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STATEMENT OF PURPOSE

The study of international affairs as an academic discipline no longer belongs exclusively to the specialists in that field; rather, its scope has been extended to include the work of other related disciplines in recognition of the fact that international problems are not exclusively political in nature. It is the purpose of this journal to speak on matters involving international problems with many academic voices. More important, it is the purpose of this journal to permit undergraduate students to try their wings in describing, analyzing, and possibly suggesting solutions to the problems that have vexed nations in their contacts with each other.

The underlying premise of this journal is that undergraduate students *can* contribute effectively to a reasoned, moderate, academic analysis of international problems and that such contributions will have a more profound effect on the study of international affairs as well as on the student contributors to this journal than the passionate, partisan, and emotionally charged outbursts which have lately permeated American campuses.

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LATIN AMERICAN DEVELOPMENT: A BREAKTHROUGH FROM THE MARXIAN/CAPITALIST JUGGERNAUT TOWARD TECHNO-MANAGERIAL "INDIVIDUALISMO"

Richard Stanley Hillman and Joseph Antinoro-Polizzi*

(Prepared for Roundtables 4, 8 and 13 of the 13th World Conference of the Society for International Development — "Political and Social Realities of Development: Recognition and Response" — February 21-25, 1973, San José, Costa Rica)

Overview

The prescriptive as well as analytical literature describing a wide range of problems which face Latin American societies has too often been based on limited concepts of modernization and development leading to solutions deriving from narrowly conceived options.

There has been a slow process of recognition that purely economic solutions are not sufficient for development; that social and political progress is not necessarily a "spin off" of material progress. However, the dynamics of change are generally conceived in terms strongly influenced by the grand schemes of ideologically conflicting systems as well as inappropriate and/or inapplicable theoretical models. The universal validity of derivative programs is assumed despite diverse historical, cultural, economic, technological and temporal precedents and conditioning factors which are profoundly different from those within which the schemes were originally generated.

This paper suggests that recognition of the need for culturally specific models for developmental change is essential for the creation of culturally legitimate and, by extension, innovative programs. The paper rejects the generally perceived but simplistic alternative choices which are mutually exclusive derivations of foreign models.

A working paradigm which is based on the political and social realities of Latin American Development may be constructed by nationals in such manner as to promote meaningful research based on educational cooperation into one basic question: Is it possible, within culturally legitimate parameters to expedite the production of the managerial capability needed to administer new technological devices and relate them to the needs of modern society?

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* Faculty of the St. John Fisher College in Rochester, New York in the Departments of Political Science and Sociology.

Critical Perspective

Many nations of the Third World have unwittingly been hosts to two contemporary "errors": a normative error and a scholarly error, each in part, a reflection of the other.[1] As part-and-parcel, warp and woof of the extended Cold-War positions of the Great Powers, with few exceptions, Third World development has been telescoped through opposed ideological or political theory modes — "exploitive capitalism" or "revolutionary Marxism."[2] The recent troubles of a nation such as Chile manifest the apparent or real dilemma of a country searching for self-determination between the 20th century Scylla and Charybdis, *yanqui imperialismo* and *communismo*.

From the vantage point of social scientific analysis, the development *modus operandi* has been of equally limited or constraining scope[3] when viewed as the mere transition from a traditional to a modern polity, or a rural-to-urban state,[4] bereft of historical legacies,[5] the unique qualities of socio-cultural systems,[6] or the metaphysics of human contentment or fulfillment.[7]

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[1] See, for example, Wilbert E. Moore, "Convergence and Divergence," Chapter Two, *The Impact of Industry* (Englewood Cliffs, New Jersey: Prentice-Hall, Inc., 1965), 9-13; and the special collection of analytical papers treating the recent manifestation of the unique admixture of these two errors in one celebrated incident: Irving Louis Horowitz (ed.), *The Rise and Fall of Project Camelot: Studies in the Relationship between Social Science and Practical Politics* (Cambridge, Massachusetts: M.I.T., 1967).

[2] As Paul Alpert notes: "The major choice confronting the underdeveloped countries in their selection of appropriate development strategies lies in determining the respective functions of government and private enterprise. Is development to be conducted mainly on the initiative of private individuals seeking to maximize private profits, or under the direction and control of government, with the major if not exclusive objective of strengthening of the military and economic power, of the state?" See his work, *Economic Development: Objectives and Methods* (New York: The Free Press of Glencoe, 1963), 60.

