

Democratic States and the Sovereign Equality Norm

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ABSTRACT

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The belief that democracy systematically influences the international behavior of states has become a cornerstone of both American foreign policy and a growing body of theoretical research. One important theoretical dimension that has been widely discussed, but that has not generated a corresponding body of research is the proposition that democratic states might bring distinctive norms into their international relations. Equality norms should be a likely area in which to see internal democratic values translated into the international system. Over the past century, the sovereign equality norm has become entrenched in the decision-making structure of international institutions. Nonetheless, democratic states have not proven particularly distinctive in their support for equality norms as a basis for international decision-making. Looking at the behavior of the United States and Britain in the negotiations that led to the League of Nations and the United Nations, and in current discussions of U.N. reform, I show that while American officials have been more vocal about the importance of equality norms than their British counterparts, they have consistently sacrificed these values when they have conflicted with other goals.

The notion that democratic states are distinctive in their international behavior has become a cornerstone both of American foreign policy and of a large body of theoretical research. This research is proceeding on two tracks. First, there is the empirical literature that has identified distinctive behaviors of democratic states at the international level. Then, there is the theoretical literature that has attempted to identify causal mechanisms that could account for distinctive behavior. This literature has focused on the distinctiveness of democratic institutions and on the distinctiveness of ideas and norms that are prevalent in democratic societies.¹

In this paper I follow the second strategy to focus on a particular norm that is critical in shaping the cooperative behavior of states in the international arena: the notion of sovereign equality. This is a particularly appropriate norm to use in assessing the distinctiveness of democratic states, in that it draws directly on democratic ideals and has significant implications for the democratic character of international relations. If there is any area in which we should see distinctive domestic values translated into international behaviors it would be this one. Nonetheless, I argue here that the sovereign equality norm -- particularly as it pertains to decision-making in international organizations -- has not shown a particular connection to democratic foreign policy. While the equality ideal has had rhetorical force within democracies, the evidence for its systematic impact on democratic foreign policy is weak both because of the diversity of attitudes shown by different democratic states toward this norm and because of the apparent willingness of the democratic states to abandon the norm when it comes into conflict with other foreign policy goals.

There has been relatively little concrete research into the distinctive norms that influence democratic states and how those norms might affect their international relations. Most of the work in this area has made an implicit connection between some observed international behavior and a related norm that is operative within democratic states.² There has been little work to actually trace the operation of specific norms within democratic

¹ Maoz and Russett, "Normative and Structural Causes of Democratic Peace", 1993.

² See, for example, Dixon, "Democracy and the Peaceful Settlement of International Conflict", 1994.

states.³ In this paper I first set out the basic concept of sovereign equality, discuss its place in international law and practice, and then look at three cases in which we would expect to see the norm play a critical role. Looking at attitudes in the United States and Britain toward the drafting of the League of Nations Covenant and the United Nations Charter, and at current efforts for U.N. Charter reform, I argue that the significant differences between American and British approaches to sovereign equality, and the willingness of both states to abandon the norm in tough international negotiations, points to a significant weakness in the argument that democratic states have distinctive norms that are consequential in international relations.

Sovereign Equality in International Law and Practice

The basic notion of the sovereign equality of states was expressed by a French delegate to the Hague Conference of 1907:

Each nation is a sovereign person, equal to others in moral dignity, and having, whether small or great, weak or powerful, an equal claim to respect for its rights, an equal obligation in the performance of its duties.⁴

The notion of sovereign equality is often traced back to the emergence of modern international law.⁵ While there are some intimations of a notion of sovereign equality in Hugo Grotius (1583-1645), the doctrine gets a more explicit treatment in the work of Samuel von Pufendorf (1632-1694).⁶ Pufendorf draws explicitly on Hobbes and builds an analogy to the equality of individuals in the state of nature to make his case for the equality of states:

For where liberty is equal, a disproportion in wealth can make no difference. And therefore, if one prince's territories be six hundred

³ One example of work that does do this is Owen, *Liberal Peace, Liberal War*, 1977.

⁴ Quoted in Dickinson, *The Equality of States in International Law*, 1920.

⁵ For a discussion of the earlier legal roots of notions of equality, see Goebel, *Equality of States*, 1970[1923]. Dickinson takes issue with some of the writers who have pushed to see the concept in the Spanish scholastics and in Grotius. In Dickinson's reading, Grotius endorses juridical equality before the law -- equal protection -- but does not endorse a notion of equal capacity for rights. *The Equality of States in International Law*, 1920. Chapter 2.

⁶ See Dickinson, *The Equality of States in International Law*, 1920, Chapter 3.

miles in extent, and another's but one hundred, yet the difference in the kingdoms makes none between the sovereigns...⁷

By the end of the seventeenth century, Pufendorf's explicit notion of equality of rights and duties was the dominant view of international legal scholars. Emmerich de Vattel's presents the orthodox view in his eighteenth century text *The Law of Nations* (1758):

Nations ... are by nature equal and hold from nature the same obligations and the same rights... From this equality it necessarily follows that what is lawful or unlawful for one Nation is equally lawful or unlawful for every other nation.⁸

At the beginning of the nineteenth century, the concept of sovereign equality was more clearly articulated in international law than in any concrete state practice. At the Congress of Vienna, the French representative Talleyrand tried to rally the smaller powers and increase French influence with appeals to the ideal of sovereign equality. After the four victorious powers (Great Britain, Russia, Prussia, and Austria) developed a protocol that would give them overwhelming power at the upcoming Congress, Talleyrand insisted that a statement be added to the document: "*Que les propositions à faire au congrès seraient conformes au droit public et à la juste attente de l'Europe.*"⁹ To which the Prussian Humboldt responded "*Que fait ici le droit public?*"¹⁰ Talleyrand continued to push for French influence on the basis of the principles of international law until conflict among the four powers over the disposition of Poland and Saxony made French power critical to the other great powers. Once the representatives of the other great powers invited Talleyrand to sit at the table as an equal in deciding the fate of all Europe, he suddenly stopped making high-minded speeches about the equal rights of all states.¹¹ The smaller powers, of course, continued to rail against great power domination with appeals to the principle of sovereign equality. Nonetheless, despite some

⁷ Quoted in Dickinson, *The Equality of States in International Law*, 1920, p. 82.

⁸ Quoted in Dickinson, *The Equality of States in International Law*, 1920, p. 98.

⁹ Roughly: "Propositions before the Congress must be made in accordance with law and the just expectations of Europe." Quoted in Klein, *The Idea of Equality in International Politics*, 1966, p. 43.

¹⁰ Roughly: "What does law matter here?" Quoted in Klein, *The Idea of Equality in International Politics*, 1966, p. 44.

¹¹ Klein, *The Idea of Equality in International Politics*, 1966, p. 48.

passing nods at the principle of equality, the Congress of Vienna was ultimately organized around the notion of great power responsibility."¹²

The idea of sovereign equality received a push in the first half of the nineteenth century from two quite different places. In the first place, after Waterloo Tsar Alexander had a religious vision and began advocating a new international order based on Christian brotherhood and the sovereign equality of all Christian states. The "Holy Alliance" was an attempt to enshrine these principles in an international association. But while giving some legitimacy to these ideals, the alliance was ultimately, in Metternich's words, "an empty and sonorous document... that could in no way be considered the subject of a treaty between sovereigns."¹³

The second, and more important, push for the idea of sovereign equality in the early nineteenth century came about in the transformation of British attitudes toward the conservative great power concert. The rising tide of liberal and democratic ideals for the internal governance of states was increasingly connected to an idea that different peoples had the right to govern themselves as they saw fit, without the interference of outside powers. This connection was made both by the liberals who championed it, and by its conservative critics, such as Austria's Metternich, who distrusted democratic notions wherever they might appear. The popular revolutions that wracked Europe in the first half of the 19th century pitted British liberalism against British participation in the status quo oriented Concert. In this contest of ideas, we see liberal ideas beginning to influence British behavior and underlying British preferences. In this context, the idea of sovereign equality came to the fore as a basis for criticizing the intervention of the conservative continental powers in the internal affairs of other states.¹⁴

In contrast to the dominance of a notion of great power responsibility in the practice of nineteenth century states, the notion of sovereign equality continued to strengthen in the legal community. U.S. Chief Justice John

¹² See Klein, *The Idea of Equality in International Politics*, 1966, Chapter 1.

