

# *"The Element of Privacy in Peacemaking"*

## *Address at Ohio University*

ATHENS, OHIO

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IN THIS ADDRESS, and again at London on April 2 (page 45), the Secretary-General spoke for the values of private diplomatic method and urged greater recourse to it in the work of the United Nations.

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I have chosen as the subject of my talk "The Element of Privacy in Peacemaking" because I believe a discussion of this problem is both timely and especially appropriate to a university audience. You are concerned as scholars and students with the historical background of today's efforts to maintain peace and to strengthen those influences working for peace. You are equally concerned with what past and present can tell us as guiding lines for a future in which somehow or other we must find means of settling disputes between nations without war.

The task of peacemaking in our times differs in important respects from the task of past centuries.

There is, first, the greater urgency of the need for peacemaking and the fact that this urgency makes itself felt on a universal basis. This results from the rapidly increasing destructiveness of modern weapons and the growing interdependence of all parts of the world, an interdependence which makes every "local" war a potential world war.

Nations have responded to this need by supplementing the instruments and procedures of classical diplomacy with the permanent machinery of international organization, established by treaty. The League of Nations was the first expression of this response and the United Nations is a second. The purpose of the United Nations, like the purpose of the League of Nations before it, is to add strength to the force of the common interest, as expressed in the Charter and the consensus of member nations, in the tasks of peacemaking and peacebuilding.

Yet another difference between the task of peacemaking in our times and the task of past centuries arises from the form given to world organization and the simultaneous development of the modern media of communications, which, taken together, have made it possible for public opinion to become a major factor in international life. The form of international organization, beginning with the League and continuing in the United Nations, has been aptly described by Professor Philip Jessup as parliamentary diplomacy. This parliamentary diplomacy, with its public debates, is in part the reflection of a desire to introduce democratic procedures in the field of international politics. Back of the introduction of parliamentary diplomacy is also the belief prevalent at the end of the First World War that the catastrophe might have been avoided had the peoples been fully informed by the governments about their international agreements and policies. The reaction was summed up in Woodrow Wilson's famous call for "open covenants openly arrived at."

War as an instrument of national policy, except in individual or collective self-defense against armed attack, is outlawed by the United Nations Charter. However, the arms race continues unabated. This is so because there is not yet sufficient trust among the nations to reach a disarmament agreement with adequate safeguards against attack. But each new advance in the continuing development of weapons of mass destruction is making more evident that the risks of war to any nation which might be tempted to break the law of the Charter by embarking upon it are too great.

In these circumstances it has become more essential than ever to seek and apply on a world scale other techniques for settling disputes—to seek agreements which are fair and just and to shape national policies to circumstances in such a way as to make war both redundant and obsolete. We cannot afford to reckon peace as merely the absence of war. We have to make of it a positive and overriding discipline of international life.

The new institutional forms for this discipline, which are to be found in the United Nations, have, as I have just indicated, given emphasis to public procedures recalling those followed under the constitutions of democratic states. The resemblance is real, but it is also misleading. There is an essential difference between the nation and the society of nations, each of which remains individually sovereign. The United Nations General Assembly is patterned on a parliament but with power only to recommend not to legislate. Its councils and Secretariat resemble in some respects the executive branch, but with strict limitations on their powers.

Its judicial branch, the International Court of Justice, is again much more severely circumscribed.

This resemblance in form, but not in the substance of power, between the institutions of parliamentary diplomacy and the institutions of a democratic national state has both its positive and negative aspects. On the positive side the public discussion of world issues, even in a forum without legislative power, may contribute—and in fact often has contributed—to an easing of tensions and to progress toward accommodation or agreement. There are usually more than two sides to any dispute, and debate in the United Nations provides an opportunity for the representatives of nations not directly involved in a conflict to bring their influence to bear in the direction of arriving at a reasonable consensus of views as to the common interest. Furthermore, insofar as United Nations debates are fully and fairly reported, the possibilities are increased for giving to the public an opportunity to appraise national policies as expressed in these debates and to arrive at an objective opinion concerning them.

On the negative side, it must be said that public debates in the United Nations can just as readily be used to make a propaganda case for home consumption or for use in other countries as it can be used as a genuine step toward peaceful accommodation. The public conception of the peacemaking role of the United Nations also tends to be distorted, because it is so largely based on reports of these debates which emphasize the conflicts that make news.

Finally, the public processes of parliamentary diplomacy tend to create a dangerous optical illusion in another respect. This arises from a confusion between the form and the substance of the legislative process in parliamentary diplomacy as practiced in the United Nations. A voting victory in a national legislature leads to decisions which have the force of law. The legislative process in the United Nations, on the other hand, leads only to the passage of recommendations which do not have the force of law. The force of public opinion behind such a recommendation may influence the decisions of the governments toward whom the recommendation is directed, but the power of decision remains with the individual national governments.

The legislative process in the United Nations is not a substitute for diplomacy. It serves its purpose only when it helps diplomacy to arrive—either in the short run or in the long run—at agreements between the national states concerned. It is diplomacy, not speeches and votes, that continues to have the last word in the process of peacemaking.

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Socialist Republics. It has contributed a great deal to paving the way for agreements and action by governments which have helped to break down the barriers of the cold war so far as peaceful uses of atomic energy are concerned.

