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UNITED NATIONS LAW

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In the days of the Republic the Romans talked about the *ius civile* and the *ius praetoris*, as well as the *ius naturale* (or law in a general and moral sense) and the *ius gentium* (meaning the law that applied to other peoples — that is, everyone except the Roman people). It would be a little artificial to think of the *ius gentium* as classical international law. In a sense, the *ius gentium* was the ancestor of the law merchant of the Middle Ages, which covered the private law of contract and commercial transactions used in the general commerce incident to the great fairs held in Western Europe. And the *ius gentium* (and to some degree also the *ius feciale*) in turn was based partly on an earlier system which the Greek city states had worked out for all peoples other than Greek peoples and called barbarian law, since the Greeks, with charming modesty, thought all peoples barbarians except themselves. The Greek system of law probably never did reach a stage that we could justly call one of maturity; and the Roman notions of the *ius gentium* were definitely stunted later by the fact that the Roman Empire itself came to cover substantially the whole of the then known world. But within these limits and responsive to the very different political structures of those times, classical Greece and Rome did have schemes of international law (law that applied to peoples generally).

It is hard to fix upon an international law for the Middle Ages that is even roughly parallel to what we understand by the term to-day. There was the law merchant that applied in early times to the itinerant fairs and other international commercial activities of the Lombard League in the south of Europe, in the Hanseatic League somewhat later in the north, and in looser organizations through France, England and Germany generally. But we would call nearly all of this private law, roughly covering our commercial law subjects. For one

thing, the public, international law side was very meagre in the Middle Ages everywhere, and what there was of it was tied in with diplomatic usage, the growing Canon Law and the remnants of the official Roman Law. If we consider the so-called Dark Ages (perhaps the ninth and tenth centuries), all Europe was in such chaos in the particularity of its feudalism that there was very little law of any kind, in the sense of a law of general recognition. The later Middle Ages had, in large part, a recognized legal order in an international sense, but this was still based in part on the fiction and in part on the reality of a continued Roman Empire, which, in shadowy form at least, continued down to the Congress of Vienna in 1815.

In a sense it was because this law for the theoretical parts of a still-continuing Roman Empire was so shadowy and so artificial that Grotius in the seventeenth century felt the need of developing a new scheme of international law, which would meet the situation resulting from the greater separatism and independence of European nations in his day and would more nearly correspond to the facts. As Grotius saw them, the facts were that Europe now had separate, sovereign nations, regardless of the theoretical claims of universal authority made by the Holy Roman Empire as successor in theory though not in fact to the Roman Empire of classical times. In looking about for concepts and analogies to use in formulating an international law for his day, Grotius probably borrowed more from the *ius naturale* than from the *ius gentium* of Roman times. Grotius felt that only an appeal to universally recognized principles would have sufficient authority to bring recognition from the proud and independent states of his time — states that had already developed strong local law and that did not recognize any sanction over their absolute and independent sovereignties. True, the *ius gentium* was closer in a strict sense to an organized scheme of international law than the more nebulous concepts of the Roman *ius naturale*. But the content of the *ius gentium* had been largely lost in the intervening centuries; and its original scope was very different, as was also the order of society in which it originally applied. Grotius thought it better to rely on the vigour of the *ius naturale* for the force of his new system, and work out the content as best he could for the new situation that confronted him.

It is no disparagement of Grotius and his great achievement to say that his system was to some degree an exposition of diplomatic usages between personal and autocratic sovereigns, to the extent that there was any conduct of public affairs

between sovereign states in his day. But the personal sovereign of his day took very literally the notion that he was the state itself, when his own nation came to deal with other nations. Lear's reference, "thou hast her, France: let her be thine", did not mean that the French nation was going to receive anything; it meant that a young man was going to marry a young lady — a personal relationship if there is such a thing at all in this world. And when Claudius says in Hamlet, "no jocund health that Denmark drinks to-day", he is talking about his own plan to have a drink of hard liquor before he goes to bed, or is put to bed; he is not referring to fluids consumed by the entire Danish nation. Dean Pound particularly has urged, on the philosophic side of modern international law, that these quaint assumptions of Grotius no longer correspond with the facts. He has urged that there should be a kind of sociology for international law and that legal rights and duties, on the international plane, should presuppose relations between entire and responsible nations, rather than the trappings of mere caprice between individual and perhaps despotic sovereigns. Surely in so far as international law, under whatever theory, is now said to be substantially a part of the municipal law of every country, this view is also affirmed, that international law deals with the whole complexity and actual interests of an entire nation, not the self-indulgent whims of a personal sovereign.