¹³ Quoted in Klein, *The Idea of Equality in International Politics*, 1966, p. 51.

¹⁴ The non-intervention principle developed in the context of preventing the status quo powers in the Concert from asserting a right to squelch revolutions in other states. The strength of the principle of non-intervention in British policy making is seen in the case of the Greek revolt against Turkish rule in 1821 when British sympathies were clearly on the side of Turks revolting against religious oppression, but the British resisted the temptation to intervene on behalf of the revolution.

Marshall articulated the acceptance of the principle of sovereign equality in American jurisprudence in the case of *The Antelope* (1825): "No principle of general law is more universally acknowledged, than the perfect equality of nations."¹⁵ Writing in 1928, A.D. McNair described the slavish acceptance of the concept of sovereign equality by international lawyers during the nineteenth century in religious terms: "to have doubted it would have been to lay hands on the ark of the covenant."¹⁶

Despite Talleyrand's early efforts to use the concept of sovereign equality to change decision-making protocols in the Concert of Europe, equality was not a viable principle for international decision-making throughout most of the nineteenth century. The nineteenth century was the era of great power conferences. Nonetheless, the assertion of equality principles on the issue of intervention began to have an influence on attitudes about decision-making rules. At the dawn of the twentieth century the concept of sovereign equality as the normative basis for decision-making in international conferences and organizations began to play a more central role. The 1899 and 1907 Hague Conferences, for example, while still dominated by the great powers, set out extensive procedural rules that were strongly egalitarian.

That these procedural rules were beginning to reflect underlying norms was demonstrated in the controversy at the 1907 Conference over the appointment of judges for a new international arbitration court. The great powers argued that the terms of the judges should be roughly proportional to power. While each state would be allowed to appoint judges, judges from the great powers would have twelve-year terms, judges from middle powers would serve for ten years, etc. This proposal was worked out for all ranks of states down to the smallest, such as Lichtenstein and Monaco, whose judges would serve for only one year.¹⁷

The smaller states rejected this proposal out of hand. Led particularly by the Latin American republics, the smaller powers argued that the arbitral court would be unacceptable unless it was based on "the fixed principle of the

¹⁵ Supreme Court of the United States, 23 U.S. 66 1825 U.S. Lexis 219.

¹⁶ McNair, "The Equality of States" 1928 p. 134.

¹⁷ A permanent court of arbitration was established at the 1899 Hague Conference, but it was merely a list of arbitrators from which states could select a panel to hear any specific dispute.

sovereign equality of the States as political entities."¹⁸ The impasse between the great powers and the smaller states could not be resolved and no standing court emerged from the 1907 Hague Conference.¹⁹ The emerging moral authority of the equality principle is evinced by the fact that while the great powers complained privately, none of them was prepared to directly attack either the principle of sovereign equality or the analogy between individual and states rights. A British delegate to the Conference, Sir Edward Fry, complained in a private report to his government that "[t]he claim of many of the smaller states to equality as regards not only their independence, but their share in all institutions ... is one which ... may perhaps drive the greater powers to act in many cases by themselves."²⁰

Official delegates appeared reluctant to publicly criticize the sovereign equality norms at the Hague Conference. *The London Times* was less hesitant in an October 1907 editorial entitled "The Hague Fiasco":

...on the face of it [the convention that all sovereign states are equal] is a fiction and a very absurd fiction at that. Everybody knows that all sovereign states are not equal. ... By pretending to ignore this fundamental and essential truth, the conference condemned itself to impotence. The simplest common sense is enough to teach us that powers like Great Britain, France, Germany, Japan, Russia, and the United States will not, and can not, in any circumstances allow Haiti, Salvador, Turkey, and Persia to have an equal right with themselves in laying down the law by which their fleets, their armies, their diplomatists, and their jurists are to be guided on matters of the supremest moment. The suggestion that they should submit to such a doctrine is simply fatuous. Such submission would involve the subjugation of the higher civilization by the lower, and would inevitably condemn the more advanced peoples to moral and intellectual retrogression.²¹

¹⁸ This language is from the Guatemalan representative José Tible Machado. Quoted in Klein, *The Concept of Sovereign Equality in International Politics*, 1966, p. 86.

¹⁹ The 1907 Hague Conference did manage to agree on the setup for an international prize court with terms for the judges following the great power proposal outlined above. The Court never actually materialized because the states were unable to agree on the appropriate principles of international law that the court would use.

²⁰ Quoted in Klein, *The Concept of Sovereign Equality in International Politics*, 1966, p. 86.

²¹ Quoted in Hicks, "The Equality of States and the Hague Conferences", 1908, p. 545.

As the twentieth century has unfolded, the great powers have not found themselves able to act entirely by themselves and the concept of sovereign equality has played an increasingly important role in an increasing number of international organizations. The international system has evolved from one with a mere handful of international organizations at the turn of the century to one with more than 300 international organizations today (as well as more than 4600 non-governmental international organizations).²² The principle of sovereign equality is forcefully enshrined in the Charter of the United Nations. Article 2(1) states that "The Organization is based on the principle of the sovereign equality of all its Members."²³ Of course, the drafters of the Charter accepted an important exception to this principle in granting veto power to the five permanent members of the Security Council.²⁴

The collisions of international legal principles and international practice have not led international lawyers to abandon the principle of sovereign equality. Many have followed Friedrich de Martens in his view that if "equality is not always respected in practice that disturbs in no respect the force of the principle."²⁵ Still, there remain a small number of legal positivists who have argued from the evidence of practice that sovereign equality is not the foundational principle of international law that the naturalists have made it out to be. Writing in the *American Journal of International Law* in 1915, Philip Brown concluded that:

Statesmen are unable to acknowledge the truth of the theory of the equality of states simply because that theory is in patent antagonism with the actual facts of international life. ... from the point of view of all reasoning men, it is unpardonable folly to assume that things which are unequal in almost every important respect are nevertheless equal to each other.²⁶

These perspectives remain distinctly in the minority. Indeed, the sovereign equality norm has strengthened over the course of the twentieth century and the rhetoric of great power responsibility has all but disappeared.

²² 1991-1992 Yearbook of International Organizations (Brussels: Union of International Associations, 1992).

²³ *Charter of the United Nations*.

²⁴ *Charter of the United Nations*. See Article 23 establishing the permanent members, and article 27 establishing the veto.

²⁵ Quoted in Dickinson, *The Equality of States in International Law*, 1920, p. 118.

²⁶ Quoted in Dickinson, *The Equality of States in International Law*, 1920, p. 134.

Nonetheless, there remain significant disjunctions between legal doctrines and the actual practice of states. As I will show below, this disjunction is particularly dramatic for the democratic states. Before turning to a more detailed look at democratic states and the concept of sovereign equality in the twentieth century, a few theoretical ideas about the concept of sovereign equality are worth addressing.

