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Crossroads at San Francisco, 1945.

WBLIS  
CROSSROADS AT SAN FRANCISCO

AMERICAN JEWISH  
The Roads of Destiny Converging on the United  
Nations Conference this Month at San Francisco

By  
Dr. Abba Hillel Silver

At  
The Temple

On  
Sunday morning, April 22, 1945

The great meeting, friends, of the representatives of the United Nations, which commences Wednesday in San Francisco, assembles at a most auspicious time. The Russians are fighting today in the streets of Berlin, the capital of Germany... The forces of aggression are broken. There is no longer a solid ground anywhere. The United Nations are on the threshold of victory. While there is still much fighting in the offing, there is absolute confidence in ultimate victory. So great is the confidence among the leaders of the United Nations, that a meeting is being held this week to advance the plan for the new world order which is to emerge from this war, the world order which is to insure peace and eliminate war.

The statesmen of the world are wise in realizing that they cannot be satisfied with mere victory. The peace can be lost even though the war will be won. That is exactly what happened after victory in the first world war. But they want to avoid the mistakes, those devastating years which followed the first world war and they want to profit by their mistakes. It was almost inevitable that the mistakes were made in connection with the first efforts made to eliminate war. The League of Nations was a revolutionary idea. Mankind were engaged in international wars for millenia. For thousands of years they protected the art of war, violence, of belligerency. Men knew nothing about international peace. The very rudiments had to be learned, the very technique of cooperative living and peaceful living had to be acquired from the ground up. It was therefore inevitable that gross mistakes were made. It wasn't entirely selfishness that the first attempt at forming a League, a world federation failed. There was also blundering because of inexperience, ignorance. It would be criminal folly if mankind had been discouraged, just as it will be criminal folly if mankind does not profit from its first mistakes. The failure of the first experiment led to the Second World War. The failure of the first experiment was due to ignorance, was due to the initial defects in the structure which was set up, the defects which had to do with the unanimous vote on issues of ~~next~~ major importance to the rights of individual nations to secede from the League at will, the absence of real coercive power to implement the decisions of the League.

Failure was also due largely to the fact that the United States was not a member. It believed it could get along without the League. Failure of the League led to the Second World War. The failure of a security order which is now being attempted will speedily, inevitably lead to a third, far more catastrophic world war. That is almost an axiom. The statesmen of the world recognize this and they are therefore approaching their tasks in a sober mood. The need for world security, a world security organization is no longer a debatable question for them. In our own country, while isolationism is not entirely dead, it no longer commands any substantial following even among members of opposing political parties. Republicans and Democrats alike have come to understand on the basis of their experience between the two world wars that mankind will either have a legally constituted world order or chaos. And there is also agreement that this new organization for collective security shall be a business-like organization, it shall have at its disposal power and force to implement its decisions. In order to prevent aggression and war, a second deliberate and earnest effort, profiting from the mistakes and errors of the first is now being made to put an end to war. And all men of good will will earnestly pray for its success!

This meeting which will be held this coming Wednesday in San Francisco is the latest of a series of important steps which have been taken to bring about such an organization is and it/with pride that we see that our government has taken the leadership in this great work, just as it did in 1919 when it unfortunately grew tired of this initiative after a while. The first step was taken back in October, 1943, at Moscow when Mr. Eden, then Mr. Molotov and the/Secretary of State, Cordell Hull met to discuss this problem and out of their conference there issued a "Declaration of Four Nations on General Security", which included China. The heart of this declaration was this sentence:

"Recognize the necessity of establishing at the earliest practical date a general international organization, based on the principle of the sovereign equality of all peace-loving states, and open to membership by all such states, large and small,

for the maintenance of international peace and security."

The Congress of the United States backed up this resolution or declaration of Moscow. It passed both in the House and in the Senate. The Senate resolution which is of course the more important, passed by an overwhelming vote. It declared that "the United States, acting through its constitutional processes, join with the free and sovereign nations in the establishment and maintenance of international authority with power to prevent aggression and to preserve the peace of the world."

