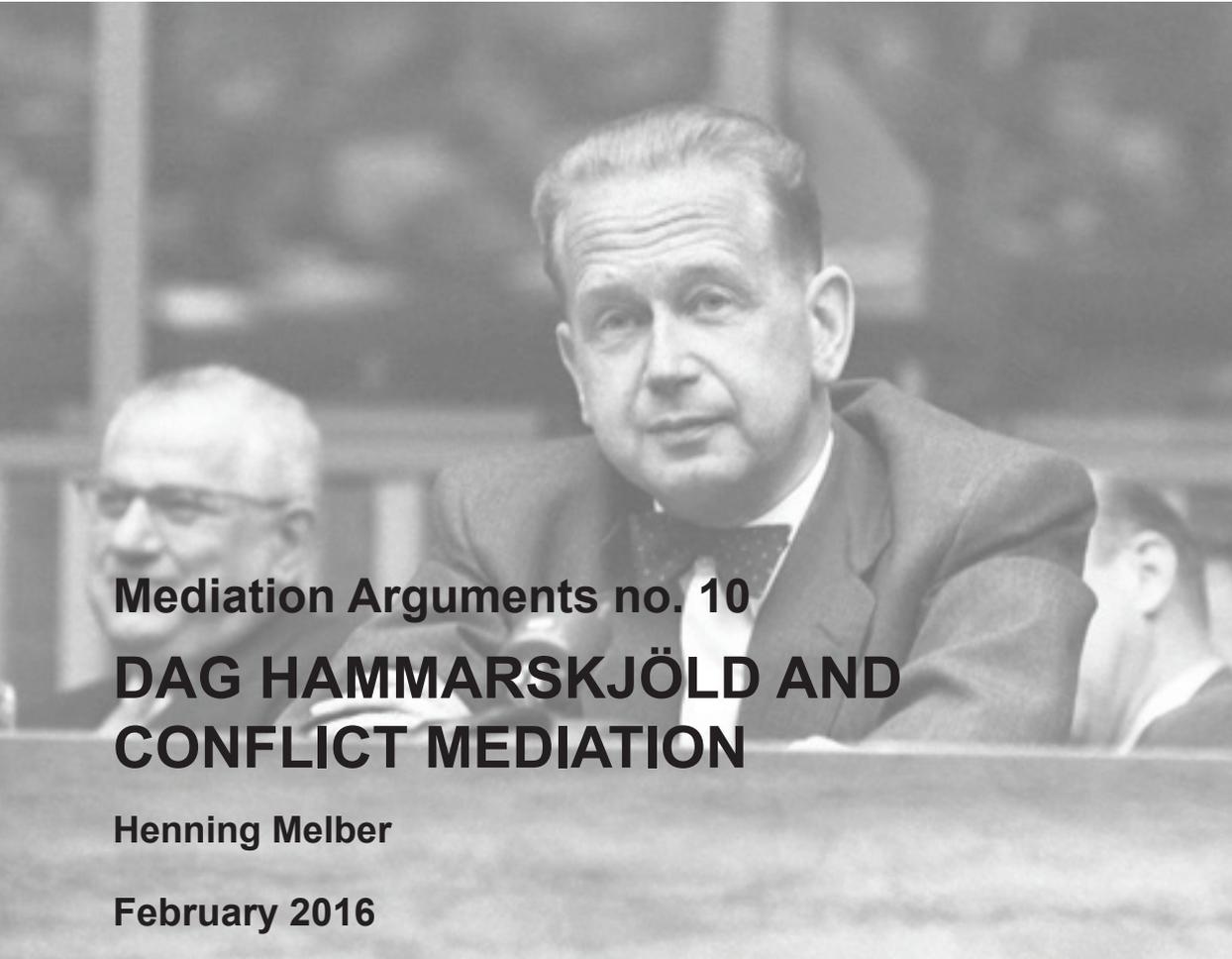


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Mediation Arguments no. 10 DAG HAMMARSKJÖLD AND CONFLICT MEDIATION

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Dag Hammarskjöld, UN Secretary-General, 1953-1961. Copyright © Gallo Images/AFP.

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Dag Hammarskjöld and Conflict Mediation

Henning Melber *

Dag Hammarskjöld served as second Secretary-General of the United Nations from 1953 to 1961. During his two terms in office he and his team created and applied a series of innovative techniques for conflict intervention. These went hand in hand with his particular mediation and diplomacy style. This paper describes the negotiations he initiated with various results in the Suez crisis (1956) and the Congo (1960/61). It discusses the successes, and the limitations, of the 'Hammarskjöld approach'. It places the negotiation efforts of an individual in the context of wider policy interests and considers what determined the success or failure of these efforts. It concludes by looking at what we can learn from Hammarskjöld's values and principles.

Introduction: Why Hammarskjöld?

There are no standard recipes for resolving a crisis situation. But some mediators' techniques and experiences can serve as a compass to others. One outstanding example is Dag Hammarskjöld. In his commitment to global governance, social justice and international solidarity he was guided by strong personal integrity and solid values. Despite his failures and setbacks his brand of diplomacy offers important lessons for mediators today.

Hammarskjöld was elected Secretary-General of the UN by the big powers of the time as a 'nobody' who would not harm their interests. The second person to hold this post, he served from April 1953 until his untimely death in September 1961. During his two terms in office, the second cut short by his death, Hammarskjöld and his team introduced several pioneering innovations that gave the UN a proactive role in conflict intervention and mediation. Most notable of these were the introduction of blue helmets to be worn in peace missions, the appointment of special representatives of the UN Secretary-General (Fröhlich 2014a), and the notion of 'quiet diplomacy' (Wallenstein 2014). The 'Hammarskjöld approach' and its underlying principles are well documented in his numerous speeches and reports. His negotiating skills were tested to their limits in several cases, most prominently the Suez crisis of 1956 and the Congo crisis of 1960/61. The UN sought to play a constructive role in resolving conflicts but was not always able to do so. In some situations that required international mediation it was impossible to intervene because the directly affected parties were uncooperative. Much to his frustration, Hammarskjöld was unable to intervene in the Hungarian uprising against the Soviet Union in 1956. The UN's hands were also tied when it came to other regional hot spots such as the CIA-sponsored coup in Guatemala in 1954 and the French-Tunisian conflict over Bizerte in 1961. Nor was every intervention or mediation successful. Hammarskjöld's experiences demonstrated the limits of both his office and the UN itself during the Cold War.

Throughout his eight years in office Dag Hammarskjöld lived in accordance with what he considered the ethics of 'The International Civil Service in Law and in Fact', the title of an address he gave at Oxford University on 30 May 1961. In this address he stated his conviction that

the international civil servant cannot be accused of lack of neutrality simply for taking a stand on a controversial issue when this is his duty and cannot be avoided. But there remains a serious intellectual and moral problem as we move within an area inside which personal judgment must come into play. Finally, we have to deal with the question of integrity or with, if you please, a question of conscience. (Cordier & Foote 1975, 488)

And he explained further that

if integrity in the sense of respect for law and respect for truth were to drive him into positions of conflict with this or that interest, then that conflict is a sign of his neutrality and not of his failure to

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observe neutrality – then it is in line, not in conflict, with his duties as an international civil servant.
(Cordier & Foote 1975, 489)

In this paper I summarize the Hammarskjöld principles and practices that were based on his understanding of the role of the UN and his office in mediating conflicts. For Hammarskjöld the UN was to be the unique instrument for the peaceful solution of conflicts. Against the background of the international (dis)order of the superpower rivalry between West and East during the Cold War, he wanted to transfer authority and the mandate to act to the UN as the ultimate global governance institution. In so doing he sought also to meet the needs of the growing number of newly independent countries. Among the biggest challenges for such conflict mediation during Hammarskjöld's time in office were the Suez and Congo crises. I use these as case studies to show what the UN could and could not do under Hammarskjöld as Secretary-General. They are examples of manoeuvring space successfully used but also the limitations of Hammarskjöld's diplomacy.

