"RIGHT TO PEACE" RESOLUTION

HEARING

BEFORE THE

SUBCOMMITTEE ON INTERNATIONAL ORGANIZATIONS AND MOVEMENTS

OF THE

COMMITTEE ON FOREIGN AFFAIRS HOUSE OF REPRESENTATIVES

NINETY-THIRD CONGRESS

SECOND SESSION

ON

H. Con. Res. 417 and 418

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"RIGHT TO PEACE" RESOLUTION

WEDNESDAY, MARCH 13, 1974

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
SUBCOMMITTEE ON INTERNATIONAL
ORGANIZATIONS AND MOVEMENTS,
Washington, D.C.

The subcommittee met at 10:10 a.m., in room 2200, Rayburn House Office Building. Hon. Donald M. Fraser (chairman of the subcommittee) presiding.

Mr. FRASER. The subcommittee will come to order.

This morning the subcommittee is meeting to consider House Concurrent Resolution 417 and 418, known as the "Right to Peace" resolution.

The "Right to Peace" resolution is a statement of principle that the United States is committed to a world without war and that it will take the practical steps necessary to make world institutions strong enough to protect the nations of the world from the threat of war. The resolution has 40 sponsors and cosponsors in the House of Representatives.

The introduction of this resolution came as a result of full cooperation between Democrats and Republicans in both the House and the Senate. Members of Congress for Peace through Law—a unique, bipartisan and bicameral organization of which I am proud to be a member—organized a World Order Strategy Committee in 1972 with Representative Robert Drinan as chairman and Senator Bob Packwood as vice chairman. The committee held a series of six hearings in 1972 which examined the basic assumptions on which American foreign policy is based. Witnesses at the hearings were distinguished Americans with recognized expertise and concern for peace and justice in our foreign policy. The witnesses were asked to address themselves to the most fundamental questions in foreign relations such as: What kind of international political order do you want your grandchildren to inherit? What is U.S. national security? Does U.S. foreign policy contribute to the ability of peoples to select governments of their own choosing? What should be the fundamental principles of U.S. foreign policy?

During the months following the hearings, the World Order Strategy Committee met several times to evaluate testimony of the witnesses and determine what practical steps should be taken as a result of the hearings. The resolution before the subcommittee today is the product of those deliberations. The Subcommittee on International Organizations and Movements has an inherent interest in

strengthening international institutions for peace, justice, and freedom. Accordingly, we are pleased to hold this hearing today to consider the "Right to Peace" resolution.

[The resolution and list of cosponsors follow:]

[H. Con. Res. 417, 93d Cong., 1st sess.]

CONCURRENT RESOLUTION

Resolved by the House of Representatives (the Senate concurring), That—

(1) A world without war is possible.

(2) In such a world nations will rely for their external protection on world institutions strong enough to stop any nation from making war, capable of assuring peaceful and just settlements of international disputes, and reliable enough to be entrusted with such powers.

(3) It is the policy of the United States to initiate and to implement with other nations practical steps consistent with our commitment to the United Nations for the expeditious realization of such institutions.

COSPONSORS OF H. CON. RES. 417 AND 418

Mr. Drinan, Ms. Abzug, Mr. Addabbo, Mr. Ashley, Mr. Badillo, Mr. Bergland, Mr. Bingham, Mr. Blatnik, Mr. Bolling, Mr. Brown of California, Mr. Conte, Mr. Conyers, Mr. Corman, Mr. Dellenback, Mr. Dellums, Mr. Eckhardt, Mr. Edwards of California, Mr. Eilberg, Mr. Fraser, Mr. Frenzel, Mr. Green of Pennsylvania, Mr. Hechler of West Virginia, Mr. Helstoski, Mr. Hungate, Mr. Kastenmeier, Mr. Lehman, Mr. McCloskey, Mr. McKinney, Mr. Matsunaga, Mr. Metcalfe, Ms. Mink, Mr. Moorehead of Pennsylvania, Mr. Mosher, Mr. Rangel, Mr. Rosenthal, Mr. Seiberling, Mr. Smith of New York, Mr. Stark, Mr. Stokes, Mr. Symington, and Mr. Won Pat.

Mr. FRASER. Our witnesses today are eminently qualified to comment on the subject of the resolution. They are the Hon. Arthur J. Goldberg, former Associate Justice of the U.S. Supreme Court, Secretary of Labor, and U.S. Ambassador to the United Nations; Prof. Charles Price, chairman of the board of the Council for a Livable World, and Benjamin Franklin Professor of Chemistry at the University of Pennsylvania; and Mr. C. Maxwell Stanley, president of the Stanley Foundation in Muscatine, Iowa, whose sponsorship of conferences and seminars on international relations are well-known to all of us.

We are particularly honored this morning to have with us our distinguished colleague from the Senate, Senator Packwood, and if there is no objection, we will proceed with Senator Packwood and then hear from Representative Drinan and then Justice Goldberg, who I understand has an 11 o'clock commitment which we will try to honor.

We will first hear from Senator Packwood.

STATEMENT OF HON. ROBERT PACKWOOD, A U.S. SENATOR FROM THE STATE OF OREGON

Senator PACKWOOD. Mr. Chairman, my remarks will be brief and I will not hold up Justice Goldberg.

Congressman Drinan and I and the World Order Strategy Committee have had responsibility for almost a year in the drafting of this resolution. Its brevity is not to be taken as any indication of lack of input. We purposely avoided getting into the specifics of what kind of international organization would have to be created—upon which different nations could rely for their protection—to promote a world without war.

We purposely did that, because we knew if we started getting into the specifics of what kind of organization should be created, we would draw 100 witnesses here who would want to chip away at each comma and period, who would want to argue over the technicalities of how the organization would function. We think that trying to argue that topic at the moment would be precipitous.

It is more important that the United States take the lead in the world and hopefully the other nations will follow us in reaching the philosophical conclusion that we want to create an international organization that has the power to prevent war. We were convinced as we discussed this that if we start with the right philosophy, we will be able to achieve an organization that can prevent war.

We want to emphasize we are not suggesting that we unilaterally disarm in the United States. None of us support that position. We do not plan to take any kind of a step that is going to jeopardize the national security or the defense of the United States, but we do think it imperative that the United States takes the lead in the world in suggesting that the time has come to pass beyond the era of détente and balance of power. Realizing that détente has been a good policy for the present, it nonetheless is not the be-all and end-all of a permanent world peace.

It has been tried in the past. It has worked on occasion for a decade or a generation or longer, but it has not worked permanently. That is why we made this resolution broad. We want to have a philosophical discussion first. We want to decide. We want to move in the direction of world peace with a world organization that has the power to compel peace.

Once we make that philosophical decision, reach that conclusion, we can then move to the specifics of how this would be implemented.

Thank you.

Mr. FRASER. Thank you, Senator. I would like to just ask one question, which I think is likely to come up in the course of considering the resolution. Inasmuch as the resolution is general in character, but nevertheless purports to commit the United States to a general direction of building world institutions, I think we are going to be faced with questions from our colleagues as to exactly what it is we are endorsing. They may ask at least that we be able to supply some choices, some ideas as to what lies down the road if this becomes U.S. policy.

What is the response to that?

Senator PACKWOOD. We decided at a minimum if such an organization could be created what we would like it to be is an organization that can prevent one country from attacking its neighbor. We debated whether or not this organization should attempt to right all of the internal wrongs of the world, and we decided no. That, if we wanted this organization to correct the problems of racial injustice in South Africa and the problems of emigration of the Jews from Soviet Russia and whatever other internal problems may exist throughout the world, this organization would never get off the ground.

Injustices exist in this world, probably in every country. But the purpose of the organization, as we envision it, is to stop international war. If the organization can be created and succeed in that, it will be

a marked step forward for mankind, and we can, at some subsequent time or concurrently, but not tied in with this, consider the problems of international injustice as it exists throughout the world.

Mr. WINN. Do you have a companion bill on the Senate side?

Senator PACKWOOD. Yes, an identical bill.

Mr. WINN. Have there been hearings on it?

Senator PACKWOOD. There have been no hearings on it.

Mr. FRASER. Thank you Senator. We appreciate your coming over this morning very much and your leadership in working to generate this resolution.

Our next witness will be our colleague from Massachusetts, who has also taken a very active leadership role, Robert Drinan.

STATEMENT OF HON. ROBERT F. DRINAN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MASSACHUSETTS

Mr. DRINAN. Thank you, Mr. Chairman.

Mr. Chairman, Mr. Winn, Senator Packwood, Justice Goldberg, Mr. Price, and Mr. Stanley, I think today we may, although we don't realize it, actually be commencing the beginning of a new U.S. commitment to world institutions capable of preventing wars.

I have a statement here, Mr. Chairman, and with your permission, I will submit it for the record at this moment?

Mr. FRASER. Without objection, we will have your complete statement in the record.

[Representative Drinan's prepared statement follows:]

PREPARED STATEMENT OF HON. ROBERT F. DRINAN A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MASSACHUSETTS

Mr. Chairman, as Chairman of the World Order Strategy Committee of the Members of Congress for Peace Through Law, I am pleased that your Subcommittee is holding hearings on the "Right to Peace" Resolution. The drafting of the resolution was a joint effort of all of the 15 members of the World Order Strategy Committee, including Vice Chairman Senator Bob Packwood. Senator Packwood has introduced identical legislation in the Senate.

What I should like to offer at this time is some of the legislative history of the drafting of this resolution by my co-chairman, the committee members, and myself. The legislation proceeds from the belief that survival of our present-day world can result from institutions or a set of institutions empowered with the capability to prevent any nation from making war against any other nation. The resolution is not "pro" or "con" the United Nations. Rather, it is an attempt to set the Congress of the United States on record as believing that a world without war is possible. It may be surprising to many that the Congress of the United States is not on record with such a commitment.

The resolution is the result of several working meetings of the World Order Strategy Committee during the first session of the 93rd Congress. It has grown out of my colleague Senator Packwood's suggestion during the committee's initial meeting of 1973 that the most important work the committee could address itself to was the formulation of a plan that would prevent nations from making war upon each other.

The Committee, throughout the drafting of the resolution, stressed the importance of the principle that nations can and should work together to eliminate war. All of the members agreed that this meant that some mechanism to deal with international disputes was therefore indispensable, and this principle was incorporated into the language of the resolution.

This resolution is a first step. Hopefully, it will focus Congressional attention on basic principles, expressed in a concurrent resolution, which are ulti-

mately founded on the belief that there can be institutions both capable and reliable enough to maintain peace. The resolution is also founded on the belief that there can be peaceful and just settlements of disputes between countries.

I am optimistic enough to hope that this Sense of the Congress Resolution will provide guidance to the Congress and to the Executive in matters of foreign policy and international relations. The hearings held today are the beginning of the United States commitment to world institutions capable of preventing wars.

Mr. DRINAN. This first step we are taking today will focus congressional attention on principles expressed in this concurrent resolution; principles ultimately founded on the belief there can be institutions, both capable and reliable enough to maintain peace.

I would like to stay for the entire presentation here, because this is something that is very close to my heart. But I have two meetings on amnesty and then the Democratic Caucus of the Judiciary Committee on another matter that is slightly important—impeachment—but I want to thank all the people here, and particularly Justice Goldberg, because I think we should say for the record, it was his inspiration at a meeting at lunch of the Members of Congress for Peace through Law that helped to galvanize this and gave it a giant step forward.

I am grateful for these hearings, and I hope this one, again, is the beginning of a new pattern by which the United States and this Congress and the Senate can give a new initiative to world peace.

Thank you.

Mr. FRASER. Thank you very much. Could I put to you the same question I put to Senator Packwood? That is, what about the specific directions which the enactment of this resolution would commit us?

