CHAPTER I

"THE U.N. SECRETARY GENERAL: EVOLUTION OF THE OFFICE."

Perhaps, the most significant and lasting contribution of the League of Nations to the evolution of international organization is the International Secretariat. The concept of Secretariat exclusively international in character is relatively new and, in fact, in the context of modern nationalism it might be viewed as revolutionary. International institutions or conferences before the League were served mostly by a temporary staff seconded by the host state or by the states participating. Such an ad hoc or improvised secretariat reflected the composition of the conference itself. The staff dealt with administrative work and had no responsibility in matters of diplomacy. The members of the staff retained their native loyalties even when they served an international organization.

The League of Nations marked a turning point in this respect by organizing an International Secretariat recruited by the Secretary General from all or most of the nations who were members of the League, primarily on the basis of competence and efficiency. They were to be loyal to the League of Nations alone and serve the body as international civil servants. Most of the members of the staff held a permanent tenure. The credit for this innovation must go to the first Secretary General of the League, Sir Eric Drummond - a former British civil servant.

At the stage of drafting of the Covenant of the League of Nations it would seem that "none of the delegates had a clear idea with respect to the scope of the Secretariat of the League they were creating nor of the importance international administration was to assume within the framework of the League." The British Draft Convention of January 20, 1919 would have allowed the Secretary General to maintain current relations with official representatives of nations and to arrange non official meetings of an
international character which he, as a 'representative of the Council',
considered advisable. According to Lord Cecil's draft the original idea
was to have the office designated 'Chancellor' with powers of initiating
action such as corresponding to Article 99 of the U.N. Charter provides for.
The post was offered to Venizelos of Greece who declined it. Subsequently,
the Hurst-Miller Draft which made no provision for such authority was acce-
pited and became the basis of the office of the Secretary General. As Eric
Drummond, who became the first Secretary General, put it, "the League Secretary General was supposed to be an international civil
servant, the Chancellor, an international statesman..... when they found
they couldn't get the highest caliber man for the job they had second thou-
ghts about it.... they decided they didn't want an international dictator."

The Covenant provided for a Secretariat comprising 'a Secretary General
and such Secretaries and staff as may be required'. (Article 6) He was to be
appointed by the Council with the approval of the majority of the Assembly.
Article 6(4) said that the Secretary General 'shall act in that capacity at
all meetings of the Assembly and the Council.' In addition to this he was
entrusted with the duty of calling a meeting of the Council in an emergency
on the request of a Member. (Article 11.1) Where a dispute was submitted to
the Council by a party he was to make arrangements for a full investigation
thereof. (Article 15.1).

From these provisions it appears that the Covenant conceived of the
Secretary General principally as an administrative officer, though even
there he was put under the control of the Council and the Supervisory Commi-
ission established by the Assembly. However, the League Assembly in its first
session passed a resolution by which 'It shall be the duty of the Secretary
General to call to the attention of the Council any facts which in his opi-
nion show that a Member of the League has become a Covenant breaking State
within the meaning of Article XVI. & In its second session it passed another
resolution according to which 'if a breach of the Covenant be committed, or
if there arise a danger of such breach being committed, the Secretary General
shall at once give notice thereof to all members of the Council. Upon receiv-
ential of such notice by the Secretary General the Council will meet as soon
as possible.' Similarly the Assembly made a provision in its rules of pro-
cedure (rule 9) permitting the Secretary General to make statements before it.

However, Drummond did not speak before the League organs nor did he
take any bold political initiative. But he was active behind the scenes.
He did not believe public initiatives offered scope to influence the parties
to a dispute. Drummond thought that people are not so much influenced by
public speeches or documents as by private talk. "Owing to the limitations
imposed in the Covenant", he said, "all my political work had to be done
behind the scenes, but I do not think it was any the less effective because
of this. To take sides publicly on a political dispute would certainly have
lessened my political influence." In practice Drummond took the responsibi-

li ty for laying the Bolivia - Paraguay dispute in 1928 before the Council.
In 1932 when China brought its dispute with Japan to the Assembly under
Article 15, the Secretary General formed a Commission of Investigation
consisting of consuls at the port of Shanghai with his representative as its
secretary. Similarly in the Columbia - Peru dispute over Leticia, in 1933,
Drummond reminded Britain and the Netherlands of their responsibilities
when they had defied the advisory committees call not to give assistance
to the flotilla of Peru. The minority report of the Committee of 13 testi-
fies to the political influence of the Secretariat. A contemporary observer
estimates that Drummond carried out diplomatic tasks far more complex
and continuous than those of an ambassador. Yet, on the whole, it was the
policy of Drummond to keep himself in the background and let the Council and
the Assembly take responsibility for decisions. Drummond seems to have been inspired in this by the traditions of British Civil Service, "his own sense of constitutional propriety; and by a certain tendency to avoid responsibility and to mistrust enthusiasm." This made it difficult for his successor to depart from this precedent and play a more active political role. In fact, Joseph Avenol, Drummond's successor, complained that "the role of the Secretary General depends upon the man and upon the circumstances. . . . . According to the Covenant the Secretary General was quite a 'personage'. There was nothing which said that he could not take im- 17. tant initiative ."

**GENESIS OF THE CHARTER PROVISIONS**

In the light of the experience of the League of Nations the idea of endowing the Secretary General of any future international organisation, with political power was strongly held when the preparations to draft the Charter of the U.N. were being made. A group of former officials of the League of Nations discussing the form and scope of future international secretariat thought that negotiations or smoothening difficulties with a view to promoting agreements was the very essence of the work of the higher 18. official if any progress in international matters was to be achieved. The group wished a Secretary General to have 'ability for administration in the broadest sense. . . . implying a knowledge of when to be dynamic, to take the initiative and to force an issue; when at the other extreme, to be content as purely administrative official; and when on a middle course, to be a moderator impartially smoothing over difficulties, a catalytic agent 19. in negotiations.' In Britain the proposal (the substance of which later became Article 99 of the Charter) to increase the powers of the Secretary General was voiced in the House of Lords, by Viscount Cranborne, then Lord Privy Seal on 15th April 1943. Lord Cecil explained its advantage as
removing "the necessity of any single power appearing as the hostile critic of any other powers. That would be done as a matter of routine by the Secretariat." In the U.S.A., as early as 1940, the Advisory Committee on Problems of Foreign Relations of the Department of State proposed that a 'group' to watch over events' consisting of selected individuals be established. It could inform the political body of any situation likely to become acute or to lead to a disturbance of international peace and recommend measures to be adopted. While preparing the Draft Constitution of an International Organization (June 1943) the Department of State officials believed that the inability of the Council to initiate action to secure peace except at the instance of members was a weakness in the League of Nations and so they provided for a non-voting chairman of the Executive Committee and the Council who could, in the event of a threat to peace or a breach of peace, issue a request to the parties to desist from any action aggravating the situation and call a meeting of the Council. The idea was to secure for the office a man of international renown and impartiality. In order to emphasise that the office was more important than, and different from, the one under the League, it was named 'Director General' in the 23. Staff Charter (August 1943) prepared in the State Department. He was to represent the general interest of the world body. When the Outline Plan (December 1943) was submitted to the U.S. President - F.D.Roosevelt - for his opinion, he suggested the creation of a post heading the Organization which could be called the post of 'moderator'. Probably he was thinking of one who, with the full prestige of the Organization behind him, would be able to moderate Great Power differences. The Moderator who to preside over both the Council and the Assembly, participate in the debates and perform such other functions entrusted to him by the Assembly. The office was to represent the 'general interest' of the entire world and perform
the job of mediation and negotiation. However, this whole idea was dropped — "overlooked rather than rejected." When the Tentative proposals for General and International Organization (July 18, 1944) were put forward for discussion between the four powers,