[3] Moore, *op. cit.*

[4] For views questioning these characteristic theoretical stances, see: Joseph Antinoro-Polizzi, "Societal Types and Development Strategies," *Sociologia Ruralis,* XI:L (1971), 19-35; George Foster, *Traditional Cultures and the Impact of Technological Change,* (New York: Harper and Row, 1962), *passim;* Philip Hauser, "Observations on the Urban-Folk and Urban-Rural Dichotomies as Forms of Western Ethnocentrism," Section B, Chapter 13 in Philip Hauser, P.M. and L.F. Schnore (eds.), *The Study of Urbanization* (New York: John Wiley and Sons, 1965), 503-517; Eugene Lupri, "Theoretical and Methodological Problems in Cross-National Research," *Sociologia Ruralis,* X(2), 1969, 99-112; Horace Miner, "The Folk-Urban Continuum," *American Sociological Review,* 17 (1952), 529-537; L. K. Sen, "The Concepts of Tradition and Modernity: A Re-Evaluation," a paper prepared for the Second World Congress of Rural Sociology," (Drienerlo, The Netherlands, August, 1968), 1-38; D. Weintraub, "The Concepts Traditional and Modern in Comparative Social Research," *Sociologia Ruralis,* IX(1), 23-40, D. Weintraub, "Rural Periphery, Societal Center, and Their Interaction in the Process of Agrarian Development: A Comparative Analytical Framework," *Rural Sociology,* 35:3 (September, 1970), 367-375, esp., 367-369; John J. Johnson, *Continuity and Change in Latin America,* Stanford: (Stanford University Press, 1964); and Lucian W. Pye, *Aspects of Political Development* (Boston: Little, Brown and Company, 1966).

[5] Moore, *op. cit.,* 15.

[6] See S. N. Eisenstadt's discussion of the "differing starting points of modernization," in his work, *Modernization: Protest and Change* (Englewood Cliffs, New Jersey, 1966), 46-49.

[7] For some general indictments of the "modern order," see, for example: Jacques Ellul, *The Technological Society* (New York: Random House, Vintage Edition, 1967); Lewis Mumford, *The Myth of the Machine: The Pentagon of Power* (New York: Harcourt, Brace, Jovanovich, Inc., 1964, 1970); Sebastian de Grazia, *Of Time, Work and Leisure* (Garden City, New York: Doubleday and Company, Inc., Anchor Edition, 1964); Staffan B. Lindner, *The Harried Leisure Class* (New York: Columbia University Press, 1970).

In the specific Latin American case, the reader is referred to the writings, papers critical of the development process circulated by such agencies as LADOC (Latin American Bureau, U.S. Catholic Conference), ISAL (Iglésia y Sociedad en América Latina), the Theology of Liberation Symposium (Bogotá, Colombia). A classic articulate critic of the unexamined wholesale transfer of technologies and living modes of the so-called "developed" nations to the "developing" countries is educator Ivan Illich of Cuernavaca, Mexico.

Preoccupation with the polarized political alternatives — economic, social and political dependency versus total destruction of existing institutions — has obscured more basic issues, creating distracting "noise" while processes and groups continue to follow their own dictates or vested interests; the available social system analyses — though admittedly admirable and potentially useful devices — have rendered problems of distorted target possibilities.[8]

Above the miasma of political "noise" and conventional wisdom, however, it is clear that a more sensitive approach to change is needed, not only for the objectives of "development" but for the imperatives of survival itself.[9] Whatever one's perspective on political economy, the demographic, economic, technical and social problems of development are crucial enough to warrant solutions which are not straightjacketed by any one ideological model.[10]

Development, in the modernizing context, is the process of legitimizing operational hypothesizing. It includes the transition from a normative epistemological base to a cultural frame of reference which values experimentation as a trusted emperical procedure in decision-making.[11, 12] Thus, development presupposes a state of mind which allows for rational treatment of social and economic problems. A key to the creation of this state of mind in the functional area of programmatic hypothesizing is management education.

Educational emphasis upon the importance of a choice of new values by the government and people of a less developed country, and encouragement of administrative techniques to sustain efforts to realize these values imply that the new values are necessarily "better" than the old ones. As Jacoby notes:

> Development requires, first of all, receptivity by the leaders and the people of a traditional society to the idea of change. They must have an

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[8] See: Gideon Sjoberg, " 'Folk' and 'Feudal' Societies," *The American Journal of Sociology,* LVIII (1952), 231-239; Antinoro-Polizzi, *op. cit.;* Moore, *op. cit.*

[9] See: Elaine Burnell H. (ed.), *One Spark from Holocaust: The Crisis in Latin America* (New York: Interbook, 1972).