Mr. DRINAN. I think one of the purposes of it is to have people like yourself raise that precise question. What institutions? We have deliberately not endorsed any one institution in our resolution. We have suggested it may be multiple institutions. We feel we are at an impasse now, and we want new initiatives and creativity.

Consequently, we serve as a focus of discussion precisely like that, and all the people are committing themselves to if they endorse the "Right to Peace" resolution, is the basic concept that a world without war is possible and that juridical institutions can be created that brings about such a world.

Mr. FRASER. Mr. Winn.

Mr. WINN. I appreciate the gentleman's philosophy on this, and I think it is very commendable. I just question what do you do about military coups and things that take place so fast. To my knowledge, there would be no institution or organization that could get there fast enough to prohibit that from being a war.

Mr. DRINAN. That is a good question. I think we have to think in terms of economic sanctions and political sanctions and world institutions that will educate and have some type of a sanction or a punishment so that nations, like individuals, will in fact follow the law. No one pretends it is easy or less than complex.

Mr. WINN. Sort of like a version of the death penalty on kidnapings, but it does not work.

Mr. DRINAN. Sometimes it may work.

Thank you, Mr. Chairman.

Mr. FRASER. Thank you. We appreciate your coming, and we are sorry you cannot stay with us longer. But we will look to you for additional help along the way.

We turn next to our three regularly scheduled witnesses. Justice Goldberg, we are honored to have you before us again. You have made enormous contributions to the work of this and other committees of the Congress. We are delighted you are able to be with us today.

STATEMENT OF HON. ARTHUR J. GOLDBERG, FORMER ASSOCIATE JUSTICE OF THE U.S. SUPREME COURT

Mr. GOLDBERG. Mr. Chairman and gentlemen of the subcommittee, I apologize for having to leave. Many months ago, I promised my old colleague in the Government and partner in law, Attorney General Clark, that I would be at the Justice Department for the unveiling of his portrait.

Mr. Chairman, I want to commend this subcommittee for its persistence, patience, and dedication to this very important subject, which I am very proud to join. I have a prepared statement, and with the permission of the chairman and members of the committee, I will make it part of the record.

I have a few observations to make relating to the questions that you raised. There is a preliminary observation which is in my statement. It is a very simple one: It is becoming more and more evident that wars are no longer tolerable and nuclear wars not even conceivable.

I think the resolution correctly focuses in its first paragraph on that obvious truth. It scarcely can be argued anymore that a statement of this type is not a statement of the highest realism.

This is not to say that wars do not break out. We have witnessed one in the last 2 months in the Middle East. On the other hand, the response to the war which broke out in the Middle East by the world community I think indicates the validity of the statement that I have made; that wars, in this instance even a regional war, are no longer tolerable. The immediate response to any rumor, suggestion, that nuclear weapons be employed in conflict, a denial has been immediately forthcoming from our Government.

For example it is significant that when the question was raised in the context of the Vietnam war it was raised to me at the United Nations, and I replied without any consultation whether nuclear weapons would be used in this conflict. I said it was inconceivable that a nuclear weapon would be used.

That later was affirmed on the highest levels of our Government and was reiterated in the present administration when that question was raised. There is a very simple reason why that statement is a valid statement. It would be impossible to contain any nuclear war, and a nuclear war would lead inevitably to the destruction of mankind.

Now, I would like to address the question which you have put, Mr. Chairman, since I did not focus on it in my statement.

I think that everyone in Congress and all decent minded people would subscribe to the first sentence of the resolution that a world without war is possible, because it would reflect a hope of mankind of everywhere.

I agree with what Senator Packwood said. I am not a unilateral disarmer. I am not a person who believes that is the way to achieve peace in the world. We are not alone in the world. That is not to say that we cannot take initiatives that encourage disarmament. I think we ought to.

I am a strong supporter of the SALT negotiations. I want our country to be protected. In other words, I also want it to be protected against overkill. I do not believe that security arises from too much nuclear weaponry. I have always put a very simple question which all of us can answer in our own way—that question is, do we feel anymore secure today that we possess this arsenal of great weapons than we felt at other times in our history? I think the answer is self-evident.

We feel less secure. Wholly naturally we worry about it, for ourselves, our children, and our grandchildren. We have the sound healthy instinct that we want to survive, we understand the implications of nuclear war. Therefore I commend the administration, with whom I have a lot of disagreement, for pursuing in the SALT negotiations an agreement to prevent this from happening.

Now, Mr. Chairman, directing myself to your question which undoubtedly will be asked. The question will be raised we have had agreements outlawing wars, including the Kellogg Pact and others. Yes, it is nice to vote for virtue against sin, but how do you do it realistically? What institutions are you talking about?

Now, I myself have two possibilities in mind. The first is to reinvigorate and give strong support to the United Nations. The United Nations was created for this purpose. The words of the charter pledge "to rid succeeding generations of the scourges of war." There has been a tendency in recent times, on the part of our own country to say that the United Nations does useful work in the economic field, but it is not very effective in the political field, in the field of preventing wars.

Therefore, perhaps we ought to look elsewhere. The United Nations does do useful work in the economic field, and that useful work is not unrelated to the question of whether we have war or peace. Poverty in the world may be a very great cause of future wars. We know from history that ancient conflict between haves and have-nots, has been a potential source of war, and therefore, the work of the United Nations is very important in that area.

However, I have always conceived that the primary goal of the United Nations is this goal mentioned in the resolution, to have a world organization which will rid the world of the scourge of war.

Now, in all frankness, I must say from my experience that there has until very recently been a cooling of attitude in the Executive—not only the present administration, but some past administrations—about the United Nations. In the President's last State of the World Report, the United Nations was scarcely mentioned. Rather, the focus was on bilateral negotiations to advance the cause of peace.

I am not against bilateral negotiations. In fact I believe in them. However, the implication of this message was a denigration of the United Nations as an instrumentality which could be helpful in this area. But what has happened indicates, as now Secretary Kissinger frankly expressed, a change in attitude about this, about the utility of the United Nations. What happened was, when the Yom Kippur War

broke out, to the surprise, I think, of our own policymakers, it was found that the United Nations was an indispensable ingredient in bringing about the disengagement of forces in the Middle East, which hopefully may lead to peace in that area.

Right at his moment, there are some thousands of United Nations' soldiers maintaining a buffer between Egyptian and Israeli troops in the Sinai. Suddenly, the utility of this organization which we have downgraded has become once more evident. Even the two parties that were immediately involved, Egypt and Israel, who had themselves brushed the United Nations aside, now have agreed, with the help of the United States and the statesmanship and ability of Secretary Kissinger, to the United Nations' presence as a method of assuring the disengagement and providing the preliminaries for a return to Geneva for the negotiation of a real peace.

Therefore, I would answer you, Mr. Chairman, by saying we should adopt the positions of the last President who really thoroughly believed that the United Nations could be an effective instrument in this direction. That last President was a great soldier, General Eisenhower, who in my opinion was the strongest United Nations man in the history of the Presidency. He and another great soldier, General Marshall, were at one in the necessity to build up the United Nations as an instrumentality of peace.

Now, Mr. Chairman, I went through 3 years of experience at the United Nations, I know its failings. I know its difficulties. There are very many. It is frustrating very often when you represent our country at the United Nations to encounter those difficulties. I see no escape, however, from the fact that this must remain the foundation institution for the objective stated in the resolution.

There is another one, similarly unused. In fact, at the moment, it cannot have more than one or two cases on its docket, and that is the International Court of Justice. Like the United Nations, the International Court of Justice or the World Court as it is commonly called is an institution of which we were the primary architects.

Now, why is it that the world organization, the World Court is not utilized? There are many reasons. Nations of the world are not grown up—to put it very simply—not mature enough to do what we do in our national organization. We accept the Supreme Court of the United States as the national arbiter of our problems, some of which in ordinary terms have led to wars. For example, water disputes between great States is decided by the Supreme Court of the United States.

We also put barriers in the way of the World Court performing its function. The Connally amendment is one, but we will get rid of it promptly. We have been recently embarrassed by the Connally amendment. To our detriment, we brought a case to the World Court, and the opposition replied that the World Court had no jurisdiction because of the United States adoption of the Connally amendment. We had to dismiss our own case which we were willing to submit, because under Rules of International Law, if we rely upon that type of barrier, the other party by principle of reciprocity was entitled to say "You cannot have your cake and eat it," and we had to dismiss our own case.

I think the Connally amendment is obsolete, and I think it ought to be repealed and we ought to try and reinvigorate the International Court of Justice.

I think of other institutions, and here I talk now to the Congress with all respect for its perogatives in the area. The World Bank can be a great instrument for world peace by alleviating the grievances of poor countries. However, it can't perform that function unless it has the Soviet funds which are given to poor nations who cannot produce what we would call in banking terms collateral, security, and can make Soviet loans on generous terms without interest over long periods of time.

I have not kept up-to-date, but the Congress had not responded, even to the administration's request, to replenish the Soviet loan part of the World Bank. All of us who have some sophistication in the area of world peace know that world peace is not unrelated, as I said earlier, to economics of poverty, grievances, and matters of that character.

I would suggest that the World Bank and its Soviet fund be retained.

Finally, there is a tendency to believe that a resolution of this type represents what do-gooders are always supporting. I want to say a word in defense of do-gooders. Do-gooders are turning out to be the highest realists. They have been pointing consistently at the fact that security has not been afforded to us by great armament and by armaments races. I again say, I am not a unilateral disarmer. I am for balanced reduction of arms within great powers, but it is do-gooders who have been supporting that approach.

Now, there is considerable public support for this. You do not have to be a do-gooder to realize that this goal to achieve world peace through law is not an unrealistic goal. It is a practical necessity.

In my prepared statement, I have cited many instances where we already operate. We have institutions and ad hoc institutions as well as bilateral treaties which help keep the peace by the very practical ways of insuring international intercourse and the communication of ideas between nations.

There is a tendency to assume that there is no international cooperation. The contrary is true. I cite some illustrations. If we did not have institutional methods—and we have institutional methods—international mail would not be delivered. We have a postal convention which is monitored and supervised and as a result we can get letters from all over the world including even from the totalitarian nations.

Therefore, something has been done. This is not insubstantial. If people of the world cannot communicate with each other, peace cannot be forwarded.

We have some agreements, although they are sometimes violated, about jamming shortwave broadcasts. This is another communication method. We have an agreement about the peaceful passage of ships, and if we did not have those agreements, ships and aircraft both would collide in the night. We even have methods of regulating even simple things like infectious diseases and insects, which could cross all frontiers.

I always thought one of the ways of keeping peace was privileges in communication and immunities afforded to diplomats. If you look back at history, you will find that nations fought over the issue of the protection of their ambassadors.

Indeed, there were very many unseemly episodes in history over this issue. Now, we have a convention on privileges and immunities of diplomats. This is not because we respect striped pants. It is because

we respect international communications and intercourse between nations, indispensable for keeping the peace.

I participated in the negotiations on the Nonproliferation Treaty and Space Treaties, and accompanying those agreements are institutional devices for monitoring that operate in this area; for example, International Atomic Energy Commission.

Finally, Mr. Chairman, I would like to say that it would be very helpful if this committee in reporting on the subject would list all of the existing institutions which operate in the area of contributing to keeping the peace, starting, of course, with the United Nations, the parent body and proceeding in many other areas.

We have one between Canada and ourselves which keeps the peace between our two countries and deals with border and similar questions. Violations of borders have been a cause of war. We have a similar body with Mexico. I don't think we are aware—of all of the institutions which are already in existence. We may need new ones. We ought not to exclude that, because we have others.

I have found in my experience that you must institutionalize the search for peace. Otherwise, it remains a hope rather than a reality.

Mr. Chairman, I will be glad to come back at some later time and respond to questions.

Thank you.