In the summer of last year, the third step took place, the Dumbarton Oaks Conference. The Dumbarton Oaks Conference -- the United States, Great Britain, Russia and later on China met for seven weeks and drew up the tentative outline, the blue print as it were for such an international organization. It was understood that the decisions, the tentative decisions of Dumbarton Oaks would be reviewed, some time by the chiefs of states and then reviewed by a United Nations Conference and finally approved and accepted by each government in accordance with their respective constitutional processes.

Now the meeting of the chiefs of states, you will recall, did take place at Yalta this last February. And at that time the decisions of the Dumbarton Oaks Conference were reviewed by Roosevelt, Churchill and Stalin. And there the principle of collective security was re-affirmed and there they agreed to convoke a conference at San Francisco in the United States on April 25. At this Yalta Conference attempts were made to iron out difficulties which might endanger the success of the conference at San Francisco, such as the problem of Poland, the voting power of the Big Three. And at this conference too, the great powers announced a set of principles which would govern them in the re-establishment of peace in Europe so to insure the successful operation of a world security organization. And they agreed "To foster the conditions in which the liberated peoples may exercise these rights, the three Governments will jointly assist the people in any European liberated state or former Axis satellite state in Europe where in their judgment conditions require

"(A) to establish conditions of internal peace;

"(B) to carry out emergency measures for the relief of distressed people;

"(C) to form interim governmental authorities broadly representative of all democratic elements in the population and pledged to the earliest possible establishment through free elections of governments responsive to the will of the people; and

"(D) to facilitate where necessary the holding of such elections."

And so having taken these preliminary steps the conference of the United Nations was convoked to meet this week in San Francisco.

The last step but one therefore will be taken at this great historical gathering where some 48 nations will be assembled. You are acquainted of course with the proposals, the Dumbarton Oaks proposals for the establishment of an international organization. It might be well to refresh our minds at what is being proposed, because it is important that every American citizen shall be informed, because only a strong public opinion and an enlightened public opinion can insure decisions at San Francisco. Just decisions will be backed up by the people of the world. The purposes of such an organization to be known as the United Nations are defined as follows:

"To maintain international peace and security; and to that end to take effective collective measures for the prevention and removal of threats to the peace and the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means adjustment or settlement of international disputes which may lead to a breach of the peace;

"2. To develop friendly relations among nations and to take other appropriate measures to strengthen universal peace;

"3. To achieve international cooperation in the solution of international economic, social and other humanitarian problems; and

"4. to afford a center for harmonizing the actions of nations in the achievement of these common ends."

This meeting, then, the purpose of this meeting then, is to serve as a clearing house for everything that will contribute to the welfare of all nations of the world, to the adjustment of their difficulties and to the curbing of all possible threats to international peace and security.

It is proposed then to set up the machinery to execute these purposes. The International organization plans to function through four principle organs:

1) A Secretariat -- an office force so to speak; then

2) An International Court of justice, similar to our national court of justice where disputes may be adjudicated. Eminent jurists representing the United Nations have been meeting studying the structure and the procedure of such an international court of justice and their findings will be presented to the San Francisco Conference.

The two great instrumentalities or organs through which objectives will be achieved will be a General Assembly and a Security Council. All peace loving nations will be members of the General Assembly and will have a vote in it. But the powers of the General Assembly will be sharply circumscribed. "The General Assembly shall have the right," so reads the Dumbarton Oaks proposal, "to consider the general principles of cooperation in the maintenance of international peace and security, including the principle governing disarmament and the regulation of armaments; to discuss any questions relating to the maintenance of international peace and security brought before it by any member or members of the Organization or by the Security Council; and to make recommendations with regard to any such principles or questions. Any such questions on which action is necessary should be referred to the Security Council by the General Assembly either before or after discussion. The General Assembly should not on its own initiative make recommendations on any matter relating to the maintenance of international peace and security which is being dealt with by the Security Council."

In other words, in every matter relating to the maintenance of peace which is being dealt with by the Security Council, the General Assembly does not have the right to

make any recommendations. In other words, the General Assembly may consider programs, but where action is indicated, the matter must be referred to the Security Council which is not as democratically constituted, to use the term, as the General Assembly, for the Security Council will be made up of only eleven members, and five of these eleven shall have permanent seats -- the United States, Great Britain, Russia, China and France. The other six will be elected by the General Assembly for a period of two years. Now the power of the Security Council is well defined. It is important for us to understand what these powers of the Security Council will be, the real business of this international Security Council -- and I am quoting again:

"The Security Council should be empowered to investigate any dispute, or any situation which may lead to international friction or give rise to a dispute, in order to determine whether its continuance is likely to endanger the maintenance of international peace and security."