Hammarskjöld and the Suez crisis

The Suez crisis can be considered a defining moment for the UN (Fröhlich 2014b, 305). On 26 July 1956 the Egyptian president Gamal Abdel Nasser announced the nationalization of the Suez Canal. This brought to an end direct Western control over the strategic sea route and, despite Hammarskjöld's initially successful diplomatic efforts, triggered a military intervention on 29 October 1956 when Israeli troops (backed by the governments in London and Paris) invaded and occupied Egyptian territory. This was in gross violation of the principles of the UN Charter and tantamount to a declaration of war. It sabotaged Hammarskjöld's earlier diplomatic initiatives to find a peaceful solution to the conflict. He had immediately engaged in diplomatic exchanges with the foreign ministers of France, the UK and Egypt, as the most directly affected states, and on 13 October the UN Security Council had officially endorsed an agreement regulating the future use of the canal. But the next day the French prime minister Guy Mollet, in a confidential exchange with his British counterpart Anthony Eden, suggested a coordinated military action code-named Operation Musketeer: Israel would attack Egypt from Sinai, thereby enabling France and Britain to regain control through direct negotiation and probable subsequent action, imposing their 'solution' on Egypt.

This military attack not only derailed the carefully designed and endorsed agreement, it also threatened to undermine the Secretary-General's authority. Hammarskjöld persuaded the US to call an urgent meeting of the Security Council. This took place on 30 and 31 October. The first day saw several failed initiatives to reach a solution by breaking the impasse between the Israeli-French-British triumvirate and other Security Council members. Hammarskjöld sought to clear the blockage by introducing, through the Yugoslav delegate, a proposal to convene the General Assembly under the 'Uniting for Peace' resolution's emergency procedure.¹ On 31 October he delivered a statement elaborating the principles that guided his understanding and execution of office. In personal notes² he observed: 'the very least I could do was to play my position in order to get freedom of action in relation to the two permanent Members, which appeared to have put the UN aside, both in substance and in form' (quoted in Fröhlich 2014b, 311). Taking the floor, he presented his views in no uncertain terms:

The principles of the Charter are, by far, greater than the Organization in which they are embodied, and the aims which they are to safeguard are holier than the policies of any single nation or people. As a servant of the Organization the Secretary-General has the duty to maintain his usefulness by avoiding public stands on conflicts between Member Nations unless and until such an action might help to resolve the conflict. ... He must also be a servant of the principles of the Charter, and its aims must ultimately determine what for him is right and wrong. For that he must stand.³

¹ The UN General Assembly had adopted the 'Uniting for Peace' resolution in 1950 with UN A/RES/377(V). It stipulates that, 'if the Security Council because of lack of unanimity of the permanent members, fails to exercise its primary responsibility for the maintenance of international peace and security in any case where there appears to be a threat to the peace, breach of the peace, or act of aggression, the General Assembly shall consider the matter with a view to making the appropriate recommendations to the members for collective measures, including in the case of a breach of the peace or act of aggression the use of armed force when necessary to maintain or restore international peace and security'.

² These notes are now accessible at the Dag Hammarskjöld private archives at the Royal Library in Stockholm.

³ Security Council Official Records, Eleventh Year, 751st Meeting, 31 October 1956 (Cordier & Foote 1973, 309).

He clearly indicated his intention either to resign or to at least seek a vote of confidence if Council Members did not share his interpretation. In his view 'the discretion and impartiality thus imposed on the Secretary-General by the character of his immediate task, may not degenerate into a policy of expediency' (Cordier & Foote 1973, 309).⁴

Hammarskjöld thereby created a reference point that could not be ignored. All the delegations, including the Permanent Representatives of the UK, France and the Soviet Union, took the floor in the debate that followed and assured him, with varying levels of commitment, that he had their trust and support. With the support of the US and the Soviet Union Hammarskjöld had in a sense outwitted France and the UK, who in the circumstances were unable to block the 'Uniting for Peace' procedure. At this moment a unique situation had been created, a window of opportunity that had not been expected. Yaqub (2015, 2) describes it thus: 'a man-bites-dog plot (the US and the Soviet Union join hands to defend Nasserist Egypt from an attack by Britain, France, and Israel – come again?)'. Hammarskjöld's bold initiative took advantage of a situation in which the foreign policies of the Soviet Union and the US alike were focused on globally more 'open' economies rather than being confined to bilateral relations and controls. It was because of this that 'internationalists both in Moscow and Washington sought to undermine isolationist designs hatched in London and Paris' (Laron 2013, 12).

From 1 November the General Assembly held emergency sessions. These were the scene of much diplomatic wrangling within the Western bloc. Canada played a crucial role in the negotiations (Robertson, 1965). It submitted, through Lester Pearson, then head of its UN delegation, a proposal for a UN force 'large enough to keep [the] borders at peace while a political settlement [was] being worked out' (quoted in Fröhlich 2014b, 314). After some initial reluctance and following internal consultations with Pearson and his close staff members Ralph Bunche and Andrew Cordier, Hammarskjöld warmed to the idea. On 3 November Canada, after being reassured that Egypt would agree to such a plan in principle, drafted a resolution in close coordination with Hammarskjöld. In this resolution Canada requested the Secretary-General to submit 'within forty-eight hours a plan for the setting up, with the consent of the nations concerned, of an emergency international United Nations force to secure and supervise the cessation of hostilities' (quoted in Fröhlich 2014b, 317). The resolution was passed by 57 votes in favour, none against and 19 abstentions. This breakthrough was followed by an intense period of further negotiations over the details of the plan, in the course of which Hammarskjöld introduced the idea that the force would be under direct UN command and composed only of staff who were not permanent members of the Security Council. By 6 November Hammarskjöld had formulated five basic principles for UN peacekeeping missions, which (as he was aware) would henceforth serve as a model.

The principles for peacekeeping missions were as follows (Fröhlich 2014b, 322–3). Such a mission should be an emergency measure and limited in time. It would be carried out completely impartially and would not in any way be permitted to change or prejudice longer-term political or military power relationships, and force would be used only in self-defence. Permanent members of the Security Council would be excluded from the UN force. The mission would be under the command of a single UN officer. The deployment would require the consent of the parties involved, in particular the host country. On 7 November 1956 this set of principles gave birth to the UN Emergency Force (UNEF) as the first UN peace mission under the direct control of the Secretary-General. The establishment of UNEF was adopted by the General Assembly with 64 votes in favour, none against and 12 abstentions.

The UNEF operation achieved a degree of stability. Following negotiations between Hammarskjöld and Nasser on 16 and 17 November, lasting seven hours, Egypt finally accepted the character and mandate of the mission. 'Good faith' was a decisive component of this success, when Hammarskjöld conceded to Nasser the right to terminate the presence of UNEF in return for Nasser agreeing to endorse the mandate. Aware of the risk created by this concession, Hammarskjöld said in an internal note on 14 November: 'If we cannot base the United Nations action on a reasonable degree of good faith, then, of course, we have embarked on an extremely dangerous adventure' (quoted in Fröhlich 2014b, 334). The risk was confirmed by the Egyptian abrogation of the agreement in 1967 and the subsequent withdrawal of UNEF.

