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Edited by

Grotius

John A. Vasquez

Vanderbilt University

Clark and

Sohl



PRENTICE HALL, Upper Saddle River, New Jersey 07458

7. The World Must Be Made Safe for Democracy The Fourteen Points

WOODROW WILSON

THE WORLD MUST BE MADE SAFE FOR DEMOCRACY

I have called the Congress into extraordinary session because there are serious, very serious, choices of policy to be made, and made immediately, which it was neither right nor constitutionally permissible that I should assume the responsibility of making.

On the third of February last I officially laid before you the extraordinary announcement of the Imperial German Government that on and after the first day of February it was its purpose to put aside all restraints of law or of humanity and use its submarines to sink every vessel that sought to approach either the ports of Great Britain and Ireland or the western coasts of Europe or any of the ports controlled by the enemies of Germany within the Mediterranean. That had seemed to be the object of the German submarine warfare earlier in the war, but since April of last year the Imperial Government had somewhat restrained the commanders of its undersea craft in conformity with its promise then given to us that passenger boats should not be sunk and that due warning would be given to all other vessels which its submarines might seek to de-

stroy, when no resistance was offered or escape attempted, and care taken that their crews were given at least a fair chance to save their lives in their open boats. The precautions taken were meager and haphazard enough, as was proved in distressing instance after instance in the progress of the cruel and unmanly business, but a certain degree of restraint was observed. The new policy has swept every restriction aside. Vessels of every kind, whatever their flag, their character, their cargo, their destination, their errand, have been ruthlessly sent to the bottom without warning and without thought of help or mercy for those on board, the vessels of friendly neutrals along with those of belligerents. Even hospital ships and ships carrying relief to the sorely bereaved and stricken people of Belgium, though the latter were provided with safe conduct through the proscribed areas by the German Government itself and were distinguished by unmistakable marks of identity, have been sunk with the same reckless lack of compassion or of principle.

I was for a little while unable to believe that such things would in fact be done by any government that had hitherto subscribed to the humane practices of civilized nations.

From Address to Congress Asking for Declaration of War, April 2, 1917; Address to Congress, January 8, 1918.

International law had its origin in the attempt to set up some law which would be respected and observed upon the seas, where no nation had right of dominion and where lay the free highways of the world. By painful stage after stage has that law been built up, with meager enough results, indeed, after all was accomplished that could be accomplished, but always with a clear view, at least, of what the heart and conscience of mankind demanded. This minimum of right the German Government has swept aside under the plea of retaliation and necessity and because it had no weapons which it could use at sea except these which it is impossible to employ as it is employing them without throwing to the winds all scruples of humanity or of respect for the understandings that were supposed to underlie the intercourse of the world. I am not now thinking of the loss of property involved, immense and serious as that is, but only of the wanton and wholesale destruction of the lives of noncombatants, men, women, and children, engaged in pursuits which have always, even in the darkest periods of modern history, been deemed innocent and legitimate. Property can be paid for; the lives of peaceful and innocent people cannot be. The present German submarine warfare against commerce is a warfare against mankind.

It is a war against all nations. American ships have been sunk, American lives taken, in ways which it has stirred us very deeply to learn of, but the ships and people of other neutral and friendly nations have been sunk and overwhelmed in the waters in the same way. There has been no discrimination. The challenge is to all mankind. Each nation must decide for itself how it will meet it. The choice we make for ourselves must be made with a moderation of counsel and a temperateness of judgment befitting our character and our motives as a nation. We must put excited feeling away. Our motive will not be revenge or the victorious assertion of the physical might of the nation, but only the vindication of right, of human right, of which we are only a single champion.

When I addressed the Congress on the twenty-sixth of February last I thought that it

would suffice to assert our neutral rights with arms, our right to use the seas against unlawful interference, our right to keep our people safe against unlawful violence. But armed neutrality, it now appears, is impracticable. . . . There is one choice we cannot make, we are incapable of making: we will not choose the path of submission and suffer the most sacred rights of our Nation and our people to be ignored or violated. The wrongs against which we now array ourselves are no common wrongs; they cut to the very roots of human life.

With a profound sense of the solemn and even tragical character of the step I am taking and of the grave responsibilities which it involves, but in unhesitating obedience to what I deem my constitutional duty, I advise that the Congress declare the recent course of the Imperial German Government to be in fact nothing less than war against the Government and people of the United States; that it formally accept the status of belligerent which has thus been thrust upon it; and that it take immediate steps not only to put the country in a more thorough state of defense but also to exert all its power and employ all its resources to bring the Government of the German Empire to terms and end the war. . . .

While we do these things, these deeply momentous things, let us be very clear, and make very clear to all the world what our motives and our objects are. My own thought has not been driven from its habitual and normal course by the unhappy events of the last two months, and I do not believe that the thought of the Nation has been altered or clouded by them. I have exactly the same things in mind now that I had in mind when I addressed the Senate on the twenty-second of January last; the same that I had in mind when I addressed the Congress on the third of February and on the twenty-sixth of February. Our object now, as then, is to vindicate the principles of peace and justice in the life of the world as against selfish and autocratic power and to set up amongst the really free and self-governed peoples of the world such a concert of purpose and of action as will henceforth insure the observance of those

principles. Neutrality is no longer feasible or desirable where the peace of the world is involved and the freedom of its peoples, and the menace to that peace and freedom lies in the existence of autocratic governments backed by organized force which is controlled wholly by their will, not by the will of their people. We have seen the last of neutrality in such circumstances. We are at the beginning of an age in which it will be insisted that the same standards of conduct and of responsibility for wrong done shall be observed among nations and their governments that are observed among the individual citizens of civilized states.

We have no quarrel with the German people. We have no feeling towards them but one of sympathy and friendship. It was not upon their impulse that their government acted in entering the war. It was not with their previous knowledge or approval. It was a war determined upon as wars used to be determined upon in the old, unhappy days when people were nowhere consulted by their rulers and wars were provoked and waged in the interest of dynasties or of little groups of ambitious men who were accustomed to use their fellow men as pawns and tools. Self-governed nations do not fill their neighbor states with spies or set the course of intrigue to bring about some critical posture of affairs which will give them an opportunity to strike and make conquest. Such designs can be successfully worked out only under cover and where no one has the right to ask questions. Cunningly contrived plans of deception or aggression, carried, it may be, from generation to generation, can be worked out and kept from the light only within the privacy of courts or behind the carefully guarded confidences of a narrow and privileged class. They are happily impossible where public opinion commands and insists upon full information concerning all the nation's affairs.

A steadfast concert for peace can never be maintained except by a partnership of democratic nations. No autocratic government could be trusted to keep faith within it or observe its covenants. It must be a league of

honor, a partnership of opinion. Intrigue would eat its vitals away; the plottings of inner circles who could plan what they would and render account to no one would be a corruption seated at its very heart. Only free peoples can hold their purpose and their honor steady to a common end and prefer the interests of mankind to any narrow interest of their own. . . .

