

Chapter One

INDIA, THE UN CHARTER AND COLLECTIVE SECURITY SYSTEM

India and the UN Charter

India was not independent when the United Nations was established, yet she is a founder member of the United Nations. Efforts to create the United Nations synchronized with the final stages of India's struggle for independence. Naturally, India's attitude to what happened abroad was affected by events in the country. India was enthusiastic or indifferent towards various international conferences in so far as they helped or hindered the realization of her immediate objective viz. attainment of independence. (1) Before the San Francisco Conference was convened, questions of transfer of power from the British to the Indian hands and of possible partition of the country attracted so much attention that every other consideration was relegated to the background. At San Francisco also the Indian delegation appointed by the British Indian Government persisted in emphasizing

(1) The Atlantic Charter and the Moscow Declaration did not arouse much interest in India because of their unsatisfactory treatment of the problem of dependent territories. The Dumbarton Oaks proposals of 1944 were severely criticized in India because they ignored the basic lesson of the League of Nations' history that territorial ambitions of the big powers were responsible for most of the conflicts of the world. India and the United Nations, Carnegie Endowment for International Peace: National Studies on International Organization. (New York, 1957) (cited hereafter as India and the United Nations) 23.

the need for emancipation of the colonial people. (2)

With the attainment of independence, India's national aspirations were released for active participation in world affairs. Modest about its capacity to make some contribution at that stage but sure of its eagerness to do so, the Indian Government expressed full support for the principles and purposes of the Charter. Quoting the words of Nehru, who by then had become the Vice-President of the Interim Government, the leader of the Indian delegation told the first session of the General Assembly of the United Nations:

Towards the United Nations Organization, India's attitude is wholehearted co-operation and unreserved adherence in both spirit and letter, to the Charter governing it; to that end India will participate fully in its varied activities and endeavour, and assume that role in its councils to which her geographical position, population and contribution to peaceful progress entitle her. . . . (3)

India insisted on firm adherence to the Charter in her own "enlightened self-interest." The principles and purposes of the Charter contained the cherished objectives of India's foreign policy; pursuit of peace, liberation of the subject people,

(2) In the Preparatory Commission of the United Nations which met first in June 1945 at San Francisco and later in November 1945 in London, after the Charter had come into force, India made constructive suggestions for transferring the League of Nations mandated territories to the trusteeship system. L. C. Setalvad, "India and the United Nations," India Quarterly (New Delhi), 6 (1950) 107-29.

(3) Mrs. Vijayalakshmi Pandit, G.A.O.R., 1st Sess. (1946) 37th Plen. Mtg., 731.

eradication of want, disease and ignorance. (4) For India, world peace was "a vital necessity and a daily prayer." (5) Her fundamental problems were internal and not external. It was fully realized in India that the occurrence of any major war would hamper her economic development because it would, among other reasons, considerably reduce her chances of getting technical and economic assistance. (6)

In expressing full support for the UN Charter, India considered it an improvement upon the League Covenant. Viewing India's attitude towards the United Nations in retrospect, Nehru said, "India had associated herself with the United Nations and attached the utmost importance to it because it was wider and better than the League." (7) Firstly, unlike the League which was and remained a European show, the United Nations, even at the time of its inauguration was based on the principle of universal membership. Secondly, unlike the League the United

(4) Nehru cited in India's Spokesman: From Speeches and Addresses by Pandit Jawaharlal Nehru (ed.), C. D. Narasimhalah. (London, 1960), (hereafter cited as India's Spokesman) 69-77.

(5) "We need peace not in order to become more powerful or more prosperous, but in order to exist. We need it in order to eat, to be clothed and housed and made literate." Vijaya Lakshmi Pandit, "India's Foreign Policy," Foreign Affairs (New York), 34 (1955-56) 435.

(6) India and the United Nations, 29.

(7) Nehru in The Hindu (Madras), 13 June 1952.