"Any state, whether member of the Organization or not, may bring any such dispute or situation to the attention of the General Assembly or of the Security Council."

The parties to any dispute the continuance of which is likely to endanger the maintenance of international peace and security should obligate themselves, first of all, to seek a solution by negotiation, mediation, conciliation, arbitration or judicial settlement, or other peaceful means of their own choice. The Security Council should call upon the parties to settle their dispute by such means.

"If, nevertheless, parties to a dispute of the nature referred to above fail to settle it by the means indicated they should obligate themselves to refer it to the Security Council. The Security Council should in each case decide whether or not the continuance of the particular dispute is in fact likely to endanger the maintenance of international peace and security, and accordingly, whether the Security Council should deal with the dispute, and, if so, whether it should take action.

"Should the Security Council deem that a failure to settle a dispute in accordance with procedures indicated with its recommendations constitutes a threat to the maintenance

of international peace and security, it should take any measures necessary for the maintenance of international peace and security in accordance with the purposes and principles of the Organization.

"In general the Security Council should determine the existence of any threat to the peace, breach of the peace or act of aggression and should make recommendations or decide upon the measures to be taken to maintain or restore peace and security.

"The Security Council should be empowered to determine what diplomatic, economic or other measures not involving the use of armed force should be employed to give effect to its decisions, and to call upon members of the Organization to apply such measures. Such measures may include complete or partial interruption of rail, sea, air, postal, telegraphic, radio and other means of communication and the severance of diplomatic and economic relations.

"Should the Security Council consider such measures to be inadequate, it should be empowered to take such action by air, naval or land forces as may be necessary to maintain or restore international peace and security. Such action may include demonstration, blockade and other operations by air, sea or land forces of members of the Organization.

"In order that all members of the Organization shall contribute to the maintenance of international peace and security, they should undertake to make available to the Security Council, on its call and in accordance with a special agreement or agreements concluded among themselves, armed forces, facilities and assistance necessary for the purpose of maintaining international peace and security."

"In order to enable urgent military measures to be taken by the Organization there should be held immediately available by the members of the Organization national air force contingents for combined international enforcement action."

"There should be established a Military Staff Committee the functions of which should be to advise and assist the Security Council on all questions relating to the Security Council's military requirements for the maintenance of international peace and

security, to the employment and command <sup>of</sup> forces placed at its disposal, to the regulation of armaments, and to possible disarmament. It should be responsible under the Security Council for the strategic direction of any armed forces placed at the disposal of the Security Council."

Now that is the technique which is proposed should be used by this international organization working through the Security Council to preserve peace in the world, to explore and utilize every avenue to persuade nations not to go to war and even to use military force to curb aggression of nations.

There are other functions which this international organization is to perform - an economic and social Council under the authority of the General Assembly for General Welfare.

These are the broad outlines of the world order which is to be set up in San Francisco. Everyone can see that it is not a perfect structure. It is weighted too much in the three or five great powers. It is really an effort to carry over the war partnership into a peace partnership. They are to have a preponderant power and responsibility in the world. What is proposed is not an international government to rule the world but a world alliance in which the great powers, by virtue of their power and position are to exercise an influence commensurate with their power and position. They will be restrained only by those legal restraints which they voluntarily assume.

A more serious defect in the structure is the veto power which resides in each of the five big powers. The ~~General~~ Security Council can never bring force against it.. In other words, while the Security Council may investigate the dispute of one of the Big Five, the Security Council cannot move <sup>against</sup> that aggressor nation. It cannot bring military pressure on it because all five of the Big powers must agree unanimously before such action is taken. In other words the Big Five actually put themselves beyond the pale of the law set up for the rest of the world. This, in my humble judgment, may perhaps be one of the fatal defects of the plan, which at the first strain which might involve one of the Big Five, would lead to collapse of the plan, and to collective security.

