

foreign credit, will be faced with a decline in the export market for their farm produce just as inevitably as they will eventually be faced with the problem of economic depression in the United States and its potential world-wide ramifications. The adjustment to a lower but more stable volume of agricultural exports must be keyed to the general food policy of the United Nations as well as to national aspirations in the world food market. Argentina will be a strong competitor in international food sales in future years, and the reestablishment of exportable surplus production in Poland, the Danube Basin, the Soviet Union, and Australia will add their stocks to international supply. For this reason among others, it should be urged that the solution for any national agricultural surplus problem may lie in the stimulation of domestic purchasing power and food consumption rather than in extended world-market development. In a period as unsettled as the present, the basing of any extended future plans on current

volumes of agricultural export trade seems unreasonable.

The problems of world food glut or scarcity are functions of national and world-wide economic prosperity and business activity and purchasing power just as much as they are functions of the level of agricultural production and available shipping space. So long as these variables remain unpredictable, a long-run adjustment of food exports is impossible. In the meanwhile, though a domestic Canadian farm-income stabilization policy may not affect the specific living levels of the citizens in regions such as the Maritimes, it will contribute to national prosperity in general—leaving Canada a ready contributor to international food stocks in time of need, yet still somewhat buffered from the storms of potential world-market price fluctuation and their echo-effects on farm and national income until the time when developed FAO programs can help to stabilize the world food market.

The Weapon of The Veto

By GORDON SKILLING

THE great power veto, or "the principle of unanimity," as it is more euphemistically called, is and has always been a fundamental doctrine of the Charter of the United Nations. This veto privilege, it was thought, reflected the necessity of unity of action by the great powers and would encourage the attainment of that unity. Yet by a curious paradox it has become an additional source of dispute among the great powers. Indeed the veto question has been a cause of disagreement among them ever since Dumbarton Oaks. In the draft which was produced by that conference a blank had to be left as regards the crucial issue of voting pro-

cedure in the Security Council since no agreement was at that time achieved. This blank was filled in at Yalta with the procedure proposed by Roosevelt and accepted by Stalin and Churchill at that meeting. In spite of bitter opposition to it by certain countries at San Francisco, that procedure found its way into the Charter, unchanged, as Article 27.

Now it has been under fire again, in the General Assembly and in the Atomic Energy Commission. It was a foregone conclusion that the several proposals in the Assembly for a revision of this article would come to naught in the face of the unwillingness of the Big Five (for once unanimous!) to see the Charter amended at this time. The "principle of unanimity" was protected by the unanimity of the great powers in its defence. The New York discussions

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revealed, however, a sharp rift among the permanent members of the Security Council as to the use of the veto. All five countries wished to retain the veto privilege. But four of them wished to define and limit its exercise. Soviet Russia found herself alone in the defence of her own use of the veto in the past and in opposition to any serious modification of it in the future. Shortly after the close of the Assembly, the issue was again raised, in somewhat different form, in the Atomic Energy Commission, where the United States insisted on the abolition of the veto as regards the punishment of violations of an atomic energy treaty. Other countries, somewhat reluctantly, acceded to this American proposition, but Soviet Russia stubbornly insisted on the retention of the veto. The veto question has therefore become a barrier to good relations between Soviet Russia and other great powers and in particular threatens to block agreement on the control of atomic energy.

The Charter and the Veto

In considering the nature of this controversy, it should first be noted that the voting procedure embodied in the Charter does represent a considerable advance as compared with traditional conference procedure. The historic practice of international conferences, including the League Assembly and the League Council, has been to accept the principle of unanimity in a much more all-embracing form. Under the League Covenant, for instance, *every* nation had a veto on *every* question of importance, except that parties to a dispute had no veto at all under certain articles of that document. The Charter has broken new ground. Unanimity is not required in *any* organ of the United Nations. Decisions in the General Assembly, including its committees, are made by either a majority or two-thirds vote. In the Economic and Social Council and in the Trusteeship Council, the majority vote prevails. Even in the Security Council a modified majority only is required for

the making of decisions. For procedural matters seven votes of the eleven are required. On "other matters," according to Article 27, decisions shall be made by "an affirmative vote of seven members including the concurring votes of the permanent members," with a proviso for the abstention of a party to a dispute under certain articles of the Charter. It is this article only, admittedly an important one, which establishes the "power of the veto," and confers a unique voting privilege on the permanent members of the Council.

