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Goodrich

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Prof. Leland Goodrich

Interviewed by William Powell

16 September, 1985

POWELL: Professor Goodrich, let me begin by expressing our sincere thanks for you agreeing to participate in the UN's Oral History Programme. We feel that it is of vital importance to record the memories and impressions of those who have been involved with the world Organization, in one way or another, during the past forty years. Now, you bring to this interview a dual perspective. During your years at Brown University, at Harvard, at Columbia, at the World Peace Foundation, and those are just to mention a sampling from your long and distinguished record, you studied and wrote about the UN from an academic perspective. But you were an active participant at the creation, to steal Dean Acheson's phrase, when you were a member of the secretariat at the San Francisco Conference in 1945, when the Charter was drafted. And, if I'm not mistaken, about 1960, you were the member of an expert group to study the organization of the Secretariat. So you've seen the play, as it were, from the other side of the footnotes. Let's begin with your involvement in the San Francisco Conference. In 1945, I believe, you were a professor of political science at Brown University. How were you recruited to go to San Francisco as a member of the conference secretariat?

GOODRICH: As a matter of fact, I was on leave at the time, Director of the World Peace Foundation in Boston, and I suppose, my recruitment was in large, majorly due to the fact that I was quite closely associated there with Grayson Kirk, who was then in the Department of State, and who was involved in the recruitment of the personnel for the secretariat.

POWELL: And he was also in the staff at San Francisco, I believe.

GOODRICH: He was also on the staff. He was the Executive Officer of Commission Three.

POWELL: I see. Now, prior to this, had you followed, as in when you were at the World Peace Foundation, had you followed the Dumbarton Oaks Meetings of 1944, and their results, very closely?

GOODRICH: Quite closely, depending chiefly upon Reston's column in the New York Times, which was regarded, and I think, still is, as a fairly accurate, complete account of what happened.

POWELL: I remember, in this very studio, Joseph Johnson was telling me how perturbed Stettinius was at Dumbarton Oaks when there was supposed to be a veil of secrecy over the meetings, and Scotty Reston would report very promptly and very accurately on exactly what went on, and they never could find the source of his leaks.

GOODRICH: That's right. (laughter)

POWELL: Tell me this; did you go directly to San Francisco, or were you in Washington, for a time, for orientation and briefings?

GOODRICH: I went to Washington, and we were all brought together and told what it was all about, but there was really no . . . briefing or instruction . . . informing us about the State Department position on any particular

issue. And we all went out together on the same train.

POWELL: I see. Now, your job was to be secretary of one of the four committees of Commission Three, which dealt with the Charter provisions of the Security Council. Specifically, your Committee, Number Two, was concerned with Articles relating to the Peaceful Settlement of Disputes. Do you recall why you were picked for that particular assignment? When the assignments to committees were made, did the names get drawn out of a hat, or did someone weigh up people's particular expertise?

GOODRICH: I have no information, really, on that, but I have always assumed that there was a certain amount of assignment based on the interests and qualifications of the individual. My interests have been in international organization, and, to a considerable extent, international law: I had done my PHD dissertation at Harvard in the field of international law. And I think that the work of that committee was regarded as primarily requiring some interest and some knowledge in the field of international law.

POWELL: Now, you arrived in San Francisco, the officers of the Committee were selected, and you went to work. But I'd like to ask you a little bit about the working methods and procedures of the Committee. I assume that all fifty Governments were represented on it?

GOODRICH: Yes.

POWELL: Now, the areas you were discussing were politically very important, and had far reaching implication. Therefore, did the Governments send their people, or their technical experts, or both, to the sessions of the

Committee? For example, who was there from the United States?

GOODRICH : Stassen.

POWELL: Stassen, yes and--

GOODRICH: --And, when he wasn't there, and this was quite frequently, Joe Johnson took his place.

POWELL: Oh, Joe took his place, did he? And the Soviet Union, and France, and--

GOODRICH: The Soviet Union was represented by Arkadiev as you mentioned, later. France--I don't--I'm sure that I recall, but I think it was Judge Basdevant of the Permanent Court of Independent Justice. And Britain was represented by a legal advisor in the Foreign Office, a delightful gentleman; I don't recall his name; I know lost his life when a plane fell into the Atlantic.

POWELL: On their way back, I believe.

GOODRICH: On their way back, yes. And China was also represented by a judge on the court. I might say at this point that I think there was a tendency on the part of Governments to regard the work of this committee as rather legal in its emphasis. And therefore, the people who were delegated were people who had some competence in international law. And for that reason, from the point of view of the overall work of the conference, I don't think that the Committee was regarded as important as some of the others, because the

emphasis, so far as the major Powers, and particularly, the United States Government was concerned, was on the political approach, not on the legal.

POWELL: But you had specific responsibility for drafting Chapter Six, including Articles Thirty-Three through Thirty-Eight. Now, you had specific proposals from the Dumbarton Oaks Meetings on these provisions. Were they substantially altered at San Francisco?

