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Book Review: The Organization of American States: The Inter-American Regional System

Ann Van Wyen Thomas

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BOOK REVIEWS

THE ORGANIZATION OF AMERICAN STATES: THE INTER-AMERICAN REGIONAL SYSTEM. BY CHARLES G. FENWICK. Washington, D.C.: The Pan-American Union. 1963. Pp. XXXIII, 601. \$5.00.

As Southern Methodist University School of Law is one of the few schools presenting an annual course in inter-American regional law, the dearth of comprehensive materials covering the background and activities of the Organization of American States has long been felt. Therefore, any scholarly treatment of the subject is welcome. Written by Dr. Charles G. Fenwick, one of America's most eminent legal authorities on hemispheric affairs, this book must be hailed as a major advance in alleviating the confusion which has so long surrounded the history, functions, and work of the Organization of American States. It is remarkable that a regional body, which has such an extensive and honorable history in international affairs and which is so vital to the national interests of each of the American republics, should be so little known not only to the people of the United States but also to the people of the other nations of this hemisphere. Consequently, it is highly imperative that Dr. Fenwick be urged to fulfill the promise stated in his preface that the English version "may be followed by another written in Spanish."

The first three chapters are devoted to a careful historical review of the background of inter-American unity as expressed through the gradual growth of inter-American organization. In these chapters, Dr. Fenwick illustrates the deterioration of good hemispheric relations originally engendered by the early United States championship of the Latin American countries in their struggle for independence. He traces the dissipation of hemispheric relations to the Monroe Doctrine which, originally hailed by leading Latin American statesmen, not only failed to prevent European intervention in Latin American affairs, but served as the justification for United States intervention in the hemisphere. In spite of a tragic history of misunderstanding between the two sectors of the new world, Bolivar's dream of continental unity remained "a symbol of hemispheric unity and as an ideal goal which might some day be reached." Dr. Fenwick outlines the development of inter-American relations reflected by progress made at inter-American conferences and meetings. Finally, the adoption of the Good Neighbor Policy and the agreement by the United States not to intervene unilaterally in Latin American

affairs brought about a great transformation in hemispheric relations making possible extensive cooperation between the United States and Latin America during World War II. At the end of the war, the Latin Americans wished to be sure that the Pan-American movement, so painfully developed over more than a century, would not be completely destroyed by the new world organization established at San Francisco, and they succeeded in including in the United Nations Charter various provisions dealing with regional organization and regional security.

The adoption of the Rio Treaty of 1947 relating to hemispheric defense and collective security made imperative the need to reorganize the inter-American system. Consequently, in 1948 the Ninth International Conference of American States met at Bogota, Colombia and drew up the organic pact for the system. Chapter 4 of the book deals with the nature and scope of this Charter of Bogota, the organs which it established for the Organization of American States, and the official and semi-official agencies and bodies working in various relationships with the OAS.

The general principles of inter-American regional law, their sources, and the nature of that law are examined in Chapter 5. Here Dr. Fenwick has compressed and molded a vast array of principles proclaimed at conferences and meetings into a coherent and readable record of accessible portions. He demonstrates how the regional organization has in effect acted as an experimental laboratory which has influenced the development and growth of universal international law.

Chapters 6-11 consist of an exhaustive study of the functions and activities of the OAS ranging from the pacific settlement of disputes and regional collective security to the promotion of economic, social, and cultural interests. It is an informed, sensitive, and revealing exploration of some of the most important work of the OAS. The author's chapter (8) on the development and codification of international law as a function and activity of the OAS is of particular interest as it is a vast source of information, presented in a descriptive rather than a critical manner, on the problems and nature of codification and the work accomplished by inter-American bodies in this field.

The final chapter consists of a compact analysis of the relations of the OAS with the UN and other international bodies, beginning with the Latin American support of the League of Nations and ending with the 1962 agreement between the OAS and the UN on

implementing certain aspects of the Alliance for Progress. The book is thoroughly documented in the footnotes (it is a genuine pleasure to have the footnotes at the bottom of the pages) which are supplemented by thirteen pages of bibliography and forty pages of appendices setting forth the major inter-American treaties and agreements. Dr. Fenwick has written an excellent book which deserves to be widely consulted by the student, historian, international lawyer, and general reader interested in learning more about the intricate workings of the Organization of American States.

*Ann Van Wynen Thomas**

* Research Associate, Southwestern Legal Foundation.