One of the things that has served to convince us that the Prussian autocracy was not and could never be our friend is that from the very outset of the present war it has filled our unsuspecting communities and even our offices of government with spies and set criminal intrigues everywhere afoot against our national unity of counsel, our peace within and without, our industries and our commerce. Indeed, it is now evident that its spies were here even before the war began; and it is unhappily not a matter of conjecture but a fact proved in our courts of justice that the intrigues which have more than once come perilously near to disturbing the peace and dislocating the industries of the country have been carried on at the instigation, with the support, and even under the personal direction of official agents of the Imperial Government accredited to the Government of the United States. Even in checking these things and trying to extirpate them we have sought to put the most generous interpretation possible upon them because we knew that their source lay not in any hostile feeling or purpose of the German people towards us (who were no doubt as ignorant of them as we ourselves were), but only in the selfish designs of a Government that did what it pleased and told its people nothing. But they have played their part in serving to convince us at last that that Government entertains no real friendship for us and means to act against our peace and security at its convenience. That it means to stir up enemies against us at our very doors the intercepted note to the German Minister at Mexico City is eloquent evidence.

We are accepting this challenge of hostile purpose because we know that in such a Government, following such methods, we can never have a friend; and that in the presence

of its organized power, always lying in wait to accomplish we know not what purpose, there can be no assured security for the democratic Governments of the world. We are now about to accept gage of battle with this natural foe to liberty and shall, if necessary, spend the whole force of the Nation to check and nullify its pretensions and its power. We are glad now that we see the facts with no veil of false pretense about them, to fight thus for the ultimate peace of the world and for the liberation of its peoples, the German peoples included: for the rights of nations great and small and the privilege of men everywhere to choose their way of life and of obedience. The world must be made safe for democracy. Its peace must be planted upon the tested foundations of political liberty. We have no selfish ends to serve. We desire no conquest, no dominion. We seek no indemnities for ourselves, no material compensation for the sacrifices we shall freely make. We are but one of the champions of the right of mankind. We shall be satisfied when those rights have been made as secure as the faith and the freedom of nations can make them.

Just because we fight without rancor and without selfish object, seeking nothing for ourselves but what we shall wish to share with all free people, we shall, I feel confident, conduct

our operations as belligerents without passion and ourselves observe with proud punctilio the principles of right and of fair play we profess to be fighting for. . . .

It is a distressing and oppressive duty, Gentlemen of the Congress, which I have performed in thus addressing you. There are, it may be, many months of fiery trial and sacrifice ahead of us. It is a fearful thing to lead this great peaceful people into war, into the most terrible and disastrous of all wars, civilization itself seeming to be in the balance. But the right is more precious than peace, and we shall fight for the things which we have always carried nearest our hearts—for democracy, for the right of those who submit to authority to have a voice in their own Governments, for the rights and liberties of small nations, for a universal dominion of right by such a concert of free peoples as shall bring peace and safety to all nations and make the world itself at last free. To such a task we can dedicate our lives and our fortunes, everything that we are and everything that we have, with the pride of those who know that the day has come when America is privileged to spend her blood and her might for the principles that gave her birth and happiness and the peace which she has treasured. God helping her, she can do no other.

THE FOURTEEN POINTS

. . . It will be our wish and purpose that the processes of peace, when they are begun, shall be absolutely open and that they shall involve and permit henceforth no secret understandings of any kind. The day of conquest and aggrandizement is gone by; so is also the day of secret covenants entered into in the interest of particular governments and likely at some unlooked-for moment to upset the peace of the world. It is this happy fact, now clear to the view of every public man whose thoughts do not still linger in an age that is dead and gone, which makes it possible for every nation whose purposes are consistent with justice and the peace

of the world to avow now or at any other time the objects it has in view.

We entered this war because violations of right had occurred which touched us to the quick and made the life of our own people impossible unless they were corrected and the world secured once and for all against their recurrence. What we demand in this war, therefore, is nothing peculiar to ourselves. It is that the world be made fit and safe to live in; and particularly that it be made safe for every peace-loving nation which, like our own, wishes to live its own life, determine its own institutions, be assured of justice and fair deal-

ing by the other people of the world as against force and selfish aggression. All the peoples of the world are in effect partners in this interest, and for our own part we see very clearly that unless justice be done to others it will not be done to us. The program of the world's peace, therefore, is our program; and that program, the only possible program, as we see it, is this:

I. Open covenants of peace, openly arrived at, after which there shall be no private international understandings of any kind but diplomacy shall proceed always frankly and in the public view.

II. Absolute freedom of navigation upon the seas, outside territorial waters, alike in peace and in war, except as the seas may be closed in whole or in part by international action for the enforcement of international covenants.

III. The removal, so far as possible, of all economic barriers and the establishment of an equality of trade conditions among all the nations consenting to the peace and associating themselves for its maintenance.

IV. Adequate guarantees given and taken that national armaments will be reduced to the lowest point consistent with domestic safety.

V. A free, open-minded, and absolutely impartial adjustment of all colonial claims, based upon a strict observance of the principle that in determining all such questions of sovereignty the interests of the populations concerned must have equal weight with the equitable claims of the government whose title is to be determined.

VI. The evacuation of all Russian territory and such a settlement of all questions affecting Russia as will secure the best and freest cooperation of the other nations of the world in obtaining for her an unhampered and unembarrassed opportunity for the independent determination of her own political development and national policy and assure her of a sincere welcome into the society of free nations under institutions of her own choosing; and, more than a welcome, assistance also of every kind that she may need and may herself desire. The treatment accorded Russia by her sister

nations in the months to come will be the acid test of their good will, of their comprehension of her needs as distinguished from their own interests, and of their intelligent and unselfish sympathy.

VII. Belgium, the whole world will agree, must be evacuated and restored, without any attempt to limit the sovereignty which she enjoys in common with all other free nations. No other single act will serve as this will serve to restore confidence among the nations in the laws which they have themselves set and determined for the government of their relations with one another. Without this healing act the whole structure and validity of international law is forever impaired.

VIII. All French territory should be freed and the invaded portions restored, and the wrong done to France by Prussia in 1871 in the matter of Alsace-Lorraine, which has unsettled the peace of the world for nearly fifty years, should be righted, in order that peace may once more be made secure in the interest of all.

IX. A readjustment of the frontiers of Italy should be effected along clearly recognizable lines of nationality.

X. The peoples of Austria-Hungary, whose place among the nations we wish to see safeguarded and assured, should be accorded the freest opportunity of autonomous development.