GOODRICH: Well, they were altered to some extent by proposals that were made by the sponsoring Governments at the last minute. And then, to some extent, they were altered in the light of proposals and comments made by other States, but I would say, substantially, they were accepted. There was however, one important change--I think it was fairly important--the order of what is now Article Thirty-Three, Thirty-Four, was reversed. The original Dumbarton Oaks Proposals provided that the Security Council should take action in any dispute the continuance of which threatened international peace and security. And then after that, it was provided that Members undertake to settle their disputes by peaceful means. We reversed the order and put the commitment to settle disputes by peaceful means first, in Article Thirty-Three, and then followed that with the authorization to the Security Council to conduct an investigation to determine whether the dispute or situation--this is something added, I believe--constituted a threat to international peace and security. And I always felt that didn't make too much sense, because . . . you have in the first Article a commitment to submit disputes the continuation of which threaten international peace and security, presuming they're leaving to individual States the determination of whether the dispute was that serious. Whereas, the Security Council was authorized in the second Article, following this statement.

POWELL: That's right. Was that, then, this leads me into my next question, was this the most contentious issue, that this--

GOODRICH: That was one of contentious issues, yes. Although, it didn't, I suppose, result in as much controversy as some other issues that were related to the work of the Committee, but never actually came before it, such as the voting in the Security Council.

POWELL: Yes, I want to come to that in a minute. Let's talk for a minute about the interplay of delegations at San Francisco. Did you get the impression that the Big Four were really running the show?

GOODRICH: I had the impression that the Big Four were running the show in the sense that, on what they regarded as the essentials, their position was definitive. Because, the other states were prepared to recognize that without the participation of the major Powers in the Organization, there was no chance that the Organization would succeed. On the other hand, I think, particularly the United States, and Great Britain, and China and France, and I think, even the Soviet Union, felt that it was desirable, for cosmetic reasons at least, (chuckles) to have some appearance that the views of the smaller States were being seriously taken into account.

POWELL: To supplement that, did you feel that there was as much enthusiasm for a future world organization among the Soviet delegates, as there were, say, among the Americans, or the Brits?

GOODRICH: I think there was enthusiasm to the extent that they attached a

great deal of importance, at this time, to cooperation with the United States, and since the United States was pressing for the world organization, they were prepared to go along. They were also prepared to live in a world that didn't have the United Nations.

POWELL: (laughing) Very good. . . . What about the Latin Americans--the block--did they play a very significant role? I know there was the Inter-American Conference.

GOODRICH: Well, I think they played a . . . significant role in that they were very insistent that there should be recognition of the ability of the Latin American States to take action independently of a decision by the Security Council. And that, of course, was recognized, particularly in Article Fifty-One, in the so-called "Right of Collective Self-Defence".

POWELL: Sort of a continuation of the Inter-American system.

GOODRICH: Yes, yes.

POWELL: Was there any particular individual or nation emerge as the leader in your Committee?

GOODRICH: No, I . . . wouldn't think so, I think that probably, to the extent there was a leader, it was the United States. They looked to the American delegate, I think, to give a necessary assurance on any issue where there was some doubt as to what the intention was. Just to give an example--I think this may come up later--the middle States, particularly the European middle States--Belgium, Netherlands, Norway, Czechoslovakia--were particularly

concerned about the possibility that the Security Council might make a recommendation for settlement, which would be regarded as binding upon States. And they insisted upon assurance that such a recommendation was not strictly binding, and they had in mind, Munich. And it was the United States that gave the assurance.

POWELL: That was Stassen himself?

GOODRICH: Yes.

POWELL: So, he really handled very well at San Francisco.

GOODRICH: Well, I think he did, yes. Of course, he had a great deal of prestige at that time, not only internationally, but also, domestically as well. He was looked upon as one of the enlightened statesmen of the time.

POWELL: That's right. I did note in the Record that your Chairman was José Serrato of Uruguay. On what basis was he chosen, and how effective was he?

GOODRICH: I couldn't tell you a basis. I assume it was probably to give the Latin American countries representation. He was reasonably effective, but he had their language difficulty, of course. He didn't understand or speak English. And this had one interesting consequence, that one meeting of the Committee--I guess it was the first meeting of the Committee--started without any provision for an interpreter, so that what he said (laughing) was not understandable to most members of the Committee, and what the members of the Committee said was not understandable to him. It was Mora (?), who later became the head of the Pan-American Union--I think that was his name, Mora,

wasn't it--who was really the intermediary, and helped him out. Jose Mora hadn't arrived at that point. (Powell laughs) When he arrived, everything went along smoothly. (laughter)

POWELL: And then, you spoke of the Russian delegate, Mr. Arkadiev. He was rapporteur. Was that largely an honorary post, again, to give everybody a post on a committee?

GOODRICH: I suppose it was, yes, and of course, you know, being rapporteur is not a very important position.

POWELL: No, you sit up on the platform, and a member of the secretariat does the work (laughs).

