10 February 1947, p. 248.

<sup>31</sup>E.g., E.S.C.O.R. (I), p. 29; G.A.O.R. (III/1), Joint 2nd and 3rd Committee, p. 98; The United Nations, 1946, p. 76; Canada at the United Nations, 1947, pp. 143, 227; Canada and the United Nations, 1949, p. 128; 1951-52, p. 93.

## Degree of Autonomy

The Canadian Government originally considered that the agreements defining the relationship of the specialized agencies to the United Nations should incorporate three features: a substantial measure of constitutional and financial integration, functional autonomy, and equality of status with other specialized agencies. In actual practice, the agencies have remained free of direct UN control in the administration of their substantive programmes, but the United Nations has not respected the other two principles to anything like the same extent. In fact, the relationship which has emerged is in many respects considerably looser than that envisaged at the time the United Nations was set up.

One reason for this is that, in the majority of cases, agreements were concluded with organizations which were already in existence and functioning; and, having tasted independence, they felt little inclination to give it up. The United Nations, on the other hand, was anxious to bring them within its orbit, a sentiment which Canada fully shared, and, consequently, had to accept whatever terms it could get. Besides, shortly after the end of the war, a reaction set in against excessive centralization. The practical and political arguments in favour of the decentralization (and also the regionalization) of international institutions came to be pressed with increasing effectiveness. This was particularly true once the membership of the specialized agencies began unexpectedly to diverge materially from that of the United Nations. The Soviet boycott of a majority of them led even the Canadian Government to stress their autonomous position in order to prevent non-members exercising a disruptive influence from outside.

The first issue to arise was that of the status of the specialized agencies in relation to each other. The ILO was the first to challenge the doctrine

that they should all be treated the same. As we have seen, prior to the Philadelphia Conference the International Labour Office maintained that the ILO should become the agency through which the work of the other functional agencies was to be coordinated. At the same time, it insisted that, regardless of the machinery of coordination ultimately devised, the ILO should be treated as qui generis and assigned a separate and privileged position of its own.

The Office justified this latter claim on the basis of the ILO's existing status and its tripartite character. For a quarter of a century, the Organization had fought a long and sometimes bitter struggle, first to establish itself as a separate entity, and then to maintain its de facto autonomy. It had been set up in 1919, under the Treaty of Versailles, with a constitution of its own, but "as part of the organization of the League" (Article 392). Nevertheless, during the inter-war years, particularly under the dynamic leadership of Albert Thomas, it had succeeded in shaking itself virtually free of League direction in matters of policy. Besides, to the extent that it was integrated into the League, it was under the direct supervision of the Council and the Assembly, and not some lesser body. Indeed, at the beginning of the war, the merest suggestion that the ILO should be placed under the proposed Central Committee on Economic and Social Questions provoked a violent reaction. The ILO was impelled by a similar fear in 1944. It suspected, correctly, that a move was under way to lump it in with the other functional agencies and to subordinate all of them to some intermediate organ.

In addition to this argument on historical grounds, there was the question of the ILO's tripartite character. The Office considered this a decisive objection to subjecting the Organization to the authority of some purely governmental world economic council. The "unique strength" which had made the ILO "a power in the world" and had enabled it to survive "the disruptive influences of appeasement and war" rested on the confidence it had won from the

working classes of the world. This confidence, it was claimed, would be "fatally impaired by the subordination of the International Labour Organization to any general world organization which did not enjoy the confidence of the workers in an equal degree".<sup>32</sup>

This challenging assertion, considered in conjunction with the indecent haste with which the Office sought to cut the ILO completely adrift from the League, seemed to constitute a claim for full equality of status with the new world organization itself. Admittedly, the ILO would have had genuine cause for concern if, instead of submitting its conventions and recommendations directly to governments as in the past, they were first screened and possibly rejected by some intermediate agency; but there was never any real danger of this. In any case, the chastisement which the Office received at Philadelphia substantially tempered its demand. At the concluding meeting of the Conference, the Acting Director merely asked that the ILO be given,

no less an important place than it was given in its relations with the League of Nations, in which it had the right of access to the highest authorities, namely the Council and the Assembly, whenever questions touching its interests were discussed.<sup>33</sup>

The Canadian Delegation at Philadelphia took a very firm stand on this question as it considered it unrealistic to suggest that the world assembly should itself coordinate the work of all the specialized agencies, and undesirable to give preferential treatment to anyone of them. If the ILO alone were brought into direct relationship with the assembly, other agencies would, quite properly, have demanded the same privilege. Unless strict equality were granted, relations between the ILO and the world body, on the one hand, and the new

<sup>32</sup>Report I, pp. 40-1.

<sup>33</sup>S. J. Phelan, 10 May 1944, International Labour Conference, 1944, Record of Proceedings, p. 194.

functional agencies, on the other hand, would be strained and cooperation impaired.

As the shape of things to come was not, at that time, sufficiently clear to enable the Conference to settle the question of the ILO's precise status in relation to other international organizations, the Canadian Delegation concerned itself primarily with ensuring that no decision was taken which would prejudice the prospects of eventually fitting the Organization into "its proper and rightful place". For this reason, Paul Martin was emphatic in his view that the time had not yet come to simplify or dissolve the ILO's constitutional relationship with the League.<sup>34</sup> He feared that the establishment of a completely independent ILO would make the task of integrating it into the new international framework even more difficult. Martin did, however, propose the setting up of a committee to consider, inter alia, the relationship of the Organization to other international bodies, and to report to the next session of the Conference. A Canadian resolution to this effect was adopted and a Committee on Constitutional Questions appointed. Canada was, at her own insistence, named a member and her representative, Paul Martin, was subsequently elected Chairman.

By the time the Committee held its first session in London in January 1945, the situation had been enormously clarified by the publication of the Dumbarton Oaks Proposals. These provided for an Economic and Social Council which would negotiate agreements with the specialized agencies bringing them into relationship with the United Nations. However, the Committee regarded the status of a subordinate agency of a minor UN organ not good enough for the ILO. Consequently, it submitted a draft resolution which was endorsed unanimously

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<sup>34</sup>26 April 1944, ibid., pp. 111-2. Martin stated: "I could not . . . give support to any proposal which, rightly or wrongly, may be interpreted as 'driving another nail into the coffin of the League'."

by the Governing Body on 26 January, and which affirmed the desire of the ILO for association with the UN,

on terms which will permit [it] . . . with its tripartite character, to make its best contribution to the general effort . . . while retaining . . . the authority essential for the discharge of its responsibilities.<sup>35</sup>

As soon as the text of the draft resolution became available, Paul Martin cabled Ottawa for instructions, but these were not received before it came up in the Governing Body for approval. Martin supported it, only to discover later that the Canadian Government refused to back him up. Several possible explanations may be suggested for Martin's action. As Chairman of the Committee proposing the resolution, he may have hesitated to be the only one to oppose it. He may also have genuinely felt that the Government would support this comparatively modest bid for better terms. This seems unlikely though for, as Parliamentary Assistant to the Minister of Labour as well as Canadian spokesman at Philadelphia, he had been in constant and close touch with government policy. Furthermore, his conduct later does not suggest that he would have acted any differently in London, even if the opposition of the Government had been made abundantly clear to him. The actual explanation seems to be the simple one that he sincerely believed that the ILO deserved a better deal. In fact, he was prepared to go considerably farther than the Governing Body did in supporting the claims of the International Labour Office. In this, he appears to have been greatly influenced by Ernest Bevin.

As early as December 1943, Bevin had declared: "I look upon [the ILO] as the body which will be charged with the duty of assisting governments through

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<sup>35</sup>ILO, Minutes of the 94th Session of the Governing Body, p. 32.

its advice to give effect to Article 5 of the Atlantic Charter".<sup>36</sup> By the following summer, Martin appears to have come to share this view, for he claimed that the Philadelphia Charter "sums up vigorously the right and the duty of the ILO to become the United Nations' instrument for effectuating the social provisions of the Atlantic Charter".<sup>37</sup> In London, on 25 January 1945, Bevin reaffirmed his belief, first voiced the previous July, that the ILO should be put "as high in the scale of world organization as possible". He also added:

It must be in a position in relation to the highest authority equal to that of any other branch of the organization. That is to say, it must not be put in a subordinate position to the Economic and Social Council, but rather work on parallel lines so that the views of industry, together with the economic repercussions of any proposals, may be considered by the world organization together and on equal terms.<sup>38</sup>

Two days later, Martin announced that:

The Canadian Government agreed with the British Government that the International Labour Organization should have the highest place possible in the new world organization. It wanted to preserve to the full the tripartite character of the Organization.<sup>39</sup>

Two months later, in reporting to Parliament, he was even more specific and forthright. He argued that the representation in the ILO of workers and

<sup>36</sup> 16 December 1943, ILO, Minutes of the 91st Session of the Governing Body, p. 12. The fifth principle stated: "They desire to bring about the fullest collaboration between all nations in the economic field with the object of securing for all improved labour standards, economic advancement and social security."

<sup>37</sup> Paul Martin, "Canada and the International Labour Organization", Public Affairs, VII (1944), 198. Martin represents an industrial constituency in Parliament and has long been considered a left-wing Liberal by Canadian standards.

<sup>38</sup> British H.C. Deb., 26 July 1944, cols. 850-1; ILO, Minutes of the 94th Session of the Governing Body, pp. 8, 9.

<sup>39</sup> Ibid., p. 45.

employers made it "more" than just another functional agency, and entitled it to "a special place in relation to the general organization". Martin even went out of his way to insist that his speech in London had been delivered "on the instructions of this Government". Finally, he suggested that, at the San Francisco Conference, the Canadian Delegation,

should consider carefully the wisdom of having the International Labour Organization's future predicated upon a relationship to a body on which the workers and employers of the world are not represented . . . [ECOSOC] is a body wholly made up of governments on which the workers of the world will have no representative at all, and I should think that this would be a serious violation of the tripartite principle of the International Labour Organization. The International Labour Organization should be given access, not to the Economic and Social Council, but to the assembly of the world security organization. For ultimately, of course, the International Labour Organization must be subservient to the world security organization; but let it be subservient to a body that represents the ultimate power of government and not to a body that has merely delegated power and one on which the workers and employers have no representative.<sup>40</sup>

At San Francisco, the United Kingdom took up the ILO's case on its behalf. She favoured specifically mentioning in the Charter that the economic and social work of the United Nations should be carried on "in association with the International Labour Organization and other bodies concerned". A second British amendment proposed that:

In view of its tripartite constitution, the International Labour Organization should . . . be brought into special relation with the Organization and should be an important instrument through which should be pursued the object of securing for all improved labour standards, economic advancement and social security.<sup>41</sup>

These proposals had been presented to the preliminary Commonwealth Conference in London early in April, but the Canadian representative had not

<sup>40</sup> H.C. Deb., 20 March 1945, pp. 43, 44. Minor corrections have been made in the designation of certain bodies to which reference was made.

<sup>41</sup> U.N.C.I.O., x, 308, 312. The amendment reproduces the phraseology of the fifth principle of the Atlantic Charter.

accepted them. When they came up for discussion at San Francisco, the Canadian Delegation (which did not include Paul Martin) confined its comments to a general affirmation of support for the ILO. There was no suggestion of support for the British amendments. Canada seems to have objected to them on two grounds: first, that they "appeared to give the ILO a status of equality" with the United Nations itself and, secondly, that it was "undesirable to mention any particular specialized agencies in the Charter before agreements governing their relationship with the Organization had been successfully negotiated". Eventually, the United Kingdom Delegation withdrew its proposals and, subsequently, even its request that a statement should be included in the rapporteur's report. The rout was complete.<sup>42</sup>

In June, the Committee on Constitutional Questions and the Governing Body met again to survey the situation and see what could be salvaged. Paul Martin had "hoped" to attend but, as he pointed out in a telegram to the Committee, he had been "moved from the Department of Labour".<sup>43</sup> This was a reference to the fact that two months earlier he had been appointed Secretary of State and thus promoted to the Cabinet. If this was intended to explain his inability to be present, it was unconvincing. His new duties could scarcely be regarded as exacting, and he had had ample time in which to acquaint himself

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<sup>42</sup>Ibid., pp. 40, 171, 259-60: Report on the San Francisco Conference, pp. 45-6. The Report does not claim that the views quoted were those of the Canadian Delegation, but rather those of "certain delegates. . . supporting the ILO". However, there is no reason to suppose that these were not the views of the Canadian Delegation. Canada strongly urged that ECOSOC rather than the General Assembly should initiate the agreements bringing the agencies into relationship with the UN apparently in order to facilitate uniformity of treatment. U.N.C.I.O., X, 150-1, 309.

<sup>43</sup>ILO, Minutes of the 95th Session of Governing Body, p. 51.

with them.<sup>44</sup> Nor would the Committee's meetings have been very time consuming; these took place in Quebec City on the 18 and 21 of June. It seems much more probable that either the Government asked Martin to retire or he felt duty-bound to resign in view of the fact that his views had been officially repudiated. Certainly, he was determined to stand by his own convictions. In his telegram of resignation, he reiterated his intention to "continue to point out the desirability of preserving the ILO and its tripartite character". "For my part," he added, "I want to see the ILO occupy a position of growing importance in no sense less than that now or formerly held."<sup>45</sup> As late as August 1945, Martin was still supporting the ILO's claim to "access to the General Assembly". In fact, he even declared that, "the Government of Canada . . . is determined to give its full support in future negotiations" to this principle.<sup>46</sup>

This extraordinary performance appears to have had no significant effect on Canadian policy. The Government continued to adhere to the belief that the ILO should be accorded substantially the same status as the other functional organizations. At the next International Labour Conference, in Paris in October 1945, the Canadian Government Delegate sought to dispel any confusion which may have arisen concerning Canadian policy. He specifically declared that the views expressed at Philadelphia "after mature consideration" - and by implication not Martin's later deviationist utterances - "remain the views of the Canadian Government". The policy enunciated then was "as valid today as when

<sup>44</sup>The duties of Secretary of State (not to be confused with Secretary of State for External Affairs) are almost entirely administrative in character. He administers a number of acts such as Copyright Act, serves as Registrar General, acts as custodian of The Great Seal of Canada and the Privy Seal, and is the formal channel of communication with the Lieutenant Governors of the provinces.

<sup>45</sup>ILO, Minutes of the 95th session of the Governing Body, p. 52.

<sup>46</sup>Canadian Institute of Public Affairs, Lake Couchiching, Ontario, 19 August 1945.

it was made".<sup>47</sup> The Martin affair had ended.

The UN-ILO agreement concluded in December 1946 accorded the ILO nothing not accorded to other specialized agencies, and in some respects considerably less. The reason for this was that after the UN-ILO agreement, had been drawn up, a number of other agencies, especially UPU, ITU, WHO, IMF and IBRD, put forward claims for special consideration and, in most instances, these were granted. In the case of the first three agencies, the deviations from the standard pattern were fairly minor, and Canada was not prepared to make an issue over them. Even so, she considered them unnecessary and undesirable in principle.<sup>48</sup>

The concessions to the Fund and the Bank were of a very different order of magnitude. Although the agreements did not fully meet the original demands of the two organizations, they departed markedly from the terms of earlier agreements. The IMF and IBRD claims were based on the argument that, by reason of the nature of their international responsibilities and the terms of their Articles of Agreement, they were "required to function" as independent organizations.<sup>49</sup> Consequently, they insisted on complete financial and functional autonomy. After prolonged negotiations, carried on over a period of a year and

<sup>47</sup> Gray Turgeon, 29 October 1945, International Labour Conference, 1945, Record of Proceedings, p. 113. The Canadian Government representative took no part in the discussion of the constitutional questions which arose out of the Quebec session of the Governing Body, 21-27 June 1945.

<sup>48</sup> Canada considered, for example, that UPU should submit "an Annual Report", not "its Annual Report" to the UN (UN doc. E/C.1/23, p. 2); that the formula for UN-ITU cooperation was "too vague and general" (International Telecommunications Conference, 1947, Doc. No. 270 TR-E, p. 5); and that WHO should notify ECOSOC of the details of agreements with other agencies before, not after, they were concluded.

<sup>49</sup> UN docs. E/C.1/20, p. 3; E/C.1/21, p. 2.

a half, draft agreements were finally drawn up which conceded substantially everything the two institutions demanded.

When these agreements came up for approval in the Economic and Social Council in August 1947, they encountered vigorous opposition from several members who opposed showing favouritism to particular specialized agencies, either on principle or on the grounds that to do so would be contrary to the Charter. Canada did not adopt either of these lines. Quite the contrary, she strongly urged acceptance of the agreements on the grounds that, although they were "not ideal", they were "the best which could be obtained in the circumstances".<sup>50</sup> The Canadian spokesman also rejected the view that "the various agreements with the specialized agencies should not differ from each other".

Although it was true [he stated] that there was nothing in the Charter which spoke of distinguishing among specialized agencies, there was also nothing in the Charter which precluded the Council from recognizing the inherent differences in the functions and nature of the various agencies, and accordingly working out agreements suited to each particular case.<sup>51</sup>

The attitude adopted by Canada on this occasion represented a very considerable and remarkably sudden reversal of the policy she espoused so firmly only a year or so earlier. The IMF-IBRD claims were not in substance identical with those put forward earlier by the ILO, but in each case the principle involved was that of equality of status.

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<sup>50</sup> Canada at the United Nations, 1947, pp. 90-1; E.S.C.O.R. (V), pp. 271-6; G.A.O.R. (II), Joint 2nd and 3rd Committees, p. 33.

<sup>51</sup> 16 August 1947, E.S.C.O.R. (V), p. 271, summary record. On 29 January 1946, Martin put forward the "special weighted system of voting" as a justification for according the Fund and the ILO substantial autonomy. E.S.C.O.R. (I), p. 28.

Originally, the Canadian Government favoured the forging of strong constitutional links between the United Nations and the specialized agencies. This integration was to take a variety of forms, few of which have in practice been achieved. To begin with, it was hoped that the United Nations would have some control at least over the adoption of constitutional amendments by the specialized agencies and the admission of new members. The latter restriction was accepted by a few organizations, but the former was too far-reaching ever to receive serious consideration. Even more important, Canada strongly supported the creation of a common UN budget and a high degree of administrative consolidation. Little progress has been made in either direction. Finally, she advocated reciprocal representation, the establishment of machinery for liaison and coordination, and a number of other provisions of a similar nature.

The authority which the United Nations exercises in respect to the admission of new members to the specialized agencies stems from three sources: the ICAO, UNESCO and WHO constitutions, the UN agreements with ICAO and UNESCO, and the General Assembly's right of recommendation.

ICAO is the only agency whose constitution specifically grants the United Nations a voice in membership matters. Article 93 provides that the admission of enemy states is, inter alia, "subject to approval by any general international organization set up". The actual procedure to be followed is outlined in the UN-ICAO agreement. If, at the first session of the UN General Assembly following the receipt by ICAO of an application for admission from an enemy state, the Assembly recommends rejection of the application, ICAO will accept the recommendation. Otherwise, it is free to take any action it may wish on the matter.

The above provisions did not apply to Spain as, apart from being officially neutral in the war, she was an original signatory of the International

Civil Aviation Convention of December 1944. Two years later, however, the UN General Assembly recommended that "the Franco government of Spain be debarred from membership in international agencies established by or brought into relationship with the United Nations". The Canadian Government opposed this resolution on the grounds that states should not be excluded from membership in specialized agencies for purely political reasons.<sup>52</sup> Nevertheless, once the resolution had been adopted, Canada considered herself morally bound to respect it, even though there was no legal compulsion to do so. Besides, the United Nations was not prepared to approve the draft agreement with ICAO unless it was willing to comply with "any decision of the General Assembly regarding Franco Spain"; and Canada considered the agreement immensely more important than Spanish membership. Subsequently, she supported and ratified an amendment to the constitution of ICAO, providing that a state whose government the General Assembly has recommended should be debarred from membership in the specialized agencies should "automatically cease" to be a member of ICAO.<sup>53</sup> This amendment never came into force, though Canada continued to regard it as binding until November 1950, when the General Assembly ban on Spain was lifted.<sup>54</sup>

Canada has adopted a similar attitude towards the participation of Spain in other specialized agencies. Although Spain had long been a member of two of them, UPU and ITU, the Canadian Government agreed with the policy of not inviting

<sup>52</sup>The United Nations, 1946, pp. 58, 210-1; Canada at the Nations, 1947, pp. 65, 216-7; G.A.O.R. (1/2), 1st Committee, pp. 297, 362; (II), 1st Committee, pp. 430-1, Plenary Meetings, II, 1096; (V), Ad hoc Political Committee, pp. 27, 380-1, Plenary Meetings, p. 192.

<sup>53</sup>ICAO doc. 3087, C/381, p. 18; doc. 4232, A1-CP/32, p. 8; doc. 7325, C/852, pp. 84, 96, 237-8; C.T.S., 1947, No. 22.

<sup>54</sup>ICAO doc. 4560, C/554, p. 30; doc. 7057-16, C/817-16, pp. 235-6; E.S.C.O.R. (VI), pp. 375-6; (VII), pp. 620-2; 625-7; UN doc. E/1014.

her to either the Universal Postal Congress or the International Telecommunications Conference, both of which took place in 1947, as well as the policy of not permitting her to resume membership in either organization until the General Assembly ban had been abrogated or ceased to be applicable.<sup>55</sup> In FAO, Canada firmly insisted that no decision should be taken on the admission of Spain as long as the UN resolution remained in force, but promptly voted her in within a few days of it being rescinded. Prior to this, the only organization Spain was permitted to join was the International Wheat Council. Canada agreed to this in June 1950 because the IWC was in no way affiliated to the United Nations.<sup>56</sup>

In addition to ICAO, two other organizations have stipulations in their constitutions under which the admission of certain states to membership is subject to the terms of the agreements concluded with the United Nations. Under the UNESCO Constitution, this provision covers applications from all countries not members of the United Nations. According to its agreement with the UN, if ECOSOC recommends rejection of any such application within six months of its receipt, UNESCO must accept the recommendation.<sup>57</sup>

The comparable clause in the Constitution of WHO has never come into operation as no membership clause was inserted into the UN-WHO agreement. In

<sup>55</sup>International Telecommunications Conference, 1947, Doc. No. 104, TR, p. 2; No. 193, TR-E, p. 79; C.T.S., 1947, No.40, Final Protocol XVII; No. 33, Protocol III of Additional Protocols.

<sup>56</sup>IWC, Doc. No. 3/22, pp. 13, 17, 26.

<sup>57</sup>UNESCO is the only specialized agency whose constitution provides that Members expelled from the U.N. shall "automatically cease" to be members of UNESCO (Article II.4). A similar provision was adopted in 1947 as an amendment to the constitution of ICAO, but has never been ratified.

any event, the WHO provision was far less restrictive than the corresponding article in the UNESCO Constitution; effectively, it applied only to Germany, Japan, Spain and newly created states. The omission of a membership clause was due to a widespread conviction, which Canada wholly shared, that political considerations had no place in an organization dedicated to a purely humanitarian ideal.<sup>58</sup> The one exception was Spain, but her exclusion was effected by informal agreement.

The question of the inclusion of a membership clause came up in two other agencies, UPU and ITU.<sup>59</sup> In both cases, Canada pressed vigorously for such a provision, mainly because in the past membership had been open to countries which were not fully independent. The original draft UN-UPU agreement, drawn up in December 1946, provided that, in considering applications for full membership, UPU should "take into account" any recommendations the General Assembly might make on the matter. The Universal Postal Congress, meeting in Paris the following July, deleted this article. The UN then gave way, but only on condition that UPU itself required a two-thirds vote for the admission of members.

A month later, the same issue arose at the International Telecommunications Conference in Atlantic City. The Canadian Delegation took a very determined stand on the matter, both in committee and in plenary session. It felt

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<sup>58</sup>E.g., UN doc. E/H/PV/12, p. 13; E.S.C.O.R. (II), p. 17. Apparently, Canada later came to see some merit in a membership clause as, on 29 July 1947 in the ECOSOC Committee on Negotiations with the Specialized Agencies, she abstained on a proposal, which was adopted, to omit such a clause. UN doc. E/C.1/SR.37, p. 3.

<sup>59</sup>No agreement was concluded with ITU as it never formally came into existence. However, in the case of the Havana Conference which drafted the ITU Charter, Canada took the view that ECOSOC should exercise its right to limit voting rights to UN Members, UN doc. E/AC.6/SR.6, p. 3; E.S.C.O.R. (V), pp. 128-30.

"very strongly" that the membership clause recently dropped from the UN-UPU agreement should be inserted in the UN-ITU agreement, though as an alternative it was prepared to accept an article in the International Telecommunications Convention denying the vote to members who lacked "complete control over their telecommunications system" or who had been "specifically banned from membership in a specialized agency by a vote of censure of the United Nations General Assembly". Canada considered one or the other "indispensable", if the agreement were to secure her approval.<sup>60</sup> In the end, no mention was made of membership in the agreement, and a compromise was reached on the membership article of the Convention. This stipulated that, in future, countries admitted to membership would be entitled to vote only if they were fully autonomous in telecommunications matters.<sup>61</sup> A similar arrangement was reached in the case of UPU.

Although, at the time, Canada regretted the omission of a membership clause from the agreements with the UN, she later had reason to be grateful for it. The Soviet Union claimed that legally the three Baltic states had never ceased to be UPU members, and, in August 1948, she asked ECOSOC to "review" the question with the object of reinstating them as members. Canada was able to reject the request on the grounds that the UN had acknowledged the complete independence of the Union in this sphere.<sup>62</sup>

The Canadian attitude on UN control over the admission of new members to the specialized agencies has, therefore, been influenced by two main

<sup>60</sup> International Telecommunications Conference, 1947, Docs. No. 270 TR/E, p. 7; No. 231 TR-E, pp. 1-2; No. 348 TR-E, p. 2; also Canadian statement, Committee D, 7 August 1947.

<sup>61</sup> International Telecommunications Conference, 1947, Docs. No. 304 TR-E, pp. 20-1; No. 315 TR-E, p. 5; No. 522 TR-E, p. 32.

<sup>62</sup> E.S.C.O.R. (VII), p. 771 and Annex, p. 277.

considerations. On the one hand, there was, particularly at first, a strong bias in favour of constitutional integration and uniformity of membership. On the other hand, Canada has increasingly come to accept the view, which ultimately triumphed, that political interference in the affairs of the specialized agencies should be minimized and that they should as far as possible be isolated from the impact of the cold war raging in the UN.

On the issue of a unified budget, the Canadian Government initially held even more decided views. Since 1919, the ILO had been financially a part of the League of Nations, with a common budget, a common scale and collection of contributions and so on. Then, early in 1944, the International Labour Office proposed that the ILO should cut its financial links with the League. At the same time, the Office warned of the dangers of embarking on any fresh attempt to institute a centralized system of finance, at least for some time.<sup>63</sup> The Canadian Government did not agree. At the Philadelphia Conference in April 1944, it came out strongly in opposition to any attempt at that time to divorce the ILO budget from that of the League, as this would constitute a step in "the opposite direction to that in which we would wish to go". Instead, Canada considered the Conference should accept the principle of a single international budget and seek means of bringing it about "as soon as possible". "We should", Paul Martin contended, "be moving forward towards an international budget, and not away from it."<sup>64</sup>

The United Nations Charter makes no mention of a consolidated budget, and the issue was scarcely even discussed at San Francisco. However, a majority of the agreements subsequently concluded with the specialized agencies provide for

<sup>63</sup> Report I, Chapter VI.

<sup>64</sup> International Labour Conference, 1944, Record of Proceedings, pp. 111, 112.

consultation concerning the "desirability" of making "appropriate arrangements" for the inclusion of their budgets "within a general budget".<sup>65</sup> At the outset, the Canadian Government fully supported these provisions, but rapidly came to realize that they represented little more than polite gestures in the direction of an unattainable ideal.

The last occasion on which Canada put in a plea for a consolidated budget was in November 1946. Senator Vandenberg, on behalf of the United States, had pointed out that eventually there would have to be,

a single financial control for the United Nations and all its related activities in order to prevent insolvency. Without such central control the various expenditures could not properly be balanced, and there would be no check on overly-enthusiastic spending amongst the specialized agencies.

Senator Haig associated the Canadian Government with these views and added:

Some method should be devised whereby the final decision on all international expenditure should rest with the General Assembly, or the taxpayers of the various countries might not be able to support the burdens placed on them.<sup>66</sup>

By 1949, the Government frankly admitted that further endeavours to institute a common UN budget would be "purposeless" because "the constitutional and political prerequisites" did not exist. Canada also concurred in the view that the original intention of undertaking a common collection of contributions

<sup>65</sup>The FAO and UNESCO agreements accept the idea of a general budget in principle, while the ILO, ITU, IMF and IBRD agreements do not even make any provision for consultation concerning the desirability of such an arrangement or recognize the desirability of establishing close budgetary and financial relationships. Of the eight agreements containing a reference to a general UN budget, seven were negotiated before the end of 1948; the eighth, with WHO, was drawn up in 1951.

<sup>66</sup>18 November 1946, G.A.O.R. (I/2), 5th Committee, p. 126, summary record. A year later, Canada considered that a proposal to request the Secretary-General to report on the "feasibility of establishing eventually a common or consolidated budget" was "unnecessary", but "harmless". Ibid., Joint 2nd and 3rd Committees, pp. 57, 93.

should be abandoned "owing to the administrative difficulties and the high costs involved".<sup>67</sup> A further reason for this conclusion was that she had come to doubt whether the UN scale of assessment was necessarily always the most appropriate one for the specialized agencies. In any case, she now considered that this was "clearly" a matter on which each agency should retain "full jurisdiction and final responsibility".<sup>68</sup>

Once the prospect of a unified financial structure began to fade, the Canadian Government turned to alternative means of coordinating financial policy. Over a period of years, it has suggested or supported a great variety of co-operative arrangements, such as common financial and staff regulations, the use of common services, the establishment of joint audit procedures, a Joint Staff Pension Fund and a common scale of salaries and social security benefits, and the development of a common form of budget.<sup>69</sup>

Under Article 17:3 of the UN Charter, the General Assembly is specifically directed to "examine the administrative budgets" of the specialized agencies "with a view to making recommendations to the agencies concerned". The Dumbarton Oaks Proposals had assigned this responsibility to ECOSOC, but at Canadian insistence it was transferred at San Francisco to the General Assembly.<sup>70</sup>

Although the General Assembly's right of budgetary review is potentially a powerful instrument of control, in actual practice, it has amounted to very

<sup>67</sup>Canada and the United Nations, 1949, p. 189.

<sup>68</sup>Ibid., p. 288; also Canada and the United Nations, 1948, p. 183.

<sup>69</sup>E.g. G.A.O.R. (I/1), 5th Committee, p. 70; UN doc. E/AC.21/SR.14, p. 11; Official Records of WHO, No. 28, p. 418; Canada at the United Nations 1947, p. 144; Canada and the United Nations, 1948, p. 183; 1949, p. 190.

<sup>70</sup>U.N.C.I.O., X, 47.

little. In fact, in its agreements with the Fund and the Bank, the United Nations has specifically conceded them "full autonomy in deciding the form and content" of their budgets. Accordingly, the General Assembly neither examines them nor adopts any recommendations concerning them. This departure from the Charter was justified on the grounds that both institutions were financed from a general operating fund rather than by an annual levy on their Members. This is true, but quite irrelevant. Nevertheless, Canada accepted the validity of this argument.<sup>71</sup>

In the case of the other specialized agencies, Canada also favoured a restrictive interpretation of Article 17:3.<sup>72</sup> When the first agency budgets came before the General Assembly in 1947, she stressed the need to maintain "a clear distinction between budgetary coordination . . . and . . . coordination of the general policies of specialized agencies". She insisted that the Charter permitted the Assembly to adopt recommendations only in "cases where the administrative processes . . . appeared to be inefficient or uneconomical or where the activities undertaken appeared to overlap those undertaken by other bodies". Any interpretation which led to "direct interference" in the fields of competence of the specialized agencies was regarded as, not only improper, but "dangerous". On these grounds, the Canadian Delegation, while wholeheartedly in favour of the suggestion that UNESCO should "concentrate its resources on matters which [would] promote, in a direct way, international understanding and conditions necessary to the maintenance of peace", was opposed to

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<sup>71</sup>Canada at the United Nations, 1947, pp. 90-1.

<sup>72</sup>As early as August 1945, St. Laurent stated: "The view of the Canadian Government is that the United Nations should exercise a general supervision over UNESCO budgetary arrangements." H.C. Deb., 6 August 1945, p. 4361.

the General Assembly adopting a recommendation to this effect.<sup>73</sup>

This insistence on the right of each specialized agency to administer its own substantive programme free of direct UN control was not new. While Canadian acquiescence in the financial autonomy of the agencies came only after the United Nations had been set up and in operation, the Government had from the first supported their claim to functional autonomy. In March 1944, L. B. Pearson expressed the view that the UN should "supervise and correlate the work of the separate agencies, without interfering with the autonomy of each within its own special field".<sup>74</sup> Later, at the Philadelphia Conference, as we have seen, Canada effectively smashed the empire which ILO officials had dreamed up, but she did not question the right of the ILO freely to determine policy within its own sphere of competence. Indeed, the Government was particularly anxious to ensure that the world organization should not be in a position to reject or revise recommendations and conventions drawn up by International Labour Conferences.

At San Francisco, the Canadian Delegation submitted a complete redraft of the chapter in the Dumbarton Oaks Proposals outlining arrangements for international economic and social cooperation. The declared purpose was to increase the authority and strengthen the position of the Economic and Social Council in order to enable it to "make general appraisals"<sup>75</sup> of the work of the specialized

<sup>73</sup> Canada at the United Nations, 1947, pp. 143-4; G.A.O.R. (II) 5th Committee, pp. 376-9 and Annexes, p. 125; Plenary, II, 1585. R.G. Riddell suggested that ECOSOC might tell a specialized agency that it was "spending too much money on a part of its activities in view of the fact that the same work was being done by another organization". Standing Committee on External Affairs, Minutes, 14 June 1948, p. 173.

<sup>74</sup> Canadian Club, Toronto, 13 March 1944.

<sup>75</sup> U.N.C.I.C., X, 21.

agencies "without, however, attempting to extend its functions beyond the scope of studies, reports and recommendations".<sup>76</sup> Three Canadian amendments in particular were, after revision and some dilution, incorporated into the Charter. The first entitled ECOSOC to make "recommendations with respect to economic, social and other related matters of international concern . . . to related organizations and agencies" (Article 62:1). Another required the specialized agencies to report "on the steps taken to give effect to recommendations of the General Assembly" (Article 64:1). Finally, the Council was empowered to "communicate its observations on such reports" to the General Assembly along with its observations "on general questions of international economic and social policy" arising out of its consideration of the regular annual reports of the specialized agencies (Article 64:2).<sup>77</sup> It is clear from these proposals that Canada envisaged that ECOSOC would exercise its coordinating functions through recommendations and reports alone, and not through issuing specific policy directives to the specialized agencies.

The Canadian attitude was further defined at the second meeting of the first session of ECOSOC. While prepared to concede that a "chaotic proliferation of agencies" and the "complete decentralization" of their work would lead to "wasteful duplication of work", "confusion of conflicting recommendations" and an "undue strain on qualified personnel", Paul Martin (now restored to grace) emphasized the opposite danger of an attempt at "excessive centralization". He suggested there might be cases where "greater vitality and strength [would] result from greater independence". Furthermore, the specialized agencies had been established by intergovernmental treaties, with their authority fairly specifically defined, with differing memberships and, in some cases,

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<sup>76</sup>Report on the San Francisco Conference, p. 42.

<sup>77</sup>U.N.C.I.O., III, 592-4, x, 85.

special voting arrangements. "For these reasons", he concluded,

we feel that there can be no question of the United Nations centralizing all the specialized agencies to the point of absorption or of our attempting to give these specialized agencies policy directives on matters lying within their own sphere of competence.

The task of coordination was "extremely important", but he felt it should be carried out "without transgressing on the legitimate rights and duties of the specialized agencies themselves".<sup>78</sup>

This defence of the functional autonomy of the specialized agencies led Philip Noel-Baker to voice certain misgivings concerning the degree of centralization contemplated. Martin replied immediately, repeating his earlier arguments and adding a further one. In some cases, he pointed out, even the governing bodies of the specialized agencies were,

more representative in character than the Council.<sup>79</sup>  
There was a question as to whether a body of eighteen nations could issue directives to a body of fifty-one nations. The autonomy of an agency like the International Labour Office should not be impaired through the intervention of a less representative body.<sup>80</sup>

The specialized agencies, however, did not need to be spurred on to assert their independence. By the following November, in fact, Martin had become highly critical of "the tendency on the part of certain high-ranking officers of some of the specialized agencies to regard their organizations as autonomous units and as ends in themselves". He reminded them that the agencies were an "integral part of the United Nations", and should work "under the

<sup>78</sup>29 January 1946, E.S.C.O.R. (I), pp. 28-9.

<sup>79</sup>At the time, this was true only of ICAO and ILO, though the Executive Board of UNESCO was equal in size to ECOSOC.

<sup>80</sup>5 February 1946, E.S.C.O.R. (I), pp. 49-50. Evidently, Martin was still boosting the ILO.

direction and coordination" of ECOSOC.<sup>81</sup> The following August, he warned of the danger of ECOSOC developing into "a mere filing agency", rather than into a real coordinating body. "The Council would lose prestige and efficacy", he declared "if it did not exercise more than moral authority over the specialized agencies".<sup>82</sup> These outbursts did not presage any sharp reversal of Canada's previous insistence on full autonomy for the specialized agencies on matters of policy.<sup>83</sup> They did, however, indicate a shift in emphasis due to a growing recognition of the pressing need for vastly improved measures of coordination.

This phase in Canada's attitude did not last long. With the deepening of the cleavage between East and West, the emphasis in Canadian policy once again shifted to a concern for the maintenance of functional autonomy. The introduction of improved techniques of coordination continued to be urged, but these pleas were now coupled with warnings against interference with the work of the specialized agencies, particularly by non-members.<sup>84</sup> This was an

<sup>81</sup> 28 February 1946, G.A.O.R. (1/2), Joint 2nd and 3rd Committees, p. 43, summary record. It is not clear whether Martin was alluding to WHO, or to the Fund and the Bank, or generally to all the agencies.

<sup>82</sup> 1 August 1947, E.S.C.O.R. (V), p. 128, summary record. The particular issue under debate was the granting of voting rights to non-Members of the United Nations invited to the UN Conference on Trade and Employment.

<sup>83</sup> The official Canadian report, dated 1 March 1947, on the second part of the first session of the UN General Assembly stressed that coordination was to be effected not "by giving the Council over-riding authority, but rather by exchange of information, by reciprocal representation and special consultation". The United Nations, 1946, p. 75.

<sup>84</sup> E.g., Canada and the United Nations, 1948, p. 183. On 5 November 1947, Canada unsuccessfully opposed a provision in a resolution enabling ECOSOC to coordinate the operational programmes of the specialized agencies "by recommendations concerning the definition of responsibility for specific projects and concerning priorities of action". G.A.O.R. (II), Joint 2nd and 3rd Committees, p. 57, 60, 93.

important reason why the Fund and the Bank, in this respect as in others, received special consideration.

The provisions concerning the functional autonomy of the IMF and the IBRD inserted in their agreements with the United Nations differed from the corresponding provisions in other agreements in several ways. In the first place, the United Nations undertook not to submit "any formal recommendations" to either organization "without reasonable prior consultation". Furthermore, while the IBRD admitted that the UN may "appropriately make recommendations with respect to the technical aspects of reconstruction or development plans, programmes or projects",<sup>85</sup> the United Nations recognized that it would be "sound policy to refrain from making recommendations to the Bank with respect to terms or conditions of financing by the Bank" on the grounds that "the action to be taken by the Bank on any loan is a matter to be determined by the independent exercise of the Bank's own judgment". In the case of IMF, a comparable arrangement was reached informally. Finally, neither institution was required to report back on the steps taken to implement UN recommendations. In view of the confidential nature of the operations carried on by the Bank and the necessity of retaining the confidence of investors in its objectivity and independence of judgment, it was understandable that it should want to insulate itself from outside political pressure. Similar considerations applied in the case of the Fund. The Canadian Government accepted the strength of these arguments and was, therefore, prepared to support the IMF and IBRD claims for special treatment.<sup>86</sup>

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<sup>85</sup>In August 1948, ECOSOC adopted a Canadian draft resolution expressing its hope that IBRD would finance development loans, especially in underdeveloped countries. UN docs. E/AC.6/W.29, E/1010.

<sup>86</sup>Canada at the United Nations, 1947, pp. 90-1.

There has been one exception to the general Canadian view concerning the autonomy of the specialized agencies in matters of policy. The Government considered that questions of security were of over-riding importance. "None of the other freedoms", Pearson contended in 1944,

can mean anything unless we get freedom from fear of war. There can be no full dinner-pail of nutritionally correct foods, financed by an international bank and carried swiftly to consumers over reduced tariff barriers by internationally supervised air lines, as long as there are wars and fears of wars.<sup>87</sup>

Consequently, from the first, Canada maintained that the activities of the specialized agencies should be subordinated to the needs of world security. This principle was recognized by the War Committee of the Cabinet, as far as international civil aviation was concerned, as early as 6 October 1943. Accordingly, the Canadian draft convention of March 1944 provided that the international air transport authority should be "subject, so far as questions involving world security are concerned, to the general organization". Specifically, the security organization was assigned sweeping powers to call upon the air body,

immediately and without formal hearing [to] grant, withhold, alter, amend, modify, suspend or revoke any [air line] licence in whole or in part and [to] take the measures concerning technical services, operating facilities and bases which the international security organization has directed should be taken.

Furthermore, the international aviation organization was required, on request, to

constitute, supervise and control one or more operating organizations to operate air services on routes and in regions designated from time to time by the international security organization.<sup>88</sup>

In the end, ICAO was not granted licensing and operating functions. The Chicago Convention (and the UN-ICAO agreement) merely provided that the Organization

<sup>87</sup>Canadian Club, Winnipeg, 27 December 1944.

<sup>88</sup>H. C. Deb., 17 March 1944, p. 1585.

might enter into appropriate arrangements with the United Nations on air matters within its competence directly affecting world security (Article 64).

The question of the obligations which the specialized agencies should assume with respect to world security came up only incidentally at San Francisco (Article 48:3). Later, however, in the meetings of the Executive Committee in London, the Canadian Delegation proposed that the initial Security Council agenda should include an item on the desirability of requesting ECOSOC to insert in the agreements with the specialized agencies "provisions under which they will carry out the decisions of the Security Council for the maintenance of international peace and security". This suggestion was rejected as premature. Canada, therefore, entered a specific reservation on this point in the Committee's Report.<sup>89</sup>

Subsequently, agreements were concluded with all the specialized agencies covering assistance to the Security Council, though in no case were they bound to comply with the Council's decisions. Under the standard agreement, the agencies agreed,

to cooperate with the Economic and Social Council in furnishing such information and rendering such assistance to the Security Council as that Council may request, including assistance in carrying out decisions of the Security Council for the maintenance or restoration of international peace and security.

At first, the ITU was prepared to assist the United Nations only in so far as was consistent with its constitution. The Canadian Government did not consider this satisfactory. "For Members of the United Nations," a Canadian spokesman declared at the International Telecommunications Conference in August 1947, "there should be no conflict between the obligations of the United Nations Charter and other obligations into which these countries may have entered."

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<sup>89</sup>UN docs. PC/EX/SC/7/Rev.2, p. 2; PC/EX/SC/12, p. 4; PC/EX/SC/13, p. 1; PC/EX/SC/15, p. 2; PC/EX/113/Rev.1, p. 46. Also E/SA/2, p. 5.

He "strongly urged", therefore, that the italicized words should be inserted as follows:

The Union agrees to cooperate with, and to give assistance to, the principal and subsidiary organs of the United Nations so far as is consistent with the provisions of the Charter of the United Nations and of the International Telecommunications Convention.

Although the Canadian amendment was twice rejected by ITU,<sup>90</sup> it was finally accepted in substance.

A similar issue arose at almost exactly the same time in connection with the IMF and IBRD agreements. These two organizations were prepared, before authorizing a Fund transaction or a Bank loan, to "pay due regard to any relevant measures being taken pursuant to decisions of the Security Council", but Canada considered they should do more than this. She suggested that they should,

recognize the obligations which are imposed upon Members of the United Nations by Article 48 of the Charter to carry out decisions of the Security Council, for the maintenance of international peace and security, both "directly and through their action in the appropriate international agencies of which they are Members".<sup>91</sup>

In the end, the Fund and the Bank merely agreed to "take note" of such obligations.

Assistance to the Security Council became a practical problem on only two occasions. The first was shortly before the outbreak of open warfare in Palestine. On 20 April 1948, Canada proposed that ICAO communicate with the Security Council, stressing the importance of Lydda airport in Palestine and indicating its willingness to discharge its responsibilities under the UN-ICAO agreement. The motion was adopted; but as it received the support of only a

<sup>90</sup>International Telecommunications Conference, 1947, Docs. No. 231. TR-E, pp. 5-6, 8; No. 270 TR-E, p. 5.

<sup>91</sup>UN docs. E/C.1/20, p. 5; E/C.1/21, p. 3; E/C.1/31, p. 1.

third of the Council, no further action was taken on the matter.<sup>92</sup> The second occasion was following the invasion of South Korea and the adoption of the *Uniting for Peace* resolution by the General Assembly. During discussion of a draft resolution pledging ICAO's cooperation with the United Nations, the Canadian representative denounced an Egyptian amendment as being half-hearted and equivocal.

The United Nations [he stated] was not a stranger to ICAO which had to be held at arms' length. . . Why, then, was it necessary for ICAO to be so guarded in its declaration of intention to cooperate? . . . ICAO should state, in clear and unequivocal language, that it was prepared to cooperate to the fullest extent compatible with its responsibilities as a specialized agency of the United Nations.<sup>93</sup>

The resolution was adopted in its original form. Similar action was taken by many of the other agencies.

In many respects, the present relationship of the specialized agencies to the United Nations differs sharply from the pattern Canada envisaged in 1944. Constitutional and political integration has not been realized to anything like the extent anticipated. Nor have the agencies always been treated equally. Even on policy questions, a sphere in which Canada has always been prepared to accord formal autonomy to the agencies, there has been less coordination than had been hoped for. Indeed, the whole UN system is far more loose-jointed than was expected.

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<sup>92</sup>ICAO Doc. 5705, C/676, pp. 3-4.

<sup>93</sup>18 June 1951, ICAO Doc. 7203-C/830, pp. 44-5, 57-8, summary record.

## CHAPTER VI

### REGIONALISM AND FUNCTIONALISM IN THE UNITED NATIONS ORGANIZATION

#### Regional Security Arrangements

The failure of the League of Nations to prevent the outbreak of the Second World War led many to question the assumptions upon which it was based. In particular, it was widely contended that the attempt to attain security through the mechanism of a world organization composed of all sovereign states ought to be abandoned. The reaction against universalism took two forms: an emphasis on regional security arrangements and reliance upon a coalition of the Great Powers to preserve the peace. Neither tendency evoked any sympathy in Ottawa, and at times Canada took a strong stand in opposition to them.

At the beginning of 1943, both Churchill and Roosevelt were convinced advocates of regionalism and great power dominance. Neither favoured the setting up of any general international organization. Roosevelt's regional notions echoed those of Sumner Welles who, at this time, considered that "any new world structure should be based on regional organizations similar to the Organization of American States". Welles also favoured a "supreme executive council" at the centre consisting of the Great Powers and the elected representatives of the regional organizations.<sup>1</sup> Roosevelt carried the idea of great

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<sup>1</sup>Sumner Welles, Seven Major Decisions (London: Harvish Hamilton, 1951), p. 179.

power control one stage further by suggesting that responsibility for world security should be placed exclusively in the hands of a body he later termed "The Four Policemen".<sup>2</sup>

Churchill's early views were contained in a memorandum entitled "Morning Thoughts" drawn up on 31 January 1943 during a visit to Turkey. He envisaged regional organs for Europe and the Far East with "the whole . . . held together by the fact that the victorious Powers intend to continue fully armed, especially in the air, while imposing complete disarmament upon the guilty".<sup>3</sup> Further details were filled in during a radio broadcast delivered on 21 March 1943. For the first time, there was a vague reference to "a world institution embodying or representing the United Nations, and some day all nations", but at the same time the emphasis on regionalism was, if anything, stronger than ever. The "first practical task", he contended, was to create a Council of Europe, which would be,

a really effective League [of Nations], with all the strongest forces concerned woven into its texture, with a High Court to adjust disputes, and with forces, armed forces, national or international or both, ready to enforce these decisions and prevent renewed aggression and the preparation of future wars.<sup>4</sup>

The Churchill broadcast created a very bad impression in Washington as it seemed to suggest that he was interested solely in a regional Council for

<sup>2</sup>The Memoirs of Cordell Hull (New York: Macmillan, 1948), II, 1642-3. At the Atlantic Conference in August 1941, Roosevelt rejected a British draft declaration calling for "an effective international organization", as he was personally opposed to the creation of a new League of Nations, at least for some time. He considered that, in the meantime, the Great Powers should police the world. Welles, Seven Major Decisions, p. 171; Where Are We Heading? (New York: Harper, 1946), pp. 4-5.

<sup>3</sup>W.S. Churchill, The Second World War (London: Cassell, 1948-54), IV, 636.

<sup>4</sup>Times (22 March 1943), p. 5.

Europe. By this time, both Roosevelt and Welles had come around to Hull's view that a general international organization in which all the United Nations would participate was essential, though they still intended that there should be regional councils and that the "real decisions" should be in the hands of the Great Powers. During a White House conference with Eden on 27 March 1943, Roosevelt and Welles were "very emphatic that the United States could not be a member of any independent regional body" such as Churchill appeared to propose. Eden agreed that "the United Nations should be organized on a global basis" and deprecated any suggestion that Churchill thought differently.<sup>5</sup> Nevertheless, a real difference of outlook between the Prime Minister and his Foreign Secretary does seem to have existed.

Following his Washington discussions, Eden visited Ottawa, where he found that the Churchill speech had received an equally cool reception. The Canadian Government feared that a Council of Europe would inevitably result in an equally exclusive and potentially rival regional organization for the Americas. This would obviously pose serious problems for a country like Canada which had, by interest and tradition, close associations with both regions.<sup>6</sup> But quite apart from the difficulties which an emphasis on regionalism would present for Canada, there was the wider question of its implications for the future participation of the United States in world affairs.

"The great defect of the League of Nations", Mackenzie King later declared, "was not that it had an imperfect constitution, but that, at no time,

<sup>5</sup>Hopkins memorandum, in Robert Sherwood, Roosevelt and Hopkins: An Intimate History (New York: Harpers, 1948), pp. 717-8; Welles, Seven Major Decisions, p. 181.

<sup>6</sup>See Times (1 April 1943), p. 4, Canada's opposition to regionalism did not prevent her from making a bid for membership in the Pan American Union later in the year. Supra, p. 141.

did it include more than half the Great Powers".<sup>7</sup> The one major power which never joined the League and whose absence meant the most to Canada was the United States. Canada was, therefore, determined that this time all the Great Powers, and especially the United States, should play their full part in maintaining world security. In the Canadian view, the best hope of averting a resurgence of continental isolationism was by creating a world organization to which "all or nearly all the most powerful states belonged". This did not mean, of course, that Canada was prepared to accept a world organization confined to the Great Powers; universalism, for her, also implied universality. What it did mean was that, in her search for universality, her primary concern was with the powers whose participation was imperative for the preservation of peace. The membership of a substantial number of middle and smaller powers was also important, but whether every last postage stamp state came in was of no great moment.<sup>8</sup> Indeed, for a while during the spring of 1943, the Department of External Affairs wondered if the proposed world security organization might not be more effective if membership were not "necessarily extended to all states".<sup>9</sup>

During his visit to Washington in May 1943, Churchill amplified on his earlier ideas. He confessed that he still "attached great importance to the regional principle" as,

<sup>7</sup>H.C. Deb., 20 March 1945, p. 23. This was an exaggeration. Even ignoring the two year withdrawal period, there were at least four out of seven Great Powers in the League for all but three of the interwar years, and from 1926 to 1933 five of them were members.

<sup>8</sup>Ibid., 4 August 1944, p. 5909; 20 March 1945, p. 28; 28 March 1945, p. 299; Statements and Speeches No. 47/14, p. 2; Standing Committee on External Affairs, Minutes, 14 June 1948, p. 162.

<sup>9</sup>H.C. Deb., 9 July 1943, p. 4558.

only the countries whose interests were directly affected by a dispute . . . could be expected to apply themselves with sufficient vigour to secure a settlement. If countries remote from a dispute were called upon in the first instance to achieve a settlement the result was likely to be merely vapid and academic discussion.

Consequently, he suggested that there should be a Supreme World Council composed of the Big Four and "certain other Powers" elected in rotation from three "subordinate" regional councils for Europe, the Western Hemisphere and the Pacific. Evidently, he felt that Canada's position would create no difficulty; she would "naturally" be a member of the Regional Council for the Americas where she "would represent the British Commonwealth", with Britain, presumably, representing Canadian interests in Europe. "The central idea of the structure", Churchill concluded, "was that of a three-legged stool - the World Council resting on three Regional Councils." There was no mention of a world assembly.<sup>10</sup>

Although during the spring of 1943, both Roosevelt and Churchill gave some indication that their ideas were developing slowly in the direction of a world organization, the evolution to date did not begin to satisfy Cordell Hull, the most fervent and doctrinaire exponent of universalism. Hull insisted, not only on a general international organization with a world-wide membership, but on the assignment to it of major international responsibilities. While no American Secretary of State could entirely ignore the Pan American Union, Hull hoped to relegate it and similar associations to a subordinate role. The first problem was to overcome opposition within the State Department. A departmental sub-committee headed by Welles had drawn up a preliminary draft constitution dated 26 March 1943, which reflected his bias towards regionalism.<sup>11</sup>

<sup>10</sup> 22 May 1943, Churchill, Second World War, IV, 717-9.

<sup>11</sup> This draft has not been published yet, though Hull outlines some of its features (Memoirs, II, 1639-40) and Welles reveals the views of the sub-committee as of January 1943, (Seven Major Decisions, p. 179).

Hull rejected the draft and directed the sub-committee to think the problem out once again from first principles. In July, it came up with a revised plan based on a global approach and providing for a General Conference of all states.<sup>12</sup>

All subsequent State Department drafts adhered to this plan.

In the meanwhile, Hull had been working on Roosevelt in an effort to convert him too. Early in August, Roosevelt finally agreed to a draft four-power declaration recognizing,

the necessity of establishing at the earliest practicable date a general international organization, based on the principle of the sovereign equality of all nations, and open to membership by all nations, large and small, for the maintenance of international peace and security.

This was shown to Eden later in the month at the first Quebec Conference and subsequently approved in October, substantially without alteration, by the Moscow Conference of Foreign Ministers.<sup>13</sup>

Canada was consulted concerning the terms of the Moscow Declaration, though it is not clear when this took place. It is possible that King was shown the Hull draft at the Quebec Conference; Ray Atherton, the American Minister in Ottawa, attended the meeting at which the question was discussed. It seems more probable that Canada was consulted sometime after the Quebec meeting but before the Moscow discussions. During the course of the Moscow Conference, she received day-to-day reports on its proceedings.<sup>14</sup>

<sup>12</sup>"Draft Constitution of International Organization", 14 July 1943, Text in Postwar Foreign Policy Preparations 1939-1945 (Washington: Government Printing Office, 1949), pp. 472-83.

<sup>13</sup>Ibid., pp. 188-9, 553; Hull, Memoirs, II, 1238, 1640, 1643, 1646. The only significant addition to the original draft of 11 August 1943 was the insertion of the qualifying word "peace-loving". In point one of the Declaration, the Four Nations declared that "their united action . . . will be continued for the organization and maintenance of peace and security".

<sup>14</sup>Postwar Foreign Policy Preparations, 1939-1945, p. 189; Winnipeg Free Press (1 November 1943), pp. 1, 7.

The Moscow Declaration on General Security contemplated an international security organization constituted in accordance with two principles: universalism and universality. Consequently, it received the cordial endorsement of the Canadian Government. Immediately the text of the Declaration was published, Mackenzie King issued a statement welcoming it "most warmly". He specifically noted, not only that the Great Powers were determined to continue their wartime cooperation "indefinitely", but that they were prepared to act "within a general international organization . . . open to membership by all peace-loving states."<sup>15</sup>

Although the Moscow Declaration settled much, it left a good deal more to the imagination. In particular, it did not define either the role of the Great Powers or the place of regional arrangements within the general framework. Both issues came up for discussion at Teheran in November 1943. Stalin, echoing some of Churchill's earlier ideas, argued in favour of regional enforcement agencies for Europe and the Far East. Roosevelt's conception of a world security organization, on the other hand, was still that of "The Four Policemen".<sup>16</sup> Subsequently, the British outlined their views in the form of a Foreign Office paper handed to Hull on 24 December 1943. This memorandum proposed the establishment of regional police forces under a regional supreme commander. However, not long afterwards the British reversed their stand on this issue and came out in support of world-wide security arrangements.<sup>17</sup> Nevertheless, the role of regional blocs within the proposed organization continued to be a problem.

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<sup>15</sup> 1 November 1943, *ibid.* A few days later, on 16 November, Leighton McCarthy, Canadian Minister to Washington stressed the importance of universalism in addressing a Montreal audience on Pan Americanism. Montreal Gazette (17 November 1943), pp. 11, 16.

<sup>16</sup> Hull, Memoirs, II, 1649.

<sup>17</sup> Sherwood, Roosevelt and Hopkins, pp. 785-6.

Regional (or sectional) organizations may be of two types, both of which eventually found recognition in the United Nations Charter: first, those concerned primarily with their own internal affairs and, secondly, those with interests which are essentially external.

One form of the latter is the power bloc, a feature of international society which, until recently, has been regarded with particular horror in Canada. This emotional revulsion can be accounted for mainly by a traditional fear of being sucked into what Laurier had described, many years before, as the "vortex of European militarism". Most Canadians also considered it axiomatic that one power bloc merely generated another with a resultant rivalry which eventually ended in open conflict. This point of view was ably expressed by L. B. Pearson writing in the spring of 1944:

Armaments in one country merely produce armaments in another and exclusive alliances, in turn, tend to create other alliances with a resulting uneasy equilibrium which historians like to call "the balance of power". There is no security here. Peace balances precariously on the tips of bayonets and is easily knocked off.<sup>18</sup>

Earlier, the opposite view had been put forward by Stuts on 25 November 1943 and Lord Halifax on 24 January 1944. Both argued, according to King's interpretation of their views, that "the future peace of the world depended on the attainment of an equal partnership in strength and influence between the Great Powers", and both feared that, unless the United Kingdom could count on "the constant support of other countries", she would be unable to play her

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<sup>18</sup>"Canada and the Postwar World", Canadian Affairs (1 April 1944), p. 9. Americans also shared this outlook. On 18 November 1943, Hull declared that the Moscow Declaration ended any need "for spheres of influence, for alliances, for balance of power or any other of the special arrangements through which, in the unhappy past, the nations strove to safeguard their security or to promote their interests." Hull, Memiors, II, 1648.

rightful part in preserving the "proper balance" necessary for peace.<sup>19</sup>

The reaction in Canada to this challenging doctrine was swift and decisive. A week after Halifax spoke, Mackenzie King exploded in Parliament. "With what is implied in the argument employed by both these eminent public men", he declared, "I am unable to agree." His fundamental objection was to the idea of a balance of power. Far from being an assurance of peace, he considered it a threat to the peace, "full of perils for the future security of the Commonwealth and of the world". King pointed out that "behind the conception expressed by Lord Halifax and Field Marshal Smuts there lurks the idea of inevitable rivalry between the Great Powers"; and he refused to contemplate any proposal which "might even suggest" such a possibility. For one thing, Canada had no desire to be caught between conflicting power blocs. In the past, Anglo-American discord had been the classic nightmare of Canadians. Now, they were becoming increasingly conscious of the ominous significance of their geopolitical position between their great neighbours to the north and south.<sup>20</sup>

There was a further objection. King now agreed, as he once had not, that peace depended on "preserving on the side of peace a large superiority of power" as a deterrent to aggression.

But I must ask [he declared] whether the best way of attaining this is to seek a balance of strength between three or four great powers. Should we not, indeed must we not, aim at attaining the necessary superiority of power by creating an effective international system inside which the cooperation of all peaceloving countries is freely sought and given? It seems to me not to be a matter of matching manpower and resources, or, in other words, military and industrial potential, between three or four dominant states. What we must strive for is close cooperation among

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<sup>19</sup> H.C. Deb., 31 January 1944, p. 41. King's interpretation of these two speeches is, for our purposes, more significant than what was actually said.

<sup>20</sup> Ibid., pp. 41-2; 4 August 1944, p. 5921; Mackenzie King, "What Do the Liberals Stand For?", Maclean's Magazine (1 February 1945), p. 38.

those great states themselves, and all other like-minded countries. Thus, King wanted a preponderance of power on the side of peace, rather than a mere balance of power, a security system which enlisted the support of all nations rather than one composed of a few Titans and their satellites, a system predicated on cooperation rather than one which assumed and encouraged competition. Finally, King considered that "the prime Canadian commitment" in matters of security should be to the general international organization forecast in the Moscow Declaration rather than to any sectional bloc, such as the Commonwealth. The attempt to pursue this latter course would, he feared, run "counter to the establishment of effective world security".<sup>21</sup> As the Speech from the Throne, read at the opening of Parliament on 27 January 1944, asserted: "The dangers of future aggression can be removed, and world security attained, only by a general international organization of peaceloving nations."<sup>22</sup>

Any suggestion that the Commonwealth should operate as a power bloc was decisively rejected by the Commonwealth Prime Ministers meeting in London in May 1944. The formal declaration issued at the time merely recorded their support for the establishment of "a World Organization" and their determination to "work with all peaceloving peoples" to end the threat of aggression.<sup>23</sup> Nevertheless, it is clear that the Meeting came down firmly, not only on the side of a general security organization such as had been envisaged in Moscow, but also in opposition to the maintenance of peace through the preservation of

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<sup>21</sup> H.C. Deb., 31 January 1944, pp. 41-2. "Our commitments . . . must be part of a general scheme, whether they be on a world basis or regional in nature". Here, King was contrasting a "general" organization with an "exclusive" one, not a "regional" one.

<sup>22</sup> Ibid., 27 January 1944, p. 2.

<sup>23</sup> Nicholas Mansergh, Documents and Speeches on British Commonwealth Affairs, 1931-1952 (London: Oxford University Press, 1953), I, 586.

a balance between power blocs.

Finally, there was the question of the place of regional security arrangements under the United Nations Charter. The Smuts-Halifax controversy helped more than anything else to crystallize Canadian support for centralized, universal international political institutions. However, the Government did not adopt the same strong line towards regional action undertaken on behalf of the world organization as she had earlier to independent regional organizations or to power blocs. She was suspicious, even slightly hostile, as shown at this time by her drift away from participation in the Pan American Union, but she did not come out openly in opposition to this particular manifestation of regionalism.

Canada does not appear to have voiced any views at all on the regional provisions of the Dumbarton Oaks Proposals. In March 1945, Mackenzie King admitted that the relationship of regional agencies to the Security Council was likely to prove "one of the important questions" to be dealt with at San Francisco,<sup>24</sup> but at the Conference itself the Canadian Delegation gave the impression of being supremely disinterested in the problem. There is no evidence from the published records of the Conference, or from the official Canadian report, that Canada played any part at all in the drafting of Chapter VIII of the Charter. This completely passive attitude was not a true reflection of Canada's policy, but it does indicate that she was not prepared actively to oppose provisions for regional security. There were two reasons for this. In the first place, it was firm Canadian policy not to meddle in matters which were not of

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<sup>24</sup>H.C. Deb., 20 March 1945, p. 26; also 28 March 1945, pp. 311-2.

direct concern to her.<sup>25</sup> Canada was not a member of any regional security organization (the Commonwealth did not qualify as one) and had no intention of joining any.<sup>26</sup> Secondly, she was resigned to the necessity of appeasing the Latin Americans who were the most vocal group demanding adequate recognition for regional agencies. Rather than offend them, Canada preferred to concentrate on strengthening the other provisions of the Charter.

Subsequently, Canada did what she could to play down Chapter VIII. In October 1947, during discussion of a proposal to establish an Economic Commission for the Middle East, Canada sought unsuccessfully to delete "all reference in the resolution to collaboration between the United Nations and the Arab League" as she considered it "inappropriate to emphasize the position of this organization".<sup>27</sup>

On the other hand, the extension of standing invitations to the Secretaries-General of OAS and the Arab League to attend sessions of the General

<sup>25</sup>There is a similar explanation for Canada's reticence on trusteeship questions. In this connection, Clyde Eagleton has commented that, "it is not always the best policy to leave decisions to those most directly concerned, and that the detached viewpoint consistently exhibited by Canada might make her participation in matters of no direct concern to herself a constructive contribution to the improvement of the community as a whole." "Canada in the Making of the United Nations", The University of Toronto Law Journal, VII (1948), 333 n.9.

<sup>26</sup>In October 1945, during consideration of the defence estimates, Canadian ministers referred to the possibility of Canadian participation in regional security arrangements on three occasions. H.C. Deb., 4 October 1945, p. 765; 9 October 1945, p. 876; 16 October 1945, p. 1135.

<sup>27</sup>Canada at the United Nations, 1947, p. 83. The summary records of this debate do not sustain this claim. They indicate that Canada wished to insert the phrase "and any other appropriate body", rather than delete the words "the Arab League". G.A.O.R. (II), 2nd Committee, pp. 81, 86, 88, 106, 127-8.

Assembly as observers was looked upon in Ottawa as harmless, provided the two organizations received identical treatment. In fact, in the case of the Arab League, Canada sought to earn some cheap political capital in a part of the world where, as a consequence of her support for the partition of Palestine, she had very little. Accordingly, a Canadian spokesman intervened early in the debate to point out that "a formal invitation to important regional organizations" would be "a gesture of courtesy and goodwill and could therefore serve a useful purpose". He also maintained, despite Israeli allegations to the contrary, that the aims and objectives of the Arab League, "as revealed by its constitution", were compatible with the purposes of the United Nations. The one jarring note in this essay in appeasement was the warning that this invitation did not "necessarily" involve recognition of the League as a regional arrangement under Chapter VIII of the Charter. Before this could be done, it would be necessary to consider the position of states, presumably Turkey and Israel, which "formed part of the Middle Eastern region by their geographical location and cultural tradition, but did not so far enjoy membership in the Arab League".<sup>28</sup>

The Regional Arrangements chapter of the Charter has never amounted to much. Part of the reason for this was that no enforcement action could be taken by regional agencies "without the authorization of the Security Council" (Article 53:1) and thus was subject to the veto. When the need for effective regional security arrangements did arise, these were based on the "collective self-defence" provision (Article 51), which was free of the veto, and not on Chapter VIII. But before this could be brought about, a revolution was required in Canada's attitude towards regionalism (Chapter XV). For the moment, discussion of this must be postponed.

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<sup>28</sup>2 October 1950, G.A.O.R. (V), 6th Committee, p. 16, summary record.

### Functional Councils and Commissions

Functionalism finds institutional recognition in the United Nations in three main forms: in the three principal councils, in the functional commissions of the Economic and Social Council and in the main committees of the General Assembly. Of these, only the first represents an innovation in comparison with League practice and, even here, the roots of functional councils can be traced back to the League of Nations. The direct forbear of ECOSOC was the Central Committee on Economic and Social Questions recommended by the Bruce Committee in August 1939. The League, however, was not the only influence on the development of UN councils. Wartime experience with the machinery of the Combined Boards also had a significant impact. The Security Council, in particular, was an outgrowth, not only of the League Council, but also of the great wartime conferences; and its Military Staff Committee was directly inspired by the Combined Chiefs of Staff Committee.

Canada fully endorsed the decision to create functional UN councils. She had welcomed the recommendations of the Bruce Committee in 1939, and hailed the Dumbarton Oaks decision to set up an Economic and Social Council as "a great advance over the League of Nations". What particularly appealed to her was the prospect of avoiding, in future, the subordination of economic and social questions to political issues.<sup>29</sup> Canada's one complaint was that the Dumbarton Oaks Proposals did not go far enough in stressing economic and social cooperation. One reason for this was that the Soviet Union had originally favoured setting up an organization with purely security functions and assigning responsibilities

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<sup>29</sup>U.N.C.I.O. X, 21. On 13 January 1947, L. S. St. Laurent declared that: "We . . . have tried to show by the attention we have paid to [ECOSOC] the measure of importance we attached to its creation." Statements and Speeches No. 47/2, p. 9.

in other spheres to an entirely separate organization. She eventually withdrew her opposition to the establishment of ECOSOC,<sup>30</sup> but it was not listed in the Dumbarton Oaks Proposals as one of the principal organs. This defect was remedied at San Francisco. At the same time, "the authority and position" of the Council was, on Canadian initiative, increased in a number of other ways.<sup>31</sup>

The Canadian Government has contended that particular problems or aspects of problems should be dealt with by the council which, from a functional point of view, is the most appropriate. The UN Charter recognized this principle in a number of instances, most particularly in connection with strategic trust areas. These were placed directly under the Security Council, though provision was made for the Trusteeship Council to assist in non-security matters (Article 83). Canada considered it eminently desirable that the Security Council should make use of the Trusteeship Council in this way. Besides, according to her interpretation of the Charter such a course of action was "obligatory, not optional".<sup>32</sup> Consequently, she voted for the Security Council resolution delegating authority to carry out its functions concerning the political, economic, social and educational advancement of the inhabitants of the strategic areas to the Trusteeship Council.<sup>33</sup>

<sup>30</sup>Hull, Memoirs, II, 1677, 1683-4; C.K. Webster, "The Making of the Charter of the United Nations", History, XXXII, No. 115 (March 1947), p. 29.

<sup>31</sup>U.N.C.I.O., X, 22; Report on the San Francisco Conference, p. 42.

<sup>32</sup>Ibid., p. 51. The wording of the Charter leaves some doubt as to whether this procedure is mandatory, permissive or unconstitutional. Article 83 provides that: "All functions of the United Nations relating to strategic areas . . . shall be exercised by the Security Council . . . The Security Council shall, . . . without prejudice to security considerations, avail itself of the assistance of the Trusteeship Council to perform those functions . . . relating to political, economic, social and educational matters in the strategic areas."

<sup>33</sup>S.C.O.R. (IV), No. 18, p. 9; also, UN doc. PC/EX/SC/12, p. 4.

In ECOSOC, Canada has been concerned to avoid encroachments on the competence of the Security Council or the intrusion of irrelevant political issues into ECOSOC. In August 1948, she considered that ECOSOC should take no action concerning Indonesian membership of ECAPF as this question was of "a purely political character". Besides, it was already before the Security Council.<sup>34</sup>

A few months earlier, when Yugoslavia complained that the American refusal to hand back her gold reserves was causing her economic hardship, Canada denied that ECOSOC was competent to handle the dispute, apparently on the grounds that, despite its economic aspects, it was essentially a political matter. She dismissed the residual theory propounded by the Secretariat according to which any dispute not expressly assigned to either the Security Council or the International Court of Justice came within the competence of ECOSOC. On the other hand, Canada vigorously opposed formulating any general definition of the Council's competence as this might bind it to an over-rigid interpretation of the Charter and prove embarrassing in the future. Instead, she considered that the Council should decide each case on its merits.<sup>35</sup>

Canada played a much more prominent part in the organization of the functional commissions of ECOSOC than in the development of the functional councils. Her interest was twofold. In the first place, she was especially anxious to see the establishment of particular commissions, notably those concerned with economic and employment questions, demographic problems,<sup>36</sup> statistics,<sup>37</sup> narcotic

<sup>34</sup> E.S.C.O.R. (VII), p. 352.

<sup>35</sup> Ibid., (VI), pp. 171, 397-9, 420-1, 423, 429-33; UN docs. E/AC.6/SR.17, pp. 7-8; E/AC.6/SR.18, pp. 6, 16.

<sup>36</sup> G.A.O.R. (I/1), 3rd Committee, p. 7; E.S.C.O.R. (III) No. 8, p. 104.

<sup>37</sup> Ibid. (IV), p. 168.

drugs and fiscal matters. Eventually, all of these commissions were set up and, in the first elections in October 1946, Canada was elected a member of all but the last of them.<sup>38</sup> Her failure to get on the Fiscal Commission came as a particularly bitter blow, as more than any other country she had pressed for its early establishment in order that the work of the League in this field might be resumed with a minimum of delay.<sup>39</sup> Not until 1949, did she succeed in getting elected, and, in that year, she lost out in her bids for re-election to the Population and Statistical Commissions.<sup>40</sup>

Secondly, Canada was a firm supporter of the view that international economic organization should be based on "a world-wide functionalist basis". This was the approach adopted at San Francisco, but within a year it was being strongly challenged by the proponents of regional economic commissions. Canada vigorously opposed the creation of such commissions, except in the special case of Europe. "The Canadian Government", Paul Martin declared in August 1947,

is not convinced that this functional approach should be duplicated, and is convinced that it should not be superseded by machinery based on the alternative concept of separate economic machinery for each region.<sup>41</sup>

However, the regionalist tide was not to be stemmed. Early in 1948, therefore, the Government suggested that the regional economic commissions should be subordinated to the Economic and Employment Commission in order that their work might be properly coordinated.<sup>42</sup> This compromise proposal also proved unacceptable. In the end, therefore, Canada was forced to accept the competitive

<sup>38</sup> Ibid. (III), No. 9, pp. 127-31. Canada was also elected to the Social Commission.

<sup>39</sup> UN docs. PC/EX/118, p. 8; PC/ES/9, p. 1; UN Preparatory Commission, Committee 3, Summary Record of Meetings, No. 6, p. 12; The United Nations, 1946, p. 20.

<sup>40</sup> E.S.C.O.R. (IX), pp. 469, 574.

<sup>41</sup> 103rd ECOSOC meeting, 1 August 1947. Also, E.S.C.O.R. (IV), pp. 58, 199.

<sup>42</sup> Ibid. (VI), p. 87.

coexistence of regional and functional economic commissions. She then turned her attention to the task of establishing a clear division of responsibility as well as effective coordination between the two sets of commissions in order to avoid duplication of effort and, above all, to prevent "the comprehensive world outlook", which Canada was so anxious to see emerge, succumbing to "narrow sectionalism".<sup>43</sup>

Unfortunately for the Canadian point of view, the functional commissions proved in practice to be a bitter disappointment, though Canada has insisted that their relative failure was mainly due to political difficulties and not to any organizational defect inherent in the functional approach.<sup>44</sup> However this may be, the functional commissions have never recovered from the series of setbacks which beset them in their formative years. As a result, they have continued to decline steadily in influence and importance.

In March 1951, a Canadian memorandum to the Economic and Social Council suggested some "rather radical changes"<sup>45</sup> in its organization and operation. In particular, Canada proposed the discontinuance of four of the five non-technical functional commissions for a test period. Their duties would be performed by the Council itself which would be reorganized along the lines of the Security Council to meet as required rather than biannually. Where found necessary, ad hoc groups of experts appointed in their individual capacity

<sup>43</sup>Canada and the United Nations, 1948, pp. 95, 246-7.

<sup>44</sup>E.S.C.O.R. (VII), p. 125. "The difficulties the [Economic and Employment] Commission was experiencing were not entirely of an organizational or technical character but reflected the wide disagreement on political and economic aims and objectives which existed between the countries of the West and those in the Soviet orbit." Canada and the United Nations, 1948, p. 95.

<sup>45</sup>Canada and the United Nations, 1951-52, p. 81.

could be called in to prepare special studies.<sup>46</sup> These proposals did not discard the functional principle of organization. On the contrary, they were intended to strengthen functionalism by providing that the work of the non-technical functional commissions should be handled at a higher level, while the regional economic activities would continue to be carried on by commissions subordinate to the Council.<sup>47</sup> In the end, only the Economic, Employment and Development Commission was discontinued, while most of the other functional commissions were merely restricted to biennial meetings. This was not nearly as drastic a reform as Canada had urged. But even more important, it was a move in a different direction, the net effect of which was to weaken rather than strengthen functional organization.<sup>48</sup>

The comparative failure of the functional economic commissions was rendered even more painfully obvious by the fact that, at the very time they were being reorganized, ECOSOC decided to retain the regional economic commissions indefinitely and even broadened the terms of reference of two of them. The Canadian Government was compelled to admit that they had been a surprising

<sup>46</sup> UN doc. E/AC.34/7, 19 March 1951. The commissions slated for suspension were: the Economic, Employment and Development Commission, the Transport and Communications Commission, the Social Commission and the Commission on the Status of Women. The memorandum suggested that the functions of this last body might be transferred either to the Commission on Human Rights (which was to survive) or, as in the case of the other commissions, to the Council itself.

<sup>47</sup> This, in essence, is what Canada had proposed in 1948 when she suggested that the Economic and Employment Commission should coordinate the work of the regional commissions. E.S.C.O.R. (VI), p. 87.

<sup>48</sup> ECOSOC res. 414 (XIII).B.1 provided that the work of the Economic, Employment and Development Commission should be taken over by "the Council, its committees, its regional commissions or ad hoc bodies as appropriate". However, the Council was still restricted to two meetings a year and, therefore, could not hope to handle any extra work.

success. As early as 1948, it acknowledged that the Economic Commission for Europe had "proved to be probably the most outstandingly successful of all the undertakings which the Economic and Social Council [had] been responsible for initiating since it began its operations in 1946".<sup>49</sup> In the light of these developments, the Canadian attitude towards the emergence of regional economic commissions merits closer attention.

### Regional Economic Commissions

The regional economic commissions of ECOSOC developed out of attempts to meet the reconstruction needs of Europe and Asia. Towards the end of the war, steps were taken to establish temporary organizations to deal with specific regional problems during the transitional period, in particular UNRRA's committees for Europe and for the Far East, the European Central Inland Transport Organization, the Emergency Economic Committee for Europe and the European Coal Organization. Canada was a member only of the UNRRA committees, but she supported the creation of the other bodies, especially RECC.<sup>50</sup>

ECOSOC began to take an interest in reconstruction almost as soon as it was organized. Initially, it approached the problem from a functional point of view by setting up a Temporary Sub-Commission on the Economic Reconstruction of the Devastated Areas in June 1946 to investigate the situation. This Sub-Commission operated through regional working groups for Europe and Asia, and it was from these that the idea of regional economic commissions developed. ECE and ECAFE were established in March 1947. At the same time, the Sub-Commission

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<sup>49</sup>Canada and the United Nations, 1948, p. 88. "Although her country had made certain reservations at the time of their establishment it now recognized that [the regional economic commissions] had done very valuable work." Mrs. D. B. Sinclair, 11 November 1950, G.A.O.R. (V), Joint 2nd and 3rd Committee, p. 50, summary record.

<sup>50</sup>UNRRA doc. OCE(45)20, p. 6.

was discontinued and the emergency committees either terminated or absorbed.

Canada welcomed these developments enthusiastically and even contributed substantially to bringing them about. She was a member of the Sub-Commission on Devastated Areas and both its Working Groups.<sup>51</sup> When the proposal for an economic commission for Europe came up in ECOSOC in September 1946, she gave it "particularly strong support".<sup>52</sup> In the General Assembly in December, she joined in prodding ECOSOC into giving "prompt and favourable consideration" to the establishment of commissions for both Europe and Asia.<sup>53</sup> Canada also urged "the early establishment of an economic commission for Europe" upon the Special Deputies of the Council of Foreign Ministers in January 1947. At the same time, she pointed out that Soviet objections to the proposal, on the grounds that it failed to meet Europe's immediate short-term needs, had "no validity".<sup>54</sup> A month later, in ECOSOC, she demanded that ECE be set up "without delay" and that "equal weight" be given to the draft resolution proposing the establishment of ECAFE.<sup>55</sup>

The Canadian attitude towards ECE and ECAFE can be accounted for in two ways. In the first place, reconstruction constituted "a special and urgent

<sup>51</sup>Canada was also a member of Sub-Committees 2 (Eastern Europe) and 3 (Southern Europe and Africa) of the Working Group for Europe and Africa, and of the field team which visited Poland and Czechoslovakia. UN doc. A/147, pp. 5, 7.