Mr. FRASER. Thank you very much, Mr. Justice. I think probably we have left you with only enough time to get to the Department of Justice. We appreciate your appearance this morning. We will probably take advantage of your offer to come back.

[The prepared statement of Mr. Goldberg follows:]

PREPARED STATEMENT OF HON. ARTHUR J. GOLDBERG, FORMER ASSOCIATE JUSTICE OF THE U.S. SUPREME COURT

I am glad to respond to the invitation of this distinguished Subcommittee to testify on the "Right to Peace" Resolution, H. Con. Res. 417. I support this Resolution because, if adopted by the House and Senate concurrently, it would be a significant step in behalf of world peace through the rule of law.

I regard this to be the essence of the Resolution, which declares that a world without war is possible and calls upon our own country and other nations to "rely for their external protection on world institutions strong enough to stop any nation from making war, capable of assuring peaceful and just settlements of international disputes, and reliable enough to be entrusted with such powers."

The Resolution may seem to some to be Utopian and, indeed, all agree that this will not be achieved today—or even tomorrow. But achievement of world peace through law may, in the long run, be the highest realism.

It is becoming more and more evident that wars are no longer tolerable, and nuclear wars not even conceivable.

My own view of the matter is that we must persist, as the members of Congress are doing, in seeking to establish the rule of law as the basis for settlement of international disputes. This is a matter of highest priority as is evident from the recent war in the Middle East which tragically involved both the parties to the conflict and also brought the two great super-powers, the United States and the Soviet Union, into confrontation.

When I left the Supreme Court to enter on my new duties at the United Nations, I made a statement which may have sounded to some like a mere rhetorical flourish, but it was entirely serious. The statement was that I was moving from one area dedicated to the rule of law to another dedicated to the same principle; and that, to my mind, the effort to bring the rule of law to govern the relations between sovereign states—the central effort of the United Nations—is the greatest adventure in history.

These beliefs come naturally to me from a lifetime in the law and in the pursuit of the just resolution of conflicts through due process. The rule of law among nations is obviously more difficult than here at home; but it is even more necessary, and we have ample proof that it is possible—indeed, in some measure, it is an accomplished fact.

I am well aware that there are other views of this subject, even among people who have wide experience of diplomacy and world politics. We hear it said that what nations really respect is not law but political power. Besides, we are told this is an age of revolution, of deep splits of values between East and West and between North and South. And since law derives from values, this revolutionary era is said to be going through what one distinguished critic calls "a withdrawal of the legal order," in which sheer power is more decisive than ever in international affairs, and laws, especially that of the United Nations, has become little more than a mockery.

My own reading of the facts leads me to a very different conclusion, as I shall explain in a moment. But before specifically discussing international law, I would first like to make three observations about laws in general.

First, we must beware of framing the argument in such a way that law and power become antithetical. In real life, law and power operate together. Power not ruled by law is a menace; but law not served by power is a delusion. Law is the higher of the two principles; but it cannot operate by itself.

My second broad point is that law cannot be derived from power alone. Might does not make right. On the contrary, law springs from one of the deepest impulses of human nature. No doubt the contrary impulses to fight and dominate often prevail; but sooner or later law has its turn. In one of the decisive moments in the history of law, King John thought he could impose his arbitrary will by force; but the barons who mustered superior force preferred to substitute an agreed rule—Magna Carta—for any man's arbitrary will. Thus, the King became subject to the law, and new proof was given of the strong human impulse toward law and the peace that law brings. In American history, this impulse has been especially strong from the beginning and found its highest expression in our written Constitution.

My third point flows from the second. Because law responds to a human impulse, it rests on much more than coercion. Law must have the police power, but it is by no means synonymous or coterminous with police power. It is much larger in its conception and in its reach. It builds new institutions and it produces new remedies. It tames the forces of change and keeps them peaceful. People obey the law not only of fear of punishment but also because of what law does for them: the durability and reliability it gives to institutions: the reciprocity that comes from keeping one's word: and the expectation, grounded in experience, that the just process of law will right their wrongs and grievances. All the police power in creation could not long uphold a system of law that did not meet these affirmative expectations.

Our hope for world peace depends on our ability to extend to the international sphere a dual concept of law, both creative and coercive.

This extension of law into the international realm is not going to be achieved in one great Utopian stroke of the pen. In the United Nations Charter, and in age-old norms of international law, the community of nations already has a set of fundamental rules which do not need to be rewritten so much as they need to be observed. Our task, therefore, is to make greater use of existing machinery and existing norms—to build on them and to broaden out the areas of international relations that are suscepible to them.

To keep the matter in perspective, let us first recall that the areas of international law and order are already very broad—and they are constantly broadening to fit the emerging common interests of nations. Without law, international mail would not be delivered; shortwave broadcasts would drown each other out; ships and aircraft would collide in the night; international business contracts could be violated with impunity; travelers would lack the protection of their governments; infectious diseases and insect pests would cross frontiers all the time; and even diplomats—who are supposedly full-time practitioners of power politics—would be unable to carry on their business. And to this body of law, we have recently added the Antarctic Treaty, the Test Ban Treaty, the Space Treaties, the Nuclear Non-Proliferation Treaty and the agreements consummated and, hopefully, to be consummated as a result of the SALT negotiations.

Many functions of the international order are so familiar as almost to be taken for granted. Some of them long antedate the United Nations. But it would be a great mistake to underrate them or to dismiss them as merely "technical" and "non-political." They are bridges of common interest among nations, and the sum of these common interests is one of the great unseen inhibitors of political conflict and international violence.

There are still some who dream of an international Utopia in which a few civilized states could use their power to settle the affairs of the world, much as the major powers of Europe did in the century after the Congress of Vienna. But we should remember that when the rule of the concert of Europe finally fell apart, world war ensued. This happened in great part because, in large areas of the world, the international order of the nineteenth century did not redress grievances but merely submerged them—until in our own century they erupted in revolution and world war.

The world law we should seek should be different. It should extend impartially to white and black, north and south, old and new. It will still be imperfect: it will still depend for its effectivness on the willingness of the stronger nations to put their power at its service. But it should embrace in a spirit of equality all the races and cultures of the world—and it could address itself to the real troubles of mankind: poverty, inequality, and the deprivation of rights. If it does, it will surpass even the hundred years' peace of the Congress of Vienna, which was based on the subjection of impotence of half the world's peoples.

Our nation derives its great influence in the world not only from great physical power but also from the fact that our basic law and our national outlook are premised on the equality and dignity of all men. The way to peace in this turbulent age is to keep to that national vision; to work with all our might for the establishment of a structure of law that will be reliable and just to all nations. For though law alone cannot assure world peace, there can be no peace without it. Our national power and all our energies should operate in the light of that truth.

Mr. FRASER. Our next witness is Prof. Charles Price, chairman of the board of Council for a Livable World.

STATEMENT OF CHARLES C. PRICE, CHAIRMAN OF THE BOARD OF COUNCIL FOR A LIVABLE WORLD

Mr. PRICE. It is a privilege and pleasure to be here on this occasion.

I am Charles C. Price, Benjamin Franklin Professor of Chemistry at the University of Pennsylvania, Philadelphia, Pa.

I have served as national chairman of the Federation of American Scientists—1956–57—national president of the American Chemical Society—1965—and since 1973, board chairman of the Council for a Livable World.

I have also served on the boards of SANE, the American Association for the United Nations, the American Friends Service Committee, the Friends Committee on National Legislation, the Commission to Study the Organization of Peace and the U.S. National Commission for UNESCO.

A common theme which has characterized my life since 1947 and my service in all of these organizations is my deep conviction that by far the most urgent and important problem facing human society today is to replace the war system, on which international relations are based, with a civilized global system of law and order.

I am pleased to appear today to testify in support of the "Right to Peace" resolution. It is encouraging to find so many Members of both the House and Senate cosponsoring this measure.

Mr. Chairman, one may quite properly ask what purpose this resolution will serve, and I would like to suggest at the outset, that the

purpose is not simply to say again that as a matter of general policy the United States will work with other nations to build world institutions capable of resolving international disputes by means other than warfare.

After all, that general assertion is one that has been made by every President we have ever had, in one form or another, I am sure, and it is a general principle that most Americans already accept.

No; I believe the resolution has a more practical, down-to-earth purpose than that.

The problem with which we are concerned here, in my judgment, Mr. Chairman, is that somehow or other we have come to a point in history when too many people—too many of them leaders of our country—are persuaded that it is impractical and softheaded to engage in any talk of world peace and disarmament.

So-called pragmatic and hardheaded men take it for granted that it is foolish to talk of peace and disarmament when the United States and Russia confront each other with massive weapons systems. Indeed, the whole sense of nuclear deterrence—or our two nations holding each other mutually hostage—is that strength alone will prevail.

So-called pragmatic and hardheaded men say that diplomats who talk of peace don't really mean it, that they are just posturing for world opinion, or to fool the unwary. Business-like men, they say, will disdain and avoid getting caught in any such dialog.

But we are wrong in all of these assumptions.

Mr. Chairman, I assert that the purpose of the "Right to Peace" resolution is nothing less than to emphasize that active planning for peace and disaramament is the proper business and the somber responsibility of the most pragmatic and hard-eyed leaders of all societies committed to enhancing the welfare of mankind.

As we maintain our defenses, we must simultaneously lay plans for peace. As we negotiate—warily—we must also look ahead to peace. As we spend what is necessary to maintain our defenses, we must also spend for peace.

The population explosion, environmental degradation, improper management of energy and other natural resources can seriously affect the quality of life on this planet. All deserve serious and continued attention, but only nuclear war can decimate civilization in the next 30 minutes.

Despite nearly 10,000 hydrogen bombs now in place, the United States continues to make more at the rate of 1,000 per year. Each one of these monstrous weapons can destroy a large city and pollute the environment of the entire world.

Under President Eisenhower, Harold Stassen and his staff worked to eliminate these weapons by promoting a plan for inspected and assured general and complete disarmament. The Russians were pursuaded to undertake negotiations for this purpose. In 1961, under President Kennedy, John McCloy and his staff succeeded in producing "A Joint Statement of Agreed Principles of Disarmament Negotiations," signed by John McCloy for the United States and Valery Zorin for the U.S.S.R.

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The first point in this agreement was as follows:

1. The goal of negotiations is to achieve agreement over programs which will ensure:

(*a*) That disarmament is general and complete and war no longer an instrument for settling international problems, and

(*b*) That such disarmament is accompanied by the establishment of reliable procedures for the peaceful settlement of disputes and effective arrangements for the maintenance of peace in accordance with the principles of the United Nations Charter.

I call attention to the similarity of this language to that in House Concurrent Resolution 417.

While Presidents Johnson and Nixon have continued to state that GCD is the goal of the U.S. policy, the disgraceful fact is that, for nearly 10 years there has not been a single employee of the U.S. Government with even part-time responsibility for planning and negotiation toward this great goal.

Furthermore, the United States has twice rebuffed Russia's efforts to renew the negotiations—1969 and 1971—and has obstructed a World Disarmament Conference, which would be the ideal forum for such negotiations. American accusations of Russian insincerity in advocating GCD have been too long a shameful coverup for American insincerity and obstruction in seeking this goal.

At a time when the administration is coming to the Congress for $19 billion more for the military—$6 billion in the regular military budget, a $6.3 billion supplement for the past year, and a $6.8 billion authorization for the succeeding year—it seems timely and appropriate to consider the alternatives to such an escalation of the arms race.

One is the arms limitation talks. Real success is these talks would be most desirable and beneficial. Agreements with the Russians could moderate the arms race and enhance the stability of nuclear deterrence. But even such success would leave enormous nuclear fire power in place and might indeed serve only to perpetrate the balance of terror.