But international law even as we know it now postulates separate sovereignties, in spite of the ingenious work of Kelsen and others through a basic norm or through implied authority of treaties or other devices to work out express recognition. This is true in spite of the abortive League of Nations and the present United Nations. It seems to be held, consciously or unconsciously, that the United Nations, if not actually a transient effort, is at most a diplomatic arrangement between separate sovereign nations; it is not a world government and hence a single scheme of world law in a territorial sense simply does not exist and cannot exist.

Grotius' *De Jure Belli ac Pacis* was published in 1625. His work came only after the long sleep in international law that followed the *ius gentium* of Roman times. Is it not time for a new start in the law of nations? And is it not our decidedly different situation in 1947, more than 300 years after Grotius' work, as much or more an occasion for a "judicial new start" as was Grotius' own work in his day? Grotius did not use the Roman term *ius gentium*, nor indeed the term *ius naturale*,

though he actually borrowed largely from the Roman *ius naturale* in forming his new system. He saw many strikingly independent and sovereign nations in his day, as against the Europe of the previous centuries with its complicated and subordinate feudal states merged loosely though none the less traditionally in the Holy Roman Empire, and he was determined to have a new name as well as a new content for the law governing the relations between these nations. We do have an international organization now which has territorial authority within the limits of the nations that have accepted it. These nations have undoubtedly, under one form or another, ceded to or approved the use of sovereign powers by the *United Nations*, as the term "sovereignty" has been understood hitherto. Grotius was dealing strictly with separate sovereign nations and he made a big point of this to justify his work and the need for his work as against the loose mediaeval empire that preceded him. In sober fact (however it may be improved by the sociological work proposed by Dean Pound or the psychological interpretations offered by Dr. Raynard West and others) the content of present international law is very different from the presuppositions or the political facts of Grotius' system, or the system of the classical Roman law for that matter. Why not drop what is now an affectation, and an unhappy one at that, in postulating what has always been an embarrassment to lawyers, namely a so-called international law which did not have sanctions in the usual sense of private law? Granting that the United Nations is not a world government, in the usual use of words, it is a world organization, territorial in its scope and including at present almost the whole world. Undoubtedly it also has some elements of sovereignty and of the orderly administration of political affairs which we associate with a sovereign state or nation. Finally the United Nations has recognized courts, and a considerable system of adjudication, which are quite different from the Treaties and Conventions—usually fragmentary and transient—that obtain between sovereign nations. The content of legal relations and the proper identification of our present system require a new name. We should drop the term "international law" or relegate it to the name of source material, as we do "common law", and speak instead of "United Nations law" with the dignity and accuracy the facts honestly require, as we do already the law of particular states—the law of Sweden, of Denmark or of the U.S.S.R.

Since the United Nations professes to be an organization formed by "We the peoples of the United Nations" (although

the actual drafting was done by "our respective Governments, through representatives assembled in the city of San Francisco"), it seems clear that it is not an organization of absolutely separate sovereigns, which were the presupposition of Grotius in formulating modern international law, with acquiescence in the assumption since his time. While the above-quoted provisions are from the Preamble to the Charter of the United Nations, Article 2, section 1 of the Charter itself does say "the organization is based on the principle of the sovereign equality of all its members". The provisions about an international military force (Articles 42-47), as well as most of its other articles involved in the powers granted, are inconsistent with the complete sovereignty of its members. Hence Article 2, section 1 means "the sovereign equality of all its members" within the limitations of their sovereignty expressly granted in the Charter itself. It is not an assertion of absolute sovereignty as recognized by international law in the past. It is an assertion that whatever sovereignty nations do have, though limited by the Charter, shall be equal.