The Concept of Sovereign Equality

I want to begin with two theoretical distinctions: one about the component norms that make up the larger sovereign equality ideal and one about the alternative norms that are available to states. The notion of sovereign equality encompasses three distinct component norms. In the first place, as we saw in British attitudes during the Concert of Europe, sovereign equality has been asserted as the basis for a norm against intervention in the internal affairs of other states. Following the notion of religious freedom for princes after the Peace of Westphalia, sovereign equality gives the sovereign sole reign within a given territory and proscribes other sovereigns from meddling in that territory. This is a norm of self-determination. For good or ill, the population of an area is responsible for its own leadership and form of government.²⁷

The second component norm of sovereign equality is an analog to the legal norm of equality before the law. By this norm, all states should have equal access to international legal procedures and should be able to make equal claims to the protection of legal concepts.

Finally, as we saw in the example of the Hague Conference of 1907, sovereign equality has been increasingly used as the basis for a decision-making norm in international organizations. Sovereign equality has been taken to imply that all member states should have an equal voice in the deliberations of international associations of states.

It is also important to put the concept of sovereign equality into the context of the alternative norms that states might choose to assert. There are two legal theories that have served as conceptual alternatives to the sovereign equality norm. These alternatives are generally associated with the left and the right of the political spectrum. On the left side is a norm of liberal democracy

²⁷ See Walzer, *Just and Unjust Wars*, 1977, pp. 87-91.

and popular representation. In this view individuals rather than states are the appropriate unit for legitimating political orders. In the words of Michael Walzer, “territorial integrity and political sovereignty... derive ultimately from the rights of individuals.”²⁸ Liberal democracy as an alternative to sovereign equality affects all three normative components of sovereign equality. The emphasis on individuals means that outsiders may be justified in intervening to ensure the effective functioning of civil and political rights in other states. Self-determination can only have meaning in this view if the citizens of a territory have genuine access to liberal political processes. Similarly, liberal democracy requires a change of view about the standing of individuals in international law. In traditional international law individuals have no independent standing. A focus on individuals would give individuals standing to enter claims against states and to assert certain rights against states at the international level. This view also requires a different attitude toward decision-making in international organizations. The notion that Lichtenstein has the same voting power as the United States in the General Assembly of the United Nations makes no sense from a liberal perspective that focuses on individuals as the basis for the rights of the state.

The alternative to sovereign equality on the right can be described as a legal theory of great power responsibility. This view also has implications for all three component norms of sovereign equality. As in Metternich’s view of the Concert of Europe system, the great power responsibility approach gives the major powers the right to intervene in the domestic affairs of their neighbors when it is necessary for their security or for the stability of the international system.

Although this view is less often asserted, juridical standing might also vary according to the power status of the states involved. The great powers are more likely to see themselves as the arbiters of the affairs of other states and are less likely to allow themselves to be judged by the lesser states. For example, as discussed above, the attempt to set up a standing court of arbitration at the 1907 Hague Conference faltered over a great power demand that the tenure of judges should be proportionate to the power of the state from which they come. And even Grotius envisioned a critical difference in

²⁸ Walzer, *Just and Unjust Wars*, 1977, p. 53.

TABLE ONE
NORMATIVE IMPLICATIONS OF LEGAL THEORIES

		Component Norms		
		Intervention Norms	Juridical Standing	Decision Making
Legal Theory	Liberal Individualism	Intervention on behalf of human rights	Legal standing for individuals as well as states	Direct and proportionate representation
	Sovereign Equality	No intervention	Juridical equality	Decision-making equality
	Great Power Responsibility	Intervention at discretion of great powers	Great Power Privileges	Authority proportionate to power

the very nature of treaties made between equals and those between a superior and a lesser state.²⁹

Finally, the great power responsibility approach implies significantly different decision-making rules. By this approach, decision-making authority should be proportionate to power. Permanent membership and veto power in the U.N. Security Council are two obvious manifestations of this approach.

The three approaches and their implications for the component norms associated with sovereign equality are summarized in Table One.

The relationship between democratic states and the non-intervention norm is central to the democratic peace literature and has been the subject of other studies.³⁰ The variation in the juridical standing norm is not particularly significant for the issue of international cooperation. Thus, I will focus in this study on the decision-making norm. For these purposes it is useful to clarify two terms I will use throughout this paper. I will use the term “sovereign

²⁹ See Dickinson, *The Equality of States in International Law*, 1920, pp. 54-55.

³⁰ See, for example, Doyle, “Kant, Liberal Legacies, and Foreign Affairs” Part II, 1983.

democracy” to refer to the decision-making rules of the sovereign equality approach. Under this approach democratic principles are applied with states as the relevant actors. I will use the term “liberal democracy” to refer to the decision-making rules of the liberal individualism approach, which applies democratic principles with individuals as the relevant actors.

I now turn to three cases to illustrate both the application and evolution of the concept of sovereign equality. The cases I consider -- the founding of the League of Nations, the creation of the United Nations, and the current debates about U.N. reform -- span the twentieth century and show the operation of equality norms in the process of designing the most ambitious international institutions of our era. In each case I will show both how the principle of sovereign equality was applied and how the democratic states interpreted and used equality norms in the context of intense domestic and international pressure.

Sovereign Equality and the League of Nations

At the end of World War I, Woodrow Wilson called for a peace settlement that would define a new international order. He explicitly distanced himself from the ideas and methods of the Congress of Vienna, when a small group of great powers took it as their responsibility to dictate the terms of international peace.³¹ Instead, he argued that "[t]he guarantees exchanged must neither recognize nor imply a difference between big nations and small, between those that are powerful and those that are weak ... [N]o one asks or expects anything more than an equality of rights."³² The fourteenth of Wilson's famous Fourteen Points called for the creation of an association of nations "for the purpose of affording mutual guarantees of political independence and territorial integrity to great and small States alike."³³ Wilson expected the Paris Peace Conference in 1919 to be a conference of "peoples" in which the will of the majority would come to the fore to create a new international order based on the principles of self-determination. Of course, as so often happens, Wilson was convinced that he himself was imbued with a special, indeed a unique, understanding of the true will of the world's peoples.

³¹ Klein, *The Idea of Equality in International Politics*, 1966, p. 107.

³² Quoted in Klein, *The Idea of Equality in International Politics*, 1966, p. 108.

³³ Albrecht-Carrié, *A Diplomatic History of Europe*, 1973, p. 354.

The idea of a league of nations was not, however, something that simply sprang from Wilson's idealistic mind. There had been an active public campaign for the concept in both the United States and particularly in Britain. The British public efforts for a league, which started in 1914, embodied the distinctions I have made between liberal democracy, sovereign democracy, and great power responsibility. Some of the strongest early advocates of a league idea proposed an association of *free* peoples.³⁴ The Union of Democratic Control, which advocated more democratic foreign policy-making within Britain, called for making the League of Nations a world parliament with popularly-elected representatives. But this was a minority view. Most of the public opinion spectrum in Great Britain was divided between liberals who tended toward sovereign equality as the basis for the League and conservatives who tended toward a League based on great power leadership.³⁵ The conservatives on this issue made specific reference back to the Concert of Europe as a model to be emulated.³⁶

British advocates for a league were somewhat hampered by the ongoing war and the resulting distrust of peace advocates. It was, for example, dangerous to talk about including Germany in a prospective league. This was not a problem in the United States in the early days of the war. In the spring of 1915 a group of prominent Republicans, including former President William Howard Taft and Harvard University President Lawrence Lowell, created the League to Enforce Peace to promote a system of international organization to facilitate negotiation and adjudicate disputes. At the first national conference of the League in May 1916, President Wilson announced his support for the idea of a league of nations. The league ideal retained its appeal for both the President and the public even through American entry into the war.