<sup>52</sup>The United Nations, 1946, p. 89.

<sup>53</sup>11 December 1946, G.A.C.R. (I/2), Plenary meetings, p. 1136.

<sup>54</sup>"Canadian Submission on the German Peace Settlement", 30 January 1947, H.C. Deb., 30 January 1947, p. 10.

<sup>55</sup>3 March 1947, E.S.C.O.R. (IV), p. 28.

problem"<sup>56</sup> of a temporary nature. "Naturally", Paul Martin later declared,

we recognize that, in certain exceptional situations, there is justification for temporary regional machinery to complement the more basic [functional] organizations. Reconstruction problems dealing with the devastated areas of the world are presumably short-run emergency problems, and it was on this basis that Canada supported the creation of [these] two temporary bodies.<sup>57</sup>

Secondly, although most of the war damage was concentrated in two fairly well-defined geographical areas, reconstruction was essentially a world problem rather than a regional one; and one in which Canada was vitally concerned. She was, for reasons of trade and security, anxious to restore political stability and economic prosperity as quickly as possible, particularly in Europe.<sup>58</sup> Her contributions to European and world recovery were eloquent testimony to the sincerity of her convictions in this respect.

At the same time, the Canadian Government was acutely aware of the possibility that, once established, these commissions might continue in operation indefinitely and might assume additional economic functions of a general nature; in other words, become regional economic commissions, rather than merely functional commissions operating within particular regions. As early as September 1946, Paul Martin stated categorically: "We are not prepared to see the continuing economic work of the UN delegated to regional councils. This is not the intent of the Charter, nor is it in accordance with the facts of world development." He stressed the point that Canada attached "great importance to the circumstances and conditions under which ECE was set up, and indicated that she could give the proposal her strong support only on the assumption that it did

<sup>56</sup> Ibid., p. 198.

<sup>57</sup> 1 August 1947, 103rd ECOSOC meeting.

<sup>58</sup> H.C. Deb., 30 January 1947, p. 10; E.S.C.O.R. (IV), pp. 28, 198.

not represent a "change in the permanent organization of the United Nations".<sup>59</sup>

Six months later, Canada was even more conscious of the dangers involved in the precedent being adopted. A Canadian spokesman frankly acknowledged that ECE constituted a departure from the San Francisco principles, though he expressed the vain hope that it might be considered as "an emergency complement" to the specialized agencies and functional commissions and "not their competitor or alternative". He pointed out that, in the past, national exclusiveness tending to autarchy had been the cause of widespread suffering", and warned that "economic development in water-tight compartments" would not promote peace.<sup>60</sup>

Canadian fears that the establishment of ECE and ECAFE, even on a temporary and emergency basis, might lead to demands for further regional machinery were soon shown to have been fully justified. At the very next session of ECOSOC, in July 1947, the Latin Americans pressed for a commission of their own to deal with regional economic development; and shortly afterwards the Arabs, too, asked for an economic commission for the Middle East.

In replying to the Latin Americans, Paul Martin pointed out that the proposed commissions would be very different from the existing ones as problems of economic development were of "basic and fundamental importance and [would] remain so, at best, for many years to come". He suggested instead that they should be dealt with "in a manner consistent with our concept of the total structure of the world organization, and with the fundamental nature of the world that we seek to build". Martin's basic objection to the regional approach to economic organization was its effect on world trade. "Briefly", he said,

we are concerned lest in the future regionalism and regional

<sup>59</sup>26 September 1946, Committee of the Whole on Devastated Areas, ECOSOC.

<sup>60</sup>27 March 1947, E.S.C.O.R. (IV), p. 199.

autarchy play the dangerous role which nationalism and national autarchy have played in recent years. We are therefore concerned, for example, lest multilateralism be abandoned for systems of regional tariff preferences. We believe that a trend towards regional autarchy could be no less dangerous - economically, socially and politically - than could national autarchy. A wall that is built around a number of countries in a single area of the world can constitute no less a barrier to the well-being and prosperity of the world at large than a wall built around the boundaries of a single state.<sup>61</sup>

The strength of regionalist sentiment was by now such that no useful purpose could be served by opposing the proposed Economic Commission for Latin America outright. While, therefore, the Canadian Delegation let its misgivings be known, it expressly denied that Canada was "unalterably opposed" to ECLA or even that she wanted "indefinite deferment" of a decision on the question. In fact, Canadian spokesmen repeatedly insisted that Canada was anxious to give "full attention to regional problems" and had "never for a moment thought of questioning the rights of neighbouring countries to form their own plans for their common developments". What she did suggest was that "a world-wide policy for economic development should first be prepared by the organs of the United Nations, before the solution of economic problems was attempted on a regional basis". In any case, such a decision should be taken, "if at all, only after mature and deliberate study". In this way, the Canadian Government hoped to ensure that, before ECOSOC embarked upon a course which not only departed from the Charter but was fraught with dangers, it was fully aware of the global implications of its actions. The Government also wished to make sure that "the

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<sup>61</sup> 1 August 1947, 103rd ECOSOC meeting. "The Canadian Delegation had always feared that the regional commissions might adopt an excessively regional point of view, that their mentality might become too introspective and their objectives too narrow, and that ever-present and inherent tendencies towards the development of economic autarchy might be aggravated." 27 July 1948, E.S.C.O.R. (VII), p. 125, summary record. However, in a report dated 3 February 1949, the Department of External Affairs admitted that the regional commissions had not "to date presented any serious problems". Canada and the United Nations, 1948, p. 88.

overwhelming majority" of Latin American countries were really in favour of ECLA.<sup>62</sup>

Eventually, a New Zealand resolution was adopted which provided for a study of "the general questions involved in the creation of regional economic commissions".<sup>63</sup> However, in February 1948, before this study was completed, ECLA was set up. Once again, the Canadian Delegation explained the hesitations it still felt in regard to the establishment of regional economic commissions in general and ECLA in particular. There were three main objections. In the first place, Canada considered there was not the same economic justification for a commission in Latin America as in the war-devastated areas of the world. Besides, the proposed commission was to concern itself with regional economic development as distinguished from reconstruction. Finally, the creation of ECLA would commit the Council to continue the two existing commissions on a permanent basis beyond the end of the reconstruction period. However, as Canada was, by this time, convinced that the other Council members were acting "with a full realization of the consequences", the Canadian Delegate merely abstained on the final vote.<sup>64</sup>

No further regional economic commissions have been established. In October 1947, the General Assembly, with Canadian support, invited ECOSOC to "study the factors bearing upon the establishment of an economic commission for

<sup>62</sup> Martin, 1 August 1947, 103rd ECOSOC meeting; E.S.C.O.R. (V), pp. 185, 191, 192. Also ibid., (VI), pp. 87, 454; Canada and the United Nations, 1948, p. 258. On 26 September 1946, Martin had stated, with reference to ECE that, it was "in our eyes, vitally important that the European nations themselves should want the organization". Committee of the Whole on Devastated Areas, ECOSOC. In May 1950, Canada took a similar stand in connection with the proposed WHO Regional Organization for the Western Pacific. Off. Rec. of WHO, No. 28, p. 426.

<sup>63</sup> ECOSOC res. 72 (V), 11 August 1947.

<sup>64</sup> E.S.C.O.R. (VI), pp. 86-7, 262.

the Middle East".<sup>65</sup> Later, when ECOSOC undertook to set up an ad hoc committee to report on the matter, Canada abstained on the grounds that her "reservations on the danger of multiplying the regional organs of the United Nations . . . still held good".<sup>66</sup> Although this committee reported favourably on the proposal, no further action has been taken on the matter. Similar efforts to establish an economic commission for Africa have also bogged down.

At one stage, the Canadian Government favoured something very much like a regional economic commission for the Arctic. During the early postwar years, in an attempt to answer criticism of Canadian-American defence cooperation in the Canadian North, the Government indicated that it would welcome cooperation in non-military matters with other northern countries. "We want to work", L.B. Pearson declared in February 1946, ". . . not only with the U.S.A., but with the [other] Arctic countries, Denmark, Norway, and the Soviet Union, in exploiting to the full the peaceful possibilities of the northern hemisphere. Particularly is this true of the U.S.S.R. . . ." <sup>67</sup> Three months later, he returned to this theme and called upon the five Arctic powers to "work out cooperative measures within the UN" for the development of the economic and communications resources of northern territories.<sup>68</sup> The following February, the idea was revived by L.S. St. Laurent, who stated that Canada would be "happy to cooperate" in creating "within the framework of the United Nations . . . facilities for the

<sup>65</sup>Resolution 120 (II).

<sup>66</sup>Canada at the United Nations, 1947, p. 54; UN doc. E/AC.6/SR.12, p. 4; E/AC.6/SR.13, p. 14; E.S.C.O.R. (VI), p. 388.

<sup>67</sup>Rotary Club, New York City, 7 February 1946.

<sup>68</sup>English-Speaking Union, Princeton, N.J., 14 May 1946.

development of knowledge about northern areas on the widest possible basis", provided they were established upon "a proper basis of reciprocity".<sup>69</sup> Further references to collaboration with the Soviet Union in the Arctic were made in July 1947, and again in August.<sup>70</sup> Then, in view of the completely negative response from the other side of the North Pole, the suggestion was quietly dropped. In any case, it did not constitute a real exception to the general Canadian policy of opposition to economic development on a regional basis as the political and other circumstances were so unusual.

Once it became clear that regional economic commissions were an inevitable and permanent feature of the United Nations, Canada was faced with the necessity of deciding what their terms of reference should be and whether she would participate in the work of any of them.

There were four aspects of the terms of reference of the commissions of special interest to Canada. Her first concern was to ensure the effective subordination of the regional commissions to ECOSOC.<sup>71</sup> She hoped that, in this way, she might minimize the danger of an excessive emphasis on regionalism. "No regional grouping", a Government spokesman asserted, ". . . must develop to the point where it became exclusive and thus tended to hinder rather than encourage the achievement of the overriding objective, which must remain the

<sup>69</sup> Rotary Club, New York City, 26 February 1947.

<sup>70</sup> H. C. Deb., 4 July 1947, p. 5078; Pearson, letter to Leslie Roberts, 8 August 1947, Department of External Affairs, Press Release No. 29, 25 August 1947, p. 2.

<sup>71</sup> E. S. C. O. R. (V), p. 185; (VI), p. 87; Martin, Committee of the Whole on Devastated Areas, ECOSOC, 26 September 1946.

development of a world-wide and multilateral community."<sup>72</sup> The terms of reference actually drawn up specified that the commissions should act "within the framework of the policies of the United Nations and subject to the general supervision of the Council". Canada warmly welcomed this proviso, though she would have preferred to have seen it and related clauses phrased in stronger language. She even favoured entirely deleting the provision empowering the commissions to submit recommendations directly to their members and, in some cases, to governments admitted only in a consultative capacity.<sup>73</sup>

Canada was also anxious to ensure that ECOSOC maintained close financial control over the commissions in order to keep their costs within "reasonable" limits. She was particularly worried lest the commissions embark on lavish schemes of economic development and expect her to help finance them. If regional commissions insisted on operational programmes of this sort, then she considered that they should set up regional budgets financed by their own membership. As early as July 1948, a Canadian spokesman referred to the fact that the commissions constituted an "increasing and continuous drain on the administrative and financial resources" of the United Nations and its Member Governments and declared that the time had come to distinguish clearly between administrative expenses, which were "a proper charge on the United Nations", and operational or executive expenses, which should be borne by "the countries deriving the most direct benefits from them".<sup>74</sup>

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<sup>72</sup>31 July 1950, E.S.C.O.R. (XI), p. 204, summary record. "The main approach to all problems should . . . be a world-wide one. That did not in any sense preclude the use of regional organizations and instruments to complement wider associations. The regional approach in such cases was important."

<sup>73</sup>E.S.C.O.R. (VI), p. 87; UN doc. E/AC.6/SR.9, p. 9.

<sup>74</sup>E.S.C.O.R. (VII), pp. 125-6, 170, summary record.

This leads to the second Canadian objective which was that the commissions should be purely advisory and not executive or operational agencies. Canada considered that, in this respect, ECE's terms of reference went too far in that they authorized it to "participate" in measures for facilitating concerted action for reconstruction. Consequently, when ECAFE's terms of reference came up for discussion, she proposed the substitution of the word "promote". However, few others, even among those who agreed that ECAFE's functions should be strictly advisory, found the implications of "participate" objectionable. The Canadian suggestion was, therefore, dropped.<sup>75</sup>

Canada's third aim was to avoid encroachments by the commissions on the spheres of competence of the specialized agencies, many of which had established regional organizations of their own. She considered that in the event of conflict or duplication, priority should be accorded to the functional agencies.<sup>76</sup> Accordingly, the Canadian Government urged that the regional economic commissions should maintain the closest possible contact with the specialized agencies through consultation and liaison.<sup>77</sup> In the case of ECLA, Canada proposed that,

<sup>75</sup>UN doc. E/AC.18/SR.2, pp. 1-3.

<sup>76</sup>On 26 September 1946, Martin stated, in ECOSOC's Committee of the Whole on Devastated Areas, that in supporting the establishment of ECE, Canada assumed that it was "not to be set up as the coordinator in Europe of the work of the permanent agencies." On the other hand, she wanted ECAFE to "coordinate both the needs of the countries concerned and the measures of assistance which the United Nations or specialized agencies can afford". E.S.C.O.E. (IV), p. 138; Supplement No. 10, p. 80.

<sup>77</sup>Martin, Committee of the Whole on Devastated Areas, ECOSOC, 26 September 1946; E.S.C.O.E. (IV) pp. 199, 203, 205. As already indicated, Canada looked upon ECE as "an emergency complement to the inter-governmental bodies, and not their competitor or alternative". Ibid., p. 199.

before any recommendations were made "with respect to matters being dealt with by the specialized agencies, prior consultation" should take place with such agencies.<sup>78</sup> She also considered that the regional commissions should coordinate their activities with other inter-governmental organizations. "The importance of the closest possible collaboration" between ECLA and the Inter-American Economic and Social Council, she contended, "could not be overemphasized". In order to avoid extensive duplication between these two bodies Canada suggested that ECLA concern itself "primarily with economic problems arising in the region through world economic maladjustment and with the extracontinental aspects of Latin American economic problems".<sup>79</sup>

Finally, there was the question of permitting outside states to take part in the work of the commissions. Canadian wishes in this matter were fully met by the inclusion of a clause specifying, in the case of each commission, that "any Member of the United Nations not a member of the Commissions [could] participate in a consultative capacity in its consideration of any matter of particular concern to that non-member".<sup>80</sup> Canada was particularly interested in this question<sup>81</sup> as she did not intend to become a member of any of the commissions, yet wanted to reserve the right to participate at any time.

<sup>78</sup>Ibid., (VI), p. 87, UN doc. E/AC.6/SR.10, pp. 4, 5, 7. A revised form of this amendment was rejected.

<sup>79</sup>E.S.C.O.R., (VII), p. 555.

<sup>80</sup>Ibid., (XIII), Supplement No. 1, pp. 98, 100, 102.

<sup>81</sup>Ibid., (IV), pp. 28, 199; Canada and the United Nations, 1948, p. 103.

Canada is the only American state not a member of ECLA, the only member or associate member of NATO or OEEC not a member of ECE, and the only member of the Consultative Committee on Cooperative Economic Development in South and South-east Asia and of the Far Eastern Commission not a member of ECAFE. This unique distinction is no accident. As she made perfectly plain at the time the terms of reference of the regional economic commissions were being drawn up, it was deliberate Canadian policy not to seek membership in them.<sup>82</sup>

The Canadian boycott has been most obvious in the case of ECLA. Canada was, from the first, declared eligible for membership.<sup>83</sup> Indeed, one of the reasons given for establishing ECLA, rather than operating through Pan American organs, was the desirability of securing Canadian cooperation.<sup>84</sup> Britain, the United States, France and the Netherlands have all joined, but not Canada. She was even specifically invited to the first session of the Commission in Santiago in June 1948, but sent only an unofficial observer. Since then, no further invitations have been issued to her.

The Government has not been quite so standoffish in the case of the other two commissions. Members of the Permanent Canadian Delegation to the

<sup>82</sup> Martin, Committee of the Whole on Devastated Areas, ECOSOC, 26 September 1946; E.S.C.O.R. (IV), p. 138; Canada and the United Nations, 1948, pp. 103, 257, and 1949, p. 120.

<sup>83</sup> "Membership of the Commission shall be open to Members of the United Nations in North, Central and South America, and in the Caribbean area, and to France, the Netherlands and the United Kingdom." On the other hand, "the geographical scope of the Commission's work is the twenty Latin American States Members of the United Nations, participating territories in Central and South American which have frontiers adjoining any of these States, and participating territories in the Caribbean area". UN doc. E/777, pp. 4, 5.

<sup>84</sup> E.S.C.O.R. (V), pp. 132-3, (VII), p. 546.

European Office of the United Nations in Geneva follow ECE meetings closely and take part in the work of the Steel and Timber Committees.<sup>85</sup> Canadian observers have also attended three sessions of ECAFE "in a consultative capacity".<sup>86</sup>

Canada's attitude has been based on principle rather than on interest. The Government has repeatedly admitted its direct political and economic interest in the activities of the Commissions, particularly ECE and ECAFE,<sup>87</sup> but this has not been sufficient to overcome its fundamental objections to the regional approach to economic development. As one spokesman explained in August 1948, Canada's absence from the first session of ECLA did not imply,

any lack of interest. It was rather an indication that Canada, which placed emphasis on the widest possible exchange of commodities, and which occupied a special geographical position, had an equal interest in the problems of all regions, whether European, Asiatic, or American. The Canadian Government had always made clear its view that those problems which affected, in varying degrees, all countries of the world could best be dealt with through the functional commissions of the [Economic and Social] Council and through the specialized

<sup>85</sup>Canada and the United Nations, 1948, p. 106; 1951-52, p. 90; 1952-53, p. 56; 1953-54, p. 6.

<sup>86</sup>8th (1952), 9th (1953) and 10th (1954) sessions. See UN doc. E/CN.11/344, pp. 11, 133, 169. Canada and the United Nations, 1952-53 states (p. 56) that it has "become customary for a Canadian observer to attend ECAFE meetings". However, none attended the 11th (1955) session. Canada has no diplomatic representative in Bangkok, the headquarters of ECAFE.

<sup>87</sup>E.g., "Canada's direct interest in the work of the Economic Commission for Europe followed, as a matter of course, from her close economic ties with the continent of Europe." E.S.C.O.R. (VII), p. 153. "Canadian interest in the work of ECAFE arises from Canada's position as a nation bordering on the Pacific Ocean, as one of the major trading nations of the world, as a member of the Far Eastern Commission, and from Canada's general concern with the economic recovery of the whole Pacific area." Canada and the United Nations, 1949, p. 120. "In view of its substantial trade with the area, [Canada] has a general interest in the work of the Commission [ECLA]." Ibid., 1952-53, p. 56.

agencies.<sup>88</sup>

In any case, the Canadian Government challenged one of the fundamental assumptions on which the regional economic commissions were organized, viz., that continents necessarily constituted natural communities. Canada found that the countries with which she had the closest ties of interest and association were grouped around oceans, especially the North Atlantic. "It should be realized", a Canadian official stated in 1950,

that there were several methods of grouping nations, and that those various groupings might, and did, overlap. Although the land-power theory of grouping nations assumed that logical groupings, or regions, were always made up of contiguous land masses, and that oceans were elements which divided mankind, the experience of Canada had stressed the opposite approach. Canada felt that throughout history the oceans had been for many peoples elements of union, channels for the cheap transport of foodstuffs, routes for migration, and lines of cultural contact. In many respects it had been true for centuries that the associations between the peoples of western Europe and those of North and South America had been no less close or intimate than the associations between eastern and western Europe. Several early illustrations of the vitality of communities built around seas were to be found in the civilizations of the Mediterranean basin; a modern illustration was provided by the growing development of the North Atlantic community.<sup>89</sup>

There was a further consideration which accounts for Canada's special coolness towards ECLA even though this was the Commission with which, superficially at least, she seemed to have the closest affinity on geographical grounds. The Government feared that participation in ECLA would not only run counter to her belief in a global approach to economic questions but might indirectly compromise her policy of complete political detachment from the

<sup>88</sup> 20 August 1948, E.S.C.O.R. (VII), p. 555, summary record. Also, Canada and the United Nations, 1948, p. 257.

<sup>89</sup> 31 July 1950, E.S.C.O.R. (XI), p. 204, summary record. Also Statements and Speeches No. 47/7, p. 3; Pearson, "Canada and the North Atlantic Alliance", Foreign Affairs, XXVII (1948-49), 374; Standing Committee on External Affairs, Minutes, 18 November 1949, p. 20.

**Organization of American States.**

Although Canada took a very strong stand in opposition to regional economic commissions, her hostility to regionalism was not confined to the United Nations. She adopted much the same attitude in the case of many of the specialized agencies, and generally for the same reasons.

## CHAPTER VII

### REGIONALISM IN THE SPECIALIZED AGENCIES

Regional tendencies have been even more pronounced in the specialized agencies than in the United Nations itself. Almost all of them have established regional machinery of their own, and the few agencies which have resisted the pressure to do so have generally been faced with the development of independent regional agencies in competition.

The Canadian Government has, in general, exhibited a marked preference for universal functional organizations, except in certain technical fields. Its attitude was revealed as early as November 1942 when Canada and the United States formally undertook to settle postwar economic questions by "a programme of agreed action, open to participation by all other countries of like mind".<sup>1</sup> This does not mean that Canada considered regionalism should find no expression in the specialized agencies, particularly those entrusted with technical functions. She has, however, contended that regional organizations should only be set up to meet problems which are genuinely regional in character. Even so, the Government considered that care should be taken to ensure that such agencies were closely integrated into the world pattern so as to avoid any tendency for regional particularism to gain the upper hand to the detriment of the general interest.

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<sup>1</sup>30 November 1942, C.T.S., 1942, No. 17. The wording was taken from Article VII of the Anglo-American Lend-Lease Agreement of 23 February 1942.

Even prior to the war, the ILO had sought to deepen its roots in the Western Hemisphere by sponsoring American Regional International Labour Conferences. The first such conference was convened in Santiago in January 1936. This was also the first occasion on which Canada participated in an inter-governmental meeting of pan-American scope, and the Chilean Foreign Minister made a special point of welcoming her to the "family gathering".<sup>2</sup> Yet her participation was purely nominal; no Canadian workers or employers attended and the Government Delegates did not so much as speak in plenary session.<sup>3</sup> In fact, Canada's presence at all was due more to a sense of loyalty to the ILO and to fear of offending her customers in Latin America than to any conviction that the Conference would prove valuable from an ILO point of view.

Following the outbreak of war, Canadian interest in ILO activities in Latin America increased significantly. A full delegation attended the second Regional Conference which convened in Havana in November 1939. The Canadian expert on the ILO's Permanent Agricultural Committee also participated in a meeting of its American members held concurrently. Canadian spokesmen did their best to capitalize on these gestures by pointing out that Canada's presence involved considerable sacrifices on her part as "the great struggle" in which she

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<sup>2</sup>Labour Conference of the American States which are Members of the ILO, 1936, Record of Proceedings, p. 4.

<sup>3</sup>W.A. Riddell, the senior Canadian Delegate, officially opened the Conference, but he was acting in his capacity as Chairman of the Governing Body. Earlier, on 21 June 1935, he had "felt sure that the proposed Conference would make an important contribution to the solution of certain labour problems which were of special concern to America. He trusted that Canada would be represented by a full delegation." ILO, Minutes of the Second Sitting (Private) of the 72nd Session of the Governing Body, pp. 6-7.

was engaged demanded her "utmost effort".<sup>4</sup> Further evidence of Canadian goodwill came in August 1941 when Canada signified her desire to join the ILO sponsored Inter-American Committee on Social Security,<sup>5</sup> though she did so more out of a desire to promote trade than with any hope of direct benefits. In October, the Canadian Minister of Labour declared publicly that Canada would welcome the opportunity of cooperating with "our South American friends" on labour matters after the war.<sup>6</sup> At Philadelphia, in 1944, the Canadian Delegation introduced a resolution, which was subsequently adopted, requesting the Governing Body "to take effective steps as promptly as possible to deal with problems common to a region" and to report back on "the steps taken and plans for the further regionalization of the Office and of the Organization".<sup>7</sup>

This enthusiasm appears to have lasted at least until the third American Regional Conference in Mexico City in April 1946. At that time, Canada drew "special attention" to the "desirability of regional cooperation of the American countries" and, in particular, endorsed the establishment of a sub-committee to consider vocational training questions in American countries.<sup>8</sup> At the fourth Conference, however, she felt compelled to oppose a number of important resolutions. She "questioned the juridical propriety of a regional conference taking action" on the matter of the absence of freedom of association in Peru

<sup>4</sup>ILO, Minutes of the 89th Session of the Governing Body, p. 12; Minutes of the Third Session of the Emergency Committee, p. 22.

<sup>5</sup>18 August 1941, ILO, Minutes of the 90th Session of the Governing Body, p. 64.

<sup>6</sup>29 October 1941, Conference of the International Labour Organization, 1941, Record of Proceedings, p. 40.

<sup>7</sup>International Labour Conference, 1944, Record of Proceedings, pp. 112, 527.

<sup>8</sup>Third Labour Conference of the American States which are Members of the ILO, 1946, Record of Proceedings, p. 149.

and Venezuela.<sup>9</sup> She also objected strenuously to a resolution on conditions of employment of agricultural workers on the grounds that many of its provisions "did not apply to the Canadian position" in view of the "particular nature of Canadian agriculture dominated by large farms".<sup>10</sup> Similarly, important reservations were entered in connection with the resolution on social aspects of economic development of the American continent.<sup>11</sup>

The first of the new functional organizations in which regionalism became an issue was UNRRA. The unofficial British draft agreement of February 1942 envisaged fairly weak central control and a substantial delegation of authority to regional councils. This was opposed by the Americans who were prepared to accept only advisory regional committees.<sup>12</sup> Canada's attitude during this early debate is not clear, though there is no evidence to suggest that she showed any great enthusiasm for regionalism. She became a member of the Committee of the Council for Europe when it was set up in November 1943, but she did not appoint a permanent representative to it until January 1945. Nor, at first, did she seek membership on the Committee of the Council for the Far East. However, late in 1946, when it became evident that the Committee was performing significant functions, she applied for admission and this was

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<sup>9</sup>Fourth Labour Conference of the American States which are Members of the ILO, 1949, Record of Proceedings, pp. 182, 214.

<sup>10</sup>Ibid., pp. 154, 155, 232.

<sup>11</sup>Ibid., p. 184. Canada also abstained on a resolution concerning the provision of facilities to enable workers to enjoy their holdings, and opposed a proposal to consider an "international declaration of old-age rights" at the next International Labour Conference. Ibid., pp. 183, 215, 216.

<sup>12</sup>Robert H. Johnson, "International Politics and the Structure of International Organization: The Case of UNRRA", World Politics, III (1951), 524, 533.

granted.<sup>13</sup>

The line up of British and American opinion on the issue of regionalism in UNESCO was just the opposite. Until April 1944, the Americans considered that educational reconstruction should be carried on through a Council for Europe (the Conference of Allied Ministers of Education) and a Council for the Far East.<sup>14</sup> Britain and the CAME countries, on the other hand, realized that recovery in Europe was possible only with the assistance of non-European countries. Canada took the view that, as she had a direct stake in European reconstruction, she should be entitled to play her full part in the proposed organization. Consequently, she deprecated any excessive emphasis on regionalism and insisted that, if a Council for Europe were set up, she should be accorded representation on it. However, shortly thereafter the American draft proposals were revised and the regional councils dropped.<sup>15</sup> As a result, the UNESCO Constitution, as finally drawn up, included no provision at all for regional organs.

Canadian opposition to regionalism was strongest in the economic organizations, particularly the International Monetary Fund and the International Trade Organization. Unfortunately, the ideals of multilateral convertibility of currencies and non-discriminatory trading arrangements enshrined in their constitutions have not been realized; and there is now little likelihood that they will

<sup>13</sup>20 November 1946, UNRRA doc. C(46)4, p. 1; 12 December 1946, UNRRA, 6th session of the Council, Journal, p. 49.

<sup>14</sup>"Suggestions for the Development of the Conference of Allied Ministers of Education into the United Nations Organization for Educational and Cultural Reconstruction", 12 April 1944, Article IV.

<sup>15</sup>"Tentative Draft Constitution for a United Nations Organization for Educational and Cultural Reconstruction", 30 May 1944. Text found in Post-War Foreign Policy Preparation, 1939-1945 (Washington: Government Printing Office, 1949), pp. 644-8.

be in the foreseeable future. The elaborate provisions of the IMF's Articles of Agreement have never fully come into operation, and the even more ambitious ITO edifice has collapsed completely. Instead of being dismantled, bilateral and plurilateral arrangements such as the sterling area and the European Payments Union, have been perpetuated and extended. The Canadian Government has viewed the development of these economic blocs with growing anxiety,<sup>16</sup> and has done what it could to arrest the course of events; but to little avail. The simple fact is that, in the spheres in which Canada placed the greatest emphasis on securing global solutions to world problems, the universal approach has suffered its severest setbacks.

After a somewhat inauspicious beginning, the Canadian Government has also become a vigorous partisan of multilateral wheat marketing arrangements. Immediately after the war, there was little enthusiasm in Ottawa for international wheat schemes of any kind, as it looked forward to a return to free marketing. Then, in 1946, J.G. Gardiner concluded a bilateral deal with John Strachey and, in the face of the almost united opposition of official opinion in the Canadian Wheat Board, the Department of Trade and Commerce, the Department of External Affairs and the Bank of Canada, succeeded in getting it accepted by the Cabinet. The only concession critics of the Agreement were able to extract was the insertion of an escape clause which provided that its terms and conditions would be "subject to any modification or amendment which may be necessary to bring it into conformity with any international agreements or arrangements hereafter entered into to which both Governments are parties".<sup>17</sup> Shortly afterwards,

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<sup>16</sup>E.g., Louis Rasninsky, "International Credit and Currency Plans", Foreign Affairs, XXII (1943-44), 599-603; E.S.C.O.R. (IV), p. 202. For Canada's attitude towards EPU, supra, pp. 49-50.

<sup>17</sup>C.T.S., 1946 No. 30. Also, Statements and Speeches No. 46/1, pp. 10, 11; Gardiner, Commission I, 3rd Session of FAO Conference, Geneva, 27 August 1947.

Canada threw her weight behind a world wheat agreement. This was finally achieved in 1949, though it has been seriously undermined by the withdrawal of Britain in 1953.

In the field of civil aviation, the Government was determined, if at all possible, to avoid the disastrous political and economic consequences which, it was feared, a reversion to the bilateralism of the interwar years would entail. Consequently, in drawing up the Canadian Draft International Air Transport Convention of March 1944, the emphasis was laid on the need for a general scheme of international cooperation in air transport. At the same time, it was recognized that:

Because an authority, established on a universal basis, might have difficulty in giving due consideration to the special needs of particular regions, it would be desirable that it work through regional groupings or councils.<sup>18</sup>

Accordingly, the proposals provided for regional councils with very considerable administrative powers; in particular, they were to license international rates of carriage, frequencies of service and quotas. On the other hand, the regional organs were to be set up by and subordinate to the world air board which was specifically empowered, on appeal, "to revoke or alter . . . any decision of a regional air transport council". In addition, the Board was to take decisions, in the first instance, on matters falling "within the jurisdiction of two or more regional councils or of no councils".<sup>19</sup>

At Chicago, the regional provisions in the Canadian draft were gradually whittled away until the Convention, as finally adopted, merely referred to the possibility of constituting "subordinate air transport commissions on a regional or other basis" "where appropriate and as experience may show to be desirable"

<sup>18</sup>Howe, H.C. Deb., 17 March 1944, p. 1579. Also, ibid., 29 February 1944, p. 981; 20 April 1944, pp. 2207-8; Canadian Club, Toronto, 17 February 1945.

<sup>19</sup>H.C. Deb., 17 March 1944, pp. 1581, 1583-4.

(Article 55). Actually, a large number of regional air navigation meetings have been held. Canada has attended conferences concerned with the following regions: the North Atlantic, the North Pacific, South America, the Caribbean, the South Pacific and South-East Asia. However, Canada's acceptance of regionalism, within limits, did not detract from her basic belief in "complete multilateralism" in aviation matters.<sup>20</sup>

The Food and Agriculture Organization was another specialized agency with functions which were partly economic and partly technical. The Canadian Government was, in general, reluctant to sanction the establishment of regional FAO organs as it feared that the Organization would be weakened if it dissipated too much of its limited resources on regional programmes.<sup>21</sup> There was, however, one important exception to this general outlook. In the field of fishery research and conservation, Canada not only favoured regional organizations, but insisted that they should be entirely independent of FAO. She is a member of two such bodies: the International Commission for Northwest Atlantic Fisheries (1950) and the International North Pacific Fisheries Commission (1952).<sup>22</sup> Both were established despite repeated recommendations of FAO conferences that new technical organizations should not be set up. The creation of ICNAF was particularly

<sup>20</sup>ICAO Doc. 5230, As-BC/10, vol. II, part I, p. 151. On 17 March 1950, the Canadian member on the Council of ICAO considered that there was "no evidence" to support the view of the Secretariat that "much important work could be done by the regional offices especially on the economic phases of the ICAO Programme". Doc. 6960-12, C/808-12, pp. 135-6.

<sup>21</sup>FAO, Proceedings of the Third Session of the Conference, 1947, pp. 231, 246-7; FAO docs. CL.1/SR.7/Rev. 1, p. 4; CL2/SR11, p. 5; CL2/SR15, p. 5; C50/PE/SR.4, p. 9.

<sup>22</sup>In addition, there are two purely Canadian-American fisheries commissions: the International Pacific Halibut Commission (1923) and the International Pacific Salmon Fisheries Commission (1930).

surprising as it was known at the time that FAO was contemplating a Northwest Atlantic fisheries council of its own. Since then, Canada has firmly resisted pressure to integrate ICNAF into FAO.<sup>23</sup> The official explanation given for this extraordinary conduct is that,

the problems of the Northwest Atlantic fisheries could best be handled by the countries directly concerned; there would be greater interest, support and cooperation by such countries and their respective research agencies than if an organization were established under FAO.<sup>24</sup>

Canada has adopted a similar attitude towards regional technical organizations in the communications field. She has been a member of the Postal Union of the Americas and Spain since 1931 and of the Inter-American Radio Office since 1939, and has also been active in North American Regional Broadcasting Conferences. However, this special dispensation for regional agencies dealing with essentially technical tasks is not indicative of the general Canadian view of regionalism within specialized agencies. The main stream of Canadian policy is most clearly revealed by an examination of Canada's attitude towards the Pan American Sanitary Organization.

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<sup>23</sup>ICNAF, Report by the Chairman concerning the First Annual Meeting, 1951, pp. 8, 44; Second Annual Report for the Year 1951-52, p. 12. See the resolution of 16 May 1950, FAO doc. CL9/GR10, pp. 6-7. D.B. Finn, the Director of FAO's Fisheries Division, was a former Canadian Deputy Minister of Fisheries. At Hot Springs, Canada sponsored the resolution bringing "fish and marine products" within the scope of FAO. Food and Agriculture Conference, Doc. No. 280, 28 May 1943.

<sup>24</sup>Stewart Bates, Deputy Minister of Fisheries, letter to Alistair Fraser, Executive Assistant to the Minister of Fisheries, quoted in letter from Fraser to the writer, 20 October 1955.

## WHO and PASO

The history of the attempt to absorb the Pan American Sanitary Organization into the World Health Organization underlines two aspects of Canada's attitude towards regionalism within specialized agencies: first, her reluctant acquiescence in the establishment of regional organs at all and, secondly, her insistence on their complete integration into a world organization.

Prior to 1948, Canada appeared to welcome a limited degree of decentralization of WHO's activities. This was in part a tactical manoeuvre, but there was also a genuine feeling that some health problems were mainly of regional significance and could be handled most appropriately on a regional basis.<sup>25</sup>

Once it became evident that the regional organizations were likely to be more autonomous and their activities more extensive than she had reckoned upon, Canada's attitude shifted from benevolent neutrality to active hostility. Even so, in July 1948, when Canada first took a strong stand against the extension and elaboration of regional organizations, she insisted that the issue at stake was,

an exclusively organizational one: the resources of WHO were limited, and activities should be ordered accordingly. It was not a question of where, but how and when regional organizations could be established with the maximum effectiveness . . . [It was necessary] for WHO to be soundly established before the setting up of regional organizations was considered.<sup>26</sup>

This was not, however, the whole story. A fuller appreciation of the Canadian position was given later in 1948 in an official report:

The Canadian Delegation [it states] was able to give only reluctant support to the establishment of regional agencies of WHO. It has been the Canadian view that, if regional agencies must be established, their organization should be modest and their responsibilities clearly defined. The Canadian delegation has argued constantly that the WHO should not dissipate its very meagre

<sup>25</sup>Off. Rec. of WHO, No. 6, p. 197; No. 12, p. 64; No. 13, p. 166.

<sup>26</sup>5 July 1948, ibid., No. 13, p. 271, summary record.

resources by creating an elaborate fractional structure.<sup>27</sup>

Thus, although practical considerations were important, there was also a prejudice against regionalism as such. This came out most emphatically during the extended discussions on the future of PASO.

The Pan American Sanitary Organization was organized in 1902 as the agency of the inter-American system concerned with public health.<sup>28</sup> Its Bureau (PASB) was ostensibly an international secretariat, though in actual practice, until its reorganization in 1947, it was an outgrowth of the United States Public Health Service. The American Government financed it directly through grants and indirectly through providing it with a Director and the bulk of its staff as well as with office accommodation and equipment.<sup>29</sup> To the State Department, it was just another instrument of American policy in Latin America. Canada had never joined PASO, but she maintained liaison with it, particularly in connection with quarantinable diseases. Since 1936, she had participated in the Pan American Conferences of Directors of Health, and in 1942 two Canadian observers attended the Eleventh Pan American Sanitary Conference in Rio de Janeiro.<sup>30</sup>

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<sup>27</sup>Canada and the United Nations, 1948, p. 146, my italics. See also Off. Rec. of WHO, No. 28, p. 426; UN doc. S/AC.7/SR.56, pp. 5-6.

<sup>28</sup>Strictly speaking, the Pan American Sanitary organization as such only came into existence in 1947, though the Pan American Sanitary Bureau and Pan American Sanitary Conferences date from 1902.

<sup>29</sup>"It is no exaggeration to say that [in January 1947] the Bureau had no professional public health staff whose entire salary was paid by the Bureau." PASB, Report of the Director of the Pan American Sanitary Bureau to the Member Governments of the Pan American Sanitary Organization, January 1947 - April 1950.

<sup>30</sup>7-18 September 1942, the Secretary of State for External Affairs, 1942,  
p. 10.

The future of this curious Organization became an issue, after the war, during discussions on the establishment of a specialized agency to deal with health questions. If WHO were to carry on the work of the Health Section of the League of Nations and the International Office of Public Hygiene in Paris, there was a strong case for it also taking over the functions of PASO. The Department of State was opposed to the absorption of PASO by WHO and considered instead that it should continue as a semi-autonomous organization associated with WHO. At the Technical Preparatory Committee of the International Health Conference in March 1946, the American member, though appointed by ECOSOC in his personal capacity, unashamedly echoed the policy of his Government. He managed to convince or coerce five others - the Brazilian, Mexican, Chinese, French and Egyptian members - to support him, but the majority of the Committee refused to succumb to his pressure. As a result, alternative draft proposals were drawn up. Alternative "A" provided for the "transformation" of PASO into a regional WHO office "as quickly as practicable", while Alternative "B" merely proposed that PASO's facilities and services should be "utilized to the fullest possible extent".<sup>31</sup>

Brock Chisholm, the Canadian expert on the Committee, was characteristically outspoken in his views. He came down squarely on the side of integration rather than autonomy, and asserted bluntly that the only reason for wishing to preserve the identity of the PASO was "national prestige". He pleaded with his colleagues not to lose sight of the urgency of present day problems, but, instead, to "draw lines boldly across national boundaries" and insist on a truly world organization" at whatever cost to personal or sectional interests".

As world citizens, [he pleaded] all members should wipe out the history of the past, formulate an ideal and try to realize it.

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<sup>31</sup>Off. Rec. of WHO, No. 1, pp. 73, 74.

Above all, they should not swerve from it because of the possibility of their decision being opposed by politicians.<sup>32</sup>

Chisholm's strong line was not fully supported by the Canadian Delegation when the report of the Technical Preparatory Committee came up for discussion in the Economic and Social Council in May. Brooke Claxton indicated that Canada preferred Alternative "A" to Alternative "B", but he failed to see "very much difference" between the two. He stressed "the necessity for strong regional organizations", while at the same time urging that they should form "an integral part" of WHO.<sup>33</sup>

At the International Health Conference in New York in June-July 1946, the United States advocated, if anything, an even greater degree of decentralization than had been provided for under Alternative "B". Specifically, she urged the adoption of the principle of "dual allegiance" according to which PASB would continue to maintain its separate identity and promote regional health programmes of its own, while at the same time serving when necessary as the WHO regional committee for the Western Hemisphere.

By this time, the Canadian attitude had hardened somewhat against PASB. Canada did not question the desirability of it becoming the regional health agency for the Americas, but she did consider that, in the process, it should be completely absorbed by WHO.<sup>34</sup> Indeed, an early Canadian suggestion called for the "integration" of its "functions, activities, staff and assets" into WHO.<sup>35</sup>

<sup>32</sup> 1 April 1946, *ibid.*, No. 1, p. 30, summary record. Chisholm was at this time Deputy Minister of Health. He later served as a Canadian Delegate to the International Health Conference, 1946, Executive Secretary to the Interim Commission of WHO, 1946-48, and first Director-General of WHO, 1948-53.

<sup>33</sup> Minister of National Health and Welfare, 27 May 1946, *E.S.C.O.R.* (II), p. 17.

<sup>34</sup> *Off. Rec. of WHO*, No. 2, p. 23.

<sup>35</sup> 24 June 1946, UN doc. E/H/7, p. 3. This was only a tentative suggestion and not necessarily "the firm policy of the Government of Canada".

Speaking immediately after the American Delegate, Brooke Claxton put the case for integration. He began by explaining that, as Canada had no special regional interest in PASB owing to her geographical situation, he would consider the matter from an objective point of view, without reference to any particular regional organization. Claxton went on to point out that if there was to be a single world health organization, and apparently all were agreed on this, then it followed that the regional agencies should form "an integral part" of it. On the other hand, he suggested that integration might be combined with a substantial delegation of authority to regional organizations if each were assigned "two sets of functions or rather . . . two aspects" of the one function of promoting improved health standards.

With regard to matters pertaining to health which were common everywhere, both the [Regional] Council and the Bureau would be an integrated part of the World Health Organization. With regard to matters which were of primary concern to the region, it would have a regional purpose and function.

Claxton admitted that it would often be difficult to differentiate between these two aspects because "we are coming more and more to recognize that the problem of health is a world-wide problem", but he did outline in some detail the sort of division of responsibility he had in mind. What was important, he concluded, was that the regional organization should "carry out the wishes of the World Health Organization . . . in matters of common concern and carry out the wishes of the countries within the region with regard to matters which are regional".<sup>36</sup>

Evidently Claxton hoped that his compromise proposal would win the approval

<sup>36</sup>1st meeting, Committee V, International Health Conference, 27 June 1946. These views were incorporated into a working paper. UN doc. E/H/RA/W.13, pp. 1-2, 1 July 1946. Although Claxton had declared that, "we are all agreed that we need Regional Councils", this Canadian paper amended the Technical Preparatory Committee's proposals significantly by providing that their establishment should be permissive ("may") rather than mandatory ("should").

of the genuine supporters of regionalism and isolate the die-hard defenders of PASO. If so, he was to some extent successful. The issue was submitted to a "harmonizing sub-committee" which unanimously came up with the formula that PASO should "in due course be integrated" into WHO; and this phraseology was eventually incorporated into the WHO constitution.<sup>37</sup> However, before its final adoption, Brock Chisholm wished to ensure that its meaning was "quite clear" to all. Otherwise, he forecast only too accurately "difficulties going far into the future". Besides, he indicated that without a "clear understanding" on this point, the Canadian Delegation could not subscribe to the Constitution. Chisholm identified "integrate" as the key word, and defined it as "making it whole" or "entirely becoming part of a single organization".<sup>38</sup> No dissent from this definition was voiced at the time, though clearly a number of delegations retained certain mental reservations. An Interim Commission was then set up to affect, inter alia, "the necessary arrangements" with PASO for its eventual integration.<sup>39</sup>

This threat to PASO's existence brought it to life. At the Twelfth Pan American Sanitary Conference in Caracas in January 1947, PASO was completely reorganized and established on a proper basis as an independent international agency for the first time. It also adopted an ambitious programme for the

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<sup>37</sup>Article 45: "Each regional organization shall be an integral part of the Organization in accordance with this Constitution." Article 54: "The Pan American Sanitary Organization . . . shall in due course be integrated with the Organization. This integration shall be effected as soon as practicable through common action based on mutual consent of the competent authorities expressed through the organizations concerned."

<sup>38</sup>15 July 1946, UN doc W/H/PV/10, pp. 31-2; Off. Rec. of WHO, No. 2, p. 60.

<sup>39</sup>Ibid., p. 111.

future, declared Canada a member and drew up a set of "principles of agreement" to govern its negotiations with WHO. Under this last, it was proposed that PASO should "continue to function in its continental character in American aspects of health problems", and, at the same, time "act" as a regional agency for WHO.<sup>40</sup> Even in this latter capacity, it was not intended that PASO should be genuinely integrated into WHO. Thus, a dual arrangement was envisaged: an independent regional organization (PASO) and a regional WHO agency which would, in practice, be an adjunct of PASO. Indeed, far from PASO consenting to its absorption by WHO, it now had hopes of itself taking over from WHO the functions of a regional organization for the Americas.

It must be admitted that the Caracas principles were but a development of a draft agreement drawn up by the Interim Commission's own Sub-Committee on Negotiations with PASO. The explanation of this strange situation is that the Sub-Committee consisted of the United States and three other American republics, and that they voiced their own views, which in all essentials coincided with those of the other members of PASO, instead of those inscribed in the WHO Constitution. The Sub-Committee's report encountered stiff opposition at the Interim Commission's fourth session in September 1947. The representative from Canada took a leading part in insisting on the implementation of integration, as he understood it, as soon as possible. In the end, the Commission rejected a Peruvian resolution reaffirming confidence in the Negotiating Sub-Committee and investing it with full powers to conclude an agreement in the light of "the legal, economic and political realities with which it is confronted, and in accordance with the spirit of cooperation already displayed by the Republics of the Pan American Union". At the same time, the Commission modified the draft agreement recommended by its Negotiating Sub-Committee in important particulars

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<sup>40</sup>Ibid., No. 5, p. 116.

in order to bring it more into line with the Constitution of WHO.<sup>41</sup> A number of these amendments were adopted at the instigation of the Canadian member.<sup>42</sup>

Later that month, at its first meeting in Buenos Aires, the Directing Council of PASB accepted many of the changes proposed by the Interim Commission; and the resulting draft agreement was, with one significant change, accepted in principle by the first World Health Assembly the following summer. Although the terms of this agreement merely provided that PASO should "serve" as a regional WHO agency rather than "become" one, it was obvious by this time that integration as understood in Ottawa was unattainable. The Canadian representative, therefore, signified his consent.<sup>43</sup> After further negotiations over details, the WHO-PASO Agreement was signed in May 1949, approved finally by WHO in June and brought into force on 1 July.

Speaking at the second World Health Assembly in Rome on 24 June 1949, the Canadian Delegate declared that, although the Agreement "constituted an important step in the implementation" of the Constitution, it did not "yet constitute 'integration'". He added that the Canadian Government "looked forward to the time when representation in WHO of all the American nations would make that

<sup>41</sup>Ibid., No. 6, pp. 29, 146, 170-1, 173.

<sup>42</sup>WHO doc. WHO.IC/121, 11 September 1947 in Off. Rec. of WHO, No. 6, pp. 170-1. Strictly speaking, the members of the Interim Commission were designated by governments, but not representative of them. The Canadian member received no instructions from the Canadian Government, but, as on this occasion he was the Deputy Minister of Health and was advised by an official of the Department of External Affairs, it is not surprising that the Delegation accurately reflected official policy, at least on political issues. On one occasion, a Canadian spokesman really did express his own views. WHO doc. WHO.IC/E/Min.5/5, p. 9.

<sup>43</sup>Off. Rec. of WHO, No. 13, p. 253.

integration possible".<sup>44</sup>

Canada considered that this "initial"<sup>45</sup> Agreement suffered from a number of defects which she hoped would ultimately be removed. In the first place, the terms Pan American Sanitary Organization/Conference/Bureau were retained. Early in April 1946, Brock Chisholm had suggested to the Americans that it might be easier to reach a compromise if they were prepared to alter these titles; but they were as aware of the psychological significance of names as Chisholm was. Later, the Interim Commission's Negotiating Sub-Committee as well as the Caracas Conference proposed that "in keeping with tradition" both the Conference and the Bureau should retain their names, though with the addition of the sub-titles, Regional Committee of WHO and Regional Office of WHO respectively.<sup>46</sup> The Interim Commission regarded this as unsatisfactory and accordingly adopted a Canadian amendment<sup>47</sup> which indicated clearly that the Regional Organization for the Western Hemisphere was to be the "successor" to PASO, though "in keeping with tradition" the Regional Committee and Office were to be permitted to keep their original designations as sub-titles. PASO, however, insisted that it should be the other way around, and eventually WHO gave way.

The other issues which arose during the negotiation of the Agreement were of more than symbolic significance. The provision of greatest substantive importance was the amendment clause. Originally, the Negotiating Sub-Committee

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<sup>44</sup>Ibid., No. 21, pp. 308, 383.

<sup>45</sup>Canada and the United Nations, 1950, p. 123.

<sup>46</sup>Off. Rec. of WHO, No. 5, pp. 115, 116.

<sup>47</sup>11 September 1947, ibid., No. 6, pp. 170-1.

had proposed that modifications in the agreement should be "by mutual agreement of the parties thereto". This was deleted by the Interim Commission on Canadian initiative. As the Canadian Delegation explained:

After this Agreement has entered into force . . . the integration of the Pan American Sanitary Organization in the WHO will have been effected and the Pan American Sanitary Organization will become an integral part of the WHO. If this is the case, there will be no occasion for revision or modification of this Agreement.<sup>48</sup>

However, it was precisely in order to avoid its absorption into WHO that PASO insisted on an amendment provision. As a compromise, it proposed that the agreement might be "revised or annulled by either of the parties". From the point of view of WHO, this wording was equally objectionable as it explicitly recognized PASO's continued existence as an independent entity. For a while, the Interim Commission stood firm and deadlock ensued until it became clear that integration was unattainable at least immediately. WHO then accepted a transitional arrangement under which the Agreement might be "supplemented with the consent of both parties".<sup>49</sup>

The third respect in which the WHO-PASO failed to meet Canada's wishes was in connection with the appointment and conditions of service of the Regional Director and his staff. The Constitution of WHO empowered the Director-General to "appoint" the staff of the Secretariat (Article 35). Although Canada saw no real reason why this procedure should not apply to the staff of regional offices,<sup>50</sup> she was prepared to compromise in the case of the regional directors. Accordingly, she suggested at the International Health Conference that they

<sup>48</sup>Ibid.

<sup>49</sup>Ibid., No. 7, pp. 209, 252; No. 13, pp. 253, 259; No. 14, pp. 27, 37, 57.

<sup>50</sup>UN docs. E/H/7, p. 3, E/H/AF/W20, p. 2.

should be appointed by the Director-General either from among three persons nominated by the regional committees<sup>51</sup> or preferably "in consultation with the [WHO] Executive Board and regional committees". It was considered that this latter procedure would "facilitate the interchange of regional directors and protect regional committees against undue political influence".<sup>52</sup>

The Conference's Committee on Regional Arrangements was prepared to go even further in meeting the views of PASO members. It recommended that regional directors should be appointed by regional committees "subject to the approval of the Executive Board". The Committee also proposed that the regional directors should be empowered to appoint their own staff provided this was done in accordance with staff regulations approved by the regional committee concerned and the Director-General. Canada regarded these recommendations as unsatisfactory as they clearly conflicted with that part of the Constitution under which these responsibilities had been assigned to the Director-General alone.<sup>53</sup> Consequently, she welcomed an American suggestion, subsequently adopted, that regional directors should be "appointed by the Executive Board in agreement with the Regional Committee" concerned and that their staffs should be appointed in a manner to be determined, in each case, by agreement between the Regional Director and the Director-General.<sup>54</sup>

In connection with the appointment of the American Regional Director, the Negotiating Sub-Committee of the Interim Commission amplified on the provisions in the WHO Constitution and introduced two changes. These were that the first Director would be the existing Director of PASB, and that, in case of dispute

<sup>51</sup>UN doc. E/H/RA/W.13, p. 2, 1 July 1946.

<sup>52</sup>Off. Rec. of WHO, No. 2, p. 24.

<sup>53</sup>International Health Conference, Press Release, H/43, 11 July 1946.

<sup>54</sup>Off. Rec. of WHO, No. 2, p. 63.

between the Executive Board and the Regional Committee over the appointment of his successor, the will of the Regional Committee would prevail. Canada accepted the first of these modifications but successfully urged the rejection of the second.

The Sub-Committee also proposed that the American Regional Director should select his own staff subject to confirmation by the Regional Committee, and, in the case of senior officials, of the Director-General. However, "at least two-thirds" of them were to be citizens of states and territories of the Western Hemisphere. Furthermore, their terms of service need not necessarily conform exactly to those laid down for other members of the WHO Secretariat. These attempts to avoid or circumvent integration of PASO personnel into WHO met with resistance from Canada. She particularly opposed any deviation from the constitutional provision which stipulated that "the paramount consideration in the employment of staff shall be to assure that the efficiency, integrity and international representative character of the Secretariat shall be maintained at the highest level" (Article 35).<sup>55</sup> In the end, no reference at all was made in the Agreement to members of the staff of the Regional Office, other than its Director. In actual practice, two parallel organizations have emerged: a WHO Regional Office and PASB. Both are located in Washington and are operated as a unit, but they have different staffs doing the same sort of work, separate payrolls though equal pay and allowances, and distinct though similar staff rules and regulations. Admittedly, despite the dichotomy, a high degree of administrative cooperation between WHO and PASO has been achieved. Nevertheless, it could scarcely be claimed that this amounts to integration.

There were two other respects in which integration was not attained. The first concerned budgetary arrangements. No mention of regional budgets was made

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<sup>55</sup>Ibid., No. 6, pp. 169-71.

in the WHO Constitution as, at the time, it was assumed that PASO would be integrated into WHO financially as well as in other ways. However, the Interim Commission's Negotiating Sub-Committee thought otherwise, and proposed that PASO should be assured a guaranteed revenue of \$500,000 or one-half of the WHO contributions of PASO members, whichever was the lesser, in order to finance its work on behalf of WHO. Canada was prepared to concede that WHO's annual budget should provide for "a substantial allocation of funds" to the American Regional Office,<sup>56</sup> and so accepted the words "an adequate proportion" incorporated into the final text of the Agreement; but she opposed complete financial autonomy for PASO. This, in fact, has led to the same sort of duality observed in other spheres: dual contributions, dual budgets, dual accounts and dual programmes.

Finally, there was the matter of membership. The geographical limits of both PASO and the American Regional Organization were the Western Hemisphere, but the membership of the two organizations did not coincide. One reason for this was the slowness with which Latin American countries ratified the WHO Constitution; Colombia has still not done so. More important from the Canadian point of view was the fact that, as in the case of ECLA, Britain, France and the Netherlands were full members of the WHO Regional Committee for the Western Hemisphere, whereas they had only limited privileges in PASO.<sup>57</sup> Admittedly, it was a concession for a Pan American body to accord any rights at all to colonial powers. Nevertheless, Canada objected to the distinction both in principle and in practice. This was one further factor influencing her decision not to participate herself.

<sup>56</sup>Ibid., pp. 170, 171.

<sup>57</sup>Ibid., No. 21, p. 356; No. 25, p. 58; V Meeting of the Directing Council of the PASO and III Meeting of the Regional Committee of WHO, Final Report, Publication 270, Resolution XV. The WHO-PASO Agreement does not specifically refer to the rights of members, but the divergence which subsequently developed stems directly from the Agreement.

Canada decided that, at least until such time as integration became an actuality, she would not become a member of either PASO or WHO's Regional Committee for the Western Hemisphere, despite the fact that she had officially been declared a member of both.<sup>58</sup>

In January 1947, the Caracas Conference specifically recognized "Canada as a member state of future Pan American Sanitary Conferences".<sup>59</sup> Shortly afterwards, PASB's Director personally took up the matter of Canadian membership with authorities in Ottawa,<sup>60</sup> but his visit evoked little response. The Government gave some consideration to the possibility of participating in the work of the Regional Committee alone,<sup>61</sup> but even this suggestion was not pursued.

<sup>58</sup>The WHO decision was taken on 10 July 1946, Off. Rec. of WHO, No. 13, pp. 81, 331.

<sup>59</sup>24 January 1947, PASB, Basic Documents of the Pan American Sanitary Organization, Publication No. 245, p. 17. Earlier, on 21 October 1946, Dr. Hugh S. Cummings, PASB's octogenarian Director had written Chisholm: "I understand that it has been said, possibly through ignorance, that the present Pan American Sanitary Organization does not include Canada, and that it cannot do so because of the use of the word 'Republics'. I think you will find nothing in the Pan American Sanitary Code [of 1924] that would prevent Canada from becoming a member at any time." Off. Rec. of WHO, No. 4, p. 102. Nevertheless, the term "American Republics" continued to be used or implied. E.g., ibid., No. 6, p. 170, No. 7, p. 209. The preamble of the WHO-PASO Agreement referred to the fact that "fourteen American countries" had ratified the WHO Constitution. Actually fifteen had, if Canada is counted.

<sup>60</sup>PASB, Report of the Director of the Pan American Sanitary Bureau to the Member Governments of the Pan American Sanitary Organization, January 1947 - April 1950, p. 22.

<sup>61</sup>On 24 June 1949, a Canadian spokesman insisted that the WHO-PASO Agreement should be "interpreted in such a way as to allow any Member of WHO from the Western Hemisphere who was not also a member of the PASO [i.e. Canada] to participate in the work of the Western Hemisphere Regional Committee on terms mutually agreeable to the Directing Council of the PASO and the interested Member." Ibid., No. 21, p. 308.

The one indication of interest shown by Canada was the resumption, following the signing of the WHO-PASO Agreement, of the practice of posting Canadian observers to PASO meetings.<sup>62</sup>

This glimmer of interest was sufficient to encourage PASO to make a further attempt to entice Canada into the fold. In October 1949, the Executive Committee of the Directing Council resolved "to express the wish for the incorporation of Canada . . . as soon as possible". A few days later, this resolution was re-affirmed by both the Directing Council itself and its Committee on Relations.<sup>63</sup> On each occasion, the resolution was adopted unanimously and without discussion. This second appeal by PASO was followed by a further pilgrimage to Ottawa where the matter was fully discussed with Paul Martin, Minister of National Health and Dr. G.D.W. Cameron, Deputy Minister of Health. By this time, the problem had taken a somewhat different form. Hitherto, the issue at stake had mainly been merely the relationship of PASO and WHO. Now, the question of PASO's relations with the Organization of American States became of primary importance. As the Director of the PASO reported, following the Ottawa talks:

It appeared that Canada was particularly interested in the wording of the agreement to be written between the technical Pan American Sanitary Organization and the political Organization of American

<sup>62</sup>The Agreement was signed on 24 May 1949, and a Canadian observer attended the 7th meeting of the Executive Committee of the Directing Council of PASO, Washington, 23-30, 1949. The Canadian representatives made a point of stressing their observer status. See, e.g., PASO doc. CD5/8a, p. 45.

<sup>63</sup>5, 7 and 10 October, 1949, PASO docs. CE 8.L-17, p. 10; CD-3.L-12, p. 12; 3rd Meeting of Directing Council, Committee on Relations, Meeting of October 7, 1949, Minutes, p. 1. Also Off. Rec. of WHO, No. 25, pp. 54, 58.

States."<sup>64</sup>

Under the Bogota Charter of 30 April 1948, PASO automatically became a "specialized organization" of OAS, though the precise significance of this relationship was left for later definition. Specialized organizations were free to establish "cooperative relations with world agencies", but Article 100 of the Charter specified that:

In concluding agreements with international agencies of a world-wide character, the Inter-American Specialized Organizations shall preserve their identity and their status as integral parts of the Organization of American States even when they perform regional functions of international agencies.

A year later, on the eve of the signing of the WHO-PASO Agreement, the Council of OAS cautioned its members to,

make careful studies before promoting or supporting the creation and functioning of regional centres of world agencies whose functions should be carried out within the sphere of action of regional American organizations already established.<sup>65</sup>

The draft PASO-OAS agreement originally proposed by OAS in June 1949 envisaged the establishment of an intimate relationship between the two organizations. PASO was, however, determined to be independent of both OAS and WHO.<sup>66</sup>

<sup>64</sup>PASSB, Report of the Director of the Pan American Sanitary Bureau to the Member Governments of the Pan American Sanitary Organization, January 1947 - April 1950, p. 22. On 8 February 1950, a Canadian spokesman stated it was "clearly important" that the PASO-OAS Agreement should be in "full harmony" with the WHO-PASO Agreement. However, he "feared that article 100 of the Charter of the Organization of American States might give rise to some inconsistency" between the two agreements. E. S. C. O. R. (X), p. 18, summary record.

<sup>65</sup>International Conciliation, No. 469 (March 1951), p. 157. See also PASO doc. CD6/64, p. 4.

<sup>66</sup>PASO undoubtedly hoped to make the best of all possible worlds. A report of the Permanent Committee of the Executive Committee on the Revision of the Constitution of PASO stated in 1952: "Throughout the draft the Permanent Committee endeavoured to ensure the technical independence and autonomy of the Organization without depriving it of the necessary characteristics to be recognized as a Specialized Agency of the Organization of American States and to act, at the same time, as the Regional Committee and Regional Office of the World Health Organization." PASO doc. CE17/12, p. 4.

Consequently, the Agreement, as finally signed in May 1950, was substantially weaker than OAS had wanted. It stated, for example, that PASO "acts", as rather than "is", an inter-American specialized organization.<sup>67</sup> Nevertheless, provision was made for close cooperation on matters pertaining to finance, administration and general policy.

This Agreement was undoubtedly compatible with the letter, if not perhaps the spirit, of the WHO-PASO Agreement, but this was not the Canadian complaint. Canada still clung to the hope that PASO might ultimately be fully integrated into WHO. The PASO-OAS tie was a step in the opposite direction. Besides, she continued to maintain an attitude of reserve on all Pan American matters.

Despite the passage of time, Canada has remained "reluctant to become associated more closely" with PASO. The most recent official explanation put forward for her policy of dignified detachment is that,

PASO has focussed its attention on the principal health problems of the area which are largely those of a tropical or sub-tropical nature, whereas Canada's contacts in health matters have been traditionally with those countries having similar problems, namely, the United States, the United Kingdom and the countries of Western Europe.<sup>68</sup>

This is certainly true, but is far from being a complete explanation. The significance of Canadian policy towards PASO can be fully appreciated only in the light of the attitude of the Canadian Government towards regionalism in general and pan-Americanism in particular.

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<sup>67</sup> 23 May 1950, Off. Rec. of WHO, No. 25, pp. 61-2. The only OAS specialized organization of which Canada is a member is the Inter-American Statistical Institute.

<sup>68</sup> Canada and the United Nations, 1950, p. 123.

PART II

THE RELATIONSHIP OF GREAT AND SMALL STATES

## CHAPTER VIII

### THE FUNCTIONAL PRINCIPLE

The Canadian Government consistently maintained, during and since the war, that in the organization of international institutions the position accorded members should reflect their importance in the particular sphere with which the organization was concerned. The first formal expression of this functional principle came on 9 July 1943, when Mackenzie King declared:

The time is approaching . . . when . . . the concept of the United Nations will have to be embodied in some form of international organization. On the one hand, authority in international affairs must not be concentrated exclusively in the largest powers. On the other, authority cannot be divided equally among all the thirty or more sovereign states that comprise the United Nations, or all effective authority will disappear. A number of new international institutions are likely to be set up as a result of the war. In the view of the Government, effective representation on these bodies should neither be restricted to the largest states nor necessarily extended to all states. Representation should be determined on a functional basis which will admit to full membership those countries large or small, which have the greatest contribution to make to the particular object in question. In the world there are over sixty sovereign states. If they all have a nominally equal voice in international decisions, no effective decisions are likely to be taken. Some compromise must be found between the theoretical equality of states and the practical necessity of limiting representation on international bodies to a workable number. That compromise can be discovered, especially in economic matters, by the application of the functional principle of representation.<sup>1</sup>

The functional principle is the single most important Canadian contribution to the theory and practice of international organization. It cannot be

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<sup>1</sup>H.C. Deb., 9 July 1943, p. 4558.

claimed a Canadian invention, but the Canadian Government was the first to elevate it into a doctrine, and Canada has been perhaps the foremost proponent of its application and extension.

The notion of functionalism long pre-dates the Second World War, and is indeed as old as power politics itself; for power politics simply means that each nation's share in decisions of international significance is proportionate to its political and military strength. The principle is also contained in the Balfour Declaration of 1926 which stated that:

Equality of status, so far as Britain and the Dominions are concerned, is thus the root principle governing our Inter-Imperial Relations. But the principles of equality and similarity, appropriate to status, do not universally extend to function.

As far as Canada is concerned, the idea appears to have been inspired by the system used in the Governing Body of the International Labour Organization whereby permanent representation is given, not to the Great Powers as such, but to the states of chief industrial importance. There were special reasons for Canadian awareness of the political and legal aspects of the ILO system. At the 1922 Conference, the Canadian Delegation vigorously and successfully resisted a proposal to abolish this system.<sup>2</sup> Since then, apart from one brief period, Canada has continued to qualify as one of the chief industrial states. In 1935, Canada and Belgium were unceremoniously and, in the view of the Canadian Government, unconstitutionally ejected from the Governing Body to make way for the United States and the Soviet Union. Only when Germany withdrew a few months later did Canada regain her seat.

During the early years of the war, the need for a theory of representation in international institutions was not immediately apparent because Canada was

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<sup>2</sup>International Labour Conference, 1922, [Proceedings], I, 256-9.

content to leave the determination of broad policy to the British. When, after Pearl Harbour, she did want a greater voice in the conduct of the war, she discovered that, with the entry of the United States into the war, she had been relegated to the status of a minor ally. Her exclusion from the Combined Boards was particularly disturbing as she considered that her position as a major producer of munitions and supplies entitled her to somewhat more favourable treatment than that accorded the other lesser United Nations. The shock administered by this snub led Ottawa to embark upon an agonizing reappraisal of the Canadian position. From this the functional principle emerged.

Although the functional principle was not publicly announced until July 1943, it had been formulated in general terms within the Department of External Affairs and particularly within the fertile mind of its principal author, Hume Wrong, then Assistant Under-Secretary of State for External Affairs, before the end of 1942. Even prior to this, the Government had, in asserting a claim for representation on the Combined Boards and on the policy-making body of the proposed relief and rehabilitation agency, been acting in accordance with the functional principle. The theory did, in fact, develop by a process of induction out of the need to meet a series of practical problems.

Much to the surprise and delight of the Government, the proclamation of the principle attracted immediate widespread attention and approval. Within the next few days, the diplomatic representatives of Belgium, Brazil, the Netherlands and New Zealand called on the East Block to express the support of their governments for the idea. Also, by a happy coincidence, H.V. Evatt, the Australian Minister of External Affairs and later a powerful advocate of the functional principle, arrived in Ottawa shortly afterwards; and he too gave his blessing. This encouraged King to blow the principle up into something far more important than had originally been intended or, at least, anticipated. From then on, the Government rarely missed an opportunity to express its views on the subject.

The functional principle was advocated and argued in public and in private with relentless persistence. No other Canadian contribution to the development of international institutions was pressed with anything like the same expenditure of time and energy.

The confusion and obscurity of Mackenzie King's public pronouncement of 9 July 1943, faithfully reflected the fluidity of Government views at the time. The speech was, in fact, assembled at the last moment from a collection of badly integrated and ill-digested sentences and drafts prepared at different times by various officials. It had not even been approved by the Cabinet before it was read to the House of Commons. For some time previously, the Department of External Affairs had been considering three different but related approaches -- functional membership in "councils", restricted membership in "assemblies" and weighted voting -- each of which finds a place in King's statement. Eventually it was decided on grounds of practicability to emphasize the first. Nevertheless, the functional principle remained a fundamental determinant of Canadian policy not only on the composition of councils,<sup>3</sup> but also on voting procedure and on the relationship of councils and assemblies; in fact, on every issue involving the relations of great and small states. The first problem to arise concerned the role which the smaller powers in general and Canada in particular were to play in the conduct of the war. Debate continued during the drafting of the constitutions of UNRRA, the specialized agencies and the United Nations Organization itself. Since the war, the issue has also arisen in connection with the control of the defeated Axis powers, the preparation of the peace treaties, and the practical operation of the United Nations and NATO.

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<sup>3</sup>The term "council", as used here, includes all executive committees, commissions, boards, etc., but not IEFPC, IWC, the UNRRA Council or the General Council of IRO which were really assemblies.

The functional principle may be reduced to two basic propositions: first, the Great Powers are entitled to take the lead in international affairs, but not to dominate them; and, secondly, control should be shared with such other powers but only such other powers as are able and willing to make a definite contribution to the particular object in view. The first aspect was consistent with traditional Canadian policy; for instance, at the Paris Peace Conference in 1919, Canada had joined with other small powers in protesting against the domination of the Great Powers.<sup>4</sup> But the second aspect represented a new development and reflected the wartime growth in Canadian stature and maturity.

In March 1945, in outlining Canadian views on the role of the Great Powers, Mackenzie King stated: "In general, exception can hardly be taken to the extension . . . of some special prerogatives to the Great Powers, on whom the major responsibility for keeping the peace must rest. That is a correct application of the functional idea."<sup>5</sup> It was not a question of power or status, but simply of functions and responsibilities. Hence Canada was prepared, in appropriate circumstances, to consent to the assignment of special powers to the Security Council, to permanent representation, and even to the veto. But, while Canada was ready to support and indeed welcome a world security organization in which the Great Powers bore the main burden, one of her fundamental aims was to ensure that they did not bear the whole burden and take all the responsibility. She wanted "a real society of nations and no narrow exclusive alliance, however holy, of three or four or five great powers".<sup>6</sup>

<sup>4</sup>G.P.deT. Glazebrook, Canada at the Paris Peace Conference (Toronto: Oxford University Press, 1942), pp. 51-2.

<sup>5</sup>H.C. Deb., 20 March 1945, p. 28.

<sup>6</sup>Pearson, Alumni Federation, University of Toronto, Toronto, 23 February 1945.

In this, Canada shared the emotions and fears of all smaller states in distrusting any system revolving exclusively around the major powers. If this should occur, L.B. Pearson foresaw but three possible results. "The states other than the 'Big Four'", he wrote in the spring of 1944,

will either try to form power groups themselves and demand a franchise in the "Major League", or they will cluster uneasily for security in the shadow of a great power, or they will relapse into isolation and seek security in neutrality. None of these results will make for peace. The first simply extends the "balance of power" idea. The second merely surrounds each of the existing Big Four with satellites, who will share its fate and be lost in its ambitions and its fears. Least of all is there any hope in isolation, even for small states.<sup>7</sup>

Furthermore, the Canadian Government strongly suspected that the Great Powers, if left to themselves, would give scant consideration to the interests of others. Although Mackenzie King deprecated the existence of any "false antithesis"<sup>8</sup> between the interests of the larger and smaller nations, in August 1944 he pointedly referred to Munich and asserted:

Unless the smaller countries can play their due part in the new international system, there will be ever present the fear that great powers may settle their differences at the expense of the smaller countries. The mere existence of such a fear would in time greatly prejudice the whole scheme.<sup>9</sup>

A keen appreciation of this danger explains Canada's strong support for the inclusion of a reference to "the principles of justice and international law" in Article 1:1 of the United Nations Charter.<sup>10</sup>

<sup>7</sup>"Canada and the Postwar World", Canadian Affairs (April 1, 1944), p. 10.

<sup>8</sup>2 August 1946, Paris Peace Conference.

<sup>9</sup>H.C. Deb., 4 August 1944, p. 5909. Some months earlier, Lord Halifax had written: "I think none of us who belongs to the Great Powers need pay serious attention to those overconscientious souls who fear that enterprise on our part must be the first step to our dictatorship." International Conciliation, No. 398 (March 1944), p. 176.

<sup>10</sup>U.N.C.I.O., VI, 319; Report on the San Francisco Conference, pp. 16-17.

There was also the opposite danger: not that the Great Powers would seek to impose their will on the smaller countries, but that they would be unable to compose their own differences sufficiently to reach any decisions at all. In the Canadian view, leaving the Great Powers on their own would only tend to bring their conflicting interests into sharper focus. The best hope of harmonizing these lay in bringing the Great Powers into association with the smaller countries, and thus submerging the rivalries of the few in the interests of all. "There are those who feel", Brooke Claxton declared in June 1944, "that the chance of the three or four Great Powers working together and continuing to work together will be increased as the basis of cooperation is broadened, and I am one of them."<sup>11</sup>

Apart from these general considerations, there were special reasons why Canada opposed "the 'Titanic' conception of international collaboration".<sup>12</sup> The Canadian Government contended that the traditional distinction between great powers and small powers was not as sharp as had generally been assumed, even in the political and military sphere. "The simple division of the world", King asserted in August 1944,

between great powers and the rest is unreal and even dangerous. The Great Powers are called by that name simply because they possess great power. The other states of the world possess power -- and, therefore, the capacity to use it for the maintenance of peace -- in varying degrees ranging from almost zero in the case of the smallest and weakest states up to a military potential not very far behind that of the Great

<sup>11</sup> 2 June 1944, Brooke Claxton, "The Place of Canada in Postwar Organization", Canadian Journal of Economics and Political Science, X (1944), 414; Statements and Speeches No. 48/56, p. 3; Leighton McCarthy, 5 June 1944, quoted in H.C. Deb., 4 August 1944, p. 5921; Pearson, Alumni Federation, University of Toronto, Toronto, 23 February 1945.

<sup>12</sup> Ibid. The term "Titans" was used by Lord Halifax in his controversial address to the Toronto Board of Trade, 24 January 1944.

Powers.<sup>13</sup>

Such states were variously referred to as intermediate, secondary, security or most usually middle powers. This latter term was not a Canadian invention;<sup>14</sup> nor was King particularly enthusiastic about it.<sup>15</sup> Admittedly it was a dramatic way of illustrating the important point that no rigid and unbridgeable gulf existed between great and small states and that all powers other than the Great Powers were not equally small; but it still carried with it the implication that states could be rigidly classified into neat categories. The existence of three such categories was only slightly less objectionable, in principle, than two. It was certainly never part of Canadian policy, nor was it practicable, to claim for the middle powers a status which was as clearly identifiable as that of the Great Powers. In the Canadian view, the existence of a sharp distinction between great and middle powers was as illogical and unreal as the usual division of states into great and small powers for the differences within each group were at least as great as those between groups. It could even be expected that in such fields as international trade, civil aviation, shipping and agriculture several of the middle powers would play a more important role than some, at least, of the major military nations.

Moreover, Canada evidently aspired to a higher status than that of other

<sup>13</sup>H.C. Deb., 4 August 1944, p. 5909. Also UN doc. A/AC.18/SR.12, p. 7; G.A.O.R. (III/1), Ad Hoc Political Committee, p. 194. King sought to emphasize this point by frequent use of such terms as "the greater powers", "the largest states" or "the most powerful nations".

<sup>14</sup>The term was used by Jan Christian Smuts in The League of Nations: A Practical Suggestion (London: Hodder and Stoughton, 1918), p. 45.

<sup>15</sup>"There is also a good deal of talk, much of it critical, of an alleged desire on the part of the Canadian Government to see Canada enrolled among the middle powers. I was careful in my [20 March 1945] statement to say nothing to support this unfounded assumption." King, H.C. Deb., 28 March 1945, p. 308. It appears that King never used the term.

middle powers.<sup>16</sup> It became fashionable, particularly on Dominion Day, to refer to Canada as "a leading middle power", "an emerging world power", or "a world power", or even as "one of the Great Powers".<sup>17</sup> It could even be said that, in contrast to Australia which apparently sought to be the greatest of the middle powers, Canada aimed to be the smallest of the Great Powers. Certainly, at least in the fields of relief, civil aviation and trade, she considered herself and was generally regarded as one of the major powers. In describing Canada's status at the First Session of the UNRRA Council in November 1943, one of the Canadian delegates wrote privately: "We came next to the Big Three and both the U.K. and U.S. discussed drafts with us frequently before they did [with] each other. Almost more frequently the drafts were in the first instance prepared by us."<sup>18</sup> Prior to the International Civil Aviation Conference in Chicago in December 1944, C.D. Howe specifically rejected a suggestion that Canada should organize and lead a bloc of small countries at the Conference; and, afterwards, he proudly asserted that Canada had been accepted as "one of the 'Big Three' of

<sup>16</sup>This is disputed. See James A. Gibson, "Mr. Mackenzie King and Canadian Autonomy, 1921-1946". Canadian Historical Association, Annual Report, 1951, p. 17.

<sup>17</sup>Martin, CBC broadcast, 7 March 1945; King, H.C. Deb., 1 July 1943, p. 4336; 4 August 1944, p. 5908; 1 July 1947, p. 4888. Claxton, King's Parliamentary Assistant, stated on 27 August 1943: "While we are a world power, we are not a great power." Violet Anderson, ed., The United Nations: Today and Tomorrow (Toronto; Ryerson, 1943), p. 158. Pearson in an allusion to baseball declared: "We are moving up in the International League, even though we are not yet in the First Division." Canadian Club, Toronto, 13 March 1944. On Pearson's arrival in Moscow in October 1955, Molotov greeted him with the statement, "Here, Canada is regarded as one of the Great Powers." Montreal Gazette (12 October 1955), p. 8.

<sup>18</sup>10 December 1943. He added: "This association with the great did not prevent our working with the less great. The European countries all take it for granted that we would associate ourselves with them in their efforts to curtail the functions of the big powers to reasonable limits."

the Conference".<sup>19</sup> Similarly, during the drafting of the ITC Charter, Canadian delegates became accustomed to the inclusion of Canada within the Big Three. "There is an outstanding Big Three in the field today," Howe declared in December 1947, "and Canada is one of the three."<sup>20</sup>

No definitive list of middle powers has been or probably can be drawn up.<sup>21</sup> All that can be said is that there are a number of states in the world which cannot be ranked with the mightiest states but which, "by reason of their size, their material resources, their willingness to accept responsibility, their influence and their stability, are close to being great powers".<sup>22</sup> In 1945, L.B. Pearson named six UN members which he considered qualified -- Australia, Belgium, Brazil, Canada, Mexico, and the Netherlands<sup>23</sup> -- but a current list would include such states as Argentina, Egypt, the German Federal Republic, India, Italy, Japan, Pakistan, Turkey and Yugoslavia. Indeed, several of Pearson's six would now be well down on the list.