Another sharp defect is the absence of providing in the Charter of the United Nations for periodic revisions of peace treaties. And because there is no provision made there is a danger that this new instrumentality set up will like the League of Nations be used to maintain a status quo forever and ever and freeze the kind of a world which will emerge from the peace treaty after the war. Treaties<sup>are</sup>/made when passions run high, when hate and vindictiveness and hate occupy an important place in the thinking of the people and it is inevitable that injustices shall be written in to it however perfect men would like to make it. And an international set up which will not make possible periodic revision of peace treaties will lead to the kind of tension and strain which wrecked the League of Nations.

Another defect of the plan is that the Assembly, which ~~represents~~ represents all nations has not the right to initiate recommendations, to make recommendations on questions which involve the peace of the world to the Security Council on matters discussed by the Security Council.

Demands have come from many sources that there be written into the charter first the principle that the world organization exists "to establish justice and to promote respect for human rights and fundamental freedoms. It is not mentioned anywhere in the Dumbarton Oaks Plan. The Dumbarton Oaks Plan speaks merely of preserving peace. It does not speak of justice in the world and curbing those evils which endanger people.

There are ~~xxx~~ demands from many sections of the world that an international Bill of Rights, similar to the one written into the Constitution, the Bill of the Rights of the United States, namely that the rights of individuals, regardless of race, creed or color shall be safeguarded and protected everywhere in the world, that no nation shall have the right to discriminate and to persecute members of its own family, citizens of its own country and defy the conscience of the world ....Any act of aggression within a state endangers the people of the world just as the Nazi exploitation of anti-Semitism endangered the world and brought about and was responsible to a large measure in bringing about the Second World War. There should be an international Bill of Rights which would

protect groups and minorities in their essential rights, to their own way of life, to their own culture. There should be written into this basic document also a provision whereby colonial peoples heretofore exploited by great powers shall have the protection of an international agency which will help them set up a government for the benefit and education of their own people...

I do not know whether there will emerge from San Francisco the kind of a charter which will be in keeping with the ideals of mankind. We pray that there will. We must guard ourselves against perfectionism. We will not measure up to all expectations, but failure to measure up to them all shall not throw us into a mood of disillusionment. After the last War the American people staid out of the League and helped to undermine one of the great agencies which might have helped avert the disaster of the second world war. We have become more mature and we should exercise our sound judgment. As some one said: "Such a conference is not a peace conference. It is not being convoked to settle all world problems or to rectify all wrongs." The purpose is to set up the machinery for a new League of Nations. It is an attempt to harmonize "power politics with morality and justice, it will try to couple the rights of small nations with the authority and responsibility that must necessarily be given to big ones, to try to reconcile legitimate national and regional security measures with the broader concept of international and world security." A great measure of ~~pat~~ patience will be required of us, a great measure of spiritual patience.

I should like to close with this beautiful prayer. It was read by President Roosevelt at the United Nations Day ceremony in the White House on June 15, 1944. It was written by Stephen Vincent Benet:

"God of the free, we pledge our hearts and lives today to the cause of all free mankind.

"Grant us victory over the tyrants who would enslave all free men and nations. Grant us ~~victory~~ faith and understanding to cherish all those who fight for freedom as if they were our brothers. Grant us brotherhood in hope and union, not only for the space of this bitter war, but for the days to come which shall and must unite all the

days to come which shall and must unite all the children of earth.

"Our earth is but a small star in the great universe. Yet of it we can make, if we choose, a planet unvexed by war, untroubled by hunger or fear, undivided by senseless distinctions of race, color, or theory. Grant us that courage and foresight to begin this task today that our children and our children's children may be proud of the name of man.

"The spirit of man has awakened and the soul of men has gone forth. Grant us the wisdom and the vision to comprehend the greatness of man's spirit, that suffers and endures so hugely for a goal beyond his own brief span. Grant us honor for the dead who died in the faith, honor for our living who work and strive for the faith, redemption and security for all captive lands and peoples. Grant us patience with the deluded and pity for the betrayed. And grant us the skill and the valor that shall cleanse the world of oppression and the old base doctrine that the strong must eat the weak because they are strong.