Since *Erie Railroad Co. v. Tompkins*¹ it has been held that there is no common law for the United States, but only common law for each particular state, although there may be rules of procedure and of jurisdiction applicable generally in the federal courts. And there is a kind of general law at least between the states in the United States in the application and interpretation of the federal constitution and the federal statutes. Under the United Nations Charter and the Statute of the International Court of Justice, international litigation between individuals cannot be brought before the court at The Hague. It has jurisdiction only over contests between sovereign states; private claims are covered by "Private International Law", which is more properly called the "Conflict of Laws". But there is considerable activity through legislation by the United Nations and all this in years to come will lead to new practices or customs that will involve private rights as well. Furthermore, we now quite openly have international barter and buying and selling, in which a nation may be involved on one side and individuals with indirect government help on the other. Inevitably, in the various complexities of personal and governmental interests that will rise in the future, private interests will be involved at least to some degree. From its very nature this will be different from anything we have had in the past. The question

¹ 304 U.S. 64, 58 S. Ct. 817 (1937).

is not strictly one of claims between states as against private claims. Whether we like it or not, it is a merger of these and other elements. It is in fact a new animal even if we do not have a new name to identify it. Even though we insist on calling it by inaccurate and antiquated names, it is or will be United Nations law.

Happily the *Tompkins* case has no analogous application in international law. Even in the United States its practical effect is lessened by the fact that much of the law as it significantly affects commerce and individuals is controlled through federal law anyway, by the federal Constitution and the federal statutes. But in international law, by general practice in the past and by specific provisions of the League of Nations and the United Nations, there is no such thing as international law recognized by a single country in a local sense. Different countries have indeed given different interpretations of the same issues of law and fact under international law, but the recognized theory is that there is only one system of international law and it is a system which is universally applicable. Thus we might say that there is a "common law" of international law for nations, although there is not, since the *Tompkins* case, a general "common law" applicable to all the states in the federal courts and hence a general "common law" of the United States, separate from the states.

This has the great advantage of building up international law, in the sense of customary law, as one system for the whole world. Once you have this basic advantage of a single system which all the nations recognize, you have the basis for uniformity of law by slow growth in many ways. For instance, the very fact that international law is universal in this sense may well lead to the development of a private commercial law of general recognition between nations, which will ultimately supplant much of the needless localism in our present system, under which we have international trade between all nations but fifty or more separate systems of national or local law controlling that international trade.

International law involves largely the construction of treaties, which, under United States law, and the laws of other countries generally, become a part of the constitution itself and are superior to both state statutes and federal statutes. But do these treaties presuppose separate sovereigns, or do they presuppose nations that have surrendered part of their sovereignty and are now included within the territorial limits of

the United Nations? If the first is true, then the United Nations Charter and all action under it might fairly be interpreted within limits appropriate only for absolutely separate, sovereign states. If the second is true, then this Charter and all actions under it would be the chief law of the land in every respect and for all people or groups within all states that are found within the territorial limits of the United Nations. This question came up strikingly in recent New Jersey² and California³ decisions involving covenants in deeds against the sale of land to negroes. Hitherto, under *Corrigan v. Buckley*,⁴ United States courts have held that such covenants in a personal deed are enforceable, though these courts have also held that a municipal zoning ordinance precluding negroes from living in certain areas is unenforceable. In these recent cases the court could have held that the Charter of the United Nations in its requirements of equality made such a deed precluding negroes invalid. In each case the court refused to follow this reasoning, although a Canadian court reached an opposite result when the same problem was before it.⁵

² *Lion's Head Lake v. Brzezinsky*, 43 A. 2d 729 (Dist. Ct. N.J., 1945).

³ *Burkhardt v. Lofton*, 63 Cal. App. 2d 230, 146 P. 2d 720 (1944).

⁴ 271 U.S. 323 (1925).

⁵ *Re Drummond Wren*, [1945] O.R. 778; [1945] 4 D.L.R. 674. This case pertained to a restrictive covenant involving the use of land by Jews. The court quite properly referred to several Canadian statutes which gave expression to equality and freedom from discrimination. But the court also (and I think this is the only decision which has done so) invalidated the restrictive covenant on the ground of the requirement of equality in the Preamble to the United Nations Charter.

Mr. Justice J. K. Mackay, after quoting from the Preamble to the Charter as follows:

"We the peoples of the United Nations, determined to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind, and to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small . . . and for these ends to practice tolerance and live together in peace with one another as good neighbours. . . ."

continued:

"Under Articles 1 and 55 of this Charter, Canada is pledged to promote 'universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion'.