After the war, Wilson went to Europe armed with his fourteen points and a strong desire to create a new league of nations based on the principles of sovereign equality. Despite Wilson's high ideals, the organization of the Peace Conference suggested that the spirit of the Congress of Vienna had not been left completely in the previous century. According to one prominent observer:

³⁴ Birn, *The League of Nations Union*, 1981, chapter 1.

³⁵ Egerton, *Great Britain and the Creation of the League of Nations*, 1978.

³⁶ Egerton, *Great Britain and the Creation of the League of Nations*, 1978, p. 17.

At the Conference each state was dealt with according to its class. Entirely above the new law, as we saw, stood its creators, the Anglo-Saxons. ... The social reformer is disheartened by the one-sided and inexorable way in which maxims proclaimed to be of universal application were restricted to the second-class nations.³⁷

At the January 25th Plenary session the delegates were supposed to set up the various commissions of the Conference. Many of the delegates were surprised to learn that the five great powers (Great Britain, France, Japan, Italy, and the United States) had already decided that each commission would have fifteen delegates: two each from the great powers and five more from all of the other states, including the British Dominions and India.³⁸ When Sir Robert Borden, representing Canada, complained that many decisions seemed to have been taken before the Conference even got under way,³⁹ French President Georges Clemenceau, serving as President of the Plenary Conference, snapped:

Well, we have decided, as regards the Commissions, in the same way as we have decided to summon the present Conference.... I make no mystery of it--there is a Conference of the Great Powers going on in the next room. ... The five Great Powers whose action has to be justified before you today are in a position to justify it. The British Prime Minister just now reminded me that on the day when the war ceased the Allies had 12,000,000 men fighting on various fronts. This entitles them to consideration. We have dead, we have wounded in millions, and if we had not kept before us the great question of the League of Nations we might have been selfish enough to consult only each other. It was our right.⁴⁰

Early in the Conference significant differences emerged between the British and the Americans on the sovereign equality norm. D.H. Miller, the legal adviser to the American delegation, reported on a private conversation

³⁷ Dillon, *The Inside Story of the Peace Conference*, 1920, p. 185.

³⁸ Klein, *The Idea of Equality in International Politics*, 1966, p. 109-111. Over the course of the Conference these commissions gradually grew to include nine representatives from the smaller powers. See Egerton, *Great Britain and the Creation of the League of Nations*, 1978, pp. 129ff.

³⁹ Miller, *My Diary of the Conference of Paris*, 1924, v. IV p. 69.

⁴⁰ Miller *My Diary of the Conference of Paris*, 1924, v. IV p.77. The French delegation reiterated this theme of deserving authority because of having won the war several times. See, for example, Miller, *My Diary of the Conference of Paris*, 1924, v. V p. 98. The most critical decision-making was actually done by the Council of Four, which also excluded Japan.

with the British delegate, Lord Robert Cecil. Cecil was a long standing and strong proponent of the concept of a league of nations,⁴¹ but Cecil told Miller that "the Great Powers must run the League and that it was just as well to recognize it flatly as not."⁴² Referring back to the arguments for sovereign equality advanced by Brazilian representative Ruy Barbosa at the 1907 Hague Conference, Lord Cecil argued that

[The small states] wrecked the plan for a Permanent Court then, [in 1907] but their ground of opposition was a plea of equality of rights which not only is theoretically preposterous, but which is entirely incompatible with the conception of a League of Nations. If they enter the League at all, they must and will abandon the doctrines of Barbosa.⁴³

Cecil's original draft plan for the League of Nations called for an "annual meeting of the prime ministers and foreign secretaries of British Empire, United States, France, Italy, Japan, and any other States recognized by them as great powers."⁴⁴ The rest of the world would meet once every four years, unless summoned by one of the great powers. The composition of the League should, in his view, exclude Russia and other untrustworthy states, although there would be no reason to be too careful in screening other states "since the small powers will in any case not exercise any considerable influence."⁴⁵

At the other end of the spectrum, the American Secretary of State, Robert Lansing, turned out to be one of the most outspoken advocates of complete sovereign equality. In a note he prepared on the subject of the League just prior to the Paris Conference, he set out his strong belief that the principle of equality "whatever its basis in fact, must be preserved, otherwise force rather than law, the power to act rather than the right to act, becomes the fundamental principle of organization, just as it has been in all previous Congresses and Concerts of the European Powers."⁴⁶ Lansing's rigid adherence to this position and his criticism of the secret nature of Wilson's negotiations with the other powers brought him into direct conflict with the

⁴¹ Birn, *The League of Nations Union*, 1981, p. 15.

⁴² Miller, *My Diary of the Conference of Paris*, 1924 v. I p. 337.

⁴³ Miller *The Drafting of the Covenant*, 1928, v. I p. 64.

⁴⁴ Cecil's draft plan is reprinted as Appendix II to Lansing, *The Peace Negotiations*, 1921, p. 295.

⁴⁵ Cecil draft plan in Lansing, *The Peace Negotiations*, 1921, p. 296.

⁴⁶ Lansing, *The Peace Negotiations*, 1921, p. 44.

President. He was marginalized in the negotiations, and was eventually forced to resign because of his differences with Wilson on the character of the League.⁴⁷

Despite Lord Cecil's desire to put the new League on a purely great power basis, there was early agreement to follow Wilson's more inclusive plan for a League consisting of an Assembly based on equal representation of all states and an Executive Council that would have the primary decision-making power. At the insistence of the great powers the principle of unanimity was adopted for the Executive Council. This, of course, meant that any member of the Executive Council could block international action. The primary controversies were over the make-up of the Executive Council.

The small states pushed for the principle of sovereign equality in all of the decision-making structures of the League, but were clearly prepared to bargain on the basis of political realities. Wilson's first draft of a League Covenant proposed an executive council consisting of five delegates representing each of the great powers, one delegate to represent the medium powers and one to represent the small states. Paul Hymans of Belgium countered that the smaller powers should have equal representation on the Council: if there were five great power delegates then there should be five delegates from the lesser powers.⁴⁸ In the end, the great and lesser powers compromised on a Council with the five permanent members and four representatives of the smaller states.

Subsequent events, however, did not allow this compromise to hold. The refusal of the United States to join the League meant that there were only four great powers sitting on the Executive Council. Hymans' goal of equal representation between the great and lesser powers had been realized through the intransigence of the American Senate. The Covenant gave the Council the power to propose Council expansion, with approval from a majority of the Assembly (Article 4.2). The Council was gradually expanded over time so that by 1936 there were eleven small powers as against the four remaining great powers. The unanimity requirement gave all of these fifteen states the ability to individually block League action.

⁴⁷ See Lansing, *The Peace Negotiations*, 1921.

⁴⁸ Miller, *My Diary at the Conference of Paris*, 1924, v. V pp. 97-98.