While preparing the Dumbarton Oaks Proposals all the four powers agreed on the need of an expert international secretariat with a chief Administrative Officer. There was agreement on his election procedure — by the Assembly on the recommendation of the Security Council — and on his functions. What became later Article 99 of the U.N. Charter was proposed by China and Great Britain to remedy a defect in the League of Nations provisions. The British Commentary on the Dumbarton Oaks Proposals described it as "a very useful procedure when no member of the Organization wishes to take the initiative."

At the San Francisco Conference there was ready agreement on Articles 97, 98 and 99. None of these provisions were subjects of controversies or serious discussion. Suggestions relating to these were chiefly in the direction of expanding the political role of the Secretary General. Thus, Venezuela suggested that the Secretary General have the right under Article 99 in relation to the General Assembly also. The suggestions was dropped when it was pointed out that this would force him to choose between the two Organs and so put him in a difficult position. Similarly, an Uruguayan amendment which would have empowered him to bring to the notice of the Security Council any infringement or violation of the Charter was also not accepted. This was opposed on the ground that it would give the Secretary General a degree of authority which might override that of a member of the Organization. The only serious controversies relating to the Secretariat centered round the method of election of the Secretary General and the position of deputy Secretaries General. The Dumbarton
Oakes proposals merely provided for a Secretary General as a chief administrative officer and 'such staff as may be required'. The Secretary General was to be elected by the General Assembly on the recommendation of the Security Council for such term and under such conditions as specified in the Charter. At San Francisco the Soviet Union proposed that he be elected for a two-year term and not be immediately eligible for reelection.

It proposed that his four deputies should also be similarly elected. China and Great Britain stressed the importance of choosing officials of the Secretariat on individual merit and not primarily as representatives of the members of the U.N. They also desired a longer term for the Secretary General. Hence, the sponsors brought in an amendment to the Dumbarton Oaks proposals providing for the election of the Secretary General and his deputies by the same procedure for a period of three years. The Secretary General, however, was to be eligible for reelection.

In the San Francisco Conference Committee II/1 initially accepted a Mexican proposal that the nomination of the Secretary General by the Security Council should not be subject to veto. But the Soviet Union sought for a reconsideration of the matter, arguing that such a decision would violate the agreement regarding voting in the Security Council, arrived at the Yalta Conference. On June 13, Committee III/1 reconsidered the issue and the Big Four agreed that the Secretary General's election should be subject to veto. In the Committee II/1 fears were expressed by the small powers that election of four or five deputy Secretaries General would go against the international character of the Secretariat and would result in domination of the Secretariat by the Great Powers. The Committee accepted a proposal by New Zealand to drop any reference to the deputy Secretaries General from the Charter. When the election of the Secretary General was made subject to veto, the question of his second term was reopened in the
Committee I/2. The Netherland delegate argued that a short term would subject him to pressure and would only bring 'the lowest common denominator' to the office. The Committee, therefore, agreed to drop any reference to the term of office of the Secretary General.

It was the Preparatory Commission and its Executive Committee which brought out in full the significance of the Charter provisions relating to the Secretary General. The report emphasized that even though some functions might be delegated to other officials their execution would be under the supervision and control of the Secretary General who alone would bear the ultimate responsibility. The Secretary General was responsible for integrating the activity of the whole U.N. complex and for the execution of the decisions of the United Nations Organs. The Report anticipates that the Secretary General might have an important role to play as a mediator or as an informal adviser to many governments and may have to take political decisions. "Under Article 99 of the Charter...... he has been given a quite special right which goes beyond any power previously accorded to the head of an international organization.... It is impossible to foresee how this Article will be applied; but the responsibility it confers upon the Secretary General will require the exercise of the highest qualities of political judgment, tact and integrity." The Commission thought that the Secretary General might well become the representative and spokesman of the aims and the instrument of the activities of the United Nations. "The Secretary General", they felt, "more than anyone else, will stand for the United Nations as a whole. In the eyes of the world no less than in the eyes of his own staff he must embody the principle and ideals of the Charter to which the Organisation seeks to give effect." In line with this concept of the office is the Commission wrote in the provisional rules of procedure of the General Assembly a provision enabling the Secretary General, at any time,
to make a statement on 'the invitation of the President', before the organ. Lest this should mean that the Secretary General's initiative was entirely dependent on the President, some members of the Commission even suggested replacing the phrase 'at the invitation of the President' by 'recognition of the President'.

The Commission would not entertain any possibility of a conflict between his loyalty to the Organization and attachment to his own country. The higher interests of a nation were served by service to the United Nations. It, however, involved "a broad international outlook and detachment from national prejudices and narrow national interests." The Commission suggested that the Security Council recommends only one candidate to the General Assembly; that the term of the office be five years and that the procedure for renewal of the term be the same as the one for the ex appointment.

**CHARTER PROVISIONS AND THEIR IMPLICATIONS:**

The importance of the office of the Secretary General becomes clear from the Charter provisions. Unlike the League Covenant the Charter makes the Secretariat a principal organ of the United Nations (Article 7) and, therefore, makes the Secretary General responsible, along with other organs, for the attainment of the objectives laid down in the Charter. The Charter does not make any one organ paramount. In fact, "as a permanent and exclusively internationally responsible organ, he may be presumed to be the constitutional guardian of the principles of the United Nations Charter," and thus it can be held that the Charter imposes on him responsibility to secure observance of the United Nations principles by the Member Nations. This duty of 'guardianship' enables him to exhort, preach or comment on international events.

In the division of powers between the Assembly, the Council and the Secretariat, it could be argued that as a permanent and
continuous organ the Secretariat would have the residual power or the power to fill a vacuum in the United Nations system. Hammarskjold was to claim such a power a later on. Its recognition as being an independent organ would also give the Secretary General an equal right to interpret the Charter in general and the provisions pertaining to the Secretariat in particular. Thus Dag Hammarskjold justified his actions in Laos and the Congo under a broad interpretation of the Charter, which he adumbrated through his speeches and Introductions to Annual Reports.

