We the Peoples of the United Nations

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I. Introduction

In an article for a new Yearbook of United Nations Law it may be stimulating to start at the very beginning. The most appropriate topic, therefore, seems to be the first words of the preamble of the Charter of the United Nations: "We The Peoples of the United Nations ...".

The Report of the Commission on Global Governance of 1995 (the Carlsson Commission) wrote about these words: "The assertion that it was the people of the world who were creating a world body was little more than a rhetorical flourish. But the proclamation was symbolic of the hopes of the founders of the United Nations for what they were creat-
The words are more than just an introduction to the Charter. They express an ideal, the aim to create an organization of the peoples of the United Nations, which should be understood as meaning: of all peoples of the world. This desired objective is still far away, if ever it can be reached. Peoples cannot easily be organized and their representation will always be disputable.

The present United Nations is not an organization of peoples, but an organization of governments of states. Sometimes these governments represent their peoples (or at least the majority of them), often they do not. But in either case it are first and foremost the interests of state governments which will be promoted by the organization. The most important duty of governments is to serve the interests of the citizens of their states. Therefore, an organization working for the promotion of the interests of state governments will usually be beneficial to the interests of the citizens. However, the interests of the governments of the member states do not always run parallel to the interests of the “Peoples of the United Nations ...”.

“We the Peoples of the United Nations ...”, sometimes find the interests of the governments of the existing states, as obstacles to combining our efforts to accomplish the aims enumerated in the preamble of the Charter of the United Nations.

To describe that conflict of interests and the efforts and possibilities of solving it is the aim of this article. We have two players in the field, fortunately playing most of the time together and only rarely against each other. Both players have to play an impossible part. “We the Peoples of the United Nations ...”, lack a real representation of our own, we cannot even speak against the governments of the states. But these governments are also in a difficult position. They are faced with an insoluble dilemma. On the one hand, they want to keep full control, to remain the master who can make the rules and decide what should be done and what should not. On the other hand, they find their powers being drained away. The internationalization of society makes national rules increasingly ineffective. Governments need international cooperation, they need international organizations. To be effective international organizations need power and competence, but that is what governments do not want to transfer to them; they want to keep the powers for themselves.

In the present article we shall first take a look at the tasks to be performed, at the role of governments in general; then at the question of how the interests involved are managed. After that we shall pay attention

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