Nations was not built to defend a disputed 'status quo.' (8)

Thirdly, the transformation of India's status from a colony to a free country, brought a change in her attitude. Whereas, the so-called Indian representatives to the League, were nominees of the British Government and largely reflected the views of the British Foreign Office, atleast on basic issues, the Indian delegation to the United Nations represented an independent state conscious of "the obligations and burdens of that membership." (9)

The limitations of the UN Charter were fully realized by India. Like the Covenant, the Charter also was based on the concept of national sovereignty that could severely limit its effectiveness. Still it provided a hopeful means for promoting peace in a world which had witnessed two devastating wars within less than half a century. (10) In this sense, India's support for the UN Charter reflected a general awareness of the destructive potentialities of another war as well as a universal desire to

(8) The League had legally cemented the distribution of power as it existed at the end of World War I. Consequently, in the period between the two world wars, the struggle for and against the status quo was fought in the main either by defending or by opposing the territorial provisions of the Treaty of Versailles and their guarantee in Art. 10 of the Covenant. It was consistent, therefore, that the nations chiefly opposed to the status quo established in 1918 should sever connection with the League - Japan in 1932, Germany in 1933, Italy in 1937. Hans J. Morgenthau, Politics Among Nations (New York, 1956) 37-8.

(9) Nehru, n. 4.

(10) "The only way to save a catastrophe, the only road to peace, freedom and well-being for us all, is through our steadfast and whole-hearted co-operation at whatever inconvenience within the framework of the United Nations and in the spirit of the Charter." Mrs. Pandit cited in Setalvad, n. 2.

prevent its outbreak. (11)

Collective Security System and the UN Charter

Major attempts at preventing the outbreak of war in the twentieth century had "one pre-occupation, a dominant purpose, a supreme ideal," viz. the establishment of a collective security system. (12) "Security represents the end; collective defines the nature of means; system denotes the institutional component to make the means serve the end." (13)

As an ideal a collective security system surpassed all the earlier attempts at maintaining peace in the world. (14) It was based upon a recognition of the principle that "conflict among the members of a group affects the entire group and that a unilateral resort to violence against any member constitutes

(11) Any war after the Second World War threatened to be total not only in the sense of every country being a prospective participant in war but also in the sense of every country being a victim of war. The mechanization of the methods of warfare made it destructive beyond imagination and erased the traditional distinction between combatants and non-combatants. Technological developments made it possible for an aggressively inclined nation to conquer the world and keep it in that conquered state. As a result of total war waged by total populations for total stakes, either world domination or world destruction could take place and humanity wanted to avoid both. See Morgenthau, n. 8, 353.

(12) Inis L. Claude, Swords Into Plowshares (New York, 1956) 250.

(13) Ibid.

(14) "It represents the means for achieving national security and world order which remain when security through isolation is discarded as an anachronism, security through self-help is abandoned as a practical impossibility, security through alliance is renounced as a snare and a delusion, and security through world government is brushed aside as a dream irrelevant to reality." Ibid., 251.

an offence² against all members." (15) If under the traditional systems of avoiding war, peace-loving states kept the blaze from spreading by remaining aloof, under the system of collective security they were prepared to make positive attempts to extinguish the conflagration. Three factors responsible for this change in attitude to international conflicts could be found in: (a) change in values, (b) change in techniques and (c) change in international institutions. (16) With the increasing attention being paid to all kinds of humanitarian projects in the twentieth century war also became a practical problem involving social engineering.

The ideal of avoiding war through a collective security system was formally incorporated in Art. 11 of the League Covenant. (17) The League of Nations solemnly accepted, grudgingly adhered to and completely failed in realizing that ideal. Keeping in view the experience of the League, the framers of the UN Charter reaffirmed their faith in a collective security system. The Charter aimed at saving the succeeding generations from the scourge of war by taking effective collective measures for the prevention and removal of threats to peace, and for the

(15) Willard N. Hogan, International Conflict and Collective Security (Kentucky, 1955) 1.

(16) "Collective security may be said to have found its soul in the revolution in beliefs, its body in the revolution in techniques and its mind in the revolution in contemporary international institutions." Kenneth W. Thompson, "Collective Security Re-examined," American Political Science Review (Washington), 46 (1953) 754.