⁴ Deeply frustrated over the UN's inability to deal with the Soviet invasion of Hungary, during deliberations in the Security Council on 4 November 1956 Hammarskjöld said with reference to his speech of 31 October that he wanted to record that the same view applied to that situation.

Although many people helped to create UNEF, Hammarskjöld has been widely praised for the decisive part played by his diplomatic skills and finesse: 'UNEF's immediate success ... made the saying "Leave it to Dag!" a slogan of international diplomacy' (Fröhlich 2014b, 337). The success came, however, at the price of strained relations with the British and the French. Hammarskjöld emerged more as a General than a Secretary in serving the UN Charter and although this strengthened his position it made some of the most influential member states see him as a risk where their interests were concerned. Fröhlich (2014b, 339) describes him as 'the artist of the peaceful resolution of the Suez crisis' and says that his means 'were not tangible resources of power, but rather moral force that subsequently came to be the classical rationale of numerous peacekeeping missions'. But moral force may not be enough in a complex situation where the parties have such strong interests that they are unlikely to be impressed and influenced by soft power. The Congo was such a situation. The case study below shows that even so skilled a diplomat as Hammarskjöld could not find a lasting solution.

Hammar skjöld and the Congo

What had first been 'King Leopold's empire' and then the Belgian Congo obtained formal independence on 30 June 1960. Within days after the Belgians' reluctant transfer of the political administration to Patrice Lumumba and his government, the situation deteriorated when Congolese soldiers' frustration over Belgian officers being still in command and disappointment at not having received a pay increase like others in the service of the new government escalated into a mutiny. Only days later Moïse Tshombe declared the secession of the southern territory of Katanga from the central government. He had the support of Belgian military reinforcements and was backed by mining companies with vested interests in this resource rich province that was of utmost geostrategic relevance.⁵

The Congo crisis resulted in the largest UN peace operation to date, and this operation continues today. With foresight, Hammarskjöld commented in an internal communication as early as 19 July 1960 that the Congo operation was 'likely to go far beyond the Suez story in all directions' and would probably mean 'the opening of a new and decisive chapter in the history of under-developed countries and the UN', and he added: 'For the first time we come to grips with the realities of the post-colonial era, and I hope that we will not fail (quoted in Rognoni 2014, 195).

Hammarskjöld's concerns were certainly not far-fetched. As an observer said, the Congo 'was simultaneously a hotbed of inter-African intrigue, a playground for the superpowers and a turning point in the decolonization process' (Irwin 2015, 203). Like the Suez crisis, the situation prompted some strategic positioning by the influential UN member states. The US, while immediately engaging with a massive presence of the CIA on the ground, responded to appeals for help by the Congolese government by instead supporting a UN peacekeeping mission, 'which it hoped would obviate any Congolese request for Soviet military assistance' (Weissman 2014, 14). Washington's primary aim was to replace the Belgian presence with a UN presence and 'replicate the 1956 Suez mission, when a multi-country UN coalition had successfully restored order' by forcing Israel out of Egypt: 'This was the essence of containment: the United States would remain on the sidelines, but so too would the Soviet Union' (Irwin 2015, 208).

In response to the Katangese secession and the continued Belgian military intervention, President Kasavubu and Prime Minister Lumumba in a surprise move asked the UN to help the government by providing UN troops. On 13 July 1960 Hammarskjöld brought the issue before the Security Council under Article 99 of the Charter and 'thereby inscribed it on the global security agenda' (O'Malley 2014, 283). After intense negotiations a draft resolution by Tunisia, urging Belgium to withdraw its troops and authorizing the Secretary-General to provide the

⁵ These companies were mainly the Belgian *Union Minière* but also French, British and other Western companies. At that time the world's most significant known uranium deposit was in Katanga. It was the main source of supply to the US during the nuclear arms race and was used for the atomic bombs that destroyed Hiroshima and Nagasaki (see Williams 2016).

military assistance requested, was adopted by eight votes with the abstention of France, the UK and China. But what seemed to be another success had its complications since it

could not hide the weaknesses of the text that was agreed upon, despite the Cold War constraints of the time, precisely because it left room for at least two different interpretations. According to Western countries and, to a certain extent, the Secretary-General, the UN operation should assist the Congolese government to maintain internal order, whereas the Soviet Union, Poland and Tunisia thought of it as an instrument to help the Congolese government to face Belgian aggression. (Rognoni 2014, 201)

Under the leadership of Hammarskjöld, within days the UN Secretariat established the *Opération des nations unies au Congo* (ONUC), a multinational peacekeeping force. It was implemented with surprising efficiency considering the limited communication technology of the day, taking less than two weeks between the end of July 1960, when Hammarskjöld during a visit to the Congo made an initial draft of the structure, and the official adoption of the organizational chart as UN policy by means of a Security Council decision on 11 August 1960. As the sketches by Hammarskjöld show (see Appendix), the fundamental structures created at that date lasted for many years with only minor adjustments. While this testifies to Hammarskjöld's skills and far-sightedness, it must be remembered that his efforts to steer the UN in the Congo crisis took place against a background of escalating Cold War antagonism. One of his self-declared aims was 'to keep the Cold War in its sharper forms out of Africa'.⁶ This was like navigating between Scylla and Charybdis, and it was further complicated by the Security Council's authorization of ONUC in a resolution that lacked any clear and concrete guidance. While this provided space for manoeuvring – at times the vagueness was deliberately used by Hammarskjöld at his discretion – it carried the risk that, in the absence of clarity, parties with interests in the matter would criticize whatever the Secretariat did. As Sir Brian Urquhart observed,

in directing the Secretary-General to eliminate any justification for foreign intervention by restoring law and order, as far as possible with the help of the Congo government but without using force or interfering in internal affairs, the Council from the start injected an inherent contradiction into the Congo operation. (1972, 403–4)

The Western powers, seeking to influence Hammarskjöld's policies, put enormous pressure on his office. After an initial brief period of support, he faced suspicions and criticism from them for almost every decision. All were eager to make him give in to what they considered was in their interest. In an attempt to escape these efforts to hijack the UN's role and derail its policies, he sought the cooperation of as many states as possible from the Non-Aligned Movement. India (Nehru), Egypt (Nasser), Guinea (Touré), Ghana (Nkrumah) and Tunisia (Bourguiba) became important participants and at times even allies in visibly involving the South in international affairs and peacekeeping efforts. Hammarskjöld stressed time and again that 'the solution of the problem of the Congo lies in the hands of the Congolese people themselves without any interference from outside'.⁷ This was of course a contradictory position, given that the UN had already been tasked to intervene. The peacekeeping force had, however, been explicitly reminded that the intervention should not entail interference in internal affairs. The situation might well be described as a 'mission impossible'.

When Lumumba was ousted as Prime Minister of the Congo's first government by President Kasavubu, Hammarskjöld and his staff were hard pressed to decide how the UN should position itself. The Congo mission was tasked by the Security Council resolution to act in consultation with the constitutional government. But when President Kasavubu and Prime Minister Lumumba clashed in early September 1960, the question was who, by virtue of the position held, could claim to represent the government. Hammarskjöld concluded that the provisional constitution for the Congo, the *Loi Fondamentale*, allowed the Chief of State (the President), under Article 22, to dismiss the prime minister and appoint a new one if his action was endorsed by at least one minister, which had

⁶ 'Third Statement in the Assembly', New York, 19 December 1960. *Public Papers of the Secretaries-General, Volume V*, p. 285.