The Canadian Government argued, in support of the functional principle,

<sup>19</sup>H.C. Deb., 20 April 1944, p. 2193, 6 November 1945, p. 1870; Canadian Club, Toronto, 19 February 1945.

<sup>20</sup>H.C. Deb., 10 December 1947, p. 130. Canada was the third largest trader in the world in absolute terms.

<sup>21</sup>For this reason, the term middle powers is not capitalized, while Great Powers is. The Great Powers are those listed in the UN Charter as permanent members of the Security Council.

<sup>22</sup>H.G. Riddell, 22 June 1948, Statements and Speeches No. 48/40, p. 1. "No one has offered an adequate definition of a middle power but there are certain well marked attributes which, taken singly or in various combinations, produce an identifiable result." He added that "it was probably equally difficult to define a great power". Ibid.

<sup>23</sup>CBC broadcast, 1 July 1945. He described this group of states as "a link, or, if you like, a shock absorber between the Big Four and the Little Forty". Two years later, a former Department of External Affairs official added three more states to the list: Argentina, India and Poland. G.P.deT. Glazebrook, "The Middle Powers in the United Nations System", International Organization, I (1947), 307.

that it was scarcely commonsense not to utilize fully the substantial contributions which the middle powers were in a position to make. Furthermore, it stressed the point, which in view of the uncertain state of public opinion it regarded as of the greatest importance, that no nation could be expected to play its proper part in international affairs if its influence bore no relation whatever to the weight of responsibility it carried. Thus, the Canadian case against assigning exclusive or even in some cases primary control in international institutions to the Great Powers rested on the two-fold claim that it was untrue that the Great Powers were the only important states in the world, and undesirable that they should exercise any greater authority in international institutions than their importance justified. As Mackenzie King declared at the San Francisco Conference, "Power . . . is not exclusively concentrated in the hands of any four or five states, and the Conference should not act on the assumption that it is."<sup>24</sup>

In his statement of 9 July 1943, Mackenzie King also warned against the opposite and equally serious danger of rigidly insisting on the equality of all sovereign states. L.B. Pearson later took up the same cry. In a series of public addresses during 1944 and 1945, he denounced the "tendency to cling to political dogmas and ideas that were designed and developed for an age which is as dead as Queen Anne". In particular, he said:

A lot of nonsense is being talked nowadays about sovereign equality. It is one of those phrases, the facile and unthinking acceptance and use of which can be almost as great a handicap to international cooperation as the arbitrary concentration of power in the hands of a few states at the expense of the rest. Power in the conduct of international relations must be related in some way to responsibility.

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<sup>24</sup>27 April 1945, U.N.C.I.O., I, 194.

Absolute equality would probably mean absolute futility.<sup>25</sup>

On another occasion, he declared, "One must be realistic. Equality in theory and equality in fact are as far apart as Hitler and truth. We should not confuse status and stature."<sup>26</sup>

The functional principle was carefully calculated to allay the legitimate fear of the Great Powers that, if they shared any of their power with the smaller powers, they would eventually be forced into the position of surrendering complete control. In the Canadian view, the two-penny-half-penny banana republic had a right equally with the greatest states to some share in every discussion or decision affecting its interests, but this equal right was not to an equal share. Panama could not expect to wield the same influence as the Soviet Union -- or Canada.

Although the adoption of the functional principle was in Canada's interest, the element of idealism which was present, at least initially, cannot be ignored.<sup>27</sup> As one Government leader confessed privately, "We are almost the only country whose best interest is served by being objective."<sup>28</sup> The enthusiasm and devotion of Canadian officials to the principle was inspired by a

<sup>25</sup>Alumni Federation, University of Toronto, Toronto, 23 February 1945.

<sup>26</sup>Canadian Club, Toronto, 13 March 1944; also "Canada and the Postwar World", Canadian Affairs (April 1, 1944), p. 10.

<sup>27</sup>"Our Government has always attached great importance to . . . the functional principle . . . and that is not because of any selfish interest in the application of the principle involved. It is because we wish to see the greatest possible measure of achievement, believing as we do, that the interests of our country can best be served by that which serves the whole community of nations." St. Laurent, 18 January 1946, G.A.O.R. (I/1), Plenary Meetings, p. 203.

<sup>28</sup>10 December 1943. Claxton claimed, on 25 October 1948, that, "because Canada has no particular interest except peace, we [have] usually stood objectively for what was generally regarded to be the interest of all countries". Statements and Speeches No. 48/56, p. 2.

genuine belief that this device might, by enabling international institutions to be both democratic and effective, make the difference between their success and failure. In retrospect, this sweeping claim does not seem overly exaggerated. The twin weaknesses of the United Nations have been the excessive power accorded the Great Powers in the Security Council and the diffusion of power in the General Assembly. In 1943, Mackenzie King said, "authority in international affairs should not be concentrated exclusively in the largest powers" nor "divided equally among all . . . the United Nations, or all effective authority will disappear". Time and experience has sustained the soundness of this judgment.

The following chapters will record Canadian efforts to avoid the Charybdis of a world under the hegemony of the Great Powers and the Scylla of a world where power and responsibility counted for nothing. The fact that these efforts were only partially successful does not make them any less worthy.

## CHAPTER IX

### CONDUCT OF THE WAR

For the first two years of the war, Canada was content to play only a minor role in its conduct. She had few grounds on which to claim a larger share, and little ambition or incentive to do so. Unlike the United Kingdom after the fall of France, she was not directly threatened with invasion. Nor, like the other Dominions, were her troops actively engaged against the enemy. Besides, if greater participation in major military and political decisions had been desired, it would inevitably have involved the establishment of some sort of imperial war cabinet -- with all that that was thought to imply in terms of Canadian autonomy. As we have seen (Chapter III), Mackenzie King was vehemently opposed to formalizing the Commonwealth relationship and reacted strongly to the merest suggestion of this emanating from London or elsewhere.

The cooperative arrangements worked out with the United States were also considered generally satisfactory. Under the impact of the war and in the absence of the complications which caused Canada to reject overtures for closer imperial ties, the two countries had greatly strengthened the military and economic links between them. In August 1940, they set up the Permanent Joint Board on Defence.<sup>1</sup> This was followed by a series of further combined bodies:

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<sup>1</sup>18 August 1940, C.T.S., 1940, No. 14. The Declaration bears no signatures.

the Materials Coordinating Committee in May 1941,<sup>2</sup> the Joint Economic Committees in June<sup>3</sup> and the Joint War Production Committee in November.<sup>4</sup> Two further committees - the Joint Agricultural Committee<sup>5</sup> and the Joint War Aid Committee<sup>6</sup> - were subsequently created though neither was particularly significant nor successful.

Two factors combined to disturb Canadian complacency: the slow drift of the United States from benevolent neutrality to non-belligerency and eventually to active belligerency, and the growth of Anglo-American collaboration. Both developments were warmly welcomed and indeed actively encouraged by the Canadian Government. But, at the same time, both tended to depress Canada's relative importance, politically and economically, with results that eventually aroused some concern in Ottawa.

The first faint indications of a change came soon after the fall of France. In the early months of the war, a British Supply Board had been established in Ottawa to handle British purchases in the United States as well as in Canada. But, with the United States rapidly surpassing Canada in importance as a potential supplier of munitions, an independent British Purchasing Commission was

<sup>2</sup> 14 May 1941, exchange of letters between C.D. Howe and William S. Knudsen, 30 April and 1 May 1941. History of the Materials Coordinating Committee, United States and Canada, May 14, 1941-1945 (Washington: War Production Board, November 1945), typed, pp. 10, 11.

<sup>3</sup> Department of External Affairs, Press Release, 17 June 1941; Department of State, Executive Agreements Series 228. There were two national committees which met separately as well as jointly.

<sup>4</sup> Canada, House of Commons, Journal, 5 November 1941, pp. 617-8. The Committee had originally been designated the Joint Defence Production Committee. It was renamed after the entry of the United States into the war.

<sup>5</sup> Order in Council P.C. 2044, 15 March 1943.

<sup>6</sup> New York Times (23 August 1943), p. 1.

set up in New York. Then, in August, the Ottawa Board itself was wound up.<sup>7</sup>

There was also some feeling in Canada that, in the military sphere, the United States was beginning to collaborate more closely with Britain. In August 1940, Washington despatched special military observers to London at a time when the Canadian-American staff were bogged down. This may well have prompted the Canadian Government to press for the early conclusion of the mutual defence agreement drawn up at Ogdensburg later in the month.<sup>8</sup> If so, it turned out to be but a temporary triumph for, under its terms of reference, the sphere of responsibility of the Permanent Joint Board on Defence was confined to the defence of the northern half of the Western Hemisphere. As the threat of direct German attack on North America receded, the Board rapidly declined in importance in American eyes. By early 1941, it had been completely overshadowed by the British-United States Staff Conversations held in Washington from 29 January to 29 March. Canada did not participate in these discussions, though Britain frequently consulted her during their course.<sup>9</sup>

The Report of these Conversations, known as ABC-1, recommended that strategic direction of all American, Commonwealth and other allied forces anywhere in the world except in Canada should be assigned to the United Kingdom and/or the United States. On Canadian insistence, provision was made for Canada to assume "responsibility for the strategic direction" of military forces in her own "waters and territories". The nature of these strategic responsibilities was to be defined in a supplementary Canadian-American agreement. In the ensuing

<sup>7</sup>H. Duncan Hall, North American Supply (London: H.M. Stationery Office, 1955), pp. 19, 70, 218.

<sup>8</sup>Stanley W. Dziuban, United States Military Collaboration with Canada in World War II (Washington: Department of the Army, 1954), pp. 42-3, 114.

<sup>9</sup>Ibid., pp. 117-9, 219-20; Maurice Matloff and Edwin M. Snell, Strategic Planning for Coalition Warfare: 1941-1942 (Washington: Government Printing Office, 1953), p. 33.n.5.

negotiations, the United States pressed strongly for unqualified control of all Canadian forces in Canada. The Canadian Government was prepared to concede this in the event that Canada actually became a theatre of operations, but this was not an assumption upon which ABC-1 was based; nor did it seem a likely possibility. Consequently, the Joint Canadian-United States Basic Defence Plan, No. 2 (ABC-22) merely stated that the "coordination of the military effort" of the two countries would be effected by "mutual cooperation", and that each nation would "retain the strategic direction and command of its own forces".<sup>10</sup>

ABC-1 also provided that a British Military Mission should be set up in Washington and that the Dominions should be represented on it by their service attachés. Canada rejected this arrangement made on her behalf. In an aide-mémoire presented to the State Department on 1 July, the Government stated that it felt "very strongly" that "problems of joint action in the Western Atlantic and possibly the Eastern Pacific" could "best be handled by the establishment of a separate organization rather than by any method of Canadian representation on the United Kingdom Mission". Opposition to this proposal came mainly from the War and Navy Departments both of which feared that its acceptance would create an undesirable precedent and lead to Washington being flooded with military missions from all the Dominions and Latin America. Besides, United States service opinion was that "Canada was a nuisance and had much better be treated as a part of Britain". The Canadian request was rejected twice and then dropped until after Pearl Harbor.<sup>11</sup>

Such developments could be ignored, particularly in the midst of a war,

<sup>10</sup> Congress of the United States, Hearings before the Joint Committee on the Investigation of the Pearl Harbor Attack (Washington: Government Printing Office, 1946), Part 15, pp. 1501-3, 1537; C.P. Stacey, "The Canadian-American Permanent Joint Board on Defence, 1940-1945", International Journal, IX (1954), 118-9.

<sup>11</sup> Daluban, US Military Collaboration with Canada, pp. 134, 150-7.

as long as Canada continued to fulfil her manifest destiny as a trans-Atlantic interpreter. There is abundant evidence that in the summer of 1940, Mackenzie King played a crucial role in healing a serious breach between Churchill and Roosevelt, and later in bringing about the destroyers-for-bases deal. But King's efforts proved almost too successful; before long Roosevelt and Churchill were working together so harmoniously that the "linch-pin" could safely be dispensed with.

Canada's changing role in Anglo-American relations was clearly revealed by the contrast between her part in the initial and final stages of the negotiations leading up to the leased bases agreement. Although Canada was instrumental in launching the plan, she was not a principal in the detailed discussions which followed, even though she had a direct and indisputable interest in the decisions reached concerning bases in Newfoundland. The Government protested so strongly at this cavalier treatment that towards the end it was admitted as an observer, and a special protocol defining the Canadian position was attached to the final agreement. Subsequently, King personally lodged protests with both Roosevelt and Hull.<sup>12</sup>

An even more striking illustration of the new pattern emerging in the North Atlantic was the deliberate exclusion of Mackenzie King from the Atlantic Conference which met on Canada's eastern doorstep in August 1941. Roosevelt even postponed his plan to visit Ottawa on his way to Argentina because he anticipated

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<sup>12</sup>Ibid., pp. 129-30. Dziuban's account is based on a Department of State telegram to London, 22 March 1941, and memoranda of conversations between Hull and King, 17 April 1941, and Norman Roberston and Pierrepont Moffat, US Minister to Canada, 12 May 1941. It is only proper to add that, at an earlier stage in the proceedings, Canada declined an invitation to be a principal in the negotiations. The Government later regretted this blunder and reversed its stand. It may originally have feared that direct Canadian participation in the negotiations might have put the United States in a stronger position to press her demand for bases in Canada. Although Canada had received six of the destroyers, she was apparently not prepared to give bases in return. C.P. Stacey, "The Canadian-American Permanent Joint Board on Defence, 1940-1945", International Journal, IX (1954), 119.

difficulties in explaining to King why he had not been invited.<sup>13</sup> Canadian interest in the conference was certainly understandable for, in addition to discussing general problems, Churchill and Roosevelt took important decisions of direct concern to Canada, for instance, the placing of seventy-five ships of the Royal Canadian Navy under USN command.

Pearl Harbour carried developments much further. While Anglo-American collaboration was greatly strengthened, Canada, despite her mounting war effort, continued to be crowded out of the picture more and more. This was most obvious in the case of the Combined Boards. In the process of trying to rectify this situation, Canada evolved the functional principle.

#### Political and Strategic Direction

The broad outlines of the institutional structure of the Grand Alliance emerged during the first Washington conference of December 1941-January 1942. No machinery was set up directly associating all the United Nations, or even the Big Four, in the higher direction of the war. In fact, the establishment of representative institutions was scarcely even discussed. Admittedly, on Churchill's arrival in Washington, Roosevelt announced that their discussions would be "preliminary to further conferences which will officially include Russia, China, the Netherlands and the Dominions",<sup>14</sup> but it is doubtful if this statement was intended to be taken literally. Certainly, it was not given a second thought. A more

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<sup>13</sup>Roosevelt, "Memorandum of Trip to Meet Winston Churchill, August 1941", 23 August 1941, referred to in Dziuban, US Military Collaboration with Canada, p. 131; Robert Sherwood, Roosevelt and Hopkins: An Intimate Story (New York: Harper, 1948), p. 350.

<sup>14</sup>22 December 1941, New York Times (23 December 1941), p. 1. Possibly Roosevelt envisaged further experiments in inter-allied discussion of non-controversial topics on the model of the St. James's Palace Conferences of 12 June and 24 September 1941, at both of which Canada was represented.

serious suggestion was the State Department proposal for a four-power Supreme War Council similar to that set up during the First World War and approved in principle by the Anglo-American Staff Conference in February 1941. Cordell Hull favoured admitting the lesser allies on an ad hoc basis as occasion warranted, but Lord Halifax expressed doubt whether the Dominions would be content with anything less than equality of status with Britain. Meanwhile, the British War Cabinet had also learned of the proposal and warned Churchill by cable while he was still at sea.<sup>15</sup> However, when the two leaders got together, they found themselves in complete agreement that participation in the overall controlling authorities should, in the interests of swift action and efficient working, be restricted to Britain and the United States.

While Canada was prepared to admit that this "arrogation of power" may have been necessary during the critical emergency of the war, she could not support the principle of the United States and the United Kingdom reserving to themselves the sole right to make all the important political and military decisions of the war. Commenting on this in 1948, L.B. Pearson was even prepared to argue that,

the total military, economic and moral strength of the alliance against Germany and Japan would have been greater if there had been a constitutional system under which each of the allies had a fair share in the determination of policy and under which the organs of the alliance were created by the allies as a whole and owed their authority to the alliance as a whole.<sup>16</sup>

Nevertheless, Canada eventually accepted the facts of the situation and acquiesced with good grace. She recognized that the question of her participation in the political and strategic direction of the war also involved consideration of

<sup>15</sup>The Memoirs of Cordell Hull (New York: Macmillan, 1948), II, 1116-21; Hall, North American Supply, p. 344.

<sup>16</sup>21 September 1948, Statements and Speeches No. 48/48, p. 6.

the status of other states; and she keenly appreciated how important it was not to "prejudice or compromise - in the slightest degree - the concentration of responsibility for strategic decisions". She admitted that not all the United Nations could or should play exactly the same part or have exactly the same voice and it was only natural that the leaders of the Big Four should enjoy "a certain priority" in the consideration and discussion of the conduct of the war. The "more comprehensive institutional organization", which Mackenzie King felt would "probably" be required eventually, was not at the moment a practical proposition, and he concluded there was little to be gained by pressing the point.<sup>17</sup>

Australia, on the other hand, acting under the threat of imminent invasion, raised a veritable storm of protest at her exclusion; and this stirred one Pacific-minded Canadian M.P. to enquire why Canada was so passive in comparison. "Sometimes," King pointedly remarked in reply,

an individual achieves most not by asserting himself too much, but by effacing himself, by taking into account the difficulties which others have and which have to be met, and by seeking as far as possible not to emphasize or increase these difficulties. . . it is much the same with a nation as with an individual.<sup>18</sup>

This contrast between the characteristic approaches of Australia and Canada was to be a constantly recurring theme. It was particularly in evidence during discussions of voting procedure at the San Francisco Conference, at the Paris Peace Conference and in the Far Eastern Commission.

<sup>17</sup>H.C. Deb., 1 February 1943, p. 42; 11 August 1944, p. 6271.

<sup>18</sup>H.C. Deb., 25 March 1942, pp. 1632-3. "The difficulty is that Mr. King cannot announce that we have pressed to the limit our desire to occupy a position on this or that first level or line, and had not been successful. It would give the demagogue in the House of Commons and elsewhere too great an opportunity to stir up out of all proportion the nationalistic feelings of the people of Canada." Leighton McCarthy, Canadian Minister to the United States, letter to J.W. Dafoe, 29 March 1943, Dafoe Papers.

The monopoly position of the Great Powers was, however, only accepted subject to certain specific understandings. First, Canada expected to be kept informed on all important developments and to be consulted before any decision directly affecting her interests was taken. On the whole this proved to be the case, though there were "one or two or three or four slips here and there", where public announcements were made by others a little sooner than Ottawa felt they should have been. The Canadian Government recognized that occasionally the need for haste made such incidents unavoidable; nevertheless, there never was an occasion when Canada did not privately, though rarely publicly, place her position "very strongly on record".<sup>19</sup>

Secondly, Canada expected that when international representative institutions were established, equal claims for membership would receive equal treatment. This became a practical problem only in connection with those twin oddities, the Pacific Council (London) and the even more extraordinary Pacific War Council (Washington). The Pacific Council was set up on 9th February 1942 with jurisdiction limited to the South-West Pacific and South-East Asia. As Canada was not at that time an active belligerent in the region, she did not press her claim to representation. The mere fact that Australia and New Zealand were members did not mean that Canada felt she too ought to have been included. On functional grounds, the claims of the Southern Dominions were far stronger than her own. Besides, the Americans were boycotting it.<sup>20</sup>

In any case, the successful Japanese drive to the South soon necessitated a reorganization of allied councils and commands. Roosevelt proposed the establishment of a Pacific War Council in Washington to supersede or at least supple-

<sup>19</sup>H.C. Deb., 1 February 1943, pp. 41, 43; 11 August 1944, p. 6271; 17 December 1945, p. 3691.

<sup>20</sup>King, H.C. Deb., 28 January 1942, p. 107; 16 February, p. 598; 25 March, pp. 1632-3.

ment the London body. He suggested that the scope of the new council should extend to the whole of the Pacific and that Canada might be invited to join. Churchill demurred on this latter point, preferring to limit membership to "those whose fortunes were involved".<sup>21</sup>

Meanwhile, Canada "strongly presented" her views to the United States and Britain, making it clear that she expected to be represented on such a council.<sup>22</sup> When, therefore, the Pacific War Council was created in Washington on 30 March 1942, Canada was named a member. It soon became evident, however, that its significance was mainly psychological; it gave the lesser powers the shadow of control without the substance. The American Chiefs of Staff did not even attend its weekly meetings, and there was little revealed at them that the Canadian representative could not or did not learn through other channels. Roosevelt himself bragged that the Council gave him "a chance to keep everybody happy by telling stories and doing most of the talking."<sup>23</sup> Membership in the Council also carried with it membership in its military counterpart, the Military Representative of Associated (Pacific) Powers.<sup>24</sup> Subsequently, Canada joined the original

<sup>21</sup>W. S. Churchill, The Second World War (London: Cassell, 1948-54), IV, 175; Sherwood, Roosevelt and Hopkins, p. 510.

<sup>22</sup>H.C. Deb., 16 February 1942, p. 598; 25 March, pp. 1633, 1634.

<sup>23</sup>17 July 1942, Elliot Roosevelt, ed., F.D.R.: His Personal Letters, 1928-1945 (New York: Duell, Sloan and Pearce, 1950), II, 1330. Cf. Evatt's defence of the Council, "Risks of a Big Power Peace", Foreign Affairs, XXIV (1945-46), 196. Canada made good use of the Council on at least one occasion. At its third meeting on 15 April 1942, Roosevelt brought up his pet idea of a second front in Europe in 1942 and light-heartedly intimated that the Canadians were "raring to go". King quickly disabused him of that notion. C. P. Stacey, Six Years of War: The Army in Canada, Britain and the Pacific (Ottawa: Queen's Printer, 1955), pp. 320-1.

<sup>24</sup>Nine meetings were held in Washington, 26 May 1942 to 18 January 1943. Roy S. Cline, Washington Command Post: The Operations Division (Washington: Government Printing Office, 1951), p. 101.n.33.

Pacific Council which continued to function intermittently in London until August 1943.<sup>25</sup>

The limited nature of the representative institutions created by the United Nations was rendered more palatable by the development of ad hoc arrangements which took into account Canada's special position. In this, her geographical situation was a tremendous asset. Persons travelling between Washington and London found it easy to stop off in Ottawa.<sup>26</sup> On two occasions, Churchill and Roosevelt met in Canada with the result, according to Churchill, that King and his colleagues felt themselves "thoroughly 'on the map'".<sup>27</sup> Canadians were within easy access of the American capital and even, with the development of trans-Atlantic air travel, of the British capital. It was, therefore, physically simple for Mackenzie King to hover on the fringe of the Roosevelt-Churchill conferences. As a result, although he was excluded from the Argentina conference of August 1941, he managed to turn up at five of the others: the three Washington conferences (ARCADIA, in December 1941, ARGONAUT, June 1942, and TRIDENT, May 1943) and the two Quebec conferences (QUADRANT, August 1943 and OCTAGON, September 1944). Indeed, King's presence at Anglo-American conferences was so taken for granted that his absence from SYMBOL, held in far-away Casablanca, occasioned a question in the House of Commons from the Leader of the Opposition.<sup>28</sup> Although King attended all but two of the major Anglo-

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<sup>25</sup>H.C. Deb., 21 April 1942, p. 1791; 22 February 1943, p. 583.

<sup>26</sup>H.C. Deb., 9 July 1943, p. 4561.

<sup>27</sup>Churchill, telegram to Attlee, 25 August 1943, Second World War, V, 83.

<sup>28</sup>H.C. Deb., 1 February 1943, pp. 26, 40-1. There were, of course, no Canadian representatives present at the Cairo, Teheran, Yalta or Potsdam conferences. Canada raised no objection to this procedure. In fact, nearly three months before the first Big Three conference, Claxton advocated such a meeting at a press conference in Washington. New York Times (2 September 1943), p. 7. Churchill invariably provided the Dominion Prime Ministers with official summaries of the conferences. Churchill, Second World War, V, 112.

American conferences, it does not appear that he was ever admitted to the formal sessions. However, he did hold frequent separate discussions with both Churchill and Roosevelt. In addition, on at least one occasion, a special tripartite meeting did take place.<sup>29</sup> As a result, there was ample opportunity to give full expression to the Canadian point of view.

The clearest illustration of Canada's unique position among the United Nations and, at the same time, one of the most important instances of the application of the functional principle was C.D. Howe's appointment, along with two Britons and three Americans, to membership on the high-level Combined Policy Committee. This Committee was set up on 19 August 1943 during the first Quebec Conference to carry out the terms of the top secret Roosevelt-Churchill agreement on atomic energy. Canadian representation was fully justified on the grounds of Canada's wartime work in this field. After the war, Truman and Attlee agreed, in a signed memorandum dated 15 November 1945, that the Committee should be continued "in a suitable form". It continues to function steadily, even though its scope has been seriously restricted by congressional legislation.<sup>30</sup>

Canada also developed a special relationship with the Combined Chiefs of Staff Committee (CCSC) created in January 1942. At one time, she considered formally applying for membership, but, at its meeting on 13 February 1942, the Cabinet concluded that this would be a waste of time in view of the determined resistance of Britain and the United States to similar requests from "everyone and his grandmother".<sup>31</sup> A secondary reason for Canada's decision was that by

<sup>29</sup> 15 September 1944, Stacey, Six Years of War, pp. 512.n, 513.

<sup>30</sup> Standing Committee on External Affairs, Minutes, 7 April 1954, pp. 40-1, 42; Memoirs by Harry S. Truman (New York: Doubleday, 1955), I, 544.

<sup>31</sup> Harry Hopkins, 30 December 1941, Sherwood, Roosevelt and Hopkins, p. 469. Australia and New Zealand repeatedly sought direct representation on the CCSC. This was one of the principal reasons for Evatt's visit to Washington in March

this time the Government's faith in military leaders had been pretty severely shaken. In the end, association took several different forms.<sup>32</sup> At the highest level, the Canadian Chiefs of Staff held formal and informal discussions with their American and British opposite numbers during the Washington and Quebec Conferences. At the first Quebec Conference, the question of inviting the Canadian Chiefs of Staff to CCSC meetings was raised only to be dropped.<sup>33</sup> In fact, just as King never attended the formal plenary meetings between Churchill and Roosevelt, so all discussion between the Canadian Chiefs and their British and American colleagues were bilateral.

Secondly, Canadian representatives attended regular meetings of the CCSC whenever discussions directly concerned her. "We are entitled . . . to be heard", King asserted, "respecting any aspect of the war situation we may wish to present."<sup>34</sup>

Thirdly, liaison was maintained through Canadian Military Headquarters in London and later through the Joint Staff Mission in Washington. As we have seen, the establishment of the latter had been resisted by the British and vetoed by the Americans in 1941. Following the establishment of the Combined Chiefs of Staff Committee in Washington, the British Government suggested that the Dominions establish liaison arrangements through the proposed London counterpart of the CCSC. Ottawa rejected this suggestion outright as wholly inadequate. Instead, on 2 July 1942, Canada revived her earlier suggestion of a military

<sup>32</sup>On 12 October 1940, General H.D.G. Crerar proposed to the American Minister in Ottawa the inclusion of the British on the Permanent Joint Board on Defence. Dzuiban, US Military Collaboration with Canada, p. 313. Had this suggestion been adopted, it is conceivable that the PJBD might have become the CCSC.

<sup>33</sup>William D. Leahy, I Was There: The Personal Story of the Chief of Staff to Presidents Roosevelt and Truman (London: Gollancz, 1950), p. 208.

<sup>34</sup>H.C. Deb., 1 February 1943, p. 41.

mission in Washington. This time it was accepted, for the events of the past few months had brought American military leaders to a juster appreciation of Canada's strategic and military importance. Henceforth, the closest possible liaison was maintained.<sup>35</sup> This was greatly facilitated by the decision to house the Canadian Joint Staff Mission in the same building as the GCSC.

The fourth and final link with the GCSC was through direct Canadian representation on several of its sub-committees. By the spring of 1944, Canada had been admitted to three of them: the Combined Meteorological Committee, the Combined Communications Board and the Combined Shipbuilding (Standardization of Design) Committee.<sup>36</sup> Canada also sought admission to the Combined Munitions Assignment Board and the Combined Civil Affairs Committee, but in each case her application was rejected. The special arrangement reached in connection with the former will be dealt with later. In the case of the Civil Affairs Committee, after prolonged negotiations which also involved the question of Canada's share of military relief costs, she obtained membership on the Supply Sub-Committee.<sup>37</sup> Subsequently, she became a member of the Tripartite Settlements Committee set up after the war to straighten out the chaotic state of military relief accounts.<sup>38</sup>

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<sup>35</sup> Even so, Canada did not learn of the decision to invade North Africa until September 1942, and then only indirectly. Stacey, Six Years of War, p. 323.

<sup>36</sup> Federal Records in World War II (Washington: Government Printing Office, 1950-51), I, 1035, II, 5. Canada also participated in a number of minor agencies dealing with military matters: the Combined Committee on Air Training in North America, the United Nations Central Training Film Committee and the Allied Snow Board. Ibid., II, 35.

<sup>37</sup> R. Warren James, Wartime Economic Cooperation: A Study of Relations between Canada and the United States (Toronto: Ryerson, 1949), p. 257. Canada also attended meetings of the Combined Civil Affairs Committee itself when matters in which she had an interest were under consideration.

<sup>38</sup> Standing Committee on External Affairs, Minutes, 4 May 1950, p. 88; 9 May 1950, p. 115.

The elaborate arrangements developed to meet Canadian needs and, to a lesser extent, the needs of the other United Nations did not detract from the central fact that, in all essentials, the major powers monopolized the political and military direction of the war. In view of Canada's anxiety to establish the claims of the middle powers to adequate recognition, this was clearly unsatisfactory. Yet, there was little that could be done to improve the situation. In the conduct of war by allies, everything ultimately depends on power; and, in the military sphere, Canada lacked the vital ingredient to make her demands fully effective. On the other hand, although the division of authority between the Great Powers and the other allies might have been happier, the existing arrangement was not, in view of the military preponderance of the Great Powers, too far out of line from a functional point of view. No gross injustice was being committed. Furthermore, in the military and political sphere, considerations of speed and efficiency were of such overriding importance that conformity to an abstract functional principle of representation was rightly regarded as secondary. Practicability, not perfection, had to be the test. "During actual hostilities", Mackenzie King admitted, "methods must be improvised, secrecy must be observed, attention must be concentrated on victory."<sup>39</sup> Besides, it was no easy matter to ensure that the smaller powers exerted just the right degree of influence and no more. The possibility of going too far and diffusing responsibility too widely was as real as it was dangerous.

In the light of these considerations, Canada suppressed the misgivings she harboured on theoretical grounds concerning the excessive, almost exclusive concentration of authority in the hands of the leading United Nations.<sup>40</sup> The one

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<sup>39</sup>H.C. Deb., 9 July 1943, p. 4558.

<sup>40</sup>"when we had reason to believe that our position was such that it in no way was being prejudiced or impaired, we have sought . . . not to raise or press matters which were likely to make a difficult situation more difficult." King, H.C. Deb., 25 March 1942, p. 1633.

public complaint of specific military arrangements was voiced by Brooks Claxton, Parliamentary Assistant to the Prime Minister. At the very moment Canadian troops were invading Sicily, the first major Canadian military operation of the war, Claxton called for the erection of "additional agencies in the United Nations" with "representation in some way or another of all the forces fighting on a particular front."<sup>41</sup>

In the main, however, Canada had little real complaint respecting the treatment she received in political and military matters. Her principal anxiety related to the precedent which was being established. The compelling arguments which justified acquiescence in great power control of high policy and military strategy during the war did not apply with equal force to the economic aspects of the war or to the international machinery for reconstruction and security which would be required after the war. Canada was determined that the Great Powers should realize this and should give institutional recognition to the fact that others among the United Nations had a significant contribution to make.

#### The Combined Boards

The Combined Boards provided the principal administrative machinery for the economic direction of the war. They were set up in two stages. The first three were established as a result of the ARCADIA conference: the Combined Raw Material Board (CRMB) and the Combined Shipping Adjustment Board (CSAB) on 26 January 1942, and the Combined Munitions Assignment Board (CMAB) early in February 1942. (The latter board was under the control of the Combined Chiefs of Staff Committee, but because of the economic nature of some of its activities, it can conveniently be considered along with the other Boards.) No blanket claim

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<sup>41</sup>H.C. Deb., 9 July 1943, p. 4600. Claxton may have been alluding to the fact that Canada was not represented on the Expeditionary Force Planning Staff Committee set up in May 1942 to plan the invasion of Europe. Stacey, Six Years of War. pp. 321-2.

for membership on the Combined Boards was made, but Canada strongly pressed for full membership on both the CRMB and the CMAB. After months of negotiation, her applications were finally rejected in June 1942. At about the same time, on 9 June, the formation of two further Boards, the Combined Production and Resources Board (CPRB) and the Combined Food Board (CFB), was announced. The composition was again exclusively Anglo-American. Canada promptly asked to be included. This time her efforts were more successful; she joined the CPRB on 7 November 1942 and the CFB on 25 October 1943.

The Canadian Government based its claim to membership on the Combined Boards on two main arguments: Canada's contribution of munitions and supplies and her vital concern with the decisions (or, more properly, recommendations) of the Boards.

Although Canada was the fourth air and naval power on the allied side, she could not really pretend that she was making a major military contribution to the successful conclusion of the war. She was, however, indisputably an important provider of war equipment, raw materials and food. Wartime production of munitions totalled nearly \$10,000 million,<sup>42</sup> and 71 per cent of this was produced for others - a higher proportion than in any other allied nation. Canada also supplied 95 per cent of the war requirements of the United Nations for nickel, 75 per cent of the asbestos, 30 per cent of the aluminium and 20 per cent of

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<sup>42</sup>\$9,544 million, J. deW. Kennedy, History of the Department of Munitions and Supply (Ottawa: King's Printer, 1950), II, 500; Canadian Mutual Aid Board, Final Report, 1946, p. 16; S.D. Pierce and A.F.W. Plumptre, "Canada's Relations with Wartime Agencies in Washington", Canadian Journal of Economics and Political Science, XI (1945), 411; R.J. Hammond, Food, Vol. I: The Growth of Policy (London: H.M. Stationery Office, 1950), pp. 394-5. At the rate of exchange of £1=57 suggested by R.G.D. Allen, Journal of the Royal Statistical Society, CIX (1946) 257-8, the ratio of the value of war production in the three countries was approximately 100:42:5.

the zinc. The United States, in particular, relied heavily on Canadian raw materials. The United Kingdom was equally dependent on Canadian foodstuffs; for example, in 1944, Canada provided over fifty per cent of British supplies of wheat and flour.

Admittedly, the Canadian contribution was not, except in certain particulars, comparable to that of the United States or Britain. Nevertheless, it was substantial and, in the opinion of the Canadian Government, sufficient to entitle it to representation at the highest level, a claim which the functional principle was eminently contrived to bolster. The Canadian Government did not dispute the Anglo-American contention that membership on the Combined Boards should be restricted to major supplying nations; it merely replied that, in its view, Canada was a major supplying nation.<sup>43</sup>

The Canadian Government also regarded full membership of certain Boards as essential to the protection of Canadian interests. "Right along," Mackenzie King declared, "we have taken the position as a government that, where we saw that Canadian interests were likely to be prejudiced in any particular, we have made strong protests and strong representations as to why we should be given representation which up to that time we had not had."<sup>44</sup> Canada was naturally concerned to ensure that her exportable surplus of food and war supplies was put to the best possible use; but this was not the only consideration. She was more concerned lest the new Anglo-American machinery would disturb her existing food

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<sup>43</sup>A former US Executive Office of the CPRE claims that: "Membership on the [Combined Production and Resources] Board had originally been limited to the United States and Britain on the theory . . . that only the United States and Britain had the capacity to produce for others as well as for themselves." Milton Katz, "A Case Study in International Organization", Harvard Business Review, XXV (1946), 17. Canada was, of course, a heavy importer of American war supplies, but then so was Britain.

<sup>44</sup>H. C. Deb., 25 March 1942, p. 1633.

arrangements with Britain and reduce the amount of Canadian produced nickel, aluminium, copper etc., allocated for the needs of Canadian war industry. Besides, Canada's production programme and civilian economy were heavily dependent on imports, particularly raw materials and component parts. She was, therefore, intensely interested in a great many recommendations. Furthermore, in the later years of the war, the CPRB and the CFB became increasingly concerned with domestic economies and comparative consumption levels. Canada's experience subsequently proved that the early fears of unfair treatment were almost entirely groundless, but this is perhaps irrelevant. The main question was whether Canada was entitled to share in the formulation of policies which intimately affected her.

Three other considerations helped shape the attitude of the Canadian Government on this question. In the first place, it was as always acutely aware of the significance of the wartime precedents being established. "We must take constant care", T.A. Crerar wrote on 30 May 1942, "that the new relationships growing up during the war between peoples and governments of the United Nations are such as to provide, if possible, a basis for the new world order."<sup>45</sup> Canadian efforts were almost entirely directed to securing her own admission to the Combined Boards, but the principle was considered generally applicable to all states similarly qualified. The issue at stake was the role of the smaller powers in the future structure of world organization. Almost exclusive great power dominance of the strategic direction of the war seemed inevitable and perhaps even desirable, but there was a very real danger that this would carry over into the peace. It was, therefore, essential to secure acceptance of the functional principle before the end of war. Hence, the importance Canada attached

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<sup>45</sup>League of Nations Society in Canada (May 1942), p. 9. Crerar was writing on behalf of King.

to the application of the principle in the economic direction of the war.

The element of national prestige also cannot be entirely dismissed. Canada was anxious to ensure that she secured all the privileges to which her war effort entitled her. As far as the military conduct of the war was concerned, she was prepared to be self-effacing, but great power dominance of the major economic decisions of the war seemed less understandable and acceptable. In this sphere, then, considerations of national pride, although partially suppressed, were undoubtedly of some significance.<sup>46</sup>

Finally, there was Canada's traditional preoccupation with the assertion of her independence. Although now more concerned with stature than status, she was disturbed by the mounting evidence that both the British and the Americans were content to have Britain represent the Commonwealth on the Combined Boards. The United States attitude can be explained in part by the Administration's commendable insistence since early in the war on a coordinated approach by foreign governments seeking American supplies.<sup>47</sup> This avoided an unseemly scramble for goods in short supply as well as serving the administrative convenience of American bureaucrats. But there was more to it than that. The Americans opposed separate Canadian representation on the Combined Boards because they preferred to deal with equals. As already indicated, the American service chiefs were particularly reluctant to deal directly with Canadian military authorities.

Britain, understandably enough, was anxious to speak for the Commonwealth

<sup>46</sup>Hammond, Food, I, 241; James, Wartime Economic Cooperation, pp. 239-40.

<sup>47</sup>"This was an independent and unchanging American policy, although it happened to co-incide with the policy preferred by London and its fellow members of the Commonwealth." Hall, North American Supply, p. 100.

as a whole in order to bolster her authority in the Boards. She was acutely conscious that, especially on the CPHB and the CFB, she was a junior partner, a net recipient rather than a net supplier. Canadian raw materials and war production, the fourth greatest among the United Nations, would be a particularly high trump in dealing with Washington. Besides, there were Churchill's and Beaverbrook's private predilections for speaking in the name of "the Empire" and attempting to integrate it more closely. These were sufficiently well-known to arouse suspicion and resentment in Ottawa.

On 28 January 1942, the British proposed the creation of machinery in London for Commonwealth liaison with the British members of the Combined Boards in Washington. Canada quickly rejected these proposals, principally on political and constitutional grounds, though they were in themselves ludicrously inadequate from the Canadian point of view. Nevertheless, Commonwealth clearing houses for raw materials and food were established in London without Canadian participation.<sup>48</sup>

Although it was easy for Canada, as a North American country outside the sterling area, thus to contract out, she could not entirely escape the impact of these bodies. In particular, their mere existence created a further obstacle in the way of Canadian admission to the Combined Boards. It was not a question of Canadian membership on the Boards in itself affecting the status of the Commonwealth committees. But once Canada had shown the way, the other Dominions, particularly Australia, would likely have wanted to transfer their representation to Washington; and this, the British feared, would not only eventually destroy the machinery they had so carefully constructed but also alter adversely

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<sup>48</sup>The Empire Clearing House, established in May 1942 and after October 1942 a sub-committee of the Commonwealth Supply Council, and the London Food Committee (later Council) created in July 1942. In connection with the latter, James was no doubt reflecting official opinion when he wrote: "Canada was not a member, nor was the faintly colonial status which such membership implied very appealing." Wartime Economic Co-operation, p. 334.

the balance between Britain and the United States. "If we give way to the Canadians," Lord Woolton warned in July 1942, "there is a danger that all the United Nations are going to be represented on the Food Board in Washington. This will mean that the centre of gravity will move from London to Washington and the Combined Board will determine the food policy of this country."<sup>49</sup>

The Americans shared the British fears that the admission of Canada to membership on the Boards might prove a dangerous precedent. Not that a committee of three was unwieldy, but once Canada was included, the pressure for a general extension of membership might become irresistible; and this would be disastrous.<sup>50</sup> To this, the Canadians countered that these dire consequences need not follow if the functional principles were adhered to. Besides, the advantages of efficiency had to be balanced against the disadvantages of exclusiveness.

A further argument advanced to counter the Canadian proposals was that the Canadian Government had misunderstood the terms of reference of the Boards and that its interests would not, in fact, be prejudiced by their recommendations. There was undoubtedly confusion concerning the precise role of both the CFB and the CRMB, but not all the confusion was in Ottawa.<sup>51</sup> The CFB in particular certainly claimed far more authority than it ever proved capable of exercising.

<sup>49</sup>Hammond, Food, I, 242.

<sup>50</sup>History of the Combined Raw Materials Board (January 26, 1942 to December 31, 1945) (Washington: War Production Board, n.d.), typed, p. 93.

<sup>51</sup>James, Wartime Economic Cooperation, pp. 236-7; Hammond, Food, I, 241. "Confusion now exists in many quarters as to the nature of CFB, and the functions which it should perform. Misunderstanding is evident not only in the national agencies but also with the staff of the Board." Recommendations for Improving the Operations of the Combined Food Board, Prepared by the Staff of Division of Administrative Management of Bureau of the Budget, July 22, 1943. Quoted in S. M. Rosen, The Combined Boards in the Second World War: An Experiment in International Administration (New York: Columbia University Press, 1951), pp. 228-9.

Indeed, one Canadian cabinet minister said, with reference to the use of the term "Board", that the worst thing about the CFB was its name.<sup>52</sup>

Finally, it was contended that Canadian interests could be fully protected in ways which would not establish undesirable precedents. A variety of suggestions were made and some adopted. In no two cases was Canada's relationship with the Combined Boards identical.

Almost from the first, Canada was granted formal membership on committees of most of the Combined Boards; by 1944, she sat on thirty-six combined committees. This privilege was not extended to any other country until towards the end of the war. It proved to be an important concession as in many cases the real decisions were taken in the working committees. The Combined Food Board, for example, never altered an agreed recommendation presented by any one of its commodity committees. This enabled Lester Pearson in 1946 to defend the Board against the charge that it was "a narrow group representing only three Governments" with the reply that all major suppliers and claimants were represented in the committees.<sup>53</sup> Nevertheless, in 1942, Canada was not completely satisfied with an inferior status which gave her no voice in the determination of policy decisions by the Boards.

A second ad hoc arrangement devised to meet Canada's special position was the granting of the right to participate in meetings of the Combined Food Board whenever matters of special concern to her were under discussion.

The Canadian-American joint committees also provided channels of communications with the Boards. The most significant of these was the Materials Coordinating Committee, the American member of which, as American representative on the CRMB, spoke for both countries. A similar arrangement existed to some

<sup>52</sup>Hammond, Food, I, 240-1, 255-6.

<sup>53</sup>UNRRA, 4th Session of the Council, Journal, pp. 57, 66; Rosen, Combined Boards, p. 247.

extent in the case of the CFRB until Canada became a full member.<sup>54</sup> Only in the case of the Munitions Assignment Committee (Ground) did the British present Canadian requirements, and then only for a brief period following its establishment early in 1942.<sup>55</sup>

A combination of practical and political considerations explains why Canadians preferred to be represented by the Americans rather than by the British, as were all other Commonwealth countries. Foremost among these were the close integration of the North American economy which had begun even before Pearl Harbour, and the existence of joint working arrangements with the Americans. Two Canadian civil servants in a position to know have explained that the reasons for this "rather odd development" whereby Canada was represented on the CRMB through the Materials Co-ordinating Committee were practical ones. "The Committee was established before the Board. Its operations were considered effective and it was thought advisable not to disturb them."<sup>56</sup> There was also some feeling that, if Anglo-American differences of opinion arose, Canada was more likely to want to side with the Americans, but that this would be difficult if the Commonwealth had but one voice. Furthermore, Canadian experience, especially with the British Purchasing Commission during 1940, suggested that the British could not be relied upon to present Canadian claims fairly and force-

<sup>54</sup>H.C. Deb., 11 June 1942, p. 3253.

<sup>55</sup>James, Wartime Economic Cooperation, p. 234.

<sup>56</sup>Pierce and Plumtre, op. cit., p. 409. As early as 8 January 1942, W.L. Batt reported to Roosevelt that Canada was not directly represented in the preliminary conference of officials which led up to the formation of the CRMB because "it has seemed natural to us to use the already existing Canadian Raw Materials Coordinating Committee as a means of securing Canadian representation on this conference". Quoted in Rosen, Combined Boards, p. 12.

fully.<sup>57</sup>

Finally, Ottawa suspected that Washington was more sympathetic than London to Canadian aspirations for full membership on the Combined Boards. Certainly, the Americans were not troubled by the implications of such a development for the Commonwealth. They also appeared to have a better appreciation of Canada's special position as a producer and supplier of raw materials and munitions. The United States representatives on some of the Boards even volunteered to fight Canada's battles in committee if briefed informally and unofficially beforehand. Later, the British ceased trying to tie Canada in with the London committees and came round to the view that it was more appropriate to lump Canada in with North America than with the Commonwealth.<sup>58</sup> Indeed, they even suggested that, as an alternative to full membership on the Combined Food Board, Canada might be linked with the American side of the Board through the Joint Agricultural Committee.<sup>59</sup>

To a certain extent, Canada was able to bypass the international allocating machinery and secure direct representation in national agencies in the United States, notably the requirement committees of the War Production Board. This also was a concession extended to no other country, for the economy of no other country was integrated with that of the United States to anything like the same

<sup>57</sup>The Canadian Government informed the State Department on 5 March 1940 that the British Purchasing Commission was "acting for the Canadian War Supply Board in respect of purchases in the United States for Canadian defence services". As early as 5 July 1940, King proposed abandoning the system of pooling Commonwealth requests in view of the increasing priority accorded United Kingdom claims by the British Purchasing Commission. Dainoff, US Military Collaboration with Canada, pp. 124-7.

<sup>58</sup>W.K. Hancock and M.H. Gowing, British War Economy (London: H.M. Stationery Office, 1949), p. 404.

<sup>59</sup>Hammond, Food, I, 242.

extent as was Canada's.<sup>60</sup> It enabled Canada to have the best of both worlds by posing as a foreign or domestic claimant whichever was the most advantageous. This was a positive advantage particularly where civilian consumption was concerned. Operating through, say, the CPRB, Canada could scarcely have expected to receive better treatment than Britain; yet, by working directly with US national agencies, Canadians obtained rough equality with Americans.

Although strenuous efforts were made to make the various alternative arrangements appear as attractive as possible, they were never a completely satisfactory substitute for full membership, particularly as Canada was also keenly concerned to foster the functional principle as such. The improvisation of successive expedients in order to avoid direct Canadian representation was, in a sense, a recognition of the functional principle; but this practice, if persisted in, was likely to prejudice the eventual adoption of functionalism as a principle of representation. This is the real significance of Canadian efforts to secure admission to the Combined Boards. As has been suggested, the story falls into two periods.

During the first half of 1942, negotiations were carried on with Britain and the United States with a view to securing membership on two of the three Combined Boards then in existence. In the case of the Combined Shipping Adjust-

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<sup>60</sup> History of the Materials Coordinating Committee, pp. 6-7; History of the Canadian Division of the War Production Board, March 1942 - June 1945 (Washington: War Production Board, n. d.), typed; Pierce and Plumptre, op. cit., pp. 409-413; James, Wartime Economic Cooperation, chs. IV and VI and pp. 264-5. In an apparent reference to the CRMB, Claxton stated on 27 August 1945: "In the Joint Materials Co-ordinating Board of the United States - Canada and Great Britain, the hyphen was officially declared to indicate that the Board was 'to regard the United States and Canada as one vast territory, not two countries'." Violet Anderson, ed., The United Nations: To-day and Tomorrow (Toronto: Ryerson Press, 1943), pp. 150-1.

ment Board, Canadian admission was neither offered nor sought. During the summer of 1941, Canada had suggested the establishment of a joint United States Canadian shipping committee to enable Canadian shipping requirements to be placed before the appropriate American agencies allocating shipping space. President Roosevelt approved the proposal, but no action was taken prior to Pearl Harbour. Meanwhile, various schemes for the coordination of shipping on an allied basis were under discussion. One of the most important of these, the Elliott-Marvin Plan, proposed a Joint Shipping Board composed of five United States members, five Commonwealth representatives, including presumably one from Canada, and five representatives of other allied powers.<sup>61</sup> The pattern finally adopted was exclusively Anglo-American. As the Canadian claim to membership was on functional grounds weaker than those of other United Nations, particularly Norway and Greece, it was not pressed. "The Government has felt", C.D. Howe declared in May 1943, "that we are not sufficiently a factor in shipping today to ask for a place on the Board." He added that if Canada were to become a large operator of ships "we may ask to be represented."<sup>62</sup> Actually, by this time, the Board had become, in the words of its American Executive Officer, a "dead letter", and so the question of representation in the future never arose.<sup>63</sup> Besides, the liaison arrangements established with the Board through its representative in

<sup>61</sup>Rosen, Combined Boards, pp. 85n 37, 91.

<sup>62</sup>H.C. Deb., 12 May 1943, p. 2604.

<sup>63</sup>David Scholl, Joint Executive Officer, CSAB. Quoted in Rosen, Combined Boards, p. 114. As late as 27 August 1943, Claxton appeared to suggest that Canada was interested in CSAB membership. "As the shipping front improves and more ships become available to carry civilian goods, cries of discrimination for purposes of post war trade will not be answerable unless the basis of operation is broadened out to include representatives of other trading and shipping nations." The United Nations: To-day and Tomorrow, pp. 154-5.

Ottawa and Canadian Shipping Board officials in London and Washington were eminently satisfactory. Moreover, Canada alone among foreign states had direct representation on the War Production Board's Shipping Priorities Advisory Committee.<sup>64</sup> Later, she joined the United Maritime Council set up in August 1944.

The emergence of the Combined Munitions Assignment Board and the Combined Raw Materials Board was viewed in Ottawa with deep interest and some anxiety. The need for international action to control and allocate scarce raw materials and supplies became apparent immediately after Pearl Harbour. At that time, both the British and the American Governments were thinking in terms of a continuing international materials conference which would, presumably, have included Canada.<sup>65</sup> However, during their discussions in Washington, Churchill and Roosevelt discarded this plan in favour of a two-nation board. Attention was then directed to the powers of the board. Beaverbrook proposed an economic counterpart to the Combined Chiefs of Staff Committee with sweeping authority "to co-ordinate the production of the United States, Great Britain and Canada, including raw materials".<sup>66</sup> The final scheme was less pretentious than first feared, but still took no account of Canada's special position. She was still expected to pool her munitions and supplies and leave decisions as to their disposal to others. Furthermore, there was no assurance that the flow of essential American supplies upon which Canadian war industry depended would continue.

On 13 February 1942, the Cabinet surveyed the whole position of Canada in relation to the Combined Boards in the light of a Department of External Affairs

<sup>64</sup>H.C. Deb., 12 May 1943, p. 2604; Federal Records in World War II, I, 397.

<sup>65</sup>Hancock and Gowing, British War Economy, p. 392; Rosen, Combined Boards, p. 10.

<sup>66</sup>Letter to Churchill, 27 December 1941, quoted in Sherwood, Roosevelt and Hopkins, p. 470.

memorandum dated 9 February on the subject. The Department listed five alternatives to full Canadian membership. Each involved either liaison arrangements with the Boards or joint representation on them in some form or other. The most interesting of these was a proposal, favoured by the General Staff, for Canadian participation in the CMAB (and also the CCSC) as part of a joint British-Canadian (or Commonwealth) delegation. This involved a revival of something like the panel system adopted by the British Empire Delegations to the Paris Peace Conference of 1919 and to the Washington Conference of 1921-22. Under this scheme, the Canadian representative would serve as one of the British representatives whenever Canadian interests were under discussion, though he would, of course, retain the right to appeal directly to Ottawa over the heads of his British colleagues.

All five proposals were discussed in the Cabinet and in the end discarded. Mackenzie King and J.L. Ralston, the Minister of National Defence, argued strongly on constitutional grounds that unless Canada was treated as a principal, she should remain outside and preserve her sovereignty intact. C.D. Howe, the Minister of Munitions and Supply, was concerned only with the practical problem of ensuring adequate supplies for Canadian war industry, but on these grounds he too felt that Canada should accept nothing less than equality of status. All were agreed that she was in a strong position, and that, if she could not become a member in her own right, she should take a completely independent line and play no part at all in the work of the Boards. The evolution of the principle of "no taxation without representation", upon which Canada was to lay so much emphasis during the drafting of the United Nations Charter, had begun.

Negotiations for Canadian participation in the Combined Munitions Assignment Board were complicated and inconclusive. While Canada argued that as a major supplier of munitions she was entitled to a voice in their allocation, Australia and New Zealand also argued along functional lines that, as nations

in the actual fighting zone, they were in the best possible position to know what was immediately needed there. A further factor was the decision to subordinate the CMAB to the CCSC. This made a precedent for expanding its size particularly undesirable. It also complicated the position in Ottawa, for it meant that the Canadian members would report through the Department of National Defence, rather than External Affairs or Munitions and Supply.

Following the discussion in the Cabinet, L.B. Pearson, then Assistant Under-Secretary of State for External Affairs, was dispatched to Washington on 19 February to discuss the question of Canadian membership on the CMAB. Later, Mackenzie King personally raised the issue with Roosevelt and secured his agreement in principle. Then, just as the question was almost settled,<sup>67</sup> C.D. Howe intervened. He objected to Canadian participation on two grounds. In the first place, he saw his personal power as czar of Canadian war production menaced. He feared that instead of dealing directly with other governments as had been his practice, he would be reduced to being a mere agent of the CMAB. He would not even be directly represented on the Board, for it was composed of military men.<sup>68</sup>

A more substantial objection concerned the financial implications of membership. At that time, the greater part of Canadian exports to Britain and all shipments to Russia, China, India and the Dominions were paid for in dollars.

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<sup>68</sup>"There is reason to believe that Canada would have gained membership on the Combined Chiefs of Staff Committee had it not been for the fear of certain members of the Canadian Cabinet and Defence authorities that such membership would encroach upon their personal control of certain defence priorities." C. Cecil Lingard and Reginald G. Trotter, Canada in World Affairs: September 1941 to May 1944 (Toronto: Oxford University Press, 1950), p. 237.n.37. It seems likely that the authors are referring to the CMAB rather than the CCSC.

<sup>67</sup>H.C. Deb., 29 April 1942, p. 1977; James, Wartime Economic Cooperation, p. 234.

These were used to finance the cost of the imported raw materials and finished products upon which Canadian production depended. If Canada now pooled her munitions without receiving payment in return, Howe foresaw the danger that Canadian war industry would come to a standstill. As a solution to the problem, he proposed that Canada be paid in cash for everything turned over to the CMAB, including what was already being transferred to Britain under the "billion dollar gift".

On 4 May 1942, Howe and Finance Minister Ilsley flew to Washington hoping to sell their fantastic proposal to the American Government. If they ever seriously believed the Americans would accept a scheme so obviously calculated to enrich Canada at American expense, they were soon disabused of the notion. Secretary of the Treasury Morgenthau refused flatly even to consider it; and he coupled his rejection with some harsh admonitions to its authors.

Fresh proposals were then drafted and good progress was again being made in negotiations with the Americans -- until Harry Hopkins learned of them. He strongly opposed full Canadian membership and early in June succeeded in vetoing it. The Americans then made a compromise offer which divided opinion within the Cabinet with the result that no decision was reached and the matter was left in the air.<sup>69</sup> Meanwhile, Canada continued to attend meetings of CMAB committees, particularly the important Munitions Assignment Committee (Ground). "For all practical purposes, Canada was a member of the Committee, although since it would set a precedent, the fact was not officially recognized at that time."<sup>70</sup> American and British representatives also continued to sit on the Canadian Munitions

<sup>69</sup>Canadian Legation, Washington, memorandum to Harry Hopkins, 2 July 1942; and memorandum of conversation between Pierrepoint Moffat and L.S. Pearson, 29 May 1942, referred to in Dziuban, US Military Collaboration with Canada, p. 174; Leighton McCarthy, letter to J.W. Dafos, 29 March 1943, Dafos Papers.

<sup>70</sup>James, Wartime Economic Cooperation, p. 235.

### Assignment Committee in Ottawa.

The Canadian case for admission to the Combined Raw Materials Board was even stronger. None of the special considerations applicable in the case of the CMAB and CSAB were present to complicate the issue. Furthermore, far from the United States being the dominant partner in the field of raw materials, she depended heavily on imports from Canada and other British countries.<sup>71</sup> Clearly, if the functional principle were applicable to any of the Combined Boards, it was applicable here.

Soon after the CRMB was established on 26 January 1942, C.D. Howe sent H.J. Symington, the Chairman of the Canadian section of the Materials Co-ordinating Committee, to Washington to find out how the new Board would affect Canada. Later, Howe himself talked to Batt, the American member. The question was also discussed in the Materials Co-ordinating Committee. Following the decision of the Cabinet on 13 February to press for full membership on the CRMB, Pearson discussed the matter with the State Department, and Sumner Welles took it up with the President, who in turn passed it back to Mr. Batt. In March 1942, the Canadian campaign for admission reached its peak; thereafter, Canadian pressure subsided though the Canadian request was never formally withdrawn.<sup>72</sup>

On the face of it, Canada's claim to membership on the CRMB seems stronger than her claim in the case of either the CPRB or the CFB, yet these other applications were successful and her CRMB application was not. This seeming paradox

<sup>71</sup>"Most of the materials subject to CRMB control were produced in the British Empire or in other foreign countries." "The commodities subject to Combined Production and Resources Board surveillance on the other hand almost without exception were commodities that were produced in the United States." History of the Combined Raw Materials Board, pp. 41, 42.

<sup>72</sup>Ibid., p. 13. This American official history states: "Apparently, Canada was eventually satisfied to remain outside the Board." On the other hand, Hammond implies that late in July 1942, the Canadian claim was still being pressed. Food, I, 242.

can be explained in part by the fact that her position in relation to other United Nations was not as unique in the field of raw materials as in the field of war production or even food. Consequently, there was greater reluctance to establish a precedent in the case of the CRMB than in the case of the other Boards. Besides, the existing system whereby Canada was linked with the CRMB through the Materials Co-ordinating Committee was an effective working arrangement. The Canadian-American joint committees concerned with munitions and agriculture were far less successful and could not therefore be used for the same purpose.

Canada's case was also prejudiced by the critical state of war in the spring of 1942. It was no time for radical experimentation, particularly as the Board had been operating for so short a time. The turning of the tide which began in the late summer of 1942 permitted greater attention to constitutional niceties. It seems probable that, had Canada later revived her claim and pressed it as vigorously as her other requests, it would eventually have been granted. The main reason this was not done appears to have been that Canada was so important in the raw material picture that she could afford to stay out. Symington, as a result of his Washington trip in January, had opposed Canadian membership on the CRMB on the grounds that Canada would always be outvoted. He predicted that Canada would be stripped of her raw materials and get nothing in return; as a result Canadian war industry would collapse. Howe too was doubtful of the value of Canadian membership. He was able to show that Canadian raw materials were a powerful bargaining counter in dealing with the British and the Americans.<sup>73</sup> It seemed unlikely, therefore, that minority representation on

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<sup>73</sup> Early in February 1942, Howe had threatened that, unless he could get more steel from the United States, he would reduce Canadian production and exports of copper, zinc and aluminium regardless of the consequences for British and American war industry and use the manpower so released to increase Canadian

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the CMB would have adequately compensated Canada for the loss of authority involved in submitting to the direction of the Board. Hence, after the failure of the initial attempts to secure admission, the Howe line of reasoning carried the day and Canadian efforts were suspended.<sup>74</sup>

Nevertheless, on general grounds the Canadian Government resented its exclusion from the first three Combined Boards and was determined to profit by its unhappy experience. When it learned of the decision to create two further Boards<sup>75</sup> -- with the same restricted membership -- it resolved to press for admission with the utmost vigour. Two days after the announcement of the Anglo-American decision, Mackenzie King pointedly remarked that the task of working out "suitable arrangements" for the effective co-operation of the United Nations in the job of winning the war was "still incomplete". He was particularly optimistic about eventual Canadian admission to the Combined Food Board.<sup>76</sup> Shortly thereafter, formal requests for admission to both Boards were lodged with the

<sup>73</sup> (contd) steel output. This, he thought, would produce the desired result. When pressed to indicate whether he would actually carry out such a policy if his bluff were called, he chuckled and said he would see when the time came. Ralston took a similar line and advocated that all new war contracts should include a clause reserving to the Government the right at any time to take them over.

<sup>74</sup>In a letter to J.W. Dafoe on 29 March 1943, Leighton McCarthy, Canadian Minister in Washington, wrote: "Let me assure you there is no weakness on the part of Mr. King in the instructions which he has given this Legation, and in this Legation's effort to follow the instructions, by impressing upon all and sundry whenever the need arises that Canada is the sole judge of what she shall do and how it is to be distributed. . . . We who represent Canada are quite unyielding in the assertion of this principle, and endeavour to insist upon its recognition by all other parties whenever it is ignored or attempted to be passed over." Dafoe Papers.

<sup>75</sup>Churchill first proposed to Roosevelt the establishment of the CFB and the CFRB on 21 April 1942. Hall, North American Supply, p. 379. "The decision to set up the Combined Food Board had been taken without previous reference to Dominion or Allied Governments." "The Canadians felt slighted by their public exclusion." Hammond, Food, I, 239, 241.

<sup>76</sup>H.C. Deb., 11 June 1942, p. 3253.

United States and Britain.

In the case of the Combined Production and Resources Board, resistance proved surprisingly weak. The decision to admit Canada was taken in September 1942, though she was not formally accepted as a full member until 7 November. The public announcement, which came three days later, stressed "the very close relations in the field of production already existing between Canada and the United Kingdom and Canada and the United States".<sup>77</sup> This was, undoubtedly, intended to emphasize to other would-be applicants that Canada's position was unique. Another consideration which influenced the decision on the Canadian application was the "low state" into which the Board had fallen;<sup>78</sup> Canada was not joining any thriving organization. Consequently, the decision was important more because of the principle involved than the practical advantages which accrued from it, though these were not unimportant.

Canada first formally made representations for full membership on the Combined Food Board on 15 July 1942.<sup>79</sup> In doing so, she expressed her dissatisfaction with existing co-ordination arrangements with Britain as well as her misgivings concerning the disturbing effect of Lend-Lease on the Canadian food programme. Britain was particularly anxious to head off this development, which she saw as a threat to the effectiveness of the CFB, to the existence of the London Food Committee and to what remained of British freedom of action to

<sup>77</sup>Department of External Affairs, Press Release, 10 November 1942. Canada's admission may have been expedited as a result of Dominions Secretary Attlee's visit to Ottawa in September 1942.

<sup>78</sup>Sherwood, Roosevelt and Hopkins, pp. 578, 661; Rosen, Combined Boards, p. 157. For an analysis of the weaknesses of the Board by S.P. Taylor, Deputy Canadian Member, on 11 March 1943, see ibid., p. 155.

<sup>79</sup>Canadian Legation, Washington, Note No. 491 to State Department 15 July 1942. Referred to in Dziuban, United States Military Collaboration with Canada, p. 178.n.90

determine her own food policy. As a result, at the end of July, R.H. Brand, Head of the British Food Mission to Washington, was despatched to Ottawa to placate the Canadian Government with every conceivable concession short of full membership. The Canadian Government stood firm. In September, Brand returned to renew his efforts. He gave the most positive assurances concerning the strictly limited scope of the Board's activities. In particular, he stated that it would not be concerned with existing Anglo-Canadian food arrangements because these on the whole involved foodstuffs which were in relatively long supply. Much to Brand's surprise, the Canadian Government consented to suspend its efforts to secure full membership apparently because of the decision to admit Canada to the CPRB.<sup>80</sup>

Canadian representatives were now formally appointed to CFB committees dealing with matters of direct concern to Canada. Earlier, pending a decision on her request for full membership on the Board, observers only had attended meetings of working committees.<sup>81</sup> As further committees were set up, the procedure was adopted of having the Canadian Government take the initiative in indicating whether it was interested in membership on them; these Canadian requests were always approved. Canada was the only nation admitted to regular membership on the commodity committees of the CFB at this time.

In December 1942, a Canadian Liaison Officer to the CFB was appointed with an unofficial status equivalent to that of the British and American Executive Officers. At Canada's insistence, no public announcement of the appointment was made at the time in order not to exaggerate the importance of the concession.

A further development arose out of a British suggestion in July 1942,<sup>82</sup>

<sup>80</sup> Leighton McCarthy, letter to J.W. Dafoe, 29 March 1943, Dafoe Papers; Hammond, Food, I, 241-2.

<sup>81</sup> James, Wartime Economic Cooperation, p. 335.

<sup>82</sup> Hammond, Food, I, 242.

for a joint Canadian-American agricultural production committee. A decision on this question was apparently taken during Mackenzie King's visit to Washington in December of that year. In January, the Canadian Minister of Agriculture and the American Secretary of Agriculture met to work out the details; and on 15 March 1943, the Joint Agricultural Committee, Canada and the United States was formally established.<sup>83</sup> The Committee proved in practice to be singularly ineffective; and, following Canada's admission to the CFB in October 1943, it became completely inactive.

Canada welcomed these improvements in its relations with the Board, but was no less critical of the many unsatisfactory aspects which continued. A recurring complaint was that notices of meetings and agendas were received too late to permit instructions to be received from Ottawa, or even to permit Canadian representatives to attend.

No doubt, in time, such difficulties would have been ironed out, but there were other more basic issues which could not be resolved merely by resorting to fresh expedients. Only membership of the Combined Food Board itself, and participation in the continuous process of negotiation and planning which membership entailed, could fully meet the needs of the Canadian situation. The Board did not override recommendations of its committees, but it did issue policy directions to them which seriously restricted their freedom of action. This practice became increasingly common and clearly limited the value of Canadian membership on the commodity committees.

A further difficulty was that Canada was frequently faced in committee with a request for formal agreement to programmes previously agreed to by the members of the Board. On one occasion, for example, the distribution of Canada's

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<sup>83</sup>Order in Council, P.C. 2044, 15 March 1943. The decision to set up the Committee had previously been announced in the Speech from the Throne. H.C. Deb., 28 January 1943, p. 2.

exportable surplus of fertilizer was decided upon without consulting Canadian officials on the matter.

The most serious development was the steady extension of the Combined Food Board's functions. Despite firm British assurances in the summer of 1942, the scope of the Board's activities continued to expand. Its activities began to encompass goods in plentiful supply as well as goods in short supply, relief and rehabilitation needs as well as purely wartime supplies, internal distribution and consumption as well as internationally traded foodstuffs, goods already handled through normal commercial channels or special arrangements such as the Canadian food contracts with Britain<sup>84</sup> as well as goods not so handled. In fact, instead of being an international allocating body of limited scope and authority, the CFB claimed to be a comprehensible planning agency. Admittedly, it never achieved its goal, but its attempts to do so caused considerable apprehension in Ottawa.

When, therefore, the interdepartmental Food Requirements Committee was created in October 1942,<sup>85</sup> it immediately set to work to examine Canada's relationship with the Board. In mid-December, it decided to document Canada's case by a systematic collection of all relevant facts. On the basis of this, a memorandum was prepared and submitted to the War Committee of the Cabinet with the recommendation that Canada's request for admission to the CFB be revived. This recommendation was approved in principle by the War Committee on 10 February 1943, though it was not acted upon immediately, possibly because of the critical state of negotiations concerning the executive body in UNRRA. Active

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<sup>84</sup>In May 1943, a proposal to set up a Cereals Committee was rejected by the Wheat Committee of the Cabinet on the grounds that Canada's exportable surplus of flour should be allotted on the basis of agreements between governments rather than recommendations of the CFB. The Canadian Government feared that discussion in the Board would give Britain, as one of the claimants, an excessive influence over the allocation of Canadian flour.

<sup>85</sup>Order in Council P.C. 9692, 22 October 1942.

negotiations concerning the Canadian application were, however, renewed during the late spring and summer of 1943.<sup>86</sup>

In the year that had elapsed since the rejection of the first application, opinion in both Britain and the United States had changed. The shift in the British attitude came first. A re-organization of the American side of the CFB in March 1943 had so weakened it that it was almost reduced to impotence. In an effort to strengthen the authority of the Board, the British Government decided in June 1943 to support Canadian admission despite the continuing opposition of the Ministry of Food. At the same time, in order to forestall any dissatisfaction in the other Dominions, the British coupled their agreement with a proposal to raise the status of the floundering London Food Committee by converting it into a London Food Council at ministerial level. The two suggestions were passed on to the Dominions in mid-July but by the time agreement with all of them had been reached in late August,<sup>87</sup> an alternative American scheme had been proposed.

The initiative in the United States for widening CFB membership came in early August from the War Food Administrator, but the State Department too had been thinking in terms of "general" international organizations. Consequently, Hull readily consented to the suggestion. In a letter to the President on 17 August, he specifically proposed that Canada, Australia and New Zealand should be added to the Board. Roosevelt gave his "OK" and the proposal was passed on to the British.<sup>88</sup> It arrived in London a day or two before final Commonwealth

<sup>86</sup> King's formal statement of the functional principle came on 9 July 1943. At this time, he also said: "The Government hopes that it will be found possible to have a broader basis given to some of these [combined] bodies." H. C. Deb., p. 4558.

<sup>87</sup> Hammond, Food, I, 246-7.

<sup>88</sup> Rosen, Combined Boards, p. 232.

agreement had been reached on the British plan.

As a result of the negotiations which ensued, the British plan was adopted.<sup>89</sup> The State Department thereupon drafted a joint Anglo-American invitation to Canada which, after receiving the President's approval, was referred to London. Churchill revised and shortened the message by deleting the reference to "Canada's participation as member of Com. Prod. and Res. Bd." and inserted a comment on the "close inter-connection of all North American food problems", no doubt for the benefit of Australia and New Zealand. The Americans wished Canada to "participate fully" but the British preferred to invite Canada to be "directly represented". In reporting this to the President, Assistant Secretary of State Berle stated that "Churchill's redraft submitted by the Empire people cuts down recognition of Canada's right to be consulted. We do not agree; but it is not worth a fuss."<sup>90</sup> On 25 October 1943, the revised draft was approved by Roosevelt and identical invitations went to Prime Minister King by Churchill and Roosevelt.<sup>91</sup>

The timing of the announcement was closely related to the establishment, two weeks later, of the United Nations Relief and Rehabilitation Administration in which Canada was to play a notable role. Shortly thereafter, UNRRA undertook to channel its requests through the Combined Boards. As a result, the CFB underwent a temporary revival, a development which gave Canada's participation added significance.

Apart from the initial setbacks, Canada did remarkably well in establishing

<sup>89</sup>The issue may have been taken up with Churchill when he attended a meeting of the Canadian Cabinet on 31 August 1943 and with the Americans when Claxton visited Washington the next day.

<sup>90</sup>Rosen, Combined Boards, p. 233.

<sup>91</sup>Department of External Affairs, Press Release, 28 October 1943.

special relationships with the Combined Boards. Both in regard to membership on the CFB and the CPRB and with respect to membership on commodity committees, she achieved a position accorded no other power, great or small. She even secured representation on certain committees which it is difficult to justify on functional grounds. This was certainly true as far as the Medical Supplies Committee, the Combined Textile Committee and the Combined Coal Committee of the CPRB and the joint CRAB-CPRB Combined Tires and Tubes Committee.<sup>92</sup> Canada also attained membership on four of the five commodity Committees established following the dissolution of the Combined Raw Materials Board at the end of 1945, though again her claims were not always very strong. An American official historian states that, "Canada did not actually qualify for membership as a major supplier of any of the committee commodities, with the possible exception of hides and leather. In the case of tin, the United States felt compelled to undertake the somewhat embarrassing task of persuading Canada to withdraw her candidacy for membership."<sup>93</sup>

It should also be recalled that exclusion from the Boards was not without its advantages. As we have seen, direct contact with American national agencies gave Canada privileges which could not have been obtained if all Canadian requirements had had to be channelled through the Combined Boards. Furthermore, by remaining outside the Boards, it was easier to maintain intact Canada's precious autonomy. For this reason, she was more anxious for membership on

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<sup>92</sup>History of the Combined Production and Resources Board, June 9, 1942 - November 1945 (Washington: War Production Board, 29 December 1945), typed, pp. 31, 59, 68, 70.

<sup>93</sup>History of the Combined Raw Materials Board, p. 85. On 25 July 1946, Canada volunteered to withdraw from five commodity committees of the International Emergency Food Council because she realized she did not meet the criteria for membership. IEFC, Central Committee, Note of Proceeding, 26 July 1946, p. 3.

international agencies allocating supplies she imported than on agencies dealing with products she exported, particularly her surplus supplies of food and raw materials.<sup>94</sup> There was a similar reluctance to surrender to others final control of Canadian forces. In some cases, therefore, it was considered more important to preserve Canadian sovereignty intact than press Canadian claims for proper representation.

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<sup>94</sup>James, Wartime Economic Cooperation, p. 20. James points out that concern for Canadian sovereignty was a dominant consideration in the decision not to accept Lend-Lease assistance. Ibid., pp. 32, 389.

## CHAPTER X

### UNRRA AND THE SPECIALIZED AGENCIES

#### The Central Committee of UNRRA

The first international institution, not specifically related to the war, set up by the United Nations was the United Nations Relief and Rehabilitation Administration.<sup>1</sup> It is significant because it was generally regarded at the time as a blueprint of the post-war world; and it did, in fact, greatly influence subsequent developments in the field of international organization. Two major issues dominated the drafting stages of the UNRRA Agreement: the composition of the Central Committee and its powers. Both were essentially concerned with the relationship of great and small states, through the existence of a cross-current of conflict between the contributors and recipients interjected an added complication. The Canadian Government held strong views on both issues. Briefly, it opposed an excessive concentration of power in the hands of a committee composed exclusively of the Great Powers.

The beginnings of UNRRA can be traced to the St. James's Palace Conference of 24 September 1941 which set up the Inter-Allied Committee on Post-War Requirements under the chairmanship of Sir Fredrick Leith-Ross. Canada supported the

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<sup>1</sup>The following is based largely on three accounts by authors who have had access to classified documents: UNRRA: The History of the United Nations Relief and Rehabilitation Administration (New York: Columbia University Press, 1950), esp. I, 14-21, 57-9, 68-70, 353-5; Grace Fox, "The Origins of UNRRA", Political Science Quarterly, LXV (1950), 561-85; Robert H. Johnson, "International Politics and the Structure of International Organization: The Case of UNRRA", World Politics, III (1951), 520-38. See also F. Ashton-Gwatkin, "The United Nations Relief and Rehabilitation Administration", in A. and V.M. Toynebee, eds., The Realignment of Europe, Survey of International Affairs, 1939-46 (London: Oxford University Press, 1955), pp. 51-68.

establishment of the Committee and attended most of its meetings, but never formally became a member. During the first half of 1942, a number of proposals for a post-war relief organization were advanced, in particular, the official Soviet plan of 13 January, the semi-official "Leith-Ross plan" of 2 February and two unofficial American proposals on 7 May and 15 June. As a result of discussions which Leith-Ross held with officials in Washington during the summer, a joint draft agreement dated 13 August was drawn up.

Canada first became seriously interested in the negotiations following receipt of the initial American draft. This provided for a strong policy-making Executive Committee composed of the United States, the United Kingdom, the Soviet Union and China, though the possibility of including perhaps three additional states was also mentioned. On 6 June 1942, the Canadian Government approved the scheme in principle, but expressed misgivings concerning the composition of the Executive Committee. As a result, the second American draft definitely provided for "three representatives of other member countries chosen annually by the Council". No change was made in the proposal that the Committee should exercise "all the powers and functions" of the Council when it was not in session.<sup>2</sup> Meanwhile, the British had clarified their views on the composition of the Central Committee. In February, Leith-Ross had suggested a six-member Executive, but he was instructed in his discussions with the Americans to advocate on grounds of efficiency a "Policy Committee" limited in membership to the Big Four. On 3 July 1942, Dean Acheson agreed to this.

Towards the end of July, Leith-Ross visited Ottawa and conferred with Mackenzie King and senior government officials. In view of the likelihood that Canada would be called on for a large relief contribution, they demanded direct

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<sup>2</sup>Department of State, Post-War Foreign Policy Preparation, 1939-1945 (Washington: Government Printing Office, 1949), p. 516.

Canadian representation on the executive committee or, alternatively, drastic curtailment of its powers. Neither suggestion was acceptable. Under the Anglo-American draft of August 1942, the Policy Committee was still composed solely of Great Powers and empowered to "make policy decisions" between sessions of the Council. Early in September, therefore, Canada formally recorded her opposition to these provisions and reiterated her request for representation.

Throughout the autumn, Canada continued to press her claim quietly but firmly;<sup>3</sup> in this, she received the support of the exiled European governments. Finally, in December, the British came around to the view that, at least in so far as international economic organizations were concerned, membership of executive bodies should not be confined to the Great Powers. They adopted a Canadian proposal for a Policy Committee of seven, the additional members being Canada, a European ally, presumably France, and a Latin American state, probably Brazil.

When this scheme came up for discussion at a four-power meeting in the State Department on 11 January 1943, the Soviet Government adamantly opposed it on the grounds that it would set a dangerous precedent. China, the other potential recipient among the Great Powers, also resisted the suggestion. Even the Americans, who six months earlier had been less insistent on exclusive great power control than the British, now sought an acceptable compromise solution in order to get UNRRA into operation as rapidly as possible. They proposed either joint Anglo-Canadian representation or Canadian participation through a committee of supplying nations.<sup>4</sup>

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<sup>3</sup>Active negotiations among the Great Powers were suspended during the autumn of 1942 partly in order to enable the British Government to consult the Dominions. Presumably the matter was raised with Dominions Secretary Attlee when he visited Ottawa in September. It is also possible that St. Laurent discussed it during his visit to Washington in November, and even more likely that King took it up with Roosevelt when they met in Washington in December.

<sup>4</sup>Leighton McCarthy, Canadian Minister, Washington, letter to J.W. Dafoe, 29 March 1943, Dafoe Papers.