"Yet most of all grant us brotherhood, not only for this day but for all our years -- a brotherhood not of words but of acts and deeds. We are all of us children of earth -- grant us that simple knowledge. If our brothers are oppressed, then we are oppressed. If they hunger, we hunger. If their freedom is taken away, our freedom is not secure. Grant us a common faith that man shall know bread and peace, that he shall know justice and righteousness, freedom and security, an equal chance to do his best, not only in our own lands, but throughout the world. And in the faith let us march toward the clean world our hands can make." Amen

- 1/ Meeting at auspicious time. Berlin. No Front. Victory.  
There is still Jap. war. United Nations confident of Victory.  
So confident - meeting Wed. to <sup>advance</sup> plan a new intern. world order -  
which will unite peace + eliminate war. Security League -  
- Not satisfied with Victory! War was + lost peace after last war.  
Want to avoid the mistakes, the disasters years.  
and profit by these mistakes.  
- It was almost inevitable that mistakes - in connection  
with first effort to eliminate war. A first experiment  
with a revolutionary idea - Human Welfare - Experience  
New Society -  
- It would be criminal folly - if we were discouraged from  
trying again - or if we repeated same mistakes  
The League, the League - Start by it - Security - War - to face  
- The new League must not fail - for a third & even more  
catastrophic world war would most certainly follow.  
- Leave weakened - Relapse - Anarchy!  
2/ The Statesmen, would recognize this. Approaching task is  
a whole, checkered moral.  
- The need for a new Security org is no longer debated  
while relations is not dead in our country - it  
no longer even wants a substantial following even  
among the opposition party. Repub. & Dem. alike  
have come to understand on basis of past experience -  
- Either a world order - law - or chaos! Non-partisan  
- Political Capital.  
3/ There is also agreement - unfulfilled - idea - to prevent  
aggression. Armed forces at disposal of Security Council

thus a second, ~~new~~ <sup>determined</sup> effort - fighting from across the front, is being made to put an end to war.  
And all men, good and evil, <sup>earnestly</sup> pray for its success!

4) S.F. is latest of a series of important steps taken to bring this about - Our govt. taking lead - 1919  
→ The first at Moscow in Oct. 1943 - Eden - Molotov - <sup>Schuman</sup> ~~Hell~~ <sup>Hell</sup>

### "Declaration of Four Nations on General Security"

"Recognizing the necessity of establishing at the earliest practicable date a general international organization, based on the principles of the sovereign equality of all peace-loving states, and open to membership by all such states, large and small, for the maintenance of international peace and security" in the 7th Congress - Conventionally resolutions  
Congress backed up this idea. Senate by a vote 85 to 5

"That the U.S., acting through its constitutional processes, join with free and sovereign nations in the establishment and maintenance of international authority with power to prevent aggression and to preserve the peace, the world."

5) In summer of 1944 - Dumbarton Oaks Conference -  
U.S. - S.S. - Russia + China - 7<sup>th</sup> weeks. <sup>Tentative</sup> Decisions reached  
concerning broad outlines of such a Security Organization

→ These, it was understood, would have to be reviewed by  
at a meeting of the chiefs of state, then reviewed by the  
United Nations at a conference, & finally approved &  
accepted by each government in accordance with their  
constitutional processes"

6/ The meeting, the chiefs of state took place at Yalta. Feb. Principles of collective security was reaffirmed and they agreed to call the Conference, United Nations at S.F. - Apr. 25  
- Attempted to iron out different problems of Poland - agree on voting powers of big members in (and defined) the principles which would govern the 3 great powers in the reestablishment of peace - with ensure the successful operation of a world security organization. (Just)

7/ And beg. W3d - the last step but one - 48 nations will be taking part in an agreement. Gen. Intermat. Org. proposed to 5th.  
It is to function thru 3 organs (Purposes Just)

- ① Inter. Court of Justice - (Hague Tribunal) - Perm. Court
- ② General Assembly - Just Every nation represented last August it is a "peace-loving" nation. no vote 1/2 of 2/3 of 3/4 will have right to consider + discuss any problem

relating to maintenance of Inter. peace & security but before it by any member - 5 vetoes in Security Council to cooperate together in the maintenance of peace - to make recommendations to Security Council. The Assembly does not have the right to

decide to use force or initiate on its own initiative to make recommendations on any matter relating to peace which is being dealt with by Security Council

- ③ Security Council - Made up of 5 elected members - U.S. S.B. - Russia - China & France - Permanent seats.  
6 non-permanent seats held every 2 years by Gen Assembly  
- Primary responsibility for maintaining peace!