GOODRICH: Well, this happened, and this is interesting, and perhaps I can tell you this at this particular point. Well, toward the end of the meetings, I spoke to Arkadiev, and asked him if I could be of any assistance in preparing his report. And he welcomed my suggestion; we talked a little about what was to go into the report, and seemed to be in agreement. I prepared a report, he accepted it without dotting an "i", or crossing a "t", and gave it, and received the applaud of the members of the Committee, and then--maybe this shouldn't go on the record, I don't know--he invited to go on a weekend trip to Yosemite National Park, which I accepted.

POWELL: Why, that seems very nice.

GOODRICH: But, it didn't materialize because, for the reason he gave, there was meeting of the Soviet delegation called for that weekend that made it

necessary to call the whole trip off. (laughter)

POWELL: Well, what were, besides the drafting of this report, specifically, what were your duties as the Secretary of Committee Two?

GOODRICH: Oh, I was supposed to . . . prepare the agenda, see it was circulated, that it was prepared on the basis of advice given to me, prepare documentation, prepare the summaries of meetings, of course, as you know, there was no verbatim record of the meetings of the committees . . . it's summaries that are prepared. There are verbatim records, but they are in the Secretariat, available to researchers, but of no great value, I think, because the machinery for recording the meetings was very inefficiently maintained, and very often . . . no record existed, really, no dependable record. But, and then, of course, I was supposed to give assistance to the rapporteurs. I did. And, occasionally, I would make a suggestion in the course of discussion, which was generally received with favor. I don't recall anything that was actually put into the final text approved by the Committee. Well, as a matter of fact, there was one word that I was responsible for, but that was taken out by the Coordination Committee. (laughter)

POWELL: (laughing) Oh, frustration. Well tell me this, Professor, the conference was actually in session about two months. Did your Committee need that full time to complete its work? How'd you operate? Did you have one or two meetings a day. Did you have go in night sessions . . . ?

GOODRICH: No, I don't think, I don't recall that we had any night sessions, and some days we didn't have any meetings. And, we didn't act under any great pressure, except at the end, when there was one question that was referred

back to us by the Coordination Committee, and we had to meet rather--promptly, and under considerable pressure to take action upon it. But by and large, we didn't act under great pressure. Our procedure, generally, was to discuss the Dumbarton Oaks proposals, article by article, to consider the various amendments proposed, and comments made, and, in the light of that discussion, we appointed a technical committee, a sub-committee, to draft the text that was to go into our report to the Commission.

POWELL: Now, that was my next question. When you finished your work, did your report have to go the Commission for discussion, or did they go directly to plenary?

GOODRICH: The report of the Committee went to the Commission, but the important step was, to refer the text--well, that was approved by the Commission, they didn't make any changes in the Committee report, or recommendations--to refer it to the Coordination Committee, which had the task of putting these various things together into one document that made sense. And the Coordination Committee, its report then went to the Executive Committee, and of course, the Executive Committee had the same membership as the Coordination Committee, and that went to the Conference.

POWELL: Now, several Articles in Chapter Six of the Charter, and particularly, Articles Thirty-Four and Thirty-Five, refer to "disputes", or "situations", which might lead to international friction. Was there much discussion in your Committee of the distinction between a "dispute" and a "situation", and the implications of the difference in the implementation of the Charter?

GOODRICH: I don't recall that there was any particular discussion of the difference between the two in connection with Security Council voting procedure. But there was considerable discussion of the distinction in the light of the general responsibilities of the Security Council. And there was a feeling that was pretty generally accepted, I think, that you could have a situation, the continuance of which would lead to a serious threat to peace and security, without that actually becoming, in a technical sense, a "dispute", that is . . . a confrontation of parties. And the . . . inclusion of "situation", as well as "dispute", was generally accepted, I think, as important.

POWELL: Now, tell me this; as an American working for the Conference Secretariat in San Francisco, what was your relationship with the US delegation? Did you actually attend delegation meetings?

GOODRICH: No. I had no connection whatever with them.

POWELL: But you got to know, from his performance in your Committee, you got to know Commander Stassen fairly well.

GOODRICH: Well, I got to know Commander Stassen, but I didn't know him "fairly well" because I didn't have very many--

POWELL: Other contacts--

GOODRICH: --head to head meetings with him.

POWELL: What about the other members? Did you see Stettinius, or Virginia

Gildersleeve, or Senator Connally, or Senator Vandenberg, any of those people in action?

GOODRICH: I only saw them when I had time off, and attended a meeting of a committee where they were participating. . . . And occasionally, I encountered them in the corridor, that sort of thing.

POWELL: And is that true with some of the other major delegates there? I'm thinking of people like Molotov, or Evatt, or--

GOODRICH: Yes, yes. I suppose the delegate of a participating state that I had the closest contact was Judge De Visscher of Belgium, who was a member of the Committee representing Belgium, and also, the chairman of the sub-committee that did drafting, and we had quite close relations.