"In the Atlantic Charter to which Canada has subscribed, the principles of freedom from fear and freedom of worship are recognized." Regrettably, as it seems to me, neither the California nor the New Jersey case referred in any way to the Preamble to the Charter, as Mr. Justice Mackay did in *Re Drummond Wren*. It is to be hoped that the *Corrigan* case will not preclude a reconsideration on the merits of these restrictive covenants in the future. But the United Nations Charter is indeed a part of American municipal law and also a part of American constitutional law, since it was created by treaty. Whether American courts therefore sustain or invalidate such covenants in private deeds, they should at least discuss the problem in the light of the Preamble to the United Nations Charter as the Canadian court has done.

Was not the application of the Charter to private law involved here? If you think the provisions of the Charter apply to separate sovereigns only, because, under international law, the United Nations themselves involve only separate sovereigns, then you would say that these provisions about equality apply only to the actions of a separate sovereign, not to activities within sovereign states which are left unchanged under the control of their regular judicial system. If however you consider the United Nations a single territorial unit, with the provisions of its Charter and its subsequent legislation applying in every reasonable way throughout every state within that territory, then you will come out as the Canadian court did (and as the U.S. Supreme Court may do on appeal), and hold that the provision for equality in the United Nations Charter may control the effect of any private deed between persons, however obscure, anywhere within any nation that is part of the United Nations.

Similarly, in problems taken almost at random, which involve private rights indirectly in the interpretation of international law, the result will differ depending upon whether one takes international law under the United Nations as a law intended to affect rights generally within those nations (which I venture to suggest is the Canadian view in the case of *Re Drummond Wren*) or whether one takes the traditional view of international law, that it is a personal commitment by individual sovereigns and hence applies only to acts of absolute sovereign nations in the international commitments of those nations as such.

(A) Hitherto international extradition laws have not been held generally to apply to crimes involving the death penalty or where the offences are essentially political in character. But under a territorial theory such laws might be interpreted progressively toward a standard similar to that applicable to extradition between the states of the United States. (B) Under traditional international law, *de jure* recognition of a new state means that recognition of its government relates back for all purposes to the time of its establishment. This is reasonable if you think of a nation as having absolute independent sovereignty for all purposes and at all times, but if you consider it limited by the Charter, circumstances might make it unreasonable for recognition to relate back to the embryonic establishment of the new state. (C) Under present international law, officials of a foreign state are given immunity for many purposes

from the local jurisdiction where they are found. But these immunities often are arbitrary and offensive to the local population. In consequence foreign officials frequently refuse to claim immunity as an act of courtesy and good will. The very fact that the immunity may be considered arbitrary is some indication that the traditional theory of international law, based on absolute sovereignty, really did not represent our general views even before the Charter of the United Nations. Under this Charter such immunity might well receive a more moderate construction, since the respective governments themselves no longer enjoy absolute sovereignty. (D) Many private rights and property rights of individuals turn upon the expiration of a treaty—whether or not it has expired or has become void or voidable or has been annulled. But a treaty, considered territorially between states that are all limited by the Charter, might well be construed differently, upon the actual facts of the case, than if the parties were admittedly absolutely sovereign and separate states. (E) The classical *ius gentium* and the international law of Grotius did have an element of “equity”, in the sense of general moral law or of the *ius naturale* of Roman times. Admittedly, this was largely a matter of lubrication for rules rigidly set forth in treaties or in other ways. But under Chapter 2, Article 38, section 2 of the Statute, the court may decide matters, not only as set forth in section 1 of the Article, but “*ex aequo et bono*, if the parties agree thereto”. This latter goes beyond the general scope of equity recognized hitherto in international law. Its application under the Charter therefore would give a judicial new start of vast importance to the development of international law, in the sense of United Nations law as against the traditional conception.

Furthermore, the powers of the Security Council extend to discharging its duties “in accordance with the Purposes and Principles of the United Nations”. Granted that the United Nations is a government of limited powers, the precise limits on its action are not as rigid in many ways as those laid down in the Constitution of the United States. If we think of the vast field in which this federal government can legislate, we can realize the importance of future legislation by the United Nations within the bounds of its powers. Is this future legislation to apply only to matters involving separate sovereigns when acting as separate sovereigns, or is it to affect private citizens within the territorial limits of all the nations that compose the United Nations? It would seem that almost every question involving the Charter of the United Nations might turn for its solution on the answer to

this question: Granted that some provisions of the United Nations charter are intended to regulate the conduct only of the separate states of which the United Nations is composed, is it also true, where the language and intent make this reasonable, that the Charter, and subsequent legislation under it, may be the private law affecting everything and everybody within the territorial limits of the United Nations?