[10] See: James P. Grant, "Accelerating Progress through Social Justice," *International Development Review,* #3, 1972, and Marion J. Levy, Jr. *Modernization: Latecomers and Survivors.* (New York: Basic Books, 1972).

[11] Martin Landau, "Decision Theory and Comparative Public Administration," *Comparative Public Administration: Theory and Relevance,* Proceedings of a Conference held at New York University, May 5, 1967, 27-55.

[12] For similar definitions, see: Philippe C. Schmitter, *Interest, Conflict and Political Change in Brazil* (Stanford University Press, 1971), 367: . . . "development is a universal (though historically delimited) concept, referring to a process of structural transformation in the division of labor brought on by greater differentiation and specialization and involving increased reliance on scientific technology and inanimate sources of power. As such it can be used comparatively in a wide variety of societal contexts. However, . . . it is composed of numerous sub-processes. The pattern of component sub-processes gives to a particular society a distinctive developmental syndrome; most important it has a strong impact upon the formation of new social groups and upon the distribution of initiative and influence within and between these groups. The result is the emergence of different patterns of group identity, interest, and antagonism."

See also: Gino Germani, *Stages of Modernization in Latin America,* Studies in Comparative International Development, (Beverly Hills, California, Sage Publications, 1970, Volume V, Number 8): "Modern-industrial society as a generic category is defined in terms of secularization, that is: (a) change in the predominant normative structure regulating social action and in the related internalized attitudes and propensities (an extension of 'action by choice' over 'action by prescription'); (b) growing specialization of institutions and emergence of specialized and autonomous value systems in relation to each institutional sphere; (c) growing institutionalization of change (over institutionalization of tradition). The minimum universal requirement of any modern-industrial society consists in the secularization of scientific knowledge, technology, and economy, in such a way as to lead to the ever-increasing use of high energy and to the maximization of efficiency in the production [we would include 'distribution'] of goods and services."

> active will to make often painful adjustments in their traditional beliefs and habits of life for the sake of the new values of modern society.[13]

However, different problems are created in the society which opts for development. The industrial order of modern society contains many regrettable consequences such as more rigorous or at least more regimented work discipline, stricter ordering of personal life, weaker family ties, air pollution, noise, and ecological imbalance. Jacoby continues:

> Development will bring a lower death rate from diseases of infection and malnutrition, but it raises the death rate from diseases of tension. Epidemiologists may languish while psychiatrists flourish. It will create new social classes and groupings, bringing conflict and strife in their wake. A host of new problems will arise to replace those banished by rising affluence. At every stage development exacts a price that is often higher than expected.[14]

Thus, "better" must be understood relative to the possible and probable in the modern world.

Since there is no one formula or preconceived pattern of development which can be transferred to the unique circumstances of every society, there is a need for constructive experimentation in the implementation of development programs. The option to retain a traditional society has been closed by the problems of underdevelopment. The population explosion has put man in the position of being compelled to raise his productivity in order to avoid malnutrition or starvation. Similarly, urbanization, technological revolution, and concomitant inequities of distribution and living conditions make necessary new formulations of public policy.

The study of the social and administrative sciences includes such areas of practical concern as organizational theory and decision theory, the cultural and social setting of governmental machinery, institutional relationships and community values as well as the sources from which power derives legitimacy. Moreover, the implementation of public policy is a directive process which is a causal factor in institutional transformation and development. Therefore, modernization and development, with their requisite changes in value systems, may be fostered by the creation of that state of mind in which hypothesizing and experimentation are trusted procedures.

Furthermore, research into the nature and function of administrative institutions in a particular culture, the training of manpower to implement programs of development, assistance in the creation of the cultural frame of reference fundamental to empirical decision-making, and the promotion of an institutional setting in which theory-building and objectve communication are possible between cultures, are tasks which the field of education must assume.

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[13] Neil H. Jacoby, "The Progress of Peoples: Toward a Theory and Policy of Development with External Aid," *A Center Occasional Paper* (Santa Barbara, California: Center for the Study of Democratic Institutions, June, 1969, Vol. II, No. 4), 8.

[14] *Ibid.*, 9. This subject is treated extensively in diverse publications. See the work of Aldous Huxley, George Orwell, Jacques Ellul, Paul Erlich and others.