The distance between a conception of sovereign equality and a liberal conception of individual equality was demonstrated by the controversy engendered by an attempt by the Japanese to put a clause about racial equality into the preamble of the League Covenant. The Japanese clause asserted that the signers endorsed "the principle of the equality of nations and the just treatment of their nationals...".⁴⁹ This proposal met with particular opposition from New Zealand and Australia, who viewed it, correctly, as an attempt to mitigate discriminatory rules against Japanese immigrants in their countries.⁵⁰ When asked by a Japanese delegate if the amendment could be altered to satisfy the Australians, the Australian Prime Minister William Hughes responded:

I am willing to admit the equality of the Japanese as a nation, and also of individuals man to man. But I do not admit the consequence that we should throw open our country to them. It is not that we hold them to be inferior to ourselves, but simply that we do not want them. Economically they are a perturbing factor, because they accept wages much below the minimum for which our people are willing to work. Neither do they blend well with our people. Hence we do not want them to marry our women. Those are my reasons. We mean no offense. ... It is impossible that we should formulate any modifications of your amendment because there is no modification conceivable that would satisfy us both.⁵¹

The Japanese insisted on a vote on the amendment. The amendment was favored by a vote of eleven to six. The British stuck with the position of the Dominions against the amendment. Woodrow Wilson, who was chairing the commission, then declared that decisions had to be unanimous and refused to amend the preamble, despite having just approved the siting of the League headquarters in Geneva on a simple majority vote. The difference between the two issues, he said was that "On the subject of the seat of the League unanimity is unattainable".⁵²

⁴⁹ Klein, *The Idea of Equality in International Politics*, 1966, p. 125.

⁵⁰ The Japanese attempt to amend the preamble was actually a watered down version of an earlier proposal to insert a stronger clause denouncing discrimination on the basis of race or nationality. See Klein, *the Idea of Equality in International Politics*, 1966, pp. 119-130, Egerton, *Great Britain and the League of Nations*, 1978, p. 164.

⁵¹ Quoted in Dillon, *The Inside Story of the Peace Conference 1920*, pp. 492-3.

⁵² Dillon, *The Inside Story of the Peace Conference*, 1920, p. 494.

Once the League Covenant was finished, the controversy moved to the ratification process in the United States Senate. A central issue in the U.S. ratification process was the issue of sovereign equality and the number of votes given to the British Empire. In 1919 Britain pushed for individual representation for the Dominions -- Canada, Australia, New Zealand, South Africa, and India. All of these but India were self-governing in their internal affairs, while India was still a British colony. None of them, however, conducted their own foreign policy. Canada, for example, had no official diplomatic posts abroad before 1925.⁵³ A sizeable number of U.S. Senators were unwilling to accept that the British Empire should essentially have six votes, compared to one for the United States. Hiram Johnson, Senator from California, proposed an amendment to the League of Nations Covenant that would give the United States an equal number of votes as the British Empire. This proposal was very popular with the public and was only narrowly defeated in the Senate.⁵⁴

Several important conclusions about the democratic states and the sovereign equality norm can be drawn from the League of Nations case. In the first place, Woodrow Wilson and most of the other Americans involved were prepared to sacrifice both liberal democracy and sovereign democracy in their desire to see some kind of international league created. Similarly, when the issue of unequal voting emerged in the U.S. Senate, the concern was more with the disadvantages the U.S. faced relative to Great Britain, than with a broader implementation of an equality norm.

The League of Nations case also demonstrates important differences between the United States and Great Britain. Despite some similarities to the United States in the range of domestic opinions, the British delegation at Paris was much more prepared to use the language of great power responsibility. The significant differences between the United States and Great Britain regarding the sovereign equality norm belie the idea of a common democratic perspective. The notion of democratic distinctiveness is not supported for this norm in this case. Moreover, both states were willing to sacrifice their ideals on this question to other political concerns. Ultimately, equality norms were

⁵³ Canada did have two unofficial posts in London and Paris. See Veatch, *Canada and the League of Nations*, 1975.

⁵⁴ See Margulies, *The Mild Reservationists and the League of Nations Controversy in the Senate*, 1989. pp. 110ff.

not distinctively consequential for democratic foreign policy-making in this period.

On the other hand, rhetoric adopted at one point in time to legitimate specific policies can sometimes gain its own legitimacy and frame the terms of the debate at a later time. In this regard it is useful to move forward twenty-five years to look at the same processes in the creation of the United Nations.

Sovereign Equality and the United Nations

The one-state one-vote issue arose again in the founding of the United Nations. By the end of World War II the ties between Britain and the United States had been strongly forged. The Dominions were beginning to have their own foreign policy institutions and diplomatic relations – with the exception of India, which remained a Colony until 1948. There is no evidence that the United States held any reservations about the multiple memberships of the British Empire this time around. Rather, the primary controversy over multiple votes arose between the United States and the Soviet Union.

Andrei Gromyko, the Soviet Ambassador to the United States during World War II, shocked the American and British governments at the Dumbarton Oaks Conference in the Fall of 1944 when he proposed individual memberships for all sixteen Soviet Republics in the new world organization being sketched out by the allies. The American Secretary of State, Cordell Hull, viewed the Gromyko proposal as a deliberate attempt to scuttle the entire conference and to undermine the proposed new organization.⁵⁵ Roosevelt immediately telegraphed Stalin to inform him that the proposal was completely unacceptable. Stalin responded that the proposal would not be dropped, and Gromyko declared that preacceptance of the sixteen individual memberships was a precondition for a general conference on the United Nations.⁵⁶

Although some have asserted that the Soviet position was merely a negotiating ploy -- Stalin knew how important procedures and structures were to the U.S. and the U.K.⁵⁷ -- the Soviets gave several justifications for multiple memberships. Most importantly, Stalin pointed to the changed Soviet

⁵⁵ Sawczuk, *Ukraine in the United Nations*, 1975, p. 3.

⁵⁶ *Foreign Relations of the United States--1944*, 1949 p. 839.

⁵⁷ Ulam, *Expansion and Coexistence*, pp. 372-4.

Constitution of February 1944 that, on paper, gave the individual republics the right to conduct their own foreign relations.⁵⁸ Stalin also made the comparison between the Soviet Republics and the British Dominions (and especially India), which were expected to have independent membership. Finally, in a direct rejection of the notion of sovereign equality, comparisons were made to other small states that were being proposed for membership, with the repeated argument that the Soviet Republics were each "much more important than, say, Liberia or Guatemala."⁵⁹

That these principles were ultimately negotiable was demonstrated at the Yalta Conference in February 1945 when the Soviets, now represented by Molotov, agreed to the American Proposal on Security Council voting, but pressed for individual membership for the Ukraine, White Russia (Byelorussia) and Lithuania, arguing that because of their sacrifices in the war "it was only fair, therefore, that these three, or at any rate two be original members."⁶⁰ Roosevelt was dismayed by the Soviet insistence on multiple votes.⁶¹ He explicitly argued that acceptance of the Molotov proposal would jeopardize the principle of one-nation one-vote and emphasized the wide variety of differences between states in terms of size, population, and constitutional make-up.⁶²

Soviet justifications for multiple votes were adjusted for the new demands. Stalin and Molotov argued that the Ukraine and Byelorussia deserved membership because of the great sacrifices they had made in the war. Stalin also asserted that multiple memberships were necessary for holding his domestic coalition together. He told Roosevelt that he needed the vote for the Ukraine in order to hold it in the Union, and that he needed the three votes to ensure the support of his Kremlin colleagues -- as if he was suddenly more reliant on their support than had been apparent in the past.⁶³

The British, while initially shocked by the Soviet demands, came around to see them in a more sympathetic light. They recognized that none of

⁵⁸ *Foreign Relations of the United States--1944*, 1949, pp. 782-3.