POWELL: Now, to put together a secretariat for a conference of this size and length, it must have been a very, very daunting assignment. Particularly in view of the fact that, as I understand it, the final site of the Conference and the date of the Conference was not decided until Yalta, literally weeks before. How did they go about getting the interpreters, and the translators, the press officers, and the administrators, and the security people, and the hundreds of others--you must have had quite a support staff.

GOODRICH: Oh, there was a big support staff, and I really can't throw any light on how it was handled by the State Department.

POWELL: I mean, you were just provided with any people you needed.

noticed that Alger Hiss is listed as the Secretary-General of the Conference. He wasn't a member of the US delegation, although he was on loan from the State Department. Specifically, what was his role at San Francisco? Was he sort of the administrative chief?

GOODRICH: He was the administrative chief of the secretariat.

POWELL: Yes. Did you have much contact with him?

GOODRICH: No. I had quite a bit of contact with him subsequently, after I--well, as you know, after the Conference I went back to Brown, but then, after a year there, a couple of years, I got an invitation to come to Columbia, and at that time, the endowment was on 116th Street, and he and I used to have lunch together, occasionally, at the Faculty Club. That's when I got to know him, really. I didn't know him before that.

POWELL: Yes, yes. Now, in my reading about San Francisco, and the US preparation for the Conference, one name keeps cropping up--Leo Pasvolsky. He had a--I believe--a team in the State Department, which included such people as Ruth Russell, and Easton Rothwell. Did you know him, and did you ever work with him?

GOODRICH: Up until that time, no, but subsequently, I worked with him quite closely, because, after he retired from the State Department, he became involved in work at the Brookings Institution, as you know, and had a UN programme, and I was very much involved in that, so I came to know him very well, subsequently.

POWELL: Was that when Ruth Russell was working there, too?

GOODRICH: Yes. Well, Ruth Russell was working with him in the State Department, too.

POWELL: Yes. And I--

GOODRICH: He had a great influence, I think, on the Charter, and particularly upon a particular emphasis that you find in the Charter, and in the work of the Conference. As you know, he was an economist. He was not a lawyer. He was not, you might say, a . . . an international politician. He had a particular conception of the role of the UN, and his role, I think, his conception was, that the UN would be primarily a police organization for maintaining peace in the world, and that the great Powers, the sponsoring Governments, would provide the force that would maintain that peace. And that's why, throughout the discussions at San Francisco--to a very large extent, and that effected the work of the Committee--the emphasis was not so much upon the legal approach, the legal commitments of Members and so on, as it was upon the--finding a basis for cooperation between the major Powers in maintaining peace in their own national interests.

POWELL: That's fascinating, absolutely. It's often said that the Conference almost floundered over the question of the veto. And Evatt of Australia, and Romulo of the Phillipines were among the leaders in the fight against the veto privilege for the Big Five. Were you aware, at the time, of the struggle that was going on, and was there ever any doubt in your mind that the Charter would finally be approved?

GOODRICH: Not really. I wasn't aware of the details, of course, because the discussions that took place were confidential. But, I think I was quite convinced that they'd work out a solution. After all, they had worked out a partial solution at Yalta, and I didn't think this was going to be allowed to prevent the work of the Conference from proceeding.

POWELL: Yes. . . . Romulo said, in an interview I did with him, that Vandenberg sort of called him in and said, "Look, if there's not a veto, the US will never sign." (chuckling) That settled it.

GOODRICH: Well, I think it's true, I mean I think we have to bear in mind that the United States was just as insistent upon the veto as the Soviet Union was.

POWELL: Yes. Well, I presume you were present on the morning of June 26, 1945, when the Charter was signed, and at the final plenary session that afternoon, over forty years ago, when President Truman congratulated the delegates on their accomplishment. What were your feelings at the time? Had the Conference done a good job? Was the Charter they drafted likely to be viable? Did you already sense the first winds of the Cold War?

GOODRICH: Well, I think it'd be going too far to say that I thought about all those things, or sensed all those those things at that particular time. There was a feeling of general euphoria that the work had been accomplished; I think a general feeling that the product was as good could be expected under the circumstances. Of course, as a student of international affairs, I recognized that there were difficulties that . . . lay ahead.

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GOODRICH: I think there was a general feeling that we had made one step in advance that probably distinguished the writing of the Charter from the writing of the Covenant, that was that we were fairly well assured of the participation of the major Powers in the Organization. The work had been done; Washington gave pretty good assurance that the Charter would be accepted by the Senate; the Soviet Union, certainly at the time, was prepared to take part; the United States was prepared to take part, and the other so-called major Powers were quite prepared to take part. So there was that basis for some optimism, although there couldn't have been any complete certainty, by any means, that the thing was going to work, because it was based upon the principle that the major Powers would have an interest in cooperating because of their common interest in the maintenance of peace.