Article 97 emphasizes the prime position of the Secretary General from among the officers of the Secretariat. He alone is to be elected and thus is responsible for the activities of the Secretariat. The power of veto over his nomination would ensure that he must command the confidence of all the permanent members of the Security Council — thereby linking the office with the function of maintenance of peace and Security for which the Security Council bears 'primary responsibility'. Thus, though Article 97 describes him as the 'Chief Administrative Officer' and the phrase 'appointed' instead of 'elected' was used to emphasize the administrative nature of the office, the procedure for appointment makes clear the political aspects of the office. Rightly, therefore, the Repertory of Practice of United Nations Organs mentions his diplomatic and political functions as 'powers inherent in his office.' Article 98 imposes on him two functions. On the one hand he is to provide secretarial assistance to the Organs — all functions that the Repertory classifies under the heads of i) general, administrative and executive, ii) technical and iii) financial; on the other hand he is to perform 'such other functions as are entrusted to him by these organs,' thus allowing a wide latitude to the political organs of the United Nations to make use of the Secretary General as their executive arm.
Article 99 specifically confers on the Secretary General political responsibility for maintaining peace and security. This can form the basis of preventive and quiet diplomacy. More than anything else, it permits, by implication, intervention by the Secretary General as a third party in international crises. By making use of this provision, the Secretary General may either lend his legitimising influence to a course of action proposed in the Council or he may lift the whole issue from the Great Power conflict and practise preventive diplomacy, making the formation of consensus in the Council easier than if the question were brought before it by a party - with the support of a Great Power. His share in the responsibility for maintaining peace and security also affords the Secretary General a basis for participating in the deliberations of the political organs of the United Nations.

In 1946, Lie's attempt to make a statement before the Council relating to the Iranian Question produced quite a controversy in which he was supported by the Soviet Union and Australia. The Experts Committee finally acknowledged this right of the Secretary General and so included it in the rules of procedure of the Council. The General Assembly followed suit.

The Secretary General, also, may in accordance with Article 34, on request of parties to a dispute. U Thant cited this provision as supporting his role in resolving the dispute between Ivory Coast and Guinea in 1967.

Article 100 of the Charter admirably supports this role of the Secretary General by making his office impartial vis-a-vis any international conflict. It imposes a duty not only on the Secretary General to be free from any governmental influence but also binds the Member Nations to respect the international character of the office and not to "influence... (him) in the discharge of ... (his) responsibilities." Such neutrality, in practice,
is reinforced by selecting persons only from those nations which are not actively involved in the Cold War or any major international dispute.

It is obvious, however, that there is an inherent contradiction between Articles 98-99 and Article 100 of the Charter. The former involve his office and almost oblige him to take sides in a dispute. But it is inconceivable that a party whose interests are likely to be adversely affected by the intervention of the Secretary General would take kindly to such an initiative by him. U.S.S.R. (in the Korean war 1950, Laotian crisis 1959, Congolese crisis 1960), Britain and France in 1956, Israel in 1967 did not feel happy with the political initiatives of the Secretary General. And where they find that his influence is likely to affect their interests adversely, and can not in any manner be counteracted a natural temptation would be to question his impartiality and integrity. Trygve Lie was right when he summarised the attitudes of the Governments as "when he (the Secretary General) agrees with us, governments find to feel, the Secretary General is within his rights, and is a good fellow besides, when his views differs from ours he clearly is exceeding his authority, his reasoning is bad, and even his motives may be suspect." Thus paradoxically Articles 98 and 99 impose on the Secretary General the duty of intervening in international conflicts and to carry out the United Nations decisions - often favouring one party - while his discharging of this duty is liable to deprive him of one of the bases of his influence - his acceptability as a neutral third party. Such a paradox is likely to continue till such time as the sense of international community among nations increases so as to persuade them to accept an unpalatable decision of the United Nations rather than endanger the International Organization.
THE POSITION OF THE SECRETARY GENERAL IN PRACTICE:

Under the Charter the Secretary General is to be appointed by the General Assembly on the recommendation of the Security Council (Article 97). The Preparatory Commission suggested that, for this purpose, the Security Council meet in private and recommend only one name. The General Assembly should vote on it by secret ballot. Such provision ensures that the Secretary General would command the confidence of all the Great Powers and a majority of the Members of the United Nations. Considering the realities of international politics and the importance attached to the office it is unlikely that a person from a country belonging to either of the two present power blocs or one from a country involved in a major international conflict would be accepted as Secretary General. In practice all the three Secretaries General have come from small powers not involved in the Great Power conflict. In fact, once the Great Powers agree on the choice of the candidate the Security Council and the General Assembly have usually approved of the choice with little dissent. The procedure of the Security Council involving closed door session of the Council and the requirement of the Great Power agreement makes it a subject of bargaining. The appointments of Lie, Hammarskjöld and U Thant in 1946, 1953 and 1961 respectively were the result of intense and prolonged bargaining between the Soviet Union and the Western Powers led by the U.S. Both started with candidates favourable to their international positions and ended up in agreeing to the nomination of a person from a neutral nation whose views on world problems were relatively less known. Normally, it would be so hard to expect an agreement between the Great Powers that once such an agreement is announced the others would accept it with a sense of relief. This also gives an inbuilt advantage to one who is an agreed choice or to the incumbent who is willing to serve another
term. If he has not incurred the ire of the Great Powers, he can be in a
good bargaining position and can extract concessions from the Great Powers
- since renewal of the term of a person is relatively easier than selecting
a new candidate. Thus, U Thant was able to lay down important conditions
for accepting the office in 1961 and a second term in 1966. In 1961 the
number of Under Secretaries to be appointed and their distribution and powers
was a subject of bargaining between Members of the Security Council. U
Thant announced that he would decide the question of top posts on his respons-
sibility in accordance with a statement which he would make after his appoint-
ment. In 1966, when his term was coming to an end, U Thant showed reluctance
to serve another term. He thought a Secretary General should not serve more
than one term because of "the very difficult and killing nature of the work
imposed on him." On September 1, 1966 in a statement to the permanent repre-
sentatives of Member States of the United Nations, he announced his decision
not to offer himself for another term and stated as a justification that in
November 1962 he was offered a fresh term of five years (i.e. upto April 1968)
but he preferred a term ending November 3, 1966 in order to 'reinforce the
practice already established that the normal term of Secretary General should
be five years' and because of his reluctance to accept a commitment to serve
as Secretary General for a longer period than five years. U Thant's attitude
should be viewed against the background of the attitude of the Governments
of the U.S. and the U.S.S.R. towards the United Nations and his role in
particular. The United Nations was passing through a financial crisis and
in its twentieth session the Assembly barely averted a constitutional break-
down. U Thant's attempt to find resources through the United Nations bonds
was declared illegal by the U.S.S.R. and France, both of which refused to
subscribe to them. The Soviet Union continued its attack on the principle
of the United Nations peacekeeping under the leadership and control of
the Secretary General. Thus the Soviet Union thwarted U Thant's attempt to
launch the U.N.Y.O.M. on his own without reference to the Security Council
and compelled the issue to be brought before the Security Council. It objec-
ted to U Thant's suggestion sending a representative to Cyprus to participate
in the London Conference without the approval of the Security Council. Fur-
ther in 1965 the Soviet delegate strongly questioned in the Security Council
the Secretary General's competence to organise a peacekeeping force, and in
particular criticised his action in launching the U.N.I.F.O.M. Thus, if the
Soviet Union was hostile to Trygve Lie and Hammarskjold as individuals, now
its hostility turned to the office and its political role. It has taken the
extreme position of holding that the Charter did not confer upon the Secretary
General any special power regarding the peacekeeping. The United States,
while it supported the peacekeeping role of the Secretary General, in principle,
was uncooperative when his activities affected its policies for e.g. in the
Dominican Republics and Vietnam. His attempts, especially, to bring peace
in Vietnam were rebuffed in 1964 and in 1965. Much of his frustration on
these points found expression in his Introduction to the Annual Report for
the year 1965-1966 when he said it was the duty of the Members to face up
to the fact that chances of cooperation on many issues where the U.N. has
clear responsibility for "decision and action have been steadily and serious-
ly impaired over the past two years". He also admitted his failure in his
efforts to move the Vietnam conflict to a conference table because the dis-
cussions of the matter were "dominated by consideration and analysis of the
power politics involved" and showed less concern for the human sufferings
involved. Later, in a press conference, though he denied any connection
between his decision to resign and his decision to decline a second term and his abse-
observation on the situation prevailing in the United Nations and elsewhere, he admitted that "I have found it increasingly difficult to function as Secretary General in the manner in which I wish to function.... I do not subscribe to the view that the Secretary General should be just a chief administrative officer, or in other words, that the Secretary General should be a glorified clerk.... besides the function of administration, the Secretary General must take necessary initiatives in the political and diplomatic fields. These political and diplomatic initiatives, in my view, are an essential part of the functions of the Secretary General." He confessed that the views of some of the Members differed on this point and so he had experienced increasing restrictions on what he regarded as the legitimate prerogatives of the Secretary General. In the same press conference he hinted that some improvement in the political field might, to some extent, contribute towards the necessity of reviewing his decision. He held on to his position even though the Security Council on September 29, expressed confidence in him and showed its desire to renew his term. The results of the bargaining between U Thant and the Great Powers are embodied in the statement of the President of the Security Council and U Thant’s speech of acceptance. The President of the Security Council, Pedro P. Berro on behalf of the Security Council recalled the consensus of the Council of September 29, 1966 and said, "whatever their (Members of the Security Council) views may be on the observations he (U Thant) made with his announced expression of intention, (not to offer himself for a second term) they fully respect his position and his action in bringing basic issues confronting the Organization and disturbing developments in many parts of the world to their notice, as he has done in his statement of September 1, 1966, to which they accord their closest attention .... The wide support for the present Secretary General among all the Members
of the United Nations is an important factor which should be preserved in order to help the Organization continue to face its problems, constructively and play its role in maintaining peace and security." When finally U Thant accepted a fresh term of office he stated that his acceptance was not the result of any new development or hope in the foreseeable future. The issues raised in his September 1, statement continued to hold good. However, he noted with appreciation "that the Security Council respects my position in bringing these issues and developments to the notice of the Members of the Organization...." Further, he was "encouraged to believe that in the near future the financial situation of the Organization will be greatly alleviated by actions under consideration by some Member States. From my private consultations I am also confirmed in my belief that there is a sincere desire to reach an agreement on mutually acceptable bases in regard to the main principles of peacekeeping operations." The U.S. representative to the United Nations Goldberg revealed that negotiations leading to U Thant's acceptance of a second term had been concerned solely with the broad role of the Secretary General under the Charter and the influence of his office in dealing with disturbances in many parts of the world. It is significant that on December 19, he appealed to the Secretary General to take "whatever steps you consider necessary to bring about the necessary discussions which could lead to such a ceasefire" and assured his government's cooperation in getting such discussions started. Later in April 1967 the U.S.S.R. delegate promised to make a voluntary contribution for pulling out the United Nations from the financial crisis.

The General Assembly in its first session fixed five years as the term of the first Secretary General. This could be renewed at the end of the period for another term. At the end of Trygve Lie's first term in office
this led to an acute controversy. The Soviet Union was bitterly opposed to
the renomination of Lie; on the other hand the Western Powers wanted him to
continue in office. They argued that failure to reappoint him would
be tantamount to punishing him for his role in the Korean crisis. The U.S.
got to the extent of insisting that it would veto the nomination of any one
other than \*\* Lie. This deadlocked the Security Council. Thereupon the
General Assembly extended Lie's term by three years over the protests of
the Soviet bloc Members that such a move was unconstitutional, as it argued
that an extension of the term was reappointment in disguise. The supporters
of the move based their action on the ground that i) the Charter must be
interpreted so as to make it effective and functioning; ii) it was the Assembly
which had fixed the term, and as the full representative of the entire body
of the United Nations it had the power to extend the term. Further it was
claimed that it had such a power under Article 10; iii) that the Charter
did not prohibit such an action. When Lie's term was thus extended by the
Assembly, the Soviet Union refused to recognize him as the Secretary General
and boycotted him - an attitude which ultimately forced Lie to resign. In
1962, 1963 and 1964 when the Security Council recommended Hammarskjöld and U Thant
respectively for the post, it took care to note in the resolution that the
recommendation was only for a five year term. After the death of
Hammarskjöld in 1961, the Council recommended the appointment of U Thant as
Acting Secretary General for the remaining term, but in 1962 it was extended
to a full term of five years.

**THE SECRETARY GENERAL AND HIS DEPUTIES:**

The Charter is silent on the chief assistance to the Secretary General,
though in the San Francisco Conference there was considerable discussion over
the number and method of appointment of the top level staff. After his
appointment, Lie found that the eight positions of Assistant Secretaries General were already shared by the Great Powers. They "had agreed among themselves to ask me to appoint a national of each of them as an Assistant Secretary General" and that the posts in the Political Department should go to the Soviet Union. Lie chose the officers in consultation with their Governments. He wanted them to advise him on matters pertaining to their nations. They were also to serve as mediaries between the Secretary General and their home states. In the Palestine case and the Berlin crisis he did use their services in this capacity. In addition, Lie left administrative details regarding their Departments to them. In 1952 he proposed appointment of only three Deputy Secretaries General. Following his experience in the Swedish Government, Hammarskjold developed his own plans for the organization of the top level posts. He appointed Under Secretaries in charge of work relating to the three Councils, and two Under Secretaries for special political affairs. Hammarskjold was averse to using the Under Secretaries for contacts with their home States. He preferred personal contacts with the Governments or as an alternative he would use the permanent delegates of those nations for this purpose. He was more inclined to centralize in himself the political tasks tasks of the Secretary General: mediation, negotiation, conciliation. He chose persons from this cadre to advise him on a particular problem. In the Congo, for example, his confidence was shared only by five of the Members of the Secretariat—known as the Congo Club, of which the Under Secretary for Security and Political Affairs, a Soviet national, was not one. The Soviet delegate bitterly complained against this and charged the Secretary General with partiality. Though U Thant desired to fix the number of Under Secretaries on his own responsibility he promised in the General Assembly that he would work in collaboration and consultation with them.
He has delegated a greater amount of the political tasks to his assistants than did Hammarskjold: thus Uyanı, Jose Holz Bennett (in 1964 and 1965) and Narasimhan in Indonesia, 1962-63 have represented the Secretary General in dealing with conflict situations in those parts. Yet, following the Hammarskjold tradition, U Thant has also appointed persons from outside the Secretariat for dealing with specific situations where he found them more suitable. On the whole despite Soviet efforts, political functions have continued to remain with the Secretary General, who has retained the discretion to employ his representatives and to take his own decisions.