XI. Rumania, Serbia, and Montenegro should be evacuated; occupied territories restored; Serbia accorded free and secure access to the sea; and the relations of the several Balkan states to one another determined by friendly counsel along historically established lines of allegiance and nationality; and international guarantees of the political and economic independence and territorial integrity of the several Balkan states should be entered into.

XII. The Turkish portions of the present Ottoman Empire should be assured a secure sovereignty, but the other nationalities which are now under Turkish rule should be assured an undoubted security of life and an absolutely unmolested opportunity of autonomous development, and the Dardanelles should be per-

manently opened as a free passage to the ships and commerce of all nations under international guarantees.

XIII. An independent Polish state should be erected which should include the territories inhabited by indisputably Polish populations, which should be assured a free and secure access to the sea, and whose political and economic independence and territorial integrity should be guaranteed by international covenant.

XIV. A general association of nations must be formed under specific covenants for the purpose of affording mutual guarantees of political independence and territorial integrity to great and small states alike.

In regard to these essential rectifications of wrong and assertions of right we feel ourselves to be intimate partners of all the governments and peoples associated together against the imperialists. We cannot be separated in interest or divided in purpose. We stand together until the end.

For such arrangements and covenants we are willing to fight and to continue to fight until they are achieved; but only because we wish the right to prevail and desire a just and stable peace such as can be secured only by removing the chief provocations to war, which this program does remove. We have no jealousy of German greatness, and there is nothing in this program that impairs it. We grudge her no achievement or distinction of learning or of pacific enterprise such as have made her record very bright and very enviable. We do not wish to injure her or to block in any way

her legitimate influence or power. We do not wish to fight her either with arms or with hostile arrangements of trade if she is willing to associate herself with us and the other peace-loving nations of the world in covenants of justice and law and fair dealing. We wish her only to accept a place of equality among the peoples of the world—the new world in which we now live—instead of a place of mastery.

Neither do we presume to suggest to her any alteration or modification of her institutions. But it is necessary, we must frankly say, and necessary as a preliminary to any intelligent dealings with her on our part, that we should know whom her spokesmen speak for when they speak to us, whether for the Reichstag majority or for the military party and the men whose creed is imperial domination.

We have spoken now, surely, in terms too concrete to admit of any further doubt or question. An evident principle runs through the whole program I have outlined. It is the principle of justice to all peoples and nationalities, and their right to live on equal terms of liberty and safety with one another, whether they be strong or weak. Unless this principle be made its foundation no part of the structure of international justice can stand. The people of the United States could act upon no other principle; and to the vindication of this principle they are ready to devote their lives, their honor, and everything that they possess. The moral climax of this the culminating and final war for human liberty has come, and they are ready to put their own strength, their own highest purpose, their own integrity and devotion to the test.

Chapter 13
The Democratic Security
Community

48. Perpetual Peace: A Philosophical Sketch

IMMANUEL KANT

'THE PERPETUAL PEACE'

A Dutch innkeeper once put this satirical inscription on his signboard, along with the picture of a graveyard. We shall not trouble to ask whether it applies to men in general, or particularly to heads of state (who can never have enough of war), or only to the philosophers who blissfully dream of perpetual peace. . . .

FIRST SECTION

**Which Contains the Preliminary
Articles of a Perpetual Peace
Between States**

1. 'No conclusion of peace shall be considered valid . . . if it was made with a secret reservation . . . for a future war.'

For if this were the case, it would be a mere truce, a suspension of hostilities, not a *peace*. Peace means an end to all hostilities, and to attach the adjective 'perpetual' to it is already suspiciously close to pleonasm. A conclusion of peace nullifies all existing reasons for a future war, even if these are not yet known to the

contracting parties, and no matter how acutely and carefully they may later be pieced together out of old documents. . . .

2. 'No independently existing state, whether it be large or small, may be acquired by another state by inheritance, exchange, purchase or gift.'

For a state, unlike the ground on which it is based, is not a possession (*patrimonium*). It is a society of men, which no-one other than itself can command or dispose of. Like a tree, it has its own roots, and to graft it on to another state as if it were a shoot is to terminate its existence as a moral personality and make it into a commodity. . . .

3. 'Standing armies (*miles perpetuus*) will gradually be abolished altogether.'

For they constantly threaten other states with war by the very fact that they are always prepared for it. They spur on the states to outdo one another in arming unlimited numbers of soldiers, and since the resultant costs eventually make peace more oppressive than a short war, the armies are themselves the cause of wars of aggression which set out to end burdensome military expenditure. Furthermore, the hiring of men to kill or to be killed seems to mean using them as mere machines and instruments in the hands of someone else (the state), which cannot eas-

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ily be reconciled with the rights of man in one's own person. It is quite a different matter if the citizens undertake voluntary military training from time to time in order to secure themselves and their fatherland against attacks from outside. But it would be just the same if wealth rather than soldiers were accumulated, for it would be seen by other states as a military threat; it might compel them to mount preventive attacks, for of the three powers within a state—the *power of the army*, the *power of alliance* and the *power of money*—the third is probably the most reliable instrument of war. It would lead more often to wars if it were not so difficult to discover the amount of wealth which another state possesses.

4. 'No national debt shall be contracted in connection with the external affairs of the state.'

There is no cause for suspicion if help for the national economy is sought inside or outside the state (e.g., for improvements to roads, new settlements, storage of foodstuffs for years of famine, etc.). But a credit system, if used by the powers as an instrument of aggression against one another, shows the power of money in its most dangerous form. . . . This ingenious system, invented by a commercial people [the British—Ed.] in the present century, provides a military fund which may exceed the resources of all the other states put together. It can only be exhausted by an eventual tax-deficit, which may be postponed for a considerable time by the commercial stimulus which industry and trade receive through the credit system. This ease in making war, coupled with the warlike inclination of those in power (which seems to be an integral feature of human nature), is thus a great obstacle in the way of perpetual peace. Foreign debts must therefore be prohibited by a preliminary article of such a peace, otherwise national bankruptcy, inevitable in the long run, would necessarily involve various other states in the resultant loss without their having deserved it, thus inflicting upon them a public injury. Other

states are therefore justified in allying themselves against such a state and its pretensions.

5. 'No state shall forcibly interfere in the constitution and government of another state.'

For what could justify such interference? Surely not any sense of scandal or offence which a state arouses in the subjects of another state. . . . And a bad example which one free person gives to another is not the same as an injury to the latter. But it would be a different matter if a state, through internal discord, were to split into two parts, . . . [Nevertheless,] as long as this internal conflict is not yet decided, the interference of external powers would be a violation of the rights of an independent people which is merely struggling with its internal ills. Such interference would be an active offence and would make the autonomy of all other states insecure.

6. 'No state at war with another shall permit such acts of hostility as would make mutual confidence impossible during a future time of peace. Such acts would include the employment of *assassins* (*percussores*) or *poisoners* (*venefici*), *breach of agreements*, the *instigation of treason* (*perduellio*) within the enemy state, etc.'