(17) Art. 11 of the Covenant read: "Any war or threat of war, whether immediately affecting any of the Members of the League or not, is hereby declared a matter of concern to the whole League, and the League shall take any action that may be deemed wise and effectual to safeguard the peace of nations."

suppression of acts of aggression or other breaches of peace [Art. 1]. Anticipating the probable hazards of its acceptance by sovereign members, it was provided that the principle of non-intervention in matters essentially of domestic jurisdiction should not prejudice the application of collective action [Art. 2 para 7]. The Charter extended its jurisdiction beyond the membership of the United Nations and hoped that the Organization would ensure that even the non-members did not jeopardize international peace and security [Art. 2 para 6].

The primary objective before the framers of the UN Charter was to devise an institutional system which could stop the next war before it started and organize effective action to crush it swiftly if it broke out. In both these respects, the gentlemen at San Francisco could not ignore the experience of the two world wars. In looking for the causes which might bring another war, their gaze got fixed on the ghosts of Hitler and Mussolini. (18) In attempting to devise effective means to crush a war, they could think only of the overwhelming strength of the major powers who

(18) "All Fascism did not die with Mussolini. Hitler is finished but the seeds spread by his disordered mind have firm roots in too many fanatical brains. It is easier to remove tyrants and destroy concentration camps than it is to kill ideas which gave them birth and strength. Victory of battlefield was essential, but it was not enough. For a good peace, a lasting peace, the decent peoples of earth must remain determined to strike down the evil spirit which has hung over the world for the last decade." Address by the U.S. President to the San Francisco Conference. United Nations Conference on International Organization (New York, 1945) (cited hereafter as UNCIO) I, 717.

had succeeded in meeting the threats posed by Germany and Italy. (19) Therefore, the Charter envisaged a collective security system wherein threats to world peace were considered primarily in terms of aggressive use of force. Measures to meet those threats were conceived largely in terms of overwhelming military strength.

For a proper understanding of the Charter and collective security system, an important fact must be mentioned. Some delegations to the San Francisco Conference tried to emphasize that preoccupation with the immediate causes of the two world wars might not prove adequate for devising a system for avoiding wars in the future. Wars arose essentially out of conflicts among nations. As such in any effective institutional framework for the avoidance of wars, due consideration should be given to removing the causes of conflicts. (20) For that purpose, the Charter included many broad provisions which would enable the United Nations to deal with the problems likely to follow the Second World War e.g. socio-economic reconstruction and disarmament. (21)

(19) "The Allied Powers demonstrated their ability to carry out the task of annihilating the strongest and the most cunning enemy in history. Without co-operation between them it would be impossible to carry out so successfully the task of defeating Hitlerite Germany. Without such co-operation, it would be impossible in future to carry out the task of preserving peace." Address by the leader of the Soviet Delegation to the San Francisco Conference. UNCIO 1, 695.

(20) For the suggestions made by various delegations see UNCIO 3, G/14(f) 486 (by New Zealand), G/14(h) 527 (by India), G/14(i) 543 (by Australia), G/14(p) 574 (by the United Kingdom).

(21) See Art. 1 and Art. 11 of the Charter for the responsibility of the United Nations in the field of socio-economic reconstruction and disarmament respectively.

Although there was no explicit provision to treat these problems as direct threats to international peace and security, they constituted an inevitable part of the institutional framework envisaged by the Charter. (22)

In spelling out the explicit provisions regarding the collective security system, the Charter made the most comprehensive approach to the problem of controlling the use of force in international relations. On the one hand, the members pledged themselves to refrain from the threat or use of force against the territorial integrity or political independence of any state or in any manner inconsistent with the Charter [Art. 2 para 4]. On the other hand, they entrusted to the Security Council, the authority to exercise on behalf of the members of the Organization, primary responsibility for the maintenance of international peace and security [Art. 24 para 1].