⁵⁹ This exact comparison was made by Gromyko. *Foreign Relations of the United States--The Diplomatic Conferences at Malta and Yalta--1945*, 1955, p. 72.

⁶⁰ *Foreign Relations of the United States--The Diplomatic Conferences at Malta and Yalta--1945*, 1955, p. 712.

⁶¹ Stettinius, *Roosevelt and the Russians*, 1949, p. 174.

⁶² Sherwood Roosevelt and Hopkins, 1950, p. 856.

⁶³ Stettinius, *Roosevelt and the Russians*, 1949, p. 187.

the sixteen Republics of the Soviet Union had any real independence, but on paper the Republics looked to have more control over their foreign policy than India. The British Cabinet was willing to accept any compromise that did not exclude India.⁶⁴ Since the U.S. felt more strongly about the issue, any solution acceptable to the U.S. was likely to meet British concerns.

At first, Churchill was satisfied to leave the issue to the Americans. Upon more reflection, however, the British began to be nervous about the American principles. Churchill came to see a threat to the British position in too strong a requirement of genuine sovereignty for the one-state one-vote mechanism. In a telegraph to Deputy Prime Minister Clement Attlee, Churchill recognized the connection between membership for the British Dominions and colonies and the issue of multiple votes for the USSR; he asked the Cabinet for authorization to accept Molotov's Yalta proposal for three Soviet votes:

For us to have four or five members, six if India is included, when Russia has only one is asking a great deal of an Assembly of this kind... I should like to be able to make a friendly gesture to Russia in this matter. That they should have two besides their chief is not much to ask, and we will be in a strong position, in my judgment, because we shall not be the only multiple voter in the field.⁶⁵

At the February 7th meeting with Roosevelt and Stalin, Churchill explicitly stated that the British and American views differed on this issue and expressed his support for the admission of the Ukraine and Byelorussia.

Roosevelt had come to Yalta determined to resist the Russian demand for multiple votes.⁶⁶ But in the face of British willingness to support the Molotov proposal for multiple Soviet votes, he now came around to the position that two to three votes for the U.S.S.R. would have to be an acceptable compromise. He did not want to sacrifice the working relationship of the allies for this issue. He rationalized that it would not make that much difference in the Assembly, and was not all that unfair given the size and population of the USSR, compared to the many small countries that would

⁶⁴ Woodward, *British Foreign Policy in the Second World War*, 1962, p. 462.

⁶⁵ Churchill, *Triumph and Tragedy*, 1953, pp. 359-60.

⁶⁶ Sherwood, *Roosevelt and Hopkins*, 1950, p. 856.

have a General Assembly vote. Besides, the Security Council remained one-state one-vote.⁶⁷

Despite his ability to justify the compromise to himself, Roosevelt remained nervous about his ability to justify it to the American people. On the second to the last day of the Yalta Conference, Roosevelt wrote to Stalin and Churchill expressing his concerns about selling multiple Soviet votes to his domestic audience. Perhaps with the controversy over the voting arrangements in the League of Nations in mind, he asked for “an insurance clause” in case of congressional protests, which would allow him to come back later to ask for three votes for the United States:⁶⁸

I am somewhat concerned lest it be pointed out that the United States will have only one vote in the Assembly. It may be necessary for me, therefore, if I am to insure wholehearted acceptance by Congress and the people of the United States of our participation in the World Organization, to ask for additional votes in the Assembly in order to give parity to the United States.⁶⁹

Both Churchill and Stalin responded favorably to Roosevelt's request. Churchill, who we have already seen was anxious that the UK not be the only multiple voter, ironically expressed his support for Roosevelt's proposal in the language of sovereign equality:

Our position is that we maintained the long established representation of the British Empire and Commonwealth; that the Soviet Government are represented by its chief member, and the two republics of Ukraine and White Russia; and that the United States should propose the form in which their undisputed equality with every other member State should be expressed.⁷⁰

The continuing concern about the domestic reaction is reflected in the fact that while Roosevelt and Churchill formally promised Stalin that they would support making the Ukraine and Byelorussia "original members" of the

⁶⁷ Stettinus, *Roosevelt and the Russians*, 1949, p. 188.

⁶⁸ Sherwood, *Roosevelt and Hopkins*, 1950, p. 857.

⁶⁹ *Foreign Relations of the United States--The Diplomatic Conferences at Malta and Yalta--1945*, 1955, p. 966. This text is from the note to Stalin. Roosevelt's similar note to Churchill is at pp. 966-967.

⁷⁰ *Foreign Relations of the United States--The Diplomatic Conferences at Malta and Yalta--1945*, 1955, p. 967.

United Nations, the proposal for multiple Soviet membership was not made public as part of the joint communique that the leaders issued at Yalta. The initial report on the Yalta Conference described the voting controversy in these terms:

On the important issue of voting procedure, however, agreement was not there [at Dumbarton Oaks] reached. The present conference [Yalta] has been able to resolve this difficulty. ... As soon as the consultation with China and France has been completed the text of the proposals on voting procedure will be made public.⁷¹

In fact, The Yalta Protocol, which clearly describes American and British support for Ukrainian and Byelorussian membership was not released to the public until March 1947.⁷²

The White House was able to keep the agreement on Soviet votes secret immediately after the Yalta meetings. Roosevelt said nothing about Ukrainian and Byelorussian membership in his report on Yalta delivered to a joint session of Congress on March 1, 1945. But at the end of March, in briefing the U.S. delegates to the impending conference in San Francisco for the purpose of setting up the United Nations organization, he had no choice to but to reveal his promise to Stalin.⁷³

The bipartisan delegates were upset to learn that this decision had already been made. Not surprisingly, the agreement was leaked to the press. Journalists pressed hard on the "extra votes issue", and the White House was forced to confirm the existence of the agreement to support the extra seats for the Ukraine and Byelorussia. Roosevelt himself was confronted about this issue at the final press conference of his life, on April 5, 1945. The president criticized the press for not getting its facts right, and then said that the Russian "plea for votes was done in a very quiet way" based on the sacrifices that the

⁷¹ *Foreign Relations of the United States--The Diplomatic Conferences at Malta and Yalta--1945*, 1955, p. 971.

⁷² See *Foreign Relations of the United States--The Diplomatic Conferences at Malta and Yalta--1945*, 1955, p. 968 for the Report released on February 12, 1945 and p. 976 for the Protocol released on March 24, 1947. Section I.2.b of the Yalta Protocol reads: "When the Conference on World Organization is held, the delegates of the United Kingdom and the United States will support a proposal to admit to original membership two Soviet Socialist Republics, i.e. the Ukraine and White Russia."

⁷³ Sherwood, *Roosevelt and Hopkins*, 1950, p. 876.

Ukraine and Byelorussia had made during the War.⁷⁴ He said he supported the Russian request “largely on sentimental grounds” and that it would not make a great deal of difference since the General Assembly won’t really decide anything.⁷⁵

The State Department was also caught flat-footed at news of the secret agreement. It had been conducting an “educational” campaign to promote the United Nations idea in which it emphasized “the absolute equality of the United Nations voting procedure which gave the little fellow exactly the same rights as the big one.”⁷⁶

Despite Roosevelt's trepidation, the public reaction was surprisingly muted. Indeed, the public seemed relatively indifferent to the Soviet request. *The New York Herald Tribune*, which had broken the leaked story about the agreement, editorialized that it was not that significant a matter:

While an assembly ‘packed’ by as many as sixteen Russian votes would obviously be inadmissible, a difference of two or three ... could have no possible practical significance. Even as matters stand, the United States will be able to count on the sympathetic votes of the Philippines, Cuba and others quite as surely as the United Kingdom will be able to count on those of the dominions and almost as surely as the Soviets will be able to count on White Russia and the Ukraine. To make a tortured issue out of such inconsequentialities would have been to endow them with an altogether fictitious importance.⁷⁷

The Herald Tribune may not have accurately forecast the future voting behavior of the Cubans, but it did capture the lack of public concern in the United States. James Byrnes, the primary opponent within the government of the extra-votes for the Soviets, had to admit "that the public opposition to Russia's three votes as against our one was not so great" as he had expected.⁷⁸ There was actually a greater public outcry over the fiction of granting the

⁷⁴ Roosevelt, *Public Papers*, 1950, vol. XIII p. 610.