These are dishonourable stratagems. For it must still remain possible, even in wartime, to have some sort of trust in the attitude of the enemy, otherwise peace could not be concluded and the hostilities would turn into a war of extermination (*bellum internecinum*). After all, war is only a regrettable expedient for asserting one's rights by force within a state of nature, where no court of justice is available to judge with legal authority. . . .

All of the articles listed above, when regarded objectively or in relation to the intentions of those in power, are *prohibitive laws* (*leges prohibitiveae*). Yet some of them are of the *strictest* sort (*leges strictae*), being valid irrespective of differing circumstances, and they require that the abuses they prohibit should be abolished *immediately* (Nos. 1, 5, and 6). Others (Nos. 2, 3, and 4), although they are not exceptions to the rule of justice, allow some *subjective* latitude ac-

ording to the circumstances in which they are applied (*leges latae*). The latter need not necessarily be executed at once, so long as their ultimate purpose (e.g., the *restoration* of freedom to certain states in accordance with the second article) is not lost sight of. But their execution may not be *put off* to a non-existent date (*ad calendas graecas*, as Augustus used to promise). . . .

SECOND SECTION

Which Contains the Definitive Articles of a Perpetual Peace Between States

A state of peace among men living together is not the same as the state of nature, which is rather a state of war. For even if it does not involve active hostilities, it involves a constant threat of their breaking out. Thus the state of peace must be *formally instituted*, for a suspension of hostilities is not in itself a guarantee of peace. And unless one neighbour gives a guarantee to the other at his request (which can happen only in a *lawful state*), the latter may treat him as an enemy.

First Definitive Article of a Perpetual Peace: The Civil Constitution of Every State Shall Be Republican

A *republican constitution* is founded upon three principles: firstly, the principle of *freedom* for all members of a society (as men); secondly, the principle of the *dependence* of everyone upon a single common legislation (as subjects); and thirdly, the principle of legal *equality* for everyone (as citizens). It is the only constitution which can be derived from the idea of an original contract, upon which all rightful legislation of a people must be founded. Thus as far as right is concerned, republicanism is in itself the original basis of every kind of civil constitution, and it only remains to ask whether it is the only constitution which can lead to a perpetual peace.

The republican constitution is not only pure in its origin (since it springs from the

pure concept of right); it also offers a prospect of attaining the desired result, i.e., a perpetual peace, and the reason for this is as follows.—If, as is inevitably the case under this constitution, the consent of the citizens is required to decide whether or not war is to be declared, it is very natural that they will have great hesitation in embarking on so dangerous an enterprise. For this would mean calling down on themselves all the miseries of war, such as doing the fighting themselves, supplying the costs of the war from their own resources, painfully making good the ensuing devastation, and, as the crowning evil, having to take upon themselves a burden of debt which will embitter peace itself and which can never be paid off on account of the constant threat of new wars. But under a constitution where the subject is not a citizen, and which is therefore not republican, it is the simplest thing in the world to go to war. For the head of state is not a fellow citizen, but the owner of the state, and a war will not force him to make the slightest sacrifice so far as his banquets, hunts, pleasure palaces and court festivals are concerned. He can thus decide on war, without any significant reason, as a kind of amusement, and unconcernedly leave it to the diplomatic corps (who are always ready for such purposes) to justify the war for the sake of propriety.

The following remarks are necessary to prevent the republican constitution from being confused with the democratic one, as commonly happens. The various forms of state (*civitas*) may be classified either according to the different persons who exercise supreme authority or according to the way in which the nation is governed by its ruler, whoever he may be. The first classification goes by the form of sovereignty (*forma imperii*), and only three such forms are possible, depending on whether the ruling power is in the hands of an *individual*, of *several persons* in association, or of *all* those who together constitute civil society (i.e., *autocracy*, *aristocracy* and *democracy*—the power of a prince, the power of a nobility, and the power of the people). The second classifica-

tion depends on the form of government (*forma regiminis*), and relates to the way in which the state, setting out from its constitution (i.e., an act of the general will whereby the mass becomes a people), makes use of its plenary power. The form of government, in this case, will be either *republican* or *despotic*. *Republicanism* is that political principle whereby the executive power (the government) is separated from the legislative power. Despotism prevails in a state if the laws are made and arbitrarily executed by one and the same power, and it reflects the will of the people only in so far as the ruler treats the will of the people as his own private will. Of the three forms of sovereignty, *democracy*, in the truest sense of the word, is necessarily a *despotism*, because it establishes an executive power through which all the citizens may make decisions about (and indeed against) the single individual without his consent, so that decisions are made by all the people and yet not by all the people; and this means that the general will is in contradiction with itself, and thus also with freedom. . . .

. . . [I]f the mode of government is to accord with the concept of right, it must be based on the representative system. This system alone makes possible a republican state, and without it, despotism and violence will result, no matter what kind of constitution is in force. . . .

Second Definitive Article of a Perpetual Peace: The Right of Nations Shall Be Based on a Federation of Free States

Peoples who have grouped themselves into nation states may be judged in the same way as individual men living in a state of nature, independent of external laws; for they are a standing offence to one another by the very fact that they are neighbours. Each nation, for the sake of its own security, can and ought to demand of the others that they should enter along with it into a constitution, similar to the civil one, within which the rights of each could be secured. This would mean es-

tablishing a *federation of peoples*. But a federation of this sort would not be the same thing as an international state. . . .

We look with profound contempt upon the way in which savages cling to their lawless freedom. They would rather engage in incessant strife than submit to a legal constraint which they might impose upon themselves, for they prefer the freedom of folly to the freedom of reason. We regard this as barbarism, coarseness, and brutish debasement of humanity. We might thus expect that civilised peoples, each united within itself as a state, would hasten to abandon so degrading a condition as soon as possible. But instead of doing so, each *state* sees its own majesty precisely in not having to submit to any external legal constraint, and the glory of its ruler consists in his power to order thousands of people to immolate themselves for a cause which does not truly concern them, while he need not himself incur any danger whatsoever.* . . .

Although it is largely concealed by governmental constraints in law-governed civil society, the depravity of human nature is displayed without disguise in the unrestricted relations which obtain between the various nations. It is therefore to be wondered at that the word *right* has not been completely banished from military politics as superfluous pedantry, and that no state has been bold enough to declare itself publicly in favour of doing so. For Hugo Grotius, Pufendorf, Vattel and the rest (sorry comforters as they are) are still dutifully quoted in *justification* of military aggression, although their philosophically or diplomatically formulated codes do not and cannot have the slightest *legal force*, since states as such are not subject to a common external constraint. Yet there is no instance of a state ever having been moved to desist from its purpose by arguments supported by the testimonies of

*Thus a Bulgarian prince, replying to the Greek Emperor who had kindly offered to settle his dispute with him by a duel, declared: 'A smith who possesses tongs will not lift the glowing iron out of the coals with his own hands.'

such notable men. This homage which every state pays (in words at least) to the concept of right proves that man possesses a greater moral capacity, still dormant at present, to overcome eventually the evil principle within him (for he cannot deny that it exists), and to hope that others will do likewise. Otherwise the word *right* would never be used by states which intend to make war on one another. . . .