The Department of External Affairs was fully alive to the importance of the issue involved not only in relation to UNRRA but also for the whole post-war pattern of international organizations. On 18 January 1943, its views were crystallized in an historic memorandum which remains a classic formulation of the functional principle of representation. It expressed wholehearted support for the British proposal particularly the suggested inclusion of Canada and a European state. At the same time the American counter suggestions were flatly rejected as completely unacceptable.

The immediate objective of Canadian policy was to bring the State Department around to the Canadian point of view. Accordingly, L.B. Pearson took the matter up with Dean Acheson on 26 January; then, on 10 February 1943 (the same day the War Committee of the Cabinet decided to revive Canadian application for CFB membership), a statement of the Canadian position was formally communicated to Sumner Welles. This memorandum stressed the unfavourable public reaction likely to result from Canadian exclusion.<sup>5</sup> The American Government was reminded that other governments also had constitutional problems to contend with, and warned that, if Canada were not given an adequate voice in the formulation of UNRRA policy, Parliament might refuse to contribute to it, or be unwilling to contribute as much as could otherwise be expected. Finally, the demand for full membership was reiterated, though the possibility that alternative arrangements might be acceptable was hinted at for the first time.

At the second four-power meeting in the State Department on 17 February 1943, the British agreed to withdraw their proposal for a seven-power committee. The earlier American proposal for a Committee of Supplies was then revived and

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<sup>5</sup>A certain amount of public criticism did, in fact, result. H.C. Deb., 18 April 1944, pp. 2147, 2155, 2157, 2159, 2163.

approved with the important additional provision that the Chairman of the Committee, who was to be a Canadian, should attend meetings of the executive committee whenever supply problems were under consideration. It was anticipated that this would mean that Canada would, in fact, be represented at practically every meeting.

The Canadian Government was dismayed at this latest expedient devised to avoid facing the fundamental issue: whether and to what extent the smaller powers were to share in the control of international institutions, particularly those of an economic or technical nature. Furthermore, the Government was appalled to learn that both the British and Americans appeared to share the view that the Canadian attitude was largely determined by a concern for Canada's wheat exports. Having disabused them of this naive belief, Canada set about to refute the American contention that the issue at stake was an isolated one. The Russians, at least, agreed that this was not the case.

Earlier, the Canadian Government had intimated that it might refuse to contribute to UNRRA if the desired constitutional changes were not made. Now, early in March, the War Committee of the Cabinet threatened to remain outside the organization altogether if it were not given full representation on the executive. Such a step would have seriously prejudiced the success of UNRRA for other states similarly situated would likely have decided to follow suit. Canada took a strong stand on this issue and at this time because she was convinced that a vital principle affecting the stability of postwar international institutions was at stake. She was not primarily concerned with special privileges for herself, but she did feel that her case was reasonable and her bargaining position as strong as it was ever likely to be.

For a month deadlock ensued. Anthony Eden, during his visit to Washington and Ottawa in March, worked diligently to effect a settlement but neither the Americans nor the Canadians were in the mood for compromise. On 10 March 1943,

the day after the Canadian Government had rejected the compromise proposal of 17 February, Roosevelt discussed the question with Sumner Welles and Harry Hopkins. Hopkins reported that the British intended to press for international committees with a membership of seven or eight including Canada and Australia. As he later wrote John Winant:

I said I believe by this technique we would be constantly out-voted and that I thought we should put our foot down in the very beginning in this Food Conference and insist on the main committee of four members only and let the British Government decide whether they want their membership to come from England or Canada. Both Welles and Roosevelt agreed to this.<sup>6</sup>

Eden did, in fact, propose that Canada represent the Commonwealth on the Committee, but Canada rejected even this generous offer.<sup>7</sup>

Finally, following further Big Four consultations on 24 March and discussions with Eden in the War Committee of the Cabinet during his visit to Ottawa at the end of the month, the Government backed down. On 8 April, it accepted the February proposals subject to three conditions: the Great Powers were to be members of the Committee on Supplies, the United States and the United Kingdom were actively to promote the election of a Canadian as chairman of the Committee,<sup>8</sup> and the compromise was not to be regarded as a precedent.

Canada did not, therefore, attain her major objective. She was still most emphatic in insisting that the functional principle was the only proper basis to

<sup>6</sup>Robert Sherwood, Roosevelt and Hopkins: An Intimate Story (New York: Harper, 1948), p. 707. The "Food Conference" referred to appears to be UNRRA, rather than the UN Conference on Food and Agriculture.

<sup>7</sup>Leighton McCarthy was recalled to Ottawa, 20 to 23 March, for consultations possibly in connection with this proposal. New York Times (23 March 1943), p. 10.

<sup>8</sup>When questioned in the House of Commons on rumours concerning this understanding, King refused to confirm or comment on them. H.C. Deb., 11 June 1943, p. 3539.

determine representation on international bodies. On the other hand, her functional importance had received some recognition; she alone among the smaller powers had been singled out for special treatment. During the debate on the UNRRA bill in Parliament, Brooke Claxton pointed out that Canada had been given a place "second only to the Great Powers", and he maintained that this constituted "fair representation". In reply to criticism of Canada's exclusion from direct representation on the Central Committee, he argued that, "We can apply the functional principle too far. We cannot be on every board there is in the world." He even suggested that the monopoly position accorded the Great Powers was justified on the grounds that the areas to receive relief would be liberated largely by the armies of the Great Powers.<sup>9</sup>

The publication of the draft agreement early in June 1943 led to a veritable storm of protest from the Allied European Governments. The Netherlands, in particular, denounced the unrepresentative character of the Central Committee. However, as there was little prospect at this stage of widening its membership, attention was concentrated instead on whittling down its powers. Canada's position was somewhat delicate. She fully sympathized with efforts to strengthen the policy-making functions of the Council, yet she could not openly support them.<sup>10</sup> Having concluded a private deal with the Great Powers behind the backs of the other middle powers, she could not now turn on her benefactors and demand better terms. For one thing, the Great Powers might have gone back on their undertaking too.

The United States attempted to pacify the smaller powers by solemnly assuring them that the standing committees of the Council, which were to be established

<sup>9</sup>H. C. Deb., 18 April 1944, pp. 2158, 2161.

<sup>10</sup>King enunciated the functional principle on 9 July 1943, though there is nothing to suggest that the timing of the statement bore any direct relationship to the UNRRA negotiations.

on a broadly representative basis, would perform significant day-to-day policy functions. But this, in itself, was not enough to quell the outcry. After further negotiations, the powers of the Central Committee were curtailed in a number of important respects and the supremacy of the Council effectively asserted. Most notably, the Committee was restricted to making policy decisions "of an emergency nature" between sessions of the Council "when necessary" and subject to later "reconsideration" by the Council. This fully satisfied the Canadian Government. It appreciated that it was "necessary" for the Central Committee to have some interim policy-making powers; at the same time, it was confident that the "important" checks on them written into the agreement would prove "effective".<sup>11</sup>

The immediate reaction of the United States and Britain to this striking curtailment of their powers was to attempt to by-pass the machinery they had just created. As late as August 1943, Leith-Ross was still advocating that UNRRA should allocate not only all relief supplies but all commodities handled by the Combined Boards. However, this view found little support even in British Government circles. Eventually, in October, as a result of negotiations in Washington between Richard Law and Dean Acheson, the two Governments agreed to restrict the scope of UNRRA to the provision of supplies to liberated countries unable to finance their own purchases. Furthermore, they decided the Combined Boards should continue, with UNRRA but one of many claimants before them for goods in scarce supply.

It was perhaps inevitable that, to some extent, UNRRA should have relied

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<sup>11</sup>H.C. Deb., 18 April 1944, p. 2161; Pearson, Conference of the Women's Conference on International Affairs, Washington, 20 October 1944. Three years later, Canada proposed an almost identical clause for inclusion in the draft IRO Constitution in lieu of a provision empowering the Executive Committee to perform "all the functions" of the General Council, E.S.C.O.R. (II), Special Supplement No. 1, p. 76, No. 2, p. 44.

upon the existing machinery of the Combined Boards; and, as a member of two of them, Canada stood to gain from any extension of their activities. Nevertheless, she was concerned with the principle involved; the Anglo-American proposal seemed to assign to the Boards functions which Canada had expected the Committee on Supplies and the regional committees would perform. Consequently, as one member of the Canadian Delegation to the First Session of the Council admitted privately, "we fought that tooth and nail".<sup>12</sup> Canada considered it a matter of "vital importance" not only that relief supplies should be distributed fairly, but that the burden of contributions should also be distributed among the members of UNRRA with "reasonable" fairness. "It seemed to the Canadian Delegation, therefore," Brooke Claxton stated in committee,

that the appropriate instruments to assure such fairness of burdens and distribution should and must be the instruments of UNRRA in which all are represented. . . . in connection with the distribution and administration of relief, the Combined Boards should not undertake any functions in addition to those which they are now performing and are equipped to perform. They examine requirements and make recommendations on the basis of strategic needs. They are in no way organized to direct or control the distribution or administration of relief supplies or the operation of UNRRA generally.<sup>13</sup>

Canada's efforts, in this respect, were only partially successful. Resolution 1 adopted by the Council granted the "existing intergovernmental agencies concerned with the allocation of supplies and shipping" greater authority than she would have preferred. On the other hand, the arrangements for cooperation between UNRRA and the Combined Boards worked out at a meeting of their represen-

<sup>12</sup>Claxton, letter to J.W. Dafoe, 10 December 1943, Dafoe Papers.

<sup>13</sup>15 November 1943, UNRRA, 1st Session of Council, Journal, p. 50, summary record, italics mine. Claxton may have discussed the relationship of UNRRA to the Combined Boards with American officials during his visit to Washington at the beginning of September. New York Times (2 September 1943), p. 7.

tatives on 30 December 1943<sup>14</sup> seemed at the time eminently satisfactory. Unfortunately, they proved less so in practice.

The end of the war affected UNRRA in two important ways: it led to a gradual dissolution of the machinery of the Combined Boards and to an immediate enormous expansion in UNRRA's operations. Both developments greatly increased its importance. The United States took the lead in pressing for the early termination of the Combined Boards and their replacement, if necessary, by more representative institutions. The Combined Shipping Adjustment Board had already collapsed in 1944. Then, at the end of 1945, the Combined Production and Resources Board and the Combined Raw Materials Board were officially wound up, though a few commodity committees continued an independent existence with membership on a functional basis. Only the Combined Food Board was continued into 1946 and, in May, it was superseded by the International Emergency Food Council with a wide membership.<sup>15</sup>

In anticipation of these changes, the see-saw battle between the chief contributors, the United States and the United Kingdom, and the other members of UNRRA, including Canada, for control of relief operations took on a new form. No longer was it essentially a struggle between the Combined Boards and UNRRA; instead it became a struggle within UNRRA between the Central Committee on the one hand and the representative organs, the Council and the standing committees, on the other hand.

The issue came to a head at the Third Session of the Council in August 1945. Despite the philosophy of the State Department that relations with the

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<sup>14</sup>Pearson attended as a representative of UNRRA in his capacity as Chairman of the Committee on Supplies.

<sup>15</sup>History of the Combined Raw Materials Board (January 26, 1942 to December 31, 1945) (Washington: War Production Board, n.d.), pp. 67-9, 71, 72; History of the Combined Production and Resources Board, June 9, 1942 - November 1945 (Washington: War Production Board, 29 December 1945), p. 12; Department of External Affairs, Press Release, No. 101A, 10 December 1945; UNRRA, 4th Session of Council, Journal, pp. 57, 155-7.

United Nations should be conducted on a basis of equality, the American Congress in appropriating its second contribution to UNRRA specified that the Central Committee rather than the Council should be responsible for approving the Director-General's allocations of financial resources to specific countries. The lesser powers had, of course, formally to accept this condition (Resolution 80), but they did what they could to circumvent it. Already, under pressure from the East European bloc who complained bitterly of discrimination against them in the distribution of supplies, L.B. Pearson had proposed that the functions of the Committee on Supplies should be extended to embrace distribution as well as procurement, and its membership expanded to include receiving countries as well as contributors. Although this was agreed to, the adoption of Resolution 80 a few days later largely nullified its effect. For a time, the Committee on Supplies hoped that it might be the body called upon to advise the Central Committee on the equitable distribution of supplies,<sup>16</sup> but the Central Committee decided instead to set up its own Program Subcommittee for this purpose, as in this way the supplying countries could retain a majority.<sup>17</sup> Thus, the Committee on Supplies never did play the significant role forecast for it in the spring of 1943; a similar fate befell each of the other standing committees with the single exception of the Committee of the Council on the Far East. This withering away of UNRRA's representative organs was accompanied by a corresponding growth in the authority of the Central Committee, until in June 1947 it formally assumed all the remaining powers of the Council. Even prior to this, it had possessed greater control over

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<sup>16</sup>UNRRA, Council III, Doc. 101, C(45)41; Doc. 198, Ad Hoc/G38, p. 4; Committee on Supplies, Docs. CS(45)35, CS(45)39, CS(45)41.

<sup>17</sup>At this time, the Committee on Supplies was composed of eight supplying countries, five receiving countries and four recently liberated non-recipient West European countries. Subsequently, three additional recipients were added to the membership.

the formulation of policy than had been envisaged even in the early draft agreements.

The increase in the functions of the Central Committee in August 1945 also led to an attempt to expand its membership from four to nine. The Canadian Government had never quite ceased to press for full membership on the Central Committee. During the First Session of the Council, the Canadian representative had quoted the Prime Minister's statement of 9 July 1943 and expounded at length on the virtues of the functional principle which he suggested could be applied "with especial advantage to questions concerning the organization of relief and rehabilitation". He commented significantly that no government of a supplying country would find it easy to maintain rationing in peace-time "unless it is in a position to convince its people that it has an effective voice in the policy of UNRRA governing relief supplies".<sup>18</sup>

Furthermore, although at the first meeting of the Committee of Supplies, L. B. Pearson was duly and unanimously elected Chairman in accordance with the previous arrangement,<sup>19</sup> in actual practice, the compromise did not prove as significant as had been anticipated. "I cannot conceive of a Central Committee having many meetings", Brooke Claxton declared in April 1944, "without considering questions of supply."<sup>20</sup> Nevertheless, Pearson attended only some seven of the sixteen meetings held prior to Canada's admittance as a full member.

The restoration of France to the status of a Great Power during the San Francisco Conference made her continued exclusion from the Central Committee increasingly incongruous. Nevertheless, her claim to membership was not, on func-

<sup>18</sup>UNRRA, 1st Session of Council, Journal, p. 37, 12 November 1943.

<sup>19</sup>Ibid., p. 170, 30 November 1943.

<sup>20</sup>H.C. Deb., 18 April 1944, p. 2155.

tional grounds, as strong as Canada's. The Great Powers therefore decided that both countries should be admitted at the same time. A resolution to this effect, moved by the United States and seconded by the USSR, was unanimously approved at the Third Session of the Council in August 1945. On the other hand, a second resolution presented by Australia calling for the admission of three further states, Australia, Brazil and Yugoslavia was vetoed by the Soviet Union as she feared that this would have tipped the balance too heavily in favour of the smaller powers and the contributing countries. Canada supported the Australian proposal, while the United States abstained. Lester Pearson expressed sympathy particularly for Australia and Brazil whom, as the fourth and fifth largest contributors, he felt deserved an adequate voice in the determination of UNRRA policy.<sup>21</sup> However, he did not offer to resign as Chairman of the Committee on Supplies to make way for an Australian. Had he done so, Australia could, in this way, have been associated with the work of the Central Committee. The Australian resolution was re-introduced at the March 1946 session of the Council. This time, it was accepted by the Soviet Union, though not until after she had made a determined effort to seat both Poland and Yugoslavia.

Although the Great Powers eventually won the battle to preserve the policy-making powers of the Central Committee, they surrendered the citadel when they were forced to admit the smaller powers to membership on it. As a final protest against this continual pressure to restrict their freedom of action, the United States and Britain flatly refused in 1947 to continue to finance the organization any longer. Shortly afterwards, it collapsed. Subsequent relief programmes were either bilateral or, as in the case of the Marshall Plan, semi-bilateral.

The struggle over the composition and powers of the Central Committee of

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<sup>21</sup>Resolution 77; UNRRA, 3rd Session of Council, Journal, pp. 120-1, 128, 24 August 1945.

UNRRA represented Canada's most concerted effort in support of the functional principle. Although at first she achieved only limited success, her efforts were not in vain. Her views made a deep impression at the time on great and small powers alike; and they eventually triumphed. UNRRA may have fizzled out rather ignominiously, but its chequered career, from the time of its conception to its last faint gasp, left its impact on every international institution to follow it. Two legacies were of particular significance. The Great Powers were never again able to arrogate to themselves the exclusive right to draw up the constitutional instruments of United Nations agencies; or to exclude all but themselves from membership on UN councils.

#### The Specialized Agencies

The Canadian Government considered that the functional principle should apply to the discussion and drafting of the constitutions of post-war institutions as well as to their organization and operation. These two issues were closely related, for the procedure by which the constitutional instruments were drawn up was a vital factor in determining the nature of the institutions which ultimately emerged. In this respect, as in others, there was an intimate relationship between the means used and the results achieved.

In the case of the constitutions of the specialized agencies, the British and the Americans disagreed on how far discussions should go before other nations were brought in. The British favoured the procedure, adopted in the case of UNRRA, whereby the Great Powers drafted a constitution with a minimum of consultation with others, and submitted it to the other United Nations for formal signature. The Americans agreed with the British in August 1942 that it would be unwise at that time to convene a general conference to consider the Anglo-American draft agreement on UNRRA. Later, however, <sup>as</sup> the war situation improved and Hull's belief in "general" international organizations gained wider acceptance, the

United States became increasingly international in her approach. Finally, in February 1943, Roosevelt stole a march on the British by calling the Hot Springs Food and Agriculture Conference without even consulting them.<sup>22</sup>

The Canadian Government took the view that all countries, great or small, whose opinions were important for the success of a particular project should participate at the preliminary discussion and drafting stage. This was not always done. In an obvious reference to UNRRA, L.B. Pearson suggested that the Great Powers, in overlooking the special position and interests of the middle and smaller powers, had caused "a lot of needless trouble . . . that could easily have been avoided".<sup>23</sup> The Government was also slightly annoyed at its exclusion from the Bermuda Conference on Refugees in March 1943 which led to the reconstitution of the Inter-governmental Committee on Refugees and eventually to the International Refugee Organization, in both of which Canada played an active part.<sup>24</sup>

On the other hand, the Canadian Government participated from the first in discussions on international finance and civil aviation. Originally, Keynes had contemplated that the United Kingdom and the United States (the "Founder States") would set up his International Clearing Union, and invite others to join only at a later stage. The actual procedure adopted was very different. As early as October 1942, Canadian officials discussed Keynes' first draft with him in London; and the following April similar talks were conducted with the Americans. In June 1943, experts from several countries held Informal Discussions in Washington. As early as December 1942, Canada had proposed that invitations to the final

<sup>22</sup>R. F. Harrod, The Life of John Maynard Keynes (London: Macmillan, 1951), pp. 553-4; also, Keith A. H. Murray, Agriculture (London: H.M. Stationery Office, 1955), p. 349.

<sup>23</sup>Canadian Club, Winnipeg, 27 December 1944.

<sup>24</sup>H. C. Deb., 9 March 1943, p. 1076; 29 March, p. 1622; 5 April, p. 1832.

conference to draft the articles of agreement setting up the proposed monetary bodies should be extended on a "semi-functional" basis. In the end, this suggestion proved impracticable; the Bretton Woods Conference was not held until the summer of 1944 and by that time the precedent created at Hot Springs was too well established.

Canada took a similar position on discussions on civil aviation. On 9 July 1943, the very day Prime Minister King announced his functional principle in the House of Commons, the Government rejected a British suggestion that a conference of ministers be held in Ottawa to which the Big Four and Commonwealth countries would be invited.<sup>25</sup> In the Canadian view, either the proposed meeting should have been at the official level or other states should have been invited. Canada considered that France, the Netherlands and Brazil had as least as much right to representation as Australia, New Zealand and the Union of South Africa. The proposed conference was never held. Later, following the Commonwealth air discussions in London and the Moscow meeting of Foreign Ministers in October, there was some danger that the Big Three would turn the problem of postwar civil aviation over to the European Advisory Commission.<sup>26</sup> Fear of this was one reason why Canada rushed into print in March 1944 with her own draft international air convention. In the end, the opposite happened. Canada would have preferred consultations to be confined to "countries principally interested in air transport" but, instead, the International Civil Aviation Conference which finally met at Chicago in late 1944 conformed to the Hot Springs and Bretton Woods pattern.<sup>27</sup>

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<sup>25</sup>Supra, p. 96.

<sup>26</sup>At the end of 1943, a senior Canadian official wrote: "My main fear is that the whole subject may be switched to the Committee of the big three in London." There has also been some suggestion that, in the spring of 1943, Canada feared that the British and Americans might conclude a secret air deal behind her back. Fortune (May 1943), p. 90.

<sup>27</sup>Howe, Canadian Club, Toronto, 19 February 1945.

It must be admitted that the Canadian attitude has not always been entirely consistent. For instance, during the discussions in 1945 and 1946 which preceded the revision of the draft Convention of the International Wheat Council, four of the five members -- Argentina, Australia, Britain and the United States -- favoured inviting some nine or ten other countries to join in a review of the 1942 Convention. Canada, the leading wheat exporter nation, was alone in maintaining that agreement should first be reached among the big five wheat trading nations. Not until mid-1946 did she finally give way.<sup>28</sup>

The drafting of UNRRA's Constitution had a second and even more far-reaching influence on subsequent developments in the field of international organization. As a result of the Canadian assault on their monopoly position in the Central Committee, the Great Powers never again seriously questioned the right of the smaller powers to some representation on international executive bodies. In fact, as far as the specialized agencies were concerned, the issue gave rise to only occasional skirmishes.

The most important of these concerned the threatened Anglo-American domination of post-war monetary stabilization arrangements. The first draft of Keynes' Currency Union, in the autumn of 1941, accorded a "special position" to Britain and the United States; and he never gave up his belief that the Fund and the Bank should be run by the Treasuries of the principal nations.<sup>29</sup> American proponents of the "key currency" approach held similar views. But the economic domination of the Great Powers was no more acceptable to the Canadian Government than the political domination which was bound to accompany it. "I have an uneasy feeling", commented Louis Rasminsky, the leading Canadian expert in the field,

<sup>28</sup>International Wheat Council, IWC (Minutes) 10/1, pp. 2, 7.

<sup>29</sup>Harrod, Keynes, pp. 553, 633. For the criticism of a former Canadian treasury official, see Mabel F. Timlin, "The Harrod Life of J.M. Keynes", Canadian Liberal, IV (1951), 165.

"that the 'key currency' approach is the monetary counterpart of the Great Power doctrine of international organization generally."<sup>30</sup> The triumph of the American plan with its multilateral emphasis and its provision for weighted voting averted this danger.

In the civil aviation field, Canadian initiative squelched any inclinations to dominate which the Great Powers might have had before they could assert themselves. As early as October 1943, the War Committee of the Cabinet approved a proposal for an international air transport board on which the states, large or small, of chief importance in international air transport would be represented. By being the first to produce a draft convention and by energetically pressing her point of view, Canada was able, virtually without challenge, to secure acceptance of the right of the smaller powers to share in the work of the air council.

A related question was whether certain states should be assigned permanent seats on the councils of specialized agencies. The Canadian Government has generally taken the view that this was undesirable because in practice it gave rise to two difficulties. In the first place, the Great Powers tended to assume that they and they alone were entitled to permanent representation. As far as the Security Council was concerned, this claim was on functional grounds clearly justified; but the same could not be said of all organizations. The most powerful nations militarily were not necessarily the chief exporters of goods or of capital, or the operators of the largest fleets of merchant ships or of civil aircraft. For this reason, the Canadian Government consistently opposed attempts

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<sup>30</sup>"International Credit and Currency Plans", Foreign Affairs, XXII (1943-44), 599. This should not be thought to imply that John H. Williams' key currency approach was motivated by political considerations. It certainly was not.

to accord the Great Powers per se permanent representation in functional organizations.

Canada first took a stand on this issue as long ago as 1922. The Constitution of the International Labour Organization as originally drawn up provided for continuing representation on the Governing Body for the eight states of "chief industrial importance". At the 1922 Conference, it was proposed that the ILO should revert to the more traditional system and name the six states of "special importance" as permanent members. As, under a revised formula of industrial importance, Canada was about to obtain a non-elective seat for the first time, she vigorously opposed the proposal, while her delegate, Ernest Lapointe, denounced it in particularly ringing tones.

Pourquoi cette déclaration [he declared] que certains pays que l'on nommé au une "importance speciale", alors que deux de ces pays [Italy and Japan], d'après les chiffres mêmes de la commission, d'après les chiffres mêmes du Bureau international du Travail, ont, dans la classification, un rang inférieur à celui du Canada? Quelle est la raison? Serait-ce la force militaire? Messieurs, s'il faut avoir une puissance militaire pour être pays industriel, je confesse notre inferiorité, et j'en suis fier!<sup>31</sup>

The intervention achieved its purpose.

There was a further reason for not resorting to the device of allocating permanent seats on the councils of non-political organizations. In the political and military sphere, the leading world powers generally form a distinct and recognizable group but this is rarely the case in the economic and social field. This explains why the Canadian proposal for permanent representation on the Executive Board of ITO failed to win acceptance. During the drafting of the Charter of the International Trade Organization in 1947, Canada suggested the names of six

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<sup>31</sup>International Labour Conference, Fourth Session, 1922, [Proceedings], I, 258. For a fuller discussion, see Jean-Pierre Després, Le Canada et l'Organisation internationale du Travail (Montreal: Fides, 1947), pp. 103-7. In 1946, Canada opposed permanent seats for the Great Powers on the Executive Board of WHO. International Health Conference, Press Release, H/26 (1 July 1946), p. 1.

states, including her own, which she considered should, "by virtue of their economic importance" actual or potential, be granted permanent seats on the Board. Although she admitted that a formula might be better "etiquette", she argued that it would be much simpler "to get down to brass tacks" and choose the permanent members by agreement. Canada could safely afford to take this stand in this instance because there was little danger of her not being named. Other states, however, strongly objected to the Canadian proposal; consequently, it had to be dropped.<sup>32</sup> A somewhat similar situation arose in the International Emergency Food Council, the successor organization to the Combined Food Board. In May 1946, Canada asked for and received an appointive seat on the Central Committee of the Council. As this led to a certain amount of criticism, she renounced her privileged position a year and a half later and accepted an elective seat instead.<sup>33</sup>

Although the economic and social importance of states is less susceptible to subjective assessment than their political power, fortunately, it is more susceptible to objective measurement. Consequently, it is frequently possible to devise a formula which will indicate the relative functional importance of members of specialized agencies and to use it to determine the states entitled on functional grounds to council seats.<sup>34</sup>

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<sup>32</sup> Preparatory Committee of UN Conference on Trade and Employment, E/PC/T/C. 6/W.6, p. 1; E/PC/T/B/PC/26, pp. 4, 23; UN Conference on Trade and Employment, E/CONF.2/C.6/W.4, p. 2. The Canadian Delegation suggested that the list be revised after "ten or fifteen years" (later "five or ten years").

<sup>33</sup> FAO, Special Meeting on Urgent Food Problems, Doc. 15, III/5, p. 2 and Report, p. 36; IEFC, 2nd session of 5th meeting, Note of Proceeding, pp. 4, 5.

<sup>34</sup> Two other devices utilized to ensure functional representation were ad hoc membership (infra p. 367 ) and, in the case of ICAO, the establishment of functional criteria for elections (infra pp.357-8 ). During the drafting of the IRO Constitution, Canada opposed both a British-Dutch amendment to limit membership on the Executive Committee to contributor countries and a Soviet proposal to ensure adequate representation of the countries of origin of the refugees. E.S.C.O.R. (II), Special Supplement, No. 1, pp. 76, 82-3.

The International Labour Organization was the first important international institution to use a rating formula to select the states entitled to non-elective seats on its governing body. The Canadian Government consistently supported the ILO's system during the inter-war years and later advocated its extension to the industrial committees set up after the war, and to other specialized agencies in the economic field: the Fund, the Bank, ICAO, the Inter-Governmental Maritime Consultative Organization and the International Trade Organization (and the recently established Organization for Trade Cooperation). Canadian efforts in this respect have not been notably successful; ITO and IMCO have never come into operation and the other agencies, with the partial exception of the Fund, all rejected the system.

Although the Canadian Government has not been above attempting to juggle criteria in order to produce the most advantageous formula, it has insisted that no extraneous considerations should enter into the calculations. The exclusion of these irrelevant factors has not been easy. The criteria used by the ILO from 1922 to 1935 to determine the eight states of chief industrial importance included a number of factors such as length of railways and per capita horse power which were extraordinarily favourable to countries like Canada with large areas and small populations. In 1935, this formula was revised in a clumsy attempt to cloak with some semblance of legality the ejection of Canada and Belgium from the Governing Body to make way for the United States and the Soviet Union who had rather belatedly joined the Organization.<sup>35</sup> The new set of criteria gave much greater weight to population and in addition introduced political and social considerations unrelated to industrial development. For these reasons, the Canadian Government bitterly opposed both the revised formula and the method of its

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<sup>35</sup>In contrast, the displacement of Brazil following the U.S.S.R.'s re-entry into the ILO in 1954 was handled not only constitutionally but delicately. ILO, Minutes of the Hundred and Twenty-Fifth Session of the Governing Body, pp. 22-3.

**introduction.**

In 1944, it was proposed that China, whose political prestige was then at its peak, should temporarily fill the vacancy among the states of chief industrial importance created by the withdrawal of Japan in 1940. The Canadian Government argued that the seat should be allocated "on a statistical basis, and not on a conjectural or patriotic basis". Nevertheless, China got the seat, and has been able to retain it, legitimately, ever since.<sup>36</sup>

Since the war, there have been two revisions of the ILO formula, in 1948 and 1954. On both occasions, the criteria agreed upon proved acceptable to the Canadian Government, particularly the heavy weighting given to financial contributions. At no time has there been any threat to Canada's non-elective status. This has been especially true since 1953 when the number of permanent seats was increased to ten. Despite the return of the Soviet Union and the former enemy states, Canada has continued to maintain her standing as the eighth industrial state of the world.

During the drafting of the Canadian proposals for an international air transport convention, a variety of suggestions for functional representation on the proposed board were considered. Some of these were taken up during the Commonwealth Air Conversations in London in October 1943, where they proved to be one of the major points of difference. Eventually, the Canadian Government decided to pattern its proposals on the ILO system. This seemed the best way of ensuring Canada the permanent representation to which she felt entitled in view of her war-time experience as the fourth air power on the allied side and her strategic geographical location astride most of the air routes linking North America with

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<sup>36</sup>ILO, Minutes of Private Sitzings of the Ninety-Second Session of the Governing Body, p. 10.

Europe and Asia.<sup>37</sup>

The Canadian draft convention envisaged an International Air Transport Board consisting of the representatives of the eight states of chief importance in international air transport (selected in accordance with an appropriate functional formula) plus nationals of four states elected by the Assembly. The Government continued to argue on this basis right up to the Chicago Conference of November 1944, despite the increasing opposition of the smaller powers. At Chicago, Canada joined with Britain and the United States in proposing a revised scheme whereby permanent representation of the seven states of chief importance in air transport would be balanced by the election of seven states on a geographical basis; but even this compromise proved unacceptable.<sup>38</sup> As a result, in the end no seats were specifically reserved for any class of states. Had Canada and the other leading air powers anticipated the results of the elections to the Interim Council,<sup>39</sup> it is doubtful if they would have surrendered to the clamour of the conference back-benchers quite so readily.

Although Canada considered herself a world air power, she regarded herself even more as a world trading nation; and she was anxious that the Charter of the International Trade Organization should recognize this fact. As we have already seen, she tried initially to get herself named a permanent member of the ITO

<sup>37</sup>Ottawa Air Training Conference, May 1942: Report of the Conference (Ottawa: King's Printer, 1942), p. 12; H.C. Deb., 2 April 1943, p. 1777; 17 March 1944, pp. 1575, 1577; 6 November 1945, p. 1870.

<sup>38</sup>H.C. Deb., 17 March 1944, pp. 1583, 1586-7; Proceedings of the International Civil Aviation Conference (Washington, Government Printing Office, 1948), I, 421, 428, 575, 588. Under the Canadian proposal, the Board designated as members of the regional councils, the states "principally concerned in the international airlines of the region". Later, the Canadian Government decided these should be named rather than chosen on the basis of specific criteria. FICAO, Dec. 1016, C/77, pp. 11-14.

<sup>39</sup>Infra, p. 358.

Executive Board; but when this suggestion proved unacceptable, she fell back on the device of assigning seats to the "eight Members of chief economic importance". This was agreed to with the added provision that, in determining the criteria of economic importance, "particular regard" should be paid to Members' "shares in international trade" (Article 78). The outcome was, therefore, immensely satisfactory for Canada, except for the fact that the Organization never came into existence. However, the Assembly of the new Organization for Trade Co-operation is to be "guided" by the same considerations.

Canada's efforts at Bretton Woods to obtain the right to appoint an Executive Director were a revealing example of Canadian ingenuity and perseverance. In the "Joint Statement by Experts on the Establishment of an International Monetary Fund" (21 April 1944), only the five countries with the largest quotas were granted this privilege. Canada, with the seventh largest quota, argued that there should be seven non-elective Executive Directors or, alternatively, only three. Her attitude was not simply a combination of self-interest and spite. The seven states with the largest quotas were, in order, the United States, the United Kingdom, the Soviet Union, China, France, India and Canada. The proposal to confine permanent representation to the Great Powers was in keeping with traditional practice; but Canada argued that functionally it was scarcely logical. France and especially China, despite her inflated quota, really did not belong in the same league, economically, as the Big Three. If it were considered necessary for political reasons to grant appointive privileges to China and France, then the same right should be extended to India and Canada, for all four countries were of comparable economic importance. Neither suggestion proved acceptable. The Canadian Delegation was on the point of accepting the inevitable when suddenly Louis Rasminsky pulled an idea out of the hat. After hurried consultations with Ottawa and with the American Delegation, both of which were enthusiastic, the following proposal was introduced and subsequently adopted:

If, at the second election of Executive Directors and thereafter, the members entitled to appoint Executive Directors do not include the two members whose quotas have been used on the average over the preceding two years, in the largest amounts . . . such member<sup>40</sup> or members shall also be entitled to appoint Executive Directors.

As it could be expected that the quotas of the two leading dollar countries would be in heaviest demand, and as the United States was already entitled to name an Executive Director, this provision effectively applied only to Canada.

In the case of the International Bank for Reconstruction and Development, Canada proposed that, for the first four years, the five states entitled to appointive Executive Directors should be listed in the Agreement. As she considered herself even more important functionally in IBRD than in IMF and felt she ought to be included among the five, she suggested that only three of the five should be the largest shareholders, while the other two should be chosen,

primarily with a view to enlisting the confidence of investors and financial institutions situated in the countries which are expected to export capital under the auspices of the Bank during its early operations.

Once the Bank was well-established, these two appointed Executive Directors should be named by the two members (other than the three holding the largest number of shares) from which "the largest amounts of investment capital" had been provided "in the form of loans to the Bank or guaranteed by it". This proposal was discussed in committee and agreed to in principle, but eventually rejected.<sup>41</sup>

The Canadian amendments, though defensible, were scarcely disinterested. The Government was, as it later frankly admitted, "mindful of the possibility that Canada might as a member of both institutions, occupy the position of a 'creditor' nation".<sup>42</sup> Experience since indicates, however, that in neither case were these

<sup>40</sup> Proceedings and Documents of United Nations Monetary and Financial Conference (Washington: Government Printing Office, 1948), I, 544, 653. The amendment appears, slightly reworded, as Article XII 3(c) of the Articles of Agreement.

<sup>41</sup> Ibid., I, 553, 810-3, 860.

<sup>42</sup> White Paper on Employment and Income (Ottawa: King's Printer, 12 April 1945), p. 8.

elaborate precautions necessary. A Canadian Executive Director has always been elected in both the Fund and the Bank, though prior to 1952 this usually required the assistance of Norwegian or Icelandic votes.

The size of councils and committees is another important aspect of their composition. Here again, the functional principle has been the primary consideration governing Canadian policy. Canada has felt that international bodies should be neither too small to include the important middle powers nor so large that they are swamped by a flood of small powers. We have already observed how strenuously Canada reacted to attempts to restrict membership of councils to Great Powers. She took an equally strong stand against excessively large bodies. Her case against large, representative Councils rested largely on the factor of efficiency. Mackenzie King, in his initial formulation of the functional principle, stressed "the practical necessity of limiting representation on international bodies to a workable number",<sup>43</sup> and Canadian spokesmen have repeatedly reiterated this since. Indeed, few countries have taken such a strong or consistent stand on this issue.

The primary criterion for determining what constitutes a workable number is the technical consideration of the number of persons who can conveniently be grouped around a conference table and participate effectively in discussion. Clearly, there is no absolute figure on which all can agree, but it is equally obvious that the optimum number is small, particularly as there are normally non-members -- ex officio members, committee chairmen, representatives of other international organizations and secretaries -- who cannot be excluded. Canada has considered seven to nine an ideal size and, provided there was no danger of her being excluded, has usually advocated restricting membership to this number.

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<sup>43</sup>H.C. Deb., 9 July 1943, p. 4558.

In this she has not been very successful. For example, in the case of the Council of FAO, she favoured a maximum of seven, whereas the number finally agreed upon was eighteen. Eighteen is the absolute upper limit Canada has been prepared to accept. In fact, anything over fifteen has been looked upon as undesirably cumbersome.<sup>44</sup>

The Government has not been unmindful of the importance of adequately representative international institutions, but it has rarely felt compelled to emphasize this factor as it has never lacked powerful and vocal advocates among the smaller powers. In an attempt to reconcile the conflicting criteria of efficiency and representation, Canada has taken two considerations into account. The first is the total membership of the organization. The Government has been guided by a rule of thumb according to which a council is representative if it is a quarter the size of the assembly.<sup>45</sup> By this standard, ICAO's Council of twenty-one is excessively large even in relation to its present membership of sixty-three; in 1946, when there were only forty-four members, it was quite ludicrous. Canada had originally favoured a council of twelve.<sup>46</sup>

The Canadian Government has also considered that, in determining the most appropriate size for a council or committee, the nature of its functions should be taken into account. It was more important that a purely executive and administrative body be efficient than that it be representative. Canada considered that the executive organs of IWC, ITO and IBFC, were primarily business bodies

<sup>44</sup>Sixth Meeting of Committees I and II of FAO Preparatory Commission on World Food Proposals, Washington, Summary Minutes, Doc. 253 I-II/15, p. 5. France favoured nine and India twelve, while all other members of the committee favoured eighteen.

<sup>45</sup>Preparatory Committee of UN Conference on Trade and Employment, E/PC/T/E/IV.26, p. 3.

<sup>46</sup>PICAO, Doc. 1741, GL/16, pp. 2-3; H.C. Deb., 17 March 1944, p. 1583; Howe, Canadian Club, Toronto, 19 February 1945.

rather than forums for debating policy and, therefore, need not be large. The same could be said of "house-keeping" committees in the United Nations and other international institutions. On the other hand, the more a council or committee was concerned with policy questions, the more important its representative character became. In the case of the main committees of the General Assembly and the Interim Committee, it was even considered desirable to establish committees of the whole. In the view of the Canadian Government, wide representation on such bodies was not merely a concession to an alleged equality of states, but a useful and practical device which in the end probably saved time by shortening debates in plenary session.<sup>47</sup>

Where the necessity of reaching decisions speedily is a prime consideration, there is a compelling case for a small council even if the council deals with important policy matters. This was the main justification for the restricted membership of the Combined Boards.<sup>48</sup> It also explains why the Security Council is smaller than ECOSOC. Various suggestions have been made during the past ten years to increase the size of both of these Councils, but Canada has never given any encouragement to any of the proposals put forward.<sup>49</sup>

Canada's well-known reputation for favouring small committees has, on occasion, been used as an excuse to decline unwelcome responsibilities. A classic example of this was provided by Canadian efforts to avoid membership on the United Nations Commission on Korea. As already indicated,<sup>50</sup> Canada was only a reluctant

<sup>47</sup> See, for example, the debates in the Council of ICAO on the size of its commissions and committees. Doc. 6189, C/699, p. 17; Doc. 6226, C/704, pp. 5, 9; Doc. 7057-2, C/817-2, pp. 19-23; Doc A4-WP/302, EX/41, p. 64; International Wheat Conference, 1949. Doc. 18, pp. 4, 5; Canada at the United Nations, 1947, p. 215.

<sup>48</sup> Howe, H.C. Deb., 6 May 1943, p. 2474.

<sup>49</sup> U.N.C.I.O., XI, 282-3; G.A.O.R. (III/1), Joint 2nd and 3rd Committee, p. 82.

<sup>50</sup> Supra, pp. 41-2.

member of the earlier UN Temporary Commission on Korea set up in 1947. When its mandate came up for renewal in 1948, she argued in favour of a new commission with a membership of five or, at the most, seven. UNTCK had had nine members, but, as the Ukraine had boycotted it from the first, there were effectively only eight. "This is not a convenient number", the Canadian Delegate solemnly declared. "We are prepared, therefore, ourselves to withdraw from the Commission, thus reducing the number to seven."<sup>51</sup> Whether or not the other delegates were aware of Canada's real motive, they readily fell in with her scheme.

In the case of some of the specialized agencies, the composition of their executive bodies was intended to reflect a balance of interests of various kinds. On some, the principal spheres of activity of the organization are represented. Thus, the Constitution of UNESCO states that, in electing members of the Executive Board, the General Conference should endeavour to include persons "competent in the arts, the humanities, the sciences, education and the diffusion of ideas" (Article V). Although in 1952, Canada proposed that the Board should, in future, be composed of states rather than individuals, the Canadian amendment retained the wording quoted above.<sup>52</sup> On the other hand, in 1945 Canada opposed the view that the FAO Executive Committee should be composed of experts in agriculture, nutrition, fisheries, forestry and statistics.

A balance of a different sort is found in the International Labour Organization. From the first, its Governing Body has been constituted on a tripartite basis with representation of governments, workers and employers in the ratio of 2:1:1. Thus, the number of governmental and non-governmental delegates is equal.

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<sup>51</sup>Canada and the United Nations, 1948, p. 228.

<sup>52</sup>UNESCO Doc. 70/DR/91.

This unique, almost anomalous, arrangement has survived largely because the Workers' Group in particular is so firmly wedded to it. Nevertheless, in the process of rationalizing international institutions at the end of the Second World War, several modifications to the tripartite principle were proposed mainly in an effort to take account of the growth of socialized industry in general and the Soviet system in particular.

One suggestion was that the ILO should be converted into a purely governmental agency with members free to choose as delegates whomever they wished. This received little support. More serious were the various proposals to retain the tripartite principle but to alter the proportions. Both the Belgians in 1945 and the French in 1946 advocated a ratio of 2:2:2 to facilitate the inclusion on national delegations of representatives from both the socialized sector of industry and private enterprise and from rival trade union groups. On each occasion, the proposals were withdrawn in the face of determined opposition. In 1948, the question was again raised when in ECOSOC the Soviet Union demanded that "in accordance with the principles of democracy" the workers should have representation equal to the combined representation of governments and employers. This resolution reflected the Soviet concept of western society as a fundamental struggle between irreconcilable class interests. It was of course rejected.

Canada has consistently defended the tripartite principle in its original form. Her spokesman in ECOSOC was particularly scathing in denouncing the Soviet proposal. He maintained that the existing system had been sanctioned by nearly thirty years of experience and solid achievement and ought, therefore, to be preserved intact.<sup>53</sup>

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<sup>53</sup>G.A.O.R. (I/2), Joint 2nd and 3rd Committee, p. 43; ILO, Minutes of the One Hundred and Second Session of the Governing Body, p. 52; E.S.C.O.R. (VII), pp. 465-6; UN doc. E/973. In committees dealing with agenda items, it is the practice of the International Labour Conference to give equal representation to

A related question concerned the composition of the industrial committees set up after the war. Certain employer groups favoured modelling them on the bi-partite Joint Maritime Commission which had functioned since 1920. Canada agreed that the Joint Maritime Commission had been a distinct success and that its composition should remain unaltered. On the other hand, she felt strongly that, as the state was an increasingly important partner in industry, it was essential that the new committees include governmental representatives.<sup>54</sup> This was the view that finally prevailed.

The ILO has sought to maintain not only the tripartite character of its Governing Body but also a balance between economies of different types and in different stages of development. Representation of the economically developed countries of the world is taken care of by the reservation of half of the Government seats on the Governing Body for states of chief industrial importance. The Asian members, in particular, have complained that as a result insufficient attention is given to the problems of industrial and agricultural workers in under-

53 (contd) . . . the three groups: governments, workers and employers. As there are twice as many government delegates in the Conference as worker or employer delegates, the actual number of representatives in committee is often in the ratio of either 2:1:1 or 3:2:2. To restore the original 1:1:1 balance, votes of committee members are weighted in the ratio of 1:2:2 (Riddell system) or 2:3:3 (Riddell-Tzaut system) as may be required ("Standing Orders of the International Labour Conference", 1955, Article 65). Walter A. Riddell was Canadian Permanent Delegate to the League of Nations, 1925-37.

During the drafting of UNESCO's Constitution, Canada opposed the French proposal to have each Member State represented by three government delegates and five representatives of its UNESCO national commission. Conference for the Establishment of UNESCO, ECO/CONF./29, p. 111.

<sup>54</sup>ILO, Minutes of the 94th Session of the Governing Body, p. 71; International Labour Conference, Seattle, 1946, Record of Proceedings, p. 126; Report of the Canadian Government Delegates to the Twenty-Eighth (Maritime) Session of the International Labour Conference, p. 13.

developed countries. At the Philadelphia Conference in 1944, Canada advocated<sup>55</sup> broadening representation in the conferences by including agricultural employers and agricultural workers on national delegations, but no action was taken on the suggestion. When the issue reappeared in 1946, it took the form of a request for increased Asian representation on the Governing Body. The Canadian Government opposed any change at that time, but five years later was more sympathetically disposed to the idea provided it did not initiate a general trend in favour of increased Asian representation in every international organization.<sup>56</sup> It was eventually decided in 1951 to increase the number of deputy government members on the Governing Body to eight and in 1954 to increase its size by eight.

Canada's efforts to ensure that the composition of the councils of the specialized agencies was determined in accordance with the functional principle met with moderate success. Although originally certain of the Great Powers had hoped to exclude all other powers from membership, their attempts to do so were completely frustrated. Less success has been experienced in withstanding the inroads of the smaller powers, but even here the results have not been disastrous. The functional principle may not have been accepted as fully or as explicitly as Canada would have liked. Yet, a number of the specialized agencies do accord some formal constitutional recognition to the leading states in the field; and all of them in practice recognize the special importance of such states to a greater or lesser extent. Certainly, from the Canadian point of view, the situation regarding the composition of councils is far more satisfactory in the specialized agencies than in the United Nations itself.

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<sup>55</sup>Paul Martin, 26 April 1944, International Labour Conference, 1944, Record of Proceedings, p. 111.

<sup>56</sup>International Labour Conference, 1946, Record of Proceedings, p. 356; Report of the Canadian Government Delegates to the Twenty-Ninth Session of the International Labour Conference, p. 26; ILO, Minutes of the One Hundred and Eleventh Session of the Governing Body, p. 33.

## CHAPTER XI

### THE COMPOSITION OF UNITED NATIONS COUNCILS

Membership on governing bodies of international institutions has, on the whole, been determined by two main considerations: function and balance, especially geographical balance. The United Nations is certainly no exception. These two factors are not necessarily mutually inconsistent and, indeed, are always present in some measure; but, as governments attach differing degrees of importance to them, they may in practice be considered as alternative criteria.<sup>1</sup> As has already been indicated, this is to some extent true of the specialized agencies, but it is far truer of the United Nations.

#### Functional Representation

The Canadian Government has consistently emphasized the primary importance of the functional factor and discouraged an excessive preoccupation with geographical and other considerations.<sup>1</sup> In the case of UN councils, it has sought to ensure functional representation in three principal ways: by granting the Great Powers permanent seats on the Security Council, by laying down criteria of

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<sup>1</sup>"I hope . . . that the [functional] principle will be accepted as desirable in itself and that in its application other considerations, such as prestige politics, area representation, racial and political groupings, will be reduced to their proper proportions." Pearson, Alumni Federation, University of Toronto, Toronto, 23 February 1945. The Canadian Government considered that the Council of the League of Nations had been greatly weakened by the election to it of such states as Bolivia, Dominican Republic, Ecuador, El Salvador, Guatemala, Latvia, Panama and Uruguay.

eligibility for the elective seats and by permitting ad hoc representation of non-member states whenever their interests were affected. The first problem, however, was to prevent the Great Powers from monopolizing membership on the councils, as happened at first in UNRRA. This danger was particularly real in the case of the Security Council.

Mackenzie King suggested, in his statement of 9 July 1943, that the functional principle of representation was applicable "especially in economic matters". He added <sup>this</sup> qualification because the immediate concern of the Government was with the functional agencies then under active consideration. Besides, there is a sense in which the comment is obviously true; it is clearly important that economic and not political considerations should determine the composition of bodies concerned with economic affairs. However, King's remark was not intended to imply that the application of the principle in the political and security sphere was any less important. This is evident from the obvious timing of the statement which came the very day Canadian troops invaded Sicily. It was, in fact, one of the principal aims of Canadian policy to win acceptance for the view that the Great Powers should share responsibility for the maintenance of international peace and security with other states with a substantial contribution to make. "No organization of peace", L.B. Pearson reiterated time and again, "should be based entirely on any small group - even of the mightiest powers."<sup>2</sup> The chief significance of Canada's early efforts to avoid great power domination of the Combined Boards and the Central Committee of UNRRA was in their effect on the future composition of the Security Council.

Originally, all the Great Powers opposed the admission of lesser powers

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<sup>2</sup>The first occasion was in an address to the Canadian Club, Toronto, 13 March 1944.

to membership on the Security Council. When in December 1942, the United Kingdom finally came around to the Canadian view that membership of economic councils should not be confined to the Great Powers, she clearly implied that her views on the composition of the proposed organ for political and military action remained unchanged. Nevertheless, before long, certainly by the spring of 1943, a change could be detected. On 22 May 1943, Churchill advocated a Supreme World Council composed of the Great Powers with certain other states elected in rotation from the regional councils.<sup>3</sup>

Meanwhile, the United States continued to insist that membership on the council of the world security organization should be restricted to the four Great Powers. Roosevelt himself was still wrapped up in his pet notion of the Four Policemen. During discussions on the organization of postwar world security in March 1943, he told Eden that "the real decisions should be made by the United States, Great Britain, Russia and China, who would be the powers for many years to come that would have to police the world". No states other than the Big Four, not even France, were to be permitted arms.<sup>4</sup> Even the State Department's "Draft Constitution of International Organization", dated 14 July 1943, provided for a four-power Executive Committee responsible for matters of international security. At Teheran, Roosevelt explained his ideas to Stalin. The new world

<sup>3</sup>Churchill, The Second World War (London: Cassell, 1948-54), IV, p. 717. Hopkins reported on 10 March 1943 that the British were pressing for international councils of seven or eight with "separate membership for Canada and Australia". Robert Sherwood, Roosevelt and Hopkins: An Intimate History (New York: Harper, 1948), p. 707. It is not clear whether Hopkins was referring to the world security organization or only to the specialized agencies.

<sup>4</sup>27 March 1943, ibid., p. 717. The previous day, a State Department subcommittee headed by Welles reported in favour of an Executive Council consisting of the four major powers and seven others elected as representatives of particular regions. The Memoirs of Cordell Hull (New York: Macmillan, 1948), II, 1639-40.

organization, he suggested, should consist of three organs: an Assembly composed of all members, an Executive Committee of ten to handle non-military questions, and "The Four Policemen" who would enforce the peace.<sup>5</sup>

During the second half of 1943, as Hull's views gained acceptance, the State Department began to think in terms of wider representation. The tentative draft "Charter of the United Nations" dated 14 August 1943, proposed a single Council of seven members, though a revised version, presented to the President as late as 29 December, still suggested as one possibility an Executive Council composed "initially" of only the four major states. Only when Roosevelt approved the draft on 3 February 1944, did he finally eliminate this alternative. All subsequent drafts provided for the inclusion of a certain number of "elected" states on the Executive Council in addition to the four states with "continuing tenure".<sup>6</sup>

Just as the Americans were on the point of final conversion, the British appeared to suffer a relapse. On 24 January 1944, Lord Halifax propounded his Titan theory. Admittedly, he did not explicitly advocate that the preservation of peace should be the sole prerogative of the Great Powers; he simply accepted it as a fact that the peace of the world would henceforth depend on a group of four states. Even after the meeting of Commonwealth prime ministers in May, Churchill continued to speak of the need for "a World Council . . . comprising the greatest states . . . in order to prevent the outbreak of future wars".<sup>7</sup>

<sup>5</sup>Ibid., p. 1642; Sherwood, Roosevelt and Hopkins, p. 785; Post-War Foreign Policy Preparation, 1939-1945 (Washington: Government Printing Office, 1949), p. 473.

<sup>6</sup>Ibid., pp. 256, 527, 578, 582. Hull's claim that, "we willingly agreed to the 'functional policy' stated by Prime Minister Mackenzie King", is not entirely accurate, even if the "we" refers only to the State Department. United States policy was not nearly as consistent as this statement implies. Memoirs, II, 1480.

<sup>7</sup>British H.C. Deb., 24 May 1944, col. 784.

"As I see it," he wrote in a minute to Eden, "the Big Three or Big Four will be the trustees or steering committee of the whole body in respect of the use of force to prevent war", though he added that, "I think much larger bodies, and possibly functional bodies, would deal with the economic side".<sup>8</sup> Whatever the significance of these statements, they did not constitute Britain's final judgment on the composition of the Security Council. By the summer, the British had reverted to their earlier view. Shortly before Dumbarton Oaks, the Russians also altered their stand.<sup>9</sup>

The Canadian Government availed itself of every possible opportunity of impressing its views on the Great Powers. "The problems of peace and of the post-war world" were thoroughly canvassed during Eden's visit to Ottawa in the spring of 1943.<sup>10</sup> In May, Mackenzie King journeyed to Washington for the TRIDENT Conference; and, in July, he formally enunciated the functional principle of representation. In the course of his speech, he flatly rejected the suggestion that representation on new international bodies should be "restricted to the largest states".<sup>11</sup> King may also have raised the question of the position of

<sup>8</sup>25 May 1944, Churchill, Second World War, V, 628. He continued: "You should make it clear that we have no idea of three or four Great Powers ruling the world. On the contrary, their victory will entitle them to serve the world in the supreme respect of preventing the outbreak of more wars. . . . The Supreme World Council or Executive is not to rule the nations. It is only to prevent them tearing each other in pieces." Eden's own statement to the House, that same day, only partially clarified the situation. He suggested that, while the future world organization should be "constructed on and around the four Great Powers", "all other peace-loving states should come in and play their part in the structure". British H.C. Deb., 25 May 1944, col. 1055.

<sup>9</sup>C.K. Webster, "The Making of the Charter of the United Nations", History, XXXII, No. 115 (March 1947), p. 26. The Soviet "Memorandum on the International Security Organization" was received in Washington only on 12 August 1944.

<sup>10</sup>30 March-2 April 1943. H.C. Deb., 1 April 1943, p. 1742.

<sup>11</sup>H.C. Deb., 9 July 1943, p. 4558.

the lesser powers in the emerging pattern of international institutions at the first Quebec Conference in August. In December, following the Moscow Conference, he conferred in Washington with Hull.<sup>12</sup> Later, King crossed to London to dispose of the Halifax "theory that the world should be dominated by the Great Powers".<sup>13</sup> Canada also no doubt impressed her views on the Russians and Chinese whenever possible, as for example during the visit of the Chinese Foreign Minister T.V. Soong to Ottawa in April 1943. But, in the main, Canadian efforts were concentrated on converting the British and the Americans.

While the Canadian Government was insistent that membership on the Security Council should not be limited to the Great Powers, she was on functional grounds more willing to concede them a leading role on political and security matters than was the case in the economic and social sphere. This difference of emphasis was evident in connection with both the procedure for drafting the United Nations Charter and the matter of permanent representation on UN councils.

Mackenzie King vigorously defended the exclusive nature of the Dumbarton Oaks Conversations on the grounds that preliminary great power agreement was essential. "Too many cooks sometimes spoil the broth", he said in March 1945, "and to have the representatives of the Great Powers meet in the first instance and see what they could do was I think the successful and wise way of proceeding."<sup>14</sup>

<sup>12</sup>New York Times (7 December 1943), p. 5.

<sup>13</sup>Mackenzie King, "What Do the Liberals Stand For?", Maclean's Magazine (1 February 1945), p. 38.

<sup>14</sup>H.C. Deb., 28 March 1945, p. 298. Oddly enough, on 26 October 1943 during the Moscow Conference of Foreign Ministers, Molotov proposed that the smaller powers should be associated with the drafting of the charter of the proposed international organization, but Hull considered this inadvisable "in the early stages". Hull, Memoirs, II, 1300.

There was a second reason for this willingness to forego the right to formal representation. Both before and during the meetings, Canada had had ample opportunity of keeping the Americans and especially the British fully apprised of her views. In fact, she had a greater influence on the shaping of the Charter before Dumbarton Oaks than after. A preliminary exchange of views took place during the meetings of Commonwealth Prime Ministers in London in May 1944; and following the conference the considered opinions of the Canadian Government were formally submitted to the United Kingdom Government. Throughout the Dumbarton Oaks Conversations, Commonwealth representatives in Washington kept abreast of day-to-day developments by means of daily meetings with the British Delegation. In this way, both the delegates on the spot and the British Government at home could be kept constantly informed of the Canadian attitude to problems as they arose.<sup>15</sup> The knowledge that following the Conversations, a full-scale ministerial conference was planned to which all the United Nations would be invited and at which "full opportunity" would be given to revise the proposals,<sup>16</sup> also served to dissipate any lingering doubts Canada might have entertained concerning the procedure adopted. Perhaps, if she could have foreseen what a tight rein the Big Five were to keep on the San Francisco Conference, she might have acquiesced less readily.

Canada fully supported the principle of granting permanent representation on the Security Council to the Great Powers; indeed, King considered this "essential". Nor did she raise any objection to the particular countries accorded this privileged status. Britain had her doubts about China, and the United States

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<sup>15</sup>Report on the San Francisco Conference, p. 7. H.V. Evatt claimed: "It would have been possible, and it would have been just and wise, for the smaller nations to have been associated with the Dumbarton Oaks Conference. They were not." "Risks of a Big Power Peace", Foreign Affairs, XXIV (1945-46), p. 200.

<sup>16</sup>King, press statement, 9 October 1944.

and the Soviet Union theirs about France, but Canada "unhesitatingly" agreed to both.<sup>17</sup> For reasons of domestic and international politics, she felt a special mission to help restore France to "her rightful place among the Great Powers". The Dumbarton Oaks Proposals provided that "in due course" France should have a permanent seat on the Security Council. At San Francisco, these words were deleted on Canada's initiative.<sup>18</sup>

While Canada favoured permanent representation for the Big Five, she was not prepared to extend this privilege to any other state. Hence, Brazil's claim, though strongly supported by Roosevelt and Hull, got no support in Ottawa. Similarly, when Opposition spokesmen in Parliament advocated a permanent seat for Canada, King's reply was categorical. "The Canadian Government", he stated, "neither has advanced nor has any intention of advancing a claim to rank equal with the Great Powers on the Security Council."<sup>19</sup> The only UN bodies on which Canada has sought and been accorded permanent representation have been the Atomic Energy Commission and the Disarmament Commission.

In the case of the Economic and Social Council and the Trusteeship Council, Canada raised the same objections to naming the Great Powers permanent members as she had in connection with the councils of the specialized agencies. Actually, at San Francisco, no move was made to accord the Great Powers any special status in ECOSEC, though a convention has since grown up under which they

<sup>17</sup>H.C. Deb., 4 August 1944, p. 5909; 20 March 1945, p. 28; Pearson, Canadian Club, Toronto, 13 March 1944.

<sup>18</sup>H.C. Deb., 12 November 1940, p. 60; New York Times (27 August 1943), p. 3; (23 January 1944), p. 19; U.N.C.T.O., III, 589, XI, 254, 290; Report on the San Francisco Conference, p. 29; Statements and Speeches No. 47/2, p. 8.

<sup>19</sup>H.C. Deb., 28 March 1945, p. 308. Nor was Canada prepared to share a permanent seat with other Commonwealth countries. Supra, pp. 121-3.

are always and automatically re-elected. Canada has readily agreed to this procedure as she freely admits that, because of their economic importance, these states should always be represented on the Council. The position in the Trusteeship Council is different as the Americans insisted that the Great Powers who were not responsible for administering trust territories, viz., the U.S.S.R., China and initially the United States, should be entitled to permanent seats. Canada objected to this on principle and even pressed her opposition to a vote. However, the American proposal was carried by the overwhelmingly majority of thirty-five to two.<sup>20</sup>

The question of the status of the Great Powers also arose in February 1946 during discussions on the composition of the General Assembly's Committee on Contributions. The Canadian Delegate, in noting that representatives of the Big Five had been named to the Committee, expressed the hope that this would not establish a precedent for the inclusion of the permanent members of the Security Council on every small technical committee set up.<sup>21</sup>

More frequently, however, when the composition of important political committees has been under discussion in the United Nations, Canada has had to urge that the Great Powers should not be excluded from membership. Some countries consider that the Great Powers should automatically be ruled out as being congenitally incapable of adopting a disinterested attitude on any issue or even agreeing upon a common policy. On the other hand, the Great Powers themselves sometimes welcomed the opportunity of washing their hands of some particularly

<sup>20</sup>E.S.C.O.R. (I), p. 26; U.N.C.I.C., I, 516-7; Report on the San Francisco Conference, p. 53. The Great Powers do not hold permanent seats on the Special Committee on Information Transmitted under Article 73(e) as it is a subsidiary organ of the General Assembly. In 1949, China was defeated in her bid for re-election to the Committee, and in 1952, 1953 and 1954, the U.S.S.R. was similarly defeated.

<sup>21</sup>G.A.O.R. (I/1), 5th Committee, p. 54.

baffling problem by tossing it into the lap of the smaller nations. While Canada was prepared to concede that the first argument had some merit and was able, to some extent, to sympathize with the feelings which inspired the second, she did not consider that either was a valid reason for the Great Powers not shouldering the international responsibilities which they and they alone (though not necessarily all alone) could assume. "Smaller powers", Pearson asserted in January 1948,

should not be asked to undertake United Nations duties which their more powerful associates find to be irksome, dangerous or embarrassing. They should not be asked to play roles in the international drama which should be performed by the stars. There are times when, if it is impossible for the stars to act together, a particular play should not be staged at all.<sup>22</sup>

One of the first occasions on which this problem arose was in 1947 in connection with the UN Special Committee on the Balkans. The Latin Americans considered that membership should be confined to smaller powers like themselves, as in the case of the earlier UN Special Committee on Palestine. However, UNSCOB was expected to do more than investigate and report on the situation; its main function was to assist the four governments concerned to reach agreement on a series of highly political issues. As J.L. Halsey pointed out, what was required was "action, urgent action, to conciliate and bring about adjustment in the relations between Greece and her northern neighbours". He feared that a committee of representatives of smaller powers, however eminent, would not, in view of its "grave and high responsibilities", enjoy sufficient "real prestige and authority". Consequently, he proposed that UNSCOB should be composed of eleven states including the Great Powers. The Canadian resolution received the approval of the General Assembly, though the U.S.S.R. (and Poland) refused to serve.<sup>23</sup>

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<sup>22</sup>26 January 1948, Statements and Speeches No. 48/2, p. 6.

<sup>23</sup>UN doc. A/C.1/211; Canada at the United Nations, 1947, pp. 180-1. Three years later, Canada suggested that the Soviet Union should be named a member of the Peace Observation Commission only if she were willing to participate in its work. G.A.O.R. (V), 1st Committee, pp. 141, 148.

The Canadian Government was even more insistent that, on the Palestine issue, the Great Powers should assume the responsibilities expected of them when they were granted special rights and privileges under the Charter.<sup>24</sup> In view of the fact that they were, for once, broadly in agreement, this was not too much to expect. Canada was particularly anxious that they should cooperate fully in drawing up a practical programme of action and actively assist in its implementation. L.B. Pearson suggested that it might be "very helpful" if the permanent members of the Security Council formally declared their willingness and determination to support in advance "any decision" taken by the General Assembly on Palestine and "to stand behind any action" which the Security Council might take to implement the plan. Canada had a special reason for urging this, for she had no desire to become involved in carrying out a scheme to which the Great Powers were not prepared to give their "united support". In particular, she opposed the wholly unrealistic suggestion that the United Nations enforce its decision by means of an international army financed by the Great Powers but recruited from Canada and other smaller states.<sup>25</sup>

On two other occasions, Canada asked the Great Powers to take the lead in Palestine. In March 1948, she called on them to make a "most serious and indeed supreme effort" to avoid the outbreak of open warfare in Palestine. A few months later, a UN Mediator was named by the Big Five, and, in December, Canada proposed

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<sup>24</sup>In May 1947, an Australian resolution excluding the Great Powers from membership on the UN Special Committee on Palestine was adopted by the General Assembly's First Committee by 13 votes to 11 with 29 abstentions and 2 abstentions. Canada abstained apparently because Pearson was Chairman of the First Committee. G.A.O.R., 1st Special Session, III, 345-6. A Canadian representative was later named a member of UNSCOP.

<sup>25</sup>Canada at the United Nations, 1947, pp. 49-50, 189, 196-7. "We in Canada are beginning to realize that our new position of middle power, which we have been rather inclined to boast about, is not without its disadvantages. Being in the middle is not always a comfortable place." Pearson, 26 January 1948, Statements and Speeches No. 48/2, p. 6.

that the Palestine Conciliation Commission be appointed in the same way.<sup>26</sup>

Canada felt that most, if not all, of the non-permanent seats on the Security Council should be reserved for middle powers like herself. She was, therefore, anxious that functional criteria should be written into the Charter of the United Nations. During the Commonwealth Conference of May 1944 and in private discussions and public debate throughout that summer,<sup>27</sup> Canada pressed her point of view, but with little success. Britain evidently came to accept the Canadian position, but the other Great Powers, the United States included, did not. The American draft of 18 July 1944 even specified that: "All small nations were equally eligible to membership on the Executive Council."<sup>28</sup> This provision was not included in the Dumbarton Oaks Proposals, but neither was the Canadian suggestion; the Proposals were, in fact, silent on the qualifications for Security Council membership. In the view of the Canadian Government, this was a serious omission; and was one of the main reasons for the cool reception accorded the Proposals in Ottawa.<sup>29</sup>

A month later, functional representation suffered a second set-back. The International Civil Aviation Conference in Chicago decided that in electing members of the Council of ICAC, the Assembly should give "adequate representation"

<sup>26</sup>S.C.O.R. (III), Nos. 36-51, pp. 4, 42; UN doc. A/C.1/420; G.A.O.R. (III/1), 1st Committee, pp. 914-5, 919. As a result of criticism by Australia and others, it was eventually agreed that the Great Powers should merely nominate the members of the Commission, leaving the final decision to the General Assembly. UN doc. A/PV.184, pp. 51-2.

<sup>27</sup>H.C. Deb., 4 August 1944, p. 5909.

<sup>28</sup>Hull, Memoirs, II, 1691.

<sup>29</sup>King, press statement, 9 October 1944.

to: (A) the states of "chief importance in air transport", (B) the states making the "largest contribution to the provision of facilities for international civil air navigation", and (C) "the major geographical areas of the world". Canada would have preferred permanent representation for the category (A) states, but the compromise adopted seemed reasonable and was a welcome precedent for other international organizations. This optimism was short-lived. The results of the elections to the Interim Council, which took place on 6 December, came as a profound shock. Since the Latin-American and Arab blocs combined commanded nearly half the votes of the Conference, they were able virtually to dictate the slate of candidates elected. But what was so disturbing was that they simply ignored the criteria so recently adopted. Canada was pretty rudely snubbed when Mexico was elected as a world air operator and she, the fourth military air power among the United Nations, was not. In all, seven Latin-American and two Arab states were among the twenty states elected; these included such aviation non-entities as Peru, Columbia, Chile and, worst of all, El Salvador. But the crowning calamity was the omission of India altogether. The following day, two gallant states, Norway and Cuba both with genuine air interests, offered to make way for India, and Cuba finally did, though, to the disgust of the Canadian Delegation, not one of the states which had climbed onto the Council illegitimately made a move in this direction. Clearly, a majority of the states had approved the functional principle incorporated into the Air Convention without really accepting it or agreeing to abide by it; and unfortunately there was no legal means of contesting an election on the grounds that a state elected lacked the requisite qualifications.<sup>30</sup>

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<sup>30</sup> Proceedings of International Civil Aviation Conference (Washington: Government Printing Office, 1948), I, 102-5; Blair Fraser, "Backstage at Ottawa", Maclean's Magazine (15 January 1945), p. 15.

As a result of the Chicago experience, the Latins and Arabs awakened to their power and resolved to exploit it to the full. The middle powers, on the other hand, were alarmed by this exhibition of irresponsibility and more anxious than ever to strengthen the functional principle. In ICAO itself, the situation was substantially improved at the following election, when Columbia and El Salvador were replaced by Portugal and Argentina.

The immediate effect on Canada was to reinforce her determination to amend the Dumbarton Oaks Proposals by inserting iron-clad provisions detailing the qualifications required for membership on the Security Council. Within a few days, she submitted a proposed amendment informally to London and Washington. Then, on 12 January 1945, a formal memorandum was sent to the five Great Powers and a number of middle powers fully outlining the Canadian position on this and related points. Mackenzie King and Roosevelt discussed the question at their last meeting early in March; and it was again taken up at the Commonwealth discussions a month later.<sup>31</sup>

The first clear public indication of the growing concern felt in official circles in Ottawa came on 27 December 1944 when L.B. Pearson, voicing "merely the personal opinions of one individual Canadian citizen", stated that the Dumbarton Oaks Proposals did not "sufficiently recognize the position and importance of the middle powers". He suggested, as a first step, abandoning the fiction implied in the Proposals that "Honduras and Canada, for instance, are equal".<sup>32</sup> Later, in Parliament, King also was sharply critical of the Proposals

<sup>31</sup>James B. Reston, "Canada Would Bolster Middle Nations' Power". Toronto Globe and Mail (12 December 1944), pp. 1, 2; Report on the San Francisco Conference, p. 8; New York Times (14 March 1945), p. 8; (5 April 1945), p. 13; H.C. Deb., 20 March 1945, p. 22.

<sup>32</sup>Canadian Club, Winnipeg. Pearson's remarks were repeated almost verbatim to the Alumni Federation of the University of Toronto on 23 February 1945, though on this occasion he used El Salvador as his example of the ultimate in insignificance.

and affirmed Canada's intention to "exert the utmost effort" to secure "due recognition" for important secondary states.<sup>33</sup>

Although the Canadian Government was more concerned with the principle of functional representation than with specific criteria, prior to Dumbarton Oaks, King did suggest that "one good working basis" might be the "military contribution" of members during the Second World War. On another occasion, he stated that, in choosing the non-permanent members of the Security Council, account should be taken not only of "their record in resisting aggression" but also "their international significance" and "their potential contribution to the maintenance of peace".<sup>34</sup> Several years later, R.G. Riddell suggested certain test questions which might be used to determine the eligibility of states.

When the [war] emergency came, [he asked] had they resources in men or material to put in the common pool? Did they adjust their national life to meet the emergency, conserving or expending their resources and directing their energies according to some intelligible plan? If they were invaded, did their integrity as nations withstand the shock of defeat and occupation and did they contribute to their own liberation? Did they set about the task of reconstruction, either on their own behalf or, if they remained intact, on behalf of others making their resources available with the same sense of mutual dependence as in wartime? In keeping the peace, which are the states that have the resources and the political ability to accept this kind of responsibility? If we fail to keep the peace, which are the states that, whether they like it or not, will have these contributions exacted from them?<sup>35</sup>

Canada originally favoured entirely excluding the small powers from membership on the Security Council; but it soon became evident that this ideal was

<sup>33</sup>H.C. Deb., 20 March 1945, p. 29.

<sup>34</sup>Ibid., 4 August 1944, p. 5909; 20 March 1945, p. 29. Pearson anticipated that the members of the Security Council would command "ninety-five per cent of the effective strength of the world". Canadian Club, Winnipeg, 27 December 1944.

<sup>35</sup>22 June 1948, Statements and Speeches No. 48/40, p. 2. Of the twenty-six states which have been elected members of the Security Council, only eight supplied combat forces to the Unified Command in Korea. Five others which did provide troops have not served on the Security Council.

unattainable. Consequently, in March 1945, King claimed merely that "several" of the six non-permanent members should be middle powers. In April, the Commonwealth representatives in London apparently considered and rejected a proposal to assign a fixed number of seats to secondary states; and, at San Francisco, an Australian amendment to confine membership to the security powers and a French suggestion to reserve at least three seats for such powers were not even seriously considered.<sup>36</sup>

At the San Francisco Conference, Canadian efforts were concentrated on securing the adoption of an amendment which provided that:

The General Assembly shall adopt rules governing the choice of the non-permanent members, in order to ensure that due weight be given to the contribution of members to the maintenance of international peace and security and the performance of their obligations to the United Nations.<sup>37</sup>

This involved two distinct but related criteria: the ability of a state to fulfil the obligations of membership and its willingness to discharge its obligations. The first depended largely on the member's military potential, the second on its international behaviour in the past. Both were greatly affected by the stability and integrity of its government and the quality and experience of its representatives. It should be noted that the Canadian amendment did not propose the inclusion in the Charter of a detailed definition of middle powers. Discussion of this difficult problem was to be postponed until the General Assembly adopted its rules of procedure.

<sup>36</sup> Ibid.; Report of the San Francisco Conference, p. 29; H.C. Deb., 16 October 1945, p. 1199; New York Times (12 December 1944), p. 8, (14 April 1945), p. 7; U.N.C.I.O., III, 384, 550.

<sup>37</sup> Ibid., p. 589. The corresponding Australian amendment indicated some significant differences in emphasis: "The election shall be made to the non-permanent seats from among those members which, by their past military contribution to the cause of world security, have proved able and willing to assume substantial security responsibilities, or which are willing, and by virtue of their geographical position in relation to regions of primary strategic importance are able, to make a substantial contribution to the maintenance of international peace and security." Ibid., p. 550.

The Canadian proposal was introduced into two separate Committees and, in each case, rejected because of Soviet opposition.<sup>38</sup> In the meantime, however, the Sponsoring Powers on the initiative of the British had produced an amendment of their own. Although this conceded the substance of the Canadian claim, it suffered from two defects: it omitted all reference to the "performance" of obligations and to subsequent action to draft detailed rules, and it introduced with apparently equal emphasis a new criterion, "equitable geographical distribution". The original Canadian amendment had deliberately made no mention of geography, but, as there was no longer any prospect of it being ignored entirely, the Canadian Delegation asked instead that it should be made clear that the emphasis was to be placed "primarily" on the functional factor. The phrase eventually adopted was "in the first instance". This was distinctly weaker and even equivocal.<sup>39</sup> In its final form, Article 23:1 provided that in the election of non-permanent members of the Security Council, "due regard" should be,

specially paid, in the first instance to the contribution of Members of the United Nations to the maintenance of international peace and security and to the other purposes of the Organization, and also to equitable geographical distribution (my italics).

In view of all the circumstances, Canada was reasonably content with this compromise wording, particularly as the Sponsoring Powers formally interpreted it to mean that geographical considerations were to be treated as secondary.<sup>40</sup>

<sup>38</sup>Ibid., VIII, 317, 399, 500, 531-2; XI, 298-9.

<sup>39</sup>Ibid., III, 623-4; XI, 271, 299; Report on the San Francisco Conference, p. 29; H.C. Deb., 16 October 1945, p. 1199. "However satisfied that the words 'in the first instance' mean 'primarily', Canadians are still a little disquieted to recall that all their efforts to substitute the word 'primarily' for the somewhat ambiguous phrase 'in the first instance' were in vain." Round Table, No. 140 (September 1945), p. 363.

<sup>40</sup>U.N.C.I.O., XI, 421-2; Report on the San Francisco Conference, p. 29; H.C. Deb., 16 October 1945, p. 1199. The inclusion of the comma after the word "paid" is crucial. Canadian Delegations at San Francisco and in London were always careful to ensure that the comma was not omitted. UN docs. PC/EX/A/26, p. 12, PC/EX/A/26/Rev. 1, p. 5.

Certainly, the intention of the Charter was clear enough: the middle powers were to be given "special consideration".<sup>41</sup> Unfortunately, there was no way of compelling Members to respect it if they were not so inclined. This, in fact, proved to be the case, and before long the practice of the United Nations began to diverge from the precepts of the Charter.

The first elections to the Security Council were from the functional point of view the most satisfactory, though it is now clear that this was partly accidental; the right states happened to be elected but for the wrong reasons. Three members, Brazil, the Netherlands and Australia, fully met Canadian standards; and the other three, Mexico, Poland and Egypt, were the best available representatives of their regions.

The one disappointment for Canada was her own defeat. This came as a bitter and unexpected blow. Canada considered her paper claim to membership was so overwhelming that success was assured. Consequently, she scorned lobbying and confidently awaited the verdict. Meanwhile, Prime Minister Peter Fraser of New Zealand was waging a masterly political campaign on behalf of Australia. He argued, not on the basis of functionalism where Canada had perhaps a slight edge, but in terms of regionalism that the South-West Pacific ought not to be totally unrepresented. Canada's chances were also prejudiced by the likelihood that she would be named a permanent member of the Atomic Energy Commission and elected to ECOSOC. Nevertheless, on the first ballot, Canada led Australia and came within one vote of the required majority.<sup>42</sup> What killed her chances was the

<sup>41</sup>Statements and Speeches No. 48/40, p. 4.

<sup>42</sup>"Subsequently, the story spread that a Central American state had voted for Canada but its ballot being marked incorrectly was rejected." F. H. Soward, Canada in World Affairs: From Normandy to Paris, 1944-1946 (Toronto: Oxford University Press, 1950), p. 153.

election of Mexico;<sup>43</sup> this assured North America of at least two seats on the Security Council. Consequently, on the second ballot, Australia took the lead. When, after the third ballot, it was clear that Australia would maintain her lead, Canada withdrew her candidature in order to break the deadlock.<sup>44</sup>

Since then, the strength and consequently the prestige of the Security Council has declined markedly as a result of the election of such states as Syria (1946) Columbia (1946, 1952), Cuba (1948, 1955) and Ecuador (1949). In the opinion of the Canadian Government, none of these states met the qualifications laid down in the Charter, and none should have been elected, though, for reasons which will become apparent, Canada did in fact vote for most of them. The problem has been most serious in the case of Latin America. To minimize it, the Canadian Government has suggested that one seat should rotate among the middle powers in Latin America, Brazil, Mexico, Argentina and Chile, and the other should be filled by one of the sixteen other republics. An interesting variant suggested for ITC's Executive Board was that one representative should be chosen from among the eight Latin American states with capitals south of the equator and one from a state whose capital lies north of the equator.<sup>45</sup> Neither scheme has been adopted.

Functional representation was also an issue during discussions on the composition of the Economic and Social Council. At San Francisco, Canada suggested

<sup>43</sup>In 1927, Canada was elected to the League Council partly because neither the United States nor Mexico was then a member of the League.