⁷⁵ Roosevelt, *Public Papers*, 1950, vol. XIII p. 611.

⁷⁶ Sherwood, *Roosevelt and Hopkins*, 1950, p. 876.

⁷⁷ Quoted in Sherwood, *Roosevelt and Hopkins*, 1950, p. 877.

⁷⁸ Byrnes, *Speaking Frankly*, 1947, pp. 41-42.

United States three votes, and the White House announced that the United States would not ask for its additional votes.⁷⁹

As in the founding of the League of Nations, the United States exhibited an underlying preference for the one-state one-vote system, but that preference was not strong enough to prevent compromising those values in the desire to keep the alliance together. Moreover, to the surprise of its leaders, the American public seemed similarly willing to sacrifice the sovereign equality norm.

There is no evidence that democratic states *per se* had a more democratic outlook on organizing the international system. The British continued to express a preference for the unequal voting, given their own strong desire to maintain the multiple votes of the British Empire. Without discussing the details of U.N. voting procedures, Churchill emphasized the importance of great power responsibility in his parliamentary report on the Yalta Conference:

It is on the Great Powers that the chief burden of maintaining peace and security will fall. The new world organisation must take into account this special responsibility of the Great Powers, and must be so framed as not to compromise their unity, or their capacity for effective action if it is called for at short notice. At the same time, the world organisation cannot be based upon a dictatorship of the Great Powers. It is their duty to serve the world and not to rule it. We trust the voting procedure on which we agreed at Yalta meets these two essential points and provides a system which is fair and acceptable
....⁸⁰

Of course, Stalin demonstrated the least interest in the principle of sovereign equality, but this was more a difference in degree than in kind. Perhaps the most significant difference was that despite his reference to the domestic political pressures he felt from his fellow Politburo members, Stalin did not have to worry about democratic activists at home. In both the United States and Great Britain there was clearly an influential coterie of internationalist activists who were keenly interested in applying democratic principles to the international system.

⁷⁹ Sherwood, *Roosevelt and Hopkins*, 1950, p. 877.

⁸⁰ House of Commons Debate, February 27, 1945. Hansard 5 Parliamentary Debates (Commons) 408.

As in the drafting of the Covenant of the League of Nations, the two leading democratic states in the drafting of the U.N. Charter did not exhibit a systematic and distinctive approach to the issue of sovereign equality. Again, the British demonstrated little affection for the norm given their own desire to maintain multiple votes. Neither of the democratic states was willing to push for the norm when there was a danger of weakening the anti-Axis alliance.

Sovereign Democracy and U.N. Reform

I turn now to a look at current discussions about reforming the United Nations system and the role of democratic norms and the sovereign equality norm in that process. This case is by nature considerably more speculative, but allows us to take a rough measure of the current status of this important norm.

The language of democracy is important to the legitimacy of modern states. As of 1994, 123 out of 194 sovereign states had the term “Republic” in their formal title.⁸¹ So too, the language of democracy appears frequently in discussions of United Nations reform. Its meaning takes on considerably different shades: sometimes the focus is on what I have called sovereign democracy; sometimes it is on liberal democracy. In contrast to the previous cases, however, the rhetoric is always about democracy; it is very difficult anymore to find the language of great power responsibility.⁸²

Not surprisingly, one of the primary areas of reform suggested in the global governance literature is to change the voting system in the United Nations. The two most prominent kinds of voting reform proposals correspond to the liberal democracy and the sovereign democracy points of view. On the sovereign democracy side there are a number of proposals to eliminate the veto and return to a true one-state one-vote system. From the liberal democrats come a raft of proposals to incorporate some element of proportional representation and even the direct election of U.N. representatives.

It is important to emphasize here that my use of the sovereign and liberal democracy labels come from the character of the proposals rather than

⁸¹ List of formal state titles from *The World Almanac*, 1995.

⁸² An encyclopedic reference on U.N. reform proposals is Müller's three volume *Reforming the United Nations*, 1997.

from the character of those who make the proposals. Throughout much of the Cold War era, many liberals and internationalists have favored sovereign democracy on the somewhat bizarre notion that non-aligned, smaller, and third world states would have more progressive and pacific notions than the superpowers. This bias remains in much of the writing about U.N. reform, although, ironically, just as the world is becoming more democratic, more liberals are finally beginning to question the wisdom of a democratic society of non-democratic states. Others have transferred their allegiance from third world states to non-governmental organizations (NGOs). Democratic values still sometimes get lost. One prominent advocate for a formal NGO role in global governance extols their superiority while implicitly criticizing democratic electoral procedures, since NGOs "take a longer-term view of what needs to be done, rather than focusing only on today's problems and tomorrow's elections."⁸³

One of the earliest and most famous proposals for reforming the United Nations was the plan advanced by Grenville Clark and Louis Sohn. Their plan for "world peace through world law" called for a general assembly with population-weighted voting. At the beginning delegates would be appointed by states, but over time (about 24 years in their plan) the selection process would move toward direct elections.⁸⁴ They advocated proportional voting because they thought it was necessary for gaining support for a more powerful general assembly:

The purpose is, by abolishing the present system of one vote for each member Nation, to substitute a more equitable system, and thus to make the nations more willing to confer upon the General Assembly the limited yet considerably increased powers that it would need.⁸⁵

More recently, there has been a growing movement of activists calling for a "second assembly" to more directly reflect popular opinion. Most of these advocates call for some kind of direct election, although a few cling to notions of descriptive representation -- with representatives coming from villages, farms, and labor groups, or at least the NGO's that represent them. Few, however, have proposed how this might work given the large number of

⁸³ Suter "The United Nations and Non-Governmental Organizations" in Barnaby, ed. *Building a More Democratic United Nations*, 1991, p. 19.

⁸⁴ Clark and Sohn, *World Peace Through World Law*, 1966[1958] p. xxi.

⁸⁵ Clark and Sohn, *World Peace Through World Law*, 1966[1958], p. xx.

non-democratic states in the international system. It is not at all clear how direct election of U.N. representatives could be implemented in countries like China, Syria, or Iraq.⁸⁶ Similarly, there is a strange distrust of even democratic national governments, but an underlying assumption that a world government will be benign and far-sighted.