The way in which states seek their rights can only be by war, since there is no external tribunal to put their claims to trial. But rights cannot be decided by military victory, and a *peace treaty* may put an end to the current war, but not to that general warlike condition within which pretexts can always be for a new war. . . .

On the other hand, reason, as the highest legislative moral power, absolutely condemns war as a test of rights and sets up peace as an immediate duty. But peace can neither be inaugurated nor secured without a general agreement between the nations; thus a particular kind of league, which we might call a *pacific federation* (*foedus pacificum*), is required. It would differ from a *peace treaty* (*pactum pacis*) in that the latter terminates *one* war, whereas the former would seek to end *all* wars for good. This federation does not aim to acquire any power like that of a state, but merely to preserve and secure the *freedom* of each state in itself, along with that of the other confederated states, although this does not mean that they need to submit to public laws and to a coercive power which enforces them, as do men in a state of nature. It can be shown that this idea of *federalism*, extending gradually to encompass all states and thus leading to perpetual peace, is practicable and has objective reality. For if by good fortune one powerful and enlightened nation can form a republic (which is by its nature inclined to seek perpetual peace), this will provide a focal point for federal association among other states. These will join up with the first one, thus securing the freedom of each state in accordance with the idea of international right, and the whole will grad-

ually spread further and further by a series of alliances of this kind.

It would be understandable for a people to say: 'There shall be no war among us; for we will form ourselves into a state, appointing for ourselves a supreme legislative, executive and juridical power to resolve our conflicts by peaceful means.' But if this state says: 'There shall be no war between myself and other states, although I do not recognise any supreme legislative power which could secure my rights and whose rights I should in turn secure,' it is impossible to understand what justification I can have for placing any confidence in my rights, unless I can rely on some substitute for the union of civil society, i.e., on a free federation. If the concept of international right is to retain any meaning at all, reason must necessarily couple it with a federation of this kind.

The concept of international right becomes meaningless if interpreted as a right to go to war. For this would make it a right to determine what is lawful not by means of universally valid external laws, but by means of one-sided maxims backed up by physical force. It could be taken to mean that it is perfectly just for men who adopt this attitude to destroy one another, and thus to find perpetual peace in the vast grave where all the horrors of violence and those responsible for them would be buried. There is only one rational way in which states coexisting with other states can emerge from the lawless condition of pure warfare. Just like individual men, they must renounce their savage and lawless freedom, adapt themselves to public coercive laws, and thus form an *international state* (*civitas gentium*), which would necessarily continue to grow until it embraced all the peoples of the earth. But since this is not the will of the nations, according to their present conception of international right (so that they reject *in hypothesi* what is true *in thesi*), the positive idea of a *world republic* cannot be realised. If all is not to be lost, this can at best find a negative substitute in the shape of an enduring and gradually expanding *federation* likely to prevent war. The

latter may check the current of man's inclination to defy the law and antagonise his fellows, although there will always be a risk of it bursting forth anew. *Furor impius intus—fremit horridus ore cruento* (Wicked frenzy rages savagely with blood-stained mouth.—Virgil).*

Third Definitive Article of a Perpetual Peace: Cosmopolitan Right Shall Be Limited to Conditions of Universal Hospitality

As in the foregoing articles, we are here concerned not with philanthropy, but with *right*. In this context, *hospitality* means the right of a stranger not to be treated with hostility when he arrives on someone else's territory. He can indeed be turned away, if this can be done without causing his death, but he must not be treated with hostility, so long as he behaves in a peaceable manner in the place he happens to be in. The stranger cannot claim the *right of a guest* to be entertained, for this would require a special friendly agreement whereby he might become a member of the native household for a certain time. He may only claim a *right of resort*, for all men are entitled to present themselves in the society of others by virtue of their right to communal possession of the earth's surface. . . . And no-one originally has any greater right than anyone else to occupy any particular portion of the earth. . . . But this

*At the end of a war, when peace is concluded, it would not be inappropriate for a people to appoint a day of atonement after the festival of thanksgiving. Heaven would be invoked in the name of the state to forgive the human race for the great sin of which it continues to be guilty, since it will not accommodate itself to a lawful constitution in international relations. Proud of its independence, each state prefers to employ the barbarous expedient of war, although war cannot produce the desired decision on the rights of particular states. The thanksgivings for individual victories during a war, the hymns which are sung (in the style of the Israelites) to the *Lord of Hosts*, contrast no less markedly with the moral conception of a father of mankind. For besides displaying indifference to the way in which nations pursue their mutual rights (deplorable though it is), they actually rejoice at having annihilated numerous human beings or their happiness.

natural right of hospitality, i.e., the right of strangers, does not extend beyond those conditions which make it possible for them to *attempt* to enter into relations with the native inhabitants. In this way, continents distant from each other can enter into peaceful mutual relations which may eventually be regulated by public laws, thus bringing the human race nearer and nearer to a cosmopolitan constitution.

If we compare with this ultimate end the *inhospitable* conduct of the civilised states of our continent, especially the commercial states, the injustice which they display in *visiting* foreign countries and peoples (which in their case is the same as *conquering* them) seems appallingly great. America, the negro countries, the Spice Islands, the Cape, etc. were looked upon at the time of their discovery as ownerless territories; for the native inhabitants were counted as nothing. In East India (Hindustan), foreign troops were brought in under the pretext of merely setting up trading posts. This led to oppression of the natives, incitement of the various Indian states to widespread wars, famine, insurrection, treachery and that whole litany of evils which can afflict the human race. . . .

The peoples of the earth have thus entered in varying degrees into a universal community, and it has developed to the point where a violation of rights in *one* part of the world is felt *everywhere*. The idea of a cosmopolitan right is therefore not fantastic and overstrained; it is a necessary complement to the unwritten code of political and international right, transforming it into a universal right of humanity. Only under this condition can we flatter ourselves that we are continually advancing towards a perpetual peace.

FIRST SUPPLEMENT: ON THE GUARANTEE OF A PERPETUAL PEACE

Perpetual peace is *guaranteed* by no less an authority than the great artist *Nature* herself (*natura daedala rerum*) (Nature the contriver of things—Lucretius). The mechanical pro-

cess of nature visibly exhibits the purposive plan of producing concord among men, even against their will and indeed by means of their very discord. . . . But before we define this guarantee more precisely, we must first examine the situation in which nature has placed the actors in her great spectacle, for it is this situation which ultimately demands the guarantee of peace. We may next enquire in what manner the guarantee is provided.