This test can be applied quite frankly to many problems in the field of international law. Take the basic one of a nation's right to grant recognition to new nations, roughly as France did to the American colonies in 1778 and as the United States did to the Republic of Panama in 1903. In theory, no state has a right to recognize a new state, unless and until this alleged new state is regarded as a sovereign state by other states in the conduct of its affairs, although without explicit recognition by them. But actually this granting of recognition is often a matter of political favour between the states involved. Thus the recognition of the United States by France in 1778 has since been considered generally as an alliance between France and belligerent colonies rather a legal recognition of sovereignty. And many have had their doubts about the United States recognition of Panama, although in fact other nations of the world quickly followed its lead. The present state of unrest in the world has raised more difficult phases of this problem. The Russians, in their war with Finland before the second world war, claimed that a minor revolutionary group was the true government of Finland (although no other nation thought so and in fact the group controlled less than a hundredth part of the people and territory of Finland). But this small group recognized the Russian claims, and Russia always held that it was not at war with Finland at all; it was merely carrying out powers granted by the true government of Finland. At this moment there is the possibility of a separate state in Northern Greece which would receive recognition from nations in the Soviet block.

Are sovereign nations still free to place their own stamp upon the actual existence of new nations? This is the international law view. Or under the United Nations law, is the existence of separate nations a question in the last analysis for the United Nations jurisdiction to determine, and thus break the ridiculous anarchy in which each nation can be perverse and utterly destructive, waging war in every real sense, while remaining calmly at peace under the theory of its own determination of existing nations?

The answer seems to be that the test of a new nation or a state of belligerency is an objective test, determined by general acceptance in view of the facts of the existence of the new nation or the state of general belligerency. True, under the present terms of the Charter, each nation formally decides these questions for itself, but there can be review of its decisions at least indirectly through appeal to the courts of the United Nations, or by political action, by appeal to the Security Council, when, as would be almost inevitable, such recognition would violate existing treaties or imperil the peace and security of member nations.

One construction of international law we now have is advantageous. This universal international law is considered an official part of the municipal law of each state. True, each state may have some vagaries in interpreting this international law, but in theory all differences will be ended when they are properly understood. All countries purport to interpret a single system of international law, much as they also do in the particular field of admiralty law.

At the present time practically all countries are members of the United Nations, except those on the Fascist side in the late war and a few embryonic states that perhaps have no just claim as yet to be considered separate nations under the definition of the United Nations Charter.

The development both of international law in the public sense and of international legislation to the advantage of private as well as public interests will be furthered by dropping the presupposition of equal sovereign states, which international law definitely presupposes, and changing to the actual fact of states whose sovereignty is now limited by the express terms of the United Nations Charter. Both technically and substantially, international law is a misnomer, in so far as it applies to the United Nations. The United Nations presupposes limited, not unlimited sovereignties. For the first time in the history of the world (and signally different from the assumptions of the League of Nations) we have in the United Nations a territorial organization of world scope, consisting of states of limited powers and of definite irrevocable powers (except by amendment to the Charter).

For the first time we really do not need to talk about the implied or inferential sanctions for international law. International law is now expressly made municipal law, having the obligatory authority of each nation, with power in the United Nations to enforce this authority. In sober fact this is not "International Law". In every professional and honest use

of language, this is the common law of the political unit which has adopted it, namely, the United Nations. Now and in the future, international law has a proper meaning in the sense of the common or customary law that applies between nations, just as we speak generally of the "common law" as it applies in the United States or England, or the "civil law" as it applies on the Continent. But the actual law as administered by the courts and enforced within the state we call Illinois law, or English law or French law. "Common law" is used in the sense of source material, or analogous law in another state. But the United Nations prevails throughout the world. Hence we have United Nations law everywhere, although its original source was the customary law between independent countries.

Thus one can speak of course of the common law of Massachusetts, but it is not usual to do so, except where a matter of derivation is involved. It is usual to say that the Massachusetts law on a certain point in contracts or agency is "so-in-so" and quote the decisions and statutes. Similarly, we should state what United Nations law is on a particular point and quote the decisions. The ultimate source in Massachusetts may be the ancient common law, as the ultimate source in the United Nations may be international law. But both the common law of Massachusetts and international law have been very largely changed by statutes and judicial decisions and many more illusive elements, and they should be stated as Massachusetts law and United Nations law, respectively.