⁷ 'First Message to Mr. Tshombé', 16 September 1961. Security Council Official Records, Sixteenth Year, Supplement for July, August and September 1961, document S/4940/Add.4 (Cordier & Foote 1975, 570).

been the case in the dismissal of Lumumba. Urquhart (1972, 443–4) argues that, for all practical purposes, in those circumstances the UN inevitably had to regard the Chief of State as the only unquestioned constitutional authority.⁸ Resisting demands that the UN should end the secession of Katanga by force and reinstate Lumumba, Hammarskjöld declared that ONUC ‘was not for rent’ (Irwin 2015, 213).⁹

For the Soviet leader Nikita Khrushchev such neutrality meant only that Hammarskjöld was the lackey of the Western powers. When Khrushchev demanded Hammarskjöld’s resignation at the UN General Assembly in early October 1960, Hammarskjöld’s historic response was as follows:

It is not the Soviet Union or indeed any other Big Powers who need the United Nations for their protection; it is all the others. In this sense, the Organization is first of all their Organization, and I deeply believe in the wisdom with which they will be able to use it and guide it. I shall remain in my post during the term of my Office as a servant of the Organization in the interest of all those other nations, as long as they wish me to do so.¹⁰

Hammarskjöld denied allegations that the UN was acting in compliance with Western interests, and he insisted on the need for neutrality and non-intervention in domestic politics. This did not ease the constant pressure on the UN operation in Congo, exerted by the many parties involved. These included Western powers with far from identical interests, most prominently Belgium, but also the UK and France (already at odds with the Hammarskjöld diplomacy since the Suez intervention), the US, the British colonial regimes of the Central African Federation (Northern and Southern Rhodesia and Nyasaland) and apartheid South Africa, and also the Soviet Union, which had interests in securing a stake in the resource rich Congo, or at least preventing the West from establishing another satellite regime.¹¹

For Hammarskjöld this required constant navigation through rough waters, with winds blowing from different directions. Failure was almost programmed. There were disturbing contradictions and inconsistencies, suggesting that the UN intervention was at times more dependent on individuals than an organized, concerted and well-planned action based on a clear strategy. The situation was at times confusing, often requiring quick action that risked being wrong. Communication with competing Congolese factions was at best complicated. Tempers often ran high and exasperation was at times a contributing factor. During the events of mid-1960 to autumn 1961 even the highest-ranking officials, in their interactions with the local counterparts, became ‘more impatient and less diplomatic than they might have been in a more normal situation’ (Kalb 1982, 290). Ad hoc initiatives by locally deployed UN civilian and military staff were not always endorsed by Hammarskjöld. The ‘Congo Club’ – those senior UN officials who were directly involved in the operations both in the Secretariat and on the ground, most notably the Americans Ralph Bunche and Andy Cordier, the Irishman Conor Cruise O’Brien and the Indian Rajeshwar Dayal, as well as the Swedish commander of the UN forces, Carl Carlsson von Horn – were a curious mixture, where at times personalities played an important but rather negative, even destructive, role.

O’Brien’s personal account (1962) shows ‘how an international civil service can be forged from men whose national cultures and working experience necessarily have a heavy hold on their minds’ (Gordenker 1969, 908). Nzongola-Ntalaja (2002, 114) claims, in a critical assessment of the UN’s Congo mission, that the UN officials who had the most influence in decision making ‘shared a common Cold War outlook with Western policy makers, and saw their mission in the Congo as that of preserving the then existing balance of forces in the world’. Bunche’s interaction with Lumumba was a particularly bad example of a personality clash, suspicions on both sides and miscommunication. Diagnosed as a ‘fatal encounter’, the mismatch between Bunche and Lumumba resulted in

⁸ He refers to Hoskyns (1965, 208–10) for a discussion of this constitutional question.

⁹ For a detailed account of the mediating efforts in the Congo and Hammarskjöld’s approach, which he compared to ‘fighting an avalanche’, see Lipsey (2013, chapter 15).

¹⁰ General Assembly Official Records, Fifteenth Session, 883rd plenary meeting, New York, 3 October 1960 (Cordier & Foote 1975, 200–1). At the end of this quote is inserted: ‘[Here the speech was interrupted for several minutes by a standing ovation.]’.

¹¹ Matters became even more complicated because of a change in US foreign policy. Since 1961 President Kennedy had deviated from the previous policy of President Eisenhower by seeking to engage more closely with the newly independent African countries rather than uncritically backing the European colonial powers that had interests in maintaining control over their own ‘backyards’ (Muehlenbeck, 2012).

a tragic situation where 'the flow of information that shaped their understandings was so completely at odds that one might imagine that they were engaged in wholly separate settings' (Young 2010, 129; see also Urquhart 1993, chapter 22). This escalated into animosity and mutual contempt. As ridiculous as it might sound, the exchanges between the Afro-American Bunche and the Congolese Pan-African nationalist Lumumba displayed strong racist undertones on both sides. The combination of domestic political rivalries, external influences by other states, personality clashes and an unclear framework for UN intervention had deadly consequences for Lumumba.

Evidence of unfortunate, even disastrous, interplay between members of the 'Congo Club' and also their individual interaction with local counterparts shows that UN missions were vulnerable because they depended on decisions that were at times motivated and guided by personal preferences, limitations, prejudices and incompetence. In their role in the Congo some of the higher officials, 'wittingly or unwittingly', may have 'provided to those seeking Lumumba's demise the justification and the opportunities they needed to remove a democratically elected leader from office by illegal means' (Nzongola-Ntalaja 2010, 156). In a letter to John Steinbeck on 28 February 1961, Hammarskjöld commented on Lumumba's assassination as follows:

[H]is murder was in Tallyrand's words: 'more than a crime, it was a major stupidity' ... I incline to the conclusion that *no one*, in the long pull, will really profit from Lumumba's death, least of all those outside the Congo who now strain to do so but should one day confront a reckoning with truth and decency. (Quoted in Nelson 2007, 218)

Hammarskjöld now came under renewed pressure from the Soviet Union, which accused him of sharing responsibility for the Congolese leader's horrendous torture and murder. In the Security Council on 13 February 1961, in another response to the continued demands for his resignation (now also increasingly being made by the Belgian, French and British, who saw their vested economic interests at stake), he made the following statement:

For seven or eight months, through efforts far beyond the imagination of those who founded this Organization, it has tried to counter tendencies to introduce the Big-Power conflict into Africa and put the young African countries under the shadow of the Cold War. It has done so with great risks and against heavy odds. It has done so at the cost of very great personal sacrifices for a great number of people. In the beginning the effort was successful, and I do not now hesitate to say that on more than one occasion the drift into a war with foreign-power intervention of the Korean or Spanish type was avoided only thanks to the work done by the Organization, basing itself on African solidarity. We effectively countered efforts from all sides to make the Congo a happy hunting ground for national interests. To be a roadblock to such efforts is to make yourself the target of attacks from all those who find their plans thwarted. ... From both sides the main accusation was a lack of objectivity. The historian will undoubtedly find in this balance of accusations the very evidence of that objectivity we were accused of lacking, but also of the fact that very many Member nations have not yet accepted the limits put on their national ambitions by the very existence of the United Nations and by the membership of that Organization.¹²