(Just p. 15)

8/ ~~Broad outline~~ ~~but perfect~~

There will be other partners - An Econ. & Social Council  
under authority of Gen. Assembly - welfare

9/ Broad outline - but perfect - ~~not a perfect substitute~~

(a) <sup>Weighted</sup> ~~Weighted~~ in direction Big 3 or 5 <sup>starts</sup> ~~starts~~ with  
the war-partnership of the great powers - They are to have  
the preponderant power - & responsibility.

~~But~~ What is proposed is not an international pact to  
rule the world but a world alliance - in which the  
great powers, by virtue of their <sup>power</sup> ~~strength~~ & position, are to  
exercise an influence commensurate with their power &  
position - and restrained only by the legal restraints which  
they voluntarily assume.

Real power is vested in Security Council - & there  
the 5 Big powers will hold permanent seats -

(b) <sup>an</sup> more serious defect Veto power - Big 5.

<sup>Beyond Law</sup> If the aggressor is one, the Big 7 or 3 - the Security Council  
can never bring Force ~~to~~ against it. "Practically that puts all  
power out of reach - & world wars are not started by small nations"  
And, even in case the aggressor is one, the small nations,  
on the Big 7 or 3 "could veto any action being taken  
against it. i.e. all 5, the Big powers must agree  
unanimously before such action is taken." - Unworkable

(c) This may prove fatal - without defect - world  
not a Absolute Sovereignty -

(d) <sup>in Chapter</sup> No provision for revision of peace treaties - Errors - Possibly (5)  
will be made. Revision to correct our errors -

~~Vanantony~~ - peaceful revision of treaties (Freeze)  
- status quo -

(e) Assembly should have the right to make recommendations  
on further of peace that is before Security Council

10/ ~~Inter. Bill of Rights~~ There should be embodied in charter  
the principle that the world org. exists "to establish  
justice and to promote respect for human rights and  
fundamental freedoms" (~~Vanantony~~)

Can inter. Bill of Rights - protect rights of individ. &  
life, liberty - within  
of groups - destruction - equality, rights - minority  
And an interest agency for mandated territories - welfare of non-self-governing  
peoples towards even welfare + int. independence.

11/ Perfection ? Had a peace Conf. - Settle all border disputes

etc. - Machinery of a new League, Treaties -

Harmonize "powers politics with morality & justice"

"How to harness justice & power in tandem," how to  
couple the rights of small nations with the authority and  
responsibility that must necessarily be given to big ones, how  
to reconcile esp. to make national and regional security  
measures with the broader concept of internat. & world security."

12/ Patience - Stand by it - Relax - Start must be made

Golden Gate

Prayer (Just)

for peace and security. The paragraph in question is too important to summarize. It runs as follows:

"To foster the conditions in which the liberated peoples may exercise these rights, the three Governments will jointly assist the people in any European liberated state or former Axis satellite state in Europe where in their judgment conditions require

"(A) to establish conditions of internal peace;

"(B) to carry out emergency measures for the relief of distressed people;

"(C) to form interim governmental authorities broadly representative of all democratic elements in the population and pledged to the earliest possible establishment through free elections of governments responsive to the will of the people; and

"(D) to facilitate where necessary the holding of such elections."

The rebuilding of Europe on these principles is all that anyone could desire. Yet there are those, like Sir William Beveridge in London, who apparently regard these promises as but mere forms of words disguising the creation of a Holy Alliance. Here in the United States there is a movement skillfully conducted to concentrate attention upon Poland, not only as the test for the Yalta program but as the test for the structure of peace itself.

### The Test Case of Poland

The Polish question is and long has been the most difficult problem presented by any of the nations of Europe. It should be said at once, and kept constantly in mind, that there is no one settlement which will be satisfactory to both the Poles and their neighbors or even to all sections of the Polish nation. At the same time, the sufferings of Poland and its heroic struggle for freedom are constantly in the mind of Americans. We want to see justice done to

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