What we have said is not qualified by the fact that the structure of the United Nations may well change in the future, perhaps so as to implement the detailed security of "world government". The name itself may be changed and the legal order it presupposes may be altered. None of these things qualify the actual facts we have already mentioned, which in turn require the use of the term "United Nations law" rather than "international law".

The fact that a few countries are still excluded from the United Nations also has no effect on our conclusion. To begin with, one has to presuppose a going concern if one is to give honest service to any organization. It is reasonable to assume that all nations within the terms of the Charter will in due course join the United Nations. This was necessarily assumed in the case of United States territories when the constitution was adopted and, so far as form of government goes, it was taken easily in stride when the strikingly revolutionary and, tested by the old

system, lawless change was made from the Articles of Confederation, the first national form, to the constitutional form later adopted.

Whatever our views may be of *Re Drummond Wren*, it is a landmarked case, which, I submit, will be held in honour for the indefinite future. Think what it means for the whole technique both of the common law and the civil law, as well as for the scope of judicial decisions themselves under every system. *Re Drummond Wren* forces us now, I suggest, in considering the private rights of the most humble individual, to give effect to provisions of the Charter and to actions under the Charter, where this in the court's opinion is appropriate. But where the particular provision is reasonably intended to apply not to private rights, but only to the member states as such, then of course private rights should not be affected; but even then the member states would be affected as members of the United Nations and not as absolutely independent sovereignties. The ends of law as found in the judicial decisions of the future, when all law is considered under the United Nations, will at least be very different from those in the past when each sovereign nation has considered its system independent of others. Thus *Re Drummond Wren* itself inevitably gives us a judicial new start not only for the judicial jurisdiction of particular decisions but for the vigour and growth of jurisprudence and legal philosophy everywhere.

In deciding *Re Drummond Wren* the court of course used the method that hitherto has been most widely used by the civil law—that of applying a statute by analogy, even though it may not have been enacted to cover the particular facts of the case involved. The court, in this case, also considered several Canadian statutes, containing various provisions requiring equality, to reach its final result.

This may well be the chief method by which United Nations law may grow in the field of private law. Perhaps in proportion as this method is powerful, it is also dangerous. It should be used conservatively, especially at first. But *Re Drummond Wren* is clearly a practical and conservative instance of its use. Most happily this case has set a wise pattern for its use in the future.

In this matter, as in world affairs generally, there is no impairment of loyalty through the wise placing of greater emphasis on world affairs. We continue to be loyal to our country, to our state, to our city or rural unit, as the case may be. But we are actually committed now to political allegiance to the United Nations. All these units will change in the scope and needs of

their work in years to come. We hope the United Nations, to which we are loyal, will have wider powers a hundred years from now to meet world needs than it has at the moment. And we can reasonably expect that our relations with our country, state and city will be different then. But we are already embarked on world government within the actual powers granted to the United Nations. We do in fact have a world political organization.

Perhaps its chief danger, in a legal sense as well as with regard to its governmental effectiveness, is that members of the United Nations will not use it as fully as they advantageously could. This last is indeed a danger, but it is a danger in terms of action, not of theory. We never talk about it, but all schemes of law and of government presuppose flesh and blood people who do things. There is nothing in the United States Constitution to take care of the case where the national congress resigns by unanimous vote and all the members go home to play pinochle. So far as the sociology of law goes in United Nations affairs, the all important thing is for the United Nations to have work to do. If the facilities and the legal order of the United Nations are used, we can expect a development of both private and public law for the entire territory of the United Nations that will deal generally with matters where that is practical and advantageous, while leaving to particular nations or smaller units those things that are best handled locally. This will be the real strength of the United Nations in terms of daily life. At present, it may be unwise to speculate too specifically about what the United Nations can ultimately do towards a world legal order. But much of this development seems fairly clear, by analogy with many of our present nations which only a few years ago were composed of substantially independent local units. Whatever the difficulties and the follies as they went along, they did have a definite framework upon which to build this development — France, as against Poitou, Maine, Anjou, Brittany, Burgundy and others; Germany as against Wurttemberg, Bavaria, Weimar, Prussia, Hanover and others; the United States, as against Massachusetts, Virginia and others. By official action we already have a world political unit, of territorial scope: the United Nations. Under it we have already created (whatever we call it) United Nations law. Yet nothing but the daily living of men in the use of these political and legal units can bring the strength and the rich life for the needs of the future that they are ready and waiting to give.