POWELL: Was there much of a feeling that the Charter had made a considerable advance over the Covenant of the League because of Article Ninety-Nine and the powers it gave to the Secretary-General?

GOODRICH: No, I don't think so.

POWELL: That just got in, and it grew from there?

GOODRICH: Yes. I think that, if anything was a "feeling", I don't think I shared it, but I'm sure a good many shared it, that the Charter was advanced over the League because it provided teeth. In other words, emphasis was placed on the enforcement provisions of the Charter.

POWELL: Now we mentioned at the beginning of the interview, that you've maintained your continued interest in international organization, generally, and in the United Nations, specifically. One of the first books published in the UN in 1946, The United Nations Charter: Commentary and Documents, which you co-authored with Edvard Hambro, who went on to be the Registrar of the International Court, and much later, the President of the General Assembly. How did you come to know Dr. Hambro, and what made you undertake this joint venture?

GOODRICH: Well, as a matter of fact, I had become acquainted with him before that. . . . I don't recall exactly how it happened, but I think he was at Harvard for a year or something, and had come down to Brown--it was well before the Conference--anyway, I had met him. And then he was at the Conference as a Technical Expert attached to the Norwegian delegation.

POWELL: Is that so? I couldn't find his name on the list.

GOODRICH: Yes, he was there. In fact, he represented Norway on my Committee, a number of the sessions. . . .

POWELL: Oh, I see.

GOODRICH: . . . And we exchanged views from time to time, and toward the end of the Conference, I think it was his idea, he said, "Why don't we join forces in preparing a commentary on the Charter?" And he thought we could do it, (laughing) almost in a day, well (laughter) . . . that, I recognized couldn't be done.

POWELL: (chuckling) Mr. Hambro was always an optimist. (laughter)

GOODRICH: But I agreed to work with him, and as a matter of fact, we completed the first edition--I did probably the bulk of the work, he was across the Atlantic by that time, but he made some contribution. And then, I undertook the revision with . . . Ann Simons, (?) later. That is, the--I guess you would say--the second revision.

POWELL: Did you keep in touch with him when he came back here as Permanent Representative of Norway, and President of the Assembly?

GOODRICH: Yes.

POWELL: Yes, I liked him very much, he was a good friend of mine.

GOODRICH: Very nice fellow, very attractive wife, yes.

POWELL: I think the first time we met, it was around 1960, when you were a member of that expert Committee, studying, as I recall it, the organization of the Secretariat. How'd this Committee come into being?

GOODRICH: Well, as I recall, and you probably have as good a recollection of this as I do, because I wasn't on the Committee to begin with. As I recall, the Soviet and American delegations to the General Assembly in '59 thought they had a common interest in reducing the UN expense. And so, were in accord in setting up this special Committee. And then, by the time I became a member of the Committee, not only had the Congo affair occurred, but also the disagreement between the US and the Soviet Union on the handling of the whole

Congo problem, so that when I became a member of the Committee, instead of all being sweetness and light, the US and the Soviet Union were in confrontation. And, while I got along very well with the Soviet member of the Committee, we had very nice relations, still, he and I were in confrontation on major issues with regard to the Secretariat. And that resulted in a report that was a divided report, and a report that never, to my knowledge, received any substantial implementation.

POWELL: That's what I was going to ask you--by that time it was a dead matter. How did you happen to get on the Committee?

GOODRICH: Well, Andy Cordier invited me, and I suppose he had discussed the matter with Hammarskjöld. But, the first member of the Committee--I forget now his name--had retired because he had become, I guess, (chuckling) sort of fed up with what was taking place, and Andy asked me if I couldn't take on the job. And I inquired a little about the arrangements, and found out that it could be done. The State Department took over my salary, and I might say that while the State Department took over my salary, in that sense, I was an official US representative on the Committee, I never felt any strong pressure from the Department to follow any particular line--I was told what the Department position was, but I was left quite free to follow my own lead on the Committee.

POWELL: Had you kept in touch with Cordier from the time that he became the Executive Assistant to the Secretary-General, right down the years?

GOODRICH: No, I wouldn't say that I knew him too well up until this time, I guess this was when I first came to know him fairly well. And then after

that, of course, he came to Columbia--

POWELL: And then you got to know him, sure. Now, since this interview is being recorded in the Fortieth Anniversary Year of the UN, I think it's appropriate if I ask you some general questions on your views on various aspects of the World Organization. Now, you've witnessed vast changes in the world and in the UN since the adoption of the Charter in 1945. Let me mention just two of them: the invention and use of nuclear weapons, and the emergence of scores of Third World nations from colonies to independence. Is the Charter, as drafted at San Francisco, adequate to meet these changes and challenges?