Nature's provisional arrangement is as follows. Firstly, she has taken care that human beings are able to live in all the areas where they are settled. Secondly, she has driven them in all directions by means of *war*, so that they inhabit even the most inhospitable regions. And thirdly, she has compelled them by the same means to enter into more or less legal relationships. . . .

In seeing to it that men *could* live everywhere on earth, nature has at the same time despotically willed that they *should* live everywhere, even against their own inclinations. And this obligation does not rest upon any concept of duty which might bind them to fulfil it in accordance with a moral law; on the contrary, nature has chosen war as a means of attaining this end. . . . [w]hat else but war, nature's means of peopling the whole earth, can have driven the Eskimos so far North—for they are quite distinct from all other American races, and are perhaps descended from European adventurers of ancient times; the Pesherae have been driven South into Tierra del Fuego in the same manner. War itself, however, does not require any particular kind of motivation, for it seems to be ingrained in human nature, and even to be regarded as something noble to which man is inspired by his love of honour, without selfish motives. Thus warlike courage, with the American savages as with their European counterparts in medieval times, is held to be of great and immediate value—and not just *in times of war* (as might be expected), but also *in order that there may be war*. Thus wars are often started merely to display this quality, so that war itself is invested with an inherent *dignity*, for even philosophers have eulogised it as a kind of ennobling influence on man, forgetting the

Greek saying that 'war is bad in that it produces more evil people than it destroys.' So much, then, for what nature does to further *her own end* with respect to the human race as an animal species.

We now come to the essential question regarding the prospect of perpetual peace. What does nature do in relation to the end which man's own reason prescribes to him as a duty, i.e., how does nature help to promote his *moral purpose*? And how does nature guarantee that what man *ought* to do by the laws of his freedom (but does not do) will in fact be done through nature's compulsion, without prejudice to the free agency of man? This question arises, moreover, in all three areas of public right—in *political, international and cosmopolitan right*. For if I say that nature *wills* that this or that should happen, this does not mean that nature imposes on us a *duty* to do it, for duties can only be imposed by practical reason, acting without any external constraint. On the contrary, nature does it herself, whether we are willing or not: *fata volentem ducunt, nolentem trahunt* (The fates lend him who is willing, but drag him who is unwilling.—Seneca).

1. Even if people were not compelled by internal dissent to submit to the coercion of public laws, war would produce the same effect from outside. For in accordance with the natural arrangement described above, each people would find itself confronted by another neighbouring people pressing in upon it, thus forcing it to form itself internally into a *state* in order to encounter the other as an armed *power*. Now the *republican* constitution is the only one which does complete justice to the rights of man. But it is also the most difficult to establish, and even more so to preserve, so that many maintain that it would only be possible within a state of *angels*, since men, with their self-seeking inclinations, would be incapable of adhering to a constitution of so sublime a nature. But in fact, nature comes to the aid of the universal and rational human will, so admirable in itself but so impotent in practice, and makes use of precisely those self-seeking inclinations in order to do so. It only remains for men to create a good organisation

for the state, a task which is well within their capability, and to arrange it in such a way that their self-seeking energies are opposed to one another, each thereby neutralising or eliminating the destructive effects of the rest. And as far as reason is concerned, the result is the same as if man's selfish tendencies were non-existent, so that man, even if he is not morally good in himself, is nevertheless compelled to be a good citizen. As hard as it may sound, the problem of setting up a state can be solved even by a nation of devils (so long as they possess understanding). It may be stated as follows: 'In order to organise a group of rational beings who together require universal laws for their survival, but of whom each separate individual is secretly inclined to exempt himself from them, the constitution must be so designed that, although the citizens are opposed to one another in their private attitudes, these opposing views may inhibit one another in such a way that the public conduct of the citizens will be the same as if they did not have such evil attitudes.' A problem of this kind must be soluble. For such a task does not involve the moral improvement of man; it only means finding out how the mechanism of nature can be applied to men in such a manner that the antagonism of their hostile attitudes will make them compel one another to submit to coercive laws, thereby producing a condition of peace within which the laws can be enforced. . . . Thus that mechanism of nature by which selfish inclinations are naturally opposed to one another in their external relations can be used by reason to facilitate the attainment of its own end, the reign of established right. Internal and external peace are thereby furthered and assured, so far as it lies within the power of the state itself to do so. We may therefore say that nature *irresistibly wills* that right should eventually gain the upper hand. What men have neglected to do will ultimately happen of its own accord, albeit with much inconvenience. As Bouterwek puts it: 'If the reed is bent too far, it breaks; and he who wants too much gets nothing.'

2. The idea of international right presupposes the separate existence of many inde-

pendent adjoining states. And such a state of affairs is essentially a state of war, unless there is a federal union to prevent hostilities breaking out. But in the light of the idea of reason, this state is still to be preferred to an amalgamation of the separate nations under a single power which has overruled the rest and created a universal monarchy. For the laws progressively lose their impact as the government increases its range, and a soulless despotism, after crushing the germs of goodness, will finally lapse into anarchy. It is nonetheless the desire of every state (or its ruler) to achieve lasting peace by thus dominating the whole world, if at all possible. But *nature* wills it otherwise, and uses two means to separate the nations and prevent them from intermingling—*linguistic* and *religious* differences. These may certainly occasion mutual hatred and provide pretexts for wars, but as culture grows and men gradually move towards greater agreement over their principles, they lead to mutual understanding and peace. And unlike that universal despotism which saps all man's energies and ends in the graveyard of freedom, this peace is created and guaranteed by an equilibrium of forces and a most vigorous rivalry.

3. Thus nature wisely separates the nations, although the will of each individual state, even basing its arguments on international right, would gladly unite them under its own sway by force or by cunning. On the other hand, nature also unites nations which the concept of cosmopolitan right would not have protected from violence and war, and does so by means of their mutual self-interest. For the *spirit of commerce* sooner or later takes hold of every people, and it cannot exist side by side with war. And of all the powers (or means) at the disposal of the power of the state, *financial power* can probably be relied on most. Thus states find themselves compelled to promote the noble cause of peace, though not exactly from motives of morality. And wherever in the world there is a threat of war breaking out, they will try to prevent it by mediation, just as if they had entered into a permanent league for this purpose; for by the very nature of things, large

military alliances can only rarely be formed, and will even more rarely be successful. In this way, nature guarantees perpetual peace by the actual mechanism of human inclinations. And while the likelihood of its

being attained is not sufficient to enable us to *prophesy* the future theoretically, it is enough for practical purposes. It makes it our duty to work our way towards this goal, which is more than an empty chimera.