As in the cases of the founding of the League of Nations and of the United Nations, there remain activists within the United States and other democratic states who advocate a democratic vision for international organization. But just as in those cases, the United States government remains prepared to compromise these ideals. Now, however, the compromise is less toward great power responsibility and more towards a trade-off of liberal democracy for sovereign democracy. For example, during the Carter presidency -- probably a high-water mark for internationalist idealism in the post-war era -- the United States rejected proportional voting in the General Assembly as politically infeasible. Making the General Assembly more representative could only be accomplished by trading off the American veto in the Security Council -- a move that was not in American interests:

There is no prospect for the adoption of a generally applicable weighted-voting system in the General Assembly. In fact, pressure for change has been in the opposite direction to replace weighted-voting in global institutions where it now exists with decision-making procedures in the model of the General Assembly. The tradeoffs proposed, which involve sharp curtailment of our veto power in the Security Council, are not in U.S. interests.⁸⁷

The political dynamic referred to in the Carter report on U.N. reform is the resistance of the "non-aligned" states to any kind of proportional representation scheme. The non-aligned states remain firmly attached to the sovereign democracy model. As a group, the non-aligned states are decidedly non-democratic. Of the 132 members of the no-aligned Group of 77, only 34 have robust democratic institutions internally.⁸⁸ Nonetheless, they make frequent calls for increased democracy between states in international organizations. A 1996 report on United Nations reform prepared by the

⁸⁶ See, for example, *Building a More Democratic United Nations*, 1991.

⁸⁷ "Carter Proposals for U.N. Reform" (1978), in Müller, *Reforming the United Nations*. 1997, p. III.8.7.

⁸⁸ Based on Freedom House ratings for 1995, and the Group of 77 membership list as of September, 1997.

South Centre, a research institute affiliated with the Group of 77, responds to the many calls for U.N. reform that have accused the United Nations of being overly responsive to the non-aligned majority in the General Assembly. This report continually raises the democratic banner to call for sovereign democracy within the United Nations.

Likewise, state leaders who have demonstrated little patience for democratic principles domestically show no hesitation about drawing on democratic principles in their discussion of United Nations procedures. Fidel Castro, for example, argued against the veto and for a conception of sovereign democracy in a 1995 speech before the General Assembly:

The anachronistic privilege of veto and the abusive use of the Security Council by the powerful are enthrone a new colonialism within the United Nations itself. Latin America and Africa do not have even one permanent member in the Security Council. India, in Asia, with nearly 1 billion inhabitants does not have this responsibility. How long will we have to wait to see the democratization of the United Nations, the independence, and sovereign equality of states, nonintervention in their internal affairs, and true international cooperation become realities?⁸⁹

Another South Centre report for the Group of 77 criticizes the growing human rights emphasis of the United Nations and rejects the idea of using the UN for democratization without making the UN more "democratic":

It can hardly be in the interests of humanity that the UN be "geared up" to promote democracy in the South but make little or no effort to achieve the same at the international level with respect to the management of global affairs, and indeed the operations of the UN itself.⁹⁰

Again, what the Group of 77 means by democracy in the United Nations is clearly sovereign democracy rather than liberal democracy. The Group of 77 Ministers Document on U.N. Reform, for example, calls for an end to weighted voting systems and more "democracy" in international

⁸⁹ Speech before the United Nations, October 22, 1995.

gopher://lanic.utexas.edu:70/00/la/Cuba/Castro/1995/19951022

⁹⁰ <http://www.g77.org/Docs/policy%20brief.htm>.

organizations.⁹¹ The preference for sovereign equality is also reinforced within the Group of 77 by its own one-state one-vote institutions that make the votes of India and China the same as the votes of Brunei and the Maldives.⁹² The 132 states in the Group of 77 have better than a two-thirds majority in the 185 member General Assembly. Sovereign democracy works for them.

More generally, sovereign democracy works for the non-democratic states as a whole. A comfortable majority of the members of the United Nations – 113 to 72 -- have significant restrictions on civil and political liberties at home.⁹³ To the degree that their democratic status defines their interests, pushing for sovereign democracy is not in the interest of the democratic states. For that matter, liberal democracy does not look too promising as a model in the current international environment either. Too quick a move to proportional representation without the expansion of effective democratic rights at the domestic level will do little for the democratization of international decision-making since only twenty-percent of the world's people live in states with robust democratic institutions.⁹⁴

Conclusions

As we have seen in these cases the interest in sovereign equality has often been directly connected to the material self-interest of states. But norms have a way of taking on a life of their own. Moral language and high-minded principles cannot always be withdrawn once they have been put into play. Sovereign equality stands in opposition to two alternative norms: on one side the realist norm of great power responsibility; on the other side, the liberal norm of the equality of individuals. Although these other two norms probably accord more closely with our most important theories of international relations, over the past century the norm of sovereign equality

⁹¹ <http://www.g77.org/Docs/policy%20brief.htm>

⁹² As of 1994, the population of Brunei was 285,000 and the Maldives 252,000. India has some 919,903,000 people to China's 1,190,431,000.

⁹³ Freedom House rated 72 of the current U.N. members free compared to 52 not free and 61 only partially free. *Freedom in the World*, 1995. United Nations Membership list, 1995.

⁹⁴ Gaubatz, "Kant, Democracy, and History" 1996. This percentage is very sensitive to the inclusion or exclusion of India on the list. As of 1995 Freedom House had excluded India from the list of free states. The inclusion of India would increase the democratic share of total population to 38 percent.

has become the dominant organizational principle for international institutions.

On the international stage, it is smaller and weaker states -- irrespective of their adherence to democratic norms internally -- who have been the strongest advocates of sovereign equality. This, of course, accords with a realist expectation about the fundamental role of interests in motivating state behavior. For this reason, the sovereign equality norm will continue to play a central role in the decision-making structure of international institutions for the foreseeable future. While this review has shown that liberal democratic activists continue to push for liberal democratic models at the international level, recent experience suggests that the interests of the majority of smaller states will continue to reinforce sovereign equality rather than liberal democracy as the basis of decision-making in international organizations.

My primary purpose in this paper has been to assess the allegiance of democratic states to equality norms at the international level. Several conclusions about this relationship can be drawn from this examination of the founding of the League of Nations and the United Nations and at more recent efforts for U.N. reform.

One of the central characteristics of democratic states is that they allow a plurality of views to be expressed. In studying the role of norms in domestic and international politics it is critical to assess the range of views that inform political discourse rather than merely testing for the existence of one view or another. It is clear that the sovereign equality norm resonates with some internationalist groups within the democratic states. But it is not difficult also to find supporters of both the liberal individualist view and the great power responsibility view. In assessing the ultimate impact of these different views, there is little evidence in these cases that the equality norms have actually played a strong role in the policy of the democratic states towards the voting rules of international organizations. There are significant differences in even the rhetorical acceptance of equality norms among established democracies as we saw in comparing the American and British positions in both the League of Nations and the United Nations cases. If there is any normative distinctiveness of democratic states on this issue it probably reflects American exceptionalism rather than democratic exceptionalism. Although influential domestic forces expressed support for the other norms, the British

government consistently adopted a great power responsibility approach. Even for the United States, when push came to shove in each of the three cases examined here, equality norms clearly took second place to other concerns. In the first two cases -- the League and U.N. foundings -- both sovereign democracy and liberal democracy were sacrificed to the notion of great power responsibility. In the U.N. reform discussions, it is apparent that liberal democracy will take a second seat to sovereign democracy, and that the U.S. is not willing to sacrifice its great power prerogatives to move in the direction of liberal democracy at the international level.

It may yet be that equality norms will prove consequential in relations between democratic states. As in the democratic peace argument, and following the Kantian logic of a pacific union of republican states, the distinctive normative element may only come into play in an environment of mutual trust. In this regard, the development of decision-making institutions in the European Union may be a rich case. I leave that inquiry to future analysis.

The argument that democratic states are normatively distinctive in ways that are consequential for international relations has not been supported in this study. While the sovereign equality norm was critical to the development of the decision-making structures of international institutions in the twentieth century, the democratic status of some leading states was not a critical factor in that story.

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