Another American option is to invest a small fraction of the arms budget in a major civilian-led effort to plan for and negotiate toward inspected and assured general and complete disarmament. In fact, these two endeavors could proceed simultaneously and independently, the arms limitations talks bilaterally with the U.S.S.R., the GCD talks multilaterally at a World Disarmament Conference.

Clearly the later talks will face issues far beyond purely military matters. They would have to face up to the concerns raised in the "Right to Peace" resolution and in the questions you addressed to Senator Packwood and to Mr. Goldberg.

Mr. Chairman, I would like to add one further perspective to these hearings. A major active professional interest of mine for the last decade has been the origin and synthesis of life. This was the subject of my ACS presidential address in 1965 and will be the title of my Benchmark Series book to be published this year. These studies of cosmological, molecular, biological, and societal evolution have led me to propose three basic principles common to the total evolutionary process which has led to human society on our planet.

One is the variety of different processes leading to life which have involved cooperative phenomena leading to increased order and orga-

nization. The mutual gravitational attraction of large gas clouds of hydrogen leads them to collapse into the organized structure of a star. The union of elementary particles creates the organized structure of the atomic nuclei of the periodic table. By sharing electrons, atoms combine to form molecules. Multiple weak bonds join biopolymers into the unique arrangements necessary for the functions of a living cell. Many cells cooperate to perform the functions of a living being. Remarkable coordinated and cooperative chemical phenomena make possible the functioning of the brain.

Each of these steps involves cooperative phenomena which lead to increased organization and order.

A second general principle is that the increased organization endows the ordered system with enhanced properties and capabilities not possible in the previously less organized system. The atomic nuclei are endowed with properties leading to an immense variety of chemical compounds, while the primordial component of the universe, hydrogen, gives only one stable molecule.

The immense variety of chemical compounds includes the biopolymers, which are able to associate in proper ways to endow a living cell with the remarkable combination of chemical properties we call life. Living cells evolved which found advantage in elaborating a complex and cooperative organization of cells know as living organism.

Some of these organisms developed brains able to organize, store and use more and more information eventually endowing the human organism with a creative imagination and the ability to communicate complex ideas. This capability is being used increasingly to organize human society and to mobilize and utilize the physical resources of the Earth.

A third principle is that each step in this evolutionary process made use of the enhanced capabilities established by the cooperative order in the preceding steps. While there have been many, many failures along the evolutionary trail, successful evolution has built on and incorporated successes of the past.

This developing picture of the evolutionary process suggests some interesting lessons pointing toward the future. If man, with his remarkable brain, is indeed on a successful evolutionary trail, evolving human society is a major front in the evolutionary process. We are using the capabilities with which life in general and the human intellect and spirit in particular have endowed us, to build an increasingly ordered, organized, and interdependent society.

As we build a more complex, technology-based society, our interdependence increase apace. And this evolving interdependent human society demands more and more cooperation. None of us in such a society is entirely self-sufficient and therefore none of us is wholly independent.

We must face this simple fact of life, and perhaps we can find strength in seeing it as the continuing lesson of evolutionary history. The most important single unifying theme of life is order and organization through cooperative action.

The basic laws of thermodynamics of course require that this increase in order evolve the investment of energy. The order and organization of life, of the human brain, of human society are thus vitally

dependent on adequate sources of energy, a topic which hardly needs reinforcing at this particular moment in our history. But equally important is the input of cooperative efforts to make proper use of this energy.

Much has been written of the inherent combatative, competitive, warlike nature of life and man. But those forces of disintegration and disorganization are indeed the natural forces of death and extinction. The magical feature which so clearly distinguishes life and successful evolution is the harnessing of energy by cooperative phenomena to bring order and organization.

We will ignore this less of evolutionary history at our mortal peril. Evolution's arrow points to cooperation and order, and we better follow the arrow if we want to avoid extinction.

These perspectives of evolution led me to conclude that the directions urged by House Concurrent Resolution 417 are indeed right in the mainstream of successful evolution. If we succumb to the forces of division, violence, and destruction, we are on the trail of extinction. If we seize every opportunity to build global institutions enabling mankind to cooperate in an orderly society, we are following the successful trail of evolution.

Only in this way can we build the enhanced capabilities necessary to insure the quality of life on this planet.

In summary, then, I strongly believe a world without war is not only possible, but essential for the survival of human society. We cannot eliminate conflict, controversy, and disagreement. We cannot guarantee that these differences will not occasionally lead to local violence, but the lessons of history prove that the organized mass violence of war can generally be prevented among peoples within an area accepting the cooperative institutions of order we call government. These must now be built at the global level.

I see as one most practical approach to this goal a world disarmament conference with the agenda of inspected and assured general and complete disarmament. The American people and the U.S. Government need to accept this as a working goal. The Government must reestablish a top level civilian-led effort in this direction. This effort can and should proceed in parallel with, and independent of the SALT talks.

In closing, I believe House Concurrent Resolution 417 addresses the most important and urgent problem facing the American people and all of mankind. I believe there are practical, pragmatic ways for the U.S. Government to work toward the goals it outlines. I urge its approval by Congress and active implementation by the administration.

Thank you, Mr. Chairman.

Mr. FRASER. Thank you very much, Professor Price. If it is agreeable with you, perhaps we will proceed to the next witness, so that we can then ask questions of the two of you as a panel.

Our third and final witness is Mr. C. Maxwell Stanley, president of the Stanley Foundation, someone who is giving great leadership in helping to educate people both here and abroad about the problems we face in the world community.

Mr. Stanley, we are glad to have you here.

STATEMENT OF C. MAXWELL STANLEY, PRESIDENT, STANLEY FOUNDATION

Mr. STANLEY. Mr. Chairman, I am glad to be here and have this opportunity to testify. May the record show that while I have been introduced as the president of Stanley Foundation, I testify here as an individual—obviously taking advantage of the experiences I have had over the years with Stanley Foundation.

Parenthetically, I would add that my approach may be somewhat different than the two gentlemen who have testified just before me. I come from the Middle West. I have spent most of my life as an engineer and a businessman, but I have had an avocation related to the problems of world organization for over a quarter of a century.

Mr. Chairman, I would like to introduce, as part of my testimony, a rather lengthy written statement: my remarks will emphasize some of the points therein.

[The prepared statement of Mr. Stanley follows:]

PREPARED STATEMENT OF C. MAXWELL STANLEY

My name is C. Maxwell Stanley. I am a professional engineer, founder and now Chairman of the Board of Directors of Stanley Consultants, Inc., international consultants in engineering, architecture, planning and management with 450 employees. I am also founder and now Chairman of the Board of Directors of HON Industries Inc., a leading manufacturer of metal office furniture and material handling equipment with 2,200 employees. For over a quarter of a century, I have been deeply concerned with the foreign policy of this country, particularly as it relates to world peace and security. I have been active in several private organizations, seeking to influence a more enlightened foreign policy for the United States. I have traveled widely and have participated in numerous international conferences concerned with world organization. In addition, I am President of The Stanley Foundation, which for many years has encouraged study and education aimed at strengthening international organization. In this capacity I have chaired over thirty gatherings, including fourteen Strategy for Peace Conferences concerned with US foreign policy and eight Conferences on the United Nations of the Next Decade. I have written and spoken extensively on these matters and am author of the book WAGING PEACE, captioned "a businessman looks at the United States foreign policy."

In responding to your invitation, I speak as an individual, seriously concerned about the inadequacies of the foreign policy of my country.

Mr. Chairman, I heartily endorse the passage of House Concurrent Resolution 417, The "Right To Peace" resolution. There is no right more basic to the dignity of all people than the right to a world climate assuring secure peace with freedom and justice.

A world without war is possible! War is a man-made institution. Man has the capacity to shape world institutions capable of assuring peaceful and just resolution of controversies, thus eliminating resort to war. Man can, if he will, fashion world institutions to cope with the global problems and threats—pollution, resource shortages, development, trade and commerce—that are potential sources of controversy between and among nations.

Adoption of this resolution would reaffirm this nation's posture in the quest for world peace. Equally important, passage would emphasize that the only path to such peace is greater international cooperation in using and strengthening world institutions.

Bold initiatives have been taken in recent years by the leaders of our country. Certain barriers to international cooperation have been removed. These are welcome steps to lessen international tension. However, much more remains to be done. My testimony today deals with elements in the world climate that support the urgent need for world problem-solving and crisis-managing mechanisms, procedures and institutions.

THE CHANGING CLIMATE

The path to a world without war must be examined within the framework of today's realities. In my judgment the following trends must inevitably shape world affairs in the decades ahead. These are current trends already noted and examined by scholars and observers of the international political scene.

The number of actors on the world stage has increased dramatically.—With the collapse of colonialism, the number of sovereign nations has increased from 67 at the end of World War II to nearly 150, with others on the horizon. Though considered sovereign and equal, they vary greatly in population, economic and social development, and political power and sophistication. The interests and concerns are most disparate.

The impact of nuclear deterrence is eroding.—Though second strike nuclear capability may restrain any temptation of a superpower to launch a nuclear strike, it exerts minimal restraint upon the use of force by non-nuclear weapon states. They, too, recognize that the superpowers dare not use these weapons against each other or any other nation lest the conflict escalate to a nuclear holocaust. Nuclear deterrence will become obsolete as a mechanism to preserve world order.

Global threats to the quality of life, and perhaps life itself, are enlarging.—Burgeoning population drain the earth's finite resources and contribute to the deterioration of the global environment. Rampant pollution of sea and air knows no national boundary. Such threats can only be dealt with on a global basis.

The gap between the affluent and the poor nations is expanding.—Despite two generations of emphasis on economic and social development, most developing nations are falling further behind. Though living standards continue to rise in the developed countries, most developing nations with rapid population growth are hard pressed to maintain the status quo. The so-called North-South confrontation may soon displace the East-West confrontation which has paralyzed international cooperation the last 25 years.

The economic interdependence of nations is growing.—Both developed and developing nations are increasingly dependent upon vast networks of commerce, trade, and communication. Their economies are affected by the erratic action of an inadequate monetary system. Transnational investments and multinational enterprises, without international regulation, are growing rapidly. The world increasingly constitutes a single economic system, as well as a single biosystem.

Bipolarity is waning.—Though it will prevail for some time, the winds of change are blowing. New centers of power are emerging: the People's Republic of China, Japan and the European Economic Community. Various middle powers are exerting greater influence on specific issues. The developing nations exert political, and sometimes moral, power when they concur and work together on specific issues. As bipolarity wanes, the United States and the Soviet Union will be less dominant in world affairs.

Hence, the very nature of national power is changing.—Trends that are now affecting international political, economic and social order will have far reaching effects for the future. The game of international influence will be played with different bargaining chips—the use or threat of military might to achieve national objectives will lose its potency. Possession of resources, technology and economic strength will contribute greatly to national power.

It is clear the world is in limbo between a battered centuries-old political system and a fledgling new world order more responsive to the demands of peace, security, justice, progress, and human dignity. The system that has served nations for centuries is beleaguered by its inability to adequately deal with the issues and the problems of the post world War II era.—This nation-state political system originated long before the revolution of science and technology of the last half century and the overdue, but sudden, collapse of western colonialism in the last two decades. New and exceedingly complex international issues have been tabled; dealing with them is more difficult in a world crowded with nearly 150 nation states. While the evolution of a new world order is apparent to most scholars, many statesmen, and some politicians, its parameters are indistinct and its pace of emergence is highly speculative. Progress, in no small measure, depends upon the performance of the United Nations—our major international organization.

The nation-state system model does not fully describe reality. While nation states are still the leading actors on the world stage, the cast of characters becomes more transnational with greater resort to international cooperation. Many regional, multinational, and international organizations have been established. The traumas of a world in limbo are aptly symbolized in the United Nations.—Its 28-year existence shows that nations need institutions to facilitate international cooperation. But its inadequacies clearly reflect what it is, an instrument of the nation-state system lacking institutional authority and employed—sometimes eagerly, sometimes reluctantly—by nation states to enhance their cooperation. As the Charter fully protects members' sovereign rights, the United Nations acts only with their concurrence, particularly that of major powers.