Further, the Charter laid down the general principle that enforcement action is a monopoly of the United Nations. (23) Two exceptions to this rule were introduced: Art. 51, which gave to the states the right of individual and collective self-defence if an armed attack was directed against them; Art. 107, which explicitly stated that the requirement of Council authorization

(22) "Looking for precautions and remedies against war beyond the war machine itself, the Charter envisages also a social and economic organization of the peoples, intended to raise the levels and standards of life and work for all and by thus removing social unrest and injustice to strike at the very roots of war." Address by the leader of the Union of South African Delegation. UNCIO 1, 711.

(23) Leland M. Goodrich, The United Nations (New York, 1959) 162.

of enforcement action under regional arrangements or by regional agencies should not apply to the cases involving measures against an enemy state as defined in para 2 of Art. 53, to check the renewal of aggressive policy on the part of any such state. Both these exceptions were considered necessary safeguards for meeting situations which demanded instantaneous action but the cardinal principle of collective security system was that "the United Nations alone and more particularly the Security Council, should be responsible for deciding where, when and what collective measures should be taken." (24)

The Security Council was given a pivotal role in the working of the collective security system. Firstly, it was entrusted with the sole right to determine the existence of any threat to peace, breach of peace or acts of aggression [Art. 39]. Any member of the United Nations might draw the attention of the Security Council to a situation that was likely to endanger the maintenance of international peace and security [Art. 35 para 1], but the ultimate decision rested with the Security Council. (25)

Secondly, the Security Council was authorized to make recommendations and decide what steps were necessary to meet a situation involving breach of or threat to peace [Art. 39]. The Charter defined in considerable detail the measures which the

(24) Ibid., 164.

(25) "If any single provision of the Charter has more substance than the others, it is surely the first sentence of Art. 39 which places upon the Security Council the duty to determine the existence of any threat to the peace." Report of the U.S. Delegation at San Francisco to the U.S. President, cited in Goodrich, n. 23, 159.

Security Council might employ against the aggressor. The Council might starve the aggressor into submission by employing economic sanctions [Art. 41]. (26) The aggressor might be cowed down by a display of force not involving war [Art. 42]. (27) But if the aggressor was resourceful enough to withstand starvation and insolent enough to defy methods short of war, the Security Council might be compelled to take such action by air, sea, or land as was considered necessary for the purpose of maintaining international peace and security. The Charter envisaged "graduated steps of pressure" to be employed against the aggressor. (28) The Security Council was, however, left free to take these measures in any order it might choose. It might plunge into military action without preliminary measures. Even the stated list of non-military measures was not exhaustive. Also, the Security Council was given the discretion to decide whether the measures which it recommended were to be taken by all the members or by some of them [Art. 48].

Thirdly, the Security Council was provided with a Military Staff Committee to assist it in its military responsibilities and to undertake the strategic direction of the armed forces [Art. 47 para 1]. In addition to the permanent members of the Council, any other member might be represented in it, if such a representation

(26) "... These may include complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio and other means of communication and the severance of diplomatic relations." Art. 41 of the Charter.

(27) "... Such action may include demonstrations, blockade, and other operations by air, sea, or land forces of Members of the United Nations." Art. 42 of the Charter.

(28) Clyde Eagleton, International Government (New York, 1948) 444-5.

was considered necessary for the proper discharge of its functions [Art. 47 para 2].

The Charter explicitly stated the obligations of the members towards the responsibility given to the Security Council. They were expected to carry out the decisions of the Security Council [Art. 25], render it every assistance in any action it might undertake and refrain from assisting any state against which a collective action was being considered [Art. 2 para 5].

Constitutionally, the collective security system embodied in the Charter was an improvement upon its predecessor under the Covenant. The Covenant required members not to "resort to war" under certain defined conditions [Art. 12 of the Covenant]. The Charter denounced the use of force almost unequivocally [Art. 2 para 4]. The Covenant gave its members the choice of applying economic sanctions if and when they recognized the existence of aggression and gave them the liberty of voluntary participation in military sanctions. The Charter concentrated, in the Security Council, all the decisions regarding collective action.