GOODRICH: Well, I don't . . . know how I'm going to answer that question, really. I think the Charter is as adequate as it could have been made, under the circumstances, to meet these challenges, and particularly, the first challenge that you referred to. Now, on the second, I do think that subsequent developments were not fully anticipated at San Francisco. The Organization was given a role, of course, in the development of self-government for non-self governing territories. But it wasn't anticipated that the . . . objective would be so quickly attained and in such a mass form. I mean, the mass influx of . . . colonies as independent States and Members of the Organization in '60 and thereabouts was not, I think, anticipated. It was anticipated to be a more gradual process. Now, the effect of that, of course, has been tremendous, particularly so far as the work of the General Assembly is concerned. And, that brings up the question of the role of the General Assembly.

I think the Charter anticipated that the role would--that the General Assembly would play a different role that it has come to play in practice. It

wasn't anticipated that the General Assembly should be as important an organ in dealing with disputes, and situations, and taking decisions that would lead to action as it's actually been the case. It wasn't anticipated that the General Assembly would become the forum for political log-rolling and all that sort of thing, as it has in practice. I wasn't anticipated that the General Assembly would be laying claim to what might be called a quasi-legislative role in the Organization. It was thought of as being an Organization engaged in discussing the general principles underlying cooperation, well, the maintenance of peace and security, as well as performing in part and functions, in connection with the economic and social and . . . other activities of the Organization. So, I would say that the Charter might have been more specific in specifying what the role of the General Assembly was, once this influx of new States had taken place, which was bound to have its impact on voting behavior and procedures in the General Assembly. But I'm that if any attempt had been made at San Francisco to improve the role of the General Assembly, it would have lead to a violent disagreement between the United States and the Soviet Union. I think the United States was prepared, probably, to go along with this to a certain extent, as evidenced by the position we took on Article Ten. But, the Soviet Union certainly would not have been willing to recognize the role of the General Assembly that might have been claimed by these new States, later.

POWELL: I think that's very interesting. Would you agree that in addition to this unanticipated and rather hasty increase in the size of the General Assembly, the character of its deliberations and its agenda has changed because of the stalemates in the Security Council, beginning, let us say, with the Suez Crisis of 1956?

GOODRICH: Well . . .

POWELL: I mean, they're filling a vacuum, or thought they were.

GOODRICH: It back of that, of course; it goes back to 1950 and the Uniting For Peace Resolution.

POWELL: Oh yes, that's right, sure.

GOODRICH: And I'm inclined to think that we made a great mistake at that time--when I say "we", the United States--in trying to build up the role of the General Assembly and make it a substitute for the Security Council if deadlock developed in the Security Council, because that has come back to plague us ever since, I would say.

POWELL: And what amuses me--I've just been doing some writing over the weekend about 1967 and the Six-Day War, and when the Russians couldn't get their way in the Security Council, they decided to have an emergency special session of the General Assembly, but we couldn't mention that it come under the Uniting For Peace Resolution, because that was a word of death to them. (laughter) . . . I recall that, in your book, The United Nations and the Maintenance of Peace and Security, you wrote, "No doubt, a more realistic Charter now be written that would describe more accurately what the United Nations has become as an organization for the maintenance of international peace and security." That was written some twenty years ago. Do think it's realistic to anticipate now any major Charter changes in the foreseeable future?

GOODRICH: No. And I would say, I think when I made that statement that a

"more realistic Charter" could be written, I meant a Charter that was more realistically descriptive of the Organization as it was functioning. I don't think I meant to say that a Charter more accurately descriptive of the UN as it was then functioning could have been written in San Francisco.

POWELL: (saying this at the same moment as Goodrich does)--San Francisco.

Right. (laughter) I'd like to talk to you a little bit about the various Secretaries-General. And, there've now been five of them, and you have observed all of them as a scholar, and as a student of international affairs, from Trygve Lie down to Perez de Cuellar. Now, how do think they've lived up to their job descriptions in the Charter, both as administrators of the World Organization, and as political leaders using the powers and influence given to them under Article Ninety-Nine?

GOODRICH: Well I . . . will have to say, by way of explanation, that I don't feel I have kept in touch with what is going on in the UN in the past few years as closely as I did when Hammarskjöld was Secretary-General, or even when U Thant was Secretary-General. So, I don't feel that I'm in any position to evaluate the work that the present Secretary-General is doing. My feeling is, on the basis of varied degrees of knowledge, my feeling is that the Secretary-General who came nearest to meeting the requirements of the job, and having the desire and the capacity of developing the potentiality of the job, was Hammarskjöld, without any question. I would say, next to him, I think U Thant.

POWELL: Yes.

GOODRICH: Trygve Lie, of course, was new, and, well they all were new to the

job, but he didn't have any UN experience, as the others had--

POWELL: No precedence at all to go on.

GOODRICH: Yes. But furthermore, he ran afoul of the Cold War situation to an extent that the--well, Hammarskjöld did too, after a while, and that was his undoing--but, Hammarskjöld had a concept of what the office might be and what the Organization might be, and intelligently sought to realize, to put substance in that concept. I had a great admiration for him. And I thought U Thant, in a . . . less spectacular, perhaps, fashion, considering the difficulties he was faced with at the time, did quite a good job.