Nevertheless, the United Nations serves as a primitive bridge between the nation-state political system and the more effective political order of the future.—As such, it has dual functions. *Its immediate role is aiding and abetting the cooperation of nation states to manage international crises and solve global problems*—a role that cannot be overemphasized. Today's stakes are high, avoiding debilitating war and assuring quality of life—and perhaps survival. *The longer range, but equally important, role of the United Nations, is fostering an emerging international political system tailored for tomorrow.* The United Nations provides a forum for debate, a testing ground for cooperation, and a wide range of experience, both successful and frustrating. These processes stimulate ideas about the needs of our changing world order and gradually encourage alterations to meet these needs.

SECURITY

It is also appropriate when discussing the changing world climate to examine what will constitute security for the United States or for any other nation in the decades ahead.—Security is without question the fundamental purpose of a foreign policy. The concept of national security has historically been closely linked to military power. Nations have sensed security when their land, sea and air forces were of sufficient strength to deter or repel attack from their presumed enemies. Alliances and balances of power have been arranged and advantage has been taken of geographical position. In weighing security, nations have also judged both the sincerity and the military power of allies.

National security in the last analysis is a judgment, a state of mind, however it is evaluated. Major elements in such a judgment include assessment of threat of invasion or military challenge, as well as the degree of confidence a nation has in the world community. Powerful nations have, on occasion, widened the objectives of national security to include the ability to roam the seas and the skies unhampered, and the freedom to intervene in the affairs of lesser nations in pursuit of their own national interests. Hence, a close relationship often develops between national security and unrestrained exercise of national sovereignty, at least by powerful nations.

Historical concepts of national security will be outmoded due to the impact of science and technology in the changing climate of the decades ahead. The power and instant deliverability of nuclear weapons are rapidly undermining the foundation upon which national security has previously rested: the threat and use of national military power. Those possessing nuclear weapons recognize they cannot be used—that nuclear war must be avoided. Because these weapons provide license of total destruction, all-out war as a practical instrument of national policy is outdated. *Increments of usable political power, as well as national security itself, are not necessarily measured by the possession or expansion of nuclear power.* Incremental additions to nuclear strength are not meaningful additions to national security when nuclear arsenals are already stocked with excessive overkill.

Concurrent with the demise of nuclear deterrence as an adequate cornerstone for national security, resort to balance of power politics is likewise increasingly less effective. *Balance of power manipulations with nuclear weaponry are uncertain, dangerous and destabilizing.* They tend to undermine adherence to the Nonproliferation Treaty, accelerate the race for more sophisticated weapons, and foster a continuing climate of suspicion and fear.

Security in the decades ahead requires a new approach compatible with changing conditions. Security cannot be assured solely through national military power; no nation can be secure unless all are secure.

The historic dependence upon military power for national security is inadequate for still another reason. *It has no capacity to cope with non-military threats:* burgeoning population, rampant pollution, and diminishing resources. National security can be undermined by deterioration of the global environment or by imbalances among population, resources, and desired quality of life. Hence, concerted worldwide action against these common enemies of all peoples is important to our national security. It is irrational to presume we can advance toward secure world peace without dealing effectively with these problems.

Acceleration of economic and social development of the developing nations is also related to the security of the United States.—Failure to achieve visible and viable progress often causes unrest and conflict within these nations. Such occurrences often invite intervention from without and lead to indirect major power confrontations, or worse. The resulting instability and chaos in an increasingly interdependent world is hardly conducive to security.

Moreover, the cooperation and support of these less fortunate nations are essential to the achievement of desired objectives of the developed nations: peace and security and effective global responses to global threats. Developing nations are far more concerned with their more immediate problems of economic and social development. *As developed nations assist them* in the achievement of their goals, *they are more likely to cooperate* in the establishment of an alternate security system and a viable plan to attack nonmilitary global threats.

One other aspect of national security should be mentioned: the domestic climate within our country. Until we put our house in order, our credibility abroad will suffer. Other nations cannot understand our failure to cope with several of our trying problems. *Though we are envied abroad for our great affluence, we are pitied for our inability to use our human and natural resources* to eliminate poverty, to cope with our deteriorating urban centers and congested transportation systems, to judiciously restore law and order, and to redirect domestic resources from massive military investments to the provision of equal opportunities in housing, education, employment, health, and civil liberties for all Americans. Were we to more adequately deal with these matters, we would not only restore much of the good will we once enjoyed but also expand our own self-confidence—both important elements to national security.

CRITERIA FOR TOMORROW'S WORLD ORDER

The international political order of tomorrow, to be acceptable to nation states, must effectively deal with the needs and aspirations of the peoples of the world. A tolerable world order should—

provide security to all nation states against aggression and the threat of military force,

permit self-determination by each nation state in its ideological, cultural, governmental and economic affairs: i.e., freedom for diversity,

provide the means for the peaceful and just resolution of controversies between nation states and between the nationals of various states,

deal effectively with the mounting global threats to the quality of life, and perhaps life itself,

enhance and, as necessary, regulate trade, commerce, communication and interchange among nation states,

facilitate the use and conservation of natural resources to avoid world economic and social turbulence,

promote a reasonable pace of economic and social development, and advance respect for human rights and dignity with greater justice.

An international political order fulfilling these criteria will be quite different from the present system in which nation states exercise unlimited sovereignty and unilateral decision-making. Vast and effective international cooperation must be marshaled and focused upon the urgent, long-term, expanding needs of the world community.

Pragmatically, *global problems must be managed as they arise.* Prompt decision and positive action in the interest of many must not be stalemated by the opposition of few. *The needs of the world community must be served, even though*

at times they conflict with the perceived short-term interests of some nations. The world community must act in its common, enlightened self-interest to assure peace and security, even as it eliminates the use of war. It must effectively cope with the threats that jeopardize quality of life upon this earth.

Effective institutions on the world level are an essential prerequisite to the vast international cooperation required to meet the above criteria. Such institutions need sufficient autonomy or sovereignty to permit prompt decision and effective action within broad guidelines and policies established by the world community. To maintain peace and security, some degree of police authority deems desirable. To peacefully resolve controversy, juridical mechanisms must function. To be relatively independent, a reliable source of revenue is called for. Greater effectiveness is demanded of world organization than that now provided by the United Nations. Handicapped by lack of autonomy, by one nation-one vote representation, and by the veto, the United Nations has great difficulty in reaching decisions promptly and acting effectively in the interests of the world community.

The challenge before nation states is to modify the United Nations and/or create other organization.—Required authority must be delegated and controlled without undue encroachment upon national sovereignty. Unfortunately, this challenge must be answered soon for time is of the essence. We dare not await the development of broader world community sufficient to support some form of federal world government with limited powers, although this may likely be the ultimate solution.

More effective world organization must be established soon through treaties or through the legislative processes now available in the United Nations. In this manner new units may be established to deal with specific functions—i.e., an ocean regime—or better UN procedures and mechanisms may be developed. In either case, workable decision-making processes must result and sufficient authority must be delegated.

The creation of the required institutions will be a herculean task, raising questions concerning autonomy, sovereignty, authority, and representation. Every reasonable effort should be exerted to achieve the required institutions through revision and modification of the United Nations. *Nothing less than effective institutions can* provide the mechanisms and procedures needed to *assure international peace and security and deal with other global problems.*

ACTION

Yes, the concepts in the "Right to Peace" resolution deserve the support of Congress. The changing world climate demands greater attention to world institutions. But United States foreign policy objectives must include deeds, as well as words.

The following action proposals would contribute to an international climate more favorable to world organization and deal with specific problems pressing for resolution. These actions would improve the credibility of the United Nations and raise the probability of revising it into the more effective and viable organization the world is waiting for. They should be undertaken cooperatively with other nations supporting such concepts.

1. *Check and reverse the arms race.*—The accords of the Moscow summit encourage SALT II. This opportunity and others should be pursued diligently to advance not only arms limitations but arms reduction and first steps toward disarmament. More nuclear and near-nuclear weapon nations should be involved in negotiations. I have long believed the United States could provide potent leadership through the judicious use of independent initiatives such as limited reduction of arms and/or military budgets. Such arms limitation and reduction is vital to achievement of better world order.

2. *Use and support of the United Nations to the fullest extent practicable.*—Although the United Nations has substantial weaknesses, it is what nations made it and is the only world organization in existence. The United Nations can be strengthened and made more effective within its present Charter. We do the world and ourselves a disservice when we bypass, neglect or downgrade this organization.

3. *Work for the creation of a viable ocean regime.*—The world has a fleeting opportunity to avoid a race to colonize the seabeds. Delegations from 140 nation states will convene in Caracas, Venezuela, in June at the Third United Nation Conference on the Law of the Seas, to begin this enormous task. Preserving freedom of the seas and conserving its resources—the common heritage of man—requires acceptable global management. An effective regime would be a positive contribution to world order.

4. *Continue support for an effective United Nations role in pollution matters.*—Initial steps taken by the United Nations Environmental Secretariat, established after the Stockholm Conference on the Human Environment, need to be augmented and expanded.

5. *Enlarge the peacekeeping capability of the United Nations.*—Great strides can be taken to make UN peacekeeping, peacemaking, and conflict resolutions more effective. A UN peace force would be found indispensable if agreement were reached on guidelines for its deployment and management.

6. *Resolve the financial issues of the United Nations.*—The organization is sadly hampered by its current uncertain and inadequate sources of revenue. The total UN budget for 1972 was but $1.2 billion, miniscule compared to the more than $216 billion the world spends on its armed forces. Independent sources of revenue should be explored; the financial issue is critical.

7. *Support the International Court of Justice.*—As a strong advocate of a rule of law on the world level, the United States should be in the forefront of those using and advocating greater use of the World Court. Repeal of the Connally Reservation would be a good start.

8. *Reconstruct our approach to economic assistance for the developing nations.*—We need sensible and adequate programs, giving special attention to the transfer and availability of science and technology and to the mutlilaterial approaches through United Nations specialized agencies and cooperatively with other nation states. Economic aid should be completely separate from military aid.

9. *Expand support for stabilization of global population.*—Quality of life for the world's citizens will be jeopardized if populations continue to grow at alarming rates. United Nations and multilateral programs, including vast research programs, warrant enlarged support to curb population growth rates.

OPPORTUNITIES

The creation of an international political order relying more upon world institutions will be a difficult and trying task, requiring a change in deeply entrenched patterns of national action at home and abroad.—Extreme nationalism must be subdued and the sensible use and limited delegation of sovereignty exercised. Moreover, the establishment of this new order will be time-consuming—no instant creation has surfaced. Massive acts of pursuasion, together with broad educational programs, will be essential, again both at home and abroad.

It is my judgment, however, that there is more support for such action than we realize.—The inadequacies of the present system of international politics are increasingly recognized, as is the seriousness of the hazards confronting the world.

My numerous contacts with world diplomats, statesmen, and scholars convince me that *many middle and lesser powers would enthusiastically join in positive action toward increased use of world institutions were they convinced of great power support.* President Nixon's visits to the People's Republic of China and to the Union of Soviet Socialist Republics indicate some willingness to break out of shackles that have deadlocked world affairs for the last two decades. On a June, 1972, visit to the Soviet Union as a guest of the USSR Academy of Sciences, I sensed the doors had been opened slightly, inviting greater cooperation. A careful and patient nurturing of these beginnings offers hope that we dare not overlook. One could be cautiously optimistic, if the nations of the world, and particularly the great powers, were to recognize that their common interest in a safe and sane world could be advanced by more effective international institutions and mechanisms to solve global problems and manage global crises.