It must next be observed that the meaning of this veto right is not as clear as it appeared to the authors of Article 27. Presumably the veto power was exercised if a single great power failed to cast an affirmative vote in the "other matters" referred to, or if any five of the non-permanent members of the Security Council failed to vote affirmatively. Difficulties immediately arose in the interpretation and application of these provisions. What is a "procedural" matter? What are the "other matters?" How is this difference to be determined in a concrete case and does the veto apply to the determining decision itself? Is a veto applied if a great power merely abstains from voting, or is absent from the Council? Who is a "party to a dispute," and how is this determined? Are there "situations," as distinct from "disputes," where the proviso of Article 27 concerning "parties to a dispute" does not apply? How is this determined? with or without great power unanimity?

The statement of the Four Sponsoring Governments at San Francisco, endorsed by France, sought to throw light on these matters. That statement distinguished between "the two broad groups of functions" of the Security Council. On the one hand there were decisions under what are now Chapters VI and VII of the Charter (relating to pacific settlement and measures of enforcement), which might initiate "a chain of events" ultimately requiring the Council to take enforcement actions under Chapter VII.

In such cases, it was argued, unanimity was inevitable. Permanent members of the Council could not be expected, according to the Big Five statement, "to assume the obligation to act in so serious a matter as the maintenance of international peace and security in consequence of a decision in which they had not concurred." On the other hand, there were decisions not likely to lead to such enforcement measures, for example, in the matters relating merely to the procedure of the Council contained in Articles 28 to 32 of the Charter. The later experience of the Security Council has revealed the ambiguity of this San Francisco statement and has added other elements of uncertainty. Moreover the statement itself, not being a part of the Charter, lacks any legal validity.

Soviet Russia and the Veto

In particular, the Soviet Union has sought to interpret the veto power in the broadest and most inclusive manner. The term "procedural," for instance, has been narrowed by her to include only decisions which contain *no* element of substance. Decisions such as the resolution proposing a sub-committee to study the Spanish situation have been considered by the Soviet representative as non-procedural and therefore subject to the veto. Moreover, Mr. Gromyko has suggested that his absence from the Council during certain phases of the Iranian question prevented that body from taking decisions on matters of substance. Apparently absence is a veto, in Soviet eyes. Furthermore, the Soviet representative exercised the right of veto to prevent decisions in the Syrian and Spanish cases because of the alleged inadequacy of the actions proposed. Such decisions hardly seemed likely to lead, by a "chain of events," to enforcement action.

There have been several cases, however, where the Soviet representative has not insisted on a broad construction of the veto power. Thus, in a vote on the admission of Canada to the Council for

the discussion of an Atomic Energy Commission report, the Soviet Union did not insist that its negative vote was a veto. Similarly, Soviet abstention from a number of votes in the Spanish and Greek discussions was not interpreted as a veto.

There are some indications that the Soviet Union would like to dilute the significance of the "party to the dispute" proviso in Article 27. In the course of the Iranian controversy, a Soviet claim was made that no decision could be taken by the Council until after a prior decision to determine whether the question was a "dispute" or a "situation." According to James Reston of *The New York Times*, the Soviet Union would like to see this principle established in the rules of procedure of the Council. He describes a Soviet proposal, made on March 22, 1946, in the Committee of Experts, of rules of procedure that would give the veto to the permanent members on the following decisions: whether a question is of a procedural nature, whether the question is a "dispute" or a "situation," and whether the dispute is of the nature referred to in Article 33, that is, one likely to endanger peace and security.

There the matter rests—in confusion and uncertainty. The Committee of Experts, after long discussion, now apparently suspended, has not yet produced agreed rules of procedure. The Council continues to conduct its business without such rules of procedure. Attempts made at the General Assembly to modify the veto by amendment of the Charter or by agreement among the Big Five failed. The final resolution on the veto passed by the Assembly was little more than an appeal to the Big Five to agree on practices and procedures which would reduce the difficulties involved in Article 27. This is precisely what the Big Five have been unable to do. Most recently, discussions in the Atomic Energy Commission revealed an absence of understanding between Russia and America on the role of the veto in atomic energy questions. A great cloud of controversy has thus been stirred up and remains

to darken the sky and render international agreement on the vital issues of world affairs even more difficult.