<sup>44</sup>G.A.O.R. (I/1), Plenary Meetings, pp. 82-4; Paul Martin, CBC broadcast, 12 January 1946; H.C. Deb., 31 March 1947, p. 1866. Stanley Knowles, an opposition M.P. and Alternate Canadian Delegate, claimed that Canada was defeated "largely because we were favoured by the United States". Ibid., 5 June 1947, p. 3836. It is significant that Canada made no claim to the seat on the basis of her status as the senior Dominion.

<sup>45</sup>Preparatory Commission of UN Conference on Trade and Employment, E/PC/T/C. 6/W.4, p. 1.

that, in the election of members to ECOSOC, the General Assembly should pay "due regard" to the "adequate" representation of states of "major economic importance", by which she meant the industrially important countries. This proposal was rejected, as the smaller powers were determined to resist any further inroads into the principle of equality. Besides, the Canadian case was weakened when the duties of the Council were extended to include cooperation in cultural, educational and health spheres. In the end, all that was achieved was a consensus of opinion recorded in the rapporteur's report that representation of the "important" countries was "essential" to the effective discharge of the Council's functions.<sup>46</sup>

In practice, this rule has been applied only in the case of the Great Powers. Canada fully endorses the convention, now firmly established, that the Big Five should always be re-elected; but she had hoped that the middle powers, too, would have been represented on ECOSOC more or less permanently whereas, in fact, the number of them elected has been disappointingly few. In 1950, the Philippines defeated Australia's bid for re-election; and the following year Australia again failed to get elected, while Egypt captured the seat that India had hoped to retain. Canada, herself, was not a member in 1949 or during the years 1953 to 1955.

The failure of Australia and India to get re-elected can be explained, in part, by the widespread belief in fair shares for all. The Canadian Government does not support this doctrine. It greatly welcomed the decision of the San Francisco Conference to make members of ECOSOC eligible for re-election; and sought to extend the same principle to the specialized agencies. In the case of

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<sup>46</sup>U.N.C.I.O., III, 592; X, 53, 277. During the drafting of the IRO Constitution, Canada opposed both a British-Dutch amendment which would have limited membership on the Executive Committee to contributor countries and a Soviet proposal to ensure adequate representation of the countries of origin of the refugees. E.S.C.O.R. (II), Special Supplement, No. 1, pp. 76, 82-3.

the Security Council, however, provision for immediate re-eligibility proved unacceptable. In view of the unhappy experience of the League of Nations with semi-permanent seats, this decision was perhaps justifiable.<sup>47</sup>

The final method by which the Canadian Government sought to ensure functional representation on UN councils was by providing for temporary membership. This took two forms. In the first place, general provisions were included permitting any state to participate in the work of any of the Councils whenever an issue directly affecting its interests was under consideration. In addition, special provision was made for ad hoc representation on the Security Council whenever the use of a Member's armed forces was under discussion.

The Dumbarton Oaks Proposals provided for ad hoc representation on the Security Council of any Member whose interests were "specially affected" by any question under discussion in the Council (Article 31 of the United Nations Charter) or, and this applied equally to non-Members, who was a party to a dispute before the Council (Article 32). Similarly, non-members of the Military Staff Committee were able to participate in its work when the "efficient discharge" of its responsibilities required it (Article 47:2).

At San Francisco, Canada attempted to strengthen these provisions and widen their scope, and also to extend them to the Economic and Social Council. Only this last objective was fully achieved. Article 69 which entitles any Member to participate in the deliberations of ECOSOC on any matter of "particular concern"

<sup>47</sup>Report on the San Francisco Conference, p. 43; Preparatory Committee of UN Conference on Trade and Employment, E/PC/T/C.6/W.4, p. 1, E/PC/T/C.6/19, p. 3. In the League of Nations, Canada originally favoured elected members of the Council being immediately re-eligible for a second two-year term, but after that, not being eligible again for a further four years. L.O.N., Records of the First Assembly, Meetings of the Committees, I, 34-8, 7 December 1920. Canada voted for the re-eligibility of Spain in both 1928 and 1937. H.C. Deb., 21 February 1938, pp. 631-2.

to that Member, was an improved version of Article 31. A similar provision was later inserted in the terms of reference of the regional economic commissions.<sup>48</sup>

The Canadian Government repeatedly urged that the constitutions of the specialized agencies should also provide for ad hoc representation on their councils. Yet, oddly enough, no provision for this was included in the original Canadian draft international air transport convention. This omission was later rectified in the Anglo-American-Canadian proposals put forward at Chicago. As a result, temporary representation was provided for in Article 53 of the Convention. In the Canadian view, this was "a major safeguard for the position of smaller and intermediate powers" as it ensured that no state could be debarred from presenting its case to the Council.<sup>49</sup>

The original United States draft ITO Charter also made no provision for ad hoc representation. At the first session of the Preparatory Committee, the Canadian Delegation proposed that this right should be extended to non-members of the Executive Board when it was dealing with matters of "particular and substantial concern" to them.<sup>50</sup> In the case of the Executive Committee of the International Wheat Council, Canada suggested that its size and composition should be left entirely flexible, with members free to attend any meetings they wished.<sup>51</sup> The version finally accepted, however, merely duplicated Article 31 of the United Nations Charter.

<sup>48</sup>Supra, p. 228.

<sup>49</sup>Proceedings of the International Civil Aviation Conference, I, 421, 482; Howe, Canadian Club, Toronto, 19 February 1945; H.C. Deb., 6 November 1945, p. 1871.

<sup>50</sup>Preparatory Committee of the UN Conference on Trade and Employment, E/PC/T/C.V/20, p. 11.

<sup>51</sup>International Wheat Conference, 1949, Doc. 47, pp. 3, 4-5, 10-2; Doc. 64, pp. 9-10.

Canada was even more concerned to ensure that members contributing forces to the United Nations were entitled to temporary membership on the Security Council. Under the Dumbarton Oaks Proposals, Members undertook "to accept the decisions of the Security Council and to carry them out", even if this involved the use of their armed forces. For the smallest nations, with few if any forces to place at the disposal of the Council, this provision involved little or no obligation. The position of the Great Powers, too, was fully protected; they were assured a voice, a vote and if necessary, a veto on any decision the Security Council might take. The position of the middle powers was very different. All they could count on were the inadequate provisions now found in Article 31.

During the winter and spring of 1944-45, the Canadian Government constantly clamoured against the injustice of "taxation without representation". This cherished axiom of American history undoubtedly had a valuable emotional impact, but its validity as an historical analogy was doubtful. Probably, "no voice, no fight" would have reflected the prevalent Canadian attitude more accurately.<sup>52</sup> The Canadian Government, no less than the American Government, was feeling its way cautiously in the direction of limited commitments, but the mentality of the earlier no commitments era could not be entirely shaken off. For this reason, the terms of the Dumbarton Oaks Proposals were considered too revolutionary. Had they not subsequently been modified, parliamentary approval of Canadian membership in the United Nations might not have been so easy nor so unanimous.

Originally, the Canadian Government apparently contended that Security Council orders should not be binding on non-members of the Council unless they

<sup>52</sup> Twenty years earlier, King had rejected the Draft Treaty of Mutual Assistance on the grounds that "the presence of a Canadian representative on the Council would hardly compensate for the at least nominal transfer of authority" "to decide upon the scope of the action Canada should take from the Canadian Parliament to the Council of the League of Nations". Note to L.C.N. Secretary-General, 9 July 1924, in R.A. MacKay and E.B. Rogers, Canada Looks Abroad (Toronto: Oxford University Press, 1938), p. 329.

agreed separately to the decision or the General Assembly subsequently confirmed it by majority vote. At the beginning of December 1944, Ottawa took this proposal up with London and Washington; and, at the end of the month, L.B. Pearson advocated it publicly. Early in the New Year, a formal statement of Canada's position was submitted to the Big Five.<sup>53</sup> Thereafter, she availed herself of every possible opportunity to register her dissatisfaction with the Dumbarton Oaks Proposals as they stood.

It soon became evident that the Canadian proposal, at least in its original form, was unacceptable. The idea of requiring a second debate and vote in the General Assembly was, therefore, dropped, and provision for ad hoc representation on the Security Council substituted in its place. Under this revised scheme, Security Council decisions would bind not only regular members of the Council but also temporary members, as well as such other states as were willing to join voluntarily in executing the decision.<sup>54</sup> This compromise proposal was discussed by Roosevelt and King in March and placed before the Commonwealth representatives during their conversations in London in early April. So forcefully did the Canadian Government present its case that it eventually had to deny reports appearing in the press that, unless Canada got her own way, she would refuse to sign the Charter. "The points raised by Prime Minister Mackenzie King," a Canadian spokesman stated, "are points for discussion and consideration, but are not conditions of ultimate Canadian membership."<sup>55</sup>

At the San Francisco Conference, the Canadian Delegation proposed the

<sup>53</sup>James B. Reston, "Canada Would Bolster Middle Nations' Power", Toronto Globe and Mail (12 December 1944), pp. 1-2; Pearson, Canadian Club, Winnipeg, 27 December 1944.

<sup>54</sup>H.C. Deb., 20 March 1945, p. 29.

<sup>55</sup>"Backstage at Ottawa", Maclean's Magazine (1 February 1945), p. 50; New York Times (5 April 1945), p. 13.

following amendment:

Any Member of the United Nations not represented on the Security Council shall be invited to send a representative to sit as a member at any meeting of the Security Council which is discussing . . . the use of the forces which it has undertaken to make available to the Security Council . . . .

In introducing his amendment, Mackenzie King reiterated the familiar theme that the imposition of sanctions raised "especially difficult problems for secondary countries with wide international interests", especially as there was "no assurance that the Member would be consulted rather than ordered to take action". He denied that his proposal would delay enforcement action as, in all probability, consultation would be "a practical necessity", and thus some delay inevitable. He suggested that, in the end, the Canadian amendment would probably strengthen the authority of the Security Council by increasing considerably the forces which Members were willing to make available to it.<sup>56</sup> Although the substance of the Canadian proposal was accepted (Article 44), Canada still considered it "only a partial remedy to the problem" which faced the middle powers. Unless the Security Council showed "great restraint and consideration" in calling upon secondary states to apply sanctions, the possibility of serious hardships being imposed on them remained real.<sup>57</sup>

The Canadian amendment made no specific mention of the use of facilities, but it was clearly intended that these should be included within the meaning of the term "forces". Earlier, in the House of Commons, King had stated that the Security Council should seek the "consent" of all states rendering "active aid"; and he specifically included states providing "operational facilities" and other

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<sup>56</sup>U.N.C.I.O., XI, 591, XII, 297-8, 325, 327, 417, 419; Report on the San Francisco Conference, pp. 37-8. "The probable practice might well be made the formal rule." King, H.C. Deb., 20 March 1945, p. 29.

<sup>57</sup>Statements and Speeches No. 48/40, p. 5.

assistance. When, therefore, Egypt introduced a sub-amendment on facilities, the Canadian Delegate explained that his proposal already covered the point. However, at a later meeting, the Canadian Delegation reversed its position. It opposed the Egyptian proposal on the grounds that the obligation to grant facilities, while grave, was less vitally concerned with sovereignty than control of a country's armed forces; and, in any case, it was not sufficiently important to risk delaying action by the Security Council. The final version, as found in Article 44 of the Charter, therefore provides for special representation only when the Council is discussing the employment of contingents of a Member's "armed forces".<sup>58</sup>

At San Francisco, the Canadian Government maintained that there should be no distinction between the rights of regular and temporary Security Council members. The Canadian amendments concerning Articles 31, 32 and 44, therefore, each provided that a representative invited on an ad hoc basis would sit "as a member" of the Security Council, with all the rights of full membership including the right to vote. A provision along these lines had been included in the Covenant of the League of Nations (Article 4:5), and had not, Canada argued, given rise to any difficulties. She admitted that in the Security Council voting was far more important than in the League Council, but she considered that the delicate balance incorporated into the Yalta formula could be preserved simply by requiring a two-thirds majority rather than seven affirmative votes. The Sponsoring Powers were, however, unanimous in agreeing that it was undesirable to tamper with the voting procedure or alter the composition of the Council. In the end, voting rights were accorded non-members of the Security Council only under Article 44 and then only on decisions concerning the employment of their own armed forces. Thus, the number of votes that might be cast in the

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<sup>58</sup>U.N.C.I.C., XII, 307, 418.

Security Council at any one time is limited to twelve.<sup>59</sup>

The rejection of the Canadian amendment to provide ad hoc members under Article 32 with the right to vote was particularly disturbing as it opened up the possibility of serious injustice and abuse. It meant that a Council member who was a party to a dispute could act as "a judge in its own cause" (and, in the case of a Great Power, even exercise a veto), whereas a non-member of the Council even if a Member of the United Nations would not be in this privileged position. The Canadian Government would have preferred none of the parties to have voting rights, as under the Covenant of the League of Nations (Articles 15 and 16) and under the ICAO Convention (Article 84), but above all it insisted on complete equality of treatment. In withdrawing its amendment concerning voting under Article 31, it conceded that it was less important if states involved in "situations" were not accorded exactly the same rights; but the extension of this discrimination to "disputes" under Article 32 was demonstrably a "denial of an elementary principle of justice". The Canadian Delegate, therefore, proposed that UN Members granted temporary membership of the Security Council under Article 32 should enjoy "the same position with regard to discussion and voting as the other party to the dispute". This amendment was rejected. As a result, Council members who are parties to a dispute are free to vote on decisions taken under Chapter VII of the Charter.<sup>60</sup>

At the time the Charter was drawn up it was widely assumed that states

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<sup>59</sup>Ibid., XI, 591, XII, 297, 303; Report on the San Francisco Conference, pp. 30, 37-9. The question of the voting rights of non-members of the Trusteeship Council arose in 1951 when the suggestion was made that Italy should be permitted to vote on matters concerning Italian Somaliland. Canada opposed this proposal as Italy was not even a Member of the United Nations and, under Article 86 of the Charter, only UN Members could become members of the Trusteeship Council.

<sup>60</sup>U.N.C.I.O., III, 590, XI, 365, 368, 431, 541, 552, 544; Report on the San Francisco Conference, p. 30.

invited to "participate" on an ad hoc basis in the work of the Security Council would have all the rights of membership except the right to vote. But almost from the first attempts were made to restrict the extent of their participation. Hence, when the ITO Charter was being drafted in the autumn of 1946, the Canadian Delegation insisted that the Charter should specifically state that temporary members were entitled to "all the rights" of membership on the Executive Board "except the right to vote" (Article 80:4).<sup>61</sup>

The Canadian Government has maintained that ad hoc representation should be a right, not a privilege. It conceded that the council and not the state concerned would have to determine whether its interests were "specially affected", but in reaching this decision the Government felt that the interests of states should be interpreted liberally. Once it had been concluded that a state's interests were affected, the council should then issue an invitation without further discussion. At San Francisco, debate on this question centred around the use of the mandatory "shall" or the permissive "may". As finally drafted, Articles 32, 44 and 69 read "shall", while Article 31 alone reads "may".<sup>62</sup>

A related question concerned the right of a state to take the initiative in requesting ad hoc representation on the Security Council. The Canadian Government was anxious that nothing in the Charter should discourage Members from bringing their special interests to the attention of the Security Council. The Canadian Delegation at San Francisco therefore opposed the use of the phrase "whenever the Security Council considers . . . ." as it seemed to imply that

<sup>61</sup> Preparatory Committee of UN Conference on Trade and Employment, E/PC/T/C.V/20, p. 11.

<sup>62</sup> U.N.C.I.O., III, 590, X, 153, 163, XI, 365. Article 4:5 of the League of Nations Covenant used "shall"; the provisions of the Dumbarton Oaks Proposals corresponding to Articles 31 and 32 read "should". As a result of Canadian initiative, Article 80:4 of the ITO Charter reads "shall". Preparatory Committee of UN Conference on Trade and Employment, E/PC/T/C.V/20, p. 11.

the initiative rested exclusively in the hands of the Council. The Delegation was successful in preventing the inclusion of these words in Article 69, though they were retained in Article 31.<sup>63</sup>

The number of applications for ad hoc representation of states in organs of the United Nations has been very large; and they have almost invariably been granted. The only occasion on which Canada opposed a request was when the legal existence of the state was in doubt. In July 1948, A.G.L. McNaughton challenged the invitation extended to "representatives of the State of Israel" by the President of the Security Council. Canada was willing to continue to accord representatives of the "Jewish Agency", or even of "Jewish authorities in Palestine", the rights of non-governmental organizations; but she did not think the United Nations should at that time extend to Israel the recognition implied in the proposed designation. To do so would, it was felt, alter the status quo in Palestine and thereby prejudice the efforts of the Mediator to prolong the truce. Besides, the Canadian Government had not yet recognized the State of Israel. McNaughton was not able to muster the required majority to overrule the President. As a result, the invitation was extended in its original form.<sup>64</sup>

Canada was among the first states to invoke Article 31. In July 1946, she asked for the right to participate in the Security Council discussion on the rules of procedure of the Atomic Energy Commission. As a permanent AEC member, she considered these rules were a "vital matter" demanding her attendance. The U.S.S.R. thought otherwise, and tried to block the invitation by a variety of procedural dodges, including an attempted veto. Fortunately, the Charter is absolutely clear on this point. Consequently, the other members of the Council were able to frustrate these Soviet manoeuvres and the Canadian representative was able

<sup>63</sup>U.N.C.I.O., XI, 365.

<sup>64</sup>S.C.O.R. (III), No. 93, pp. 2-9.

to take his place at the Council table, though he did not speak.<sup>65</sup>

On two other occasions, Canada participated in the deliberations of the Security Council under article 31. In February 1947, her request to join in discussions on the First Report of the Atomic Energy Commission was agreed to without discussion or opposition. As a result, she attended the seven meetings devoted to the Report, and played an active part in them.<sup>66</sup> At about the same time, the draft trusteeship agreement for the former Japanese mandated islands came before the Security Council. Australia proposed inviting all interested states to participate in the discussion; but the United States objected on the grounds that if any states were really interested they would have applied already. India and New Zealand thereupon promptly applied under Article 31. The latter also suggested that all members of the Far Eastern Commission should be invited as the disposition of the islands was "an essential part of any plan for the control of Japan and the peace settlement with that country". The United States acquiesced in this, while denying the validity of the basis of the New Zealand claim. Up to this point, Canada had exhibited no interest in the question; but she now gladly accepted the invitation and attended the three meetings devoted to the discussion and approval of the trusteeship agreement.<sup>67</sup>

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<sup>65</sup> S.C.O.R. (I), 2nd Series, No. 1, pp. 2-7; Standing Committee on External Affairs, Minutes, 6 June 1947, pp. 262, 263. Hans Kelsen claims that decisions under Article 31 would normally be considered substantive, though he admits that under the Charter they are procedural. Law of the United Nations (London: Stevens, 1950), p. 232. Decisions under Article 44 are probably subject to the veto.

<sup>66</sup> S.C.O.R. (II), Nos. 13-15, 17, 19, 22, 24; UN docs. S/242, S/253, S/265.

<sup>67</sup> S.C.O.R. (II), Nos. 23, p. 466, No. 25, pp. 514-6, Nos. 26, 30, 31; UN docs. S/303, S/303/Add.2. On 17 January 1950, McNaughton was invited to appear before the Security Council in his personal capacity as its immediate past-President to report on his efforts to mediate the Kashmir dispute. He declined the invitation, preferring to submit a statement in writing. S.C.O.R. (V), No. 4, p. 16, No. 5, p. 2; UN doc. S/1453.

### Balanced Representation

Although the Canadian Government maintained as an article of faith that functionalism should be the primary consideration in determining the composition of international bodies, it never claimed that this should be the sole criterion. It readily admitted that there were secondary factors which had to be taken into account; it was desirable as well as a practical necessity that the membership should be balanced. Equitable geographical distribution was especially important, but the balance might take a variety of other forms - political, economic, cultural or legal - depending on the nature of the organization.

Geographical representation<sup>68</sup> can be justified on the grounds that the composition of councils ought to take into account the existence of distinctive regional points of view. Furthermore, the presence of regional representatives helps to stimulate interest in the organization. As the history of the League of Nations suggests, an international organization can only hope to exercise a world-wide influence if it is able to secure and retain support in all parts of the world. As a large federal state, Canada readily appreciated the validity of the arguments advanced in support of geographical representation. At the same time, she was conscious of the dangers involved in placing an excessive emphasis on regionalism.

Originally, until late 1944 at least, the Government assumed that the two criteria of functional importance and geographical representation could be successfully reconciled. Although this was theoretically possible, it has rarely been achieved in practice. There are two principal difficulties. In the first

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<sup>68</sup>The term "geographical representation" commonly includes representation of groups of states such as the Commonwealth and the Afro-Asian bloc (but not NATO) which are more political associations than geographical regions. This is the sense in which the term is used here.

place, the regional distribution of functionally significant states is uneven.<sup>69</sup> Most of the great and middle powers, outside the Communist bloc, are in the North Atlantic area or in the Commonwealth, whereas most of the small powers are in Latin America, the Middle East and South-East Asia. This in itself would not be too serious if representation within each region were determined on a functional basis. But the regions which are functionally weakest are precisely those in which functional considerations count least. From the first, states in these areas have shown a marked preference for nominating their regional representatives on a rotating panel basis in order that all might share fairly in the honours of office. Moreover, because of their bloc voting power, they generally managed to elect their candidates.

The Canadian Government has viewed these developments with growing concern; for the advance of regionalism has involved a retreat from functionalism and a noticeable decline in the prestige and authority of UN councils, particularly the Security Council. In addition, Canada has had special reason to be disturbed. Her claims to representation are on functional grounds strong, but on regional grounds weak.<sup>70</sup> She does not fit easily into a world of large regional blocs. She has a

<sup>69</sup>Mr. Halstead (Canada) . . . thought the main objection to regional representation was that the regional organizations were not equal as regards membership, numbers, population or resources." Off. Rec. of WHO, No. 21, p. 294, 17 June 1949.

<sup>70</sup>Pearson tried to minimize the importance of Canada's regional ties. "Our importance" he maintained, ". . . has been functional". "When Canada is honoured now at an international conference, she is honoured in her own right, and not merely as a British Dominion or the friendliest neighbour of the great United States. Don't let anyone tell you differently!" Canadian Club, Winnipeg, 27 December 1944; also Canadian Club, Toronto, 13 March 1944, Alumni Federation, University of Toronto, Toronto, 23 February 1945. On the other hand, Vincent Massey declared: "I feel sure from my own experience that the fact that Canada appears on the international scene, not only as an important country on her own account, but also as a member of a great world association [the Commonwealth], lends her enhanced prestige. In the international world, prestige means influence." On Being Canadian (Toronto: Dent, 1948), p. 100.

foot in two or three different camps - the Americas,<sup>71</sup> the Commonwealth and the North Atlantic community - but she is not truly representative of any of them. Her close ties with as well as proximity to Britain and the United States, both of whom are certain to be represented on any important international council or committee, also weaken her claim.

For these reasons, Canada has sought to minimize the impact of purely geographical considerations on elections. This has not been an easy task, for the allocation of seats on a regional basis seemed natural. In the League of Nations, the composition of the Council was governed by a rigid regional pattern established by convention.<sup>72</sup> Many of the early American drafts of the UN Charter assigned a specific number of seats to each geographical region.<sup>73</sup> The Dumbarton Oaks Proposals were silent on the criteria for election of non-permanent members of the Security Council, but at the San Francisco Conference the case for geographical representation was strongly pressed. As we have seen, Canada originally hoped to avoid entirely any reference to the factor of geography, but this proved impossible. Nevertheless, Article 23:1, as finally adopted was welcomed as a

<sup>71</sup>Canada's boycott of the Organization of American States and the Economic Commission for Latin America has not made it easier for Latin Americans to consider her as one of them. However, as a result of her participation in Inter-American Radio Conferences, Canada is included in Region A (Americas) of ITU and was elected in 1947 (and re-elected in 1952) one of the five Region A representatives on the Administrative Council.

<sup>72</sup>A recommendation of the Third League Assembly, 29 September 1922, stated: "It is desirable that the Assembly . . . should make its choice with due consideration for the main geographical divisions of the world, the great ethnical groups, the different religious traditions, the various types of civilization and the chief sources of wealth." L.O.N., Official Journal, Special Supplement, No. 9, p. 15.

<sup>73</sup>Post-War Foreign Policy Preparation, pp. 88-9 (28 March 1942), 474 (19 July 1943); Sherwood, Roosevelt and Hopkins, p. 785 (29 November 1943).

satisfactory compromise. It at least made it reasonably clear that concern for ensuring "equitable geographical distribution" on the Security Council was not to be looked upon as the primary consideration.<sup>74</sup>

This early optimism did not last. Prior to the first elections to the Security Council, the Great Powers concluded a gentlemen's agreement among themselves governing the geographical allocation of the six non-permanent seats. Two were assigned to Latin America and one each to Western Europe, Eastern Europe, the Middle East and the Commonwealth.<sup>75</sup> Although this agreement was intended to cover only the first election, the practice established then has become the custom ever since. As a result, the clear intent of Article 23 of the Charter has been frustrated. Geography, not function, is now the primary consideration in Security Council elections. As early as August 1947, a senior official of the Department of External Affairs publicly voiced Canada's anxiety at this development.

This functional principle [he said] . . . has not always been adhered to in practice by the Assembly. On the contrary, there is a danger of a convention growing up which combines the worst features of regionalism and the rotation of honours . . . . The logical final result of this absurd and dangerous convention would be that ultimately the six non-permanent members of the Security Council might be the six Members of the United Nations which had the least to contribute

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<sup>74</sup>U.N.C.I.O., III, 589, XI, 421-2; Report on the San Francisco Conference, p. 29; H.C. Deb., 16 October 1945, p. 1199.

<sup>75</sup>At San Francisco, the Sponsoring Powers nominated the fourteen members of the Executive Committee of the Conference (and hence also of the Coordinating Committee and the Executive Committee of the UN Preparatory Commission). In addition to the Great Powers, there were three Latin America states, two from Eastern Europe and from the Commonwealth, and one from Western Europe and from the Middle East. The membership of the Security Council during its first year turned out to be the same as that of the Executive Committee except that there were three fewer members (Canada, Chile and Czechoslovakia) and Egypt replaced Iran.

to the work of that Council.<sup>76</sup>

Regionalism in the Security Council soon became so entrenched that the Canadian Government concluded that it was useless to fight it. From 1947 onwards, the Government increasingly came to accept in practice, if not quite in principle, the existence of regional blocs and the assignment to each of a quota of seats. Only rarely has Canada been prepared to depart from the regional pattern established at the first elections. Perhaps the only occasion was in 1950 when Canada backed Egypt's unsuccessful attempt to capture the Polish seat on the Economic and Social Council. India tried in 1946 and again in 1947 to create a South-East Asian seat on the Security Council at the expense of seats in Europe, but on neither occasion did Canada give any support or encouragement. One reason for this was that she feared that the election of India would have prejudiced her own chances of replacing Australia on the Council. Canada also failed to support Pakistan's bid in 1952 to succeed Czechoslovakia on ECOSOC.

Although the Canadian Government has acquiesced in the allocation of council seats on a regional basis, it has not agreed to any rigid interpretation of regional boundaries. In its view, Eastern Europe comprises more than the Communist satellite states. Thus, in 1949 and 1951, Canada supported Yugoslavia and Greece respectively for what had previously been considered the second Soviet seat on the Security Council. Similarly, she considers that the Middle East includes Turkey, Iran and Pakistan<sup>77</sup> as well as the Arab bloc. In 1948 and 1950 Turkey was a candidate for the Middle Eastern seat on the Security Council; and at least on the latter occasion gained Canadian support. Canada also supported the election of Iran to succeed Lebanon on the Security Council in 1954 (and on

<sup>76</sup> Escott Reid, 13 August 1947, Statements and Speeches No. 47/12, p. 8.

<sup>77</sup> In 1947, Canada suggested that the composition of the UN Special Committee on the Balkans be the same as the composition of the Security Council in 1946 except for the replacement of Syria by Pakistan. Canada at the United Nations, 1947, p. 181.

ECOSOC in 1949).

The larger size of the Economic and Social Council permits slightly greater flexibility. There are thirteen elected seats on ECOSOC available to the middle and smaller powers as opposed to six on the Security Council and four on the Trusteeship Council. Five of these thirteen ECOSOC seats are assigned to the Middle and Far East and to the Commonwealth but not in any fixed proportion. As the membership of these groupings overlaps, considerable room for manoeuvre exists. The Asian and Australasian Dominions can legitimately claim to be Far Eastern states and, as already indicated, Pakistan is in addition a Middle Eastern state. It has therefore been possible for Canada to support Pakistan to succeed Turkey on the Economic and Social Council in 1949 and to succeed the Philippines in 1953.

For a long time after Canada had accepted regional representation in general, she still maintained that it did not apply to the Commonwealth. In fact, she still officially refuses to admit that Commonwealth members should be grouped together for electoral purposes. Traditionally, she has recoiled from the merest suggestion of the diplomatic or political unity of the Commonwealth. She has been anxious to be accepted as a nation in her own right and not "merely as the appendage" of the Commonwealth, as a mere British Dominion.<sup>78</sup> But there was more to Canadian objections than this. The Commonwealth is clearly neither a geographical region<sup>79</sup> nor a political bloc. Even the inner Commonwealth - Britain,

<sup>78</sup>Pearson, Alumni Federation, University of Toronto, Toronto, 23 February 1945.

<sup>79</sup>When, in 1949, a Canadian contested the seat on the General Assembly's Committee on Contributions previously held by the Czech member, both Poland and the Soviet Union pointed out that the Commonwealth was already represented by a South African. Whereupon the Canadian Delegate "objected that the British Commonwealth need hardly be brought into the discussion in connection with the question of geographical distribution". G.A.O.R. (IV), 5th Committee, pp. 167-8.

Canada, Australia and New Zealand - is frequently split on key votes in the United Nations.

Besides, the present geographical allocation of seats, roughly in accordance with voting strength in the General Assembly, seriously under represents the real importance of the Commonwealth. The Commonwealth group, though numerically the smallest, is functionally the most important. It consists of six of the eight Commonwealth members: India, Pakistan, Canada, Australia, New Zealand and now Ceylon. For electoral purposes, Britain as a great power is treated separately, while the Union of South Africa as a political outcast does not count. At least four of the six members of the group are important secondary states. Yet, they are allocated but one seat on the Security Council and two or three on the Economic and Social Council. Two seats on the Security Council and four on ECOSOC would be more appropriate. In the first three elections to the Security Council, attempts were made to elect a second Commonwealth member. The third attempt, in 1947, almost succeeded when, following the election of Canada, India and the Ukraine were deadlocked for eleven ballots.<sup>80</sup> But the writing was on the wall from the very first. In January 1946, five seats were filled on the first ballot, while Australia and Canada were left to battle it out for the one remaining seat. Since 1947, no further attempt has been made to stake out a second Commonwealth seat on the Council. In ECOSOC, on one occasion, four Commonwealth countries (five if the United Kingdom is included) were members simultaneously, but that was because of the election in 1949 of Pakistan as a Middle Eastern representative in place of Turkey. The following year, the number of Commonwealth representatives was reduced to three when Australia failed to get re-elected. In 1951, representation dropped to two when India was not re-elected

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<sup>80</sup> India was also the runner-up in the election of November 1946; Canada, though not a candidate, received one vote.

and Australia was again defeated.

Despite Canada's objections to the concept and implications of Commonwealth representation, in practice she has been compelled to give it her tacit approval. In the case of the Security Council, she became reconciled to a single Commonwealth<sup>seat</sup> as early as October 1946 when she declined to seek election as Australia was still a member and even refused to support India's bid for election. There were two reasons for Canada's acquiescence. In the first place, the majority of other states, including Britain, persisted in treating the Commonwealth as an electoral unit.<sup>81</sup> In justification of their stand, they could point to the fact that it had a well-defined membership, that its members cooperated closely with each other and met frequently as a group, even though they rarely voted as one. Furthermore, it continued to retain certain outward symbols which gave it a formal appearance of unity.

Secondly, and this was the decisive factor, the simple arithmetic of geographical representation left Canada with no hope of election to the Security Council (and only a slight hope of election to ECOSOC) except under the wing of the Commonwealth. Clearly, it was preferable to be elected only at infrequent intervals than to be an international orphan like Israel, Ethiopia or Liberia and never elected at all. In one respect, Canada is in a more exposed position than the other members of the Commonwealth group. The North Atlantic area is already heavily represented in the councils of the world, whereas Southern Asia is represented on the Security Council only indirectly through the Commonwealth. With the growth of Asian nationalism and the emergence of the Colombo Powers as a significant factor in world affairs, this anomalous situation is becoming

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<sup>81</sup>This was especially true of the Soviet Union. G.A.O.R. (II), Plenary Meetings, I, 332; (IV), 5th Committee pp. 167-8. In 1947, the U.S.S.R. voted for Canada (rather than India) on the understanding that she was the Commonwealth bloc candidate. Standing Committee on External Affairs, Minutes, 18 November 1949, p. 22.

increasingly serious; when Communist China is finally seated in the United Nations, the issue will become urgent.

Several suggestions have been put forward to meet the difficulty. Canada has been particularly attracted by the proposal, first mooted in 1948, to create a twelfth seat for South and South-East Asia; but up to the present, this has been impractical. An alternative is to turn the Commonwealth seat into an Asian or perhaps an Indian Ocean-Western Pacific seat. If this happened, Canada alone would suffer. She is aware of this danger and is, therefore, careful now not to display any lack of interest in the Commonwealth seat on the Security Council. The crucial test will come when Canada's "turn" comes up in 1957. If, as in 1947, India challenges Canada and this time succeeds in getting elected, the outlook for future Canadian representation on the Security Council will not be bright.

The corollary of the principle of regional representation is that the states of the region are entitled to name their own representatives. This appears at first sight, a sensible procedure for ensuring that the elected members are truly representative of their regions. On the other hand, this is not the only or even the most important criterion for election. If the General Assembly were merely to rubber-stamp regional nominations, the other considerations might receive scant attention.

Originally, Canada was firmly opposed to the establishment of this convention; but the pressure of events has been against her. Although she has continued to assert that it is "in no sense obligatory" to accept the nomination of any particular group,<sup>82</sup> she has, since 1947, been increasingly willing to abide by the regional choices. She has even become reconciled to the nomination of what is in effect an agreed Commonwealth candidate, even though for a long time she had

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<sup>82</sup>Canada and the United Nations, 1949, p. 27.

held out against this. During the first three elections to the Security Council, there were no official Commonwealth candidates. But once it became clear that there was no possibility of electing more than one Commonwealth member, contests between them ceased. In November 1949, in commenting on the "general convention growing up in the United Nations that the nominees of certain groups would be elected to the Security Council", L.B. Pearson declared flatly: "We have never accepted that convention in so far as its application to the Commonwealth is concerned."<sup>83</sup> Nevertheless, beginning in 1949, a tacit agreement has been reached prior to each election to nominate only one candidate. In 1949, it was India, in 1951, Pakistan, in 1953, New Zealand and in 1955, Australia. This arrangement is likely to continue though the order of rotation is not immutable.

Almost invariably, Canada has automatically supported the official Latin American nominees. In only two possible circumstances would she consider doing otherwise. The first is if there were dissension within Latin American ranks with a responsible candidate sponsored by a strong minority. No important instance of this has yet occurred, as internal differences have generally been patched up before the balloting.<sup>84</sup> The second is if the official candidate were unacceptable on political grounds. The Government seriously considered opposing Argentina's bid for election to the Security Council in 1947 and ECOSOC in 1951 on the grounds that the general totalitarian tendencies of the Peron regime and, in 1951, its suppression of La Prensa rendered it incapable of discharging the responsibilities of membership. But on both occasions, Argentina

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<sup>83</sup>Standing Committee on External Affairs, Minutes, 18 November 1949, p. 22.

<sup>84</sup>Except possibly in the ECOSOC election of 1950 when Uruguay polled 44 votes (and was elected) and Bolivia 25 votes; and also in the 1948 election to the Special Committee on Article 73(e) when Brazil, Venezuela and the Dominican Republic captured the three Latin American seats while Nicaragua (who was up for re-election) and Guatemala each polled a substantial number of votes.

secured the backing of the Latin American bloc and consequently was able to get elected.

Barring such eventualities, Canada would support even the most unpromising Latin American candidates for election to the Security Council; and indeed, did vote for Cuba in 1948 (and presumably also in 1955) and Ecuador in 1949. In 1949, Canada would have preferred Uruguay, but she withdrew. In the end, Ecuador received more votes than any other state up to that time, more in fact than India did.<sup>85</sup> In 1951, El Salvador threatened to run for a Security Council seat, but she was steered instead onto the Trusteeship Council. The Canadian Delegation would have found it extremely difficult to support her under any circumstances.

The most hotly contested seat on the Security Council has been the seat assigned under the great power agreement of 1946 to Eastern Europe. In 1946 and 1955 rank outsiders, India and the Philippines challenged the Soviet nominees; and in the intervening elections three South-East European states, Yugoslavia in 1949, Greece in 1951 and Turkey in 1953 defeated Czechoslovakia, Byelorussia and Poland respectively. On each occasion, the United States took the lead in opposing the Soviet candidates. The United Kingdom, on the other hand, has preferred to respect the spirit of the 1946 agreement even though it had lapsed.

In 1949, the Canadian Government was for a variety of reasons, strongly inclined to accept Czechoslovakia. To begin with, it considered that Russia's claim for a second voice on the Security Council was on functional grounds not "unreasonable",<sup>86</sup> particularly as Communist China was not represented in the

<sup>85</sup>The official Canadian report comments hopefully that: "Although [Ecuador] has been less active in United Nations affairs than other Latin American states, it gave assurance in accepting its new office that it would faithfully fulfil the heavy responsibilities which it was assuming." This it was of course incapable of doing. Canada and the United Nations, 1949, p. 27.

<sup>86</sup>Pearson, Standing Committee on External Affairs, Minutes, 18 November 1949, p. 22. Concerning the 1951 elections Pearson said: "We did vote for Byelorussia because we thought that there was some claim to a second Russian vote on the Security Council." CBC "Press Conference", 24 March 1952.

United Nations. The American argument that it would be easier to collect seven votes in the Security Council if there were only one Soviet vote was not convincing. Besides, the deliberate under-representation of the Communist bloc would create a misleading impression of the magnitude of the Soviet menace. A further factor was that Czechoslovakia had a respectable claim to middle power status. In 1947, before the Communist coup, Britain and the United States had even considered sponsoring Czechoslovakia as a compromise candidate to break the deadlock between India and the Ukraine.<sup>87</sup> Finally, Canada was opposed to creating a fuss to score what was essentially a propaganda point, as the price paid might be altogether too high. Failure would damage Western prestige, while success would harm the United Nations by further embittering East-West relations and possibly even occasioning a Soviet withdrawal.

Nevertheless, after much heart-searching Canada voted for Yugoslavia. The Soviet campaign to "bludgeon" other states into supporting Czechoslovakia had the opposite effect to that intended; many states which like Canada were normally sympathetic to the Soviet claim were "driven" to accept the Yugoslav candidature on political grounds. "It was generally felt" a Department of External Affairs report commented, "that it would be dangerous to encourage the Soviet Union to believe that it could get its way in the United Nations merely by violent and menacing repetition of its demands." Furthermore, there was also the effect of the elections on Yugoslavia to consider. The Canadian Government was most reluctant to do anything to weaken Tito's resistance to Russian pressure.<sup>88</sup>

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<sup>87</sup> S.C.O.R. (III), No. 71, p. 24. After the ninth ballot, the Soviet Delegation despaired of electing the Ukraine and so ordered a reluctant Czechoslovakia to run; but it countermanded this order on hearing of the Anglo-American plan.

<sup>88</sup> Standing Committee on External Affairs, Minutes, 18 November 1949, p. 22; Canada and the United Nations, 1949, pp. 26-8.

The situation in 1951 was even less clear-cut. The international situation had deteriorated markedly after the Korean invasion and the Soviet attitude towards the United Nations had become increasingly hostile and intransigent. There was, therefore, no assurance that this time Soviet threats were mere bluff. Also, the political considerations operating in favour of Greece were less decisive than two years earlier. On the other hand, Byelorussia was legally as well as politically a Soviet puppet; and the Canadian Government was anxious to avoid taking any step which might imply recognition of her claim of autonomy.<sup>89</sup> In the end, the Canadian Delegation supported Greece on the first few ballots, switched to Byelorussia when she took the lead and then reverted to Greece on the nineteenth and final ballot. Canada's voting behaviour was not as erratic as it might seem. She was anxious to reach a decision - any decision - as quickly as possible and therefore deliberately joined the band-wagon. "When it became apparent to us", Pearson later admitted, "that Byelorussia was not going to be elected, in order to avoid a complete deadlock, we switched to the country that was going to be elected, Greece."

There is no indication how Canada voted in the 1953 Security Council elections though it would have been consistent with her past performance if she had favoured Poland but supported Turkey on the grounds that there was no prospect of Poland being elected.

Canada's part in the three-way struggle in 1952 for the third Soviet bloc seat on SCOSDC is also not entirely clear. In this election, Yugoslavia success-

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<sup>89</sup>Canada had not always felt strongly about Security Council membership for the Soviet republics. In 1947 she had supported the Ukraine on geographical grounds. R.G. Riddell even suggested that, "Mr. Vishinsky could have made a very good claim for the Ukraine solely on the basis of the functional principle, since that constituent state of the Soviet Union which has been admitted to the United Nations played a very important role in the conflict against Germany and is certainly an area from which great resources could be made available in any system of collective security." Statements and Speeches No. 48/40, p. 7.

fully challenged Czechoslovakia who was seeking re-election, while Pakistan after leading the other two in the first three ballots ended up a poor third. This also appears to have been Canada's order of preference. Pakistan was disqualified on geographical grounds while Yugoslavia had the edge over Czechoslovakia on the principle that the Soviet nominee should not automatically be accepted. Besides two Soviet seats on ECOSOC were considered adequate. This was also the principal reason for Canadian support for Egypt rather than Poland in 1950.

Related to the question of the geographical distribution of seats on international bodies is that of the balance of opinion of its members. It is widely accepted that all important points of view should be adequately represented in international councils, though there is not the same unanimity as to what this means in practice. What constitutes a proper balance of opinion is itself a matter of opinion. The attitude of the Canadian Government has been governed by the functional principle. It has taken the view that the composition of councils should not unduly distort the pattern of opinions held by the membership of the organization as a whole.

This is particularly important in the case of international ideologies. Canada has maintained that it is politically and psychologically unwise to obscure the comparative strength of East and West by under-representing the Soviet bloc in the Security Council and over-representing the NATO nations. The balance of opinion within the Security Council should bear some reasonable relationship to the balance of power in the world. For this reason, the Canadian Government has in principle admitted the validity of the Russian claim for a second seat on the Council, though for other reasons it has not always voted for the Soviet nominee. At the same time, Canada has been reluctant to support the election of more than two NATO members. She has felt that the West European seat should go to a NATO

power, rather than to Sweden; and she was not too unhappy when from 1951 to 1955 either Greece or Turkey were also members of the Council. But in 1952, both Greece and Turkey were members, the former representing Eastern Europe and the latter the Middle East; and this meant that a majority of the members were NATO powers. To the Canadian Government, this seemed excessive. In terms of the real facts of international life, it was unrealistic and could, therefore, be dangerously misleading.

In the Economic and Social Council as well as in certain of its commissions especially the Economic and Employment Commission, the Canadian Government has sought to establish a balance between developed and under-developed states. In practice, this has meant trying to increase representation from the industrialized countries. ECOSOC has never included more than eight of them, and six is becoming increasingly normal: the Western Big Three, one or two West European and Scandinavian states and one or two of the older Dominions. In future, even this proportion may be difficult to maintain. Most of the recent and prospective additions to membership in the United Nations fall into the category of under-developed states, and it is unlikely that the pace of industrialization in these countries will restore the balance for a long time.

Under the Charter of the United Nations, the Trusteeship Council is composed of an equal number of administering and non-administering powers. Similarly, the membership on the Special Committee on Information Transmitted under Article 73(e) is divided evenly between the colonial and non-colonial powers. The assumption in each case is that a balance should be maintained between interested and disinterested members.

In the opinion of the Canadian Government, it is misleading to group all countries into one of two broad categories, imperialist and anti-colonial. Even the colonial powers cannot be lumped together as if they shared a common policy towards dependent territories. Among the non-Communist, non-colonial countries,

it is possible to distinguish three groups:

- (1) Recently emancipated states - most of the Asian-African bloc;
- (2) States which have long been independent, but have not forgotten their colonial pasts - Latin America;
- (3) Other states, mainly those which have been neither colonial powers nor colonies or which have forgotten their colonial past - Sweden, Norway, Iceland, Canada, Thailand and possibly also Turkey, Ethiopia, Liberia, Nationalist China and, for the purpose of Trusteeship Council elections, the Netherlands.

From the first, the four elective seats on the Trusteeship Council have been filled by states which fall within the first two categories: two from Latin America, one from the Arab bloc and one from South-East Asia. The pattern in the Special Committee has been less clear-cut; but, of the eight elective seats, three have always gone to Latin America, one to the Arab bloc and one to India. The other three have been shared by the U.S.S.R., China, South-East Asia and Sweden. Category (1) and (2) states have, therefore, again been heavily represented. This has accentuated the tendencies to extremism and intransigence on both sides.

The Canadian Government has sought to minimize the cleavage between the colonial and anti-colonial powers by building up a moderate bloc composed of liberal colonial powers, neutrals (category (3) states) and responsible Asian (category (1)) states such as India, Pakistan and Iraq (rather than Burma, Indonesia or the Philippines). There are few responsible Latin American states. Canadian efforts have not been notably successful as the category (3) candidates who were expected to provide the keystone for the bridge have usually failed to get elected.

In the first elections to the Trusteeship Council in December 1946, Mexico and Iraq captured the two available seats. Although they were reasonably satisfactory representatives, Canada would have preferred a non-administering colonial power (the Netherlands) and neutral Sweden. The following year, Canadian hopes

that the Council would be able to pursue a policy of constructive reform slumped further when the United States, previously a non-administering power with a permanent seat, took over responsibility for the Pacific Islands formerly held as a Japanese mandate. This necessitated the election of two further members to restore the original balance. In the ensuing elections, Canada strongly supported two category (3) states, Norway and Thailand, though after ten ballots the Philippines and Costa Rica were elected instead. Three years later, Thailand was again a candidate and, with Canadian support, succeeded in defeating Burma to become the only category (3) state to become a member of the Trusteeship Council.

Similarly, Canada has sought to elect at least one category (3) state to the Special Committee on Information Transmitted under Article 73 (e). In the 1946 elections, she supported Norway who was defeated by Uruguay on the fifth ballot. Sweden was elected annually for the next three years, but defeated in each of the following three years.

In the first election to the Special Committee, Canada received fifteen unsolicited votes; and she has continued to receive an odd vote on several occasions since. There is little doubt that, in the eyes of the Government, Canada is the ideal category (3) candidate. Yet, she has consistently discouraged all attempts to have her run. Perhaps, on functional grounds, this reluctance to press for office can be justified; but it is a further regrettable manifestation of Canadian unwillingness to assume international responsibilities.

In certain international bodies, it is necessary to take account of legal and cultural factors in order to secure equitable representation. In fact, the Statute of the International Law Commission specifically provides that the membership as a whole should reflect "the main forms of civilization" and "the principal legal systems of the world". In the view of the Canadian Government, civil law countries have invariably been over-represented. It has, therefore,

as in the case of the International Court of Justice, sought to increase representation from Asian and common law countries.

A further important factor in the election of council members is the widespread belief that the spoils of office should be shared more or less equally among all member states. Efforts were made at the San Francisco Conference to introduce a panel system so that UN Members might take turns serving on the councils, but all such suggestions were rejected.<sup>90</sup> As a result, the doctrine of the rotation of honours finds no support in the Charter. Indeed, to the extent that the functional principle is given expression, the principle of fair shares for all is implicitly repudiated.<sup>91</sup> Nevertheless, the idea early took firm root and has persisted since, especially within the Latin American bloc.

The Canadian Government was sharply critical of this practice, particularly at first. It felt that council posts ought to be regarded, not as mere prizes or tokens of prestige, but rather as serious responsibilities to be given only to states able and willing to assume them. Fortunately, the consequences of the practice of sharing the honours did not prove to be quite as calamitous as had first been feared. Furthermore, the Government came to recognize that despite its drawbacks, the system did have some merits. Most states had some special contribution to make; and it was clearly in the interests of the United Nations that it should make the fullest possible use of the talents of each of its members. Even Escott Reid, who took an alarmist view of any deviation from the pure principle of functional representation, admitted in 1947 that the

<sup>90</sup> Liberia even proposed that the non-permanent members of the Security Council should be chosen in alphabetical rotation. U.N.C.I.O., I, 449.

<sup>91</sup> Though, in 1948, a Canadian delegate, in deploring the fact that nineteen Member States were unrepresented on any ECOSOC commission, claimed that: "The principle of the broadest representation possible was part of the obligations to which all the signatories of the Charter were committed." G.A.O.R. (III/1), Joint 2nd and 3rd Committee, p. 30, summary record.

"effectiveness" of a delegate of a country did not depend "entirely upon the strength of his country".<sup>92</sup> Another Canadian spokesman came even closer to repudiating functionalism when he suggested that, in the election of members of the subsidiary bodies of ECOSOC, no state should be excluded. "The size of the state should not be taken into consideration."<sup>93</sup> Broad representation could also be supported as necessary to stimulate a wider interest in the work of the United Nations and foster a greater sense of responsibility among its members.

Finally, there was the practical consideration, always an effective argument in Ottawa, that few states were able adequately to service representatives on more than one or two important councils. For this reason, the Canadian Government has tended to discourage states whose ambitions for office have exceeded their capabilities. At the same time, the Government has been anxious not to press this point too far; it recognizes no absolute rule barring states from membership on two or even three UN Councils. It also appreciates the fact that the prestige and authority of ECOSOC and especially of the Trusteeship Council have suffered as a consequence of the practice of holding elections to the Security Council first and then considering the members elected to it unavailable for election to other councils.

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<sup>92</sup>He added: "We are moving in the direction of a system similar to that in the Senate of the United States where the importance of the views expressed by a senator is not related directly to the strength of the state he represents." Standing Committee on External Affairs, Minutes, 22 April 1947, p. 21. R.G. Riddell, on the other hand, suggested that a higher standard of political leadership could be expected of a middle power than of a small power. Statements and Speeches No. 48/40, p. 9, 22 June 1948.

<sup>93</sup>G.A.O.R. (III/1), Joint 2nd and 3rd Committee, p. 30, summary record. Speaking at the Paris Peace Conference, on 2 August 1945, King claimed that: "The determining factor in the making of peace should not be the size or power of the participants or their relative contribution to victory. The final test is what is right and what is just."

Function and balance are the principal considerations governing elections to international councils; but they are not the only factors. Political considerations not directly related to the work of the organization or the merits of the candidates, often play an important part. The contest between Czechoslovakia and Yugoslavia in the Security Council election of 1949 was essentially a battle in the cold war. In the final analysis, Canada's attitude was, in large measure, determined by her estimate of the effect of the election on the course of the Soviet-Yugoslav dispute.<sup>94</sup> Similarly, in 1950 she supported Turkey's bid for a Security Council seat and Thailand's bid for a Trusteeship Council seat partly in order to bolster friendly powers in exposed international positions.

Under the United Nations Charter, members of the Security Council who are parties to a dispute may, except in the case of pacific settlement (Chapter VI and Article 52:3), participate in Council decisions. It has, therefore, been asserted that parties to a dispute before the Council should not be elected to membership on it. The Canadian Government does not appear to hold this view. In October 1948 she apparently supported the election of Egypt (rather than Turkey) despite the uneasy truce situation in Palestine and perhaps also to balance her support of the General Assembly's partition plan a year earlier. The election of Egypt gave her a vote on the question of admitting Israel to membership in the United Nations. Similarly, the Kashmir dispute did not, in the view of the Canadian Government, disqualify either India or Pakistan from membership on the Security Council. On the other hand, in order to avoid any suggestion of partiality, Canada coupled her support for India in 1949 and Pakistan in 1951

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<sup>94</sup>Standing Committee on External Affairs, Minutes, 18 November, 1949, p. 22; Canada and the United Nations 1949, pp. 26-8.

with support for the other in the ECOSOC elections held at the same time.

In approaching the question of elections to international bodies, the Canadian Government has always taken into account the extent to which governments and their representatives were likely to treat the responsibilities of office seriously. As Lionel Chevrier stated prior to the ICAO Council elections in 1950,

the extent to which Canada will support candidates for Council membership will depend upon the extent to which we are satisfied in each case that the responsibilities of Council membership will be fulfilled. The Canadian Government would rather see two or three seats vacant than have those seats filled by unsatisfactory candidates.<sup>95</sup>

By a sense of responsibility, Canada did not simply mean a willingness to accept the Canadian point of view. She meant acting only after the fullest consideration of the consequences and adopting a moderate, practical and constructive approach to controversial questions.<sup>96</sup>

The Communist states can of course be counted upon to be obstructive, but the irresponsibility of a number of other states while less calculated is equally notorious. The record of the Philippines during her three year term on the Trusteeship Council (1948-50) has yet to be matched. It is certainly not the case, however, that all newly independent countries are equally irresponsible; the representatives of the Asian Dominions, for example, almost invariably add distinction to any assembly.

The Latin American bloc is easily first in subscribing its quota of habitual offenders. Their spates of demagogic oratory are a familiar feature of

<sup>95</sup>ICAO, Proceedings of the Fourth Session of the Assembly, Doc. 7225-C/834, p. 57. These remarks were occasioned by the fact that the ICAO Council had been plagued by absenteeism. The interest of certain members, especially Chile Czechoslovakia, Peru and Turkey, in the work of the Council appeared to lapse as soon as they were elected to it. As a result, the Assembly felt compelled in 1947 and again in 1950 to remind members sharply of their responsibilities.

<sup>96</sup>Statements and Speeches No. 48/40, p. 9.

almost every international gathering; they are past masters at preaching what they have no intention of practising and talking most on subjects they understand least, and even selling their votes to the highest bidder. These vices are most in evidence in discussions on trusteeship and colonial questions partly because the subject matter lends itself to extravagant appeals to universal principles of truth and justice, but also because the more irresponsible states are excluded from the Security Council and ECOSOC and tend to gravitate to the Trusteeship Council and the Special Committee on Article 73 (e). There are, of course, a few notable exceptions among the Latin Americans; but as they tend to act as a bloc, the responsible minority is only too often unable or unwilling to express its dissent.

In determining the composition of UN councils, far less weight has been attached to functional considerations and far more to geographical and political considerations than Canada had originally hoped or expected would be the case. The traditional rights claimed by the Great Powers have normally been respected, but this has been more because of their sheer power than their functional importance, two things which are not necessarily the same. The smaller countries, because of their numbers, have also done well, certainly far better than they would have if the functional principle had been more strictly observed. Only the middle powers have suffered, as they were the group whose interests the functional principle was primarily designed to further. They have certainly not by any means been entirely excluded from membership on councils, but they have had to win acceptance mainly on other than functional grounds.

Although Canada may originally have been unduly optimistic about the extent to which other countries could be induced to subscribe to the functional principle, she never suggested that the composition of UN councils and, therefore, the relationships between member states varying greatly in size and strength should be determined solely on the basis of functional criteria. What she did

feel was that functionalism ought to be the primary consideration. In actual practice, the choice of states for membership on United Nations councils has tended to depend more on geographical location than on functional importance.

## CHAPTER XII

### VOTING PROCEDURE

A further important factor in the power relationship of member states in international organizations is the voting procedure. Here again, the Canadian Government considered the functional principle applicable: the voting power of states should be determined by their functional importance.

Traditionally, international political institutions have recognized the principle of the sovereign equality of members by granting each a liberum veto. Although the Covenant of the League of Nations permitted certain important departures from this classic concept, it was still based essentially on the principle of unanimity. Nevertheless, the development of international society in the inter-war years made the attempt to maintain the myth of equality increasingly difficult. In practice, therefore, in both the Assembly and the Council, conventional modifications to the strict rule of unanimity had to be introduced to enable the system to work at all.

At first, it seemed that the United Nations would also adhere to the familiar pattern. The Moscow Declaration on General Security of 1 November 1943 proposed establishing a general international organization "based on the principle of the sovereign equality of all peace-loving states". It soon became apparent, however, that, if the organization were to have teeth, some more practical voting arrangement would have to be worked out. In the end, the phraseology of the Moscow Declaration was incorporated into the first Principle of the United Nations Charter, but it was not consistently adhered to elsewhere in the

Charter. This was particularly true with respect to voting. While the smaller powers abandoned or at least were induced to abandon their general right of veto, on most issues of importance, the Great Powers continued to retain theirs. Consequently, the claim put forward in Article 2:1 that all UN members are constitutionally equal is true only with the Orwellian qualification that "some are more equal than others".

### Majority Voting

The Canadian Government recognized the necessity of discarding the small power veto. In terms of the functional principle, it was untenable and, in practice, it constituted "an invitation to futility and inaction". As early as March 1944, L.B. Pearson warned that "insistence on abstract legal rights" could be "damaging to international progress". "Control", he added, "must be related in some way to responsibility and power. There can be no effective international organization if Panama and Luxembourg could block action agreed to by forty other states."<sup>1</sup>

While Canada was reconciled to and even welcomed the abandonment of the general right of veto, she was aware that under the Dumbarton Oaks Proposals, the middle powers were being called upon to make a greater sacrifice than either the small powers whose responsibilities in the organization were nominal or the Great Powers who, at least in the Security Council, continued to shelter behind the protection of the veto. The Canadian Government indicated, therefore, that the middle powers would find the proposal more palatable if they were assured a

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<sup>1</sup>Canadian Club, Toronto, 13 March 1944. A year later he amplified on these remarks and added: "Absolute equality would probably mean absolute futility." Alumni Federation, University of Toronto, Toronto, 23 February 1945.

voice in discussions and a vote in decisions which especially affected them and if, at the same time, the Great Powers were prepared to accept reasonable restrictions on their veto rights.<sup>2</sup> Eventually, the Government accepted majority rule, even though the compensation it was able to extract at San Francisco fell far short of its original demands.

In general, Canada has considered a two-thirds majority appropriate for important political decisions and a simple majority for other decisions. Unlike Australia, she raised no objection to the adoption of the two-thirds rule in the San Francisco Conference, the Paris Peace Conference, or the Japanese peace conference.<sup>3</sup> Similarly, she has supported the requirement of a two-thirds majority for General Assembly decisions on "important questions" (Article 18:2) and has resisted restrictive interpretations on the meaning of the term. For example, the treatment of Indians in South Africa, the convening of conferences of representatives of non-self-governing peoples and the establishment of the Special Committee on Information Transmitted under Article 73 (e) were all considered "important", an opinion sustained in each case by only a bare majority of the Assembly.<sup>4</sup> Outside the General Assembly, the Canadian Government has been less insistent on the two-thirds requirement. It has felt that decisions of the Economic and Social Council and of the Atomic Energy Commissions should be taken by bare majorities, and that the Interim Committee of the General Assembly should, with the approval of a majority of its members, be entitled to conduct an

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<sup>2</sup>James B. Reston, "Canada Would Bolster Middle Nations' Power", Toronto Globe and Mail (12 December 1944), pp. 1, 2; Pearson, Canadian Club, Winnipeg, 27 December 1944.

<sup>3</sup>U.N.C.I.O., V, 422; H.C. Deb., 30 June 1947, pp. 4826-7; 19 December 1947, p. 495.

<sup>4</sup>G.A.O.R. (I/2), Plenary Meetings, pp. 1060, 1356-7; (II), Plenary Meetings, I, 743. Paradoxically the supporters of these proposals had to argue that they were not "important questions" and the opponents that they were.

investigation provided it was held at UN headquarters.<sup>5</sup>

The Canadian Government was also inclined to accept decisions by simple majority in the specialized agencies. Under its Draft International Air Transport Convention of March 1944, decisions could be taken by a mere "majority of the votes cast"; even for election to the Board, only a plurality was needed.<sup>6</sup> Canada opposed a two-thirds requirement in the International Wheat Council (except for amendments to the Agreement) as, under the system of weighted voting used, this would enable three countries, Britain, Canada and the United States, to exercise a veto.<sup>7</sup> In ITU, Canada considered a two-thirds vote appropriate for the admission, suspension and exclusion of states and the transfer of the seat of the Union, but on other questions favoured retaining the simple majority system in use since 1865.<sup>8</sup> On the other hand, as a result of a Canadian amendment, the wording of Article 60 of the Constitution of the World Health Organization closely parallels Article 18 of the UN Charter.<sup>9</sup> In neither WHO or ITU, in contrast to the UN, were budgetary appropriations considered sufficiently important to necessitate a two-thirds vote.<sup>10</sup>

<sup>5</sup>U.N.C.I.O., III, 593; UN docs. AEG/GRP/2, p. 4, AEG/GRP/3, pp. 5-6; G.A.O.R. (II), 1st Committee, pp. 618, 621.

<sup>6</sup>H.C. Deb., 17 March 1944, pp. 1582, 1583, 1584, 1587.

<sup>7</sup>Special Meeting of the International Wheat Council, (Verbatim Minutes) SS/10, p. 24; (Verbatim Minutes) SS/13, p. 5; International Wheat Conference, 1949, Doc. 63, pp. 38-41; Doc. 107, pp. 47, 48; Doc. 120, pp. 60-3.

<sup>8</sup>International Telecommunications Conference (Plenipotentiary), Atlantic City, 1947, Doc. No. 193 TR-E, pp. 14, 34, 79; Doc. No. 145 TR-E, pp. 16-20; Doc. No. 545 TR-E, pp. 5-6.

<sup>9</sup>Off. Rec. of WHO, No. 2, pp. 55, 63.

<sup>10</sup>Ibid., No. 13, pp. 177-8; International Telecommunications Conference (Plenipotentiary), Atlantic City, Doc. 145 TR-E, p. 25.

In the bitter see-saw battle for the honour of housing FAO, the contending forces were so evenly matched that the Canadian Government favoured postponing a decision rather than choosing a site by a narrow margin. The Constitution required only an absolute majority, but the Government felt that an issue of this importance demanded "a substantial majority". Therefore, it viewed the final selection of Rome by the slim margin of thirty votes to twenty-eight as "unhappy and unsatisfactory".<sup>11</sup>

The Canadian Government has almost invariably favoured simple majorities for procedural questions.<sup>12</sup> Certainly, it has considered that the preliminary question whether a two-thirds majority is required is itself a matter for decision by a simple majority.

Under majority voting, abstentions and absentions are complicating factors. If a large number of states abstain, a proposal can be adopted by an absurdly small number of votes. This not only exposes international institutions to ridicule; it also works to the benefit of well-disciplined blocs. One solution to the problem, the one adopted in the case of the Security Council, is to state the majority required in absolute terms, as a certain proportion of the total membership rather than of those "present and voting". But this is equivalent to counting the abstainers as opponents; and with numerous abstentions the required majority might be impossible to obtain. For this reason, the Canadian Government has strongly opposed this solution, except as a check on precipitous

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<sup>11</sup>On the previous ballot, Italy led by 29 votes to 27 with 2 abstentions. By a dubious interpretation of the rules, this was declared an absolute majority. Whereupon the Canadian Delegate exclaimed: "I'm very distressed with the experiences of this afternoon. I think it's regrettable, I think it's unfortunate, and I'm afraid it's not in the interests of FAO." FAO doc. C49/PV7.

<sup>12</sup>Occasional exceptions have occurred. E.g., UNESCO Doc. 30/PRO/7, Annex II, p. 4 (suspension of rules of procedure); G.A.O.R. (IV), 6th Committee, p. 10 (additional agenda items).

action.<sup>13</sup> At San Francisco, the Canadian Delegation even suggested that Security Council decisions be taken by an affirmative vote of two-thirds of the members present and voting rather than by a majority of seven. The spokesman for the Delegation pointed out that if five members of the Council were parties to a dispute and hence disqualified from voting the Security Council would be constitutionally incapable of taking any action at all. The proposal received little support; the Great Powers would not permit any tampering at all the the Yalta voting formula and the smaller powers objected to raising the majority normally required from seven to eight. Consequently, the amendment was withdrawn.<sup>14</sup>

Canada considered that the problem of abstentions could better be met in another way. She proposed that, in General Assembly committees, majorities composed of less than one quarter of the membership of the committee should be considered invalid. She also suggested that no decision should be taken in ECOSOC unless at least twelve members voted. Neither proposal was adopted.<sup>15</sup>

The ultimate solution is the elimination of abstentions. At times, Canadian spokesmen have castigated as irresponsible delegations which sought refuge

<sup>13</sup>As in the case of amendments to the International Wheat Agreement, International Wheat Conference, 1949, Doc. 64, p. 33. The "present and voting" formula is defended in UN doc. A/BUR/69, p. 6; G.A.O.R. (I/2), Plenary Meetings, p. 98, (II), 6th Committee, pp. 253, 256; Canada at the United Nations, 1947, p. 265.

<sup>14</sup>U.N.C.I.O., XI, 515, 534-5. An earlier amendment omitted the phrase "present and voting". Ibid., III, 590. This became a practical issue in 1950 in connection with the Israeli complaint against Egyptian restrictions on shipping in the Suez Canal, as five members of the Security Council had submitted similar complaints to Egypt.

<sup>15</sup>UN doc. A/BUR/69, p. 6; U.N.C.I.O., III, 593. Proxy voting or plural voting offer other possibilities, though Canada has in general been reluctant to resort to such expedients. ICAO, Doc. 4957-C/616, pp. 12-3; Doc. 7203-C/830, p. 46; Doc. 7298, A6-Ex/2, pp. 8-9; International Wheat Conference, 1949, Doc. 63, pp. 15, 18-9, 21, 24; Doc. 64, pp. 9-10, 17; Doc. 75, pp. 12-5.

from unpleasant decisions by abstaining. Yet Canadian delegations have probably sinned in this respect as frequently as most. L.B. Pearson even admitted on one occasion that "we are becoming known as the total abstainers".<sup>16</sup> In certain circumstances, abstentions are undoubtedly justified. Clearly parties to a dispute and perhaps even states particularly affected by any question should abstain. In 1947, the Canadian Government opposed on principle the holding of the Third Session of the General Assembly in Europe, but abstained on the vote because "our own convenience will be better served by a decision to remain in New York". More frequently, Canada has abstained to indicate either mild disapproval or approval in principle and disapproval in detail.

#### The Great Power Veto

The Canadian Government has never disguised its dislike of the veto held by the permanent members of the Security Council. While prepared to concede some special prerogatives to the Great Powers in accordance with the functional principle, Canada considered the veto an "undesirable and unnecessary" application of that principle. She recognized that, with the enormous inequalities in the resources and responsibilities of member states, a very difficult problem existed; but the veto was only a "rough and not very satisfactory solution". It was inequitable in that it elevated certain states to a status "above the law" and it was illogical because it made an "arbitrary distinction" between the five Great Powers and "the undifferentiated mass of other members . . . without reference to size or strength". The Government was as much if not more concerned with the fact that the veto principle took absolutely no account of the importance

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<sup>16</sup>G.A.O.R. (II), Plenary Meetings, II, 933, 1320; CBC "Press Conference", 24 March 1952.

of the middle powers as it was with the veto itself.<sup>17</sup>

Wherever Canada encountered the veto - in the United Nations, in the specialized agencies or in the machinery for making the peace - she opposed it in principle<sup>18</sup> even though she sometimes acquiesced in its adoption in practice. With one partial exception, she never demanded a veto for herself. For a time, following the Dumbarton Oaks Conversations, she was prepared to insist that, unless she participated fully in any discussions or decisions concerning the application of sanctions, her armed forces should not be employed by the United Nations except with her express consent.<sup>19</sup> But otherwise, she relied on other means of protecting her interests, particularly functional representation and weighted voting. In the case of the International Wheat Council, she even tried unsuccessfully to refuse what in effect amounted to a veto.<sup>20</sup>

<sup>17</sup>U.N.C.I.C., XI, 459, 516; Report on the San Francisco Conference, p. 32; H.C. Deb., 16 October 1945, p. 1198; A.E.C.O.R. [I], No. 2, p. 20, No. 10, p. 151; UN doc. A/AC.18/SR.12, p. 7; G.A.O.R. (III/1), Ad Hoc Political Committee, p. 194; Statements and Speeches No. 47/14, p. 2, No. 48/40, p. 6.

<sup>18</sup>G.A.O.R. (III/1), 1st Committee, pp. 914-5; H.C. Deb., 19 December 1947, pp. 494-5. In the case of the Central Committee of UNRRA, Canada appears to have concentrated her attention on its restricted membership and not to have criticized the veto power. However, she undoubtedly welcomed the decision of the Big Four early in 1943 to whittle down the veto. In the case of the IMF, the "Tentative Draft Proposals of Canadian Experts for an International Exchange Union", 9 June 1943, substituted a short withdrawal provision (Article XI:3) for the veto accorded the United States under the original American Treasury plan.

<sup>19</sup>James B. Reston, "Canada Would Bolster Middle Nations' Power", Toronto Globe and Mail (12 December 1944), p. 20. Canada has of course a veto in the North Atlantic Council. It is doubtful if she or any other NATO member would agree to its surrender.

<sup>20</sup>Special Session of International Wheat Council, (Verbatim Minutes) SS/10, pp. 24, 27; International Wheat Conference, 1949, Doc. 63, pp. 38-41; Doc. 107, p. 47; Doc. 120, pp. 60-3. "The Canadian Delegation does not want a veto vote." Ibid., Doc. 63, p. 40. Although the Canadian Wheat Board was not influenced by the constitutional scruples which troubled the Department of External Affairs, it nevertheless objected to the veto on practical grounds. A veto for Canada would have meant a veto for Britain and, on wheat matters, British motives were often suspect. Besides, the United States and Canada generally voted together and, as long as they did, their combined weighted votes would enable them to block any action they opposed.

Some of the arguments put forward in an effort to justify the great power veto in the Security Council seemed pretty thin to the Canadian Government. This was particularly true of the frequent claim that the veto was essential to the preservation of the unity of the Great Powers. As L. B. Pearson said, "That argument, I confess, has never impressed me very much". It was not that Canada underrated the vital importance of agreement among at least Britain, the United States and the Soviet Union on all important questions. She was fully conscious of the lessons of the war and inter-war years and readily conceded that such co-operation was "the sine qua non of peace". What the Government did question was the belief that the veto would somehow ensure unity in action even if there were no unity of purpose. In the Canadian view, the veto was much more likely to invite disunity.<sup>21</sup> In any case, the argument could at best apply only to the most important questions. At San Francisco, Canada felt compelled to protest against "the application of the rule of unanimity to every amendment before the Conference". When, in the name of great power unity, the United States supported Soviet insistence on the inclusion of an article on expulsion, the Canadian Delegate "offered his opinion that the unity of the major powers did not rest on the question of expulsion".<sup>22</sup>

Nevertheless, the Canadian Delegation went to San Francisco with an open mind on whether to accept the veto. By swallowing its theoretical objections and discounting its practical objections, it was eventually able to bring itself to vote for the Yalta formula, albeit "with great reluctance". The decisive con-

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<sup>21</sup> Pearson, English-Speaking Union, Princeton, N.J., 14 May 1946; St. Laurent, 1st Committee, UN General Assembly, 16 November 1946; Report on the San Francisco Conference, p. 28. "What is the virtue of unanimity when it can be achieved only by agreement to do nothing? It is easy to be unanimous on the basis of zero." Pearson, 1st Committee, UN General Assembly, 11 October 1950. Also G.A.O.R. (V), Plenary Meetings, p. 343.

<sup>22</sup> U.N.C.I.O., VII, 195.

sideration was the unwillingness of the Sponsoring Powers to agree to an Organization on any other basis. The Delegation joined in efforts to secure more liberal voting provisions; but once it became clear that the joint interpretative statement represented "the greatest possible measure of agreement", the Delegation accepted it in the belief that "it was not too high a price to pay for a world organization which held so much promise in other respects".<sup>23</sup>

There were other reasons for Canadian acquiescence. To begin with, the Government did not anticipate that the veto would be abused to the extent that it has been. During the early stages of the Conference, a Canadian delegate admitted that the veto had within it at least the "germ of possible paralysis for the Council". "I am worried", he stated, "not by the power of the Security Council but by the possibility of its powerlessness in action."<sup>24</sup> But by the end of the Conference, the Delegation appears to have been more or less reassured. Rather naively perhaps, it accepted at face value the Statement of the Sponsoring Powers that they would not use their veto power "wilfully to obstruct the operations of the Council". L.S. St. Laurent interpreted this to mean that the permanent members would act with "a sense of responsibility and consideration for the interests of smaller states" and therefore that the veto would be used "sparingly".<sup>25</sup> Besides, he claimed that the Charter, "solemnly

<sup>23</sup>Ibid., XI, 459, 516; Report on the San Francisco Conference, p. 32; H.C. Deb., 16 October 1945, p. 1198; A.E.C.O.R. [I], No. 2, p. 20; S.C.O.R. (III), No. 71, p. 39. However, Hughes Lapointe exaggerated when he claimed that the Canadian Government accepted the veto "solely . . . to see the United Nations become a living reality". G.A.O.R. (III/1), Ad Hoc Political Committee, p. 194.

<sup>24</sup>14 May 1945, 6th meeting of Committee II/2, UN Conference on International Organization, stenographical notes.

<sup>25</sup>U.N.C.I.O., XI, 459; Report on the San Francisco Conference, p. 32; H.C. Deb., 16 October 1945, p. 1198; Canada at the United Nations, 1947, p. 213; Standing Committee on External Affairs, Minutes, 24 May 1948, p. 60, 14 June 1948, pp. 167, 174; S.C.O.R. (III), No. 71, pp. 39-40, 43. At San Francisco, a United States Delegate boldly predicted that, "far from being frequently used, the veto would seldom, if ever, be exercised". U.N.C.I.O., XI, 493.

accepted and ratified by those Great Powers", constituted "a firm pledge" on which "we can implicitly rely" that they would use their privileged position only as "a sacred trust for the whole of mankind".<sup>26</sup> On another occasion, he declared:

We signed the Charter . . . only after we had been assured that this exorbitant veto power accorded to each of the Big Five was not apt to be used except when the user honestly felt that it was really in the best interest of international peace and security to do so.<sup>27</sup>

Had the Canadian Government known at San Francisco what it later learned about the Russians, it is certain that it would not have given in to them quite so easily; and it is probable that it could have struck a slightly better bargain. It is possible, for example, that the Soviet Union might have been prepared under pressure to give up the veto over the admission of members or the election of the Secretary-General.<sup>28</sup>

Although the self-denying ordinance of the Great Powers proved in practice to be a meaningless "sop", their Charter obligations remained to remind them that the use of the veto was not merely a matter of discretion. As Canadian spokesmen repeatedly pointed out, under Article 24 of the Charter, each member of the Council was under "a treaty obligation to cast its votes and its vetoes not in

<sup>26</sup>G.A.O.R. (I/1), Plenary Meetings, p. 202, 18 January 1946, St. Laurent later admitted he had been merely "whistling to keep up our courage". H.C. Deb., 28 March 1949, p. 2061.

<sup>27</sup>Statements and Speeches No. 47/19, p. 4, 3 November 1947. R.G. Riddell admitted that, "looked at in any absolute sense, this [pledge] was not such of a concession". Ibid., No. 48/40, p. 6.

<sup>28</sup>On the other hand, St. Laurent stated on 3 November 1947: "Just before the time fixed for the San Francisco meeting, Mr. Roosevelt died and it may well be that with his passing there passed also such little confidence as Mr. Stalin may have had in the good faith of his Western wartime allies." Ibid., No. 47/19, p. 3.

defence of its own special interests but in defence of the United Nations as a whole". In the Canadian view, if this were done, "the happy outcome" would be that the veto would never be used except possibly in connection with sanctions.<sup>29</sup>

The Canadian Government not only under-estimated the likelihood of the veto being abused; it also under-estimated the practical importance of the voting formula. "The right of veto, in itself," L.B. Pearson declared in December 1944,

is of no great importance. If it doesn't exist, and action is taken by a majority against a great power, then the Organization may go down before the threat of another World War. If it is granted, without limitation, and is used by a great power to prevent the Organization even considering a dispute to which that power is a party, then the Organization becomes almost a farce, and the non-veto powers would probably not consider it worth preserving.<sup>30</sup>

The Government expected (and hoped) that the Security Council would rarely resort to formal votes. It seemed to it more likely that the Great Powers would seek agreement by negotiation as during the war, at the San Francisco Conference and subsequently in the North Atlantic Council, where the liberum veto has not been a serious obstacle to action. This attitude towards voting was not confined to the Security Council. Canada considered that the "chief defect" in the practice of the first session of the General Assembly was that there had been "far too many votes". At the Paris Peace Conference, she dissociated herself from the Australian attack on the voting formula; instead, she sought to avoid votes and divisions. "Peace", Brooke Claxton declared, "cannot be made either

<sup>29</sup>St. Laurent, 1st Committee, UN General Assembly, 16 November 1946; G.A.O.B. (1/2), Plenary Meetings, pp. 1256-7; UN docs. A/C.1/91, A/AC.18/49, p. 1; Standing Committee on External Affairs, Minutes, 6 May 1947, p. 60. Article 24 reads in part: "In discharging these duties the Security Council shall act in accordance with the Purposes and Principles of the United Nations."

<sup>30</sup>Canadian Club, Winnipeg, 27 December 1944; also King, H.C. Deb., 20 March 1945, p. 28.

by votes or vetoes."<sup>31</sup>

The Canadian Delegation at San Francisco also looked upon the veto as essentially a transitional arrangement. It fully expected the veto gradually to wither away through erosion and eventual amendment once the international political climate improved and world security became a reality.<sup>32</sup> Unfortunately, with a single important exception, in the process of evolution the scope of the veto has not been restricted.

Finally, as a last resort, the Canadian Government considered that the veto in the Security Council could always be by-passed, either by measures of collective self-defence (under Article 51) or, at least in the case of measures of pacific settlement, by resorting to action by the General Assembly (under Article 10).<sup>33</sup>

Although Canada became reconciled to the principle of the veto prior to San Francisco and to the Yalta version of the veto at San Francisco, she nevertheless sought by every practical and reasonable means to lessen its undesirable

<sup>31</sup>Report on the San Francisco Conference, p. 32; Standing Committee on External Affairs, Minutes, 22 April 1947, p. 19; King, Paris Peace Conference, 2 August 1946; Claxton, H.C. Deb., 3 March 1947, p. 953 and "Canada at the Paris Conference", International Journal, II (1947), 126.

<sup>32</sup>U.N.C.I.O., XI, 459; Report on the San Francisco Conference, p. 32. Two cabinet ministers claimed that Western policy towards the Soviet Union in the past explained and justified Stalin's insistence on the veto. "He would not be true to his own country", Ernest Bertrand told Parliament, "if he did not guard against any possible aggression should these anti-Soviet elements take control of governments." H.C. Deb., 23 March 1945, p. 160; T.A. Crerar, ibid., 26 March 1945, p. 205.

<sup>33</sup>H.C. Deb., 20 March 1945, p. 28; Report on the San Francisco Conference, pp. 24, 41, 42. For a discussion of the question whether the General Assembly can also authorize sanctions, infra, pp. 467-72.

consequences by whittling it down as much as possible. In connection with the handling of disputes, four main forms of the veto may be distinguished: its application to the process of peaceful settlement (under Chapter VI of the Charter) and to enforcement action (under Chapter VII) when a great power is or is not a party to the dispute. At Dumbarton Oaks and Y a l t a, the issue which divided the Great Powers was whether the precedent of the Covenant should be followed and states directly involved in a particular issue should be deprived of their right of veto. It was eventually decided to permit the Great Powers to block the application of sanctions against themselves, but not the adoption of recommendations concerning the pacific settlement of disputes to which they were parties.