REPRESENTATIVE OF THE UNITED NATIONS

The Preparatory Commission opined that more than any other body the Secretary General would stand for the United Nations as a whole. As a stable and continuing functionary, truly international in his loyalties the Secretary General symbolizes the United Nations. In a formal way he represents the United Nations in the International Court of Justice, signs treaties and contracts on behalf of the United Nations, represents the United Nations in Conferences on invitation. (e.g., on the occasion of the Nuclear Test Ban Treaty at Moscow, Organization of African Unity). It was in such a capacity that Khrushchev had suggested the presence of Hammarskjold at the Summit Conference that he had proposed.

The Secretary General makes known his views on world problems through his Introduction to the Annual Report to the General Assembly, speeches to public audiences and through frequent press conferences. What influence on the Governments these would have is difficult to estimate. A skilful use of these can be made to influence public opinion in a particular country. Thus, it is plausible that U Thant's advocacy of a cessation of bombing North Vietnam was one of the factors which influenced President Johnson in changing his policy in Vietnam in March 1968, on the eve of the Presidential
elections. These also enable him to justify United Nations action - as in the Congo - to the Public. His travels to the various countries offer him an opportunity to be in direct contact with the decision making authorities in those nations.

The representational functions strengthen his image as a disinterested third party available for the preservation of peace and increase his saliency.

Accountability of the Secretary General:

The growth in the importance of the political role of the Secretary General in the fifties was due to the practice of the United Nations taking on more and more executive tasks and entrusting the organizational and diplomatic functions to the Secretary General for implementing the resolutions passed by them. This tendency especially increased after the appointment of Hammarskjöld when: i) the General Assembly was found to be too unwieldy a body to consider in detail the proposals placed before it; ii) a considerable influx of new members, uncommitted to either bloc, made the decision making process in the Assembly unpredictable. The U.S. lost, what the Soviet Union called, its 'mechanical majority' in the Assembly and therefore favoured action by the Secretary General; iii) beginning with Hammarskjöld's success in the release of the American airmen imprisoned in China in 1954, and in stabilising the situation in the Middle East in 1956, the new States more and more looked upon the Secretary General for easing international crises; vi) thanks to the concept of preventive diplomacy and peace-keeping operations the Secretary General's office was found convenient for assisting in the United Nations' executive actions. The result was that the Political Organs in their resolutions laid down terms of reference and the objectives - often in vague and general terms - and left the means and methods to the skill and imagination of the Secretary General - the 'let Dag do it' policy. Naturally, the
the Secretary General had to be responsible to the political organs of the United Nations for his activities in pursuance of their resolutions. The means of fixing this responsibility had to be devised by experience.

Even during Lie's term of office, the United Nations created bodies like the United Nations Military Observers Group in India and Pakistan (UNMOGIP), and the United Nations Truce Supervision Organization (UNTSO), for assisting in the maintenance of peace in those areas. Lie made arrangements for the provision of military observers requested by the United Nations Commissions in Kashmir and Palestine. These and similar devices came to be called the 'U.N. peacekeeping operations'. The scope of these operations increased tremendously when in 1956 a United Nations force was sent to Gaza and Sinai. United Nations forces were also used in Lebanon in 1958, the Congo 1960, West Irian 1962, Cyprus 1964, Yemen 1963, and Kashmir 1965. Less pretentious devices with similar objectives, called 'United Nations presences' were used in Jordan in 1958, Laos in 1959, Cambodia-Thailand, 1958, Dominican Republic 1965. Most of these operations have resulted from resolutions of the Security Council/General Assembly. The one distinctive characteristic of all these operations has been that they are organised, directed and controlled by the Secretary General. The objective of the operations are laid down in broad terms by the deliberative organ. The Secretary General i) has laid down the principles which should govern the conduct of these operations; ii) has decided upon the choice of nations from which contingents or equipment would be accepted; iii) has entered into formal agreements with the host nations and the contributing nations regarding the conditions on which the Force would operate; iv) in its day to day operations he interpreted the basic resolutions and agreements in their application to particular situations; v) virtually decided upon the termination of the operation itself. vi) As the head of the operations it became his duty to formulate, discover and preserve the consensus between the nations which was necessary
for the continuance of the operations. Naturally, all these functions entailed a considerable measure of discretion and scope for influencing the course of the conflict. Inevitably, the office was exposed to criticism where the actions of the Secretary General adversely affected the policies of nations. All this, naturally, raised the question of the Secretary General's responsibility to the chief organs of the United Nations.

The Organization and structure of the United Nations appear to be influenced by the theory of Separation of Powers—the American model. Thus in the Preparatory Commission the idea of making provision for the removal of the Secretary General was not taken up. The Charter is silent on this question. In 1960 when Hammarskjöld's x relations with the Soviet Union deteriorated, the Soviet Prime Minister demanded that he resign—a demand that was turned down by Hammarskjöld; he later even demanded that the Secretary General be dismissed. Articles 97 and 98 clearly make the Secretary General an agent of the United Nations political organs, in which position he ought to be accountable to them. On the other hand it may be argued that by virtue of Articles 7 and 99 the Secretary General can assume an independent position in international relations—indeed of the attitudes of the Council and the Assembly, and is entitled to political initiatives for serving the objectives of the organization. Dag Hammarskjöld tried to maintain a distinction between his activities under Article 98 and those under Articles 99 and 7. Thus in 1954, when the General Assembly requested the Secretary General in the name of the United Nations to "make by the means most appropriate in his judgment continuing and unremitting efforts" to seek the release of the eleven United Nations Command personnel in China, Hammarskjöld established contact with the Peking Government in his "authority under the Charter"
which alone Peking recognised. This, what he called, "Peking formula" was also used in his mediatory efforts in the Middle East (1956) and with South Africa (1960). This formula accorded him greater flexibility in achieving the objectives of the resolutions without committing himself to the stand taken by the political organs, which would have destroyed his position as an impartial third party mediator. Joseph Lash comments that this was a distinction made for the belief that the Secretary General's authority was "co-ordinate" with other organs and "autonomous". However, it is difficult to maintain such a distinction. The influence of the Secretary General is proportionate to the support that he secures from the United Nations Members in general, and from the Great Powers in particular. Thus even while using his independent initiatives the Secretary General has to be conscious of his position as a third party and therefore has to take care not to cross the limits of tolerance of the Great Powers. In practice the political organs have used some of the following methods for holding the Secretary General accountable.

