REGIONALISM IN OPERATION

THE NONCOMMUNIST WORLD (Contd.) B - The SEATO

Background:

After Korean war, the United States' second phase of anti-Communist regional collective defense pacts began in 1951 with the conclusion of security treaties with the Philippines and Japan in August and September, 1951. The United States also concluded a three-party alliance with Australia and New Zealand in September, 1951 to be known as ANZUS. The Committee on Foreign Affairs of the United States House of Representative had indicated in 1950 for establishment of a defense pact for the Pacific modelled after NATO. There had been a fundamental change in situation from that of 1945 and the United States readily responded to the new situation. United States' great ally Chiang Kai Shek had left the mainland of China and taken refugee in the small island of Formosa while the Chinese Communists have seized power in the mainland. In Korea, a war had been started presumably by the North, supported by the Communists against the South since June, 1950. The former dependencies of France in Indo China and of Great Britain in the Southeast Asia were in the process of disintegration, and some of them have already attained independence or in the process of attaining such. A fierce contest for power has started in Indo China (Viet Nam) between the French-supported Bao Dai and Communist-supported Ho Chi Min. With the fall of Bao Dai and French withdrawal, the fight took another shape to be generally known as fight between the Communist North and the non-Communist South. Japan, an ex-enemy of world war II had already
become an ally of the U.S. which also concluded defense pacts with South Korea and Nationalist China in order to make the anti-Communist structure complete. Moreover, Sino-Soviet Pact of 1950 appeared to the U.S. as consolidating Communist stronghold in that area.

Although a small state, Indo China, due to its strategic importance, was considered by the United States as "the gateway to the whole Southeast Asia." The Geneva Agreements were concluded but these failed to remove the roots of conflict between the major contending parties. Dulles asserted that imposition of Communist rule in the South east Asia was to be averted even if it meant "serious risks." In this context, the proposed Manila Conference was held with the object of invigorating and consolidating defense under the assistance and leadership of the U.S. The result was the signing of the Manila Pact also known as South east Asia Treaty Organisation on September 8, 1954, by Great Britain, Thailand, the Philippines, Australia, New Zealand, France, Pakistan and the United States.

Two allies of the U.S. in that area - Japan and Nationalist China were kept out of the Manila Pact, but they were linked with the U.S. through separate defense treaties. Thus the United States concluded a defense-structure of wide range and became the leader by making heavy commitments. America's alliance policy in the post-Second-World-War period was based on containment guaranteeing some form of status quo, and this "containment guaranteeing

some form of status quo, and this "containment policy had encircled the communist powers with a network of military alliances".

Main features:

1. Modelled after NATO, the treaty in the Preamble solemnly affirms the principles of democracy, liberty, and rule of law for the peoples of the member-states for their allround development. In some respects it even goes further; the members not only reaffirm their faith in the U.N. Charter, but also declare to "hold the principles of equal rights and self-determination of peoples" and to promote self-government and to secure the independence of all countries.

2. The heart of the treaty is Article 2 which contains security provisions to the effect that "the Parties, separately and jointly, by means of effective self-help and mutual aid will maintain and develop their individual and collective capacity to resist armed attack and to prevent and counter subversive activities directed from without against their territorial integrity or political stability."

3. According to Article 4(l) the members of the treaty want to repel armed attack only by unanimous agreement and measures taken in this regard "shall be immediately reported to the Security Council." It may be mentioned that NATO-pattern automaticity of


Foot Note: There has been a reversal of United States' China policy as President Nixon desired to normalise relations with China (Peking). Following this China has become a permanent member of the Security Council in place of Taiwan.
attack is deliberately modified here.

4. Article 4(2) stipulates that when any party "is threatened in any way other than by armed attack or is effected or threatened by any fact or situation which might endanger the peace of the area, the parties shall consult immediately" to take appropriate measures "for the common defense." Thus a distinction is to be made between types of aggression involving armed attack or not; but even a "fact or situation" may constitute a threat of the latter type.

5. According to Article 1, the members pledge to settle international disputes peacefully, and also to refrain "from the threat or use of force in any manner inconsistent with the purposes of the United Nations. In Article 6 it is affirmed that members' right and obligations to the U.N. Charter remain unaffected.

6. The members not only aim at military cooperation for common defense but also, according to Article 3, socio-economic cooperation for promoting economic progress and wellbeing of the peoples.

7. Article 5 describes the functions of the Council, composed of each member and empowered to consider matters of military and other planning as well as "matters concerning the implementation of the treaty." It is the highest decision-making organ of the treaty for both military and non-military affairs.

8. According to Article 7 any new member which has capacity "to further the objectives of this treaty" may by unanimous agreement of the parties be admitted to the treaty.
9. Article 8 provides description of the "treaty area" within which the treaty would operate.

10. No time limit is fixed for the treaty, for Article 10 states that the treaty will run indefinitely. But provision is made for withdrawal by serving one year's notice of withdrawal.

11. One novel feature of the treaty is its non-reference to either Article 51 or Article 54 of the Charter of the United Nations, and the only reference of the Security Council is made in Article 4(1) where the provision of reporting the enforcement measures is made. This suggests, although indirectly, the treaty is based on Article 51.