Hammarskjöld's even-handedness towards the big powers, scarcely acknowledged at the time, is documented by Sture Linnér, who shared an incident with an audience attending his presentation at the annual Dag Hammarskjöld Lecture in October 2007 in Uppsala. Linnér was at the time of Hammarskjöld's death the Under-Secretary-General in charge of UNOC. In July 1961 President JF Kennedy had tried to intervene directly. Afraid that Antoine Gizenga, then campaigning for election as prime minister of Congo and suspected of representing Soviet interests, might come into power, Kennedy demanded that the UN should prevent Gizenga from seizing office. He threatened that if the UN did not comply, the US and other Western powers might withdraw their support.¹³ Linnér (2008, 26) reports that Hammarskjöld dismissed this threat, in a phone conversation with Linnér, in the following words: 'I do

¹² 'Second Statement After Soviet Demand for His Dismissal', New York, 13 February 1961. Security Council Official Records, Sixteenth Year, 933rd meeting (Cordier & Foote 1975, 349–50).

¹³ For this period and this unusually blunt intervention, see the comprehensive documentation in Kalb (1982, 274–6). See also on this period and US policy, Kent (2010).

not intend to give way to any pressure, be it from the East or the West; we shall sink or swim. Continue to follow the line you find to be in accordance with the UN Charter’.

The UN’s military efforts to bring an end to the Katangese secession were, however, not really in line with the UN Charter and they backfired dismally in late August and early September 1961 when UN troops failed to break the impasse by force of arms.¹⁴ Hammarskjöld therefore sought a direct conversation with Tshombe on neutral ground. They agree to meet in the Northern Rhodesian mining town of Ndola, bordering the Congo. But on the night of 17 September 1961, approaching the airport with Hammarskjöld and 15 others on board, the plane crashed. All on board were killed.¹⁵ An exchange of cables just ahead of the flight and prior to Operation Morthor suggests that the Secretary-General was involved in the discussions preceding the failed military intervention. Cables published by *The Guardian* in 2011 show that he had consulted his legal advisor Oscar Schachter, who on 7 September 1961 warned strongly against such engagement as a ‘violation of the ban against intervention in domestic political conflicts’. But on 10 September 1961 Hammarskjöld cabled to Linnér that ‘the speed of developments and the stage reached means that short of a change for the better in Katanga we are beyond the point of no return’. While some take this as proof that Hammarskjöld endorsed Operation Morthor, the extent to which he explicitly authorized the operation remains a matter of interpretation. He had often before used a semi-oracular kind of language that allowed for differing interpretations. There are, however, sufficient indications that he was involved in the discussion as to whether and how the military presence of the UN might be instrumental in reversing the secession of Katanga. The governments in the Western states became aware of Hammarskjöld’s involvement and their strong disapproval was conveyed to him. Dismissing criticism by the US, Hammarskjöld cabled on 15 September 1961 to Bunche:

It is better for the UN to lose the support of the US because it is faithful to law and principles than to survive as an agent whose activities are geared to political purposes never avowed or laid down by the major organs of the UN. ... Generally speaking, I have one advice and that is that the major powers do not react until they know the facts and further, that they do remember that they are most likely to keep their positions if they respect principles than if they expect others to break them on their behalf or on behalf of the Welenskys. (*Guardian* 2011)¹⁶

It is not far-fetched to conclude that the 1961 UN military operations ‘were seen as a sacrifice of Western economic interests ... in return for Soviet support of a negotiated end to the civil war’ (Scarnecchia 2011, 65). It remains mere speculation whether Hammarskjöld, on his way to meet Tshombe, had an idea how to break the stalemate. Diplomatic communication (mainly cables sent by locally based diplomats to their foreign ministries in London or Washington, which were classified information for 50 years) suggests that his plan may have been a federalist solution to bring the Katanga province back into the national territory of the Congo with a semi-autonomous status, with Tshombe appointed to a high-ranking position.¹⁷

Although Hammarskjöld and the UN failed to end the conflict in the Congo, the intervention at least managed to prevent a further escalation into a much larger inter-state military encounter over the control of geostrategic resources. Schmidt’s opinion (2013, 64) is that ‘[w]hatever its failings, the UN remained the last best chance of keeping the Cold War at bay in the Congo’. Linnér (2008, 29) considered that the Congo crisis ‘could easily have provoked armed conflicts in other parts of Africa, even led to a world war’ and that it was ‘Dag Hammarskjöld and no one else who prevented that’. The following therefore seems to be a rather fair assessment of Hammarskjöld’s role in the Congo crisis:

¹⁴ Operations ‘Rum Punch’ on 28 August 1961 and ‘Morthor’ on 13 September 1961 were disastrous attempts to bring an end to the Katangese secession and were clearly executed beyond the original mandate for UN peacekeeping intervention in the Congo through the deliberate application of military means in a domestic conflict. For details, see the personal (and possibly biased) account by O’Brien (1962, 195ff.).

¹⁵ For the circumstances of the crash, see Williams (2011), and for the subsequent new investigations, see Melber (2014) and Melber & Wardrop (2015).

¹⁶ Sir Roy Welensky was Prime Minister of the Federation of Rhodesia and Nyasaland and a fierce opponent of the UN’s role in the Congo, which was considered a threat to white supremacy in southern Africa. Kalb (1982, 297) describes Hammarskjöld’s reaction to the Western demands as ‘somewhat annoyed’.

¹⁷ The Norwegian researcher Hans Kristian Simensen has discovered such cables, in which Western diplomats were concerned about Hammarskjöld’s initiative to meet Tshombe. I acknowledge with gratitude his generosity in sharing his discoveries with me.

Hammar skjöld was certainly pro-Western but did not always go along with the United States, particularly when he determined (or was forced to see) that its goals were not conducive to overall international security (as he saw it). Yet Hammar skjöld was also a diplomat extraordinaire, and had he lived longer the crisis might have ended sooner or more peacefully. A major problem with his legacy is that his imprint on ONUC was so subtly managed and dependent on his personal relationships that it was impossible for others to follow. He was not supposed to die, and his untimely death threw into jeopardy all he had carefully crafted and managed in the Congo. (Namikas 2013, 226)

On the other hand, we should be careful not to over-emphasize the influence of an individual limited by the conditions in which his office was forced to operate under the political constellation of the time:

One can speculate that the Congo drama might have turned out quite differently if Hammar skjöld had not died ..., but evidence suggests that the outcome depended less on the personality of the Secretary-General than on the interplay of external and Congolese interests. (Lefever 1967, 30)

This is a sobering but necessary reminder not to expect a UN Secretary-General to achieve miracles in a polarized world. It reminds us too that while persons and personalities matter, the decisive factors for success may ultimately lie beyond the individual's direct influence and whether he can take advantage of them will depend on his skills and his ability to accommodate conflicting interests.

Hammar skjöld's legacy

The link between Hammar skjöld's intellectual background and his approach to international law may help us understand his brand of diplomacy (Bring 2014). He adopted a flexible approach which reconciled global norms and principles with ethical principles (Schachter 1962). This is reflected in his contextual vision of norms and principles. Hammar skjöld was one of the early defenders of the link between peace, security and human rights. He viewed fundamental concepts such as collective security and non-intervention through the lens of human rights. He emphasized people in addition to states, and dignity in addition to security – an approach that is recognized in UN peace maintenance today. His personal ethics explain his openness towards UN intervention and protection when the UN crossed the boundaries between peacekeeping and peace enforcement in the Congo. His view of law was based on the 'natural law' understanding that written law must be reconciled with 'a law of a higher order' – a position in line with his Christian values (Bring 2014).