1) Reports of the Secretary General; The basic resolutions of the Assembly or the Council might sometimes laydown a time schedule and require the Secretary General to report before its expiry. The Secretary General might also submit reports to the political organs even without a mandate, on his own for eg. in Laos (1959). Through such a report he might seek the advice or authority for his peace keeping efforts. The Secretary General's report, on presentation, may be accepted by commending the Secretary General or by citing the report in its next resolution. During the Congo crisis even the omission to cite the name of the Secretary General in a resolution was interpreted by some as a censure. The debate on the report also serves as an opportunity for holding the Secretary General.
accountable. Both during the Suez and the Congo crisis, the Secretary General intervened in the debates to answer questions, offer explanations and to argue out his policy.

ii) The political organs sometimes appoint committees to advise the Secretary General and to collaborate with him. Thus in 1956 the Assembly appointed an Advisory Committee to facilitate the work of the Secretary General. The Committee was given the right to bring certain matters, if it so desired, before the General Assembly.

It is interesting to note that on 15 August 1960 Prime Minister Lumumba wanted the Secretary General to send a group of 14 Afro-Asian observers to the Congo to look over the O.N.U.C. In the Security Council the U.S.S.R. introduced a draft resolution to that effect. However, during the discussions the Secretary General himself came forward with a proposal that he would organise an Advisory Committee consisting of States contributing to the O.N.U.C., if the Security Council had no objection.

iii) The General Assembly has the powers of granting the budget for these operations. There have been occasions when Members, who disapproved of the actions of the Secretary General, moving that the budget for the item be not granted. Since the Congo crisis France and the Soviet Union have taken the stand that the power to grant financial support for the United Nations peacekeeping operations should belong to the Security Council. This, in effect, is an attempt to control and hold the Secretary General accountable, for the conduct of the operations, to the Council instead of the Assembly.

iv) The Assembly/Council can express its disapproval of the Secretary General's conduct of the operations by employing other instruments for implementing its resolutions. During the Congo crisis the Soviet Union proposed
the appointment of a commission to direct the O.N.U.C.

The Secretary General himself has shown awareness of the parliamentary nature of this responsibility to the political organs. Thus Lie in 1951, and Hammarskjold in 1956 and 1961 offered to resign if their actions were not approved by these organs.

Experience, however, shows that these methods have not been adequate for the exercise of this power by the deliberative organs. Firstly, the deliberative organs being composed of Sovereign States lack consistency in their policies, nor have they been able to lay down a clear line of policy. The blocs, the counterparts of political parties in a nation, are rudimentary in their organization and cohesion and show low integration in their policies. The resolutions, through which they lay down their policies, in order to get as much support for them as possible, have to be of a compromise nature. Necessarily, therefore, they are couched in general, ambiguous and sometimes even contradictory terms, leaving scope for manoeuvre and skillful interpretation to the Secretary General. The Assembly meets but once in a year. With its large membership it is unsuited to supervising the conduct of an operation or for directing the Secretary General. The Security Council, though compact and more readily available, has been so riven by the Great Powers conflicts that it finds difficult to discuss the Secretary General's action without bringing in the Cold War element. Hence, it also has met sparingly to consider the Secretary General's action. At one stage it did not meet at all to discuss the Congo crisis between November 1961 to 1964.

Secondly, who should the Secretary General be responsible to - a majority of the Council, or of the Assembly?, one or more of the Great Powers? Both Lie and Hammarskjold made it clear that they would resign only if they
were voted against in the Assembly. However, the United Nations system is based on the principle of sovereign equality of nations and therefore, the principle of the majority (in the Assembly), but also on the principle of the Great Power unanimity (in the Security Council), at least in so far as it concerns maintenance of peace and security. Logically, therefore, the Secretary General should resign where his policy has incurred the disapproval of the majority of the nations in the General Assembly or one or more of the Great Powers in the Security Council—the area of operations open to the Secretary General depending on the approval or at tolerance of his activities by the Great Powers or by any one of them.

Thirdly, the Advisory Committees instituted by the Assembly have not included the Great Powers. Their role has been only advisory. They have been used by the Secretary General for gaining support to his policies. The budgetary as well as the general control by the political organ suffers from the fact that the action that may be criticised or censured is one which has already been taken, and, therefore, neither be prevented nor reversed. What is more, the United Nations Members lack a sense of community. Therefore, where a nation or a group of nations or overruled in the Assembly/Council, or finds itself helpless in the face of a fait accompli it is left with the only recourse—i.e. to attack the integrity or impartiality of the Secretary General or where this is found impolitic, to try to reduce the role of the Secretary General itself as an executive, or as a final step refusing to provide the financial and political support to the policy of the United Nations.

It is suggested that to make the responsibility of the Secretary General more effective, the political organs ought to lay down terms of reference in clearer and more specific terms and that the political organs should devise means to share the responsibility of the Secretary General.
However desirable the first proposal might seem, it scarcely seems feasible in a conflict situation. At times it might be even be harmful as it restricts the scope of the Secretary General's action and removes a face-saving device from the armoury of the Secretary General. In a conflict situation where the positions of the parties to the conflict or members of the Assembly/Council sharply differ, the only way by which a compromise can be reached is through a vague and ambiguous resolution, which will have to be implemented by the Secretary General, taking into account the Charter principles as well as international realities. Thus when the July 14, 1960 resolution of the Security Council on the Congo was passed Tunisia, one of its sponsors, confessed that the text of the resolution was made intentionally imprecise in order to avoid arguments and delay in taking decision. By letting the Secretary General put forward an interpretation on its behalf, a government can escape responsibility in the eyes of its own public.

The responsibility of the Secretary General can be shared in three ways: 1) The Assembly or the Council may appoint a committee of its own members to work along with the Secretary General or to advise him on his policies. The General Assembly in 1956 appointed an Advisory Committee of seven members to help the Secretary General in his tasks relating to the U.N.E.F. The committee was consulted on important questions like interpretations of resolutions, withdrawal of the Force etc. The Secretary General himself constituted a committee in 1960 to advise him relating to the O.N.U.C. It appointed a Conciliation Commission to bring about political reconciliation between factions in the Congo. These bodies were purely advisory and they did not take any decisions. They provided diplomatic support to the Secretary General and enabled him to sound out his policies without much
publicity. They helped him build bases of support and legitimacy for changes and adjustments of his mandates. Through them he could ascertain the amount of support his policies commanded in the General Assembly. In May 1967 the Advisory Committee bore part of the responsibility for U Thant's decision to withdraw the United Nations from the U.A.R.

ii) Though the Secretary General is ultimately responsible, he shares the responsibility, to some extent with his representative, mediator or commander of the force appointed by him or by the organs and who is on the spot of trouble. Thus in the Congo, Middle East 1967, Cyprus, Yemen, etc. a United Nations representative was actively associated with the mediatory efforts in the conflicts. The policies pursued by the representative are those of the Secretary General; yet, when they incur strong disapproval of a Great Power or one of the parties obstructing third party operations, he can be offered as a scapegoat, leaving the Secretary General unscathed and available for further employment. Rajeshwar Dayal in the Congo (1961), Gen. 125. Horn in the Middle East Takeshima in the Cyprus(1965), Gunnar Jarring in the Middle East after 1967 are some of the examples in point. These individuals provide a cushion to the office of the Secretary General making possible its continued availability in spite of the failure or disapproval of certain moves of the Secretary General.