12. In another respect the treaty is unique; the clause entitled "Understanding of the United States of America" added, at the end of the treaty stipulates that only in case of Communist aggression involving armed attack the United States was committed to Article 4(1), but "in the event of other aggression or armed attack it will consult under provisions Article 4 paragraph 2." This suggests that United States reserves her decision to assistance in case of aggression from non-Communist sources. ¹

13. By a special protocol, signed on 8.9.54, the signatories to the treaty have unanimously extended their defensive umbrella to three non-members, viz. South Viet Nam, Cambodia and Laos, so that, Article 4 may be invoked. Besides protection for defense,

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¹ By limiting U.S. commitment only in case of Communist aggression, the United States has admittedly made it ideologically anti-Communist.
they may also participate in matters of economic cooperation contemplated in Article 3 of the treaty. This protocol, for all purposes and intents, would form a part of the treaty. \[See Foot Note\].

14. In order to allay fears of the Asian countries of Anglo-American imperialist designs, the organisers of the SEATO Conference had adopted a "Pacific Charter" by which the members pledged to promote matter of independence and constitutional self-government for dependent peoples.

Assessment

The SEATO was organised in an area comparatively weak and unstable, and lacked NATO-type cohesion, but nevertheless it produces considerable impacts upon world politics. The whole scheme of SEATO has been devised by the United States as a part of her global strategy to contain Communism. The members sought to fight Communism, but in the meeting of February, 1955 no exact procedures were mentioned. In 1956, the Council made lofty declarations of promotion of economic progress and loyalty to the U.N. Charter, and affirmed that their countries will never commit aggression, but Pakistan raised the Kashmir issue which hardly bears any relevance to the declaration. Cambodia was invited to join SEATO but she refused explaining that she wanted to follow a policy of neutrality. In 1957, it took a programme to combat anti-subversive

Foot Note: The inclusion of three non-members is made only to make the grip of the United States over the area more tight. This provision is not common to other American-inspired defense pacts.

activities. It criticised the neutralist countries opposed to collective security arrangements like SEATO, concluded in conformity with the U.N. Charter. The Tibetan situation was reviewed by the Council which condemned Chinese action. It expressed that international disputes should be peacefully settled according to the provisions of the U.N. Charter. In 1960, the Council condemned not only Soviet Union but also China, and observed that SEATO has intensified efforts to counter Communist threat. It also opined that Laos constituted primary target but the secondary target of the communists was South Vietnam. With deterioration of Laos situation, United States and United Kingdom expressed their willingness to defend Laos, and all SEATO members except France were ready to send their forces for that purpose. The United States sent forces supported by token forces of Britain and Australia and the situation was settled in Geneva negotiation which resulted in guaranteeing neutrality of Laos. In 1963, the Council affirmed the value of the Manila Pact. It asserted that military goals were not the ultimate aim, but independence and economic wellbeing of the people. In 1964, the Council alleged that North Vietnam has made flagrant violations of the Geneva accords and it decided to take an elaborate programme for military planning, with the object of improving collective defense in that area. The Council held its meeting in 1965, but France did not attend for

her difference on Vietnam issue and her insistence upon peaceful settlement of the problem. The United States, on the other hand, took a policy of increasing military assistance in South Vietnam for meeting Communist threat, and most of the members took the line of U.S. Mr. Rusk in a speech dt. March 14, 1966 stated that the Congress in a joint meeting and by majority vote accepted the obligation of the U.S. to defend the protocol state (South Vietnam). In 1967, the Council welcomed the establishment of Asian Development Bank and also observed that Communist tactics (i.e. "a war of national liberation") was in reality a technique of Communist aggression. But France did not participate in the meeting and Pakistan did not adhere to the communique. The Council, in 1968, again discussed the burning problem of Vietnam and observed that owing to North Vietnam's aggressive designs peace could not be established. They wanted to establish peace in Vietnam and appealed to Britain and Soviet Union to exercise their best influences to negotiate peace. But Pakistan did not associate with the communique embodying the decisions. In the Council's meeting, Mr. Rogers (U.S.) asserted that United States interests in Asia were not secondary but primary. It was held by Mr. Khornan (Thailand) that SEATO should change its emphasis from military to political. A communique was issued, but here also Pakistan did not adhere. In 1971, the Council alleged that North Vietnam was not properly responding to peace proposals

made by the U.S. and was continuing aggression with heavy supplies of arms from Communist countries. It further held that the Cambodian people have demonstrated their determination to maintain their freedom and also called China to assume "a constructive rather than a disruptive role" in South East Asia. 18

Conclusion:

The United States, by concluding the treaty tried to mobilize defense strength of an unstable and weak area with the object of resisting Communist aggression, but the members were not united on the methods of resisting the Communists. In fact, absence of common aim of the alliance was most conspicuous and the participants had no clear idea of the nature of Communist threat - be it from the Soviet Union or China. The members had different interests and some of them, for example, Pakistan was not concerned with Chinese threat. Pakistan, contrary to U.S. expectation, has recognised Communist China like Britain, and naturally, they were on a line different from that of U.S. Pakistan's refusal to sign the communiques in 1968 and 1969 also suggested that she wanted to reserve her opinion. In the matter of Vietnam and Laos, France took a policy which was different from that of SEATO and in this case also we find that France did not want to follow the lead of U.S. in SEATO and France and other members largely remained inactive.