But if the United States is to take advantage of these tenuous opportunities, we must first successfully challenge several preconceived concepts and postures. Until this is done, the will and dedication essential to provide leadership toward

a better world political order will not be developed. Until Presidents and their administrations publicly challenge archaic concepts of world politics and Congress rises above deep-seated prejudices and fears to investigate and legislate toward these ends, the United States will be less than a positive force for a new and adequate international political order. Such leadership would force debate on the issues, leading to a positive strategy. Though efforts to develop a new international political order mut be supported by the public, *initiative and dedication to do so must originate with the elected leadership of this country.*

Mr. FRASER. Without objection, we will insert the entire statement in the record.

Mr. STANLEY. Mr. Chairman, I heartily endorse the passage of House Concurrent Resolution 417, the "Right to Peace" resolution. There is no right more basic to the destiny of all people than the right to a world climate assuring peace with freedom and justice. I believe that a world without war is possible and is essential.

War is a manmade institution. Man has the capacity to shape world institutions that are capable of assuring peaceful and just resolution of controversies, thus eliminating the need to resort to war. Man can, if he will, also fashion world institutions, to cope with global problems and threats including pollution, resource shortages, development, trade and commerce. These, and others, are the potential sources of controversy between and among nations.

Adoption of this resolution would reaffirm this Nation's posture in the quest for world peace. Equally important, it would emphasize the only likely path to peace, that is, greater international cooperation through the greater use and strengthening of world institutions.

Much can be said about the changing climate in which the world lives today. The number of actors on this world stage has increased dramatically. The impact of nuclear deterrence is eroding. Global threats to the quality of life and perhaps life itself have surfaced. The gap between the affluent and poor nations is expanding. The economic interdependence of nations is growing. Bipolarity is waning, and the very nature of national power is changing, witness the influence of those who possess oil that the rest of the world wants.

It is clear that the world is in limbo between a battered century old political system and a fledgling new world order more responsive to demands of peace, security, justice, progress, and human dignity. The system that has served nations for centuries is beleaguered by its inability to adequately deal with the issues and the problems of the post-World War II era.

But the nation-state model does not fully describe reality. While nation-states are still the leading actors on the world stage, the cast of characters becomes more transnational with greater resort to international cooperation. Many regional, multinational and international organizations have been established. The traumas of a world in limbo are aptly symbolized in the United Nations.

Nevertheless, the United Nations serves as a primitive bridge between the nation-state political system and the more effective political order of the future. The United Nations immediate role is aiding and abetting the cooperation of nation-states to manage international crises and solve global problems. The United Nations longer range,

but equally important, role is fostering an emerging political system tailored for tomorrow.

My written statement discusses in detail various questions of national security. I would emphasize that the classic concepts of national security are being outmoded by the impact of science and technology. Historic dependence upon military power for national security is not only inadequate, as far as being able to maintain peace and security, but it has no capacity to cope with nonmilitary threats.

I would emphasize one other important aspect of national security: the domestic climate within our country. Until we put our house in order, our credibility abroad will suffer. Other nations cannot understand our failure to cope with many trying problems.

We are envied abroad for our great affluence. We are pitied for our inability to use our human and natural resources to eliminate poverty, to cope with deteriorating urban centers and congested transportation systems, to judiciously restore law and order, to redirect domestic resources from massive military investments to the provision of equal opportunities in housing, education, employment, health, and civil liberties for all Americans. I would suggest, that until we deal with these problems, our credibility as a world leader suffers.

On page 9 of my written statement, I list what are to me criteria for the world order we are seeking for tomorrow:

To provide security to all nation-states against aggression and——

Mr. FRASER. I think that is page 6 on our copy.

Mr. STANLEY. Yes, I am reading from a double-spaced copy.

Provide security to all nation-states against aggression and the threat of military force:

Permit self-determination by each nation-state in its ideological, cultural, governmental and economic affairs; that is, freedom for diversity;

Provide the means for the peaceful and just resolution of controversies between nation-states and between the nationals of various states;

Deal effectively with the mounting global threats to the quality of life, and perhaps life itself;

Enhance and, as necessary, regulate trade, commerce, communication and interchange among nation-states;

Facilitate the use and conservation of natural resources to avoid world economic and social turbulence;

Promote a reasonable pace of economic and social development; and

Advance respect for human rights and dignity with greater justice.

The creation of required institutions for the kind of a world order we need to assure peace and security and deal with these other problems will be herculean task. It raises questions regarding autonomy, sovereignty, authority and representation.

Every reasonable effort should be exerted to achieve the required institutions through revision and modification of the United Nations. But nothing less than the effective institutions, which the resolution calls for, can provide the mechanisms and procedures needed to as-

sure international peace and security and deal with other global problems.

Yes, Mr. Chairman, the concepts of the "Right to Peace" resolution deserve the support of Congress. The changing world climate demands greater attention to world institutions. But U.S. foreign policy objectives must include deeds as well as words. So my written statement mentions some action areas. The list is certainly not all-inclusive.

First, I list the checking and reversal of the arms race.

Second, the use and support of the United Nations to the fullest extent practicable. Although it does have very substantial weaknesses, it is what nations made it and it is the only genuine world organization dealing with political matters now in existence. The United Nations can be strengthened and made more effective within its present charter. We do ourselves and the other nations of the world a disservice when we bypass, neglect or downgrade this organization.

Third, a timely topic; work for the creation of a viable ocean regime.

Fourth, continue support for an effective U.N. role in pollution matters.

Fifth, enlarge the peacekeeping capability of the United Nations. Great opportunities are opened on the heels of the U.N. action taken in the Mideast.

Sixth, resolve the financial issues of the United Nations. The total U.N. budget for 1972 was but $1.2 billion, which is miniscule compared to more than $216 billion that the world spent in 1972 on its armed forces.

Seventh, support the International Court of Justice. And to repeat what Justice Goldberg suggested, I mention that repeal of the Connally reservation would be a good start.

Eighth, reconstruct our approach to economic assistance for the developing nations.

Ninth, expand support for stabilization of global population.

The creation of an international political order relying more upon world institutions will be a difficult and trying task requiring a change in deeply entrenched patterns of national action at home and abroad.

It is my judgment, however, that there is more support for such action than we realize. The inadequacies of the present system of international politics are increasingly recognized, as is the seriousness of the hazards confronting the world.

My numerous contacts with world diplomats, statesmen and scholars convince me that many middle and lesser powers would enthusiastically join in positive action toward increased use of world institutions were they convinced of great power support.

But if the United States is to take advantage of these tenuous opportunities, we must first successfully challenge several preconceived concepts and postures. Until this is done, the will and dedication essential to provide leadership toward a better world political order will not be developed.

Until Presidents and their administrations publicly challenge archaic concepts of world politics and Congress rises above deep-seated

prejudices and fears to investigate and legislate toward these ends, the United States will be less than a positive force for a new and adequate international political order involving greater use of international organizations. Such leadership would force debate on the issues, leading to a positive strategy.

Though efforts to develop a new international political order must be supported by the public, initiative and dedication to do so must originate with the elected leadership of this country.

Mr. FRASER. Thank you very much, Mr. Stanley. That was a very detailed and thoughtful statement.

I would like to impose on both of you for a moment. Congressman John Seiberling is here, and you are all aware of congressional schedules. He is under time constraints, and if there is no objection we might just defer the questions for a moment and ask our colleague to come up and present a statement.

STATEMENT OF HON. JOHN F. SEIBERLING, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF OHIO AND CHAIRMAN, MEMBERS OF CONGRESS FOR PEACE THROUGH LAW

Mr. SEIBERLING. Thank you, Mr. Chairman.

It is a great pleasure, Mr. Chairman, for me to be here in the company of such distinguished witnesses. I have not prepared a formal statement and I just would like to make a few observations about this resolution.

As the Chairman of the Members of Congress for Peace Through Law, I was fortunate enough to sit in on the drafting of this resolution and in fact at the session when it was first conceived. Frankly, I was a little skeptical as to whether at this stage a resolution of general nature such as this would serve a useful purpose; but the more I was able to think about it, the more it seemed to me that it serves a very, very useful purpose.

I would like to just state briefly what I think the resolution does and what that purpose is.

Last night I listened to a talk by Chairman Mahon of the House Appropriations Committee and he made the statement that since 1940, when he first became a member of the House Appropriations Committee, the United States has spent $1.7 trillion on military and defense activities.

I don't suppose I need belabor the point that that staggering, almost inconceivable amount of money would have made a different world and a different United States had it been spent on constructive instead of destructive and wasteful things.

I think that the Congress has an obligation to see that before another generation has passed that we have made some significant moves toward a structure which will avoid that kind of terrible waste in the future.

The so-called "Right to Peace" resolution, in my view, does certain basic things which I would like to again focus on.

First, it puts the U.S. Congress on record that a world without war is possible. Now that seems like a statement of an obvious point, and yet how many times in the last 30 or 40 years have we been met

by statements from various Secretaries of State and Secretaries of Defense that we must plan for what our weapons posture will be in the next generation and in the year 2000, et cetera, et cetera.

The basic premise on which they are proceeding is that a world without war is not possible and that the continuation of the present unhappy state of world affairs is in the nature of things.

I think it is very important, if we believe it, that the Congress go on record as saying that we believe a world without war is possible, because until we cross that fundamental psychological gap we are never going to do the things, in my opinion, that move us toward a world without war.

Second, the resolution admits that existing national institutions and world institutions are inadequate to achieve a world without war and admits that new or strengthened world institutions are necessary to such ends.

I do not think I need to emphasize this in this day of multinational corporations which run circles around every national government in the world, and in a day when after two generations of tremendous sacrifice and expenditure we don't seem any closer to the "generation of peace" that our President has proclaimed as his goal, at least not very significantly closer.

Third, the resolution puts Congress on record that the United States will work expeditiously toward the realization of such institutions, within and subject to our commitment to the United Nations.

Finally, it leaves open the question as to what the practical steps should be to that end. In my view, this is the strength of this resolution.

I think it would be a mistake in the drafting or markup of this resolution to start to get bogged down in a detailed effort to spell out what specific steps ought to be taken or what specific changes should be made in international institutions to accomplish the goals indicated in this resolution.

On the other hand, I think that to have a debate as to what those steps might be and what the ultimate detailed framework might be is a very healthy thing and one of the things that I think this resolution brings about.

But I would hope that we would consider adopting this or some similar resolution without spelling out the details. It is important to set forth the goals.

Now what does this resolution not do? I think it is important we understand that.

It does not, as someone said, place our security totally in the hands of the United Nations. It bypasses the question of our particular relationship or the particular changes that might be needed in the structure of the United Nations or the international organization and merely states that we need international institutions capable of resolving serious disputes and capable of enforcing peace.

It does not, as some have feared, bypass the United Nations but makes it perfectly clear that we recognize our commitment to the United Nations.

And, of course, it does not commit the United States to any specific course of action but focuses attention instead on the goal.

Now I think that every person can only applaud the steps that the President has taken to try to ease tensions in this dangerous world and to proclaim as his goal a "generation of peace."

Yet I would like to suggest that a generation of peace is not enough. Perhaps it would be a great improvement over the past generation, but it is not enough because if at the end of a generation we have not created a firm foundation for a peaceful world, we could have an even greater holocaust than any previously experienced. In the nuclear age we must have permanent peace.

Now for interim measures to work we must, I believe, have some idea of what should be the fundamental forum of a peaceful world and I suggest that for purposes of reaching out and sketching in such a forum that this resolution goes far enough.

Again I would like to emphasize that in my view the virtue of the resolution is that it does not spell out the forum and it does not spell out the steps but states a goal. If we can agree on the goal, then I think we are in a position in the Congress to move much more efficiently and expeditiously toward that goal.