In institutionalizing a collective security system, the Charter relied upon one fundamental assumption made at San Francisco i.e. dominant role of the Big Five. The great powers who had shouldered the main responsibilities during the Second World War were fully aware of their indispensability and were inclined to make the most of it.

As such the Charter conceded an imposing list of exceptional responsibilities and privileges for them. (29)

(29) The very coming into force of the Charter was made contingent upon ratifications by the Big Five. See Art. 110 of the Charter.

They were offered permanent seats in the Security Council [Art. 23] which meant much in view of the fact that the Security Council could rightly be called the pivot of the collective security system. The wide decision-making authority of the Security Council in this respect, was explicitly placed in the hands of the Big Five by the requirement of "concurring votes of the permanent members" [Art. 27]. The strategic direction and command of any military action to be taken by the United Nations was entrusted to the Big Five [Art. 47]. They were authorized to take joint action on behalf of the Organization, until it could act for itself [Art. 106]. Lest a majority of members in the United Nations should try to change the scheme of things in which the great powers were given exceptional authority, the Charter provided that it could not be amended unless all the permanent members agreed [Art. 108].

One clear implication of the collective security system as envisaged in the UN Charter was that no collective enforcement action could be taken unless the great powers agreed. It also implied that no coercive action could be taken against any of the permanent members either through or on behalf of the United Nations. (30)

(30) In submitting an early draft of the United Nations to President Roosevelt, the U.S. Secretary of State, Cordell Hull explained that the entire plan was based upon two central assumptions: first, that the four powers (later expanded to five) would pledge themselves and consider themselves morally bound not to go to war against each other or any other nation, and to co-operate with each other and with other peace-loving states in maintaining the peace; and second, that each of them would maintain adequate forces and would be willing to use such forces in circumstances required to prevent or suppress all cases of aggression. Memorandum for the U.S. President, 29 December 1943, cited in Claude, n. 12, 86-7.

The small powers represented at San Francisco willingly accepted the role given to great powers because they had no other alternative. The great powers were not being given any degree of prominence which they did not possess already. A pragmatic approach to international politics required that the task of keeping peace in the post-war world should be entrusted to the Big Five who alone possessed the strength to disturb the peace and jeopardize the security of others. But a consciousness of their independent and sovereign status on the part of states other than the Big Five, demanded a recognition in any arrangement that concerned the whole world. To answer the former need, unanimity rule of the Big Five was adopted; to meet the latter demand, the expression of that rule was canalized through a world organization. In fact by giving a statutory recognition to the special powers of the Big Five the Charter imposed certain limitations on arbitrary behaviour by any one of them. The unanimity rule itself, provided a procedural brake on unilateral and irresponsible action on the part of any one of the permanent members.

In making the unanimity rule, the rock-foundation of collective security system, the Charter framers were not ignorant of the plain lesson of history that war-time alliances do not survive their military aims. Nor were they relying upon continued co-operation among them. Probably what the Charter assumed was ". . . not that the great powers co-operation would unfallibly take place, but that there was no hope for a peaceful world unless it did take place." (31)

(31) Claude, n. 12, 83.

India and Collective Security System as
Embodied in the UN Charter

When an institutional framework for the avoidance of war was being drafted at San Francisco, Indian delegation was one of those who emphasized the importance of removing the causes of conflict in the world. The leader of Indian delegation told the Conference: "When we are all thinking of security of armed forces which will prevent aggression, we are likely to forget the basic factor in all these considerations, the cause which leads to aggression. It is economic injustice and even social injustice that has bred for all time in the past the great causes of war." (32) For the removal of those causes, ^{the} Indian delegation suggested that "due recognition should be given to the promotion of fundamental human rights for all men and women, irrespective of race, colour or creed in all nations and in all international relations and associations of nations with one another." (33) The Indian delegation wanted its amendment to form a part of the provisions dealing with threats to peace. Its viewpoint was noted only to the extent of including a sentence in the general purposes of the Charter. (34)

Even though the Indian viewpoint was not fully and formally incorporated, India supported the collective security

(32) UNCIO 1, 244-5.

(33) Ibid. 3, G/14(h) 527.