The treaty aims at establishing peace and security by resisting only Communist aggression but in case of other aggression

the United States was not interested. Mr. Dulles in his report
to the President Eisenhower clearly spoke that in view of special
understanding with the United States, the United States according
to Article 4(1) would give immediate response to Communist aggre­
sion only, but with regard to other aggression Article 4(2) will
operate. This suggests that the United States wanted to utilise
the treaty as a part of her global policy of withstanding Communism
without showing scant respect to the occupants and this ran against
the principles of the U.N.Charter. The treaty did not find support
of India, Indonesia, Cambodia and other important states of that
for it area, would increase tension by arms supply in that area. Nehru's
condemnation of the pact is clear and unequivocal. He also de­
nounced Pakistan's participation in the pact on the ground that
Pakistan became a member of that pact mainly due to her hostility
against India. Spaniar also states the same view that Pakistan
became a member "because she wished to strengthen herself against
India."

The pact is lacking NATO-type automaticity and integration
and these are serious defects of the pact modelled after NATO.
Mr. Dulles himself contended before the Senate Foreign Relations
Committee that in view of lack of cohesion and strength, military
integration or joint command like NATO was not feasible. SEATO has
no joint forces and it only depends upon contributions from member

20. Nehru's opinion quoted earlier.
states some of whom are virtually unable to contribute. Three members viz. Pakistan, Thailand and the Philippines are not match for the United States, Great Britain or France and this lack of homogeneity in economic and military sphere could hardly foster integration or reciprocal co-operation. These three Asian members are included in the pact only to give an Asian label. Commenting upon this Prof. M. Maqbool Ball has rightly observed: "It is designed in the West, controlled by the West, and inspired by the Western, not the Asian view of basic values." Repeatedly, the members have declared their faith in general in the purposes and principles of the U.N. Charter, and in particular that they (as members of SEATO) will never commit aggression, but they have flagrantly violated the declared peaceful aim of the treaty by unilaterally taking recourse to use of force, in a large area comprising Vietnam, Laos and Cambodia, in a manner inconsistent with the purposes and principles of the U.N. It has been well demonstrated that intensification and continuance of the Vietnam war in the treaty area has failed to secure the objective of international peace and security in terms of the principles of the U.N. Charter, and also of the aims of the treaty.

This has been termed as a defensive arrangement, but hardly the provisions of defensive arrangement, permissible under the U.N., bear any meaningful resemblance to the actual operation.


In the same vein Prof. A.D. Barnet, an authority on the Far East observes that some Asians "identify SEATO with past European colonialism in Asia." Communist China and Asia, 1960, New York.
of the treaty. In fact, the members under the cloak of defensive arrangement foster not the avowed objectives, but politico-security interests of the U.S. which in this case is not only the sponsoring power but also the chief pilot of the treaty.

By making the treaty explicitly based not upon Articles 52-54 of the U.N. Charter, the members have tried to evade legal jurisdiction of the Security Council in the matter of international peace and security. The working of the treaty also suggests that the treaty, like those based upon Article 51, wants exemption of Security Council's control and with the object of functioning independently of the U.N.

The small powers in SEATO adhered to the treaty so long their interests were served for example, Pakistan considered SEATO essential for defense of her eastern wing (Bangladesh) but Pakistan was disillusioned in 1971 when it did not satisfy her aspirations and, consequently, she withdrew from the pact. Again, Pakistan made extensive use of U.S. arms, received as a member of SEATO, in her conflict with India in 1965 despite America's guarantee to the contrary.24

The U.S. formed pretext to justify action and involvement in the Vietnam war by the securing concurrence of the U.S. Congress although the members, specially Pakistan and France, did not follow

See also India's Defence Minister's statements Sept. 6 and 8, 1965 in Parliament indicating use of American weapons (Patton and Sherman tanks, F 86 Sabre Jets and B57 bombers) by Pakistan. Foreign Affairs Record, Govt. of India, Sept. 1965.
the lead taken by the U.S. France disassociated and Pakistan withdrew for the simple reason that they have withheld themselves from the United States' programme of projecting U.S. policy in global strategy in her struggle against communism. Again, with establishment of better relations with Communist China and the Soviet Union resembling some rapprochement and with conclusion of an armistice in Vietnam, the utility of the pact to its members has become questionable, and divergence of the members with regard to the Communist threat has set the pact in the process of disintegration.

The pact was created as a part of anti-communist coalition of the United States strategy in South East Asia which was to be defended against Communist (Chinese) threat. But consequential to U.S.-China rapprochement, the real concern, if any, over China has practically vanished and thus, the question of Chinese threat no longer exists. This also became imperative that after signature of Vietnam Peace Treaty the Communist threat has become unimportant for SEATO but it would still be maintained for serving U.S. interests, whether or not Communist threat remains.