However, the veto rights of disputants was not the aspect of the Yalta voting formula which the smaller powers found most objectionable. The chief assault on the veto at San Francisco was the Australian attempt to exempt Chapter VI entirely from the operation of the unanimity rule.<sup>34</sup> The Canadian Government agreed that the application of the veto to the peaceful settlement provisions of the Charter was, from a practical point of view, particularly indefensible. As the Great Powers had already agreed to forego their veto on the decisions in which they were most directly concerned, it seemed doubly difficult to understand their insistence on its retention in cases when their interest was less immediate.

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<sup>34</sup>In its final form, the Australian amendment read: "Decisions made by the Security Council in the exercise of any of its duties, functions and powers under Chapter [VI] shall be deemed to be decisions on procedural matters." U.N.C.I.O. XI, 492.

The Great Powers rested their case on the chain of events theory expounded in their Statement of 6 June 1945. In this, they claim that once the Security Council goes beyond mere consideration and discussion of a question, its decisions and actions, "may well have major political consequences and may even initiate a chain of events which might, in the end, require the Council under its responsibilities to invoke measures of enforcement". Thus Chapter VI of the Charter on pacific settlement and Chapter VII on sanctions formed an organic whole.

The Canadian Government was grateful that the shadow of the veto was lifted from "consideration and discussion" of disputes and situations. If, as the Soviet Union originally insisted, the veto had covered discussions too, the position would have been intolerable. But this one concession was considered inadequate; Canada was also anxious to liberate investigations and even recommendations for pacific settlement from the threat of veto. She did not deny that members of the Security Council and especially the permanent members assumed heavy responsibilities and that the consequences of their actions might well be serious. What she did deny was that this was a valid excuse for them either to shirk their responsibilities or to prevent others from carrying out theirs. The United Nations was intended to deal with just such a sequence as the Sponsoring Powers described. Besides, if a dispute were not settled in its early stages, the chances of the chain of events running its course and finally necessitating sanctions were increased, not decreased. Even worse might happen. "None of us", St. Laurent pointed out, "wish to see set in motion that chain of events which might lead to sanctions . . . . But still less do we want to see a chain of events set in motion which might lead to war." Furthermore, contrary to the claim made in the Four-Power Declaration, the chain of events could be broken at any point. There was nothing unique about the link between discussion and investigation, on which the Sponsoring Powers laid so much stress; its

selection for special attention was entirely arbitrary. A more logical point to break the sequence of actions would have been between pacific settlement and enforcement action. The break here could be brought about without difficulty; any permanent member might bring this about merely by refusing to determine the existence of a threat to the peace under Article 39.<sup>35</sup>

In the end, for the reasons already indicated, the Canadian Government abstained on the Australian amendment and supported the Yalta formula.<sup>36</sup> However, it opposed the suggestion that the Conference should also formally approve the interpretive Statement itself and has repeatedly stated since that it did not consider itself bound by it. The Government has interpreted the veto solely in the light of the Charter even where this has involved interpretations in conflict with the Four-Power Statement.<sup>37</sup> The Statement for example, asserted that the "chain of events begins when the Council decides to make an investigation". But, in May 1948, the Canadian representative on the Security Council argued vigorously that a resolution to establish a sub-committee to investigate the circumstances surrounding the coup in Czechoslovakia was, under Article 29, procedural. The proposal was blocked when the Soviet Union vetoed both the procedural and the substantive question.<sup>38</sup>

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<sup>35</sup>U.N.C.I.O., XI, 332, 459, XII, 16; Report on the San Francisco Conference, p. 34; Arthur H. Vandenberg, Jr., ed., The Private Papers of Senator Vandenberg (London: Gollancz, 1952), p. 196; UN doc. A/AC.18/62, p. 21; The United Nations, 1946, p. 203.

<sup>36</sup>U.N.C.I.O., XI, 459, 495; Report on the San Francisco Conference, p. 32. At one stage, Evatt roundly denounced the Canadian Delegation for deserting him; but, at the last moment, when it appeared that his amendment might carry and he would be saddled with responsibility for the collapse of the Conference, he got cold feet and urged the Canadian Delegation privately not to support him.

<sup>37</sup>U.N.C.I.O., XI, 437, 459, 495; S.C.O.R. (III), No. 71, pp. 39-40. Under Article 103, obligations under the Charter prevail over all other international obligations members might have.

<sup>38</sup>S.C.O.R. (III), No. 63, p. 21, No. 71, pp. 39-40, No. 73, pp. 19, 22, 29. Article 29 reads: "The Security Council may establish subsidiary organs as it deems necessary for the performance of its functions."

Shortly afterwards, the Interim Committee of the General Assembly studied the problem of the veto and, among other things, recommended that the permanent members of the Security Council should agree among themselves to refrain from the use of the veto on most of the questions arising out of Chapter VI. The Canadian Government warmly approved this suggestion, but it came to nought when the Soviet Union, alone among the Great Powers, opposed it.<sup>39</sup>

Although Canada considered the application of the unanimity rule to Chapter VII (enforcement action) was also, in principle, "undesirable and unnecessary", she was more willing to acquiesce in its use here than under Chapter VI (peaceful settlement). She recognized that the existence of a veto over the imposition of sanctions was "in strict accord with the realities of the situation". No Great Power was yet prepared to agree to the application of military sanctions without its express prior approval, whether the armed forces were supplied by itself or by other states. It was also argued that the existence of a veto on enforcement action made "no practical difference". In the case of armed attack, resort could be had to collective self-defence under Article 51, and, in the event of other forms of aggression, members would be released from their obligations under Article 2:4 not to threaten the use of force against the delinquent state. The Government felt, therefore, that "little could be gained by trying to persuade each of the permanent members of the Security Council to give up its veto over the imposition of military sanctions". For the same reasons, Ottawa was not, at least at first, frightened by the prospect of an atomic control agency operating, as the U.S.S.R. insisted, "within the framework of the Security Council". It felt that the veto ought not to apply to the day-to-day operations of the agency or to its functions of inspections, or even perhaps to the application of certain non-military sanctions such as the withdrawal of licences, the cutting off of raw materials and the closing down of power plants. But once the necessity for the use of force arose, the veto right had, for the present, to

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<sup>39</sup>UN doc. A/AC.18/SR.12, p. 7; Canada and the United Nations, 1948, pp. 64-5.

be conceded. It was not a question of what was ultimately desirable as of what was possible in the circumstances.<sup>40</sup>

The theoretical objections to the unanimity rule were particularly compelling when one of the parties to a dispute was a great power. At Dumbarton Oaks, the British argued that parties to a dispute should abstain from voting. The Canadian Government agreed with this view,<sup>41</sup> but the Soviet Government did not. Eventually, at Yalta an American compromise proposal was adopted whereby parties to a dispute would be required to abstain only under Chapter VI. Churchill accepted this formula "on behalf of the British Commonwealth of Nations, the Empire and, he believed, the self-governing Dominions".<sup>42</sup> As far as the Canadian Government was concerned, his assumption was correct.

The change in the Canadian attitude reflected a recognition of the fact that the issue at stake was of little practical significance. Canada continued to support the abstention requirement under Chapter VI, and later sought to ensure that a permanent member could not circumvent this provision by vetoing a

<sup>40</sup> H.C. Deb., 20 March 1945, p. 28; United Nations, 1946, pp. 188, 190-1; UN docs. AEC/C.1/9, pp. 26-8, AEC/C.1/PV.22, p. 38.

<sup>41</sup> James B. Reston, "Canada Seeks to Increase Power of 'Middle Nations' in League", New York Times (12 December 1944), p. 8; Pearson, Canadian Club, Winnipeg; 27 December 1944. In September 1938, Canada abstained on a proposal, which was not adopted, to permit the League of Nations to act under Article XI of the Covenant without the consent of parties to a dispute. She fully supported the relaxation of the unanimity rule on measures of conciliation, but objected to the failure to exclude measures of coercion specifically. Report of the Canadian Government Delegates to the Nineteenth Assembly of the League of Nations, pp. 19-21, 31.

<sup>42</sup> The Conferences at Malta and Yalta, 1945, New York Times (17 March 1945), p. 59. At San Francisco, the Canadian Delegation proposed that as "an elementary principle of justice" a non-member of the Security Council who was a party to a dispute with a member of the Council, permanent or non-permanent, should be accorded the voting rights to which that member was entitled. Thus under Chapter VI neither would vote, but under Chapter VII both would. The proposal was rejected. U.N.C.I.O., XI, 431, 541, 544, 552.

decision that a dispute existed or that the member was a party to the dispute.<sup>43</sup> It was an entirely different matter if a great power was not merely involved in a dispute but had committed aggression. The use of force against a great power meant war; and the decision to wage war was not likely to be affected one way or the other by the existence of a legal right of veto. The issue at stake, then, was not whether collective action could be taken to resist aggression, but whether it would be organized under the aegis of the Security Council.

Ultimately, of course, it was "essential" that the United Nations itself should have the right to restrain any aggressor if the fear of war was ever to be finally banished. But without the power to make its will effective, this right was meaningless. Therefore, in the opinion of the Canadian Government, the elimination of the veto from Chapter VII of the Charter would have to await the day when, as a result of general disarmament, the prohibition or control of weapons of mass destruction and the implementation of the special agreements envisaged in Article 43,

the forces at the disposal of the Security Council will be so overwhelmingly superior to the forces at the disposal of any state, large or small, that the mere threat by the Security Council to use its forces against that state would be sufficient to bring it to terms.<sup>44</sup>

The unanimity rule in the Security Council applies not only to the settlement of disputes but also to a variety of other issues including the admission of members, the election of the Secretary-General and the adoption of amendments. Under the League of Nations Covenant, no member could veto any application for membership; and Canada strongly favoured a similar provision in the Charter.

<sup>43</sup>St. Laurent, 1st Committee of General Assembly 16 November 1946; United Nations, 1946, p. 206; UN docs. A/AC.18/SR.12, p. 7, A/AC.18/49, p. 3.

<sup>44</sup>Pearson, English-Speaking Union, Princeton, N.J., 14 May 1946; Report on the San Francisco Conference, p. 36; United Nations, 1946, p. 191; UN doc. AEC/C.1/9, pp. 26-7.

At San Francisco, therefore, she supported an Australian compromise amendment to the Dumbarton Oaks Proposals which, if it had been adopted, would have required a Security Council recommendation only for the admission of enemy states and Spain.<sup>45</sup>

During the first years of the United Nations, the Canadian Government considered that Soviet vetoes on applications for admission were the most serious manifestation of the unanimity rule. Such vetoes have, in fact, accounted for over half the total number cast. Successive Canadian Delegations to the General Assembly have appealed to the permanent members, without avail in the case of the Soviet Union, to waive their right of veto at least in respect of admissions. On the other hand, Canada has not supported attempts either to abolish the veto in this respect or to disregard it. The Argentine has repeatedly argued that the General Assembly could admit members regardless of whether the Security Council's recommendations were favourable or not. Canadian spokesmen have consistently maintained that to act in defiance of the Security Council would be "clearly unconstitutional", a judgement which the International Court of Justice has since sustained. Furthermore, Canada considered it politically important to maintain "a state of co-operation" between the General Assembly and the Security Council.<sup>46</sup>

The U.S.S.R. has insisted that persons holding high international office should have the confidence of all the Great Powers and, therefore, that the veto should be applicable to their selection. At San Francisco, the Canadian Govern-

<sup>45</sup>U.N.C.I.O., VIII, 299, 310; Report on the San Francisco Conference, p. 20.

<sup>46</sup>The United Nations, 1946, p. 202; Canada at the United Nations, 1947, pp. 69, 70, 218-20; G.A.C.R. (III/1), Ad Hoc Political Committee, p. 134 (IV), Ad Hoc Political Committee, pp. 155, 163-4. The Canadian Government disagrees with the American view that a permanent member could veto a decision to seat a Communist Chinese representative in the Security Council in place of a Nationalist Chinese representative. Canada and the United Nations, 1950, p. 42.

ment did not accept the validity of this argument. After considerable hedging, the Sponsoring Powers agreed that the unanimity rule should not apply to the election of judges of the International Court of Justice. It was also decided in committee that the election of the Secretary-General too should be free from the veto; but the Sponsoring Powers later succeeded in reversing this decision.<sup>47</sup> It must be admitted that, in this instance, the Soviet claim has a certain practical justification. It is clear from the circumstances surrounding the resignation of Trygve Lie that a great power with sufficient determination can effectively force out of office a Secretary-General who has lost its confidence.

At San Francisco, the Canadian Delegation asked that, as part of its price for accepting the veto, the ordinary amendment procedure should be flexible and, if possible, not subject to ratification by all the permanent members of the Security Council. When this proved unacceptable, the Delegation appealed to the Sponsoring Powers to leave the general review conference envisaged in Article 109:3 free to decide whether amendments adopted by it required the approval of each of the Great Powers before coming into force. This too was rejected. Canada, therefore, abstained on the final vote on the amendment provisions of the Charter, although Pearson did his best to reassure everyone including himself that, because of the "good sense and moderation" of the Great Powers, the procedure was workable.<sup>48</sup>

Under Article 27 of the Charter, the veto is applicable to any decision which is not "procedural". Unfortunately, the meaning of this term is neither

<sup>47</sup>U.N.C.I.O., VIII, 332, XIII, 186-7, 208; Report on the San Francisco Conference, pp. 57, 59. On the other hand, the Canadian Government did not consider that the Security Council should consider any candidate for the governorship of Trieste who had been rejected by either of the parties directly concerned, Italy and Yugoslavia. Canada and the United Nations, 1948, p. 80.

<sup>48</sup>U.N.C.I.O., VI, 177, VII, 243-4; Report on the San Francisco Conference, pp. 21, 66-8.

self-evident nor adequately defined. Besides, it was clearly intended to cover a number of questions whose procedural nature except within the context of the Charter is, to say the least, in doubt; this is apparent from the partial enumeration of procedural matters found in Article 28 to 32 under the heading "Procedure". The Sponsoring Powers themselves recognized that the term was unsatisfactory and, in their Interpretative Statement, confused the situation further by introducing another distinction between decisions "which involve direct measures in connection with settlement of disputes, adjustment of situations likely to lead to disputes, determination of threats to the peace, removal of threats to the peace, and suppression of breaches of the peace", on the one hand, and "decisions which do not involve the taking of such measures", on the other hand. They also stated that, should there be doubt in any particular instance whether a procedural vote would suffice, this preliminary question would be subject to the veto. This is the so-called double veto.

Although this interpretation of the Charter is undoubtedly implicit in Article 27, Canada has never admitted its validity and has, on at least one occasion, repudiated it. She has also maintained that, even if the double veto is constitutional, the permanent members do not have complete discretion in its exercise. As the Four-Power Statement admits, the Charter itself generally gives some indication whether or not a matter is procedural. Consequently, the necessity for a test vote should not arise except in cases of genuine doubt.

Successive Canadian delegations have pursued a two-fold policy of clarifying the procedural status of "procedural matters" and obscuring, or at least not confirming, the substantive nature of "other matters". In the process, they have hoped to whittle away at the veto by the judicious interpretation of unintentional obscurities and the exploitation of fortunate omissions. In the Executive Committee of the UN Preparatory Commission, the Canadian Delegate sought, with only meagre success, to enumerate as many procedural questions as

possible in the provisional rules of procedure of the Security Council. At the same time, he opposed successfully any mention of the double veto, in the hope that, in this way, the problem would eventually solve itself by fading into obscurity.<sup>49</sup>

This proved a forlorn hope. By the time Canada became a member of the Security Council in 1948, the double veto was firmly established and the interpretation of procedural matters was becoming increasingly restrictive. The issue came to a head in May 1948 over the appointment of a sub-committee to investigate events in Czechoslovakia. The Canadian representative claimed that the establishment of subsidiary organs was, under Article 29, specifically procedural and that the Council could not ignore the Charter and decide that it was non-procedural. Nevertheless, the Council did just that; the appointment of the sub-committee was vetoed and double-vetoed. Even the ruling of the French President that the double veto was applicable was, when challenged by the Canadian Representative, upheld because the Western Big Three refused to repudiate their San Francisco Statement and therefore abstained.<sup>50</sup>

The double veto is no longer as important an issue as it once was, largely because the members of the Security Council have acquiesced in a broad interpretation of the veto.<sup>51</sup> Thus, in December 1949, General McNaughton, as President

<sup>49</sup>UN docs. PC/EX/SC/17, p. 5; PC/EX/SC/17/Rev.1, pp. 1, 4, 6, 10; PC/EX/SC/25, p. 2; S.C.O.R. (III), No. 71, p. 40.

<sup>50</sup>S.C.O.R. (III), No. 71, p. 40, No. 73, pp. 19-20, 22, 26. "As the provision of the Charter in this case is specific and clear, the Four-Power Declaration . . . is therefore irrelevant." McNaughton, ibid., No.71, p. 40.

<sup>51</sup>In 1950, the British President of the Security Council neatly frustrated an attempt by the Nationalist Chinese Representative to double veto the invitation extended to the Government of the People's Republic of China to attend certain Council meetings by the simple but dubious device of arbitrarily ignoring his negative vote. S.C.O.R. (V), No. 49, pp. 4-10. The circumstances were so unusual that this episode can hardly be counted on as a hopeful precedent for the future. The right to double veto now has few, if any, limits.

of the Security Council, ruled that his own resolution on the successful outcome of the Dutch-Indonesian negotiations and which merely noted, congratulated, welcomed and commended was a matter of substance. The negative vote cast by the Soviet Union therefore constituted a veto.<sup>52</sup>

At the time of the San Francisco Conference, Canada was not entirely unaware of the danger of the veto being used indiscriminately, but its subsequent wilful abuse far exceeded her worst fears. By the autumn of 1946, the Government was "very much concerned" with the situation, though it admitted that, apart from the exclusion of a number of applicants for membership, the consequences had not yet been "very serious". A year later, the Government was frankly alarmed at the ineffectiveness of the Security Council and warned that the continued abuse of the veto might well "destroy the United Nations".<sup>53</sup>

The Canadian response was typically practical and unspectacular. Canadian spokesmen challenged, not the use of the veto, but its abuse. "What we do call in question", St. Laurent told the General Assembly in 1946, "is the manner or perhaps rather the number of cases and the kind of cases in which that rule of unanimity has already been applied". He argued his case with studied moderation, attempting to persuade more than condemn or coerce. This was in marked contrast to the bitterness displayed by many delegations and expressed in an Australian draft resolution, which Canada opposed, charging the U.S.S.R. with violation of

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<sup>52</sup>S.C.O.R. (IV), No. 52, p. 34; UN doc. S/1431. A few days earlier the Ad Hoc Political Committee had decided that an almost identical resolution did not constitute a "recommendation" within the meaning of Article 12:1. G.A.O.R. (IV) Ad Hoc Political Committee, p. 339.

<sup>53</sup>United Nations, 1946, p. 202; G.A.O.R. (II), Plenary Meetings, I, 64; Statements and Speeches No. 47/16, p. 2, No. 47/18, p. 4, No. 47/19, p. 6.

the Charter.<sup>54</sup>

Successive Canadian delegations have adhered rigidly to this policy of persuasion as the only possible path to progress. They have consistently rejected the perennial Latin American proposal to eliminate the veto by amending the Charter as premature and impracticable, if not undesirable.<sup>55</sup> Its adoption could not possibly have done any good and would almost certainly have done some harm. At best, it would have produced an acrimonious debate which would scarcely have encouraged Soviet concessions and would have ended in another veto, thus exacerbating the situation further. At the worst, it could have led to a Soviet withdrawal. This might have solved the constitutional problem of veto but, as the Canadian delegations repeatedly pointed out, it would not have disposed of the underlying political problem of a world divided into two hostile camps.<sup>56</sup> The use and abuse of the veto was the symptom of East-West conflict, not its root cause.

Although the Canadian Government declared that it was unwilling to accept the veto "indefinitely and without alteration", it firmly believed that, "as a stopgap",<sup>57</sup> the best as well as the only possible means of reform was great power

<sup>54</sup>United Nations, 1946, pp. 43, 202; Max Freedman, "The General Assembly", International Journal, II (1947), 13; G.A.O.R. (I/2), 1st Committee, pp. 291, 331.

<sup>55</sup>G.A.O.R. (I/2), Plenary Meetings, p. 827, 1st Committee, pp. 292-3; (III/1), Ad Hoc Political Committee, pp. 195-6, 296; United Nations, 1946, p. 202; UN docs. A/AC.18/SR-12, p. 6, A/AC.18/SR.19, pp. 11, 13, A/AC.18/66, p. 3.

<sup>56</sup>E.g. Canada at the United Nations, 1947, p. 13; McNaughton, UN Institute for Educators, New York, 28 February 1948; Standing Committee on External Affairs, Minutes, 24 May 1948, p. 60, 14 June 1948, p. 167; G.A.O.R. (III/1), Ad Hoc Political Committee, p. 195; Canada and the United Nations, 1948, p. 225.

<sup>57</sup>G.A.O.R. (II), Plenary Meetings, I, 64; Statements and Speeches No. 47/14, p. 2, 15 September 1947. "[The Canadian Government] hope the Charter may be amended before long, but they are not optimistic that this will come about very soon . . . . It must be changed sooner or later, and the sooner the better." Hume Wrong, ibid., pp. 2-3.

agreement on what constituted abuse of the veto. Canadian efforts were directed towards achieving agreement on three fronts: clarification of procedural matters, conventional restrictions on the use of the veto and rules to avoid unnecessary resort to the veto. These efforts began in earnest with a Canadian "Memorandum on Pacific Settlement by the Security Council" (A/C.1/91) in November 1946 and culminated in the report of the Interim Committee on the Problem of Voting in the Security Council (A/578), adopted at the Third Session of the General Assembly.

As we have already seen, some attempt had been made in the Preparatory Commission of the United Nations to enumerate the provisions in the Charter which were not subject to the veto. The results of this initial effort were largely negative; although most of the attempts to spell out the unsatisfactory features of the Charter were frustrated, the interpretation of it which emerged was no more liberal than the Four-Power Declaration. In 1948, the Interim Committee took up the question again and systematically classified ninety-eight matters as either procedural or non-procedural. The Canadian Government fully supported these recommendations, but nothing came of them as they were rejected by the Soviet Union.<sup>58</sup>

For a time, conventional developments in the Charter looked very promising. This was particularly true of the practice of not treating an abstention by a permanent member of the Security Council as a veto. At San Francisco, the Canadian Delegation argued that Council decisions should require only the concurring votes of the permanent members "present and voting". As the Sponsoring Powers had already decided that an abstention should count as a veto, the Canadian amendment was, on Soviet insistence, withdrawn.<sup>59</sup> However, in April 1946, the Soviet

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<sup>58</sup> Ibid., pp. 225-6; UN doc. A/AC.18/SR.12, pp. 7, 9.

<sup>59</sup> U.N.C.I.O., XI, 515-6, 534-5. For a sharply critical discussion of this amendment, see Wellington Koo, Jr., Voting Procedures in International Political Organizations (New York: Columbia University Press, 1947), pp. 155-7. Koo considered it "obvious that the Canadian amendment was in reality another of those disguised manoeuvres to abolish the veto provisions of the Yalta voting text, or at least to modify them" (p. 155).

representative on the Security Council found it convenient to abstain, and declared that his abstention did not constitute a veto. Although he claimed his action was not to be regarded as a precedent, a most important precedent had, in fact, been created.

The Canadian Government frankly admitted that this procedure was "contrary to the language of Article 27 of the Charter". At the same time, it considered it a "constructive interpretation" which ought to be strengthened further.<sup>60</sup> At the General Assembly, in the autumn of 1946, the Canadian Delegation proposed that the permanent members should formally agree among themselves to consider an abstention as constituting "the degree of concurrence necessary" in order that a decision might be reached.<sup>61</sup> No action was taken on the suggestion at the time, but shortly afterwards the Soviet Union abstained on three more occasions. Since then, the practice has been sanctioned by a formidable series of precedents.

No similar agreement has been reached to cover the case of a permanent member who is absent. Since 1950, the Soviet Union has contended that neither the Security Council nor the Far Eastern Commission could take legally valid decisions in her absence or in the absence of the People's Republic of China. In neither case did the Canadian Government give the slightest support to this view. In its opinion, the voluntary absence of the U.S.S.R. was equivalent to an abstention, while the allegation concerning the absence of the legal representative of China was untrue. This was not to suggest, however, that the Government failed to recognize that the absence of a great power very seriously reduced the practical

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<sup>60</sup> *Statements and Speeches* No. 47/18, p. 2; Standing Committee on External Affairs, *Minutes*, 6 May 1947, p. 61; Pearson, *English-Speaking Union*, Princeton, N.J., 14 May 1946. Article 27 refers to "an affirmative vote of seven members including the concurring votes of the permanent members (tous les membres permanents)" (my italics).

<sup>61</sup> St. Laurent, 1st Committee, UN General Assembly, 16 November 1946; UN doc. A/C.1/91.

effectiveness of an international body.<sup>62</sup>

The early establishment of the convention concerning abstentions brightened the prospects of achieving formal or informal agreement on restricting the veto in other respects. It was not simply that an encouraging precedent had been set; it was also that Soviet opposition to proposals for reform need no longer express itself in the form of a veto. Canada made a number of specific suggestions, none of which necessitated a strained interpretation of the Charter. In the autumn of 1946, she proposed that the veto be waived on decisions determining the existence of a dispute or the parties to a dispute. Subsequently, in discussions in the Interim Committee, she advocated the exemption from the veto of questions involving the pacific settlement of disputes and the admission of new members, and the elimination of the double veto.<sup>63</sup> The Canadian proposals were incorporated into the Committee's report and, in due course, approved by the General Assembly. However, they failed to secure Soviet support and were, therefore, never implemented.

The third approach involved the adoption of rules to assist the permanent members in the exercise of the veto, or, at least, to remind them that they had responsibilities as well as rights. Canada proposed that a great power should, before casting a veto, state the grounds on which it based "its conclusion that the interests of the whole Organization requires it to exercise its veto". She also suggested that no member should veto a proposal merely because it did not go far enough. The Interim Committee amplified on these rules and added the suggestion that the Great Powers consult together before important decisions were

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<sup>62</sup>George Blakeslee, The Far Eastern Commission - A Study in International Co-operation: 1945 to 1952 (Washington: Government Printing Office, 1954), pp. 104, 211; Standing Committee on External Affairs, Minutes, 25 April 1950, p. 11.

<sup>63</sup>United Nations, 1946, pp. 203, 206; UN doc. A/AC.18/SR.12, p. 7.

taken in order to avoid, if possible, the use of the veto.<sup>64</sup>

These recommendations suffered the same fate as the rest of the Interim Committee's report. In 1949 and 1950, the Great Powers were again urged to "exercise restraint in the use of the veto", but these too were ignored. Meanwhile, alternative machinery was being established to carry on the work which the Security Council was incapable of handling. The first step in this direction was the Interim Committee, the second, NATO and the third, the Uniting for Peace resolution of 1950. As a consequence, both the Security Council and the problem of the veto have diminished in importance.

Although shifting the centre of gravity of the United Nations from the Security Council to the General Assembly has largely overcome the immediate problem created by the veto, the more fundamental problem which the veto was intended to solve still eludes solution. This is the difficulty arising out of the disparity in the size and strength of UN Members. The veto is, at least, a "rough and ready" attempt to meet the problem, an unsatisfactory application of a sound principle - the functional principle.<sup>65</sup> On the other hand, majority voting as found in the General Assembly is no real solution at all for it is a repudiation of the functional principle. In the long run, living without the veto may be even more difficult than living with the veto - unless some more acceptable alternative is found perhaps in some form of functional voting.

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<sup>64</sup>UN docs. A/C.1/91, A/578.

<sup>65</sup>Statements and Speeches No. 48/40, p. 6; Canada and the United Nations, 1948, p. 225.

### Weighted Voting

The Canadian Government has consistently maintained that, in matters of voting as well as representation, power and responsibility within international institutions ought to be closely related. The arbitrary concentration of power in the hands of a few states possessing special voting privileges was no more acceptable than any other manifestation of the great power pattern of control, while the familiar one-state, one-vote formula was even more objectionable because it was founded on a mythical equality of states. As early as 1943, Mackenzie King warned that if all sovereign states were accorded "a nominally equal voice in international decisions" no effective decisions would likely be taken.<sup>66</sup> Later, L. B. Pearson added his plea for realism. "There can be no effective international organization", he pointed out, ". . . if twenty small states who would contribute little to any international police action could impose sanctions against the wishes of nineteen states who would have to bear the main burden of the decision."<sup>67</sup>

Although Mr. King's formulation of the functional principle in July 1943 contained the concept of weighted voting as well as that of functional representation, official thinking within the Department of External Affairs in Ottawa had already reluctantly come to the conclusion that, at least as far as the United Nations Organization was concerned, Canadian efforts ought to be concentrated on securing the adoption of satisfactory provisions governing membership on councils rather than on weighted voting. There were several reasons for this decision. To begin with, the introduction of functional representation did not

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<sup>66</sup>H.C. Deb., 9 July 1943, p. 4556.

<sup>67</sup>Canadian Club, Toronto, 13 March 1944; Canadian Club, Winnipeg, 27 December 1944; Alumni Federation, University of Toronto, Toronto, 23 February 1945; "Canada and the Postwar World", Canadian Affairs (1 April 1944), p. 10.

involve the sharp break with traditional practice which the abandonment of the one-state, one-vote principle entailed. Nor did it necessitate the acceptance of a more or less precise formula to determine the relative importance of states. Besides, functional representation appeared to be not only more feasible but probably almost as satisfactory as functional voting. From the purely Canadian point of view, it was perhaps even more satisfactory. Under functional representation, the middle powers as well as the Great Powers stood to gain at the expense of the small powers, who would ideally have no representation at all. Under functional voting, on the other hand, the Great Powers gained and the small powers lost but, unless the scale was heavily weighted, the relative voting strength of middle powers would remain more or less the same as under the one-state, one-vote system.<sup>68</sup>

Finally, the United States, the country with the most to gain from a system of weighted voting, decided not to press for it, except where finance was concerned, as she felt she could exert her influence adequately in other ways.<sup>69</sup> The American draft scheme submitted to the other Great Powers at Dumbarton Oaks proposed that on budgetary questions "each member should have voting power in proportion to its contribution to the expenses of the organization". The proposal was not adopted at the time, but the Americans continued to toy with the idea right up to the time of the San Francisco Conference. The Canadian attitude towards the proposal was sympathetic; and, if the Americans had revived it at San Francisco, the Canadian Delegation would have been prepared to support

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<sup>68</sup>Even under the Bretton Woods Agreements where the weightage in each case is well over 100:1, Canada's voting power originally was only 3.30% (IMF) and 3.43% (IBRD) of the total, whereas under a one-state, one-vote system it would have been 2.27%.

<sup>69</sup>The Memoirs of Cordell Hull (New York: Macmillan, 1948), II, 1680.

it.<sup>70</sup>

The only other connection in which weighted voting in the General Assembly was seriously considered was when the Soviet Union demanded admission to the United Nations of some or all of her constituent republics. This was essentially a question of voting, rather than of membership. The initial Canadian reaction to this request was to adopt a wait-and-see attitude as there were, from the Canadian point of view, two conflicting considerations to take into account. First, the Government was most reluctant to accord any international recognition to the alleged independence of the Soviet republics. Had the U.S.S.R. openly asked for extra votes in the Assembly, there is little doubt that the response evoked in Ottawa would have been more sympathetic.

The second factor was the revival of the ghost of "the six British votes". The Soviet autonomy decrees of 1 February 1944 were clearly intended to confer dominion status on the Soviet republics. Much of this was, no doubt, mere camouflage for the benefit of foreigners; but the Soviet Government appears to have genuinely misunderstood the nature of the Commonwealth relationship. At Yalta, Molotov argued for the admission of the Ukraine and Byelorussia on the grounds that Canada and Australia were to be individual members even though they were "component parts" of the United Kingdom.<sup>71</sup>

What was even more disturbing was that at Yalta both Roosevelt and Churchill accepted the view that Britain already had more than one vote. Churchill strongly supported the Russian request, partly out of "profound sympathy" for

<sup>70</sup>"Tentative Proposals for a General International Organization", 18 July 1944, Post-War Foreign Policy Preparation, 1939-1945 (Washington: Government Printing Office, 1949), p. 598. A Canadian spokesman subsequently denied that Canada favoured modifying the one-state, one-vote system in budgetary matters. G.A.O.R. (III/1), 5th Committee, p. 513.

<sup>71</sup>Eden corrected him by interjecting the words "British Empire". The Conference at Malta and Yalta, New York Times (17 March 1955), p. 63.

"mighty Russia", but also in order to forestall Soviet objections to separate membership of the Dominions which he admitted they might "have cause to look at . . . with a questioning eye". In a telegram to Attlee, he argued that this concession to Russia would put Britain in "a strong position" to insist on the representation of the Dominions and India "because we shall not be the only multiple voter in the field". On 10 February 1945, following Big Three agreement on the three Russian votes, Roosevelt wrote Churchill requesting British support for three votes for the United States in case she should wish to "insure parity". He stressed "the fact that the United States alone among the three Great Powers will have only a single vote". Churchill, in his reply the following day, used words identical to those quoted above. He conceded "undisputed equality" to the United States and agreed to additional votes in any form she should propose. Although this queer episode ended with the Americans deciding not to make use of their extra votes, nevertheless it underlined dramatically the confusion which existed in the highest circles concerning the position of the Dominions within the Commonwealth.<sup>72</sup>

In view of this, Canadian caution was fully justified. The Government expressed no opinion on the question until the Commonwealth meetings in London in April 1945. As a result of these consultations and in view of all the circumstances, Canada signified her willingness to support the admission of the Ukraine and Byelorussia as original members of the United Nations. Later, at San Francisco, she acquiesced in their participation in the Conference as well.<sup>73</sup>

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<sup>72</sup>Ibid, pp. 62-3, 76; J.F. Byrnes, Speaking Frankly (New York: Harper, 1947), p. 40; E.R. Stettinius, Roosevelt and the Russians: The Yalta Conference (London: Cape, 1950), p. 170; W.S. Churchill, The Second World War (London: Cassell, 1948-54), VI, 358-60. Churchill opposed a public announcement of the deal as he said he would have to consult the Dominions first, and this would take several days.

<sup>73</sup>H.C. Deb., 3 April 1945, p. 364; New York Times (14 April 1945), p. 7; U.N.C.I.O., V, 92, 377. However, she has repeatedly rejected the claims of the Baltic republics to membership in ITU and OPU.

Canadian spokesmen now freely admit that the decision to grant equal voting rights in the General Assembly to all members of the United Nations was "almost ridiculous" and sometimes results in decisions which are "not only unrepresentative but irresponsible". The principal difficulty is that, owing to the great disparity in the size and resources of states, a relatively small number of members carry the main financial and military burdens of the Organization. This situation would become intolerable if the demands of the majority ever became more than the minority were willing to bear. Canadian spokesmen have, therefore, repeatedly urged the smaller powers to exercise their power with restraint. A more effective curb on irresponsibility is the realization that recommendations of the General Assembly are, in the main, only advisory. Eventually, however, the illogical system of reaching decisions in the General Assembly by a simple counting of heads will have to yield to something more realistic. As long as the United Nations continues to be based on the "good old eighteenth century doctrine of equality of states", to quote L.B. Pearson, there is little prospect that either the veto will be abolished or the General Assembly given real powers.<sup>74</sup>

Weighted voting has fared better in specialized international organizations than in general international organizations. One reason for this is that the less political an organization is, that is, the less it involves considerations of national prestige and vital national interests, the more willing are the smaller states to tolerate legal inequalities. Also, in many cases, the functions

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<sup>74</sup>United Nations, 1946, p. 85; Standing Committee on External Affairs, Minutes, 22 April 1947, pp. 19, 21, 24 May 1948, p. 60; UN doc. A/AC.18/SR.12, p. 7; G.A.O.R. (III/1), 5th Committee, p. 513; Statements and Speeches No. 47/14, p. 3, No. 52/17, pp. 3-4.

of these organizations are more than advisory and consultative; the Great Powers, therefore, are more insistent that their importance should be adequately recognized. Furthermore, weighted voting in technical international organizations is no novelty; it has nearly a century of experience and achievement to draw upon. Prior to 1914, the adoption of weighted voting represented a departure from the classic concept of the liberum veto, not a modification of the current one-state, one-vote, majority rule system. It involved, therefore, a sacrifice on the part of all states, not an alteration in the balance of voting power in which some states gained at the expense of others. Finally, the practical difficulties of evolving an acceptable scale are more difficult in political than in non-political organizations. Power and influence are notoriously more difficult to measure than the interests of states in, for example, international aviation or trade or wheat.

Prior to the Second World War, Canada was a member of a number of international organizations which operated on the basis of weighted voting. The most important of these were the International Institute of Agriculture (1907), the International Office of Public Health (1910) and the International Commission for Aerial Navigation (1920). All have since been succeeded by specialized agencies, FAO, WHO and ICAO, none of which has retained weighted voting. Canada favoured weighted voting in ICAO, but not in FAO, though in 1949 she toyed with the idea in connection with the proposal for an International Commodity Clearing House; the issue did not arise during the drafting of the Constitution of WHO. A proposal for weighted voting in ITO was also rejected. The only specialized organizations to adopt it have been the Bretton Woods twins and the International Wheat Council.

The "Tentative Draft Proposals of Canadian Experts for an International Exchange Union" (9 June 1943) followed the earlier British and American plans in providing for weighted voting. In fact, no real opposition to the general

principle arose except on the question of uniform changes in the par values of the currencies of all members. Mexico demanded that such decisions should be taken by a majority of countries, voting as countries. Canada and the other states with substantial quotas resisted this proposal and finally carried their main point. However, a provision was inserted to permit members who wished to do so to contract out within seventy-two hours of a decision being reached (Article IV.7). The ready acceptance of functional voting largely reflects the anxiety of the delegates at Bretton Woods to ensure that the two institutions obtained the confidence of treasury officials and bankers particularly in the United States.<sup>75</sup>

The need for weighted voting in the International Wheat Council was also obvious, as the shares of countries in the world wheat trade vary so enormously, especially on the importers' side. The continued reliance on the one-state, one-vote system in successive wheat conferences partly explains the frequent failure to achieve agreement. On a number of occasions, Canadian delegates were forced to complain that "a head vote is not a fair vote on an issue of this sort". The site of the first meeting of the Council was one such issue. In this particular instance, it was agreed at the suggestion of the Canadian Delegate to accept the result of a weighted straw vote on the question.<sup>76</sup>

During the Commonwealth Air Conversations in London in October 1943, the Canadian Delegation strongly supported the principle of weighted voting in the

<sup>75</sup>Proceedings and Documents of the United Nations Monetary and Financial Conference (Washington: Government Printing Office, 1948), I, 121, 128. "I believe that the voting power as it is distributed among the members of the Bank is an extremely safe guarantee that the Bank will not go too far." Jean Lesage, Parliamentary Assistant to the Minister of Finance, H.C. Deb., 4 February 1953, p. 1615. The scale of votes in the International Finance Corporation, set up in 1955, corresponds closely to that used in BRD.

<sup>76</sup>International Wheat Conference, 1949, Doc. 72, pp. 44, 45; Doc. 83, p. 13; Doc. 133, pp. 38, 40.

proposed international air assembly. Subsequently, weighted voting was incorporated into the Draft International Air Transport Convention tentatively approved by the War Committee of the Cabinet in January 1944. However, it soon became evident, from discussions with other governments, that weighted voting was unacceptable. Furthermore, with the watering down of the powers of the proposed Authority, it became less essential. It was, therefore, dropped from the Canadian draft early in the summer and did not even come up for consideration at the Chicago Conference.<sup>77</sup>

The most determined Canadian stand taken in favour of weighted voting was in connection with the International Trade Organization. When Britain first broached the subject in September 1946, Canada's initial reaction was cautious but sympathetic. On general grounds, she was anxious to foster functionalism wherever possible, but she was uncertain how the British proposal might affect the commercial chapters of the ITO Charter. This was the crucial consideration. Canada was prepared to approve weighted voting if it encouraged the important trading nations to support wholeheartedly the establishment of an effective organization with real teeth and few gaps between them. On the other hand, she was unwilling to endanger the prospects of agreement on liberal trading arrangements if other countries took a determined stand against weighted voting. The attitude of the United States was particularly important. First indications were that she favoured the traditional one-state, one-vote system. Therefore, in the preliminary skirmish, during the first session of the Preparatory Committee of the UN Conference on Trade and Employment in the autumn of 1946, the Canadian Delegation stated that although it favoured the principle of weighted voting and

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<sup>77</sup>H.C. Deb., 17 March 1944, pp. 1581, 1582, 1587; Proceedings of the International Civil Aviation Conference (Washington: Government Printing Office, 1948), I, 575. Canada's "Revised Preliminary Draft of an International Air Transport Convention" (Ottawa: Kings Printer, 1946), retains provisions for weighted voting. Though dated October 1944, it was probably drafted in June 1944.

was "inclined" to support the specific British proposals on the subject, it thought that further study should be given to the question, particularly from the statistical point of view.<sup>78</sup>

After "long and careful consideration", the Canadian Government came out categorically in favour of weighted voting in general and the British formula in particular at the Second Session of the Preparatory Committee in July 1947. The Canadian spokesman outlined the familiar functional argument, and added that it had special validity in an organization with a wide membership and fairly narrow sphere of interest. He pointed out that the functional formula proposed by the British took into account both population and states, and suggested that it was a sensible compromise between two unrealistic extremes: "the democratic principle of representation by population" and "the nationalistic attitude of 'one-state, one-vote'". This ingenious presentation of the case for weighted voting was frankly an attempt to spike the oratorical guns of the Latin Americans, who were solidly united in defending the principle of equality of states in the name of democracy. They rightly saw that weighted voting threatened their bloc voting power. From the Canadian point of view, this was one of the great unspoken merits of the scheme.

A number of other objections raised to the proposal were rebutted by the Canadian Delegation, particularly the novelty of the proposal, the absence of reliable statistics and the rigidity of any scale adopted. On this last point, the spokesmen stated that there was no reason why "potential importance" need be ignored, as the scale and the formula could be subject to periodical review and if necessary amendment. Finally, he suggested delicately but firmly that there was less danger of the important trading nations abusing their position under a

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<sup>78</sup>UN docs. E/PC/T/CV/12, p. 4; E/PC/T/CV/20, pp. 8-9; E/PC/T/B/PV/23, pp. 29-30.

system of weighted voting than there was of the lesser states acting irresponsibly under the traditional system. The actions of the great powers would at least be restrained by their interest in the success of the organization.<sup>79</sup>

The Preparatory Committee failed to reach a decision on the question of weighted voting and simply passed it on to the Havana Conference on Trade and Employment. There, the Canadian Delegation again carefully restated the logic of weighted voting. It was soon painfully obvious, however, that the smaller states who would suffer under such an arrangement and whose consent was necessary for its adoption remained unconvinced. Even the United States continued to maintain an equivocal attitude. In the circumstances, Canada agreed provisionally to abandon her position. Instead, she concentrated her attention on securing the adoption of appropriate provisions for functional representation on the Executive Board. Eventually, it was agreed to allocate seats on the Board to the leading trading nations. Canada was not too unhappy with this outcome. Although in principle she had "always" preferred weighted voting in the Conference to the designation of permanent seats on the Board, in practice, it made very little difference to her.<sup>80</sup>

During the drafting of the agreement on the Organization of Trade Cooperation in 1954 and 1955, the question of weighted voting was not even discussed. Even the Canadian Delegation considered it quite impractical. Besides, in view of the nature of OTC, there was not the same necessity for it.

Next to the British, the Canadians were the staunchest supporters of functional voting in the Conference of ITO. But they did not agree with the British

<sup>79</sup>UN doc. E/PC/T/E/PV/23, pp. 29-34. The Canadian Delegation readily conceded that the procedure for the adoption of amendments might have to conform to the usual treaty procedure of one-state, one-vote.

<sup>80</sup>UN docs. E/CONF.2/C.6/SR.6, pp. 7-8; E/CONF.2/C.6/SR.12, p. 2; E/CONF.2/C.6/SR.13, p. 4; E/CONF.2/C.6/SR.23, p. 1.

that it should also extend to the Executive Board. On account of its limited membership, weighted voting there would have reduced Canada's relative voting strength.<sup>81</sup> In fact, she accepted weighted voting only in the IWC Executive Committee,<sup>82</sup> where she normally held the largest single block of votes, and in the IMF and IBRD Executive Boards, where Executive Directors cast, not only the votes of their own governments, but the votes of all states contributing to their election.

At one stage in the discussions on weighted voting in the Preparatory Committee of the UN Conference on Trade and Employment, the Canadian representative suggested as a compromise the adoption of a system of double voting or concurrent majorities. Specifically, he proposed that decisions should normally be reached on the basis of a majority of states, voting as states, but that on certain designated issues a weighted majority should also be required if requested by any member. However, even this mild proposal proved unacceptable, as to many states

<sup>81</sup>UN docs. E/PC/T/C.V/20, p. 9; E/PC/T/C.6/19, pp. 1-2. The Canadian draft air convention left the door open for multiple representation on the International Air Transport Board by providing that it should include "at least" one national of each of the eight member states of chief importance in international air transport. Similarly, on connection with the Regional Councils, the Board was to designate the states which were "principally concerned in the international airlines of the region" and determine "the number of members to be appointed by each of the designated states". H.C. Deb., 17 March 1944, pp. 1583-4. Also Proceedings of the International Civil Aviation Conference, I, 571. On the other hand, later Canada vigorously opposed a proposal that a delegation jointly representing two or more ICAO members should have more than one vote in the Assembly. ICAO Doc. 7203 - G/330, p. 46; Doc. 7298, A6 - EX/2, pp. 8-9. In IWC, she favoured proxy voting provided no one government could cast the votes of more than one other government or more than eighty (weighted) proxy votes in all; she also suggested the adoption of a system in the Executive Committee similar to that used in the IMF and IBRD Executive Boards whereby members cast the combined votes of states which had contributed to their election. International Wheat Conference, 1949, Doc. 63, pp. 18-19, 21, 24; Doc. 64, pp. 9-10, 17; Doc. 75, pp. 12-13, 15.

<sup>82</sup>International Wheat Conference, 1949, Doc. 47, pp. 4, 5, 11.

it appeared to be but the thin edge of the wedge.<sup>83</sup>

A system of concurrent majorities, in one form or another, is not entirely unknown in other international organizations. In the International Wheat Council (and its Executive Committee) important decisions require a majority of the votes cast by the importing countries and by the exporting countries. Canada strongly supported the adoption of this system as it strengthened her position. Another variant is found in the United Nations, where competence in the election of the Secretary-General and judges of the International Court of Justice, in the admission, suspension and expulsion of members and in the convening of a general review conference is shared by the General Assembly and the Security Council.<sup>84</sup>

The supreme merit of the one-state, one-vote system in its simplicity. In contrast, the difficulties of working out an acceptable formula for the allocation of votes on a functional basis are tremendous. Indeed, this practical problem is probably the most formidable obstacle to the adoption of weighted voting. There are two aspects of the question: the criteria and the weightage.

In drawing up a scale of votes, experience in earlier international organizations has been helpful. One ingenious system, adopted by both the International Office of Public Health and the International Institute of Agriculture, established several categories of membership, each carrying with it a number of votes and a number of units of assessment. In the case of the International

<sup>83</sup>UN docs. E/PC/T/143, p. 6; E/PC/T/143/Add.2, pp. 1-2; E/PC/T/B/PV/31, pp. 7-8, 13.

<sup>84</sup>International Wheat Council, IWC (Verbatim Minutes) SS/17, p. 26; International Wheat Conference, 1949, Docs. 72, pp. 44-5, Doc. 83, p. 13; U.N.C.I.O., VII, 210, 250, XIII, 186; Report on the San Francisco Conference, pp. 20, 57, 59, 67. On 18 January 1954, John Foster Dulles suggested that General Assembly resolutions might be passed by a "combination vote" - "a majority of all the Members, on the basis of sovereign equality, and also a majority vote, on a weighted basis". Department of State, Press Release, No. 19 (1954), p. 5.

Institute of Agriculture, the scale of votes increased in arithmetical progression and the scale of contributions in geometrical progression. In both organizations, members were free to select their own class. More valuable has been experience in apportioning expenses in the League of Nations and in choosing the states of chief industrial importance in the I.L.O.

The Canadian Government has consistently maintained that the weighting should be functional; that is, it should take into account the real importance of member states in the organization concerned. Even if this principle were generally accepted, it would still be difficult to decide what particular factors should be considered. A relatively simple system would be to relate voting strength directly to financial contributions, as the Americans had proposed at Dumbarton Oaks for decisions on budgetary matters. On other issues, this criterion would not by itself be appropriate. Scales of assessment generally reflect the capacity to pay or wealth of member states and, in the Canadian view, this is not necessarily an adequate test of their importance. Nor are financial contributions the only contributions members may make to the work of an international organization.

An alternative criterion is that of population. Although Canada recognizes that this is "the purely democratic" solution and has usually been prepared to have population count for something, she would not accept direct representation by population. It is not merely that under such a scheme she would be far worse off than under the one-state, one-vote system. Nor would she admit that Canadians as individuals ought to count for more than individual Chinese or Indians or Latin Americans. It is simply that a country's population frequently gives no real indication of its functional importance. "The criterion of population alone", L.B. Pearson has asserted, ". . . would certainly not do, because it is often in conflict with such tests as economic resources and development,

trade and commercial importance, or military strength."<sup>85</sup>

During the early discussions of the subject in the spring of 1943, Canadian officials tentatively considered basing the weighted voting formula for the future UN General Assembly on the naval building ratios of the inter-war years. Subsequently, for purposes of functional representation, Mackenzie King suggested that the war efforts of United Nations might be a suitable test of their willingness and ability to contribute to peace and security under the Charter. From the Canadian point of view, the wartime period was certainly more favourable than the inter-war period.<sup>86</sup>

In the case of the specialized agencies, the Canadian Government considered it particularly important that only factors directly relevant to the purpose of the organization should be taken into account: importance in international air transport in the case of ICAO, importance in international trade in the case of ITO, importance as a wheat trading nation in the case of IWC. But the difficulty of defining "importance" was considerable.

Canada made no specific suggestion in her Draft International Air Transport Convention beyond quoting the Prime Minister's pronouncement of 9 July 1943 on the functional principle.<sup>87</sup> Earlier, in October 1943, a preliminary discussion of the question had taken place at the Commonwealth Air Conversations in London. At that time, the British proposed that traffic interest should be the criterion. Canada reserved her position on this point as she feared that a formula based on air traffic originating in a country, rather than passing through or over it, might be prejudicial to her interests.

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<sup>85</sup>H.C. Deb., 28 March 1945, p. 308; UN doc. E/PC/T/B/PV/23, p. 31; Statements and Speeches No. 52/17, p. 4.

<sup>86</sup>H.C. Deb., 4 August 1944, p. 5909; 28 March 1945, p. 308.

<sup>87</sup>Ibid., 17 March 1944, pp. 1586, 1587.

On the other hand, the Canadian Government warmly welcomed the rating system for ITO proposed by the British as it gave predominant weight to external trade. Two of the three subsidiary factors - national income, external trade in relation to national income and population - were also favourable to Canada.<sup>88</sup> In the International Wheat Council, no real problem arose. At one stage, certain countries, notably France, favoured a formula which reflected, at least in part, the volume of wheat produced and consumed rather than the volume bought and sold internationally. However, guaranteed annual sales and purchases of wheat formed the core of the Agreement and it seemed logical to base the scale on them.

Under the Bretton Woods Agreements, voting power is closely related to the quotas in the Fund and the subscriptions to the Bank. Keynes proposed that the quotas in his International Clearing Union should be fixed by reference to "the sum of each country's exports and imports". This would have given Britain a position comparable to that of the United States. The American Treasury formula, on the other hand, took into account the magnitude of fluctuations in a country's balance of payments; but it also included gold and dollar holdings and national income. This would have reduced Britain to the status of a very junior partner. The Canadian Experts took a middle course, stressing international trade, national income and holdings of gold and dollars.<sup>89</sup> In the end, no criteria were formally agreed upon; quotas and subscriptions were simply assigned. This is what Canada had feared, for it opened the door to their determination on the basis of political rather than economic considerations. Cooking was most

<sup>88</sup> UN docs. E/PC/T/C.V/20, p. 9; E/PC/T/34/Rev. 1, p. 55; E/PC/T/B/PV/23, pp. 31-2; E/PC/T/143, p. 7.

<sup>89</sup> "Proposals by British Experts for an International Clearing Union", Section II. 6(5); "Preliminary Draft Outline of Proposal for a United and Associated Nation Stabilization Fund", Section II. 2; "Tentative Draft Proposals of Canadian Experts for an International Exchange Union", Section II. 1 (a).

in evidence in the case of the Chinese quota, but the Russian quota was also inflated at American (as well as Russian) insistence. In both cases, Canada lodged protests, but these went unheeded.

To guard against the danger that debtor members of IMF might seek to increase their drawing rights by raising their quotas, the Canadian plan proposed that for such decisions, a country's voting power should be increased to the extent that its contributions to the resources of the Fund had been utilized and decreased to the extent that it had made use of the Fund's resources. Earlier, the British had suggested that on every issue voting strength should be adjusted in this way. At Bretton Woods, adjustments in the scale of votes were provided for only in the case of decisions to waive or stiffen the normal conditions governing the use of the Fund's resources.<sup>90</sup>

The second factor to be considered in the preparation of a formula for weighted voting is the weightage, or the ratio between the greatest and least number of votes held by member states. This ratio is affected by both the real disparity in the importance of states and by the size of the basic (or unearned) vote usually granted as a concession to the principle of equality of voting.

The three international organizations which have adopted functional voting have also accepted heavy weightage. In both the Bank and the Fund, the ratio is over 100:1. This is due to the low basic vote of 250. Originally, the British opposed having any basic vote at all, while the Americans and Canadians favoured a medium weightage with a basic vote of 1000.<sup>91</sup> In the International

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<sup>90</sup>Ibid., Section II. 1(c), IX. 3; Articles of Agreement on the International Monetary Fund, Article XIII. 5(b). The Canadian Proposal called for an adjustment of one vote per \$100,000; the Agreement provides for an adjustment of one vote per \$400,000.

<sup>91</sup>"Proposals by British Experts for an International Clearing Union", Section II, 6(12); "Preliminary Draft Outline of Proposal for a United and Associated Nations Stabilization Fund", Section V.1; "Tentative Draft Proposals of Canadian Experts for an International Exchange Union", Section IX.1. The Canadians and Americans actually proposed a basic vote of 100, but the quotas were measured in \$10 Units or Unitas, not \$1 units.

Wheat Council, there is no basic vote as such. As a result, the ratio between the votes of the greatest wheat trading nation, until recently Canada, and the most insignificant member has been over 200:1.

In the case of most other organizations, Canada has favoured medium weightage, though for tactical reasons she has usually advocated light weightage. The 1922 battleships ratio, which at one time was considered suitable for the UN General Assembly, was 5:1. For ICAO, a weightage of 6:1 was suggested. In the case of ITO, Canada supported the British formula which called for only a 4:1 ratio, though she would have preferred a medium weightage of 15:1 and was even prepared to support an American proposal that, in matters arising out of balance of payments difficulties, the IMF scale should be used.<sup>92</sup>

Weighted voting has been adopted most widely in economic organizations. Nevertheless, even in this sphere, it has not proven universally acceptable, as its rejection in ICAO and ITO shows. In other specialized agencies and especially in the United Nations itself, no real headway has been made at all so far, and there is little of a positive nature to encourage one to think that more will be made in the future. Yet, the conclusion seems inescapable that sooner or later some compromise will have to be found between the unanimity rule in the Security Council and the majority principle in the General Assembly. That middle course logically seems destined to be some form of functional voting.

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<sup>92</sup>H.C. Deb., 17 March 1944, pp. 1581-2; UN docs. E/PC/T/C.6/19, p. 2, E/PC/T/3/PV/23, p. 32, E/PC/T/143, p. 7; E/PC/T/143/Add.2, p. 2.

## CHAPTER XIII

### THE RELATIONSHIP OF COUNCILS AND ASSEMBLIES

The effectiveness of provisions for functional representation and voting depends, in part, on the constitutional relationship existing between the councils and assemblies concerned. Within each organization, Canada's attitude has been determined by the nature of the organization, the extent to which the functional principle has found expression in its council and assembly and her own position in the organization.

#### Assembly Control

As a small power in the League of Nations, Canada sought from the first to "magnify the functions of the Assembly";<sup>1</sup> and her natural inclination is still to counter the dominance of the Great Powers by asserting the authority of representative institutions. In the United Nations, L.B. Pearson has deservedly gained a reputation for being "a strong Assemblyman", and he is proud to admit it.<sup>2</sup> On the other hand, Canadian concern for efficiency and functionalism has effectively checked any tendency to press the claims of assemblies to excess.

In general, the Canadian Government has tried to reconcile the conflicting

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<sup>1</sup>N.W. Rowell, 6 December 1920, L.O.N., Records of the First Assembly, Plenary Meetings, pp. 289-91; Gwendolen Carter, The British Commonwealth and International Security: The Role of the Dominions, 1919-1939 (Toronto: Ryerson Press, 1947), pp. 18-21.

<sup>2</sup>CBC broadcast, "United - Or Not?", 18 September 1950.

demands for effective action and representative control by assigning considerable real authority for the formulation and execution of policy to councils, while retaining ultimate responsibility for broad decisions on policy in the hands of assemblies.<sup>3</sup> If this delicate balance is to be maintained, assemblies must keep a close but not too tight rein on the councils. The policy-making powers of the councils should be strictly limited and controlled without being stultified. In the Canadian view, assemblies should confine themselves primarily to principles rather than to details. They should be authorized to issue general instructions which would be binding on the councils, though the latter should be free to implement these directives in the manner they think best in the light of their special knowledge. Furthermore, councils should be encouraged to take the initiative in submitting policy recommendations for assembly approval, or even, in certain circumstances, permitted to take interim policy decisions on their own, subject to later review by the assembly concerned.

In practice, a division of responsibilities on this basis is neither easy nor automatic. Either the council tries to run away from the assembly, or the assembly tries to keep the council tied too closely to its apron-strings. In the United Nations, the balance has been upset in favour of the General Assembly, but during the latter years of the war it appeared more likely that the role of the Assembly would be unduly circumscribed.

The first full-scale clash of opinion over the relationship of council and assembly occurred during the negotiation of the UNRRA Agreement. As has already been pointed out (Chapter X), Canada objected to the excessive concentration of

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<sup>3</sup>The major exception to this general rule is the Security Council, which is dealt with separately below. In the sphere of international security, it is coordinate in authority with the General Assembly, not subordinate to it.

authority in the hands of the executive committee of the proposed organization as early as July 1942. The Great Powers paid no attention to her protest at the time, but a revolt of the smaller powers a year later finally forced them to agree to a drastic curtailment of the Central Committee's policy making powers. Even so, a running battle on this issue continued throughout the life of UNRRA.

The early debate on the powers of the Central Committee had an immediate impact on the Canadian Draft International Air Transport Convention drawn up in the autumn of 1943. This Convention proposed the establishment of a Board dominated by the "states of chief importance in international air transport" and assigned exclusive competence in certain important spheres. To balance this strong dose of functionalism, the Board was made "responsible" to an Assembly operating under a system of weighted voting. The Assembly had "the right to dismiss any member of the Board at any time" and to elect a successor.<sup>4</sup> Little of this survived subsequent negotiations to find its way into the Chicago Convention; functional voting was rejected and functional representation effectively emasculated. The exclusive competence of the Council, though narrowed, remained; and so did its responsibility to the Assembly. But it was a meaningless responsibility without the right of recall and having little in common with the parliamentary sense in which the word was originally used. Thus the novelty and balance of the Canadian plan was destroyed and the relationship of Council and Assembly established along conventional lines.

In the other specialized agencies, Canada has also been concerned to uphold the ultimate authority of assemblies and, at the same time, to ensure that their councils were not unduly restricted. In 1946, she objected strenuously to a

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<sup>4</sup>H.C. Deb., 17 March 1944, p. 1583; Proceedings of the International Civil Aviation Conference (Washington: Government Printing Office, 1948), I, 489, 648.

proposed amendment to the ILO Constitution which would have granted to the Governing Body the right to determine the states of chief industrial importance, as she had always contended that this was the prerogative of the Conference. In a fighting speech which ranged widely over the history of the ILO since its inception, P.-E. Renaud charged that the Governing Body was being constituted "a closed corporation", while some forty governments not represented on it were being "denied their birth-right" to decide on the permanent representation of their own group. In a spirit of conciliation and compromise, however, he proposed an addition to the amendment providing, in the case of dispute, for the right of appeal to the Conference from decisions of the Governing Body. This revised proposal was subsequently approved unanimously.<sup>5</sup>

In FAO, Canadian spokesmen argued that changes in the Executive Committee should be decided not by the Committee but by the Conference itself. They also considered it "unwise" to permit the Council to impose even temporary higher assessments on Members.<sup>6</sup> In the World Health Assembly, Canadian delegates have deplored its failure to give a clear lead on questions of policy and programme especially as this has forced the Executive Board to assume "far more responsibilities in fixing policy" than had originally been envisaged. Canada admitted that if the Board were to retain its new functions it would have to be strengthened, but she was prepared to support this solution only as a last resort. Her preference was to return to the intentions of those who had drafted the Constitution, with the Assembly as "the depository of the policy making powers" and the Board merely an "executive organ" to implement the policies laid down by

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<sup>5</sup>Report of the Canadian Government Delegates to the Twenty-Ninth Session of the International Labour Conference, Montreal, September 19 to October 2, 1946, pp. 25-6, 54-7.

<sup>6</sup>FAO, Preparatory Commission on World Food Proposals, Doc. 258, I/B/18, p. 1; FAO Conference Doc. C49/III/SR17, p. 2.

the Assembly.<sup>7</sup>

The Canadian Government has suggested that, in some organizations, it might not be necessary to have any council at all. Thus, it opposed unsuccessfully the creation in 1947 of an Executive and Liaison Commission for the Universal Postal Union on the grounds that administrative questions could be dealt with by UPU's International Bureau, while policy questions would, in any case, have to be referred to members before action could be taken on them. Canada was equally strongly opposed to a Venezuelan proposal at the sixth Congress of the Postal Union of the Americas and Spain in 1950, for an UPAS Executive and Liaison Commission, though this suggestion was withdrawn before the Canadian Delegation had an opportunity to rip into it. Similarly, the Government resisted attempts to make the International Telecommunications Union "top heavy with administrative and technical bodies".<sup>8</sup>

There have also been occasions on which Canada felt councils were threatened with excessive interference. This was particularly true of the Executive Committee of the International Wheat Council. The 1948 International Wheat Agreement provided that the Executive Committee should function under the "general direction" of the Council, but the following year the word "general" was deleted. The Canadian Delegate characterized this decision as "most unfortunate" as he feared it would mean that the initiative of the Executive Committee would be unduly restricted.<sup>9</sup>

The Government objected even more strongly to the fact that, under the 1948 Agreement, "with very few exceptions, every operational decision was vested in

<sup>7</sup>Off. Rec. of WHO No. 28, pp. 155-6, 305.

<sup>8</sup>Union postale universelle, Documents du Congrès de Paris, 1947, II, 390; International Telecommunications Conference (Plenipotentiary), 1947, Doc. No. 109, IR-E, p. 4.

<sup>9</sup>International Wheat Conference, 1949, Doc. 64, pp. 24-6.

the Council". As the Agreement was intended to be "essentially a commercial undertaking", the Government preferred to leave such decisions in the hands of the Executive Committee, subject to a right of appeal to the Council; but this sensible suggestion was stubbornly opposed especially by the United Kingdom and eventually rejected by an overwhelming majority. Canada then proposed that the Council's rule of procedure should specifically provide for an adequate delegation of authority to the Executive Committee; this too was turned down. Finally, the Government fell back on a resolution recommending such action to the first session of the Council. In the end, a watered-down version of this resolution was accepted. At the same time, it was agreed that, instead of requiring unanimity for the delegation of powers by the Council, a two-thirds majority would suffice; earlier, the Canadian Delegate had pleaded for a simple majority. The Canadian stand was vindicated when, at its first session, the Council was compelled to delegate a substantial number of its operational decisions to the Executive Committee in order that the Agreement might be administered with despatch and in an efficient, business-like manner.<sup>10</sup>

In the Interim Council of PICAO, Canada went even further in asserting the independence of the Council in technical matters. During a discussion in the Council on measures to be taken to ensure or encourage uniformity in the use of definitions and expressions, the Canadian member opposed referring the matter to the Assembly on the grounds that it was not a matter on which member states need be consulted. Furthermore, as the Assembly lacked any experience in this field,

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<sup>10</sup>International Wheat Council, IWC (Minutes) 15/6, p. 7; International Wheat Conference, 1949, Doc. 27, p. 1., Doc. 30, p. 25, Doc. 47, pp. 2-3, 10, Doc. 63, pp. 37-9, Doc. 64, pp. 2-4, Doc. 100, pp. 34-7, Doc. 120, pp. 49-52, 55, 63-5, Doc. 133, pp. 2-7, 11; International Wheat Council, 1st Session, 1949, Doc. 11, p. 9. Canada was also anxious to ensure that under the IRO Constitution adequate powers were delegated to the Executive Committee. E.S.C.O.R. (III), No. 7, p. 85; United Nations, 1946, pp. 225-6.

it might force the Council to "take a line that might not be the correct one".<sup>11</sup>

In the United Nations, the Canadian Government has also, strongly pressed the claim of the General Assembly to coordinate over-all policy, except in the special case of the Security Council discussed below. At San Francisco, the Canadian Delegation fully supported the vesting of responsibility in economic, social and trusteeship matters in the Assembly and, only "under its authority", in the Economic and Social Council and the Trusteeship Council (Articles 60 and 87). It proposed that ECOSOC should be required to submit to the General Assembly its observations on the implementation of Assembly resolutions by UN Members and the specialized agencies and on general questions arising out of the reports of the specialized agencies, and also its recommendations concerning the coordination of their activities.<sup>12</sup> Furthermore, the Delegation considered that the Charter should indicate clearly that Assembly "recommendations" to ECOSOC (Article 66:1) were in fact "instructions" or "directions".<sup>13</sup>

The Canadian Government was particularly anxious to maintain the prerogatives of the General Assembly on budgetary questions, as in its opinion the Assembly alone was in a position to survey the whole UN programme and assess priorities. Constitutionally, the Assembly had complete discretion in financial matters (article 17) and Canada felt it should not hesitate to use its authority to the full to overrule council recommendations which were found to be unacceptable. On one occasion, in connection with the Council's advisory social welfare services, she

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<sup>11</sup> PICAO Doc. 2715, C/1318, p. 8.

<sup>12</sup> U.N.C.I.O., III, 592-4. In the Charter, these powers were made permissive rather than mandatory (Articles 63:2 and 64).

<sup>13</sup> Ibid., X, 46. Also UN docs. PC/EX/23, p. 11, PC/EX/Prel.1/Rev.5, p. 2.

suggested that it was "undesirable" and "inappropriate" for ECOSOC even to recommend to the General Assembly a budget appropriation. Also, at the time the initial terms of reference of the Interim Committee were being drafted, a Canadian spokesman proposed that in order to preserve the Assembly's control of finance and yet provide for urgent and unforeseen expenditures by councils, the Interim Committee should be authorized to recommend that the necessary advances should be made from the Working Capital Fund. This suggestion was rejected in 1947 and again in 1948.<sup>14</sup>

Canada's insistence on the supervisory role of the General Assembly did not imply that she favoured subjecting the Councils to detailed scrutiny. Quite the contrary; she fully agreed that they should be accorded the status of principal organs. Although, in her view, the Assembly should provide general guidance, she also felt that the Councils should retain substantial autonomy in day-to-day matters within their own spheres of competence. She has, therefore, been disturbed by the increasing tendency of the Second, Third and Fourth Committees of the General Assembly to interfere in the work of the Councils and, at times, virtually to usurp their functions.

It must be admitted that this practice has not been entirely the fault of the Assembly. The inflation of the economic and social provisions of the Dumbarton Oaks Proposals at the San Francisco Conference, for which the Canadian Delegation must bear a heavy share of the responsibility, has so burdened ECOSOC that it is quite incapable of doing all it was expected to do or even doing well what it has attempted to do. Consequently, Assembly committees have frequently

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<sup>14</sup>G.A.O.R. (II), 5th Committee, pp. 424, 428; (III/1), 5th Committee, p. 267; (IV), 5th Committee, pp. 69, 157; E.S.C.O.R. (VII), 375-7; UN docs. A/C.5/W.55, A/AC.18/SR.26, p. 4, A/AC.7/SR.47, pp. 11, 22, 24; Canadian statement, Interim Committee of General Assembly, 27 July 1948. Canada also felt that the General Assembly rather than ECOSOC should review the administrative budgets of the specialized agencies. U.N.C.I.O., X, 47.

been faced with proposals which either have not been discussed in council or have been discussed only inadequately. During the seventh ECOSOC session, the Canadian Delegation felt compelled to protest strongly against the frequency with which proposals were transmitted to the General Assembly before they had been "fully and conscientiously" discussed by the council.<sup>15</sup>

Nevertheless, the primary cause of the growing intervention by the General Assembly in the detailed activities of the Councils has been the lack of restraint exercised by delegations to the Assembly. The natural tendency of a defeated minority to appeal its case to the superior body has been greatly accentuated by the very different balance of power between the economically advanced and materially under-developed countries in ECOSOC and in the Assembly, and between the colonial and anti-colonial powers in the Trusteeship Council and the Assembly. As a result, committees of the Assembly have been not merely courts of appeal, but only too often courts of first instance.

Canadian spokesmen have done what they could to resist this development. For example, they have maintained that ECOSOC is better qualified than the General Assembly to decide whether a systematic world-wide survey of economic conditions was necessary.<sup>16</sup> Admittedly, Canadian policy has not always been consistent. Canadian Delegations have sometimes succumbed to the temptation to let the outcome of voting in the council determine whether a particular question was an appropriate matter for the council to deal with. But usually Canada's attitude has made sense. For example, she felt that the technical question whether

<sup>15</sup> I.S.C.O.R. (VLI), 383, 706, 748.

<sup>16</sup> G.A.O.R. (II), Joint 2nd and 3rd Committee, pp. 53, 60-1, 109; Canada at the United Nations, 1947, p. 80.

a second session of the Economic Commission for Latin America was necessary in 1949 could best be decided by ECOSOC, whereas the decision to hold a session of ECLA in Montevideo rather than UN Headquarters was primarily a budgetary matter and should therefore be taken by the General Assembly.<sup>17</sup>

Canada has felt that the Trusteeship Council should also be permitted greater freedom of action to decide matters of detail. In her opinion, the Fourth Committee of the General Assembly should restrict itself to a consideration of only the broadest aspects of such questions as reports, periodic visits, questionnaires and petitions. The San Francisco Conference had clearly intended that the Trusteeship Council should have more autonomy than the Permanent Mandates Commission had under the Covenant of the League of Nations. Canada considered it important that the Assembly should remember this, and not treat the Council as if it were merely a subsidiary organ with a status no different than that of the Special Committee on Information Transmitted under Article 73(e).<sup>18</sup>

#### Primary Responsibility of Security Council for Peace and Security

To enable the United Nations effectively to fulfil its first purpose, the prevention of war and the maintenance of security, the Charter assigns "primary responsibility" for the maintenance of peace and security to the Security Council (Article 24). Thus, the status of the Security Council is sharply differentiated from that of the Economic and Social Council and of the Trusteeship Council. The distinction is two-fold. In the first place, the Security Council is not

<sup>17</sup>G.A.O.R. (III/1), Joint 2nd and 3rd Committee, p. 14; (IV), 5th Committee, p. 69. Canada felt that such questions as whether a separate convention on freedom of information was necessary ought properly to be decided by the General Assembly, not ECOSOC. E.E.C.O.R. (X), p. 23; Standing Committee on External Affairs, Minutes, 6 June 1950, p. 244.

<sup>18</sup>G.A.O.R. (V), 4th Committee, pp. 90, 158.

responsible to the General Assembly; it is a coordinate rather than a subordinate body. Secondly, the Council has been accorded priority in dealing with "disputes or situations"; the Assembly is also competent to handle them, but cannot make any recommendation while the Security Council is exercising its functions under the Charter unless the Council so requests (Article 12:1).

Canadian agreement in principle with this conception of the role of the Security Council was qualified by an insistence that the position and importance of the middle powers should be taken into account.<sup>19</sup> This, the Dumbarton Oaks Proposals did not do. Consequently, L.B. Pearson was moved in December 1944 to protest against the "almost completely and unnecessarily subordinate position" assigned to countries like Canada. To remedy this situation, he suggested not only functional representation but "greater power and prestige" for the General Assembly as the agency which best represents "the universal, collective and permanent character of the organization". Firing a veritable barrage of metaphors, he declared:

A symphony orchestra may have thirty violins and only two French horns, but both instruments are essential. Even if the humble triangle is not hit at the proper moment, the symphony goes wrong . . . . A navy consisting entirely of battleships would not be of much use. The League of Nations of the future should have a balanced diet.<sup>20</sup>

Pearson's principal proposal was that Security Council decisions should be approved by the General Assembly before binding states not represented on the Council. This was a well-intentioned but ill-conceived scheme. Admittedly, it would have had the "very valuable effect" of giving members a sense of participation in such decisions. This was important if the United Nations was to succeed

<sup>19</sup>H.C. Deb., 4 August 1944, p. 5909; Report on the San Francisco Conference, pp. 23, 32.

<sup>20</sup>Canadian Club, Winnipeg, 27 December 1944.

in enlisting the wholehearted support of its Members, particularly within the ranks of the middle powers who would be expected to make forces available to the United Nations. Moreover, it must be conceded, the Pearson proposal did not require the Security Council to withhold sanctions pending the outcome of the Assembly debate. Nor would the forces at the disposal of the Council have been significantly weakened, even if the Assembly had refused to assent, for Council members were expected to control perhaps ninety-five per cent of the military might of the world.<sup>21</sup> Nevertheless, the plan suffered from one serious drawback: the Security Council could scarcely be expected to act with the necessary decision and despatch if its actions were to become the subject of immediate debate in the General Assembly. "Parliament will decide" was no doubt a justifiable policy in the inter-war years; but its applicability to the General Assembly, even in the modified form proposed by Pearson, was highly dubious. An Assembly debate at the time of the invasion of South Korea, for example, could have done little if any good and might, on the other hand, have caused considerable embarrassment and done some real harm.

The Canadian Government later reconsidered its suggestion and eventually dropped it in favour of alternative proposals with more hope of acceptance.<sup>22</sup> The Government continued to insist that the powers of the General Assembly should be widened, but the changes proposed and supported were, in the main, intended to clarify the Dumbarton Oaks Proposals rather than alter them radically.

During the San Francisco Conference, debate on the status of the Security Council in relation to the General Assembly centred on two issues: whether the

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<sup>21</sup>Ibid.; see also, James B. Reston, "Canada Seeks to Increase Powers of 'Middle Nations' in League", New York Times (12 December 1944), p. 8.

<sup>22</sup>H.C. Deb., 20 March 1945, p. 29.

Assembly should be granted a negative veto over the application of sanctions by the Council, and whether the Council should be accountable to the Assembly for its actions.

New Zealand proposed that, except in cases of "extreme urgency", the "concurring vote" of the General Assembly should be required before the Security Council undertook enforcement action. This went beyond the earlier Pearson proposal in one important respect; no action at all could be taken until the Assembly had met, debated the Security Council's recommendation and approved it. This would have greatly impaired the ability of the United Nations to act swiftly and decisively in the event of aggression. Furthermore, it was incompatible with the assignment of primary responsibility for peace and security to the Security Council. In view of this, Mackenzie King joined the Sponsoring Powers in opposing the adoption of the New Zealand amendment. He proposed, instead, that provision should be made for ad hoc participation in decisions of the Security Council involving the use of the armed forces of a Member. This, he claimed, would serve the same purpose, without crippling the Council in the process. In the end, the New Zealand amendment was heavily defeated and a modified version of the Canadian amendment adopted (Article 44).<sup>23</sup>

The controversy over accountability revolved around the nature of the annual and special reports of the Security Council which, under the Dumbarton Oaks Proposals, the Assembly was entitled to "receive and consider". The Canadian Delegation approved in principle the submission of such reports to the General Assembly; in fact, it took the initiative in securing the adoption of a clarifying amendment (Article 24:3) specifically imposing this obligation upon the Council. On the other hand, the Government spoke strongly against a suggestion that these reports should contain "a detailed account with reasons" of all

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<sup>23</sup>U.N.C.I.C., XI, 488, XII, 296, 297, 326. Supra, pp. 368-70.

Security Council acts and decisions. The Canadian view was that it would be "unwise and even dangerous" to empower the General Assembly,

to subject the Security Council to a sort of inquisition. Such provisions would imply a lack of confidence between the Security Council and the General Assembly and were out of place in a Charter which could only succeed if the two bodies had confidence in each other.

The amendment failed to secure the required two-thirds majority and was therefore not adopted.<sup>24</sup> As a result, the reports need only include "an account of the measures that the Security Council has decided upon or taken" (Article 15:1).<sup>25</sup>

Debate on this question was revived during the meetings of the Executive Committee of the UN Preparatory Commission when the Canadian Delegate proposed that the initial Security Council agenda should include an item, "Consideration of the submission of a special report to the General Assembly". This was adopted (with the addition of the words "if any") despite the Soviet claim that it was entirely a matter for the Council's discretion.<sup>26</sup>

A related issue discussed at San Francisco concerned the right of the General Assembly to make recommendations to the Security Council on matters arising out of its reports. At one stage, it was decided to empower the Assembly to submit recommendations "with a view to insuring the complete observance of the

<sup>24</sup>U.N.C.I.O., IX, 87-8, XI, 377; Report on the San Francisco Conference, p. 25. Canada continued to stress the necessity of close co-operation between the Security Council and the General Assembly. In 1947, she argued that the maintenance of this "state of co-operation" was a practical justification of the legal requirement that the General Assembly should only admit new members upon the recommendation of the Security Council. Canada at the United Nations, 1947, p. 218.

<sup>25</sup>Although Canada agreed with the view that the Security Council should not be responsible to the General Assembly, she insisted that Council members were under Article 24:2 individually responsible to members of the Assembly. Statements and Speeches No. 47/2, p. 5; supra, pp. 409-10.