International Law and World Government

52. Prolegomena to *The Law of War and Peace*

HUGO GROTIUS

1. The municipal law of Rome and of other states has been treated by many, who have undertaken to elucidate it by means of commentaries or to reduce it to a convenient digest. That body of law, however, which is concerned with the mutual relations among states or rulers of states, whether derived from nature, or established by divine ordinances, or having its origin in custom and tacit agreement, few have touched upon. Up to the present time no one has treated it in a comprehensive and systematic manner; yet the welfare of mankind demands that this task be accomplished. . . .

3. Such a work is all the more necessary because in our day, as in former times, there is no lack of men who view this branch of law with contempt as having no reality outside of an empty name. On the lips of men quite generally is the saying of Euphemus, which Thucydides quotes, that in the case of a king or imperial city nothing is unjust which is expedient. Of like implication is the statement that for those whom fortune favours might makes right, and that the administration of a state cannot be carried on without injustice.

Excerpted from *The Law of War and Peace*, by Hugo Grotius. Translated by Francis W. Kelsey in 1925 for the Carnegie Endowment for International Peace. Reprinted by permission of the publisher. Footnotes deleted.

Furthermore, the controversies which arise between peoples or kings generally have Mars as their arbiter. That war is irreconcilable with all law is a view held not alone by the ignorant populace; expressions are often let slip by well-informed and thoughtful men which lend countenance to such a view. Nothing is more common than the assertion of antagonism between law and arms. . . .

5. Since our discussion concerning law will have been undertaken in vain if there is no law, in order to open the way for a favourable reception of our work and at the same time to fortify it against attacks, this very serious error must be briefly refuted. In order that we may not be obliged to deal with a crowd of opponents, let us assign to them a pleader. And whom should we choose in preference to Carneades? . . .

Carneades, then, having undertaken to hold a brief against justice, in particular against that phase of justice with which we are concerned, was able to muster no argument stronger than this, that, for reasons of expediency, men imposed upon themselves laws, which vary according to customs, and among the same peoples often undergo changes as times change; moreover that there is no law of nature, because all creatures, men as well as animals, are impelled by nature toward ends advantageous to themselves; that, consequently, there is no justice, or, if such there be,

it is supreme folly, since one does violence to his own interests if he consults the advantage of others.

6. . . . Man is, to be sure, an animal, but an animal of a superior kind, much farther removed from all other animals than the different kinds of animals are from one another; evidence on this point may be found in the many traits peculiar to the human species. But among the traits characteristic of man is an impelling desire for society, that is, for the social life—not of any and every sort, but peaceful, and organized according to the measure of his intelligence, with those who are of his own kind; this social trend the Stoics called "sociableness." Stated as a universal truth, therefore, the assertion that every animal is impelled by nature to seek only its own good cannot be conceded. . . .

8. This maintenance of the social order, which we have roughly sketched, and which is consonant with human intelligence, is the source of law properly so called. To this sphere of law belong the abstaining from that which is another's, the restoration to another of anything of his which we may have, together with any gain which we may have received from it; the obligation to fulfil promises, the making good of a loss incurred through our fault, and the inflicting of penalties upon men according to their deserts.

9. From this signification of the word "law" there has flowed another and more extended meaning. Since over other animals man has the advantage of possessing not only a strong bent towards social life, of which we have spoken, but also a power of discrimination which enables him to decide what things are agreeable or harmful (as to both things present and things to come), and what can lead to either alternative: in such things it is meant for the nature of man, within the limitations of human intelligence, to follow the direction of a well-tempered judgement, being neither led astray by fear or the allurements of immediate pleasure, nor carried away by rash impulse. Whatever is clearly at variance with such judgement is understood to be contrary also to the law of nature, that is, to the nature of man.

10. To this exercise of judgement belongs moreover the rational allotment to each man, or to each social group, of those things which are properly theirs, in such a way as to give the preference now to him who is more wise over the less wise, now to a kinsman rather than to a stranger, now to a poor man rather than to a man of means, as the conduct of each or the nature of the thing suggests. Long ago the view came to be held by many, that this discriminating allotment is a part of law, properly and strictly so called; nevertheless law, properly defined, has a far different nature, because its essence lies in leaving to another that which belongs to him, or in fulfilling our obligation to him.

11. What we have been saying would have a degree of validity even if we should concede that which cannot be conceded without the utmost wickedness, that there is no God, or that the affairs of men are of no concern to Him. . . .

15. Again, since it is a rule of the law of nature to abide by pacts (for it was necessary that among men there be some method of obligating themselves one to another, and no other natural method can be imagined), out of this source the bodies of municipal law have arisen. For those who had associated themselves with some group, or had subjected themselves to a man or to men, had either expressly promised, or from the nature of the transaction must be understood impliedly to have promised, that they would conform to that which should have been determined, in the one case by the majority, in the other by those upon whom authority had been conferred.

16. What is said, therefore, in accordance with the view not only of Carneades but also of others, that

Expediency is, as it were, the mother
Of what is just and fair,

is not true, if we wish to speak accurately. For the very nature of man, which even if we had no lack of anything would lead us into the mutual relations of society, is the mother of the

law of nature is that obligation; consent; and force from considered, of municipal law.

The law of nature will be weak, and so order to live will be the more life. But expediency also for municipal law is a deviation from a duty. For we prescribe laws according to custom and advantage in . . .

17. But in view of the fact that consent is a part of law, laws should be a great matter; laws thus change, not only in a society of states but also in the law of nations term from

law of nature. But the mother of municipal law is that obligation which arises from mutual consent; and since this obligation derives its force from the law of nature, nature may be considered, so to say, the great-grandmother of municipal law.

The law of nature nevertheless has the reinforcement of expediency; for the Author of nature willed that as individuals we should be weak, and should lack many things needed in order to live properly, to the end that we might be the more constrained to cultivate the social life. But expediency afforded an opportunity also for municipal law, since that kind of association of which we have spoken, and subjection to authority, have their roots in expediency. From this it follows that those who prescribe laws for others in so doing are accustomed to have, or ought to have, some advantage in view.

17. But just as the laws of each state have in view the advantage of that state, so by mutual consent it has become possible that certain laws should originate as between all states, or a great many states; and it is apparent that the laws thus originating had in view the advantage, not of particular states, but of the great society of states. And this is what is called the law of nations, whenever we distinguish that term from the law of nature. . . .

For since, by his own admission, the national who in his own country obeys its laws is not foolish, even though, out of regard for that law, he may be obliged to forgo certain things advantageous for himself, so that nation is not foolish which does not press its own advantage to the point of disregarding the laws common to nations. The reason in either case is the same. For just as the national, who violates the law of his country in order to obtain an immediate advantage, breaks down that by which the advantages of himself and his posterity are for all future time assured, so the state which transgresses the laws of nature and of nations cuts away also the bulwarks which safeguard its own future peace. Even if no advantage were to be contemplated from the keeping of the law, it would be a mark of wisdom, not of folly, to allow ourselves to be drawn towards that to which we feel that our nature leads.