Hammar skjöld believed firmly in the autonomy of the office of the UN Secretary-General and the Secretariat. He believed it should not be degraded to a mere instrument and conference machine that served the interests of the powerful states. He was determined not to surrender the power of definition to individual member states. The unclarified circumstances of the plane crash have given rise to many theories, often dubious. But, as Fröhlich (2008, 191) remarks, 'it is interesting to note that almost all of the major secret services in the world are at least suspects in one or another theory'. For Fröhlich, in retrospect Hammar skjöld's death 'becomes singular evidence of the Secretary-General's independence'.

In office from April 1953, Hammar skjöld was heading the UN at a time when it was being transformed from an almost exclusively Western, post-World-War-II body into a more global governance institution. This was because a growing number of newly independent countries, mainly on the African continent, were having an effect on international policy and geostrategic interests during the Cold War. In this situation, he defended the autonomy of the Secretariat against the big powers' efforts to impose their dominance through the UN. According to Wallenstein (2004, 41), during his period in office Hammar skjöld can be said to have made three lasting contributions: he introduced peacekeeping operations (a new UN instrument), he realized the importance of acting at an early stage in a crisis (preventive diplomacy), and he emphasized the position of the UN as an international resource (an internationally independent Secretariat). He was particularly careful when it came to communications, an essential tool of mediation for ensuring trust and reliability. In late 1955 he entered the following in his notebook:

Respect for the word is the first commandment in the discipline by which a man can be educated to maturity – intellectual, emotional, and moral.

Respect for the word – to employ it with scrupulous care and an incorruptible heartfelt love of truth – is essential if there is to be any growth in a society or in the human race.

To misuse the word is to show contempt for man. It undermines the bridges and poisons the wells. It causes Man to regress down the long path of his evolution. (Hammarskjöld 1983, 94)

For Hammarskjöld, being careful with words at times also meant using language deliberately as a tool for additional manoeuvring space. This can be seen in his complaints about the lack of clarity in Security Council resolutions for the Congo mission, while at the same time exploiting this lack of clarity:

His interpretations of the already vague Council mandate were often couched in language which meant different things to different people. This was not duplicity on his part. He regarded such abstruseness as essential to give him sufficient latitude to act effectively when there was agreement only that something should be done. The British and French criticized him for this quality. A French representative once called him a ‘master of the calculated imprecision’. (Leverfer 1967, 30)

He thus made use of the margin of interpretation provided by any ambiguity in these resolutions; as O’Brien (1962, 47) observes, through ‘ambiguities resolved, through margins skilfully used, the office of Secretary-General had grown in stature and authority far beyond what the framers of the Charter seem to have envisaged at San Francisco’. The fact that language indeed mattered a lot in Hammarskjöld’s diplomacy and negotiation style can be illustrated by the following episode, narrated by a young translator working from 1959 in the office of the Secretary-General. As he recalled:

Dag Hammarskjöld attended personally to every detail. He once called me early in the morning. I had just arrived at the office and felt honoured to receive a call from the Secretary-General. Actually he went straight to the point and explained the reason for his call:

‘Did you edit the French version of the resolution that was distributed this morning?’

‘Yes, Mr. Secretary-General.’

‘But you changed the text of operative paragraph 2. Why?’

‘Yes indeed. The text was submitted in English and in the original language that paragraph had two possible meanings. In order to avoid any ambiguity in French, a precise language, I thought it was my duty to select the only plausible version.’

‘That is exactly what you shouldn’t have done. The final text was the result of a compromise. Please issue a revised document that restores the original text.’

As I immediately complied with the Secretary-General’s instructions, I realized that in spite of the Cold War, a draft resolution did not have to be voted upon in its original form but could be negotiated with a view to reaching a consensus. It was really the beginning of a new trend which is now an established practice. (Gazarian 2011, 81)

Hammarskjöld also introduced and used press conferences as a means to convey messages. According to Urquhart (1983, 134), these

were often a masterpiece of elliptical statements, circumlocutions and elegant dodging of questions, although when the occasion required he spoke his mind with the greatest clarity. Being hard to get and even harder to pin down was an important asset in preserving the interest of the media and the public.

As Urquhart (2011, 71) sums it up, '[h]is regular interactions with the press corps were 'a masterly mixture of abstraction, reflection and a minimum of hard news'.

Hammarskjöld's special strengths, according to Wallensteen (2004, 40), were to find the parties' common interests before they discovered their irreconcilable differences and to act early, quickly and after careful thought. Perhaps the most adequate words in recognition of Hammarskjöld's legacy are those of two colleagues at the Secretariat, his legal advisor Schachter, and Urquhart, who worked closely with five secretaries-general until his retirement in 1986. Schachter's apt observations (1983, 48, 49) are as follows:

It may be asked whether an emphasis on principles and legal concepts is not incompatible with the flexibility and adroitness that characterized much of Hammarskjöld's political activity. His technique of fusing those opposing elements – rule and flexibility – into workable solutions is not easily described. It is more art than science. ...

It is also of significance in evaluating Hammarskjöld's flexibility that he characteristically expressed basic principles in terms of opposing tendencies (applying, one might say, the philosophic concept of polarity or dialectical opposition). He never lost sight of the fact that a principle, such as that of observance of human rights, was balanced by the concept of non-intervention, or that the notion of equality of states had to be considered in a context which included the special responsibilities of the great Powers. The fact that such precepts had contradictory implications meant that they could not provide automatic answers to particular problems, but rather that they served as criteria which had to be weighed and balanced in order to achieve a rational solution of the particular problem.

Urquhart (1983, 140–1) observed in retrospect that:

Integrity was a quality to which Hammarskjöld attached the highest importance, and it was the keynote of his approach to political and diplomatic action. He would not, indeed could not, undertake an action he thought dishonest or unworthy, and he was thus valued as a friend and interlocutor even by those with whom he strongly disagreed. Within this imperative of integrity, Hammarskjöld was extraordinarily sensitive to the difficulties and sensibilities of the people with whom he was dealing. He had an exceptional talent for suggesting effective solutions that could be accepted without offence by the parties to a conflict. One key to his success as a negotiator was his ability to retain his mobility and to avoid either getting himself boxed in or committing others to rigid public positions that they would have difficulty in changing. By preserving his freedom, he could often make local progress even in situations that appeared hopeless. His keen sense of timing allowed him both to keep alternatives open and, at the right moment, to create new and unexpected options for the parties. In an apparent deadlock he had a talent for spinning a new concept that the conflicting parties might be able to grasp at without losing face.

Conclusion: The Hammarskjöld lessons

As the world's highest international civil servant to assume global leadership, Hammarskjöld set standards that have lost none of their value and relevance. These are evident in his ethics, his concept of solidarity, his sense of fundamental universal values and human rights, his respect for the multitude of identities within the human family, and his insight that policy ultimately has its core in the inner nature of the individual actors involved.