What has been almost overlooked in the whole controversy is the truism that the use of the veto arises out of the lack of identity of purpose among the great powers on the fundamental problems bequeathed by the wars and revolutions of the past few decades. The exercise of the veto is a symptom, not the disease itself. The veto question is not primarily a procedural question. It will not be settled by a Committee of Experts, or by an amendment of the Charter, or even by a new Big Five agreement on the use of the veto. The settlement of the procedural aspects of the veto question must await the settlement of the substance of the problem, namely, the lack of agreement among the countries who possess the veto right. If and when the yawning gaps between the policies of the great powers, in Europe, Asia and elsewhere, can be bridged, the occasions for the exercise of the veto will become less and less frequent. The unanimity assumed at Yalta and San Francisco will then be a fact, and not merely a theory.

Vetos and Voting Blocs in Security Council

An examination of the experience of the Security Council to date will bear out the paramount importance of the substantial, rather than the procedural aspect, of the veto. At the beginning of 1947 six questions had been considered by the Council: Iran, Greece, Indonesia, Syria and the Lebanon, Spain, and foreign troops on non-enemy territories. In every case except the Iranian, the Soviet Union sought action by the Council to deal with what they considered situations threatening peace and security. In every case, again with the exception of Iran, the Council took *no action of any significance*. In the Spanish controversy, for instance, the action proposed, which was vetoed by the Soviet representative, was a mere recommendation to the General Assembly that its members be rec-

ommended to break diplomatic relations with Franco Spain. In most of the questions, again except for the Iranian, the Council did not assert its continuing responsibility after the discussion was concluded. Furthermore, in most of these cases, including the Iranian, the decisions finally taken by the Council, and those vetoed by the Soviet Union, were those favoured by Great Britain and the United States. In all these issues the voting normally assured these two powers a clear majority of votes, varying from 7 to 10. The Soviet Union usually found herself isolated, supported by Poland, or in specific cases by Mexico, or France, or Australia. Similarly, in the admission of new members, the countries supported by the United States and Great Britain,—Trans-Jordania, Ireland and Portugal, obtained the necessary majority and were only denied admission by a Soviet veto. The countries supported by the Soviet Union, however,—Albania and Mongolia, did not receive the requisite majority so that the negative votes of America and Britain did not technically constitute vetoes.

Two features stand out very clearly from even such a summary analysis of these events. First, on almost every issue, the British and American governments found themselves among the majority of the Council, and the Soviet government was in the minority. It was no hardship for the British and the Americans to accept the will of the majority. There were almost no occasions when these two countries were in the dilemma of having to choose between a totally unacceptable Council decision and the exercise of their right of veto. The Soviet government, on the contrary, was repeatedly faced with that dilemma. It is hardly surprising that in a number of cases she chose the alternative of the veto. It would be foolish to seek to justify every Soviet use of the veto. It would be equally foolish, and perhaps malicious, to denounce her for using it "wilfully" and to pride ourselves on British and American respect for the will of the majority. What would the

British and Americans have done, and what would they do in future, if they were in a minority position in the Security Council on issue after issue? Would they not use the veto? Otherwise why do they now insist on the retention of the veto in the Charter, while criticizing the Soviet exercise of that right?

Secondly, Soviet Russia could hardly fail to observe the sharp contrast between the actions of the Security Council in the several cases brought before it. Was the presence of Soviet troops on Iranian soil *so much more* a threat to the peace than the presence of British troops in Greece, Indonesia, and Syria and the Lebanon, or American troops in China and elsewhere? Or was the Franco regime *so much less* a danger to world security than the Iranian situation? In the face of these paradoxes, it is not altogether surprising that the Soviet Union should have come to the conclusion that the British and American governments were using their position on the Council to further their own national policies and were seeking to make the Council, as the Soviet press constantly puts it, an instrument for Anglo-American domination of world affairs. It is still less surprising that Russia, in these circumstances, felt it necessary to use her veto to further her own Soviet national policies and to prevent such an Anglo-American abuse of the Security Council. What seemed to many in the west a preposterous behaviour was to the Russians a logical necessity.

These considerations lead us to the following conclusions. The veto is here to stay. Not one of the great powers would have accepted a United Nations in 1945 without the recognition of their special position in world affairs granted in Article 27 and its voting privileges. Not one of these powers is at present willing to see the Charter amended in this respect. In view of the present sharp divergence of policy among the two or three leading great powers, the veto appears to each of them as the ultimate weapon of defence of its own

national policies against a numerical preponderance of other states in the Security Council. The actual exercise of the veto by Soviet Russia is a reflection of the present distribution of power in the world. As long as Soviet Russia remains in a minority position in a Council dominated by an Anglo-American bloc she will continue to use the veto to prevent decisions unacceptable to her and fundamentally in conflict with her own national policies.