The other Assembly committee is the Advisory Committee on the United Nations Emergency Force, which has done much to bring quiet to the armistice line between Egypt and Israel. This is a committee exclusively of smaller Member states, most of whom have provided contingents serving with the United Nations Force. Its work is an example of the practical value in the United Nations of a formal instrument of private diplomacy in carrying forward action once the main policy lines have been laid down by a decision of the General Assembly. That decision, in turn, was made by the General Assembly in the public proceedings of parliamentary diplomacy only after the informal procedures of private classical diplomacy had done their work. Thus, this case is also an example of a kind of three-stage operation which is natural in the United Nations and which is capable of yielding constructive results for peacemaking not to be achieved by other means: private diplomacy preceding public debate and then employed again to follow through.

My third example is the experiment in private negotiation of the Suez Canal issue in which the Security Council engaged in early October 1956 before the invasion of Egypt. This experiment brought together the foreign ministers of the member nations of the council in private session instead of the usual public session. It led to informal meetings of the foreign ministers of France, the United Kingdom, and Egypt in my office which resulted in unanimous agreement on six principles for the peaceful settlement of the Suez Canal question. These principles established the basis for the further private diplomatic steps toward such a settlement which are now in progress.

I am confident that such private diplomacy, within the framework of the Security Council, can be usefully employed on other issues and, if so employed, could contribute in new directions to the importance of the role the Charter intended the Council to play in the task of peacemaking.

I do not suggest that the Assembly and Councils of the United Nations should replace public by private diplomacy. Far from it. Public debates must continue to be a primary function of these organs. I wish only to stress two points.

First, since the "legislative" processes of the United Nations do not lead to legislation, and the power of decision remains in the hands of the

national governments, the value of public debate in the United Nations can be measured only by the degree to which it contributes to the winning of agreement by the processes of diplomacy. If public debate contributes to winning consent either immediately or in the long run, it serves the purpose of peacemaking. If it does not so contribute, then it may be a useless, or even harmful exercise.

Second, I believe that more attention and effort need to be given to using the unique opportunities for private diplomacy that exist in the United Nations. Private diplomacy is just as necessary as ever in arriving at agreements between sovereign nations. Sometimes its primary role is before a public debate, sometimes in the intermissions of debate, sometimes afterward, and often at all of these times. Classical diplomacy continues to be usefully practiced in the old tradition on a bilateral basis. But more of it is needed now in the practices of the United Nations if we are to develop to the full the capacity of the Organization as an instrument of peacemaking.

Unlike the Assembly and the councils, the Office of the Secretary-General, by its very nature under the Charter, must practice private diplomacy on almost all occasions until results are reached. In recent years the Secretary-General has increasingly been used for operations of a purely diplomatic type, either on behalf of the United Nations as such, or for one government in relation to another on a good offices basis. He is in a position of trust vis-à-vis all the member governments. He speaks for no government. It should go without saying that in the course of a negotiation, or a mission of good offices, he must respect fully the laws of diplomatic discretion. He can never give away what must be considered the property of the government with whom he is working. Nor could he pass public judgment upon their policies without wrecking the use of his office for the diplomatic purposes for which experience shows that it is much needed. Of course, when a mission has resulted in a formal agreement between the parties, the agreement is made public, but it is, of course, not for him to evaluate it in public.

In my discussion so far of "the element of privacy in peacemaking", I have not dealt with one problem of major importance. This is the problem of the relationship of the increased need for private diplomacy with the need for a better informed public opinion on international affairs. It is a problem of some difficulty and one where the responsibility for a solution is shared by the governments, by those who direct the mass media of communications, by international civil servants serving the world com-

munity like myself, and by the general public of which you in this audience tonight are a part.

The media of mass communications, when supplemented by education in world affairs in schools and universities, provide powerful tools for developing a better informed public opinion. However, they can also be misused. We learned between the First and Second World Wars that public diplomacy could not in itself provide insurance of peace, for in the hands of a ruthless group of rulers the mass media had been misused to build strong public support for the wildest aspirations of these rulers and thus to place an additional weapon in the hands of those who wanted to lead the world in the direction of war, not peace.

Thus the mass media can be misused under certain circumstances for harmful propaganda. Where competitive conditions prevail there is also a tendency to play up conflict because conflict usually seems more dramatic than agreement. For the same competitive reasons there is the natural desire to be "first with the story." In international affairs, this may result in premature and often poorly informed publicity about an issue at a time when the privacy of quiet diplomacy is essential to achieving a constructive result. At the same time I recognize that public opinion cannot be truly well informed about the progress of peacemaking unless it understands the part that is played at all stages by private diplomacy and its relationship to the public proceedings of parliamentary diplomacy which are so fully reported. This creates difficulties both for the private negotiator and the representatives of the mass media.

There are no easy solutions and I would not attempt to suggest them here. I only wish to emphasize that all of us share an overriding responsibility to work toward creating, through the mass media and education alike, a wider public understanding of and respect for the needs and uses of private as well as public diplomacy. In this way we can help to develop a better informed public opinion capable of exerting an increasingly positive influence in support of the task of peacemaking in our time.