His approach to mediation, peace building and peacekeeping should not be regarded as an anachronism. Several characteristics deserve to be considered in today's mediation efforts:

- Acknowledgement of diverse interests as a point of departure for exploring settlements for a conflict (including face-saving compromises).
- Willingness to listen and understand before offering one's own ideas for a possible solution.
- Determination to honour the spirit and word of the UN Charter as the sole guiding principle for the values to be protected and policies to be pursued.
- Steadfastness in resisting being used as an instrument by any member state because of its influence or political orientation.
- Believing that every UN member state deserves respect and that the UN is as much there for the weak as for the strong.
- Being convinced that any internationally lasting agreement should be brokered by and through the authority of the UN Secretariat, which should always be in charge of and maintain ultimate control over UN interventions, not least through the executive power vested in the Secretary-General.

The above list highlights Hammarskjöld's firm belief in what we now call 'inclusivity': the importance of engaging with the various agencies and actors in their own right and on an equal footing. In many ways he saw his own role as recognizing and respecting those who otherwise would not be included in negotiations and searching for lasting solutions. These factors contributed to his relative success in several cases of quiet diplomacy as well as direct intervention in conflicts. Above all, it was the credibility he attained as Secretary-General by living up to the ideals he espoused. Respect for his integrity and belief in his trustworthiness made him an accepted partner in dialogue with most conflicting parties in search of solutions.

It seems appropriate to end with a selection of 'rules of thumb' from Hammarskjöld's personal, posthumously published notebook, written towards the end of 1955. This testimony to the moral compass he consistently relied on still reads like a *vade mecum* for conflict mediation today:

It is more important to be aware of the grounds for your own behaviour than to understand the motives of another.

The other's 'face' is more important than your own. If, while pleading another's cause, you are at the same time seeking something for yourself, you cannot hope to succeed.

You can only hope to find a lasting solution to a conflict if you have learned to see the other objectively, but, at the same time, to experience his difficulties subjectively.

The man who 'likes people' disposes once and for all of the man who despises them.

All first-hand experience is valuable, and he who has given up looking for it will one day find that he lacks what he needs: a closed mind is a weakness, and he who approaches persons or painting or poetry without the useful ambition to learn a new language and so gain access to someone else's perspective on life, let him beware. (Hammarskjöld 1983, 96)

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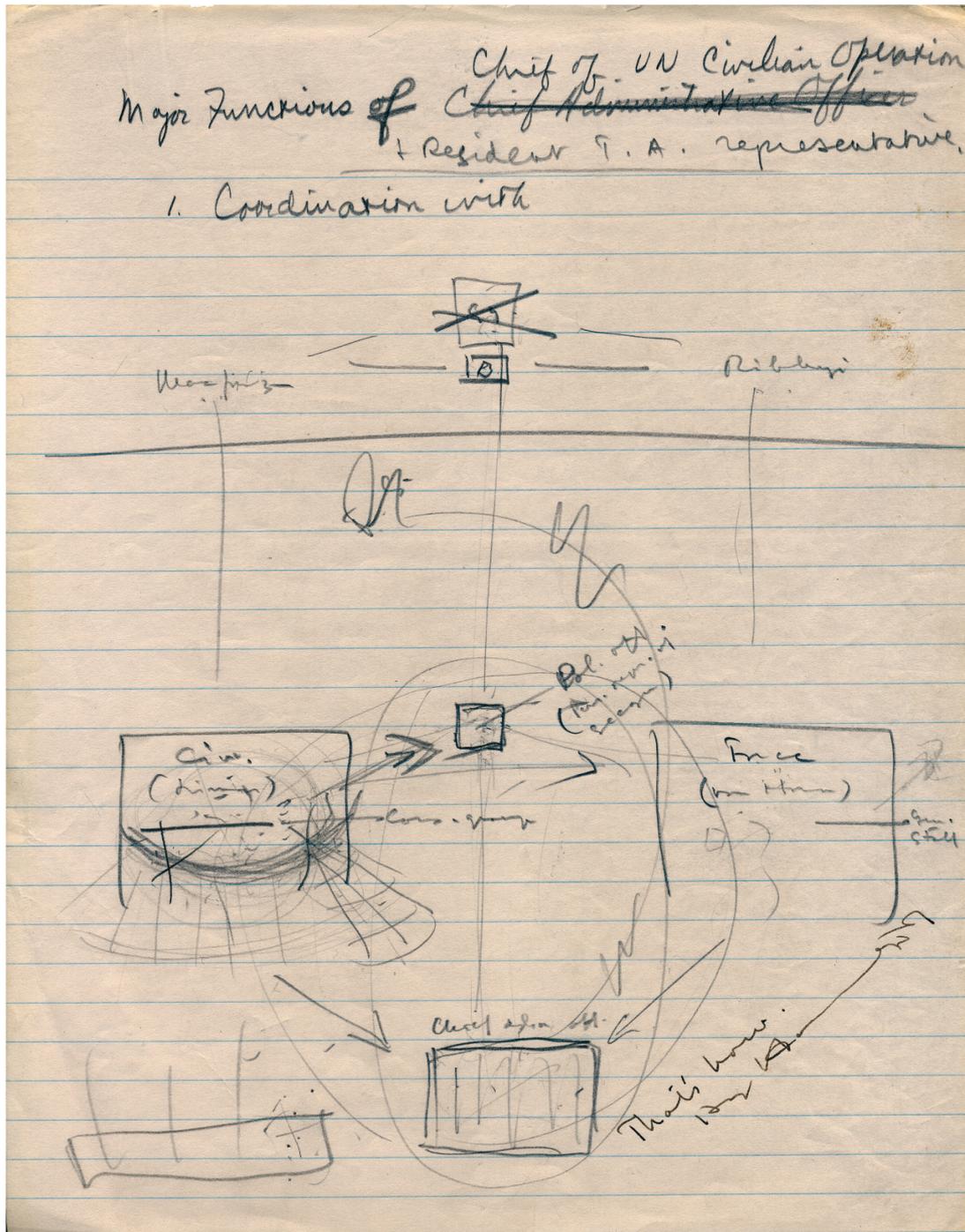
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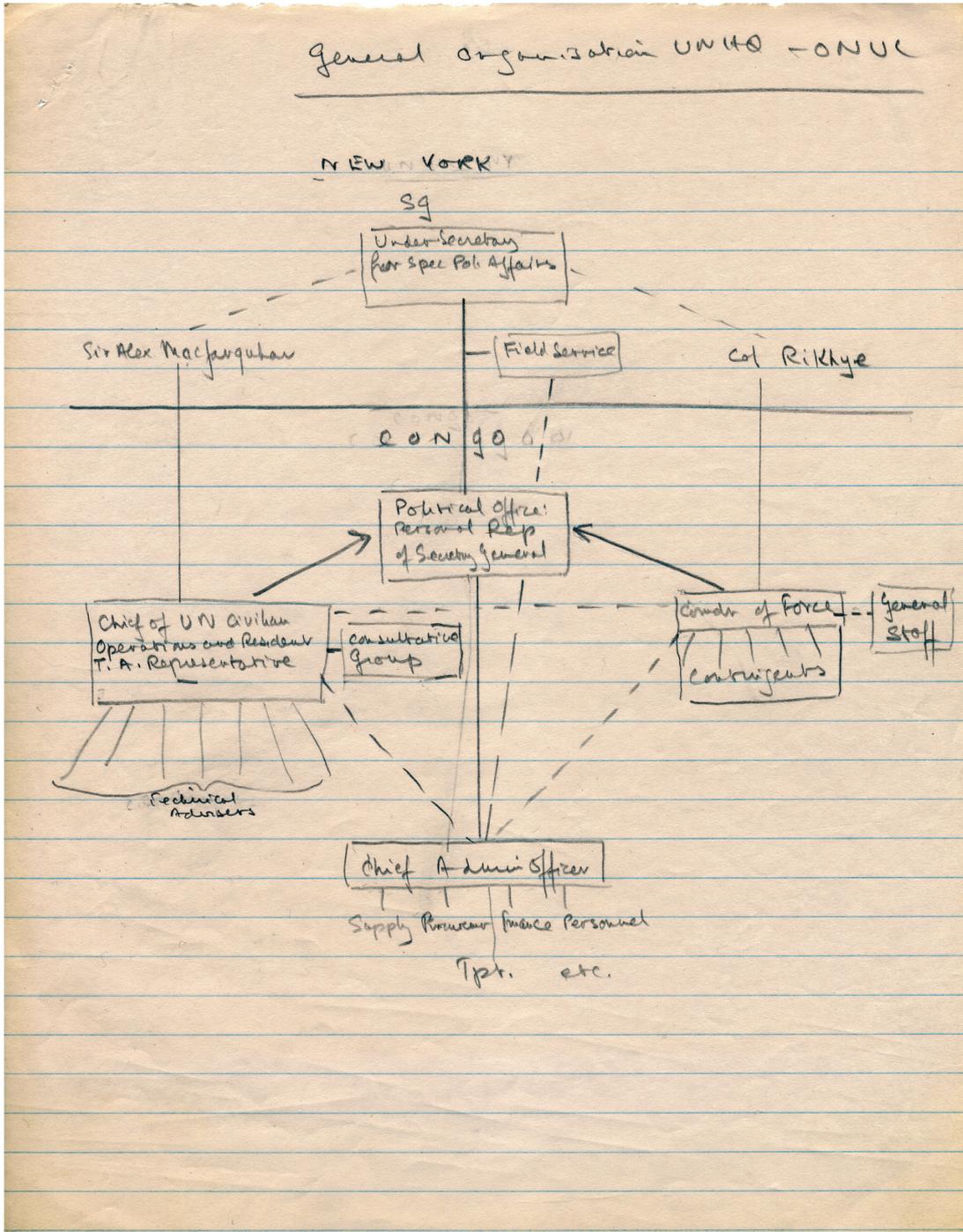
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'That's how'