That completes my statement, Mr. Chairman. I would be happy to answer any questions if anyone has any.

Mr. FRASER. Thank you very much. Your statement is very direct and very much to the point of some of the concerns that have been raised with respect to the nature of the resolution itself and the implementation that has inured.

Mr. WINN. I have just one question. I appreciate your presentation. I know you are most sincere, but I also see that you did not cosponsor the resolution. Is there any particular reason?

Mr. SEIBERLING. I did cosponsor the resolution.

Mr. WINN. Not in the copy we have.

Mr. FRASER. That may be another file number.

Mr. SEIBERLING. I think that may be a later edition of the original resolution but, in any event, if I did not, somebody slipped up because I intended to cosponsor it.

Mr. WINN. I have no questions.

Mr. FRASER. Thank you very much for joining us, Congressman.

Mr. SEIBERLING. I regret I am unable to stay for the questioning of Mr. Stanley and Dr. Price, but I have an important caucus of the House Judiciary Committee to attend, if you will excuse me.

Thank you.

Mr. FRASER. Let me direct this question to both of you.

The present policy of the President to build détente with the Soviet Union is in some respects highlighting some of the difficulties that have emerged in our relations. I could point to a number of problems that we see from the point of view of the United States, but let me mention two.

One is illustrated by the Solzhenitsyn exile. The other is the current effort by the Soviet Union to encourage the Arab countries to maintain the embargo on the shipment of oil to the United States—hardly a policy that seems consistent with détente. I make that observation in a preliminary way.

What do we do in our efforts to move ahead in the building of institutions with the problem of a major superpower like the Soviet Union

with whom we find these divergent views about what détente should consist of and the problems of human rights?

Mr. PRICE. May I say a word on that, Mr. Congressman.

I think that it would be unwise to expect détente to mean agreement with the Soviet Union on issues. We do not agree in this country on important issues. The North and the South have had serious disagreements on certain issues and there are continuing disagreements inside this country.

It seems to me it would be folly to really expect that the Soviet Union and the United States could agree on basic issues that might divide us.

So I would think we would expect the Soviet Union to have a different point of view on the Arab oil embargo and on the Solzhenitsyn expulsion than the United States would have. It seems to me what we need to do in an era of détente is not to hope and expect for them to change their views and agree with us or the United States to subvert its views and agree with the Soviet Union, but to work for building the institutions that can make the necessary decisions that will make it possible for us to live together with our disagreements.

I have a very simple analogy in that situation which you may or may not feel is pertinent. But I would like to believe that expecting the Soviet Union and the United States to agree on issues is about like expecting North Carolina State and the Maryland basketball teams to agree on who is going to win the ball game.

What we need is the rules and the referees by which the ball game can be decided and which we will both adhere to and accept and in my opinion the era of détente can serve a very useful purpose if it works toward resolving that kind of an issue; what kinds of institutions can we build rather than can we agree on all the issues that might divide us.

Mr. WINN. Might I add I think that is a fantastically good answer to the question that the chairman brought up. Very good.

Mr. STANLEY. May I comment, Mr. Chairman? I think we are fortunate that steps have been made toward détente, because they let the Soviet Union and the United States talk to one another bilaterally at this stage on problems that are of common interest.

I agree completely with Dr. Price that we should not expect détente to mean complete agreement. Quite the contrary. It is important to note that when the initiative came to the Security Council of the United Nations last October, from nonalined nonpermanent members, to establish a U.N. Peace Force in the Middle East—the Soviet Union did concur as did the United States.

Now I believe that in the Soviet Union, just as in this country, there are hawks and doves, and people in the ranges between relative to relationships between these two countries.

I had the good fortune to spend a few weeks in the Soviet Union last year as a guest of the U.S.S.R. Academy of Science. This opportunity arose out of Soviet participation in several Stanley Foundation conferences.

I certainly sensed a great relief on the part of the people I was with—mostly academics, not decisionmakers—that at last we could start talking about some things of common interest.

The way to handle the détente is to recognize that, it does not solve all problems: It does not bring the two countries together on all issues. But it does let us get at issues I believe to be of great importance: Arms limitation and the use of world institutions to deal with peace and security.

We must stop the arms race. We have to find ways to check it. Despite controversies over SALT, détente has provided an opportunity for our countries to find agreement. We are both concerned with the financial load and other problems that come upon us, from the arms race.

I was very disappointed to see us write off as sheer propaganda the Soviet proposal at the United Nations of a 10-percent reduction of arms expenditures. I recognize the points made by our U.S. Ambassador as he responded to the Soviet proposal. There is no exact means of determining what military budgets are, nor of verification of reductions. But we should have said, "Fine, let's get down to cases, how do we bring this about?" This is an area where we can do some good with the détente, and we need to.

Mr. FRASER. I have one other question that I want to pose.

It was illustrated in the U.N. last week, in the Commission on Human Rights—that is the difficulty in the multilateral framework in the U.N. forum or in any other international forum—of persuading, if this needs to be done, and it clearly needed to be done at least in the Commission on Human Rights—countries to divorce their bilateral interests, that is their interests that accompany bilateral relations with other countries, divorce those policy lines from the actions that we may take in an international forum.

The Commission has before it a report from a subcommission dealing with apparent human rights violations by nations. The only question was should there be a further inquiry into these apparent violations.

Yet both the United States as well as the Soviet Union and other countries not wanting to encumber their bilateral relations with the countries involved, managed to find procedural ways to avoid coming to a vote on the issue.

What do we do about this problem? In other words, how can we look for an international forum being anything else than another arena in which unilaterial interests are pursued?

Mr. PRICE. Again, I would like to recall to your attention one of the institutions which Justice Goldberg suggested we ought to make more use of. That is the International Court of Justice. It may well be that in some of these issues, we are trying to resolve by political institutions issues that could best be resolved by a court.

I do not know the exact details of the case you had in mind. But there certainly are some issues in this country with which the Congress as a political body might have great difficulty in coping, which get referred instead to the Supreme Court for a legal resolution. If the policy has been decided by the political body, the interpretation as to whether country A is in fact abiding by or not abiding by the agreed policy, should not be a political decision. It should be a decision of a court.

It might take some of the decisions out of the political context that they are now in and make possible decisions on a judicial basis. I

suggest that that is one of the reasons why it is so important to make the progress which Justice Goldberg urged to get the International Court of Justice working to interpret and decide on those issues in which the policy has been agreed on.

The policy that has been agreed on in the declaration of the U.N. now because a question of whether or not a certain party is abiding by or breaking those agreements.

I think you would find that kind of question rather hard to decide in the Congress of the United States.

Mr. STANLEY. Dr. Price has mentioned one approach. I look forward with some cautious optimism to the possibility of a maturing, if you will, of attitudes within the General Assembly. This maturing process involves the powerful nations of the United Nations that tend to bypass it. This includes the United States which can no longer command in the General Assembly a majority like we did initially. It certainly involves maturing on the part of many of the newer nations, the so-called nonalined nations. They have a tendency to resort to "bloc voting," arranged through caucases—we have caucuses in this country too. But they often make up their minds on an issue without any real consideration of its merits.

I believe there is hope for progress over a period of time that would make the actions of the General Assembly and of its committees and commissions, more responsible. There is now the split because the developing nations are not vitally interested in the issues that concern the developed nations and vice versa. The more developed nations are concerned with peace, security, pollution, and so forth. The developing nations are most interested in their own economic and social development and money to accomplish it. There is room for give and compromise in these areas that can hopefully lessen the split. I have cautious optimism. Although there is no simple answer to the problem.

Mr. FRASER. Mr. Winn.

Mr. WINN. Thank you, Mr. Chairman.

Professor Price, in your opening biography here, I see you served as chairman of a great many organizations, and I just wondered, with all of these contacts with those organizations what you personnally are doing to support the U.S. efforts to effect the direction that the United States might be taking in the SALT talks.

In other words, I have a hunch—I may be wrong—that I am hearing from Justice Goldberg that he is greatly in favor of the SALT talks, and from you, and I believe Mr. Stanley, and I wondered what all three of you are doing to further those thoughts besides telling us. What are you doing publicly?

Mr. PRICE. That is a very good question, Mr. Winn. I can speak, I guess, most currently about the Council for a Livable World. Its political efforts are twofold. One is to elect Members of the Senate of the United States who might be sympathetic to efforts to minimize the risk of nuclear war and then to work with lobbying, political action in Washington, education and political programs, but again mainly with the Senate through which we are most actively devoted.

We have suffered in the last year from the fact we have not had a Washington lobbyist, and just on the 1st of February we now have

secured the services of Mr. Charles Bosley, and I can assure you we will be a lot more active in these issues.

We have found that it is somewhat difficult to know exactly what is going on in the SALT negotiations. The records do not seem to be clear and readily available as to what proposals the United States is currently making.

The record of the council has certainly been to support measures that would limit the U.S. military operations to those things which are necessary and are nonprovocative, and it is my hope that the SALT talks will move in this direction.

The first result of SALT I was one which we did not feel was entirely satisfactory in that it set limits in some cases above current levels rather than below current levels, although it certainly did accomplish one major step in agreeing to eliminate the antiballistic missile essentially.

That was an extremely useful step. We sincerely hope there will be other useful steps in the SALT talks ahead that will begin to lower the level of armaments.

It is a difficult, extremely difficult task. We have members of our board who are arms experts. I am not an arms expert, but we have members of the board of the council who are experts in this field, who work closely with the people in this area, and we certainly do expect and hope that there will be some progress.

But we find it—to be very frank and honest with you—rather frustrating that there is so little information available on which we can make an input.

Mr. WINN. I am sure you are right, but let me back up. Three times you have used the statement, "we hope." "We pray and hope," I believe were the three words you said. Now, you talk about lobbying. The Congress does not have much to say about the SALT talks. There are basically two grounds. That is the State Department and the military.

Now what are you doing as far as the contact for input in the military? Whether they tell you what they are thinking or not, what are you doing in trying to contact them? I think you are running around Capitol Hill if you think Congress has much to say about it.

Mr. PRICE. Just this morning, Mr. Winn, we were discussing—"we" being Mr. Bosley and myself—the most fruitful approaches we might make to the Arms Control Disarmament Agency which is part of the administration, and we feel very strongly—we agree with you that many of these issues are decided not by Congress but by the administration.

I think we have been too long negligent of making use of our capabilities to work with the administration and the atmosphere has been somewhat discouraging, but it should not deter us from making the effort.

We are intending to try to talk with officials of the Arms Control Disarmament Agency about some of the concerns which I expressed here today and about the SALT talks, and we will be carrying out that objective.

As I say, we have only been really back where we could begin to work on this since the 1st of February.

Mr. WINN. You are talking about the one organization; I am talking about all these boards. You say it is a little discouraging to work with the administration. Looking at the names of some of the organizations and the boards on which you serve, I am sure it is a little discouraging to the administration to maybe talk to you in some cases on some past events.

But my point is, where do we go from here forward, and if they thought that some of the organizations that had opposed their positions in the past would cooperate and help them secure some of the things that they would like to get out of the SALT talks, I think maybe you are going back to what this whole hearing is about.

I just want to encourage you to try to do it. I don't think the administration is going to turn a deaf ear to you. I don't think the military is going to tell your organizations exactly what they want, but I am sure they will be glad to listen to what you think might be possible.

Mr. PRICE. I certainly appreciate your encouragement.

Mr. WINN. If they don't, I will see to it that they do.

Mr. PRICE. I apreciate your encouragement and we will take those words to heart.

Mr. WINN. Let me ask you one more question and we are going to try to make up another part of the bill as soon as we get a quorum.