iii) At the height of the Congo crisis the Soviet Union came out with the novel idea of changing the very nature of the office of the Secretary General. Khrushchev wanted it to be substituted by a three man executive each of them representing the American, the Soviet and the Uncommitted or the neutral bloc of nations. President Nkrumah of Ghana put forward the idea in a statement to the United Nations Correspondents' Association on September 30, 1960 of appointing three Deputy Secretaries General with clearly
defined authority and acceptable to the Western, and Eastern and to the
neutralist nations. A similar proposal was voiced by the president of
Guinea and some other delegates and was in the recommendations of three mem-
ers of the Committee of Experts on the Secretariat. The Troika or the
sub-Troika proposal not only makes decision making by the Secretary General
impossible but destroys the very bases of the influence of the Secretary General: i.e. saliency, impartiality and acceptability as a third party.
With an in-built veto this collective must team would be as deadlocked as
the Security Council with its active disagreements and the hostilities of
the Cold War. What is more, it is inconceivable how such a body could exer-
cise the Secretary General's rights under Article 99. Further, it would
negate the principle outlined in Article 100, viz. international loyalty
and replace it by conflicting national loyalties.

Conclusions:
The evolution of the office of the Secretary General has moved
along with the evolution of International Organization and the growth of
the sense of community among nations. Thus, Articles 97-100 of the United
Nations Charter relating to the Secretary General are much more detailed
and offer greater scope for political activities to the Secretary General
than did the provisions of the same Covenant of the League of Nations. The
fact that the Charter has been more often interpreted as a constitution ra-
ther than as a treaty has further led to a broad interpretation of these
provisions. The successive Secretaries General themselves, by their liberal
interpretation of the Charter and political initiatives have helped this
evolution. Each successful initiative becoming a precedent and leading to
a further extension of the political role of the Secretary General.
The Charter provisions relating to the Secretary General—particularly Articles 98, 99 and 100, envisage a political role and confer independence and integrity on the office and give a saliency to the office. His superiority over the Deputy Secretaries General, and his position as a 'representative' of the United Nations add to his stature.

Certain features of the United Nations' evolution also contributed to the importance of the office of the Secretary General. The universal membership of the United Nations, and the practice of sending a permanent representative to the United Nations offers greater opportunities to the Secretary General for consultations and for being a 'midwife' in disputes between nations. The sharp division of the membership between two Cold War blocs and the emergence of uncommitted group of nations also contributed to the growth of the office. The tendency of the Cold War contestants to use the United Nations for promoting their interests in the Cold War made them support actions of the Secretary General which seemed to them advantageous to their cause. In the early stages the Soviet Union supported the Secretary General in establishing his right to make statements before the United Nations organs, and his political initiatives in conflicts like the Berlin crisis 1948, Palestine crisis 1948-49. Similarly, the Soviet Union supported his advocacy of the presentation of communist China and his intervention in the Middle East crisis 1956 and 1958. Thus it would appear that the Soviet estimate of the potentialities of the office was highest in the period 1958-1960. Of course, being in a permanent minority in the Organization, the Soviet Union favoured a conservative interpretation of the Charter and locked with suspicion moves which might prejudice its position. It recorded its objection to the creation of the UNSF by the Assembly and did not favour the United Nations 'Guards' plan of IIE or the standby United Nations forces
proposed by Hammarskjöld. But more often than not the Soviet complaint was that 'socialist' personnel were not used by the Secretary General for peacekeeping purposes. It is remarkable that in the Congo crisis, in the initial stages, even while criticizing criticizing the policies of Hammarskjöld it proposed mandates or interpretations of mandates which would have conferred far reaching powers on the Secretary General. In retrospect, it appears that the Congolese crisis was a turning point in the Soviet estimation of the office of the Secretary General. Whereas Stalin had characterized him as a 'mediator' Khrushchev now asserted that there were no neutral men. The Congolese crisis convinced that U.S.S.R. that the use of the political power of the Secretary General would always be prejudicial to its interests. Therefore, from 1960 its delegate started stressing that the 'Secretary General is merely an 'administrative officer' and has no political rights.

The U.S. attitude is not fundamentally far difficult - it denied in 1946 Lie's right to make statements to the Council on the items being considered, and Lie was subjected to crude pressure in 1953 to dismiss Americans charged with being communists in the employ of the United Nations. The U.S. favoured the political role of the Secretary General because it enabled the U.S. to bypass a veto ridden Security Council and a General Assembly hyper sensitive to the questions which showed signs of 'imperialism' or 'neo colonialism.' If the U.S. has not questioned the Secretary General's rights it is because it can always bypass his office or ignore its position - as in the Dominican Republic, Vietnam, or Lebanon, - to achieve its objectives. The Secretary General so far always has not seriously threatened to prejudice its national interests.
"The task of the Secretary General is the most impossible job on earth." - Trygve Lie had warned Hammarskjöld. Certainly Articles 98 and 99 expose the Secretary General to the dangers of criticism or denunciation by any nation, particularly a Great Power, when its national interests were likely to be prejudiced by his actions. Where such a nation is in a permanent minority in the United Nations or does not find it possible to counteract the effects of the Secretary General's initiatives in any other way, the crude methods adopted by the Soviet Union in the fifties and sixties are to be expected. Both Lie and Hammarskjöld chose to resist such pressures on grounds of principle and were successful in remaining in office for a considerable period of time. But remaining in office in such cases not only entailed limits scope for his activities but also largely impaired the capabilities of the office. It will have to be recognized that in order to preserve the office it will have to be distinguished and separated from the holder of the office. Dag Hammarskjöld seems to have realized the risks involved in such activities when he wrote: "It is a matter of course that a continued use of the office of the Secretary General in that way (where following a big power deadlock the problem is put in his hands) sooner or later leads to a point where he must break his neck, politically. If, as in the Suez situation, the very facts, as established by the policy of the various big powers, force the Secretary General into a key role, I am perfectly willing to risk being a political casualty if there is an outside chance of achieving positive results..... Politically, the Secretary General should be, and is, most expendable, but he should not be expanded just because somebody does not want to produce his own money."