(34) Art. 1, para 3 (last sentence).

system as a part of her support for the Charter as a whole. (35)

India accepted the basic principle of collective security system that the breach of peace anywhere was the concern of peace-loving nations everywhere. (36) Even under foreign domination, Indian nationalist leaders had bitterly criticized the League and the great powers for their lukewarm attitude toward Italian aggression against Ethiopia. The Japanese attack on Manchuria was severely condemned by the Indian National Congress, which largely represented the Indian public opinion. As a feeble token of their strong sentiments, the Indian nationalist leaders called upon the Indian people to refrain from buying Japanese goods. Regarding the conflict in Spain too, their opinion was that the policy of non-intervention followed by Britain amounted to aiding the followers of General Franco, who were openly backed by the Fascist powers. During both the world wars India participated actively for the cause of human liberty. (37)

India also accepted the fundamental political assumption of the collective security system, viz., the exceptional responsibilities and special powers of Big Five. But more than any other

(35) See suggestions by the Government of India regarding the Dumbarton Oaks Proposals, n. 33.

(36) Sir Ramaswamy Mudaliar, G.A.O.R., 1st Sess. (1946) 14th Plen. Mtg., 213.

(37) "When the call came that aggression should be put down, that the monster which had raised its head in Europe was likely, if unchecked, to dominate all the freedom-loving people of the world, the Indian people were ready to take their place among those who would fight for the preservation of the liberty of the human people." Mudaliar's speech at San Francisco Conference. UNCIO 1, 242.

delegation at San Francisco, the Indian delegation made it clear that they had no choice in this matter. (38) Of course, in doing so they also tried to understand what the great powers had in mind when they insisted on being given a special status before undertaking special responsibilities. In view of the fact, that the United Nations had yet to function and its credentials had yet to be laid down, it was legitimate on the part of the great powers to desire to become members of such an organization with some safeguards. (39)

While accepting the general principles of the collective security system, India's attitude towards its operational aspects was tinged with scepticism. India wanted greater reliance to be

(38) When the Yalta formula was adopted at San Francisco Sir Evatt of Australia introduced an amendment proposing that the unanimity rule should not apply to provisions dealing with conciliatory procedure. At the end of rather lengthy discussions, it was firmly stated by the Five Powers that even in reference to the conciliatory measures, the Yalta formula would stand. In fact, they made it clear, as the Prime Minister of Australia suggested, that if there were any change there, it would be a question of no Charter at all.

India abstained from voting on the Australian amendment and moved that the following passage should be added to the Report of the Rapporteur of Committee III/3 of Chapter XII of the Dumbarton Oaks proposals:

It should be stressed that during the debate the representatives of the sponsoring powers made it clear that they were not prepared to accept any modification of the Yalta formula, nor to agree to a more liberal interpretation thereof than that contained in their joint declaration on June 7, 1945 and that any unfavourable action of the Committee on the voting formula would imperil the whole work of the Conference. It was on this understanding that many delegations voted for or abstained from voting against the Yalta formula. (The para was not inserted in the Report by a majority of one). UNCIO 11, III/12, 173-8.

(39) Mudaliar, Ibid.

placed on economic than military sanctions. (40) At San Francisco, when enforcement measures were being drafted, the Indian delegation remained almost silent. (41) The reluctance of the Indian Government to commit itself in advance for any military action under the United Nations, became clear with the passage in India of the United Nations (Security Council) Act, 1947. (42) It authorized the Government of India to adopt any measures, not involving the use of armed forces, for the purpose of carrying out effectively the Security Council's decision regarding an offender against international peace. (43) The seeming ambivalence between India's

(40) In this respect, India's attitude remained much the same as it had been under the League of Nations. In a foreword to a Congress party pamphlet on India's foreign policy, Nehru had said: "Military sanctions may perhaps be necessary and inevitable on particular occasions but they involve war and the remedy might be as bad as the disease. Economic sanctions may involve the risk, but not necessarily so. They are powerful and on the whole peaceful though their effect might not be immediate, it is far reaching." Cited in Ram Mahohar Lohia, India's Foreign Policy (Allahabad, 1938) 3.