Mr. Price, you talked on page 8 about, "* * * much has been written about the inherent combative, competitive, warlike nature of life and man." There is no doubt about it and you say, "but these forces of disintegration and disorganization are indeed the natural forces of death and extinction."

I don't think there is much doubt about that. but I wondered—and I listened intently to your presentation, I thought it very interesting—but I don't know how you are going to, through an organization, change the physical makeup of many people in the world of competitive necessity. Competition, combative necessity.

I don't mean war. Husbands and wives may love like crazy for years and years and years, but there is a competition there and there is a competitive necessity there that sometimes erupts into physical battle, maybe.

Mr. PRICE. Your point is extremely well taken, Mr. Congressman, and there is no question that competitive necessity and conflict is an inevitable part of human life. Of that, there is no question whatsoever in my mind.

The question is: Can we devise institutions which in most cases alleviate that competitive conflict from erupting into violence? It never will eliminate it. We have a law against murder but it does not prevent people from murdering. We have a law against kidnaping, but it does not keep people from kidnaping. We have a law against robbing banks, but it does not stop people from robbing banks.

But these are deterrents from overt action against the law. It seems to me what we need in this area of war prevention is the institutions that can minimize the possibility—not eliminate—but minimize the possibility that conflict will become so serious that people will feel that the only resort is to mass violence.

Mr. WINN. But they would have to be given the authority to make them the authority or the power by the participating countries. Right?

Mr. PRICE. I agree with that completely.

Mr. WINN. And if they do not give them the teeth—we can agree, we can say all the countries in the world agree to a certain organization and institutions—but if those same countries do not give them the teeth to enforce, like we do our law, to enforce their decisions, whether it is a veiled threat or whatever it might be, then it is not going to work.

Mr. PRICE. With that I agree. I would like to add the comment, sir, that we are unlikely—we in the United States and other nations—are unlikely to make that concession of authority to an outside body until and unless we are convinced that the advantages that we can gain by cooperative action in this way outweigh the losses that we might suffer.

I think it would be Utopia to say we might not suffer some losses, but the point is, it will not happen until we and others are convinced that we will gain more by pooling some of our authority into an international institution, than we gain by the present system.

Mr. WINN. I would like to say for Mr. Stanley—I have been in Russia twice in the last 10 months—I met with the academician of sciences both times and our counterparts in government on the second trip. We had a 3-hour meeting in the Kremlin and not only were the scientists very favorable toward détente, but I was skeptical because I did not think that the scientists were doing anything.

But when I found that our scientists could talk to their politicians and their scientists could talk to our politicians, then I knew we were on the same mat, so to speak, and they, too, are just as interested in détente.

They made it clear they were not trying to change our way of life and they did not think we were going to change their way of life and this is one of the points you brought out.

I have no further questions, Mr. Chairman. Thank you.

Mr. FRASER. Mr. Stanley, you may find it useful to comment on some of Mr. Winn's questions.

Mr. STANLEY. Mr. Winn spoke of certain organizations that Dr. Price had listed in his qualifications. I would answer by referring to my personal activities. They are largely focused through the Stanley Foundation. As it is a private operating foundation under the legislation of the 1969 Tax Reform Act, it cannot be involved in political action.

The foundation's worth is essentially in the areas of research and education. For 14 years we have sponsored the Strategy for Peace Conferences. One discussion group in each of these conferences has dealt with some facet of arms control or disarmament, for the last several years we have had at least one Soviet participating in the group. We have had people from ACDA and the Pentagon together with arms experts from outside Government. I am sure many ideas generated there have filtered back to Government.

We have also sponsored a series of conferences called the United Nations of the Next Decade. Our most recent one—the eighth—was held in Italy last summer. It involved discussions among diplomats from 22 countries, including the Soviet Union and the United States on the topic: Peace and Security; New Opportunities. The conference—informally, not stated in the report—developed a formula that was used in the 28th General Assembly to implement an ad hoc committee to study the World Disarmament Conference.

The World Disarmament Conference is a conference that is needed, although the United States has opposed it. It would not serve as a negotiating body for it is too large—negotiations require a smaller group. But it could allow 140 nations the opportunity to give emphasis and priority in the field of disarmament, its voice would hopefully be strong enough that superpowers, including the United States, would listen.

These are but two approaches that I have used. While not political action, the research and education output of these activities often filters through to the people who make decisions.

I would agree with Dr. Price that it is most confusing to follow SALT talks because a custom of complete secrecy is pulled down over them. Everything is classified. Even fully qualified experts in the field of arms control and disarmament outside of the Government—people who formerly worked for the Government— are not knowledgeable—about what is going on in those negotiations.

Mr. WINN. I think that is one of problems of negotiations that are important to the entire world, as the SALT talks are; how much do they tell you. How many signals is the quarterback going to tell the other team or print in the paper, and I mean print in the paper, because whatever would come out, whatever they told some of your organization or other organizations, is going to be printed in the paper so the other side—it leaves very little for negotiations. I think we all understand that.

I think your remarks that some agreements were informally reached outside and not a part of the record is indicative of something that could perhaps lead us into a great expansion of joint efforts including military.

Mr. STANLEY. I agree completely. You have emphasized the value of informal discussions. I strongly believe in them. It is most helpful to provide opportunities for dialog in relaxed, relatively informal situations. This often allows people whose public positions are far apart to find a basis of agreement that filters back to their governments.

Mr. WINN. I agree. We found that in Russia that when some of the Russians wanted to speak to us informally, why we were gently escorted from the room and we would just take a walk out in the garden or something, where there was not a microphone in some flowers or something.

We may be doing the same thing here. I don't know. I can talk to these people.

Mr. STANLEY. And we need to as much as we can.

Mr. FRASER. I want to thank both of you, Professor Price and Mr. Stanley, for a very informative and illuminating statement and discussion. This gives us a very good beginning.

Mr. BINGHAM. I would like to say I am sorry to have missed the session today. I have read the statements and I commend you on them. I was absent only because I was trying to protect the environment from the coal stripper.

Thank you.

[Whereupon, at 12 noon, the subcommittee adjourned, subject to call of the Chair.]

APPENDIX

LETTER FROM CHARLES S. RHYNE, PRESIDENT, WORLD PEACE THROUGH LAW CENTER, DATED MARCH 12, 1974, IN SUPPORT OF "RIGHT TO PEACE" RESOLUTION

WORLD PEACE THROUGH LAW CENTER,
Washington, D.C., March 12, 1974.

SUBCOMMITTEE ON INTERNATIONAL ORGANIZATIONS AND MOVEMENT,
Rayburn House Office Building,
Washington, D.C.

GENTLEMEN: We write in support of the Drinan-Packwood—"Right to Peace" resolution—Senate Concurrent Resolution 65.

With the proliferation of nuclear weapons, the concept of war has lost its relevancy to the modern world, since war now means the instantaneous annihilation of untold billions of human beings and other forms of life, as well as the destruction of the world's physical environment. And, as we have seen in recent years, wars, less than nuclear, involve the killing and maiming of some of the world's brightest hopes—its youth.

War, in no matter what form, is no longer a tolerable, acceptable means of solving international disputes between nations and people.

An acceptable alternative to this atavistic carnage exists. It exists in the laws and legal institutions that exist today in the internationalized world. These laws and legal institutions can be used for the peaceful resolution of disputes only if they are strengthened by all nations with the commitment of the peoples of the world.

Senate Concurrent Resolution 65 recognizes this very basic right to peace by emphasizing that strong world law and world institutions can completely replace the use of force between nations. As a nation of laws wherein each person can pursue justice with equality and dignity, we of the United States realize the importance of law and legal institutions to a peaceful society. With a world of laws and legal institutions, each nation and the peoples of each nation will be able to pursue justice with equality and dignity in the same manner.

For years, the calendar of the International Court of Justice has been empty, or has had only a few cases. The decision of Nations to forego international judicial determination of disputes does not thereby prove that international law and institutions are unworkable. The machinery, the law, the courts exist, but they must be used if our desired goal of a world at peace is to be realized.

We wholeheartedly support this Resolution which is a vital first step in strengthening these international institutions, and we appreciate your consideration of our views.

Sincerely,

CHARLES S. RHYNE, *President.*

STATEMENT OF SAMUEL DE PALMA, INTERNATIONAL TELEPHONE & TELEGRAPH CORP., FORMER ASSISTANT SECRETARY OF STATE FOR INTERNATIONAL ORGANIZATION AFFAIRS

NEW YORK, *March 15, 1974.*

IN SUPPORT OF RIGHT TO PEACE RESOLUTION

I welcome the opportunity to record my strong support for the "Right to Peace" resolution now before this Committee.

At a time when lack of confidence in the United Nations has led many to abandon hope that it can maintain peace, it is necessary to consider the alternatives in the light of where our real interests lie. Having no national will to world domination, even when we sought at times to act for an absent world policeman, and given a national ethic based on respect for fundamental freedoms—however much we have sometimes failed to serve it—the United States has no choice but to reach persistently for a just and safe world order through respect for the rule of law and institutionalized international cooperation.

The United States was right to take the lead in establishing the United Nations at a time when idealism and realism were happily joined. Along with other Member States, however, the United States was wrong in expecting far too much of the Organization, from the very beginning. The disappointments we have experienced should be seen in part as reflecting the failure to sustain our commitment. Mainly, however, they are indicative of the long way yet to be travelled by the international community before it emerges from the rampant nationalism which often frustrates international cooperation in and out of the United Nations.

But, I see no reason to despair. How could it have been otherwise in an era which saw the birth of so many nations, all needing to assert their uncertain sovereignty while the scope for unilateral action is steadily shrinking under the pressures of technology and economic interdependence? The times are indeed confusing and frustrating!

Nevertheless, I believe that support for the international system envisaged by the Charter of the United Nations remains the most realistic policy for the United States. Our aberrant behavior at times has only served to make clear that this policy is most consonant with our deepest aspirations for world peace, justice, respect for human rights, and a better life for all peoples. While waiting for political wisdom to overtake technology, we have had to seek safety and progress in alignments with a few powerful states, but history and our national ethic warn us that we had better make the best possible use of any time thus gained to build a more stable world order on a basis more likely to receive the sustained support of the American people.

That is why I commend the sponsors of the concurrent resolution and urge its adoption by the Congress.

I must, at the same time, express my concern that this resolution might be misinterpreted by some as a call to hand over to the United Nations problems which it is not now able to solve. It would be equally damaging to read it as a demand for rewriting the UN Charter without further delay. An attempt now to substitute an "improved" or "more relevant" set of institutions for the United Nations would risk its destruction when it is unlikely that anything as substantial could be built in its place. Planning for improvements should begin now, but it will be years before we reach agreement among ourselves, let alone with other member governments.

Meanwhile, efforts to improve the performance of the United Nations would much more realistically and fruitfully be applied to the policies of member governments. There is where the main fault lies—and we would do well to begin by reexamining our own performance.

I believe the Resolution on the "Right to Peace" will best accomplish its purpose if it inspires the public, the Congress, and the Administration to give greater support to the many vital public services for the world community already being performed by the United Nations' system, and if it moves all of us to work harder to devise ways in which the Organization might deal more effectively with other issues involving political and security matters.

This resolution can stand as a landmark on the long road to international peace.

If it reawakens public awareness of our deepest moral and political instincts and how they could be served by a more effective United Nations;

If it inspires the Congress to apply the same consensual test to international proceedings that it applies to its own and to extend our fair share of financial and other support to constructive UN programs; and

If it is taken as an invitation by the Administration to exert leadership toward these ends commensurate with its generally admirable statements.

If, on the other hand, the resolution is ignored or misunderstood, then it will be another example of the futility of idealistic pronouncements for international peace which overlooked the hard work and mutual sacrifice essential to its achievement.

My earnest hope is that this resolution will be heard as a call for action in the spirit of the UN Charter and our own moral and political convictions.

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