Certain measures may be able to shield the Secretary General from such risks or at least minimise them. Yashpal Tandon postulates that a...
'minimum working consensus' is necessary to establish a peacekeeping United Nations suborgan. Requisite for such a consensus is a necessary majority in the Council or the Assembly, acquiescence by the superpowers and the consent of the parties to the conflict and the parties participating in the peacekeeping machinery. He believes that "there is a very wide margin of operations for the United Nations between a consensus that places it 'above all criticism' and a consensus that is barely enough to execute the operation but not enough to protect the U.N. from criticism." However, while such a consensus might enable the continuance and success of a particular peacekeeping operation it is likely to provoke the Great Power, unhappy with the operation, to obstruct all future peacekeeping operations. Hence it would be wiser to minclude the Great Powers, the parties to the conflict and the contributing states in the Advisory Committee to help the Secretary General in order to achieve what Tandon calls the 'ideal consensus'.
NOTES AND REFERENCES: CHAPTER I:

4. Ibid., p. 35.
5. Ibid., pp. 35-36.
8. Ibid., loc. cit.
12. Ibid., p. 529.
13. Ibid., pp. 539-40. For other examples of the initiatives taken by Drummond see also p. 166, 181, 312, 322, 546; by Avenel, p. 659, 809.
14. Langrod, op. cit. pp. 120-123.
15. Walters, op. cit. p. 559.
16. Ibid., loc. cit.
19. Ibid., p. 31.
20. Quoted in ibid., p. 27.
21. Schwebel, the Secretary General of the United Nations, op. cit., p. 17.
23. Ibid., p. 372.
24. Ibid., p. 394.
25. Ibid., p. loc. cit.
26. Ibid., p. 395.
27. Quoted in ibid., p. 432.
30. Ibid., p. 21.
32. Ibid., p. 341.
36. Ibid., loc. cit.
37. Ibid., loc. cit.
38. Ibid., p. 35.
39. Ibid. loc.cit.
40. Ibid., p.40.
41. Ibid., p.41.
43. Ibid., p.1128.
44. Statement on his election to a second term before the General Assembly U.N.O./XII/5.1, September 26, 1957, p.175.
45. The San Francisco Conference did not agree to give the exclusive right to interpret the Charter to any one organ but allowed each organ to interpret those parts in the Charter within its exclusive jurisdiction. See Russell and Nather op.cit., pp.926-7.
49. This concept is developed in greater detail in Chapter III, below.
50. For an account of this controversy see Trygve Lie, In the Cause of Peace, (New York: The Macmillan Co. 1954), pp.82-98.
51. Lentner, however, argues that this power should be derived from the rules of procedure. See Howard Lentner, Political Role of the United Nations Secretariat, unpublished thesis submitted to Syracuse University 1964, p.91-2.
54. Trygve Lie, op.cit, p.76.
56. Thus, the three Secretaries General, till now, come from relatively small and neutral/ non-aligned nations like Norway, Sweden, Burma. Though Norway became a member of the NATO, at the time Mr. Lie was appointed, it was sufficiently neutral not to have provoked the Soviet veto. It is inconceivable that a candidate from the two power blocs or an Arab or Israeli could become a Secretary General and become acceptable as a third party to a dispute involving these parties. In 1965 names such as those of Carlos F. Romau were suggested by the Soviet Union, but it was a tactical move to get rid of Mr. Lie and even if such a person had secured the office, it is doubtful if he could have avoided the difficulties that Mr. Lie faced during the last days in his office.
57. For an account of this bargaining see Leon Gordenker, The U.N. Secretary General and Maintenance of Peace (New York: Columbia University Press 1967), Chapter III.
58. Ibid., p.35.
   p.260.
64. U.N.M.C. December 1967, p.44.
65. U.S. statement in the Special Political Committee on the Question of
   Peacekeeping operations, U.N.M.C. December 1965, p.74.
67. Wordener, op.cit. p.175.
68. Introduction to the Annual Report of the Secretary General 1965-66, p.12
   GAOR/XX/Suppl.16 (A/I/301/Add.1)
69. Ibid., loc.cit.
71. Ibid.
75. Ibid.
76. Times of India December 4, 1966.
77. U.N.M.C. January 1967, pp.4-5.
81. A/492 (V) November 1, 1950.
82. § A good account of this controversy is also given in Lie op.cit.
   Chapters 20 and 22. See also G.A.O.R./VI/A/12 V. 296 pp.287-62.
   Also see G.A.O.R./VI/A/12 V. 296-296, pp. 251-290.
84. Lie, op.cit., p.410.
87. Ibid., op.cit. p.45.
88. Ibid., p.51.
89. Ibid., p.75.
90. Ibid., p.201.
   p.53.
   1965), pp.63-64.
   G.A.O.R./VI/A/12 V. 1046 p.554.
96. There has not been great change in the Secretary General's policy
   regarding the use of Soviet personnel under U Thant. See M.Volodin
   'U.N. in a Changed World.' International Affairs, (Moscow) September
98. Dean Rusk in a press conference said "it is now incumbent upon all of
   those who have taken that view (that something good will happen after
   a bombing stop) to make maximum efforts to insure that their advice
   has substance in it." Department of State Bulletin. Vol. 56 No.1534
   November 18, 1968 pp. 2 520 & 522.
111. Lie, op. cit. p.123.
115. Lie, p.383.
119. U Thant's Report on withdrawal of the U.N.E.F., U.N.M.C. July 1967 pp.145-7. It is interesting to note that a 'group of former officials of the League of Nations' anticipated this problem and remarked in 1945: "No Civil Service international or national can, however, function without a reasonably clear mandate from the policy making organs. It can not produce unity out of strife, though it can do a good deal to prevent strife over secondary questions. Finding agreement on a particular subject unobtainable, national delegates may be tempted to refer it to experts, nominally in the expectation that they will find a solution satisfying all points of view, but really in order to gain time and keep the real conflict in the background. Such a practice imposes on the experts... a responsibility which they are not equipped to fulfill." The International Secretariat of the Future, op. cit. p.10.
122. For an example of such a situation see the analysis of Israel's position on Gaza in 1957, Gordien op.cit., p.266
127. Gaza had to resign when Turkey charged him with violating his mandate. See S/6267/Add.1 and S/7056 January 3, 1966.
128. Jackson comments "when (the office) is filled by a person with the political and administrative skill and the personal judgement of Hammarskjold there is a particular reason for not subjecting the incumbent to such public negotiating pressures that his capacities for mobilising the resources of others are impaired by his preoccupations with the difficult political tasks which he himself has been asked to undertake." See Elmore Jackson op.cit., p.445.
131. GAOR/IV/V.896 October 10, 1960, para 80.
132. Drummond thinks that such political initiatives as the UN Secretary General takes would not have been tolerated by the Membership of the League from their Secretary General. See Schwebel, The Secretary General of the United Nations. Op.cit., p.3.
134. See Chapter II below.
135. Refer in particular to the draft resolution sponsored by Soviet Union, S/4225, S/4598 sponsored by Poland and supported by Soviet Union. Also S/4597 amendments of the Soviet Union to S/4578.
136. Trygve Lie, op.cit., p.299.
138. It is instructive to remember that U.S. refused to pay its share of the United Nations budget pertaining to the compensation which the United Nations was obliged to pay to the dismissed American citizens employed in the U.N. Secretariat. See John C. Stoessinger, The United Nations and the Super Power (New York: Random House, 1965) p.46.
139. Ibid., p.171.
140. Trygve Lie, op.cit., p.417.

143. Ibid., p. 276.