(41) UNCIO 11.

(42) Indian Act No. XLIII of 1947. Gazette of India, 20 December 1947.

(43) Thus ran the relevant portion of the Act.

(2) Measures under Art. 41 of the Charter of the United Nations:

If, under Art. 41 of the Charter of the United Nations signed at San Francisco on 20th day of June 1945, the Security Council of the United Nations calls upon the Central Government to apply measures, not involving the use of armed forces, to give effect to any decision of that Council, the Central Government may, by order published in the official Gazette, make such provisions (including provisions having extra-territorial operation) as appear to it necessary or expedient for enabling those measures to be effectively applied, and without prejudice to the generality of the foregoing power, provision may be made for the punishment of offenders against the order. (*Italics added*).

acceptance of collective security system and her scepticism about military measures involved no inherent contradiction. India did not regard collective security as synonymous with military action. It involved collective action which need not be necessarily military in character. (44)

In avoiding a definite commitment on military measures, there were perhaps three factors that governed India's attitude: faith in peaceful methods; consciousness of national limitations; understanding of great power relations as they existed and were likely to develop.

Reliance upon peaceful methods had been a marked feature of India's struggle for national independence. Projecting that into international relations India held the view that peace could not live in an atmosphere of constant preparation for war. Belief in the inevitability of war led people to prepare for it not only in a military sense but also in a psychological sense and thereby brought the war nearer.

More than mere insistence on peaceful approach, consciousness of her national limitations cautioned restraint in India's attitude. A sound approach to international issues required a balance between national commitment and national strength. It

(44) In this context an important distinction may be made between collective security as an objective, a condition and a method. The objective is to achieve a situation in which acts of aggression will not occur. If this objective is achieved, the world would then be in a condition of collective security. The method is co-operative action which is not synonymous with military action but potentially involves the use of force to restore peace. Hogan, n. 15, 180-1.

was obvious that India lacked the two most effective means of strength — military force and economic power. (45) In spite of her large population India was not a military power of any consequence and her vast industrial potential was as yet unexplored. Naturally, the Indian Government shirked any commitment that went far beyond the strength of the country and could not be followed up.

The major factor which influenced India's attitude was her understanding of the great power relations as they existed and were likely to develop in future. The U.S.A. and the Soviet Union had entered the Second World War as partners and emerged out of it as rivals. (46) A yawning gap of disagreement between these two powers had become evident in the earliest discussions of the Military Staff Committee. (47) There was every indication to show that the crisis of confidence between the Soviet Union and the U.S.A. was likely to continue and there would be few occasions when both of them might put their joint military strength at the

(45) Nehru, Constituent Assembly (Legislative) Debates, 3 (1948) cols. 1764-6.

(46) "The concert of power principle passed away as soon as its birth was registered in public policy." Ernst B. Haas, "Types of Collective Security: An Examination of Operational Concepts," American Political Science Review, 49 (1955) 43.

(47) Generally speaking the U.S.A. wanted a large force with great striking power and flexibly composed to be readily available, the Soviet Union insisted on the principle of parity in contribution to the force by permanent members and saw no need for a large force if it were not to be used against a major power. Other instances of the distrust between Soviet Union and the U.S.A. were obvious in: the Security Council's helplessness to take action on Greek complaint of aggression; its inability to meet the situation in Indonesia; its failure to implement General Assembly resolution on Palestine. See Goodrich, n. 23, 16.

disposal of the United Nations. In the absence of agreement between them, any forces contributed by the other members would have little chances of operating successfully and might indeed add to the trouble already existing. Therefore, India wanted to retain her independence of decision regarding military co-operation with the collective security system.

India's lack of enthusiasm for the military aspects of collective security system was more than matched by her interest in removing the causes of conflict in the world. From the Indian viewpoint the positive objective of collective security system was a world where reliance upon military strength would be considered as a last resort. For that purpose, India tried to project into the actual functioning of the collective security system what she failed to get incorporated into the Charter.