19. Wherefore, in general, it is by no means true that

You must confess that laws were framed
From fear of the unjust,

a thought which in Plato some one explains thus, that laws were invented from fear of receiving injury, and that men are constrained by a kind of force to cultivate justice. . . .

53. From World Peace Through World Law

GRENVILLE CLARK AND LOUIS B. SOHN

INTRODUCTION

By Grenville Clark

This book sets forth a comprehensive and detailed plan for the maintenance of world peace in the form of a proposed revision of the United Nations Charter. The purpose is to contribute material for the world-wide discussions which must precede the adoption of universal and complete disarmament and the establishment of truly effective institutions for the prevention of war.

At the outset, it may be helpful to explain: *first*, the underlying conceptions of this plan for peace; and *second*, the main features of the plan whereby these conceptions would be carried out.

The fundamental premise of the book is identical with the pronouncement of the President of the United States on October 31, 1956: "There can be no peace without law." In this context the word "law" necessarily implies the law of a world authority, i.e., law which would be uniformly applicable to all nations and all individuals in the world and which would definitely forbid violence or the threat

of it as a means for dealing with any international dispute. This world law must also be law in the sense of law which is capable of enforcement as distinguished from a mere set of exhortations or injunctions which it is desirable to observe but for the enforcement of which there is no effective machinery.

The proposition "no peace without law" also embodies the conception that peace cannot be ensured by a continued arms race, nor by an indefinite "balance of terror," nor by diplomatic maneuver, but only by universal and complete national disarmament together with the establishment of institutions corresponding in the world field to those which maintain law and order within local communities and nations.

A prime motive for this book is that the world is far more likely to make progress toward genuine peace, as distinguished from a precarious armed truce, when a *detailed* plan adequate to the purpose is available, so that the structure and functions of the requisite world institutions may be fully discussed on a world-wide basis. Consequently, this book comprises a set of definite and interrelated proposals to carry out complete and universal disarmament and to strengthen the United Nations through the establishment of such leg-

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islative, executive and judicial institutions as are necessary to maintain world order.

UNDERLYING PRINCIPLES

The following are the basic principles by which Professor Sohn and I have been governed.

First: It is futile to expect genuine peace until there is put into effect an effective system of *enforceable* world law in the limited field of war prevention. This implies: (a) the complete disarmament, under effective controls, of each and every nation, and (b) the simultaneous adoption on a world-wide basis of the measures and institutions which the experience of centuries has shown to be essential for the maintenance of law and order, namely, clearly stated law against violence, courts to interpret and apply that law and police to enforce it. All else, we conceive, depends upon the acceptance of this approach.

Second: The world law against international violence must be explicitly stated in constitutional and statutory form. It must, under appropriate penalties, forbid the use of force by any nation against any other for any cause whatever, save only in self-defense; and must be applicable to all individuals as well as to all nations.

Third: World judicial tribunals to interpret and apply the world law against international violence must be established and maintained, and also organs of mediation and conciliation—so as to substitute peaceful means of adjudication and adjustment in place of violence, or the threat of it, as the means for dealing with all international disputes.

Fourth: A permanent world police force must be created and maintained which, while safeguarded with utmost care against misuse, would be fully adequate to forestall or suppress any violation of the world law against international violence.

Fifth: The complete disarmament of all the nations (rather than the mere "reduction" or "limitation" of armaments) is essential for any solid and lasting peace, this disarmament to be accomplished in a simultaneous and proportionate manner by carefully verified stages and

subject to a well-organized system of inspection. It is now generally accepted that disarmament must be universal and enforceable. That it must also be complete is no less necessary, since: (a) in the nuclear age no mere reduction in the new means of mass destruction could be effective to remove fear and tension; and (b) if any substantial national armaments were to remain, even if only ten percent of the armaments of 1960, it would be impracticable to maintain a sufficiently strong world police force to deal with any possible aggression or revolt against the authority of the world organization. We should face the fact that until there is *complete* disarmament of every nation without exception there can be no assurance of genuine peace.

Sixth: Effective world machinery must be created to mitigate the vast disparities in the economic condition of various regions of the world, the continuance of which tends to instability and conflict.

The following supplementary principles have also guided us:

Active participation in the world peace authority must be universal, or virtually so; and although a few nations may be permitted to decline active membership, any such non-member nations must be equally bound by the obligation to abolish their armed forces and to abide by all the laws and regulations of the world organization with relation to the prevention of war. It follows that ratification of the constitutional document creating the world peace organization (whether in the form of a revised United Nations Charter or otherwise) must be by a preponderant majority of all the nations and people of the world.

The world law, in the limited field of war prevention to which it would be restricted, should apply to all individual persons in the world as well as to all the nations—to the end that in case of violations by individuals without the support of their governments, the world law could be invoked directly against them without the necessity of indicting a whole nation or group of nations.

The basic rights and duties of all nations in respect of the maintenance of peace should

be clearly defined not in laws enacted by a world legislature but in the constitutional document itself. That document should also carefully set forth not only the structure but also the most important powers of the various world institutions established or authorized by it; and the constitutional document should also define the limits of those powers and provide specific safeguards to guarantee the observance of those limits and the protection of individual rights against abuse of power. By this method of "constitutional legislation" the nations and peoples would know in advance within close limits what obligations they would assume by acceptance of the new world system, and only a restricted field of discretion would be left to the legislative branch of the world authority.

The powers of the world organization should be restricted to matters directly related to the maintenance of peace. All other powers should be reserved to the nations and their peoples. This definition and reservation of powers is advisable not only to avoid opposition based upon fear of possible interference in the domestic affairs of the nations, but also because it is wise for this generation to limit itself to the single task of preventing interna-

tional violence or the threat of it. If we can accomplish that, we should feel satisfied and could well leave to later generations any enlargement of the powers of the world organization that they might find desirable.

While any plan to prevent war through total disarmament and the substitution of world law for international violence must be fully adequate to the end in view, it must also be *acceptable* to this generation. To propose a plan lacking in the basic essentials for the prevention of war would be futile. On the other hand, a plan which, however ideal in conception, is so far ahead of the times as to raise insuperable opposition would be equally futile. Therefore, we have tried hard to strike a sound balance by setting forth a plan which, while really adequate to prevent war, would, at the same time, be so carefully safeguarded that it *ought* to be acceptable to all nations.

It is not out of the question to carry out universal and complete disarmament and to establish the necessary new world institutions through an entirely new world authority, but it seems more normal and sensible to make the necessary revisions of the present United Nations Charter.

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