

THE ORGANIZATION OF AMERICAN STATES. By Ann Van Wynen Thomas and A. J. Thomas, Jr. [Dallas: Southern Methodist University Press. 1963. xii + 530 pp. U.S.\$10.00]

In the seven years that have elapsed since Professor and Mrs. Thomas published their *Non-intervention: The Law and its Import in the Americas*, much has happened affecting the security and maintenance of peace in that area. On each occasion, much has been heard of the potential of the *Organization of American States* and attempts have invariably been made to oust the jurisdiction of the United Nations. To an outsider it has often appeared that the invocation of the Organization has been an excuse for inaction and to give an opportunity for the particular issue to run itself down. This also appears to be the view of the learned authors. They are of opinion that 'of late the organization instead of settling hemispheric problems has tended to make settlements more difficult....Today the Organization of American States is becoming more and more mechanical, and unless it reverses this trend, instead of developing a more secure and fruitful basis of international association it will continue its present process of stagnation and decay.'

The present work deals with issues up to February 1963, but apart from providing a careful politico-juridical analysis of the activities of the Organization in such matters as the Guatemala 'Communist' threat, the disputes between Haiti and Dominica, the Cuban missile crisis, and the like, the authors have provided a splendid study of the organization, theory and practice of what could be one of the most important regional organizations in the world, pointing out that if any such organization is to work it depends on the goodwill and determination of its members, and must have some social and economic, as well as political *raison d'être*.

Professor and Mrs. Thomas postulate five essentials for any effective international organization: a viable international community; an effective machinery for the pacific settlement of disputes; a rational pattern of membership; legislative power over its members; and an effective method to ensure that legal obligations are enforced. They point out that it is difficult to describe the present relations of Latin America *inter se* or with the United States as typical of a community. 'Nevertheless, there has always been an awareness among the leaders and the political elite in all the nations of this hemisphere that inter-American co-operation has been beneficial.

This awareness has established a habit of international co-operation leading to the gradual enmeshing of American states in procedures of collective deliberations.' While the 'main essential of inter-Americanism was to preserve its unity', the American states could find the necessary collective will to cope with inter-American disharmonies, but 'the acid test will be whether the members of the OAS, in it and through it, will be able to stop the wave of Russian colonialism now established in this hemisphere' — it is perhaps a pity that the learned authors have here accepted the current terminology of American ideology. It is still arguable whether communism and near-communism in the western hemisphere is in fact 'Russian colonialism'. It does not follow that a nationalism that goes left, becoming anti-democratic or anti-United States in the process is therefore the vanguard of Russian colonialism, even if the regime in question is being fully supported by the Soviet Union. In a bipolarized world (the authors talk of a tripolarized world divided into communist, anticommunist and noncommunist), it is only to be expected that each side will support the dissidents in the camp of the other and will encourage any thorn that implants itself in the side of the other. To talk too freely of Russian colonialism in these circumstances opens somewhat too easily the door for similar accusations whenever, for example, the Voice of America calls upon eastern Europe to revolt.

How easy it would prove for any communist propagandist to rewrite the following: 'On the whole, the anticommunist nations, most of which either are democracies or aspire to democratic government, are nonaggressive except in the ultimate instance where aggressiveness is necessary to protect their way of life. The noncommunist nations are seeking to establish a national identity and a national image and are also generally nonaggressive. In ringing proclamations and high sounding ideals they staunchly proclaim a neutral position between communism and anticommunism; but when put to the final test, they generally crumble before the massive power and propaganda onslaught of communist imperialism. This poses a double threat both for the anticommunist nations and for all of mankind. Not only must the anti-communists guard against the aggressive and powerfully supported ideology of communism on a multitude of fronts in the anticommunist world, but some effort must be made to save the noncommunists from their own blindness, which can only lead them to succumbing to the ruthless and incredibly ingenious devices of Russian totalitarianism.'

It has sometimes been said that one of the defects of the United Nations is its striving after universalism. OAS is essentially regional and all its members call themselves 'Americans' — would the entry of Canada affect this? Its limited membership should enable it to concentrate on local issues, continental responsibility and common interests. Unfortunately, however, there is still more than a little suspicion of 'Yanqui imperialism' and an insufficient amount of common acceptance of basic ideals, either in the field of political belief or of human rights. In fact, it is doubtful whether the learned authors are not being unduly sanguine when they state that 'there has been a partial sharing of a sense of justice and of moral values on which law must ultimately rest.' This may be true of inter-American consultative legal bodies, of Pan-American conferences, and of draft conventions. Practical experience, however, casts some doubt on the reality of the justice and of the moral values. As regards the enforcement of inter-American legal obligations, it might be pointed out that one of the biggest failures in so far as international judicial settlement is concerned was the Central American Court of Justice, while the present members of OAS do not show any major desire to have recourse to the International Court of Justice.

Professor and Mrs. Thomas have placed all students of international law and organization, as well as those interested in American affairs, deeply in their debt with their *Organization of American States*. Whatever criticisms one may have because of the political bias fade into insignificance when placed alongside the positive value of this worthy successor to their *Non-intervention*.