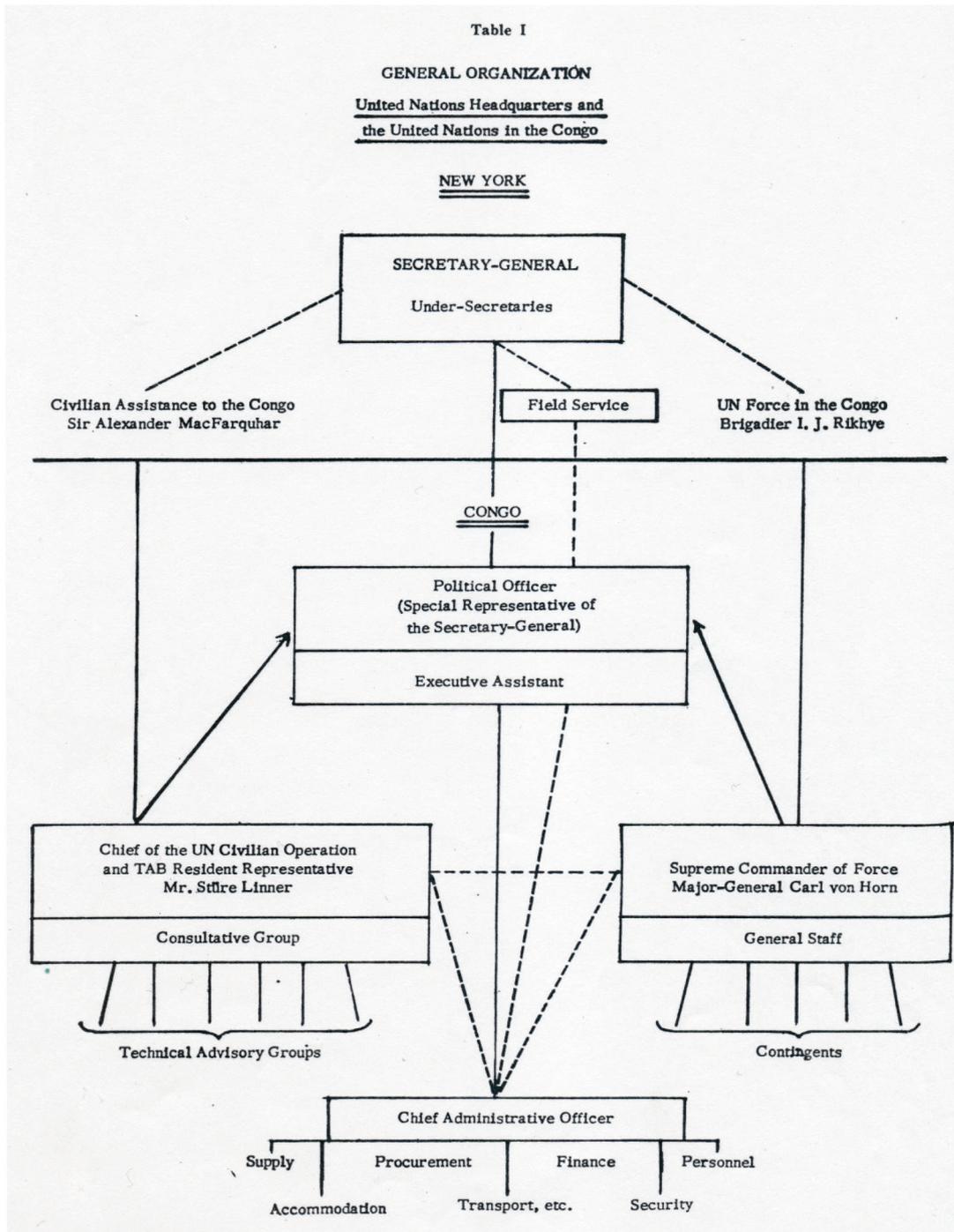
Dag Hammarskjöld's ideas of the organization of the United Nations operation in the Congo.



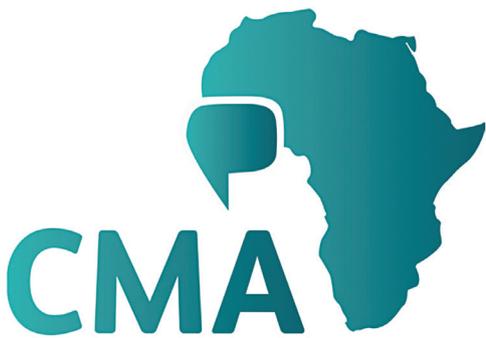
In the early hours of the morning in Leopoldville in late July 1960, Dag Hammarskjöld sketched out his ideas of the organization of the United Nations operations in the Congo in response to a request from Brian Urquhart and others.



Dag Hammarskjöld's organizational chart was then transcribed into this pencilled diagram by Brian Urquhart, who in 1988 placed both documents in the care of the Dag Hammarskjöld Foundation.



Hammarskjöld's ideas became United Nations policy as set out in the 'Memorandum by the Secretary-General on the Organization of the United Nations Civilian Operation in the Republic of the Congo', Security Council Document S/4417/Add.5, Table 1, of 11 August 1960.



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