<sup>26</sup>UN docs. PC/EX/SC/7/Rev. 2, p. 2; PC/EX/SC/14, pp. 1-2.

duties of the Security Council", but at the request of the Sponsoring Powers this was later reconsidered. A Belgian-Canadian compromise proposal was then introduced under which the Assembly could have made "such observations or recommendations concerning reports of the Security Council as [were], in its opinion, required by the purposes and principles of the Charter". When this amendment failed to obtain the necessary two-thirds majority, it was decided to make no reference at all to the question in the Charter and rely instead upon the Assembly's general right, under Article 10, to make recommendations to the Security Council on "any questions or any matters within the scope of the present Charter or relating to the powers and functions of any organs".<sup>27</sup> From the very first, Canada sought to make use of this provision. In 1948, for instance, she insisted that the Assembly was fully competent to interpret the voting procedure in the Security Council and to submit its recommendations to the Council.<sup>28</sup>

The Canadian Government considered that the competence of the General Assembly and the Security Council should in the sphere of peace and security be concurrent. This attitude was consistent with Canadian policy since the early

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<sup>27</sup>U.N.C.I.O., IX, 94, 182-3. During the meetings of the UN Preparatory Commission and especially of its Executive Committee in the autumn of 1945, Canada and Australia argued vigorously in support of submitting detailed recommendations to the Security Council, particularly a complete set of rules of procedure and a commentary on them, and an initial agenda with full accompanying documentation, to enable it to assume its heavy responsibilities as soon as possible. The U.S. and the U.S.S.R., on the other hand, considered the organization of the Security Council was a matter for the Council alone to deal with. Report on the First Part of the First Session of the General Assembly, pp. 16-7; UN docs. PC/EX/Prel.1/Rev.5, p. 2, PC/EX/SC/7/Rev.2, p. 2, PC/EX/SC/11, p. 5, PC/EX/SC/12, pp. 1-3, PC/EX/SC/17/Rev.1, PC/EX/SC/24, pp. 2-4, PC/EX/SC/31/Rev.1, p. 8, PC/EX/SC/38, pp. 6-7, PC/EX/SC/44, p. 3, PC/EX/SC/118/Part II, pp. 5-7, PC/EX/23, p. 11, PC/SC/4, pp. 1-2, PC/SC/14; UN Preparatory Commission, Summary Record of Meetings of Committee 2, No. 3, pp. 6-7, No. 9, pp. 25-7.

<sup>28</sup>O.A.C.R. (III/1), Ad Hoc Political Committee, pp. 193-4.

days of the League of Nations. At the First Assembly in 1920, some of the Great Powers claimed for the Council the residual powers not specifically assigned to the Assembly; and it was only due to the determined efforts of the smaller powers, led by N.W. Rowell, the Canadian Delegate, that this attempt to strengthen the Council at the expense of the Assembly was frustrated.<sup>29</sup> Had it succeeded, the future relationship of the two bodies would have been very different. So might the history of the League, for the fact that the Council and Assembly were able to exercise concurrent competence in a wide sphere sometimes handicapped the League in its handling of disputes.

Those who drew up the UN Charter sought to avoid this danger by assigning "primary responsibility" for the handling of disputes to the Security Council, but there was not full agreement on how this principle ought to be applied. The Soviet Union contended that the Council should have exclusive competence in the sphere of international peace and security. The Canadian Government, on the other hand, while prepared in certain circumstances to concede priority to the Security Council, was not willing to grant a monopoly. In its view, the sphere of competence of the Council and the Assembly ought to be concurrent (co-extensive) even if provision were made that they should not exercise their functions concurrently (simultaneously).

Discussion of the limits to be placed upon the competence of the General Assembly has mainly centred on three main issues: the Assembly's right of discussion, the competence of the Assembly and the Council to deal simultaneously with the same situation, and the right of the Assembly to recommend enforcement action.

Canada considered that the General Assembly could fulfill its "essential function" as the highest deliberative forum in the world only if its right of discussion remained unrestricted. As the principal "moralizing" factor in

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<sup>29</sup>Carter, British Commonwealth in World Security, pp. 19-21.

international society, the Assembly served a two-fold purpose: it acted as a barometer of international opinion and as a check on national policies. The practice of the leading statesmen of the world appearing before the Assembly and trying to present as convincing a case as possible before the bar of world opinion could, in the Canadian view, only have an entirely salutary effect. Admittedly, the General Assembly lacked the legal or military power to force members to conform to its views, but it could provide an effective focus for the "moral pressure of public opinion", and this was immensely important. No member of the United Nations could afford to ignore completely opinions expressed in the Assembly. Canadian representatives in the United Nations even felt they detected evidence of "some discomfort at least" among Soviet delegates whenever they found themselves in isolation on issues which were clearly drawn and widely understood.<sup>30</sup>

Under the Dumbarton Oaks Proposals, the Assembly was entitled to discuss "any questions relating to the maintenance of international peace and security". Canada considered this was undesirably restrictive. Consequently, at San Francisco, she supported the phraseology "any matter within the sphere of international relations". This wording was adopted in committee over the protests of the Great Powers, but later reconsidered at Soviet insistence and altered to read "any questions or any matters within the scope of the present Charter or relating to the powers and functions of any organ" (Article 10).<sup>31</sup> It is doubtful if this language materially weakens the powers of the Assembly.

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<sup>30</sup> H.C. Deb., 28 March 1945, p. 299; Canada and the United Nations, 1948, p. 20; 1949, pp. 84-5, 244. Canadian spokesmen have repeatedly stressed the importance of world public opinion as expressed through the General Assembly. E.g., Pearson, Royal Agricultural Winter Fair, Toronto, 15 November 1949.

<sup>31</sup> U.N.C.I.O., IX, 109-10; Report on the San Francisco Conference, pp. 23-4. H.C. Deb., 16 October 1945, p. 1197.

As far as Canada is concerned, the General Assembly's right of discussion is unlimited. It is not even restricted by the domestic jurisdiction clause of the Charter because, in her opinion, mere discussion of a matter does not constitute intervention within the meaning of Article 2:7. This does not mean, of course, that the General Assembly should always exercise its right of discussion. As Paul Martin pointed out in 1954 in connection with the Cyprus issue:

Although Canada has always supported in principle the right to discuss matters of international concern, we have reserved our right to oppose any item which we think should not at a given time be discussed. There is, as we see it, nothing in the Charter which compels us to agree to discuss anything and everything within the Assembly's competence.<sup>32</sup>

Even after the San Francisco Conference, the Soviet Union continued to maintain that the Assembly's right of discussion was limited by the competence of the Security Council. This, the Canadian Government hotly denied. The issue first arose in the UN Preparatory Commission when Gromyko objected to any discussion in the General Assembly of the Security Council section of the Commission's Report. The Canadian Delegate supported the Australian view that no step should be taken which indirectly revised Article 10, though he was, characteristically, less intransigent in his attitude than his Australian colleague. Consequently, he was able to propose a compromise which, while doing nothing to undermine the principle at stake, went part way towards meeting the Soviet point of view.<sup>33</sup>

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<sup>32</sup>24 September 1954, G.A.O.R. (IX), Plenary Meetings, p. 60. The second sentence has been altered as it was clearly incorrect. It read, ". . . compels us to discuss anything, and everything is within the Assembly's competence". See Department of External Affairs, Supplementary Paper No. 54/23, p. 1.

<sup>33</sup>UN Preparatory Commission, Summary Record of Meetings of Committee 1, No. 16, pp. 37-8. The revised agenda item read: "Discussion of those sections of the Report which the General Assembly may decide to consider."

Once the handling of a dispute got beyond the point of mere discussion, the Canadian Government was prepared to accept temporary restrictions on the competence of the General Assembly in order to avoid conflicts with the Security Council. Therefore, the Government supported in principle the provision in the Dumbarton Oaks Proposals under which the Assembly could not, on its own initiative, make recommendations on any matter being dealt with by the Security Council. At San Francisco, the Canadian Delegation opposed a suggestion that the General Assembly's powers of recommendation should be unlimited as it felt that there was "a very great danger" that this would lead to jurisdictional disputes between the Council and the Assembly which would "tend to paralyze action and play into the hands of the trouble making states". "Like Senator Vandenberg," the Canadian spokesman declared,

I believe that the powers of the General Assembly should be as wide as possible. Like him, I also believe that the responsibility for settling disputes should be and must be put squarely on the shoulders of the Security Council. Therefore, the one limitation which I would put on the powers of the Assembly is that its powers should not be such that a trouble making state should be able to take advantage of divided or concurrent jurisdiction of the Council and the Assembly to play one off against the other, appealing from the Council to the Assembly if he thinks the decision is going to go against him in the Council.<sup>34</sup>

In the end, a revised and slightly less restrictive version of the original Dumbarton Oaks provision was adopted as Article 12:1.<sup>35</sup>

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<sup>34</sup>14 May 1945, 6th meeting of Committee II/2, UN Conference on International Organization, stenographical notes (with minor changes). The danger alluded to was real, as has been shown by the experience of the other two councils.

<sup>35</sup>U.N.C.I.O., IX, 44; Report on the San Francisco Conference, pp. 23-4. Article 12:1 reads: "While the Security Council is exercising in respect of any dispute or situation the functions assigned to it in the present Charter, the General Assembly shall not make any recommendation with regard to that dispute or situation unless the Security Council so requests" (my italics). The Dumbarton Oaks Proposals used the phrase "any matter relating to the maintenance of international peace and security" rather than "any dispute or situation".

Canada has continued to insist that the Security Council should be accorded priority in the handling of disputes and situations. In 1949, she invoked Article 12:1 during a debate in the General Assembly on the Indonesian question.<sup>36</sup> Later, during discussions on the Uniting for Peace resolution,<sup>37</sup> Pearson repeatedly emphasized that the procedure laid down there would not in any way detract from the Security Council's primary responsibility for the maintenance of international peace and security.<sup>38</sup>

At the same time, the Canadian Government has insisted that the Security Council cannot maintain its claim to prior competence over a particular question merely by keeping the item on its agenda regardless of whether it is doing anything about it. "If, for one reason or another," a Canadian delegate argued at San Francisco, "the Security Council falls down on its job, we ought to be sure that we have a second line of defense in the Assembly."

The task before this Committee [he concluded] is two-fold. We must make sure . . . that if the Council is actively and effectively dealing with a dispute the Assembly does not get in the way of its efforts to maintain and restore peace. We must also make sure that if the Council shall be seized in the future at any time with . . . paralysis . . . the Assembly can as quickly and effectively as possible take over from the Council's paralysed hands the task of doing whatever can be done even at that late date to maintain and restore peace.<sup>39</sup>

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<sup>36</sup>G.A.O.R. (III/2), General Committee, p. 47; Plenary Meetings, p. 36. The Canadian Delegation even suggested that, in view of the fact that the General Assembly could make no recommendations, it should not even discuss the question. He doubted if this would "serve any useful purpose", and it "might even prove harmful".

<sup>37</sup>The Uniting for Peace resolution of 3 November 1950, inter alia, provided for emergency special sessions of the General Assembly on 24 hours notice, established a Peace Observation Commission and a Collective Measures Committee and called on Members to maintain contingents of their armed forces for service under the UN.

<sup>38</sup>G.A.O.R. (V), Plenary Meetings, pp. 156, 343; Canada and the United Nations, 1950, pp. 169-70.

<sup>39</sup>14 May 1945, 6th meeting of Committee II/2, UN Conference on International Organization, stenographical notes.

Consequently, Canada supported an amendment requiring the Secretary-General to notify the General Assembly or, if it were not in session, the Member States immediately the Security Council "ceased to deal" with an item on its agenda.<sup>40</sup> As the price of their acceptance of this proposal, the Sponsoring Powers insisted on the inclusion of the significant qualification that the Secretary-General would act only "with the consent of the Security Council" (Article 12:2).

In view of this proviso, the Canadian Government fell back on the claim that the question whether the Security Council was dealing with a dispute or situation actively and effectively was "a question of fact" which the General Assembly or Members of the Organization were "presumably capable of deciding for themselves" regardless of what the attitude of the Security Council was. Certainly, the use of the veto "at any stage" of a hearing before the Security Council would, in the Canadian view, "automatically end" the Council's consideration of the matter.<sup>41</sup> The Uniting for Peace resolution of 1950 specifically permits the General Assembly to take over the task of maintaining peace and security, if the Security Council is unable to exercise its responsibilities "because of a lack of unanimity of the permanent members".

When the terms of reference of the Interim Committee of the General Assembly were under consideration, the Canadian Government proposed the deletion of a sentence which excluded from the competence of the Committee "any matter" with which the Security Council was "seized". It was argued that the Committee should be free to discuss any matter which, in its opinion, was not under "active consideration" in the Security Council, even though it might be on its agenda. The Canadian proposal was rejected.<sup>42</sup>

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<sup>40</sup>U.N.C.I.O., IX, 50; Report on the San Francisco Conference, pp. 24, 25.

<sup>41</sup>Ibid., pp. 24, 25-6; U.N.C.I.O., XI, 459.

<sup>42</sup>G.A.O.R. (II), 1st Committee, pp. 618-9.

The Government also attempted to exploit two further loop-holes in Article 12:1 of the Charter. First, it sought to interpret the term "recommendations" restrictively. Thus, in 1949, it supported the view that a General Assembly resolution on Indonesia was not a recommendation within the meaning of Article 12:1.<sup>43</sup>

Secondly, Canada has contended, most notably with reference to Palestine and Korea, that the General Assembly might deal with one aspect of a dispute or situation even though, at the same time, the Security Council was dealing with another aspect. This was not a novel notion in Canada as the aspects principle is fundamental to her constitutional law. She considered that, the General Assembly was not only constitutionally competent but, because of its more representative character, alone capable of handling certain aspects of the Palestine question properly. "Our duties here", A.G.L. McNaughton told the Security Council in 1948, "are strictly related to the restoration of peace and security." Once an armistice was achieved, the Council should look to the Assembly for "the proper answer to the political questions on which the transition from armistice to a state of permanent peace will depend".<sup>44</sup> In actual practice, this division of responsibilities has, generally speaking been adopted: the Council has dealt with the security aspects of the Palestine question and the Assembly with the political, economic and social aspects.

Six months later, McNaughton drew a slightly different distinction between the functions of the General Assembly and the Security Council. In arguing that the Assembly should postpone discussion on the Indonesian question, he stated that the Security Council, and through it the United Nations Commission on Indonesia, were charged with "immediate day-to-day responsibility" in the matter,

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<sup>43</sup>G.A.O.R. (IV), Ad Hoc Political Committee, p. 339.

<sup>44</sup>S.C.O.R. (III), No. 126, pp. 25-6.

whereas the responsibilities of the Assembly were of a "different sort". The Assembly, by its very nature, was "more concerned with principle and less with detail", and should therefore not intervene unnecessarily.<sup>45</sup> As we have seen, Canada adopted a similar attitude towards ECOSOC and the Trusteeship Council.

There is one further limitation on the competence of the General Assembly to make recommendations on questions relating to the maintenance of international peace and security. Article 11:2 of the Charter states that any question relating to peace and security "on which action is necessary, shall be referred to the Security Council by the General Assembly either before or after discussion" (my italics). The significance of this provision of the Charter turns on the meaning and scope of the term "action". There are three possible interpretations: action may mean any action whatever including recommendations, or merely enforcement action, or it may have an even more restricted meaning and refer only to enforcement action ordered by the Security Council under Chapter VII of the Charter.

The first (or Soviet) interpretation is unlikely. It would render meaningless much of the rest of the Charter and reduce the General Assembly to virtual impotence. It can, therefore, be dismissed as absurd. The second is, legally, the most plausible and is clearly that intended by the Sponsoring Powers and widely accepted at the time of the San Francisco Conference. According to this view, the Charter confers upon the Security Council a monopoly over the application of sanctions. In other words, the General Assembly's powers of

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<sup>45</sup>Ad Hoc Political Committee, 3rd session, UN General Assembly, 10 May 1949.

recommendation under Article 10 and 11:2<sup>46</sup> are limited to making recommendations not involving the use of force. The third interpretation is that adhered to by the Canadian Government. It implies a distinction between enforcement action which the Security Council may take under Chapter VII of the Charter and enforcement action which Members may take upon a recommendation of the General Assembly. If the latter is allowed, responsibility for collective security is not completely centralized in the Security Council, but as under the League of Nations is shared with the General Assembly.

The legal basis of the 1950 Uniting for Peace Resolution rests upon this interpretation of the Charter. The General Assembly can, in accordance with this resolution, recommend that members take "collective measures" including, in the case of a breach of the peace or an act of aggression, the use of armed force "when necessary". L.B. Pearson defended the legality of this resolution on the basis of both Articles 10 and 11:2 of the Charter. These, he claimed, already gave the Assembly all the powers it needed to carry out the provisions of the resolution. It was, therefore, "no radical or revolutionary departure in interpretation of the Charter"; it merely provided for the Assembly to utilize certain powers it already possessed. With reference to Article 10, Pearson was not very positive; he claimed merely that it "seems to give the Assembly adequate

<sup>46</sup> Article 10: "The General Assembly may discuss any questions or any matters within the scope of the present Charter or relating to the powers or functions of any organs provided for in the present Charter, and, except as provided in Article 12 [Security Council priority], may make recommendations to the Members of the United Nations or to the Security Council or to both on any such questions or matters."

Article 11:2: "The General Assembly may discuss any question relating to the maintenance of international peace and security brought before it . . . and, except as provided in Article 12, may make recommendations with regard to such questions to the states or states concerned or to the Security Council or to both. Any such question on which action is necessary, shall be referred to the Security Council by the General Assembly either before or after discussion."

powers".<sup>47</sup> Presumably he meant that the qualification quoted above concerning actions found in Article 11:2 did not restrict the competence of the General Assembly to make recommendations under Article 10. This is certainly a possible interpretation, though no more so than the opposite view.

Pearson rested his case principally on Article 11:2. "By the word 'action'", he said, "is clearly meant the kind of mandatory action which the Security Council is empowered to take under the chapters of the Charter which define its function."<sup>48</sup> It meant sanctions ordered and applied by the Security Council and not sanctions applied by individual Members on the recommendation of the General Assembly.

This line of reasoning raises the problem whether Members of the United Nations, as opposed to the Organization, are entitled under the Charter to use force except in individual or collective self-defence (Article 51) or against enemy states (Article 107), neither of which is used as the basis of the Uniting for Peace resolution. Under Article 2:4, Members undertake to refrain from "the threat or use of force" in any manner "inconsistent with the purposes of the United Nations". Admittedly, this might be construed to cover the use of armed force under the authority of an Assembly resolution. On the other hand, apart from Articles 51 and 107 (and the Preamble), the Charter refers only to enforcement action taken by the Organization itself, not by its Members. For example, Article 2:5 states that: "All Members shall give the United Nations every assistance in any action it takes". Furthermore, at San Francisco, a New Zealand amendment to include in Article 2:4 the words, "All Members of the Organization undertake collectively to resist every act of aggression", failed to receive the necessary two-thirds majority. The Canadian Delegation joined in opposing this

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<sup>47</sup> Canada and the United Nations, 1950, p. 171.

<sup>48</sup> Ibid.; G.A.O.R. (V), 1st Committee, p. 244.

proposal on the grounds that it was not "consistent with the underlying plan of the Organization" which placed "the obligation for collective action on the Organization" rather than "directly on the individual Members".<sup>49</sup> It would seem, therefore, that at the time of the San Francisco Conference the Canadian Government supported the view that Article 2:4 did not confer on Members the right to take enforcement action and, consequently, that the General Assembly was not competent to authorize members to apply force. In other words, enforcement action was the exclusive prerogative of the Security Council.

In 1950, Pearson claimed that Canada had "always" felt that the General Assembly should be "a second line of defence" for the security of Members of the United Nations when the Security Council was unable to act.<sup>50</sup> This is certainly true as far as the pacific settlement of disputes is concerned, and even with respect to the application of sanctions not involving the use of force. When, in 1946, Canada questioned the wisdom of the proposal that UN Members should break diplomatic relations with Spain, she did not challenge the competence of the Assembly to recommend the application of a sanction which had been specifically

<sup>49</sup>U.N.C.I.O. (VI), 346; Report on the San Francisco Conference, p. 18. The Canadian Government later claimed that the illicit manufacture of atomic bombs contrary to the terms of an international treaty of the control of atomic energy would constitute a violation of Article 2:4, "the most important provision" in the Charter. "Any such violation would be likely to make other Members of the United Nations feel that they are released from their obligation under the Charter not to threaten to use force against that delinquent state." UN doc. A/C.1/9, pp. 26-7, 19 December 1946.

<sup>50</sup>27 September, G.A.O.R. (V), Plenary Meetings, p. 156. This phrase was, in fact, used at San Francisco, 6th meeting of Committee II/2, 14 May 1945. In December 1945, in the UN Preparatory Commission, Canada claimed that the General Assembly had the power to take "such action" with regard to international peace and security "as seemed necessary"; but she appears to have been thinking only of the Netherlands proposal to establish a standing committee on peace and security. Report on the First Part of the First Session of the General Assembly, p. 13.

assigned to the Security Council (Article 41). She even supported the General Assembly recommendation on the withdrawal of heads of diplomatic missions in Madrid.<sup>51</sup>

On the other hand, there is no conclusive evidence that at any time prior to 1950 the Canadian Government felt either that the General Assembly had the right to recommend enforcement action or that Members had a responsibility to take such action. At the time of the establishment of the Interim Committee of the General Assembly in 1947, Canadian spokesmen stated more than once that the General Assembly was empowered to make recommendations on questions of peace and security. L. S. St. Laurent declared that the Assembly could do "many of the things for which the Security Council was intended to take primary responsibility", but his list did not include enforcement action.<sup>52</sup> Shortly afterwards, when discussing the responsibilities of the Assembly for the situation on the northern border of Greece, J.L. Ilsley said that Article 11 enabled the Assembly to take "action" in circumstances where the Security Council had failed to do so. "Indeed, the Charter lays upon us a solemn obligation not only to discuss these questions but to recommend measures for their peaceful adjustment" (my italics).<sup>53</sup> Even immediately before the opening of the Fifth Session of the General Assembly in 1950, Pearson still seemed uncertain about the powers of the Assembly in the sphere of security. When questioned about them, he stated merely that the Assembly should investigate the problem "to see what it can do as an Assembly to maintain security".<sup>54</sup>

<sup>51</sup>United Nations, 1946, pp. 54-5, 209-10.

<sup>52</sup>G.A.O.R. (II), Plenary Meetings, I, 65, 18 September 1947. It might be argued that Pearson implied that the General Assembly could recommend sanctions when, in listing the limitation on its competence, he made no mention of Article 11:2. Canada at the United Nations, 1947, pp. 214-5.

<sup>53</sup>1st Committee, 2nd Session, UN General Assembly, 6 October 1947.

<sup>54</sup>CBC broadcast, "United - Or Not?", 18 September 1950.

It seems probable, therefore, that, while Canada always believed in a general way that the General Assembly held reserve powers which could be drawn upon if the need for them ever arose, she had not given the question any serious study prior to 1950. Certainly, there is every reason to suppose that she would have preferred the Charter to operate as originally intended and was reluctant to alter the relationship between the Security Council and the General Assembly until it was quite clear that the Council was incapable of carrying out its functions as the organ primarily responsible for the maintenance of peace and security. This is clear from the action of the Canadian Delegate to the Executive Committee of the UN Preparatory Commission. In order to ensure that the Security Council assumed its full responsibilities as early as possible, he pressed strongly but unsuccessfully for the inclusion in the Security Council's initial agenda for a "final artistic touch" inviting it to debate the action it should take "in the light of the existing world situation to discharge the duties conferred on it by Article 24 of the Charter to maintain international peace and security".<sup>55</sup>

Also, the Government was very hesitant in admitting the need for an Interim Committee. In the UN Preparatory Commission, the Netherlands proposed a General Assembly standing committee on peace and security. As the Canadian Delegation considered such a committee unnecessary, it suggested that the proposal should be withdrawn in order to avoid a decision which might prejudice the matter before the General Assembly; and this was done.<sup>56</sup> Two years later, when the idea was revived and the Interim Committee established, the Canadian attitude was still

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<sup>55</sup>UN docs. PC/EX/SC/12, p. 1; PC/EX/SC/15, p. 3; PC/EX/SC/19, p. 2; PC/EX/SC/118/Part II, pp. 7-9; PC/EX/121, p. 6.

<sup>56</sup>Report on the First Part of the First Session of the General Assembly, p. 13.

cautious; the Committee was approved but only on a "temporary and experimental" basis and with terms of reference which were strictly limited. A year later, it was still "too early" to assess its success and so its continuation was favoured for "one further experimental year". Not until 1949 was the Canadian Government prepared to support the establishment of the Interim Committee on a permanent basis.<sup>57</sup>

The invasion of South Korea shocked the Canadian Government into acceptance of further steps to strengthen the General Assembly. In the circumstances of the time, the Uniting for Peace resolution was the best that could be improvised, but it was definitely a second-best. Pearson was completely genuine in stressing that it was intended to "supplement" rather than "short-circuit" the Security Council. He would have been completely satisfied if the Security Council were to perform its functions under the Charter and the procedure provided for in the resolution never had to be used.<sup>58</sup>

Canada turned away from the Charter of San Francisco days only because she was forced to by the logic of events. Once it was recognized that the Charter as originally drafted would not work, the only alternatives were to admit the United Nations was a failure or to interpret the Charter in a way which would work. Admission of defeat and despair offered no hope; so the choice was easy.<sup>59</sup>

<sup>57</sup> Canada at the United Nations, 1947, p. 215; Canadian statement, Interim Committee of the General Assembly, 27 July 1948; Canada and United Nations, 1948, p. 226; UN doc. A/AC.18/SR.34, p. 3-4; G.A.O.R. (IV), Ad Hoc Political Committee, pp. 85-6, 93. Canada favoured an Interim Committee which was a committee of the whole. A smaller Committee would have been too obviously competitive with the Security Council.

<sup>58</sup> Canada and the United Nations, 1950, p. 169; G.A.O.R. (V), Plenary Meetings, p. 343.

<sup>59</sup> Canada at the United Nations, 1947, p. 213; Canada and the United Nations, 1950, pp. 169-70.

In this decision, purely legal considerations rightly played a very minor role. The Canadian Government was not seriously deterred by misgivings arising out of conflicting legal interpretations of such terms as "action".

## CHAPTER XIV

### THE PEACE SETTLEMENTS

Canadian efforts to avoid a world directed by a few major powers would obviously have failed if international institutions reflecting Canadian views had been established only to be by-passed in favour of alternative machinery dominated by the Great Powers. The inter-war years had revealed how tempting it was for them to confer among themselves rather than around the Council table of the League of Nations; and the habits developed during the war had only served to strengthen this natural tendency. Whether this practice continued would largely depend on what happened in the immediate post-war period, particularly in relation to the control of the defeated Axis powers and in the drafting of the peace treaties.

Up to the summer of 1944, the Canadian Government favoured maintaining the wartime "machinery of military, political and economic collaboration" into the post-hostilities period.<sup>1</sup> However, a year later, in recalling that during the war responsibility for major decisions on the direction of the allied war effort was concentrated in a very few hands, Mackenzie King urged that "every possible precaution . . . be taken to see that . . . the war pattern is not perpetuated in the framing of the peace settlements". Early in 1947, he bluntly reminded the Great Powers that, "We were fighting to prevent two countries from

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<sup>1</sup>King, H.C. Deb., 4 August 1944, p. 5907; Pearson, Canadian Club, Toronto, 13 March 1944.

dominating the world, and we do not now wish to see any one, two, three or four countries dominate the peace."<sup>2</sup> While fully recognizing the importance of "continued great power cooperation and unity", the Government became just a little suspicious of the implications of this phrase. It appeared to be a disguised appeal for the continuation into peacetime of the almost undiluted wartime authority of the Big Four coupled with the implied threat that this was the only possible basis for future co-operation among the Great Powers. Canadian spokesmen have frequently asserted that great power co-operation would be facilitated rather than hindered by broadening its basis.<sup>3</sup>

Canada argued her case partly on the basis of rights but also in terms of the likely results of refusing these rights. L.S. St. Laurent claimed that the United Nations agreement of January 1942 "not to make a separate armistice or peace with the enemies" was a "solemn agreement. . . that we would make a joint peace" and that "that means that we shall together discuss and determine the terms of that peace."<sup>4</sup> A more substantial basis for Canada's claim was her very considerable war effort. At the Paris Peace Conference, King declared, "We in Canada felt that the measure of our participation in the war against aggression would have warranted a similar measure of participation in the decisions of peace." He went further and confessed that the magnitude of the Canadian war effort had, in part, been determined by what was considered necessary to "entitle us to share

<sup>2</sup>H.C. Deb., 27 September 1945, p. 492; 3 February 1947, p. 57.

<sup>3</sup>Supra, p. 266.

<sup>4</sup>H.C. Deb., 3 March 1947, p. 974. St. Laurent did, however, concede that, in convening the Paris Peace Conference in 1946, the Great Powers did respect "the letter and probably the spirit" of the Declaration, p. 970.

effectively in the making of the peace".<sup>5</sup> Later in the Conference, Brooke Claxton specifically denied that "the remoteness of non-European states . . . weakens their claim to make their view heard in the decisions now being taken".<sup>6</sup> What mattered most was not geographical proximity to the defeated enemy states, but interest in the peace settlements; and the best criteria of that was the part which countries had played in the war.

The Canadian Government was also conscious of the effect of the precedents established in the early postwar years on the prospects for peace in general and the development of the United Nations in particular. Any attempt by the Great Powers to act on the assumption that they alone were concerned with general issues of peace and security could conceivably threaten the peace. "The continued use of methods", King warned in September 1945, ". . . whereby private settlements are arrived at between the Great Powers on issues of general interest, might well become a source of difficulty and even of danger." Eighteen months later, St. Laurent suggested that the settlement of Europe might be brought about "with greater expedition and better chance of permanence" if it did not appear to be a settlement "dictated only by the Great Powers".<sup>7</sup>

Finally, there was the danger that, if states which had freely contributed to the war effort of the United Nations were denied a place at the peace table, they would be most reluctant to put their forces at the disposal of the United

<sup>5</sup>2 August 1946, Paris Peace Conference. This revealing statement was repeated in the "Canadian Submission on the German Peace Settlement", 30 January 1947 and, four days later, by King himself, at which time he added that "here I speak with very full authority". H.C. Deb., 3 February 1947, pp. 7, 57. Brooke Claxton stated: "Our right depends upon how many sailors, soldiers and airmen of Canada we had in Europe and in the fighting centres of the world during the war." Ibid., 3 March 1947, p. 954.

<sup>6</sup>19 September 1946, Canadian Information Service Weekly (27 September 1946), p. 2.

<sup>7</sup>H.C. Deb., 27 September 1945, p. 492; 3 March 1947, p. 971.

Nations Organization. In fact, King solemnly predicted,

the drying up of the springs of chivalry and of generosity in many nations if the Great Powers in the world today are not prepared to recognize what has been done from these sources by the other nations of the world in helping to save the freedom of the world.<sup>8</sup>

The Soviet Union was throughout the strongest advocate of perpetuating the wartime practice by which the leaders of the Great Powers kept the fate of the world in their own hands. "Mr. Stalin evidently had grave misgivings", L.S. St. Laurent explained in 1947, "about the wisdom of associating the representatives of the smaller nations in the determination of international problems." Accordingly, when Churchill and Roosevelt proposed the creation of the United Nations to him, "he stipulated as an indispensable condition, that all problems arising out of the war and the terms of the peace . . . would be settled by the Foreign Ministers of the Big Four". Furthermore, the Security Council would assume primary responsibility for international peace and security only,

after it had, in its own opinion, become organized and provided with sufficient armed forces to begin to exercise that responsibility. Until that came about, the Big Four . . . would take such joint action on behalf of the Organization as they themselves might consider necessary.<sup>9</sup>

The responsibilities of the United Nations with respect to enemy states during the transitional period prior to the conclusion of the peace treaties was fiercely debated in the later stages of the San Francisco Conference. The Dumbarton Oaks proposals provided that:

No provision of the Charter should preclude action taken or authorized in relation to enemy states as a result of the present war by the Governments having responsibility for such action.

The Canadian Government recognized the obvious necessity of some such provision

<sup>8</sup>H. C. Deb., 3 February 1947, p. 58. The implication underlying this statement is that the smaller powers went to war out of kindness, not self-interest.

<sup>9</sup>Statements and Speeches No. 47/19, p. 3, 3 November 1947; also No. 47/16, p. 2, No. 47/18, p. 4.

particularly as the war against Japan was still in progress, but it took strong exception to the almost unlimited nature of this gap in the Charter. Neither the scope of the actions referred to nor the duration of the transitional period was defined. Consequently, this clause could not unreasonably be interpreted as excluding from the competence of the United Nations in perpetuity any action, military or otherwise which could conceivably be regarded as arising out of the war, taken by any allied power against any enemy state. The Canadian Delegation, with the assistance of other delegations, succeeded in having this section referred back to the Steering Committee for reconsideration. However, in the final hectic week of the Conference, the Sponsoring Powers resubmitted their original proposal unamended. The Canadian Delegate thereupon returned to the fray and denounced afresh the proposed wording, but to no avail. The Sponsoring Powers stood firm, and by their uncompromising attitude forced the adoption of the clause.<sup>10</sup> With but slight drafting changes, it appears as Article 107 of the Charter.<sup>11</sup>

A related question concerned the organization of world security in general in the interim before the Security Council was in a position to assume its full responsibilities. Again, the Great Powers were determined to keep matters in their own hands. They wrote into the Dumbarton Oaks proposals the substance of

<sup>10</sup>U.N.C.I.O., XI, 194-6, XII, 402-4, 422, 534, 547. In keeping with her attitude towards regionalism, Canada played no part in the drafting of Article 53:1 which permitted regional arrangements directed against the renewal of aggression by enemy states outside Security Council control during the transitional period.

<sup>11</sup>In 1948 the Soviet Union argued, on the basis of Article 107, that the Security Council was not competent to discuss the Berlin blockade. Canada rejected this view. B.C.O.R. (III), No. 114, p. 21; Canada and the United Nations, 1948, pp. 44-5. Article 107 does not preclude Security Council action. In UNRRA, the U. S. S. R. claimed that the Council could not discuss the requisitioning of food by military authorities in occupied areas as this was a political question and, therefore, a matter for the allied control authorities. Pearson hotly denied this. UNRRA, 4th Session of Council, Journal, p. 101, 26 March 1946.

paragraph 5 of the Moscow Declaration on General Security (30 October 1943)

which declared:

That for the purpose of maintaining international peace and security pending the re-establishment of law and order and the inauguration of a system of general security, they will consult with one another and as occasion requires with other members of the United Nations with a view to joint action on behalf of the community of nations.

The Canadian delegation at San Francisco objected to the inclusion of such a clause in the United Nations Charter and proposed instead a separate protocol to take care of transitional security arrangements.

This suggestion was not adopted, and Canada, therefore, concentrated on clarifying the language of the paragraph so as to reduce the time period to a minimum, and to restrict the term "joint action" to enforcement action and preferably only to such enforcement action as was beyond the capabilities of the Security Council. Towards the end of the Conference, the Sponsoring Powers, having failed twice to railroad their own wording through the committee, submitted a modified version of their proposal. This concession, taken in conjunction with the explanations included in the rapporteur's report, satisfied opponents of the clause sufficiently to enable it to be adopted in the form in which it appears in Article 106 of the Charter.<sup>12</sup>

The Big Five insisted on the retention of these loopholes in the Charter because they were determined that they, and not the United Nations, should be responsible for controlling the defeated Axis partners and drafting the terms

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<sup>12</sup>U.N.C.I.O., XI, 194, 196, XII, 401-4, 420-2, 533-6, 568-9. "It is not the kind of article we wanted; but it formed part of the price we had to pay . . . to get the United Nations Charter." St. Laurent, H.C. Deb., 3 March 1947, p. 969. In 1950, Pearson conceded that the transitional period envisaged in Article 106 had still not ended. 1st Committee, 5th Session of General Assembly, 11 October 1950.

of the peace treaties. In the plans already drawn up, the prospect of great power dominance was almost totally unrelieved by any concessions to the other United Nations. In Germany, Austria, Italy, Hungary, Rumania, Bulgaria and Finland, the allied control machinery was exclusively in the hands of the Great Powers. Even France was included only in the case of Germany and Austria; and she would have been excluded from them too, if Churchill and Eden had not "fought like tigers" for her at Yalta. Roosevelt was certainly unenthusiastic about welcoming France back into the fold, and Stalin was frankly hostile, claiming membership should be restricted to nations with five million soldiers.<sup>13</sup>

It is not surprising, therefore, that Canada was not invited to join the Allied Control Council in Berlin or offered a zone of occupation in Germany. In fact, her only link with the Council was through a Military Mission accredited to it in January 1946. Canada was nevertheless asked to provide occupation troops for Germany. In acceding to this request, the Canadian Government informed the British Government on 9 January 1945 that:

It is uncertain . . . for how long after the fighting ends it will be politically possible to provide Canadian occupation forces in view of the fact that plans for the control of Germany give the Canadian Government no voice in the direction of policy.<sup>14</sup>

It is not clear whether this was intended as a protest against Canadian exclusion from the Allied Control Council or as an excuse to justify the early withdrawal of the Canadian force. Probably the latter; for it was decided in December 1945, despite two urgent appeals from the British Government for recon-

<sup>13</sup>Robert Sherwood, Roosevelt and Hopkins: An Intimate History (New York: Harper, 1948), p. 358; The Conferences at Malta and Yalta, 1945, New York Times (17 March 1955), pp. 53, 56; Edward R. Stettinius, Jr., Roosevelt and the Russians: The Yalta Conference (London: Jonathan Cape, 1950), p. 122. The only other western states named at Yalta during discussions on the occupation of Germany were Belgium and the Netherlands.

<sup>14</sup>H.C. Deb., 10 March 1947, p. 1198.

moderation, to bring all Canadian troops home by the spring of 1946. In justifying this decision, Mackenzie King stated that, unlike the Big Four, "Canada is not one of the occupying powers and is not a member of the Allied Control Commission"; though this did not prevent him from suggesting that the Dutch and Belgians, whose status was in no way different from Canada's, should replace the Canadians in Germany.<sup>15</sup> L.S. St. Laurent, in an apparent reference to the fact that Canada had no occupation zone of her own, stated bluntly that Canadian troops had been "kicked out" of Germany; while Brooke Claxton felt constrained to argue, in reply to suggestions that Canadian troops should have been retained in Germany that, "There was never any suggestion that that would improve Canada's position with regard to representation on the Allied Military Government or the Control Council in Berlin."<sup>16</sup>

The situation in Japan was somewhat different as there the United States refused to share her authority equally with the other Great Powers. Instead, General MacArthur, as Supreme Commander of the Allied Powers in Japan (SCAP), was appointed by and responsible to the United States Government alone. The occupation views of other states who had participated in the Pacific war were expressed through two organs set up at the Moscow Conference of Foreign Ministers in December 1945: the Far Eastern Commission in Washington and the Allied Council for Japan in Tokyo. The latter was composed of the United States, the Soviet Union, China and the United Kingdom, Australia, New Zealand and India who were jointly

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<sup>15</sup>H.C. Deb., 10 March 1947, pp. 1198, 1199. At Yalta, Stalin favoured granting France a status similar to that later accorded Canada, but Eden stated flatly that France would refuse even a specific zone of occupation unless assured participation in the Control Commission. The Conferences at Malta and Yalta, 1945, New York Times (17 March 1955), p. 56.

<sup>16</sup>H.C. Deb., 3 March 1947, pp. 955, 975. Mr. St. Laurent's speech was later revised in Hansard to read "left out" rather than "kicked out". For the comments of Vincent Massey, supra, p. 40.

represented by an Australian. The United Kingdom was also willing to share its membership with Canada, even though she had played only a secondary role in the Pacific war, but Canada declined the offer.<sup>17</sup> Part of the reason for this was no doubt the fear that acceptance might have involved Canada in a moral commitment to contribute to the British Commonwealth Occupation Force in Japan.<sup>18</sup> But the principal explanation was the almost pathological opposition of the Canadian Government to the merest suggestion of a single Commonwealth voice on questions of foreign policy.<sup>19</sup> Direct contact was therefore maintained with SCAP through a Canadian Liaison Mission established in Tokyo in August 1946.

Unlike the Allied Council for Japan, the eleven-power Far Eastern Commission had more than advisory powers; ostensibly, it made the policy decisions on which the United States based its directives to SCAP. Canada was an original member of the Commission (and also of the Far Eastern Advisory Commission which preceded it), and participated actively in its work. But the Commission never really amounted to very much, and the Canadian member soon came to regard it as harmless but largely useless.<sup>20</sup> In April 1952, the Government informed the Secretary-General that, as far as it was concerned, the activities of the

<sup>17</sup>"Canada and the Far Eastern Commission", External Affairs, I (B) December 1948), 4; W. MacMahon Ball, Japan: Enemy or Ally (Melbourne: Cassel, 1948), pp. 29-30. The Council was housed in Canada's legation building.

<sup>18</sup>The Special Committee of the Cabinet recommended on 14 August 1945, the day active hostilities ended in the Far East, that Canada should not participate in the occupation of Japan, since she was contributing forces in Germany. C.P. Stacey, Six Years of War: The Army in Canada, Britain and the Pacific (Ottawa: Queen's Printer, 1955), p. 519.

<sup>19</sup>Supra, pp. 123-4.

<sup>20</sup>"In Washington, eleven to thirteen nations sat on something called the Far Eastern Commission, which issued occasional instructions, but MacArthur ran things in Tokyo as the sole executive of the Allied Powers' will." Charles A. Willoughby and John Chamberlain, MacArthur, 1941-1951: Victory in the Pacific (London: Heinemann, 1956), p. 287.

Commission should formally come to an end after the coming into force of the Japanese Peace Treaty; and this did in fact happen.

Canada played a modest role in the prosecution and punishment of German and Japanese war criminals. In March 1945, she formally joined the United Nations War Crimes Commission set up in London in October 1943. On the other hand, she did not bother to adhere to the Charter of the International Military Tribunal (though twenty-three other states did), and played no part in the Nuremberg trials of major war criminals. Thus, her participation in war trials in Europe was limited to the seven cases which came before Canadian military courts in Aurich, Germany. As Canada had no occupation force in the Far East, there were no Canadian military courts there. Instead, Japanese accused of atrocities against Canadians were tried by United Kingdom and United States military courts in their respective areas of jurisdiction. In each case, however, a Canadian judge sat upon the court and Canadian War Crimes Detachments assisted in the collection of evidence and prosecution. Also, in contrast to the position in Europe, a Canadian judge, Mr. Justice E.S. McDougall, participated in the trial of major Japanese war criminals as a member of the International Military Tribunal in Tokyo.<sup>21</sup>

More important than the question of occupation policy was that of the peace treaties; the former was merely a temporary matter whereas the latter was of enormous long-run significance. From the point of view of the smaller powers, the manner in which discussions on the terms of the future treaties of peace had been

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<sup>21</sup> H.C. Deb., 12 April 1946, pp. 809-10; International Conference on Military Trials - London, 1945 (Washington: Government Printing Office, 1949), p. vii; Department of External Affairs, Press Release No. 68 (8 December 1947).

carried on and decisions reached during the war had not been auspicious. The broad outlines of policy had been hammered out by the Great Powers at Quebec, Teheran, Cairo, Yalta and Potsdam without the participation, advice or often the knowledge of the other United Nations. Canada fared better than other states because she at least was aware of some of the discussions which took place, particularly at the Quebec Conferences. But there is no evidence that Canada intervened in any discussions or influenced any decisions. Nor did Canada sign any of the armistice agreements ending the war in Europe. In each case, the Great Powers appointed themselves to act "on behalf of" or "in the interests of" the other United Nations. A Canadian representative did, however, sign the Japanese Instrument of Surrender.<sup>22</sup>

It was perhaps natural that membership on the European Advisory Commission, created at the Moscow Conference of Foreign Ministers in October 1943 to make recommendations concerning postwar policy towards Germany and her satellites, should be confined to Britain, the Soviet Union, the United States and (after 1944) France. But the Potsdam decision in August 1945 to replace the European Advisory Commission by a Council of Foreign Ministers representing "the five principal powers" came as a shock to those who felt that the end of hostilities in Europe and the recent signing of the Charter of the United Nations ought to have led to more broadly based arrangements. The Canadian government took particular exception to the assignment to the Council of Foreign Ministers of responsibility for the preparation of the peace treaties. The shadowy provisions for consultation with other powers were regarded as wholly unsatisfactory. In September 1945, Mackenzie King made a "strong protest" at the refusal to permit

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<sup>22</sup>C.T.S., 1943, No. 21; 1944, Nos. 38-40; 1945, Nos. 15, 19, 20. The concession in the case of Japan was due mainly to protests from Australia. H.V. Evatt, "Risks of a Big Power Peace", *Foreign Affairs*, XXIV (1945-46), 198; Mem-oirs by Harry S. Truman (New York: Doubleday, 1955), I, 455.

Canada to sit with other members of the Council when matters relating to the peace settlements were under consideration. "I cannot emphasize too strongly", he declared in December, "the right of this country to be one of the principals in any matters that have grown out of the war and relate to the making of the peace."<sup>23</sup> The only concession to the Canadian view was a request from the Council of Foreign Ministers on 14 September 1945 asking Canada to submit her views to them on the Italian-Yugoslavian frontier and the future of Trieste within three days. The Canadian Government declined on the grounds that it had a general not a specific interest in the terms of the treaty.<sup>24</sup>

Earlier, on 24 August, Prime Minister Attlee, whose government was most sympathetic to the Canadian point of view, had invited the Commonwealth Prime Ministers to consult with him in London during the September meeting of the Council of Foreign Ministers and also to be available to participate in the proceedings of the Council if that should prove possible. King was unable (or unwilling) to leave Ottawa at that time, but he did visit London early in October following the discovery of a Soviet spy ring in Canada. The public explanation he gave at the time for his trip was the concern of the Canadian Government with the position accorded it in the drafting of the peace treaties.<sup>25</sup>

The Paris Peace Conference, July to October 1946, which considered the peace treaties with Italy and the satellite states confirmed Canadian misgivings concerning the drafting procedure. Although naturally the Canadians did not play

<sup>23</sup>H. C. Deb., 17 December 1945, pp. 3691-3.

<sup>24</sup>H. C. Deb., 27 September 1945, p. 491.

<sup>25</sup>H. C. Deb., 6 September 1945, p. 10; 27 September, pp. 490-3; 17 December, pp. 3692-3. During the Moscow Conference of Foreign Ministers in December 1945, Mr. Ernest Bevin conferred with the Canadian Chargé d'Affaires in Moscow. New York Times (19 December 1945), p. 11.

as vocal a part at the Conference as the Australians (and, indeed, later publicly dissociated themselves from the bitter "fights about procedure" which were largely instigated by Evatt), the Canadian delegation did exert its influence in more constructive directions.<sup>26</sup> In his opening statement on 2 August 1946, Mackenzie King proposed that the Council of Foreign Ministers meet concurrently with the Conference to review its recommendations rather than after its conclusion. The adoption of this suggestion went some way towards mitigating certain features of the procedural arrangements to which the Canadian Government took exception, but not very far. Consequently, the Canadian Government protested strongly against the situation "where the smaller powers were faced with previously drafted treaties, the details of which were unfamiliar to them, and which were difficult to change".<sup>27</sup> The prior agreement among the Great Powers to support at Paris the provisions in the draft treaties on which unanimity had already been reached effectively confined the work of the Conference to the consideration of only a comparatively small number of the articles. Furthermore, the Council of Foreign Ministers was not obliged to accept any of the recommendations of the Conference even if passed by a two-thirds majority. The Canadian Government bitterly resented being reduced to the role of a commentator at Paris, and, therefore, resolved to fight for what it regarded as its right to an adequate voice in the determination of the treaties with Germany, Austria and Japan.

In December 1946, the Council of Foreign Ministers meeting in New York, appointed Special Deputies to prepare draft treaties for Germany and for Austria. On 4 January 1947, they invited the Canadian Government to present its views to

<sup>26</sup>Brooks Claxton, "Canada at the Paris Peace Conference", International Journal, II (1947), 126; also H.C. Deb., 3 March 1947, pp. 952-53.

<sup>27</sup>14 January 1947, H.C. Deb., 30 January 1947, p. 12. "It was not until the texts had been drafted and agreed [to] in private by the Council of Foreign Ministers that the other belligerents were permitted to comment on these texts, and at that stage their comments were largely ineffective." R.G. Riddell, Statements and Speeches, No. 48/40, p. 2.

them either orally or in writing, but no indication was given that "adequate provision" would be made for any of the allies other than the four Great Powers "to discuss their views with the Council of Foreign Ministers or to take part in the actual work of preparing the treaties".<sup>28</sup> This confirmed the worst fears of the Government concerning the procedure envisaged. In its reply of 14 January, it formally proposed, as it had informally done in December, that Canada be permitted to work with the Special Deputies and take a full part in discussions both on questions of procedure and of substance and in the drafting of those parts of the German and Austrian settlements with which it was most directly concerned. No reply was forthcoming, but three days later the Canadian Government was asked to submit its views on Germany on 25 January. Before accepting, it inquired whether any assurance could be given that it would have an opportunity to "discuss" its submission with the Special Deputies.<sup>29</sup> As no such undertaking could be given, the Government declined to appear and instead limited itself to communicating its preliminary views in writing. Later, a statement was also submitted to the Special Deputies for Austria.<sup>30</sup>

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<sup>28</sup> H.C. Deb., 30 January 1947, p. 6.

<sup>29</sup> "Statement for Presentation to Special Deputies of the Council of Foreign Ministers", 14 January 1947; N.A. Robertson, Canadian High Commissioner, London, letter to W.D. McAfee, Council of Foreign Ministers, London, 20 January 1947. "If the Government of Canada now submits observations on the substance of the peace settlement with Germany, without consideration having previously been given to its comment on procedure, what assurances are the Special Deputies prepared to give to the Government of Canada that opportunity will be given at a future date to discuss the settlement with Germany either with the Special Deputies or with the Council of Foreign Ministers?" H.C. Deb., 30 January 1947, pp. 6, 12-13.

<sup>30</sup> "Canadian Submission on the German Peace Settlement", 30 January 1947, H.C. Deb., 30 January 1947, pp. 6-11; "Canadian Statement on the Proposed Treaty for the Re-establishment of an Independent and Democratic Austria", 25 February 1947, ibid., 25 February 1947, p. 762.

Subsequently, the Soviet Government submitted modified proposals which envisaged the representation of states directly interested in the German treaty on committees to be established by the Special Deputies. Apart from the fact that this revised scheme still did not provide for "any real participation" in the actual drafting of the settlement by anybody other than the Council of Foreign Ministers, the Canadian Government took the strongest possible exception to the Soviet attempt to restrict the definition of states directly concerned to states which had been occupied. This "curious and inadmissible" definition would have granted more rights to Albania and Luxembourg than to the Commonwealth countries and Brazil.<sup>31</sup> In the view of the Canadian Government, the only proper basis to determine representation was functionally in accordance with the stake countries had in European security as shown by the part they had played in winning the war.<sup>32</sup>

Shortly afterwards the issue ceased to be of any practical importance for the Council of Foreign Ministers, meeting in Moscow in March and April 1947 and in London again in November and December, was unable to agree upon even general principles for a German peace settlement. Early in 1948, the Allied Control Council in Berlin broke down following the withdrawal of the Soviet Member on 20 March. The Special Deputies for Austria continued their seemingly interminable meetings, but the question of the participation of other states was no longer an issue. Only in the case of the disposal of the former Italian colonies

<sup>31</sup>H.C. Deb., 3 March 1947, pp. 972-3.

<sup>32</sup>H.C. Deb., 16 October 1945, p. 1202; 30 January 1947, pp. 8-9, 12; 5 May 1948, pp. 3632-3. At the Third Session of the UN General Assembly, the Canadian Delegation criticized a Mexican proposal to associate all states which had subscribed to the United Nations Declaration of 1 January 1942 with the making of the peace treaties, on the grounds that "the interests of some countries were more directly affected than those of others". G.A.O.R. (III/1), 1st Committee, p. 230, 22 October 1948.

did the smaller powers play any part. Canada did not avail herself of the initial opportunity offered her in October 1947 to express her views to the Special Deputies, but later, on 7 June and 7 August 1948, she submitted statements outlining her attitude.<sup>33</sup> Subsequently, the problem was turned over to the United Nations. In the General Assembly, Canadian Delegations have actively participated in discussions concerning these territories.

Meanwhile, negotiations had begun in London leading up to the establishment of the Bonn republic. The only states to participate, other than the Western Big Three, were Belgium, Luxembourg and the Netherlands. L. S. St. Laurent justified their inclusion as "reasonable and necessary" in view of their "specially direct and urgent interest in the talks". He admitted that Canada, too, had a "direct interest", but so had all the nations who had fought against Germany; and, clearly, to have invited all of them would have hampered negotiations. Consequently, Canada had not "insisted" on her "technical" claim to be present.<sup>34</sup> Instead, she submitted commentaries on four of the major topics dealt with in London: the future political organization of Germany, the role of the German economy in the European and world economies, property claims and the establishment of an International Ruhr Authority. Canada had long taken a special interest in the control of German industrial development. In January 1947, she had suggested the formation of a consortium composed of representatives of all allied countries having a "major trading interest with Germany". And now, in 1948, she supported an Authority for the Ruhr with powers which were far more

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<sup>33</sup>Department of External Affairs, Press Release, No. 54 (1 November 1947); External Affairs Bulletin (August 1948), p. 9. Canada disliked this procedure, but acquiesced in it. H.C. Deb., 14 May 1948, p. 3950.

<sup>34</sup>H.C. Deb., 29 April 1948, p. 3448; 5 May 1948, pp. 3632-3; 19 June 1948, p. 5543.

sweeping than those which finally materialized.<sup>35</sup> At the same time as she submitted these views to the Six-Power Conference in London, Canada made it clear that she regarded this limited form of participation as inadequate. As a result, the Western Big Three gave a positive assurance of her right to effective participation in any general German peace settlement.

In the preparation of the Japanese peace treaty, an entirely different procedure was adopted. Originally, Canada considered that the Far Eastern Commission should prepare it,<sup>36</sup> but this did not prove possible because of Soviet opposition. The Soviet Union insisted that the Big Four should draft the treaty, but Canada was as opposed to this procedure in the Far East as she was in Europe. In the end, the treaty was negotiated through diplomatic channels. This method fully satisfied Canada as it enabled her to be adequately consulted at all stages.

In no field did the functional principle fare so badly as in the sphere of postwar policy towards the former enemy states. The principal reason for this was that it was here that East-West differences came into sharpest focus. Indeed, conflict over Germany was one of the major reasons for the emergence of NATO.

<sup>35</sup> Report of the Department of External Affairs, 1948, pp. 20-23; H.C. Deb., 30 January 1947, p. 10. The precise relevance of the trade criterion to the question of industrial disarmament was not explained, nor is it readily apparent. Canada may have expected this formula would ensure her inclusion in the International Ruhr Authority, but on the basis of prewar or postwar statistics she would scarcely qualify. Canada had an interest in seeing that "non-European countries" were not excluded from export allocations of Ruhr Coal, coke and steel.

<sup>36</sup> H.C. Deb., 30 May 1947, p. 3614; 16 June 1947, p. 4176. In August 1947, the Commonwealth countries agreed at Canberra that "all members of the United Nations that made a direct contribution to winning the Pacific War" should be represented at the Japanese peace conference. Nicholas Mansergh, ed., Documents and Speeches on British Commonwealth Affairs, 1931-1952 (London: Oxford University Press, 1953), II, 1170.

PART III

THE RESURGENCE OF REGIONALISM

## CHAPTER XV

### THE NORTH ATLANTIC TREATY ORGANIZATION

#### Collective Security under the United Nations

Canada's crusade in favour of an Atlantic alliance is the outstanding example of constructive leadership in world affairs in Canada's history. It was all the more remarkable in that the North Atlantic Treaty constituted a reversal of previous Canadian policy in two important respects; it involved the acceptance of specific commitments in advance and the abandonment, at least temporarily, of the attempt to organize security on a global basis. If, in addition, it is recalled that one of the moving spirits behind the Treaty was a French-speaking Canadian, L.S. St. Laurent, the political heir of Laurier and Lapointe, and that its acceptance was never a serious political issue either in Parliament or in the country, the measure of the achievement becomes even more impressive.

Two factors account for this major breach with the past: first, recognition of the menace of militant communism and, secondly, the inability of the United Nations to ensure security. During the early postwar years, the Canadian Government had observed the expansionist tendencies of the Soviet Union with growing disquiet. But apparently it was not until the summer and autumn of 1947 that the magnitude of the threat began to be fully appreciated. Even the exposure, in September 1945, of a Soviet spy network in Canada had no noticeable

effect on Canadian foreign policy.<sup>1</sup> However, the cumulative impact of Soviet subversion in Eastern Europe, Soviet intransigence over the terms of the peace treaties and Soviet rejection of the Marshall Plan led the Canadian Government, along with other Western governments, to undertake a drastic reappraisal of the situation.

The immediate result was that, beginning in October 1947, Canadian spokesmen both at home and abroad became openly critical of Soviet policies.<sup>2</sup> For the first time, they even dared to talk back to Vyshinsky at the United Nations. In December, on his return from a visit to Britain and the Continent, Mackenzie King declared that "the situation in Europe has become much more serious than most people have begun to realize".<sup>3</sup> A few weeks later, he opened up further and revealed his real thoughts more fully. He frankly confessed that the free world was threatened by a "new and terrible menace".

Today the signs of the new tyranny that seeks world domination are unmistakable. Communism is no less a tyranny than Nazism. It aims at world conquest. It hopes to effect its purpose by force . . . . The world is in an appallingly dangerous condition today.<sup>4</sup>

<sup>1</sup>At one time, King had even considered visiting Moscow to inform Stalin personally of the affair. He felt that Stalin "would not countenance action of this kind on the part of officials of his country". H.C. Deb., 18 March 1946, p. 53. Apparently, King abandoned the trip only because at that time there was not sufficient evidence to substantiate his claims.

<sup>2</sup>Statements and Speeches No. 47/16, pp. 2-4, 7 October 1947; No. 47/18, p. 5, 31 October; No. 47/19, pp. 4-6, 3 November; G.A.O.R. (II), 1st Committee, pp. 195-7, 23 October.

<sup>3</sup>Press statement, Hoboken, N.J., 2 December 1947, Canadian Weekly Bulletin (5 December 1947), p. 7.

<sup>4</sup>20 January 1948, Advisory Council of the National Liberal Federation of Canada, Ottawa. This speech was foreshadowed by an earlier statement in Parliament. H.C. Deb., 8 December 1947, pp. 63-5.

The gathering clouds of East-West strife also cast their shadow over the fledgling United Nations Organization and prevented it from ever fully coming into operation. Many of the battles of the cold war were fought in its forums. But, from the point of view of the effectiveness of the United Nations as a world security organization, the most important symptom of the conflict was a procedural question: the persistent Soviet abuse of the veto in the Security Council. By a callous indifference to the understandings reached at San Francisco governing the use of the veto, the Soviet Union destroyed one of the fundamental assumptions of the Charter and threatened the United Nations itself with collapse.

This outcome did not surprise Mackenzie King who, from the first, had been thoroughly sceptical of the prospects of the United Nations. Although he had arrived at San Francisco in April 1945 full of hope, he quickly became disillusioned by what he saw.<sup>5</sup> The discovery of the Soviet spy ring in September further deepened his pessimism, and he told a colleague that "the United Nations Charter is as dead now, after three months, as the League of Nations after fifteen years".<sup>6</sup> Following his discussions with Attlee and Truman on the international control of atomic energy and his conversion to world government, he regained some of his early faith, so that he could declare in December 1945, "I feel more optimistic at this hour than I have at any time".<sup>7</sup> But he soon relapsed into gloom once again and remained in the depths of despair to the end.

King's moods were not a reliable guide to the considered views of his

<sup>5</sup>Bruce Hutchison, The Incredible Canadian: A candid portrait of Mackenzie King, his works, his life and his nation (Toronto: Longmans, 1952), pp. 402-3, 410; also pp. 6, 411, 422, 432, 435.

<sup>6</sup>Quoted by Blair Fraser, "Backstage at Ottawa", Maclean's Magazine (15 September 1950).

<sup>7</sup>H.C. Deb., 17 December 1945, p. 3630.

Government. Although, as we have seen, Canada did not in 1945 regard the Charter as by any means perfect, she did consider it constitutionally capable of developing into an effective instrument for the preservation of world peace, if UN members and particularly the Great Powers wished it to do so; and she was soberly optimistic about the possibility that this hope might be realized.<sup>8</sup> Certainly, she was determined to do everything within her power to make a success of the United Nations and was prepared to reserve final judgment until it had had a reasonable chance to prove itself. As late as June 1947, St. Laurent could state that the United Nations was "the cornerstone" of Canadian foreign policy and "will ever continue to be".<sup>9</sup>

Canada's "almost passionate support"<sup>10</sup> for the United Nations did not render her oblivious to the weaknesses which were early revealed in its structure. On the contrary, the very importance she attached to it made her all the more disturbed when it failed to live up to her expectations. Speaking before the General Assembly in the autumn of 1946, St. Laurent welcomed the frankness with which delegates had openly voiced their disappointment at the meagre achievements of the UN to date, though he confined his own comments to the modest assertion that "the confidence of the public in the readiness and ability of the Security Council to fulfill adequately and promptly the obligations imposed upon it" had been "impaired".<sup>11</sup> The subsequent unanimous adoption of a resolution on the

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<sup>8</sup>For the origin and growth of Canadian misgivings, 1945-49, see H.C. Deb., 28 March 1949, pp. 2060-2.

<sup>9</sup>H.C. Deb., 6 June 1947, p. 3868. By December, support for the UN was merely "an essential feature of Canada's foreign policy" (ibid., 5 December 1947, p. 2), though two years later it was once again briefly "the cornerstone of our external policy" (ibid., 17 November 1949, p. 1929).

<sup>10</sup>Pearson, 8 March 1947, Statements and Speeches No. 47/7, p. 2.

<sup>11</sup>United Nations, 1946, pp. 44, 165, 189, 202; G.A.O.R. (1/2), Plenary Meetings, pp. 827, 1256-7.

principles governing the general regulation and reduction of armaments occasioned immense relief in Ottawa. For a time, the Government even dared to hope that, however arduous and exasperating the task of reaching agreement on the implementation of the security provisions of the Charter might be, an ultimate meeting of minds was possible. The following July, St. Laurent was still not prepared to write off collective security under the United Nations as an unmitigated failure. "It is still hoped", he stated,

at least as far as I am concerned, that the United Nations can be the agency to counteract these dividing forces [in the world] . . . . It is because it still thinks that this can be done that the Canadian Government feels that the growth and strengthening of the United Nations must be a real cornerstone of Canada's policy in foreign affairs.<sup>12</sup>

By the time the second session of the General Assembly convened in September 1947, Canadian confidence in the UN had slumped badly. During the summer, the Government had begun a reassessment of general Soviet aims and methods and, as a result, instead of hoping for the best, it now feared the worst. In view of the twenty vetoes which the Soviet Union had accumulated to its credit, St. Laurent was forced to admit that the Security Council had done "little to strengthen the hopes of those who saw in it the keystone of the structure of peace", and he warned that, if the veto continued to be abused, it

may well destroy the United Nations, because it will destroy confidence in the ability of the Security Council to act internationally, to act effectively, and to act in time. There is no point in deceiving ourselves.

. . . . .  
It would be folly to deny that certain events of the last twelve months have weakened the position of our Organization. It would be folly not to admit that a continuation of this trend may cause

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<sup>12</sup>H.C. Deb., 4 July 1947, p. 5078; also address to Canadian Institute of International Affairs, Quebec City, 31 May 1947. Somewhat earlier, Eacott Reid had taken the view that it was "too soon to judge how effective the United Nations will be as an instrument for the maintenance of peace. It would be dangerous to be too optimistic and it would be equally dangerous to give up now". Standing Committee on External Affairs, Minutes, 22 April 1947, p. 18.

it ultimately to collapse.<sup>13</sup>

There were four general directions in which solutions to the problem of the veto might have been sought: elimination of the veto by amendment of the Charter, expulsion of the Soviet Union from the United Nations, expansion of the security functions of the General Assembly and organization for collective self-defence under Article 51. The Canadian Government considered the first impractical, the second a counsel of despair and the third inadequate. Consequently, it was finally driven to adopt the final course.

On two occasions during the summer of 1947, L.B. Pearson warned that the United Nations might some day have to choose between universality and effectiveness. In June, he declared that "the most important international decision of all" was,

whether to maintain the universality of our international organization . . . or whether to make the United Nations into a really effective organization even if it means going ahead only with those who are willing to make national sacrifices to achieve the great international objective of peace and prosperity.<sup>14</sup>

Early in September, he was even more forthright.

Every effort [he said] should be made to include in our international organization all states. If, however, this cannot be done because some states demand impossible conditions, such as the unrestricted and irresponsible right of veto, then the nations of the world will be faced with the decision, whether or not to sacrifice universality for effectiveness; whether to have a universal organization without power for peace, or progress, . . . or to have a really effective United Nations, even if that means dropping from that organization those countries who are not willing to accept essential obligations of membership. I repeat that that is a decision which, if the United Nations continues to develop as it has done within the last year, may some day have to be made.<sup>15</sup>

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<sup>13</sup> 18 September 1947, G.A.O.R. (II), Plenary Meetings, I, 64, 66; also Canada at the United Nations, 1947, pp. 11, 13.

<sup>14</sup> Rochester University, Rochester, N.Y., 16 June 1947.

<sup>15</sup> 2 September 1947, Statements and Speeches No. 47/13, p. 5; also ibid., No. 48/2, p. 8.

However, on each occasion, he carefully emphasized that a "partial United Nations" could be contemplated only as a last desperate resort. Indeed, the Canadian Government instinctively shrank from any suggestion of reorganizing the United Nations without Russia. Canada had always laid great stress upon the importance of great power participation. In her view, the basic weakness of the League of Nations had been that it had never been more than a league of some nations; at least two great powers were always outside it and generally three or more. Consequently, she was anxious that history should not repeat itself.<sup>16</sup>

The Government felt that, even if the United Nations could not be relied upon to provide general security, there were other political functions it could still usefully perform. It had already demonstrated its value in preventing the extension of strife in Kashmir, Indonesia and Palestine and in easing tensions elsewhere. Moreover, it constituted an important political link between East and West. As long as this contact remained unbroken, there was still a faint hope that the two worlds might learn to coexist in peace and eventually perhaps even cooperate. In April 1948, L. S. St. Laurent admitted that, "during the last two years our faith in the United Nations as an effective organization for peace and security has been pretty severely shaken", but he still maintained that it was "important that the United Nations should be kept in existence, and that we make every possible use of the very high degree of vitality" it had shown.<sup>17</sup> Besides, its moral authority, which rested on its universality, was a factor of immense significance which ought not to be lightly discarded. If the Soviet bloc were to withdraw or be forced to withdraw, the United Nations would inevitably become increasingly identified with the Western Powers. As not all nations were prepared openly to take sides in the cold war, those with neutralist inclinations

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<sup>16</sup>Supra, pp. 19-20, 201-2.

<sup>17</sup>H. C. Deb., 29 April 1948, p. 3444.

might drift away from the Organization, with the result that it might eventually become no more than a glorified North Atlantic alliance with a Latin American tail.

For these reasons, Canada was most anxious to give the Soviet Union no pretext to secede. She endeavoured to avoid "the premature development of issues which might divide the Assembly to the point where the existence of the United Nations would be endangered".<sup>18</sup> In particular, she opposed proposals for radical reform of the Charter either by the elimination of the veto<sup>19</sup> or the establishment of some form of world government. Such far-reaching changes were not only impracticable while the Soviet Union remained a UN member, they were unnecessary; the same ends could be achieved more simply and perhaps more effectively in other ways. The United Nations, Escott Reid freely admitted in August 1947, was "far from perfect but, unless it stands in the way of something better, it would seem to be wise not to scrap it". He added, "I do not think it stands in the way of something better."<sup>20</sup>

One method of bypassing the veto without breaking up the United Nations was to develop the machinery of the General Assembly. This approach was tried in 1947 with the establishment of the Interim Committee and in 1950 with the adoption of the Uniting for Peace resolution.<sup>21</sup> The possibilities of progress in

<sup>18</sup> Canada at the United Nations, 1947, p. 17; Standing Committee on External Affairs, Minutes, 14 June 1948, p. 170. In October 1949, Canada hesitated for some time before voting for Yugoslavia in the Security Council elections because of the Soviet threat to withdraw from the United Nations if she were elected. Canada and the United Nations, 1949, pp. 27, 28.

<sup>19</sup> Supra, p. 423.

<sup>20</sup> 13 August 1947, Statements and Speeches No. 47/12, p. 12; also Standing Committee on External Affairs, Minutes, 24 May 1948, pp. 54-7.

<sup>21</sup> Supra, pp. 472-3.

this direction were, however, limited by Charter restrictions on the competence and authority of the Assembly. Consequently, the only real alternative was the organization of collective security outside the United Nations under Article 51 of the Charter. This was the conclusion to which the Canadian Government was driven during the course of 1947.

#### Emergence of the North Atlantic Treaty

For a long time, the Canadian Government resisted the idea of resorting to regional security arrangements. As late as January 1947, St. Laurent still insisted that "regionalism of any kind would not provide the answer to problems of world security".<sup>22</sup> This did not mean that, in certain special circumstances, regionalism might not provide part of the answer. Indeed, as early as May 1946, L.B. Pearson argued persuasively in favour of regional groupings of states who wished "to move forward faster, and with bolder strides, in the direction of international cooperation". He suggested that there could be "no valid reason" against such "fraternal associations" provided their aims and activities were consistent with the letter and spirit of the UN Charter and provided no state with a legitimate claim to membership were excluded. "If some members of the United Nations", he asked rhetorically,

are timid about extending too rapidly their international responsibilities, while others are willing to go further in subordinating national rights to such responsibilities, are these latter to be prevented from doing so, or to be stigmatised as trying to form threatening blocs if they make the attempt?<sup>23</sup>

Although Pearson's speech was cast in general terms, apparently it was primarily intended to prepare the ground for the Canadian American Joint State-

<sup>22</sup> 13 January 1947, Statements and Speeches No. 47/2, p. 8.

<sup>23</sup> 14 May 1946, English-Speaking Union, Princeton, N.J.

ment regarding Defence Cooperation finally announced on 12 February 1947.<sup>24</sup>

This reaffirmed the intention of the two Governments to continue the Permanent Joint Board on Defence in existence on a permanent basis. As Ottawa was already keenly sensitive to the inspired criticisms of existing Canadian-American joint defence collaboration in the Arctic, it was anxious to disarm criticism in advance as far as possible. The joint declaration itself stressed the point that neither country would take any action inconsistent with the Charter. On the contrary, their decision to continue their wartime cooperation was intended as a positive "contribution to the stability of the world and to the establishment through the United Nations of an effective system of world-wide security". Mackenzie King even suggested that the joint defence arrangements were only transitional pending the development of an effective system of general security.

In time [he said] it is to be hoped that there will emerge . . . a system of international security which will be adequate to preserve the peace of the world. The ultimate objective is not joint or regional defence, but collective international defence.<sup>25</sup>

As a further precaution, the Joint Statement was cast in the form of a press release,<sup>26</sup> as was the original Ogdensburg Declaration of 1940. Thus, neither side undertook any contractual obligations. It was felt that "if a treaty were made it would be seized upon . . . as evidence that . . . the

<sup>24</sup>C. I. S., 1947, No. 43. A few days after Pearson spoke, the first meeting of the Military Cooperation Committee, Canada-United States, was held in Washington, 20-23 May 1946. This Committee was established in February 1946 as the military counterpart to the Permanent Joint Board on Defence. Stanley W. Dziubin, United States Military Collaboration with Canada in World War II (Washington: Department of the Army, 1954), p. 701.

<sup>25</sup>H. C. Deb., 12 February 1947, p. 347; also Pearson, English-Speaking Union, Princeton, N. J., 14 May 1946. It was never suggested that the 1947 agreement was based on either Article 51 or Article 52 of the Charter.

<sup>26</sup>In Canada, it was announced in Parliament; in the United States, it was issued as a State Department press release.

Western democracies [were] lining up, ganging up, against the rest of the world".<sup>27</sup> At the same time, to avoid the charge that this procedure was adopted in order to circumvent Article 102 of the Charter, which required that "every international agreement" should be registered with the UN Secretariat, both Governments sent copies of the Statement to the Secretary-General for circulation to all Members. Finally, Canada offered to cooperate with other northern countries, especially the U.S.S.R., in the peaceful development of Arctic territories.<sup>28</sup>

Although the importance of the Joint Statement of February 1947 should not be underestimated, it was in no sense a first step along a road that led logically and inevitably to the Atlantic Pact. As far as Canadian policy is concerned, it cannot be regarded as either a precedent for the future or a breach with the past. The special relationship which had long existed between Canada and the United States, the previous existence of joint defence machinery and the limited and informal nature of the arrangements required made the circumstances unique.

Canada's continued opposition to the principle of regionalism was reaffirmed at the time the Rio Pact was drawn up in September 1947. Although Canada was eligible to adhere to it, she evinced not the slightest desire to do so. Her theoretical objections were not, of course, the sole deterrent. She also had political grounds for wanting to avoid so open a link with the Pan American Union. Besides, her attention was being directed to Western Europe where a situation was developing which was, at that very time, forcing her to reconsider her attitude to regional security arrangements.

The first hint of a change came in August 1947, when Escott Reid, a senior official of the Department of External Affairs, undertook to counter the dangerous

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<sup>27</sup> St. Laurent, H.C. Deb., 6 June 1947, p. 3868.

<sup>28</sup> Supra, pp. 224-5.

doctrine, then widely held especially in the United States, that the United Nations should be radically reorganized along democratic lines, if necessary without the Soviet Union. As has already been pointed out, the Canadian Government was opposed to a policy of deliberately wrecking the United Nations in the hope that something better might arise from its ashes. Reid's contribution was to suggest that there was nothing in the Charter to prevent members from setting up any additional international organizations and regional defence agencies, as long as they were not inconsistent with UN purposes and principles.

If the peoples of the Western world [he said] want an international security organization with teeth, even though the Soviet Union is at present unwilling to be a member of such an organization, they do not need to amend the United Nations Charter in order to create such an organization . . . . In such an organization each member state could accept a binding obligation to pool the whole of its economic and military resources if any power should be found to have committed aggression against any one of the members.<sup>29</sup>

A few weeks later, L.B. Pearson also indicated that the democracies might be forced to resort to "special security arrangements within the United Nations" if the Organization itself was unable to provide the necessary security.<sup>30</sup>

Neither of these statements by prominent civil servants was in any way an official declaration of Government policy. Nevertheless, they did clearly reveal the trend of current thinking in official circles. In anticipation of the opening of the second session of the General Assembly, the Government was anxiously

<sup>29</sup> 13 August 1947, Statements and Speeches No. 47/12, p. 12. Reid was careful to add, "I am not saying that the time has come when these things ought to be done". The previous July, St. Laurent had stated, "Within the United Nations there is room, of course, for closer associations not inconsistent at all with the ideals of the world organization"; but he appears to have been referring to the Commonwealth and Canadian-American cooperation rather than to any new development. H.C. Deb., 4 July 1947, p. 5078.

<sup>30</sup> 2 September 1947, Statements and Speeches No. 47/13, p. 5.

examining the whole question of the future of the United Nations. The results of this reassessment were given public expression in St. Laurent's opening address to the Assembly on 18 September 1947. "Nations, in their search for peace and cooperation", he declared,

will not and cannot accept indefinitely and unaltered a Council which was set up to ensure their security, and which, so many feel, has become frozen in futility and divided by dissension. If forced, they may seek greater safety in an association of democratic and peace-loving States willing to accept more specific international obligations in return for a greater measure of national security. . . .

Let us not forget that the provisions of the Charter are a floor under, rather than a ceiling over, the responsibilities of Member States. If some people prefer to go even below that floor, others need not be prevented from moving upwards. Two or more apartments in the structure of peace are undoubtedly less desirable than one family of nations dwelling together in amity, undivided by curtains or even more substantial pieces of political furniture. They are, however, to be preferred to the alternative of wholly separate structures.<sup>31</sup>

This was a statement of great significance. Not only did it give birth to the idea of a North Atlantic alliance;<sup>32</sup> it also heralded a major departure in Canadian foreign policy and the advent of a new era in which Canada was prepared to take the initiative in world affairs.

St. Laurent's speech was more a warning than a proposal. He did not ask that his suggestion should be acted upon immediately. Indeed, he sincerely hoped that it would never be necessary to act upon it at all. Before reaching a final decision on the matter, he was prepared to give the United Nations one more chance. As evidence of her serious intent, Canada offered herself as a candidate

<sup>31</sup>G.A.O.R. (II), Plenary Meetings, I, 65. Six months earlier, Pearson had warned that, "It is now one world, and those who would divide it by 'curtains' or barriers of any kind are trifling with the very existence of peace." Statements and Speeches No. 47/7, p. 2, 8 March 1947.

<sup>32</sup>Churchill had previously advocated a defensive alliance of like-minded states in his Fulton, Missouri speech of 5 March 1946, but he was not speaking in any official capacity.

in the elections to the Security Council; and, when elected, she pledged herself to "go to the most extreme limits to make the United Nations work as a universal one world organization".<sup>33</sup>

The other Western nations were also not yet ready to embark upon a collective security pact. The United States was more anxious to exploit the possibilities of an Interim Committee of the General Assembly, while Britain and Western Europe were more concerned with the danger of economic collapse than military aggression. Besides, there was still a faint hope that something useful might come out of the current session of the General Assembly or of the November meeting of the Council of Foreign Ministers. In any case, there was no immediate follow-up to the Canadian suggestion, and Canadian spokesmen made no attempt to press it.<sup>34</sup>

The collapse of the London meeting of Foreign Ministers in mid-December 1947 and the accumulating evidence of the subversive, if not aggressive, intentions of the Soviet Union led to a re-examination of Western military policy. On 13 January 1948, Ernest Bevin suggested to the United States the creation of "some form of union in Western Europe backed by the Americans and the Dominions".<sup>35</sup>

<sup>33</sup>St. Laurent, 7 October 1947, Statements and Speeches No. 47/16, p. 3.

<sup>34</sup>St. Laurent's statement was repeated on 7 October 1947, but not again until 26 January 1948. However, in December, in reporting to Parliament on his recent visit to France, Belgium and the Netherlands, King said: "Nations which fought together for liberty cannot bind themselves too closely to each other . . . as a means at this time of helping to continue to preserve liberty." H.C. Deb., 8 December 1947, p. 63.

<sup>35</sup>Memoirs by Harry S. Truman (New York: Doubleday, 1956), II, 247; Lord Ismay, NATO: The First Five Years, 1949-1954 [Paris: NATO, 1951], p. 8.

A week or so later, in his first public reference to his scheme for Western Union, he proposed that cooperation should take the form of a series of bilateral defence agreements on the model of the Anglo-French Dunkirk Treaty of March 1947, which was aimed expressly against a renewal of German aggression. Bevin's initiative evoked immediate support in North America and Western Europe, though the Americans considered that any arrangement arrived at should be generalized to cover aggression from any source and the Benelux countries under the leadership of Paul-Henri Spaak countered with the suggestion of a single regional security agreement. In Canada, on 20 January, Mackenzie King came out with a forth-right exposure and ringing denunciation of Communist ambitions, and concluded by saying:

So long as Communism remains as a menace to the free world, it is vital to the defence of freedom to maintain a preponderance of military strength on the side of freedom, and to secure that degree of unity among the nations which will ensure that they cannot be defeated and destroyed one by one.<sup>36</sup>

A few days later, L.B. Pearson revived St. Laurent's suggestion of the previous September.<sup>37</sup>

The Czech coup of 22 February underlined the urgency of the situation. Within two weeks, negotiations began in Brussels which culminated on 17 March in the signing of the five-power Treaty of Brussels. However, even before it

<sup>36</sup> Advisory Council of the National Liberal Federation of Canada, Ottawa. Bruce Hutchison claims that at this time King feared war with Russia would break out within three months. The Incredible Canadian, p. 432.