POWELL: Yes, because he inherited a real crisis in September of 1961.

GOODRICH: He certainly did, yes. I was never a great admirer of . . .

POWELL: Waldheim?

GOODRICH: Yes. (laughter)

POWELL: Tell me this. From time to time we now do see these suggestions about limiting a Secretary-General to a five- or a six-year term. Have got any thoughts on that?

GOODRICH: I don't really see the advantage of it myself. In fact, it's somewhat comparable, it seems to me, to limiting the President of the United States to two terms. Certainly reduces its influence toward the end of his term, if he can't be reappointed. I don't see the advantage of it, if the

Secretary-General has been a failure, he can be replaced. If he's been a success, he ought to allowed to continue.

POWELL: Yes. And of course, the medium and smaller Powers are always so relieved when the Big Five can agree on anybody. (laughs) . . .

GOODRICH: And furthermore, if you have the job rotating every five years, why you're going to have, every five years, a competition for the sucession on the part of the regional blocks, and all that sort of thing. I don't see, really, any great advantage. It doesn't lend stability, it seems to me, to the office, or the possibility of a continuous development.

POWELL: Well, let's talk for a few minutes about the Secretariat, the International Civil Service. In your book, The United Nations, you wrote, "More that any other organ, the Secretariat, the Secretary-General and his staff, is responsible for and has the opportunity to give the UN a role that places it above the diplomatic machinery of the past." Now, how well has the Secretariat carried out that role? -As you have observed it over the years, has its expertise improved, or has its work deteriorated?

GOODRICH: Again, I haven't followed it in the last few years as closely as earlier. I have the impression that it has suffered greatly from being . . . used by Governments as a tool for advancing their own particular national interests through the principle of wide geographical distribution, and through

maintaining relations with members of the Secretariat that really comes to violations of the Charter. I might say, in this connection, that when I was a member of this Committee, you referred to the 1950 Committee. I had two or three discussions with Mr. Roschin, who was then the Soviet member of the Committee.

And, he took the view that I was a representative of the State Department on that Committee. And I said, "I am not a representative of the State Department, I am not a member of the international Secretariat, but try to take an internationalist position." And he denied that one could take an internationalist position. And, his final statement was, and he finally came round to admitting, I think, that I was acting in good faith; but his final position, and I must say, I thought there was a little bit to be said for it, was, that even as an internationalist, your an internationalist from a national point of view. (laughter) And I had to admit, "Yes, I suppose that is true; I'm a product of my own culture."

POWELL: Well, Professor, it was just over a year later that Hammarskjöld, in his Oxford Speech, you know, "The International Civil Servant in Law and in Fact", used, as his theme, the statement that Krushchev made to Waiter Lippman: "There are no neutral men." (laughs)

GOODRICH: That's right, that's right. It was in that context, really, that we had our discussion.

POWELL: That's very fascinating, yes.

GOODRICH: Well, coming back to your question, I've always felt that, from the point of view of expertise and international outlook, the Secretariat of the League was superior to the Secretariat of the UN.

POWELL: I think of the problems that Tryve Lie faced was to build up an operating staff almost overnight.

GOODRICH: That's right, that's right. Well, of course, the first Secretary-General of the League had that task, too.

POWELL: Yes. Well now, in your years as a Professor at Columbia, Harvard and elsewhere, you numbered, among your students, men and women who went on to become members of the UN Secretariat. If a student came to you today, in 1985, seeking your advice about a future career in the UN, what would you say to him?

GOODRICH: I'm afraid that I'd have to say that the prospects of . . . really . . . making a career in the UN are not very good. First place, the chances of getting appointed are not good, because so many other considerations besides, what I would call, "merit" are taken into account. And secondly, once you get in, the opportunities for promotion are not very good, because again, of the considerations that are taken into account in making promotions. Quite apart from the fact the UN has lost, I think, much of the . . . prestige and aura of possible success that it had at one time.

POWELL: Well that leads me into my next question. You wrote about the exaggerated hopes at the time of San Francisco, how it subsequently led to the disillusionment of the United States about the UN. If anything, that disillusionment is even more widespread today than when you wrote about it. Do you consider this a temporary phenomenon, or a permanent trend, or is it hard to judge?

GOODRICH: Oh, I think it's hard to judge because it depends. I think it depends on two things, primarily. First, the direction that American policy takes with regard to the UN, whether we come back to taking it fairly

seriously, or not. And secondly, it depends on the state of relations between the US and the USSR. I can't see the Organization achieving any great success in the field of peace and security, without an improvement in the relations between the United States and the Soviet Union. In other words, something approaching the state of . . . not identical policies, but a willingness to live and let live.

POWELL: Well, let me put another question to you. What do you consider as the UN's most signal success?

GOODRICH: Well, I suppose, in the peace and security field, that you might say that peace-keeping has been its greatest success. I've always thought that the UN made a major contribution in facilitating the transition from colonialism to Membership in the Organization, to independence, equality among States. I think that a major success too, has been registered in the economic and social field, particularly in economic and social development, as well as, of course, in dealing with refugees, and that sort of thing. I think there have been major successes, without any question.