Public denunciation of Soviet use of the veto and of the principle of the veto itself is not merely a waste of time but is even harmful. These veto controversies have raised up new barriers on the road to cooperation with Soviet Russia on other more substantial issues. They have moreover diverted attention from the essential causes of our differences with Soviet Russia. The target for 1947 should be, not the abolition of the veto, or even its more moderate use. The target should be a recasting of American and British policies on a dozen matters of world importance, such as Spain, China or Greece, so as to encourage reciprocal actions by Soviet Russia and thus to narrow or close the gap between the three great powers. If such a target were reached, unanimity would become the rule and the practice, and not merely a peroration of public speeches, and the veto power enshrined in the Charter would begin to atrophy from disuse.

The Veto and the Atom

It is in this perspective that the veto question in regard to atomic energy control must be approached. Bernard Baruch celebrated a "victory" at the close of 1946 by insisting on an early vote on the American plan by the Atomic Energy Commission. A central feature of this plan was the abolition of the veto in the punishment of violations of the control scheme. To Mr. Baruch this was an indispensable condition of the establishment of an international authority and the eventual disclosure of atomic processes to it. It would provide

the necessary safeguard against the illegal use of atomic energy, with impunity, by another country. By a vote of ten to nothing, the Commission gave what amounted to endorsement of the essential features of the Baruch plan, including the abolition of the veto. Several countries, including Canada, voted with considerable reluctance, thus placing Russia and Poland once again in the minority position, this time as abstainers.

This was indeed a Pyrrhic victory. The report of the Commission is now before the Security Council, where, of course, the veto power still operates. The report cannot be adopted there unless it meets the approval of all the great powers, including Soviet Russia. By insisting on the abolition of the veto in cases of violation, the report threatens what the Soviet Union considers a fundamental principle of the Charter and her main safeguard against an Anglo-American domination of the Council. Moreover it seeks to remove the veto from the very area of enforcement measures where, it was felt at San Francisco, the rule of unanimity must be recognized as above all necessary. At the General Assembly the Russian delegates evinced their readiness to concede that the veto did not apply to the inspection and supervision of armaments, including atomic processes. It is hardly likely that Soviet Russia will go further than this.

To insist on the abolition of the veto on the punishment of violators of atomic control, then, is to run the almost certain risk of preventing any agreement in the

field of atomic energy. This is surely a consequence to be avoided at almost any cost. In the last analysis a violation of the proposed treaty on atomic control means almost certain war, Charter or no Charter, veto or no veto. If a permanent member of the Security Council is believed by the majority of the Council, including the other great powers, to have violated agreements concerning atomic energy, collection action, that is, war, will almost certainly be resorted to by them against the violator. A veto would be meaningless in such a situation, or in any similar situation where a great power found itself adjudged guilty of a threat to the peace or a breach of the peace. A control scheme within the framework of the Security Council, and therefore, with the veto of the Charter untouched, is surely much better than no control scheme at all. It is moreover such a system of control that was apparently provided for in the disarmament resolution of the General Assembly, which made no mention of any change in the veto power and merely hinted at a system of inspection free of the veto. To seek more than that at the present time is to strive for the impossible, in view of the lack of unanimity among the great powers on other crucial political issues. Agreement on those issues may ultimately make the veto question an academic issue in all great power relations, including the control of atomic energy. Until that happy day, however, the veto will remain a weapon in the armoury of the great powers.

THE "VETO" PROVISION OF THE UNITED NATIONS CHARTER; ITALICS NOT IN ORIGINAL

ARTICLE 27

1. Each member of the Security Council shall have one vote.
2. Decisions of the Security Council on *procedural matters* shall be made by an affirmative vote of seven members.
3. Decisions of the Security Council on *all other matters* shall be made by an affirmative vote of seven members *including the concurring votes of the permanent members* [i.e., China, France, USSR, GB, and USA, according to Article 23]; provided that, in decisions under Chapter VI [Pacific Settlement of Disputes] and under paragraph 3 of Article 52 [Encouragement by the Security Council of the pacific settlement of disputes by regional councils], a party to a dispute shall abstain from voting.