<sup>37</sup> 26 January 1948, Statements and Speeches, No. 48/2, p. 9. On the other hand, in a curious statement the day after Bevin's speech, St. Laurent himself declared: "There may be something to say for the position of one or more of the Great Powers relying on its own armed forces or on the power alliances it can contract with others to prevent lesser powers or alliances from threatening the peace and security of the world. But the only way a nation like Canada can do anything effective to that end is through an organization like the United Nations." Women's Canadian Club, Winnipeg, 25 January 1948.

was concluded, its inadequacy had become apparent. For one thing, the United States was not a party to it and, without her immediate assistance, Western Europe could not hope to defend herself. For another, its geographical scope was too limited; the mounting evidence that Russia intended to demand a mutual assistance agreement from Norway similar to the one Stalin "presumed" Finland was anxious to conclude was indicative of how real was the danger that the Brussels Pact Powers might be outflanked. Clearly, something far more ambitious was required.

Once again, the initiative came from Bevin. On 12 March, he approached Washington with a plan to expand the Brussels Treaty, which had been completed in draft only that day, into an Atlantic security system. However, neither the State Department nor the Pentagon was yet prepared to contemplate such far-reaching commitments at least until Western Europe gave some further evidence of being willing to help itself.<sup>38</sup> Consequently, Bevin, who had hoped that Anglo-American talks might begin even before the Brussels Pact was signed, was forced to settle for a presidential statement publicly blessing it and assuring its members that the United States would, "by appropriate means, extend to the free nations the support which the situation requires".<sup>39</sup> There was no suggestion of direct American association with Western Union.

Mackenzie King also hailed the Treaty as "a step towards peace", but he did much more. Speaking on the same day, he declared that it was only a "partial realization" of the idea of collective self-defense provided for in the Charter, and suggested that the Pact might "well be followed by other similar

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<sup>38</sup>Walter Millis, ed., The Forrestal Diaries: The Inner History of the Cold War (London: Cassell, 1952), pp. 371-2; Francis Williams, Ernest Bevin: Portrait of a Great Englishman (London: Hutchinson, 1952), p. 267.

<sup>39</sup>Ismay, NATO, pp. 8, 9.

steps until there [was] built up an association of all free states which are willing to accept responsibilities of mutual assistance to prevent aggression and preserve peace". He then added:

The peoples of all free countries may be assured that Canada will play her full part in every movement to give substance to the conception of an effective system of collective security under the Charter of the United Nations.<sup>40</sup>

During April and May, the Brussels Pact Powers continued to press for more tangible evidence of American support. Various schemes for bringing the United States into association with them were canvassed, but all foundered on the American refusal to undertake any contractual obligations. Canada played an important part in these exchanges, not only in urging a trans-Atlantic alliance, but also in helping to evolve a formula which might make it possible. Indeed, on 9 April, James Forrestal noted in his diary the "curious fact" that Canada was "equally as strong as Britain for the formation of the alliance".<sup>41</sup>

The idea of an Atlantic pact was first publicly proposed on 29 April 1948. After referring to his own speech before the General Assembly the previous September and King's remarks on 17 March concerning regional security arrangements, St. Laurent predicted that "the free states, or some of them, may soon find it necessary to consult together on how to establish such a collective security league". He argued further that such a step was the only way to meet the menace of "totalitarian communist aggression". As for Canada's part, he stated plainly: "We should be willing to associate ourselves with other free states in any appropriate collective security arrangement which may be worked out".<sup>42</sup> This

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<sup>40</sup>H.C. Deb., 17 March 1948, p. 2303. Two days earlier in a reference to Western Union, St. Laurent declared: "There is room for hope that it will extend. And it may not be only Western Europe which will be forced into a . . . union to offset the union of the totalitarian states under the aggressive leadership of Russia." Statements and Speeches No. 48/13, p. 7. Repeated on 24 March 1948, ibid., No. 48/15, p. 7.

<sup>41</sup>Millis, The Forrestal Diaries, p. 398.

<sup>42</sup>H.C. Deb., 29 April 1948, p. 3449; also Statements and Speeches No. 48/22, p. 5, 28 April 1948.

speech was followed by an increase in Canadian diplomatic activity and by a series of further public pronouncements by Canadian spokesmen at home and abroad in support of a North Atlantic pact.<sup>43</sup> Indeed, St. Laurent admitted that Canadian efforts to bring this about could justly be termed a "crusade".<sup>44</sup>

On 4 May, Ernest Bevin welcomed St. Laurent's "remarkable speech",<sup>45</sup> but, as he indicated in a message to George Marshall on 20 May, he felt negotiations should be initiated by the Americans. The State Department had by now come to accept the necessity of the United States assuming some firm political commitment to defend Western Europe, though the Joint Chiefs of Staff were still hesitating and Congress had yet to express any opinion.<sup>46</sup> However, Marshall and Lovett had been in consultation with Senators Vandenberg and Connolly since 11 April, and from these discussions emerged the Vandenberg resolution which was approved by an over-whelming vote of the Senate on 11 June. This resolution urged the "progressive development of regional and other collective arrangements" and the "association of the United States, by constitutional process, with such . . . as are based on continuous and effective self-help and mutual aid".<sup>47</sup>

Once this expression of congressional support had been obtained, direct American (and Canadian) association with the Brussels Pact Powers could begin. This took place at two levels. Beginning in late July and in anticipation of

<sup>43</sup>Statements and Speeches No. 48/30, p. 5, 21 May; No. 48/34, pp. 3-4, 31 May; No. 48/33, pp. 5-7, 8 June; No. 48/35, pp. 6-7, 11 June; H.C. Deb., 19 June 1948, p. 5551; 24 June 1948, p. 5784.

<sup>44</sup>H.C. Deb., 19 June 1948, p. 5551.

<sup>45</sup>British H.C. Deb., 4 May 1948, cols. 1110-1.

<sup>46</sup>Truman, Memoirs, II, 245-6.

<sup>47</sup>Ismay, NATO, p. 171. The same day, St. Laurent declared that the free world should be "not only willing but anxious to unite". Statements and Speeches No. 48/35, p. 7.

eventual political agreement, Canadian and American military observers joined in the work in London of the Permanent Military Committee of Western Union. At the political level, informal and non-committal seven-power discussions were held in Washington from 6 July to 9 September 1948 to explore the possibility of negotiating a military alliance for the defence of the North Atlantic area. These conversations resulted in an agreed statement recommending to the participating governments the conclusion of an Atlantic security pact.

Two days earlier, on 7 September, L. S. St. Laurent declared that "the Canadian Government has been urging at home and abroad, in public statements and through diplomatic channels and discussion the immediate establishment of a North Atlantic Security system".<sup>48</sup> He was followed in quick succession by four of his colleagues, including King, all of whom supported an alliance.<sup>49</sup> On 13 October, the Canadian Government formally notified the State Department that it accepted the Washington report in principle and was ready to embark on the detailed negotiation of a North Atlantic treaty. The Brussels Pact Powers took a similar step on 26 October.<sup>50</sup> The final stage of negotiations then began in Washington on 10 December 1948.

Meanwhile, Canadian spokesmen were continuing their campaign of public education. On 28 October, Brooke Claxton declared that "the existence of an

<sup>48</sup> Ibid., No. 48/44, p. 5.

<sup>49</sup> Claxton, 11 September, ibid., No. 48/47, pp. 2-3; Martin, 12 September, No. 48/45, p. 5; Pearson, in his first speech as Secretary of State for External Affairs, 21 September, No. 48/48, pp. 4-7; King, 28 September, Canada and the United Nations, 1948, p. 202.

<sup>50</sup> Canada's readiness to undertake final negotiations of a treaty was announced publicly by Pearson at a press conference in Ottawa on 28 October, External Affairs, I(A) (November 1948), pp. 3-4.

Atlantic Security Pact in 1935 would have prevented the Second World War in 1939".<sup>51</sup> On Remembrance Day, St. Laurent stated categorically that "the most certain and the most practical approach to security for us is the achievement, as soon as possible, of an alliance of the North Atlantic Nations".<sup>52</sup>

Three months after talks were resumed in Washington, the text of a draft treaty was agreed upon. This was published on 18 March 1948 and signed on 4 April. It was twice debated by the House of Commons at Ottawa: on 28 March when the House approved the draft in principle and on 29 April when it gave final sanction to Canadian ratification. On 3 May, Canada became the first country to deposit its instrument of ratification.

Although the Canadian Government had crusaded for an Atlantic alliance for more than a year and had from the first indicated its own willingness to join, it was not prepared to accept any pact. In particular, it laid down two conditions: American membership and no automatic (as opposed to advance) commitments.

There were two main reasons for insisting on American membership. In the first place, an alliance to which the United States did not adhere would not make sense militarily. Only American military power could offer any prospect of deterring or defeating aggression. Western Union was a step in the right direction, but by itself it was an unimpressive display of strength. "We think this Western Union is a good thing," St. Laurent declared in June 1948, "but our ad-

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<sup>51</sup> Statements and Speeches No. 48/56, p. 5.

<sup>52</sup> Ibid., No. 48/59, p. 2.

hesion to it without the United States would add very little to it."<sup>53</sup> The second factor was political. Quite apart from military considerations, any alliance which did not include the Americans could be accepted in Canada only reluctantly, if at all, for it would tend to bring into conflict her British and American interests. On the other hand, any organization which brought London and Washington into closer alignment would serve to reconcile the facts of Canadian history and geography and, therefore, could not fail to have an instant political appeal to Canadians.

For these reasons, Canada was prepared to go to almost any length to bring about United States adhesion to the Atlantic pact. As a contribution to this end, she conducted an intensive campaign to educate the American Government and people in the merits of a regional security arrangement.<sup>54</sup> She also assured them that she was ready to assume the same obligations she was urging on them. Furthermore, in order to avoid any suggestion of one-sidedness, Canada proposed that, instead of having the United States "join" Europe in an extended version of the Brussels Pact, an entirely separate treaty should be drawn up which would emphasize Atlantic rather than merely European security.<sup>55</sup> Finally, she worked

<sup>53</sup>H.C. Deb., 19 June 1948, p. 5551; also Statements and Speeches No. 48/33, p. 7, No. 48/59, p. 3. Article 11 provided that the Treaty would not enter into force until ratified by the United States, Canada and the five Brussels Treaty Powers.

<sup>54</sup>Canadian spokesmen put the case for an Atlantic alliance before American audiences in New York City, 28 February 1948, Gettysburg, 31 May, Los Angeles, 8 June, Mount Holyoke College, 22 June, New York City, 2 August, Detroit, 12 September, Statesville, N.C., 6 December, and Washington, 3 March 1949.

<sup>55</sup>Pearson claimed that the suggestion of a unilateral American guarantee to Western Europe "smacks too much of an old fashioned military alliance" and argued instead for "equal and reciprocal obligations for collective defence". 8 June 1948, Statements and Speeches No. 48/33, p. 7.

hard to evolve an acceptable formula which would permit American participation in a mutual security pact. The problem was how to reconcile the understandable insistence of the Western European countries on firm assurances of prompt assistance in the event of attack with the requirements of the American Constitution.

The Canadian Government also had a direct interest in this question for it was no more prepared to agree to an automatic commitment to go to war than was the American Government. Part of the difficulty was constitutional. Although the power to declare war is in the hands of the executive in Canada, it is government policy not to exercise it without prior authorization from Parliament,<sup>56</sup> a procedure specifically reaffirmed in connection with the North Atlantic Treaty.<sup>57</sup> Besides, as Pearson later admitted, in both countries there was "a natural and inevitable reluctance to go beyond a general commitment of mutual assistance".<sup>58</sup>

The nature of the commitment which the American and Canadian Governments were constitutionally competent and politically prepared to assume was the subject of prolonged discussion and debate. Eventually, Canada suggested a compromise between the wording found in the Rio and Brussels Pacts, and this formed the basis of the formula adopted.<sup>59</sup> Under this, the members of NATO agreed that "an

<sup>56</sup> Despite King's constant reiteration of the formula, "Parliament will decide", during the interwar years, in actual practice, this policy was not always adhered to. Parliament was consulted before war was declared against Germany in 1939 and Italy in 1940, but not before the declarations of war against Finland, Hungary, Rumania or Japan in 1941.

<sup>57</sup> H.C. Deb., 28 March 1949, pp. 2065, 2098, 2099-2100. See also ibid., 4 February 1949, p. 239; Standing Committee on External Affairs, Minutes, 25 April 1950, p. 20, 28 April 1950, p. 51; Statements and Speeches No. 49/24, p. 5.

<sup>58</sup> Ibid.; also New York Times (2 December 1948), p. 13.

<sup>59</sup> Truman, Memoirs, II, 249.

armed attack against one or more of them . . . shall be considered an armed attack against them all". But, instead of being required to "afford the Party so attacked all the military and other aid and assistance in their power" as in the case of the Brussels Treaty, each of them agreed merely to "assist the Party or Parties so attacked by taking forthwith . . . such action as it deems necessary, including the use of armed force, to restore and maintain the security of the North Atlantic area" (Article 5) "in accordance with their respective constitutional processes" (Article 11). Consequently, L.S. St. Laurent could assure his supporters from Quebec that, "We reserve the right to decide by ourselves . . . the form, the extent and the time of our participation in hostilities."<sup>60</sup> On the other hand, Canada felt herself bound on her national honour as firmly as if she had accepted an explicit legal obligation to regard herself automatically at war with an aggressor. As Pearson pointed out,<sup>61</sup> the spirit behind the signatures on the North Atlantic Treaty was even more important than the wording of the Articles themselves. This is why the European partners felt able to rely upon what amounted to only a moral commitment.

#### The North Atlantic Treaty Organization

The two prerequisites for Canadian membership were fully and finally met at an early stage. However, three other major questions of special concern to Canada emerged during the drafting of the Treaty and have been of continuing importance ever since. These were the relationship of NATO to the United Nations, the concept of a North Atlantic Community and the process of political consultation within NATO. The working out of acceptable solutions to the problems raised by these issues has involved balancing three sets of conflicting considerations:

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<sup>60</sup> H.C. Deb., 28 March 1949, p. 2065.

<sup>61</sup> 8 July 1949, Statements and Speeches No. 49/24, p. 5.

universalism and regionalism, military and political criteria, and Great Power leadership and small power participation.

Although Canada was among the first to see the need to develop regional security arrangements, this did not imply any waning of her belief that a global organization was what was required. Universalism remained the ideal and regionalism, as Canadian spokesmen were fond of reiterating, was very much a "second best".<sup>62</sup> "It is to be hoped", L.S. St. Laurent declared in September 1947 in putting forward his original proposal, "that such a development will not be necessary. If it is unnecessary, it will be most undesirable".<sup>63</sup> Nor was Canada prepared to admit that this detour into regionalism was more than temporary. "The Canadian Government", the Department of External Affairs observed in March 1950, "will not readily abandon the hope that [UN] principles may be applied upon a universal basis".<sup>64</sup> Consequently, it was anxious to keep the road back always open. By basing the North Atlantic Treaty on Article 51 of the Charter, this was possible.

The advantage of using Article 51 was that it left the global character of the United Nations unimpaired and yet, in contrast with Article 52, enabled measures of collective self-defence to be taken without the specific authorization of the Security Council. There was some misunderstanding on this point in

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<sup>62</sup>E.g., St. Laurent, press conference, Ottawa, 18 March 1949; H.C. Deb., 16 November 1949, p. 1841; Canada and the United Nations, 1950, p. 170; Pearson, TV broadcast, New York City, 24 September 1951; Statements and Speeches No. 49/27, p. 8. Pearson considered that the resort to collective security arrangements as a solution to UN difficulties was "not nearly so satisfactory as an agreed limitation of the veto by convention or by amendment of the Charter" though "much to be preferred" to scrapping the UN. 26 January 1948, ibid., No. 48/2, p. 8.

<sup>63</sup>18 September 1947, G.A.O.R. (II), Plenary Meetings, I, 65.

<sup>64</sup>Canada and the United Nations, 1949, p. 25; also Standing Committee on External Affairs, Minutes, 24 May 1948, p. 61; New York Times (4 March 1949), p. 3.

certain countries, though not in Canada.<sup>65</sup> As early as September 1947, the Government was quite clear in its own mind that any association of free nations would have to be based on Article 51 if the veto were to be by-passed successfully.

The North Atlantic Pact kept strictly within the terms of Article 51, supplementing rather than supplanting the Charter. Article 7 clearly stated that the Treaty "does not, and shall not be interpreted as affecting, in any way . . . the primary responsibility of the Security Council for the maintenance of international peace and security", while Article 5 provided, in language stronger than that found in Article 51, that all measures taken by NATO members to resist armed attack "shall be terminated when the Security Council has taken the measures necessary to restore and maintain international peace and security". Measures taken by NATO members after an attack had been launched against them were to be reported to the Security Council immediately, though not defence preparations taken beforehand. Pearson's suggestion that NATO submit an annual report on its activities to the UN General Assembly was not adopted.<sup>66</sup>

Canada also looked forward to the time when the United Nations could be relied upon to ensure security and the military protection of NATO could be dispensed with entirely. Government spokesmen emphasized time and again that regional security arrangements were only required "pending the strengthening of the

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<sup>65</sup>Report on the San Francisco Conference, p. 42; United Nations, 1946, p. 197; Standing Committee on External Affairs, Minutes, 25 April 1947, p. 43; 24 May 1948, p. 59. St. Laurent twice referred to arrangements "worked out under Articles 51 or 52 of the Charter", (Statements and Speeches No. 48/22, p. 5, 26 April 1948 and H.C. Deb., 29 April 1948, p. 3449) and Pearson said the Treaty would be "a regional agreement . . . under the United Nations Charter" (*ibid.*, 4 February 1949, p. 239), but these appear to have been slips.

<sup>66</sup>"Canada and the North Atlantic Alliance", Foreign Affairs, XXVII (3), (April 1949), 375.

United Nations".<sup>67</sup> "Any political association on other than a universal basis in this shrinking world", St. Laurent asserted in September 1948, "cannot be an end in itself, but only a means to an end, . . . the erection of a structure of international cooperation and understanding, in which all men . . . may exist together in peace and prosperity."<sup>68</sup> A year later, in defending NATO before the UN General Assembly, Pearson declared:

If and when the United Nations can organize effective arrangements for defence against aggression on a universal basis, all other alternate and second best, very much second best, arrangements must be scrapped. We must work, in spite of all obstacles, to that end.<sup>69</sup>

In November 1949, he was equally definite in expressing a preference for universal organizations. "I would like to emphasize again", he stated,

that these regional arrangements, whether they be political such as the North Atlantic Pact or whether they are financial, along the lines of the [sterling-dollar] talks we have had to have with our friends from the United Kingdom and the United States, or of whatever nature they may be -- these regional arrangements remain secondary and supplementary to our adherence to our world organization which we hope will some day make all such limited arrangements unnecessary.<sup>70</sup>

The possibility of winding up NATO is provided for in Article 12. This stipulates that the Treaty may be subject to review after ten years in the light

<sup>67</sup>E.g., H.C. Deb., 29 April 1948, p. 3449; 28 March 1949, p. 2096; Canada and the United Nations, 1948, pp. 20, 202; Statements and Speeches No. 48/45, p. 5; St. Laurent, press conference, Ottawa, 18 March 1949.

<sup>68</sup>7 September 1948, Statements and Speeches No. 48/44, p. 5.

<sup>69</sup>26 September 1949, Canada and the United Nations, 1949, p. 211; also H.C. Deb., 4 February 1949, p. 239; 29 April 1949, p. 2789; 17 November 1949, p. 1929.

<sup>70</sup>H.C. Deb., 17 November 1949, p. 1929; External Affairs, I (1949), 6. Preliminary tripartite discussions on the sterling-dollar crisis were held in London in July 1949, prior to the Meeting of Commonwealth Finance Ministers, and continued in Washington, 7-12 September.

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the factors then affecting peace and security in the North Atlantic area, including the development of universal as well as regional arrangements under the Charter of the United Nations for the maintenance of international peace and security.<sup>71</sup>

Pearson predicted in 1949 that there might be "very important changes to consider at that time".<sup>72</sup> In recent years, however, Canadian hopes of ever converting the United Nations into an effective security organization have faded greatly. As a result, Canada has come to look upon NATO more and more as a permanent necessity. Indeed, Pearson declared in July 1955 that, while he welcomed Western talks with the Soviet Union, NATO itself was "not negotiable".<sup>73</sup> A few months later, he reaffirmed that "our long-term aim" remained the establishment of "the general collective security system intended by the United Nations Charter". But he warned that "only when that is accomplished can NATO, as a security agency, safely 'wither away' like the state in a pure Communist society", an analogy which he found "somewhat discouraging".<sup>74</sup>

Originally, Canada had hoped that, even during the transitional period before the United Nations became an effective world security organization, an approach to universalism might be made by organizing collective self-defence, not on a regional basis, but on as wide a basis as possible. This was a further

<sup>71</sup>It has been claimed that, during the negotiation of the Treaty, Canada as well as the United States argued that it should be in force for only ten years with provision for its extension for further periods of ten years at a time. France was said to favour a fifty-year term. International Organization, III (1949), 168; New York Times (29 November 1948), pp. 1, 15. Article 13 provides for denunciation after a minimum of twenty-one years.

<sup>72</sup>H.C. Deb., 28 March 1949, p. 2100.

<sup>73</sup>23 July 1955, External Affairs, VII (1955), 205.

<sup>74</sup>"After Geneva: a Greater Task for NATO", Foreign Affairs, XXXIV (1955-56), 15.

reason for basing the North Atlantic Pact on Article 51 of the Charter, instead of Article 52. L.S. St. Laurent spoke initially in September 1947 of "an association of democratic and peace-loving states";<sup>75</sup> there was no suggestion that it should be a regional agency. The following January, L.B. Pearson proposed that no state should be excluded from membership which did not "exclude itself". He even considered that the new organization "might hope eventually to attract to its membership all states in the United Nations. We would then in fact have secured a new United Nations with both universality and effectiveness."<sup>76</sup> In March, Mackenzie King spoke of "an association of all free states which are willing to accept responsibilities of mutual assistance to prevent aggression and preserve peace".<sup>77</sup> Next month, St. Laurent hoped to see "one great organization" linking the Commonwealth, the Marshall Plan countries and the inter-American system.<sup>78</sup> Gradually, however, the emphasis began to shift. In June 1948, Pearson was still arguing that there should be "collective strategy, and collective defence preparations on the part of all the democratic freedom-loving states", but he laid particular stress on the need for "an association of Western European and Atlantic democracies".<sup>79</sup> By the time the Washington talks opened in July, the idea of a regional security organization had come to be accepted

<sup>75</sup> 18 September 1947, G.A.O.R. (II), Plenary Meetings, I, 65.

<sup>76</sup> 26 January 1948, Statements and Speeches, No. 48/2, p. 9; also ibid., No. 47/13, pp. 5-6; Pearson, "Canada and the North Atlantic Alliance", Foreign Affairs, LXVII (1948-49), 375.

<sup>77</sup> H.C. Deb., 17 March 1948, p. 2303.

<sup>78</sup> 26 April 1948, Statements and Speeches No. 48/22, p. 6. Three days later, he spoke of a league of "the free states or some of them". H.C. Deb., 29 April 1948, p. 3449.

<sup>79</sup> 8 June 1948, Statements and Speeches No. 48/33, pp. 5, 7.

in Canada.

One reason for favouring a partial world organization rather than a regional one was that it would involve less of a departure from universalism. A further reason was the fear that restrictive provisions concerning membership might expose the proposed organization to the charge of exclusiveness, and this, in the opinion of the Canadian Government, was a particularly heinous offence for a regional agency. Canada was also determined that its aims and activities should not be narrowly conceived. As early as January 1948, L.B. Pearson insisted that any collective security system should "establish beyond doubt that it was solely an instrument of peace, and that it would not be used to further selfish national or imperial interests, or to support aggressive power politics by any of its members".<sup>80</sup> In March 1949, the Government specifically "pledged itself not to take part in any activity under the North Atlantic Treaty which contravenes the principles and purposes of the United Nations Charter".<sup>81</sup> Canada was anxious to ensure, not only that there should be no inconsistency between the Treaty and the Charter, but also that NATO should positively promote the principles and purposes of the United Nations. As Pearson pointed out immediately prior to signing the Treaty:

Security and progress . . . like peace and war are indivisible. So there must be nothing narrow or exclusive about our league; no slackening of our interest in the welfare and security of all friendly people . . . . The world today is too small, too interdependent, for even regional isolation.<sup>82</sup>

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<sup>80</sup>26 January 1948, ibid., No. 48/2, p. 9.

<sup>81</sup>Pearson, H.C. Deb., 28 March 1949, p. 2096.

<sup>82</sup>4 April 1949, Statements and Speeches No. 49/14, p. 2. Also ibid., No. 49/15, pp. 5-6; No. 49/24, p. 9; Pearson, "The Development of Canadian Foreign Policy", Foreign Affairs, XXX, (1951-52), 25; H.C. Deb., 28 March 1949, p. 2100.

At one time, Canada envisaged NATO as but one of a number of similar regional organizations.<sup>83</sup> But when she came to examine the situation in other areas of the world more closely, she realized that the special circumstances which made the Atlantic Pact possible were not duplicated elsewhere, particularly in Asia and the Pacific.<sup>84</sup> Consequently, when the South-East Asia Collective Defence Treaty was drawn up in 1954, Canada made it abundantly clear that she was not interested in an invitation. For one thing, she had the gravest doubts concerning the political wisdom and military effectiveness of SEATO. In addition, there was a feeling in Ottawa that Canada should not accept any "special commitments in any area of the world other than that of the North Atlantic area".<sup>85</sup>

Although the Canadian Government exhibited a marked reluctance to deviate from a universal approach to world security any further or for any longer than was absolutely necessary, it did consider that NATO should give institutional recognition to the existence of a North Atlantic community and that this should be regarded as a permanent feature of its work.

The heavy Canadian emphasis on non-military cooperation under the North Atlantic Pact can be explained in part by reasons of domestic politics. The Canadian people had long been conditioned to regard alliances as slightly immoral and liable to entangle them "in the vortex of European militarism". In order to

<sup>83</sup>Ibid.; Statements and Speeches No. 49/15, p. 6.

<sup>84</sup>Standing Committee on External Affairs, Minutes, 4 May 1950, pp. 102, 103.

<sup>85</sup>H.C. Deb., 28 May 1954, p. 5225. See also my "Collective Security", Winnipeg Free Press (7 July 1954) and the accompanying editorial. In May 1950, Pearson questioned whether Canadians would be willing to guarantee Korea against armed attack. Standing Committee on External Affairs, Minutes, 4 May 1950, p. 103.

ease them over this psychological hurdle and thus secure the widest possible public support, the Government was anxious that the Treaty should not be just "an old-fashioned military alliance".<sup>86</sup> Article 2 did not fully meet Canadian wishes in this respect, but it did at least give formal recognition to the view that the Pact should seek to promote progress as well as preserve peace. It was, as one Department of External Affairs official cynically phrased it, "a little sprinkling of holy water" to sanctify an otherwise barren instrument of power politics. In any event, it was enough to ease the Canadian conscience. It also had the advantage of emphasizing the purely peaceful purpose of the alliance for the benefit of its critics outside Canada.

A second reason was ideological. Communism was more than a military menace. It was a fanatical faith which sought to enslave the minds and souls of men as well as their bodies with the promise of a social and economic millenium. A security pact, therefore, could not be fully effective if it were "nothing more than a military alliance".<sup>87</sup> As L.B. Pearson said in 1949, it still remained "fundamentally true that there is no permanent guarantee of peace in military alliances or armaments alone".<sup>88</sup> What was required was the creation of "a

<sup>86</sup>This phrase had been used by King as early as 1936. H.C. Deb., 18 June 1936, p. 3871; also 29 September 1936, L.O.N., Official Journal, Special Supplement No. 155, p. 69. The distinction between "old-fashioned" and "forward-looking" military alliances was never satisfactorily explained, though it apparently turns on whether the purposes of the alliance are purely military or not. See, Standing Committee on External Affairs, Minutes, 24 May 1948, pp. 57-8, 62; H.C. Deb., 17 March 1948, p. 2303, 29 April 1948, p. 3447.

<sup>87</sup>Report of the Department of External Affairs, Canada, 1949, p. 62; Statements and Speeches No. 48/59, p. 3.

<sup>88</sup>"Straight Talk from Mike Pearson", Maclean's Magazine (15 October 1949). Cf. the view Pearson expressed five years earlier, quoted above p. 206. Pearson also stated on 13 March 1944: "It might well be argued that no international organization can be securely and exclusively based on ideological principles of any kind." Canadian Club, Toronto.

dynamic counter-attraction to communism - the dynamic counter-attraction of a free, prosperous and progressive society.<sup>89</sup> "We must constantly remember", St. Laurent warned in June 1948,

that that Union of the Free World which is now rather painfully struggling to be born will possess the necessary overwhelming strength [to hold back "the flood of Communist expansion"] only if it is based on moral as well as material force; if its citizens are bound together not merely by their common opposition to totalitarian Communist aggression but by a positive love of democracy and of their fellow men.<sup>90</sup>

Furthermore, if NATO were to survive the immediate crisis which gave it birth, it would have to be based on something more permanent than a military emergency and be buttressed by a more cohesive force than the menace of a common foe. Canada did not want the alliance to outlive its usefulness, but she was equally anxious that it should not collapse before something better had taken its place. Only if the members of NATO shared a genuine community of interests would there be any real assurance that this would not happen.

Canada also considered that a strong North Atlantic community might check any incipient tendency for the movement for European unity to assume unhealthy forms. She was prepared to welcome and even encourage closer cooperation among the countries of Western Europe,<sup>91</sup> but she was acutely conscious of the danger that an integrated Europe might develop in the direction of political neutralism or economic autarchy. The former would undermine the Atlantic alliance on which the security of the Western world depended, while the latter would seriously prejudice Canada's trading interests in Europe. Canadian fears concerning the

<sup>89</sup>H.C. Deb., 29 April 1948, p. 3449. In March 1948, St. Laurent spoke of the creation of "a spiritual, cultural, economic and political union". Statements and Speeches Nos. 48/13, p. 7 and 48/15, p. 7; also No. 48/44, p. 5.

<sup>90</sup>11 June 1948, ibid., No. 48/35, p. 7; also No. 48/22, p. 6.

<sup>91</sup>H.C. Deb., 8 September 1939, p. 36; 29 April 1948, pp. 3447, 3448.

creation of an exclusive economic bloc in Western Europe were voiced by L.B. Pearson at the Colombo Conference in January 1950. Speaking of the great number of proposals for European unity which had been put forward, he said:

Each plan should be tested against the criterion of whether or not it will lead to a progressively wider cooperation in trade and other economic matters between all the countries in the free world. Some of the proposals made recently seem to my Government to be as likely to encourage the development of new high-cost industries and increased high-cost agricultural production in Europe as to lead to the objectives of greater efficiency and lower costs and prices at which they purport to be aiming. What must be avoided is the creation of a closed, high-cost, inflationary economic bloc, whether a sterling bloc, a Commonwealth bloc, a European bloc, or a North American bloc, which would make progress towards a wider multilateral system of trade and payments more difficult.<sup>92</sup>

Pearson, significantly, made no mention of a North Atlantic bloc as NATO cut across other groupings and was, therefore, less likely to manifest a narrowly regional outlook. In any case, Canada considered that the best way to ensure that European integration did not develop along undesirable lines was to have it take place within the wider framework of the North Atlantic community.<sup>93</sup>

The final Canadian motive for wishing to foster the development of the North Atlantic community was the most powerful. It was a natural association for Canada with everything to commend it. It comprised the countries with which she had the closest ties, politically, historically and geographically. It included her allies in two world wars, the motherlands of the bulk of her people and the Mother of her Parliament, the founts of her Catholic and Latin culture and the countries with whom she conducted the greater part of her trade. Above all, it brought the United States and Britain together in harmony and cooperation

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<sup>92</sup>Quoted in H.C. Deb., 22 February 1950, p. 135; Standing Committee on External Affairs, Minutes, 13 June 1950, p. 336.

<sup>93</sup>Pearson, "The Development of Canadian Foreign Policy", Foreign Affairs, XXX (1951-52), 26-7.

and thus conformed to the first principle of Canadian foreign policy. It was scarcely surprising, therefore, that an association which seemed to meet Canada's needs so completely should have evoked her wholehearted support.

The Canadian Government sought to facilitate the growth of the Atlantic community by confining membership in NATO to North Atlantic democracies and by the insertion of Article 2 into the Treaty. Once it had been decided to establish a regional security agency rather than an association of all free states, Canada favoured admitting only those countries which were politically as well as geographically part of the North Atlantic community. The seven countries participating in the Washington talks clearly qualified. In addition, Canada wanted invitations issued to Iceland, Norway, Denmark, Sweden and Ireland.<sup>94</sup> In March 1949, all five were asked to join and all but Sweden and Ireland accepted.

Western military advisers also pressed for the admission of Portugal, Italy and Spain and, later, Greece, Turkey and Germany. Originally, Canada did not favour membership for any of these states, though she did not oppose them publicly and eventually consented to the admission of all but Spain. The Canadian Government was not unaware of the strategic importance of these countries from a short-run military point of view, but it was more concerned with the long-term political implications involved. As Spain and Portugal were dictatorships, their participation in an association of democratic states was clearly inappropriate. It is significant that, when the North Atlantic Treaty came before Parliament, L.B. Pearson was discreetly silent on the question of Portuguese membership, though, in a pointed reference to Spain, he did state that

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<sup>94</sup>Pearson, press conference, Paris, 4 November 1948, New York Times (5 November 1948), p. 12. Presumably, the Canadian Government did its best to interest Prime Minister Costello of Ireland in an Atlantic pact when he visited Canada, 4 - 10 September 1948.

Article 10 ruled out other European states which were "not in a position to further the democratic principles of this Treaty".<sup>95</sup> On another occasion, he seemed to disqualify Spain on the grounds that she was really a Mediterranean rather than an Atlantic country.<sup>96</sup> Certainly, this was the objection Canada had to the admission of Italy, Greece and Turkey, though Pearson contrived to describe Italy as "close" to the Atlantic and the other two as "the south flank of the Atlantic community".<sup>97</sup> He felt particularly strongly about Greek and Turkish membership and did little to hide the fact that Canada would have preferred another solution and that her eventual approval was a reluctant concession to military necessity.<sup>98</sup>

The admission of Germany constituted a special problem. In 1950, when the United States first raised the question of associating Germany with NATO, Canada recognized the logic of the American argument, though she was more understanding of French feelings in the matter than Washington was. During the next several years and particularly following the collapse of the European Defence Community in 1954, the Canadian Government worked diligently to effect a compromise acceptable to France. Eventually, full membership was agreed upon.

The Canadian Government was also anxious that specific mention should be made in the Treaty of cooperation in the non-military sphere. As a result,

<sup>95</sup>H.C. Deb., 28 March 1949, p. 2099. Pearson specifically welcomed "Italy, democratic Italy". Ibid., p. 2100. See also Standing Committee on External Affairs, Minutes, 24 May 1948, pp. 63-4.

<sup>96</sup>New York Times (5 November 1948), p. 12.

<sup>97</sup>Statements and Speeches No. 49/10, p. 2; No. 51/34, p. 2. The Department of External Affairs monthly referred to Greece and Turkey as "the East Flank of the North Atlantic area". External Affairs, III (1951), 322.

<sup>98</sup>Ibid., 323; TV broadcast, New York City, 24 September 1951; H.C. Deb., 29 December 1951, p. 2522.

Article 2 was inserted. This stipulated that:

The Parties will contribute towards the further development of peaceful and friendly international relations by strengthening their free institutions, by bringing about a better understanding of the principles upon which these institutions are founded, and by promoting conditions of stability and wellbeing. They will seek to eliminate conflict in their international economic policies and will encourage economic collaboration between any or all of them.

Article 2 cannot be claimed a Canadian invention - the Brussels Pact included a similar and in some ways stronger provision<sup>99</sup> - but Canada was alone in pressing for its inclusion. She got no support from Britain and only opposition from the State Department, though later both Bevin and Acheson seized upon it when seeking public support for the North Atlantic Treaty. The compromise wording finally evolved was not as precise as Canada would have liked. There was, for example, no explicit reference anywhere in the Treaty to the North Atlantic community. Nevertheless, Article 2 did embody the substance of the original Canadian proposal and the Government was well satisfied with the results of its efforts.

At first, Article 2 was no more than the statement of a principle and the expression of a hope. That was all that Canada intended it should be. In insisting on its inclusion in the Treaty, she did not have any specific problems or projects in mind, though she did look forward to the time when the immediate military emergency would ease sufficiently to permit Article 2 to be developed.

The first step Canada took towards implementation of Article 2 was to urge the creation of the necessary machinery for the purpose. A preliminary discussion of the question took place in September 1949 during the first session of the North Atlantic Council, but few of the members evinced any great enthusiasm

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<sup>99</sup>Article III: "The High Contracting Parties will make every effort in common to lead their peoples towards a better understanding of the principles which form the basis of their common civilization and to promote cultural exchanges by conventions between themselves or by other means."

for early action under Article 2, while most tended to look upon it as something which was "ultimately desirable though not immediately practicable".<sup>100</sup> As a result, nothing was done. L.B. Pearson was not at all happy about the outcome and complained somewhat bitterly that, while "a policy of going slowly to begin with" was good advice in ordinary times, "these are not ordinary times. Events are moving fast today and our international economic and political institutions should not lag too far behind." He wanted NATO to take "as many steps as possible, as quickly as possible" under Article 2. Specifically, he urged that "at its next meeting" the Council should consider what machinery should be set up for "study and discussion and negotiation on this whole question". "The important thing", he concluded, "is to get the machinery going".<sup>101</sup>

The second and third Council sessions ignored this Canadian plea. As a result, Pearson arrived for the fourth session in May 1950 armed with instructions "to make sure there was a real discussion of the implementation of Article 2". Beyond this, all he intended to ask for was the appointment of an ad hoc committee to consider the problem and report back,<sup>102</sup> though he envisaged the eventual creation of "some kind of economic consultative committee" under the Council and the setting up of "some kind of democratic agency" to counteract Soviet propaganda.<sup>103</sup> However, even before the session opened, Pearson was tracked down by D.U. Stikker, the Dutch Chairman of OEEC and himself a firm believer in Article 2. He expressed the fear that the creation of economic machi-

<sup>100</sup>Isnay, NATO, p. 150. Canada, the Netherlands and Norway are the three countries which have consistently taken Article 2 seriously.

<sup>101</sup>H.C. Deb., 16 November 1949, p. 1843.

<sup>102</sup>Standing Committee on External Affairs, Minutes, 13 June 1950, p. 337.

<sup>103</sup>Ibid., 25 April 1950, p. 13.

nery under NATO would duplicate and interfere with the work of the Organization for European Economic Cooperation and suggested that instead Canada and the United States should become associate members of OEEC. The Canadian Government was reluctant to forego specifically Atlantic machinery in favour of a European body, but finally acquiesced as this was a step which could be taken easily and quickly. Besides, it was only an interim arrangement as OEEC was not expected to last beyond 1952. The Foreign Ministers of the Western Big Three then issued a joint statement, with which Pearson was associated, formally proposing the establishment of this new relationship. They also declared that the development and strengthening of the economic ties of the Atlantic community,

may in the future require formal organizational expression, but they believe it is unnecessary at this time to attempt to suggest precisely what form of arrangement will prove to be best suited to assist the taking of common action by the community.<sup>104</sup>

The North Atlantic Council itself merely agreed that the Deputies should consider what further action should be taken to provide for longer term collaboration under Article 2.

Before any action could be initiated, the Korean war intervened with the result that, for over a year, the attention of NATO countries was concentrated on urgent military matters. Although Pearson tried to revive interest in non-military cooperation in a speech to the Council Deputies in June 1951,<sup>105</sup> it was not until the seventh session of the Council in Ottawa in September 1951 that the international situation had eased sufficiently to permit resumption of consideration of the implications of Article 2. Following its deliberations in Ottawa, the Council issued a Declaration on the North Atlantic Community. It also appointed an ad hoc Atlantic Community Committee composed of representatives

<sup>104</sup>18 May 1950, H.C. Deb., 18 May 1950, p. 2621.

<sup>105</sup>25 June 1951, Statements and Speeches No. 51/30, pp. 2-3.

of Belgium, Canada, Italy, the Netherlands and Norway, with L.B. Pearson as Chairman. In its two reports, the Committee indicated that there were only limited possibilities for immediate rapid progress in the field of non-military co-operation. Not only were there a large number of European and United Nations agencies already operating in this field, but there was no unanimity among NATO members on the rate and direction of advance.

By now, even Canada's crusading zeal had begun to wane. This was in part due to repeated rebuffs, but it was also a result of a clearer appreciation of the issues involved. Two doubts, in particular, began to creep over her. The first was whether NATO was the most appropriate instrument to foster the idea of an Atlantic community. The extension of NATO into the Eastern Mediterranean meant that the two were no longer even roughly coextensive. "NATO", Arnold Heeney asserted in September 1952, "is not the North Atlantic community; neither is the North Atlantic community NATO." He also pointed out that there was nothing in the North Atlantic Treaty to suggest that "NATO is the only means by which to build our community". In fact, he considered that the opportunities for implementing the objectives of Article 2 might be "more frequent outside NATO than within".<sup>106</sup>

But quite apart from the question of how the Atlantic community might be developed, there was the more fundamental question of how far it ought to be developed. On this point, the Canadian Government had not really made up its mind. Canada was clearly not prepared to entertain the idea of an Atlantic federation or to surrender her right to exclusive control over her raw materials or her immigration policy. Besides, her federal constitution placed limits on the extent to which she could embark on schemes for social and cultural cooperation. Even more important was the fact that she was becoming increasingly

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<sup>106</sup>10 September 1952, *ibid.*, No. 52/37, pp. 3, 4.

conscious that the Atlantic community did not comprise the whole of the community of free men. As the implications of her NATO commitments on her growing interests in other parts of the world became more apparent, she became more cautious and even began to draw back. Even NATO, which seemed to fit Canadian needs so perfectly, was not quite wide enough to embrace all Canadian interests. It was the perennial problem of regionalism versus universalism all over again.

#### Relationship of Great and Small States in NATO

The one sphere in which significant progress has been made under Article 2 has been in the field of political consultation and coordination of foreign policies. This was a matter of the greatest importance to Canada. Indeed, one of her principal motives in urging the creation of NATO in the first place was the hope that she might thereby be able to exercise far greater influence in the formulation of Western policies than she had been able to in the past. She has, therefore, been most insistent that NATO should be a genuine collective instrument and not simply the tail to an American or even an Anglo-American-French kite. Here, we return to the theme of Part II.

The organizational problem of NATO has been to devise a mode of association among allies of unequal power and responsibility which would allow decisions to be taken swiftly and effectively, yet collectively. This was not a new problem, but it was complicated by the fact that NATO was a peacetime alliance, that one member was so much more powerful than all the others and that the survival of all of them might depend on taking the most vital decisions on the briefest possible notice. The solution adopted in wartime had been the simple expedient of permitting the Great Powers to arrogate to themselves the right to make all important strategic and political decisions on behalf of the other members of the coalition. Canada had never been quite convinced that this

had been either necessary or conducive to the most effective prosecution of the war. In any event, she was determined that the wartime pattern should not be reproduced in NATO.

"I feel sure", L.B. Pearson declared, in September 1948, in the first public reference to the attitude Canada had taken during the Washington talks, "that it would not be possible in any effective peacetime organization of collective security to accept the procedures which were adopted in the wartime organization of the Grand Alliance."

If obligations and resources are to be shared, it is obvious that some sort of constitutional machinery must be established under which each participating country will have a fair share in determining the policies of all which affect all. Otherwise, without their consent, the policies of one or two or three may increase the risks and therefore the obligations of all.

He admitted that there may be times when "the requirements for consultation and for cooperative decisions must be subordinated to the necessities of a grave emergency. But those occasions must be reduced to a minimum, before there can be any genuine collective action."<sup>107</sup> The following February, Pearson was even more forthright. "If Canada is to be asked to share the obligations of the group", he insisted, "it must also share in the responsibility for determining how those obligations shall be met. On no other basis could Canada, or indeed any self-respecting state, sign such a pact."<sup>108</sup>

While Canada was determined not to become a mere satellite in an organization dominated by a few great powers, she did not suggest that authority should be divided equally among all members of NATO. "Every member of the group",

<sup>107</sup> 21 September 1948, *ibid.*, No. 48/48, pp. 5-7. Also No. 49/15, p. 5; H.C. Deb., 28 March 1949, p. 2099.

<sup>108</sup> H.C. Deb., 4 February 1949, p. 240; also Pearson, "Canada and the North Atlantic Alliance", Foreign Affairs, XXVII (1948-49), 377.

Pearson explained,

must share in all the decisions of the group even though we may recognize that the greater responsibility of some in carrying out these decisions must give their views special weight in reaching them. The Treaty must therefore establish a constitutional basis by which that which concerns all is decided by all.<sup>109</sup>

This solution was essentially the same as the functional principle propounded during the war<sup>110</sup> -- that a nation's share in decision-making should be proportionate to its contribution to the common cause -- though greater stress was now laid upon the equality of status of members and less on their inequality of function. The reason for this shift of emphasis was simply that Canada's comparative importance was, from a functional point of view, not as great in NATO as in the United Nations coalition. This was mainly due to the fact that the disparity between Canadian and American power had widened in the meantime. Also, there were few small and no unimportant or irresponsible states in NATO. Consequently, the only real danger to be guarded against was excessive great power control.

Canada attached enormous importance to the establishment of a North Atlantic council on which all members would be equally represented (Article 9). She did not insist that all organs should be constituted on this basis, but she did maintain that any that were not should be strictly subordinated to ones that were. As Pearson explained, not every member

need be represented on all levels in all organs of the regional organization. To insist on this would make some of the organs unworkable. But . . . every organ . . . [should] derive its powers from a constitutional grant of those powers to it by all

<sup>109</sup>H.C. Deb., 4 February 1949, p. 240.

<sup>110</sup>The expression, functional principle, appears to have been quietly dropped sometime during 1948. The last important occasion on which reference was made to it by an official spokesman was on 22 June 1948. Statements and Speeches No. 48/40. The term middle power, also died out about this time.

the members of the organization.<sup>111</sup>

On another occasion, he suggested that the Council should have the power to lay down "general principles of collective action with smaller agencies with delegated powers responsible for transforming these principles into detailed plans".<sup>112</sup>

The application of this principle led to difficulties in the case of only two bodies. The first was the Standing Group set up in Washington in September 1949. It was composed of the representatives of the Chiefs of Staff of France, the United Kingdom and the United States, though provision was made for other NATO members to maintain permanent liaison with the Standing Group and to participate in the formulation of recommendations concerning the use of their own forces, facilities or resources. Moreover, on matters of general military policy, the Standing Group was formally subject to the "guidance" of the Military Committee on which all NATO countries were represented by their Chiefs of Staff. Consequently, the Department of External Affairs hopefully concluded, "it does not in any sense constitute three-power control over military planning under the Treaty".<sup>113</sup> On the other hand, in practice, the Standing Group possessed from the first considerable independent authority, and this was substantially increased when an integrated force was constituted in Western Europe under a supreme commander. Besides, the Military Committee met only intermittently in the various NATO capitals, whereas the Standing Group was in permanent session in Washington.

When the Standing Group was first set up, there were rumblings of discontent in Ottawa at Canada's exclusion. These were partially quieted by the

<sup>111</sup> 21 September 1948, ibid., No. 48/48, p. 5.

<sup>112</sup> 8 July 1949, ibid., No. 49/24, p. 8.

<sup>113</sup> External Affairs, II (1950), 4.

subsequent establishment in December 1950 of a Military Representatives Committee in Washington, representative of the Chiefs of Staff of all NATO members and organized to function in continuous session. Canada's feelings were further soothed when, she alone among the smaller NATO countries, was named a member of the Military Agency of Standardization set up in January 1951, as a subsidiary organ of the Standing Group.<sup>114</sup>

Nevertheless, she still objected to the way the Standing Group continued to operate "somewhat independently" of the Military Committee. In order to remedy this situation, the Government proposed, first, that the Military Committee should supervise the work of the Standing Group more closely and, secondly, that in the intervals between meetings of the Military Committee the Military Representatives Committee should have authority to act on its behalf. Although the North Atlantic Council gave general approval to these proposals in November 1951,<sup>11</sup> Canada along with Belgium and the Netherlands was still not completely satisfied with the status accorded the Military Representatives Committee.<sup>116</sup> She has continued to insist that the Standing Group should be merely the executive agency of the more representative organs.

A similar issue of principle arose at the Ottawa session of the Council in September 1951, as a result of a decision to investigate the problem of burden-sharing. The Big Three proposed that this task should be entrusted to three individuals of international repute. Canada objected to this procedure on the

<sup>114</sup>MAS is "composed" of representatives of the Big Three and Canada, but also "includes accredited representatives of the other NATO powers". The North Atlantic Treaty Organization (NATO Information Service, December 1952), p. 23.

<sup>115</sup>Report of the Department of External Affairs, Canada, 1951, p. 8.

<sup>116</sup>Department of External Affairs, Reference Paper No. 63 (October 1952), chart.

double grounds that a committee of three was not sufficiently representative and that the Big Three should not be entitled automatically to nominate its members. Although she lost out on the second point, she won a concession on the first. It was agreed that, while "The Three Wise Men", as they came to be called, would do the real work, they would formally be only the Executive Board of a Temporary Council Committee of twelve ("The Twelve Apostles").<sup>117</sup> Even so, as Pearson admitted, this procedure still "caused some concern among the governments of the countries not directly represented" on the Executive Board.

Canadian uneasiness was also due to a well-founded suspicion that the Three Wise Men would find that Canada was not pulling her full weight and would put pressure on her to embark on a programme of economic assistance to her NATO allies. This, in fact, is what happened. Canada was asked, among other things, to raise its Mutual Aid contribution from £275 million a year to £475 million a year and to provide the bulk of the increase in the form of raw materials. What was worse, before she had an opportunity to argue her case in the Temporary Council Committee, the recommendations of its Executive Board leaked to the press. In the end, Canada refused to give away any raw materials, though she agreed reluctantly to increase her military aid programme to £324 million. The whole affair was acutely (and rightly) embarrassing to the Canadian Government. Consequently, it was greatly relieved when it was decided that, in future years, the Annual Review should be handled by a standing committee of the whole of the Council assisted by the Secretariat, "without the fuss and fanfare which inevitably attaches to a special committee of big names from big countries".<sup>118</sup>

Meanwhile, a significant development had taken place outside NATO on the raw materials front. In March 1951, the membership of the Central Group of the

<sup>117</sup>The Economist (29 September 1951), p. 750.

<sup>118</sup>15 April 1952, Statements and Speeches No. 52/17, p. 7.

International Materials Conference, which had originally been composed of only the three sponsoring powers, Britain, France and the United States, was enlarged by the inclusion of the other principal producing and consuming countries, among them Canada.<sup>119</sup> Needless to say, the Canadian Government heartily welcomed this development.

The one field in which the Western Big Three have shied away from assuming responsibility has been that of non-military cooperation. None of them served on the Atlantic Community Committee set up by the Council in September 1951 under the chairmanship of L.B. Pearson. As the Committee found it had been "hampered by the absence of representatives of any of the larger Powers",<sup>120</sup> it recommended in its final report in February 1952 that it should be dissolved and its tasks transferred to the Council. This was done.<sup>121</sup>

Even more important to Ottawa than the question of the composition and authority of the various subsidiary organs of NATO has been that of the position and importance of the North Atlantic Council. Canada has looked upon it as the agency through which continuous consultations should take place and collective decisions reached on all matters of high policy of common concern to NATO members. Accordingly, she has sought to strengthen it in every possible way.

The Council was originally set up in September 1949 as a council of foreign ministers to deal with major policy questions. Detailed military and economic

<sup>119</sup>Department of State Bulletin, XXIV (1951), 150, 383.

<sup>120</sup>Ismay, NATO, p. 151.

<sup>121</sup>In May 1956, the North Atlantic Council set up a committee of three individuals, Pearson, Lange (Norway) and Martino (Italy), to "advise the Council on ways and means to improve and expand NATO cooperation in non-military fields, and to develop greater unity within the Atlantic community". The 1951 committee was composed of representatives of Belgium, Canada (Pearson), Italy, the Netherlands and Norway (Lange).

issues were the responsibility of the Defence Committee and the Defence Financial and Economic Committee composed of defence and finance ministers respectively. This arrangement did not prove entirely satisfactory. It was unnecessarily cumbersome, complex and inefficient, with lack of coordination between the civil and military agencies particularly in evidence. Moreover, the delegation of responsibility to nominally subordinate committees of ministers detracted from the authority and prestige of the Council. Under the impact of the military build-up which followed on the Korean war, the machinery began to creak. As a result, the Canadian Government urged that the Organization should be simplified and streamlined by amalgamating the three ministerial bodies into one supreme council of governments. This suggestion was first put forward informally by Brooke Claxton at a meeting of the Defence Committee in Washington, 28-31 October 1950. It was repeated, this time officially, at a meeting of Council Deputies in London on 13 November and again at the Brussels session of the Council, 18-19 December, where it drew strong support from a number of other members.<sup>122</sup> However, it was not finally approved until May 1951. NATO activities were brought even more directly under the purview of the Council at Lisbon in February 1952. At the same time, in order to enable it to act quickly and effectively, the Council was organized to function in permanent session. In place of the foreign ministers' Deputies instituted in May 1950, each government appointed a Permanent Representative to sit on the Council between Ministerial Meetings.

Although the Canadian Government has been concerned to strengthen the NATO Council, it has opposed any suggestion that it should be clothed with real powers. Canada has been no more prepared than other members of NATO to accept a

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<sup>122</sup>External Affairs, III (1951), 9.

central political authority with powers to formulate a common foreign and defence policy which would be binding on all member countries. One reason for this has been the fear that, in practice, "this might well mean that the three larger countries in the alliance, or even the single largest one, would determine the policy of and dominate the whole organization".<sup>123</sup> This was the same objection Canada had raised to any suggestion of a single foreign policy for the Commonwealth.

The creation of a functionally efficient organizational structure was one thing; ensuring that the Big Three and particularly the United States made the fullest possible use of it, especially in moments of crisis, was quite another, and no less important. In urging that the Council should become a real forum for the discussion of foreign affairs, Canada has been impelled by two motives. The first has been a lively concern for her own survival. The difficulty is that, while the frightening possibilities of hydrogen warfare and reliance upon the threat of instant massive retaliation have made the need for consultation more imperative, they have also made its realization more difficult. Canada appreciates the importance of American alertness, as her own survival is as much at stake as that of the United States. But, for this very reason, she has considered she is entitled to a say in determining her own fate. As Pearson has reiterated time and again, in adapting a phrase of Toynbee's, there should be "no annihilation without consultation". The same could be said of less momentous issues. In insisting on this, Canada has not been concerned simply to assert a claim to a greater share for herself in the formulation of Western policy. She has also been anxious to avoid any fatal split between the United States and her

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<sup>123</sup>Pearson, 15 April 1952, Statements and Speeches No. 52/17, p. 7.

European allies. "The spectre haunting Canadian policy-makers . . . today", Pearson stated in 1951,

. . . is that the United States may feel it necessary to pursue policies inside our coalition which the other members cannot wholeheartedly follow; or that inadequate cooperation from the other members may discourage American effort and leadership to the point where Washington may decide to "go it alone"<sup>124</sup>. . . If Washington "went it alone", where would Ottawa go?

Although progress in the direction of closer political cooperation among NATO countries has been slow and occasionally beset by temporary setbacks, the situation has recently shown encouraging signs of improvement. Indeed, Pearson praised the Ministerial Meeting of May 1955, which preceded the summit talks at Geneva, as "the most useful and effective" Council meeting ever held. "The exchange of views", he said,

and the frankness of the discussion was better than at any previous session of the Organization. We have had some difficulty in previous years in getting the powers with most responsibility in these matters to "open up" completely to the rest of us. Possibly if we were in their position we might hesitate ourselves in this respect. But on this occasion the United States, the United Kingdom and France were very frank in stating the policies of their Governments and they welcomed comments from other governments. We have made progress here.<sup>125</sup>

The North Atlantic Council is, therefore, on the way to becoming the "genuine agency for collective consultation and collective decisions" that Pearson had envisaged in 1949.<sup>126</sup>

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<sup>124</sup>"The Development of Canadian Foreign Policy", Foreign Affairs, XXX (1951-52), 25-6.

<sup>125</sup>Standing Committee on External Affairs, Minutes, 24 May 1955, pp. 540, 542.

<sup>126</sup>H.C. Deb., 28 March 1949, p. 2099.

## CHAPTER XVI

### CONCLUSION

Canada inevitably viewed the revival of international institutions which took place during and since the Second World War from the standpoint of an important secondary state which had a vital stake in world-wide peace, progress and prosperity. Thus, there was a close connection between her policy towards international organization and her foreign policy in general. Although her approach was, on the whole, enlightened, this was rendered easy by the fact that her own self-interest coincided so closely with what she conceived to be the general interest.

The problem which Canada faced was, essentially, how to maximize her influence in the fields in which her interests primarily lay. Accordingly, she laid great emphasis on universalism. She also vigorously pressed the claims of the middle powers to a status commensurate with their importance and even formulated a special functional principle of representation and voting to bolster her case. Moreover, she fostered the creation of functional organizations which, though justified on general grounds, enabled her to assume positions of leadership and even to rank with the Great Powers in the spheres in which she had special interests and responsibilities, particularly civil aviation, trade, finance and relief.

Initially, the Canadian Government achieved a certain measure of success in getting its point of view accepted. The United Nations and a variety of specialized agencies were established on a global basis, and most

of them recognized the functional principle to a greater or lesser extent. Canada herself attained a position of eminence, in the Combined Boards, in UNRRA and certain of the specialized agencies and in the United Nations, notably in the Atomic Energy Commission, attained by no other middle power. Nevertheless, the Canadian case for universalism and functionalism (in either of its forms) was never fully accepted by the Great Powers or the small powers, nor even by all the middle powers. Moreover, since the end of the war or shortly afterwards, there has been a steady retreat from the positions established at that time. Canada has fought an able and sometimes single-handed rearguard action to preserve the gains achieved earlier, but it has been a losing battle. Consequently, she has had the unhappy experience of seeing much for which she stood crumble or wither away before her eyes.

The high-water mark of universalism came in the spring of 1945 with the drafting of the United Nations Charter. Unfortunately, the Organization did not fulfil the high promise which inspired its birth. The fundamental cause of the difficulties which have beset the UN was the disintegration of the Grand Alliance. The results were seen in the failure to implement the security provisions of the Charter, the inability to agree upon the first steps in the direction of disarmament and the interjection of the Cold War into every phase of UN activities. But the feature which more than any other dramatized the collapse of the one-world dream upon which the Organization was founded was the palpable Soviet abuse of the veto in the Security Council.

At first, an attempt was made to adapt the United Nations Charter to the new circumstances, particularly through the expansion of the power of the General Assembly and the creation of the Interim Committee. For a time, it seemed as if this might be sufficient. During the early postwar years, the UN proved an acceptable instrument for easing the teething pains which

accompanied the break-up of the great colonial empires and even, to some extent, for assisting in checking Soviet encroachments in Iran, Greece, Berlin and Korea. But once a direct Soviet attack in Europe came to be regarded as a possibility and open aggression in Korea became a fact, the ineffectiveness of the United Nations became patent. Nevertheless, one final attempt was made, in the Uniting for Peace resolution of 1950, to patch up the edifice which, five years earlier, had been erected so laboriously for an era which had never dawned.

It was becoming increasingly obvious, however, that no amount of first aid would be enough. Whatever merit the United Nations might continue to have as a focus of world opinion, as an agency for economic and social improvement or as an instrument of peaceful change - and, in these spheres, it remained indispensable - it was incapable of fulfilling its primary purpose, enshrined in Article 1:1 of the Charter, "to maintain international peace and security". That task had to devolve on more limited associations, principally NATO. Significantly, Canada, which had placed so much store on a general security organization, was among the first to recognize the harsh, unpalatable facts of the situation and urge the creation of regional security agencies.

Among the specialized agencies, the retreat from universalism was less dramatic, but no less marked. In part, this was but a reflection of the same East-West conflict which was undermining the United Nations. Thus, the noble experiment of UNRRA, by which the Western democracies contributed on a massive scale to the reconstruction of the liberated areas of Eastern Europe and China, was brought to a precipitate conclusion when the United States and Britain flatly refused to contribute further to the strengthening of the Soviet empire. Aid to the free peoples of Europe was continued under the Marshall Plan, but its distribution became the responsibility of a regional

organization, OEEC, rather than of some world body.

The comparative failure of the specialized agencies in the economic field was even more disturbing for it could not be attributed to anything so simple as Soviet obstruction or hostility. Indeed, the Soviet Union has consistently refused to participate in any of them. Of the three organizations which Canada envisaged as providing the economic foundations of the postwar world, only one, the International Bank for Reconstruction and Development, has any significant record of achievement to its credit. In contrast, the International Monetary Fund has led a life of quiet inactivity, while exchange restrictions and discrimination, far from being confined to the transitional period of postwar reconstruction, give every appearance of permanence. What liberalization has resulted has taken place regionally, particularly within the European Payments Union. The Fund's prestige has slumped so badly that even Canada openly defied it in 1950, when she adopted a flexible exchange rate contrary to IMF principles. The crowning calamity of all was the collapse of the International Trade Organization which Canada had conceived as "the keystone of the arch of international economic cooperation".<sup>1</sup> Various attempts have been made to pursue the objectives of ITO through other organizations, though these efforts have not so far been notably successful.

Within the United Nations too, the functional organizations, at least on the economic side, have not fulfilled the early hopes placed in them. The functional economic commissions of ECOSOC, in particular, have suffered serious setbacks, so that even their most ardent advocates have been hard put to justify their continued existence. Everywhere the picture is the same; the attempt to erect international economic institutions on a global basis has

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<sup>1</sup> 11 April 1947, UN doc. E/PC/T/PV2/2, p. 5.

proven difficult, if not impossible. The goal of one world has not been achieved in the economic sphere any more than in the political sphere.

The fate which has befallen international economic institutions has been due more to the fact that they have sought to be universal than to their specifically functional nature. Where functional agencies have been set up at the regional level, these have generally turned out to be distinctly successful. In fact, the decline of world organizations has been accompanied by and even caused by the progressive development of regional organizations. The initial impulse for this was the pressing problem of reconstruction during the early postwar period which led to the emergence of OEEC and the regional economic commissions for Europe and for Asia and the Far East. But the momentum has been maintained more by political forces than economic considerations. Since the war, there has been a steady growth of regional loyalties in Europe and the North Atlantic, in Latin America, the Middle East and Asia; and these have found expression in an insistent demand for regional institutions. In fact, the specialized agencies, such as FAO, ILO and WHO, which have managed to thrive have, in the main, been able to do so because they have succeeded in decentralizing their organization and operations.

Canada began by attempting to stem the rising tide of regionalism in ECOSOC and the specialized agencies, but soon learned that uncompromising resistance was almost useless. Consequently, she has become increasingly reconciled to the existence of regionalism on an extensive scale and has had to content herself with seeking to mitigate its less desirable manifestations. She has been particularly on guard to detect any tendency towards exclusiveness. This is one reason for her particular suspicion of pan-Americanism, though it is also true that here political considerations reinforce her opposition in principle to regionalism. Thus, not only has Canada

refused to associate herself with a number of regional organizations which were pan-American in scope, most notably the Organization of American States, the Economic Commission for Latin America and the Pan American Sanitary Organization, but her attitude towards them has ranged from polite indifference to open hostility.

Her natural inclinations have, however, been overcome in certain cases. For instance, Canada has been prepared to accept and even foster regional agencies of a technical nature, such as the various bodies concerned with fisheries and radio broadcasting. At the other extreme, she has embraced NATO as well as the Commonwealth. In both these latter cases, political factors have operated to temper any tendency to doctrinaire hostility. In the case of the Commonwealth, once the suspicion that it was simply an ingenious contrivance of the British to perpetuate their domination had died away sufficiently to permit Canada to consider the question of continued membership comparatively rationally, she began to see in it definite advantages. Similarly, although NATO was originally reluctantly accepted as a necessary departure from universalism, it has come to have a positive political appeal. Both NATO and the Commonwealth are links with the countries with which Canada has most in common. In addition, both organizations are useful makeweights to counter or at least modify the policies of her friendly but powerful neighbour.

The repudiation of the functional principle has been even more disheartening for Canada as it constituted a refusal to recognize her new stature in the world. While universalism did not confer any special benefit on any group of nations, the functional principle was frankly intended to strengthen the position of the middle powers in international institutions. Its widespread rejection is clearly a case of the triumph of might and numbers over

right, of immediate self-interest over enlightened self-interest.

The functional principle attained the peak of its popularity towards the end of the war. By that time, the attempts of the Great Powers to maintain exclusive control of the Combined Boards, of the Central Committee of UNRRA and of the UN Security Council in their own hands had been successfully frustrated. Furthermore, precautions had been taken to ensure that the middle powers, and not the smaller powers were, in general, the main beneficiaries of these liberalizing tendencies. Functional criteria for council membership were incorporated into the ICAO Convention and the UN Charter (and retained in the ILO Constitution), while functional voting became a feature of the Fund and the Bank.

Nevertheless, these early hopes were soon disappointed. The first elections for the Interim Council of ICAO and for the UN Security Council showed that the smaller powers were not prepared to deny themselves the honours of office which were within their grasp. If there were some abstract principle of justice which they felt ought to be respected, it was not the functional principle, but that of equitable geographical distribution. In any case, with the relative decline in importance of the UN councils, especially the Security Council, and the steady development of the powers and functions of the General Assembly, the original gains were largely wiped out.

At the same time as the smaller powers were making a come-back in the General Assembly, the Great Powers were re-asserting their prerogatives outside the Organization. In particular, they insisted upon withdrawing the entire responsibility for the control of the defeated enemy countries and for the drafting of the peace treaties from the competence of the United Nations and turning it over to the Council of Foreign Ministers. Thus, Canada succeeded in avoiding neither the Charybdis of a world dominated by

the Great Powers nor the Scylla of a world where power and responsibility were denied their due reward. Whatever special status the middle powers may once have achieved has now largely gone by the board.

It is conceivable that the concept of functionalism might have been applied more generally if Canada had been content to rely upon its common-sense appeal instead of seeking to dignify it by designating it as a principle, thus appearing to suggest that it carried some special sanction. However this may be, the simple fact is that functionalism never evoked the whole-hearted support or even sympathy of either the few Great Powers or the numerous small ones. The former resented encroachments on what they regarded as their exclusive preserves, while the latter were only too aware that they had the most to lose from any departure from the established principle of the sovereign equality of states.

It might have been thought that the Great Powers would have been less unwilling to share control with the middle powers than with the smaller powers, but they do not appear to have shown any decided preference one way or the other. Possibly this is because the smaller powers could be dominated or ignored or, in the last resort, bought off more easily, simply because they have fewer interests to placate. In any case, under the one-state, one-vote system, they were all of nominally equal value. Moreover, despite all Canada's effort, regional groupings and power blocs did develop. As a result, a country's significance has tended to depend less on its own functional importance and more on the importance of the bloc to which it belongs.

Although the middle powers have not been accorded the institutional recognition that their position and importance would justify, they have not, by any means, been entirely excluded from power. Some like India and Australia, have been able to put forward strong claims to representation on geographical grounds, while Canada, for example, has sought to exert her

influence more indirectly through diplomatic channels and personal consultations between governments. In fact, she has largely given up the attempt to confine the Great Powers to any institutional strait-jacket or to fence the small powers off by constitutional restrictions. Instead, she has become far less doctrinaire and far more flexible in her approach. Even the term, functional principle, has been dropped completely from official usage.

A further reason Canada has been less energetic in pushing the functional idea is that the decline in the status of the middle powers has been accompanied by the decline of Canada as a middle power. During the early postwar years, her power and prestige were at their peak. Since then, her position has changed substantially. At one time, she was perhaps the leading middle power; now, no such claim would be made on her behalf.

One reason for this is that the U.S.-U.S.S.R. conflict in the United Nations and elsewhere has transcended all other questions and left little scope for the pursuit of independent policies by countries like Canada. Faced with a common danger, the Western countries have been forced to close ranks. As early as January 1948, L.B. Pearson alluded to the "friendly and almost unconscious" American pressure on Canada to identify her policies more closely with those of the United States.

It is increasingly hard [he said] for countries, especially those which have become known as middle powers, to maintain a position of independence and objectivity in the United Nations in the face of this growing division between the Great Powers. It becomes hard to reach a collective decision, based on reason and argument, compromise and conciliation. The trial is one of strength, not of right.<sup>2</sup>

In these circumstances, Canada has tended to become an increasingly loyal supporter of American policies in public, while her candid comments have generally been conveyed in private. On the other hand, she has not thrust

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<sup>2</sup>26 January 1948, Statements and Speeches No. 48/2, p. 5.

herself forward as the spokesman of the anti-Communist bloc.

In pursuing this cautious, unheroic, conciliatory approach, Canada has been fully living up to her past traditions. Unlike Australia, she has rarely been prepared to exhibit bold leadership without some assurance that others would follow (as in the case of NATO) and, eventually, assume the lead. In part, this difference of approach is due to personalities: the contrast between Mackenzie King the great conciliator and Pearson the professional diplomat, on the one hand, and the hard-hitting, rough and tumble Australian politicians of the Menzies-Evatt variety.

Yet, there is more to it than this, for these spokesmen truly reflect the history and temper of their respective countries. Canada has long had to tread a wary path in her domestic and external relations to preserve the unity of the races and Anglo-American harmony. In the postwar period, she has become even more of a middleman, acting as interpreter between the United States and the Commonwealth and the United States and Western Europe. It is a role to which Canadians are fitted by experience, interests and temperament, though it is not one which permits them to cut a grand figure on the international stage.

A further consideration is that, at the end of the war, Canada, like Poland in the 1920's, found herself temporarily very favourably situated; she was at the peak of her power, while many other countries, great and small, lay prostrate from defeat or devastation. This situation clearly could not last. In fact, before long, her power had declined both relatively and absolutely. For one thing, Canada's armed forces, which at one time had topped the million mark, melted away almost overnight. Consequently, although she continued to be a potential military power, she ceased to be an actual one. Moreover, within a few years, occupied Europe was on the road to recovery, while the defeated Axis powers also began to revive. Finally, during this period important new

states emerged from colonial dependence.

This was perhaps the most significant development of all for it signaled a shift in the centre of gravity of the world from the Atlantic eastward. At the very time when Canadian energies were being concentrated on building up an Atlantic community, the Atlantic was ceasing to have the central importance in world affairs that it had once had. In the United Nations, less and less attention was being paid to security matters, which were the primary concern of the Western powers, and more and more to colonial and racial issues and to the economic development of underdeveloped areas. On none of these great issues did Canada share the sense of urgency which stirred Asia and Africa. Where she adopted an attitude at all, it was usually to urge caution, restraint and conciliation. More and more frequently, she found herself on the "wrong" side: on the side of the colonial powers (with whom she was allied in NATO), of the Union of South Africa, of the developed countries and creditor countries, and perhaps above all on the side of the United States. In such circumstances, it was scarcely surprising that Canada's influence should be on the wane. She was becoming increasingly out of sympathy with some of the major currents of opinion in the world. Mankind was on the march, but she was out of step. As a result, the world was quietly passing her by.

Canada has been principally concerned with two broad questions: the problem of peace and prosperity in a rapidly shrinking world and the problem of the place of power and influence in international affairs. Although the solutions which she put forward during the war have not proved generally acceptable, no satisfactory alternatives have been suggested. In the meantime, the problems have become more rather than less urgent. The advent of the atomic age has not only widened the gap between the super-powers and the smallest states at least for the present, but has underlined

the fact that the world is physically, if not yet politically or economically, one. If the world is to have the international government which the needs of the second half of the twentieth century demand, there must eventually be a return to the principles of universalism and functionalism.

#### BIBLIOGRAPHICAL NOTE

The student of contemporary history suffers both from a paucity of primary source material and from a superabundance of it. While never before has so much been published so soon after the events they describe as during the past ten years, much more remains sealed in governmental files and private papers. This is especially true of Canada partly because the Government is, on the whole, more conservative in its attitude than either the British or the American Governments, but also because Canadians apparently do not believe in writing about themselves or about other Canadians. Essentially, this is due to the fact that the Canadian people lack the wider vision which a sense of history would give them. Perhaps also it is part of the price paid for the fact that there has been no change of government in Ottawa since 1935.

On the other hand, particularly since the war, international organizations and government information offices have been pouring out material at an unprecedented rate. Consequently, the recent historian already has infinitely more documentary evidence at his disposal than is available to the historian of any other period. In view of the nature of these sources, they will be treated under several broad headings. Only the principal books and articles consulted have been listed. Some to which incidental references are made in the footnotes have been omitted, while others to which no specific mention is made in the footnotes are included.

## Unpublished Canadian Government Documents

In preparing this study, I have had access to a certain amount of classified material in the possession of the Canadian Government. For this special consideration shown me, I wish to record my appreciation to the Secretary of State for External Affairs. Although the number of documents made available to me was limited, their importance is altogether out of proportion to their quantity. It has not, however, been possible to refer to any of them specifically in the footnotes.

## Canadian Government Publications

The "Conference Series" produced by the Department of External Affairs (and, along with other government documents, available from the Queen's Printer, Ottawa) is clearly the most valuable of the published documentary sources. The following volumes in the series are indispensable:

Report on the United Nations Conference on International Organization, Held at San Francisco, 25th April - 26th June, 1945.  
1945, No. 2.

Report on the First Part of the First Session of the General Assembly of the United Nations, Held in London, January 10 - February 14, 1946.  
1946, No. 1.

The United Nations, 1946: Report on the Second Part of the First Session of the General Assembly of the United Nations Held in New York, October 23 - December 15, 1946. 1946, No. 3.

Canada at the United Nations, 1947: Report on the Second Session of the General Assembly of the United Nations Held in New York, September 16 - November 29 1947. 1947, No. 1.

Canada and the United Nations, 1948: Report on the United Nations, 1948.  
1948, No. 1.

Canada and the United Nations, 1949. 1949, No. 1.

Subsequent volumes have been issued for the years 1950, 1951-2, 1952-3 and 1953-

54. Since 1948, these reports have dealt with the work of the United Nations as a whole, including the specialized agencies, and not just with the General Assembly. Consequently, with the enormous expansion of UN activities, they have increasingly tended to become mere factual summaries. In the case of International Labour Conferences, a comprehensive Report of the Canadian Government Delegates to each of sessions from the 26th to the 32nd (1944 to 1949) has been issued as a Supplement to the Labour Gazette.

Other important publications of the Department of External Affairs are its monthly bulletin, External Affairs (since 1948), its Treaty Series (C.T.S.) and its annual report (Report of the Secretary of State for External Affairs to 1947 and Report of the Department of External Affairs, Canada thereafter). The annual reports of a number of other departments and agencies of the Government also contain useful and relevant information.

The Tentative Draft Proposals of Canadian Experts for an International Exchange Union, dated 9 June 1943, was published the following month, while the Canadian Draft International Air Transport Convention of 8 January 1944 was appended to the Canadian Hansard (H.C. Deb., 17 March 1944, pp. 158-87).

#### Official Statements and Speeches

The Information Division of the Department of External Affairs produces two vitally important collections of official statements, Statements and Speeches (since 1946) and Supplementary Papers (since 1949), as well as Reference Papers, Reprints and the Canadian Weekly Bulletin, begun in 1945 as the Canadian Information Service Weekly. Along with other departments of the Government, the Department also issues its own Press Release series.

The parliamentary statements of Government policy are found in the Official Report of Debates, House of Commons, The Senate, Official Report, and the Minutes

of Proceedings and Evidence of the various parliamentary committees, particularly the House of Commons Standing Committee on External Affairs, set up in 1945.

Many of the public addresses delivered in wartime were published by the King's Printer in the "Canada and the War" series. The others must, where possible, be ferretted out of ministerial files, government offices, CBC archives, National Liberal Federation headquarters, etc. To some extent, the same is true of the postwar period, particularly in the case of verbatim texts of statements delivered at international conferences.

#### Documents of International Organizations

Of the numerous great power conferences of the period, only the final communiqués and the American records of the Yalta conference have yet been released. The Conferences at Malta and Yalta, 1945 was released in March 1955 and published in December. The documents of the Combined Boards and joint Canadian-American bodies remain classified. However, the summary proceedings of the following United Nations conferences held in wartime have been published:

Proceedings and Documents of United Nations Monetary and Financial Conference, Bretton Woods, New Hampshire, July 1-22, 1944.  
Washington: Government Printing Office, 1948. 2 vols.

Proceedings of the International Civil Aviation Conference, Chicago, Illinois, November 1 - December 7, 1944. Washington: Government Printing Office, 1948, 1949. 2 vols.

Documents of the United Nations Conference on International Organization, San Francisco 1945. New York: United Nations Information Organizations, 1945. 16 vols.

The documents of the United Nations Conference on Food and Agriculture, Hot Springs, Virginia, 1943 and of the Interim Commission on Food and Agriculture exist, but, except in the case of the Journal of the Hot Springs Conference,

have not been accessible. Fairly adequate summary records are available for the constituent conferences and interim organizations of all the specialized agencies set up after the war, and these have been fully consulted.

International institutions now normally print their principal documents, such as their major reports and the proceedings of their main organs, frequently as "Official Records", and issue the rest in mimeograph form. Despite the mountains of material turned out, verbatim records are the rule only in the case of the most important meetings, and not always even then. Locating verbatim texts is, therefore, often a major task. The best general guide to the activities of the United Nations and the Specialized Agencies is the Yearbook of the United Nations published annually by the United Nations. Other significant works published by or on behalf of international organizations are:

History of the United Nations War Crimes Commission and the Development of the Laws of War. London: H.M. Stationery Office, 1948.

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#### Official and Semi-Official Histories

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World War II. Washington: Government Printing Office, 1950, 1951. 2 vols.).

The most valuable of these is the State Department's publication, Post-War Foreign Policy Preparation, 1939-1945 (Washington: Government Printing Office, 1949).

The War Production Board also produced a number of important histories, which are available in typed form in the Board's Policy Documentation File in the National Archives, Washington.

History of the Canadian Division of the War Production Board, March 1942 - June 1945. 27 September 1945. 9 pp.

History of the Combined Production and Resources Board, June 9, 1942 - November 1945. 29 December 1945. 100 pp.

History of the Combined Raw Materials Board (January 26, 1942 to December 31, 1945). n.d. 94 pp., 3 appendices.

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In addition, several studies prepared by individual scholars who have been given more or less free access to United States Government files have proved veritable mines of information:

Blakeslee, George H. The Far Eastern Commission - A Study in International Cooperation: 1945 to 1952. Washington: Government Printing Office, 1954.

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Apart from J. deN. Kennedy's rather tedious History of the Department of Munitions and Supply (Ottawa: King's Printer, 1950, 2 vols.) which in any case is not particularly relevant to this study, no civil histories of the war have been published or are planned by the Canadian Government. Canada badly needs something like Paul Hasluck's superb The Government and the People: 1939-1941, Volume I in the "Australia and the War of 1939-1945" Civil Series (Canberra: Australian War Memorial, 1952). Fortunately, on the military side, the situation is much better. C.F. Stacey's Six Years of War: The Army in Canada, Britain and the Pacific (Ottawa: Queen's Printer, 1955), the first volume in the "Official History of the Canadian Army in the Second World War", is brilliant and extremely well-documented. Colonel Stacey has also published an important article on "The Canadian-American Permanent Joint Board on Defence, 1940-1945" in the International Journal IX (1954), 107-124, as a counterblast to Colonel Dziuban's book.

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Among the newspapers and journals consulted, the following were found most useful:

Economist (London)

International Journal (Toronto)

International Organization (Boston)

Maclean's Magazine (Toronto), especially Blair Fraser's reports, "Backstage at Ottawa".

New York Times

Round Table (London)

The Times (London)

In addition, the various publications of the League of Nations Society in Canada contained some important information.