POWELL: What about its most signal failure? I think the . . . major failure, I would say, is a failure of the Member States. It's difficult, I think, to say that the UN failed because the UN couldn't succeed without different behavior on the part of its Members. I think the major failure, on the part of the Member States, has been the use of the Organization for narrow, nationalistic purposes, instead of a willingness to use it for the purpose of harmonizing relationships and establishing the basis for cooperation and achieving common purposes.

POWELL: And adopting resolutions which they have no intention of carrying out?

GOODRICH: Well yes, that. More specifically, I would say, a major failure has been in using the General Assembly for a purpose that it wasn't intended to be used for, and it's incapable of discharging, satisfactorily, in any case.

POWELL: Now, we have mentioned some of the specialized agencies. You've talked about refugees, you've talked about economic and social development, and on the whole, I think we have fairly respectable record.

GOODRICH: I think so.

POWELL: One of the things, developments in the last twelve months, which we're all very much conscious of, is the US withdrawal from UNESCO. In your view, was that a wise move, or should the US Government have stayed there?

GOODRICH: No, I think we should have stayed in, and tried to bring about the reforms by action within the Organization.

POWELL: What about the Security Council? Do you consider that it had performed fairly effectively? Do you think that one of the problems, as Perez de Cuellar suggested a couple of years ago in his Annual Report, that Governments wait far too long before bringing crises to the Council?

GOODRICH: I think that's true. . . . And, of course, that . . . reminds me of something that I should have said earlier: that at San Francisco, very definitely, on the part of Pasvolsky and the "inner circle", was a feeling that the Security Council should be an organ of last resort, that Members

should settle their disputes by peaceful means, and only when there was a serious threat to the peace that the Security Council should come in. Now, I think that was a mistake, and therefore, I think that the Security Council, to a certain extent, conforming to that initial concept, has made a mistake.

POWELL: Yes. I know this is something that Brian Urquhart has talked about for years.

GOODRICH: Yes. And I think too, it has reflected, to some extent, on the Secretary-General, that he has not fully utilized his powers under Article Ninety-Nine. I can understand why he hasn't, but clearly, when the Charter was adopted, and the Secretary-General was given this special power, under Article Ninety-Nine, it was a thought in mind that in many circumstances, national Governments would not be willing to take the initiative in bringing matters before the Security Council, and therefore, it should be the Secretary-General who had the authority and responsibility to do it.

And that brings up another point. It seems to me that the Secretary-General should have better information than he sometimes has at his command with regard to the world situation that he has to deal with. In other words . . .

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GOODRICH: . . . he should be better informed by Governments, perhaps, or he should have better independent means of establishing--

POWELL: assessing--

GOODRICH: --assessing the situation.

POWELL: Exactly, yes. This is one thing I think that, had Hammarskjöld lived, he wanted to work on.

GOODRICH: That's right, I think so.

POWELL: And in fact, almost having embassies around the world.

GOODRICH: That's right, that's right, yes. And of course, that's one thing that the Russians were very much opposed to. In our Committee, the 1960 Committee, the Soviet representative was very much opposed to this idea of the Secretary-General having his representatives in various countries. (laughs)

POWELL: Oh, I know. Even the short-term special representatives.

GOODRICH: Sure, sure. (laughter)

POWELL: Well, a final question, Professor. How do you feel about the future of the UN, over the next decade, or two, or three?

GOODRICH: Well, I'm not overly optimistic about the immediate future, and of course, I don't know what's going to happen in the long-range future. I've indicated earlier what I think of some of the necessary conditions to a revival of the UN. I might supplement that by saying, however, that an improvement in the relations between the US and the USSR would not necessarily, automatically mean that the United Nations would revitalize, because it depends upon whether there was agreement to use the UN, or an

agreement to act completely outside of the UN, in the old Concert of Europe, I mean. . . . So, improvement of relations between the US and the USSR, is not necessarily the answer, but it is, I think, a necessary condition to making the UN more effective.

POWELL: Well, good. Well, I appreciate your coming down this morning. Are there any other thoughts about the UN that you have to share with us for this Oral History?

GOODRICH: Well, I can add, I guess, that . . . first, the League, and then, the UN, have been a very important part of my intellectual, emotional life. And it isn't, of course, at my age, a matter of great comfort that the UN is in such a perilous situation as it is in the present time. I still live and hope, but I'm enough of a realist to appreciate the fact that hope alone is not enough.

POWELL: Well, thank you again for sharing your thoughts with us so frankly, and if we think of some others that we want to put to you, as these interviews go along, I hope I can call you up again.

GOODRICH: You may call up. It's been a pleasure on my part to participate . . . my very small contribution to the Fortieth Anniversary.

POWELL: Thank you very much, and I'm getting hungry.

GOODRICH: So am I. (laughter)

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