Beyond these tasks, there are other forces at work necessitating re-appraisal: (a) the ever-present specter of continued social turmoil and upheaval, the 20th century constant of the "revolution in human expectations" and the birth pangs of a new world order based upon principles of more equitable social (or distributive) justice; (b) the to-be-anticipated exigencies of incipient industrialization rendering re-arranged socal structures unable to return to ther former "stasis" yet incapable, as well, of approximating or realizing viable new form; and (c) the continued impingement of the growing interdependencies of global economic networks and markets.

Writing and analysis regarding Latin American development has reflected a wide variety of premises deriving from various disciplines and perspectives. However, focus on political economy has emerged as a dominant theme here as well. This focus has led to conclusions, solutions, programs and policies based on underlying ideological frameworks. Thus, the term "development" in its Latin American context has also usually been oversimplified in terms of varying conceptions of the two basic options: "submissive reform" or "revolutionary-roulette."

A distinction has often been made between pragmatic nationalists who desire reform and romantic nationalists who desire revolution.[15] Such a distinction, whatever its essential merits, obscures the fact that most informed analysts agree that traditional Latin American institutional structures are in need of modification, but disagree as to the applicability of foreign experiences and models.[16] In any event, it is a mistake to continue to ignore the social and political settings in which the problems of Latin American economies evolve.[17]

Self-generated development, admittedly, is a staggering process.[18] However, the existence of external change factors such as foreign capital and ongoing processes of technology transfer, especially through international corporations, has exacerbated the problems of choosing developmental programs which would provide a balance between accelerating demands for change and "the resistance to change on the part of the conservative centers of power."[19] In fact, foreign investments behind technology transfer have often created new sources of power which compete with the economic base of traditional elites in bi-class societies.

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[15] See: Roberto Campos, *Reflections on Latin American Development* (Austin, Texas: University of Texas Press, 1967). Campos has been labelled an "entreguista" by some radical nationalist groups in Brazil. His adherence to pragmatic nationalism and renunciation of a "distorted sense of pride in traditional behavior" (5.) has caused misinterpretation and resentment in some quarters of Brazilian Society. Also see: Claudio Veliz (ed.), *Obstacles to Change in Latin America* (London and New York: Oxford University Press, 1965). See especially his Introduction in which he states: "the models of development and therefore social and economic transformation based on historical experience of the more advanced countries . . . are not applicable to Latin America" (1).

[16] *Ibid.*

[17] Victor Urquidi, *The Challenge of Development in Latin America,* (New York: Praeger, 1964), IX-X, and *passim.*

[18] Art Gallagher, Jr., "Developmental Change and the Social Sciences: Introduction," in Art Gallagher, Jr. *et al.*, *Perspectives in Developmental Change* (Lexington, Kentucky: University of Kentucky Press, 1968), 5-6.

[19] Peter Nehemkis, *Latin America: Myth and Reality* (New York: Mentor Books, 1966), 17.

Moreover, "reform" programs, as well, have suffered from the fear that economic imperialism is somehow inherent in Latin American societies.[20] Hence, the range of options in this dualistic conception of development has been reduced, essentially, to the simplistic choice between what is normatively perceived as "exploitive capitalism" and "marxian-type revolution." It may have been with this problem in mind that Roberto Campos astutely counter-suggested a "distinction among three planes of action: nationalism of ends, internationalism of means, and supranationalism of markets."[21] In any event, the need for new approaches and new insghts is warranted.

Breakthrough

An innovative approach to the study of modernization processes and their management excludes the inflexible and narrowly envisioned ideological options previously discussed. Although specific foreign models have been used to fit the designs of the traditional elite, such as dynastic familial as well as political and military bureaucratic groups of a revolutionary intellectual or nationalist variety (or some combination thereof) — these models do not promote the establishment of culturally legitimate mechanisms for long-term operation. That is, they fail to adequately concern themselves with critical linkages of traditional social and cultural patterns in the system that is being modified. Yet, the design and operation of linkage mechanisms in order to promote wider distributive sharing constitute a major task and challenge for policymaking in complex and rapidly changing environments.[22]

The essential trait defining modernization is not the *fact* of continuous change (for such would be purely advantitious), but the capacity of ORIGINATING and ABSORBING it.[23] However, a theoretical model or conceptual scheme for the analysis of the RECIPROCAL CAUSATION between economic development factors and political and social modernization factors has been lacking.[24]

Several factors have been suggested as conditioners of the processes of development: (1) the nature and availability of human resources; (2) the regional and international political and economic environment; (3) historical and cultural traits and social structure; (4) the state of knowledge in the natural sciences and the nature of available technology; (5) the state of the social sciences; (6) the degree of innovative spontaneity on the one hand;

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[20] The wide variety of literature available includes: *The Rockefeller Report on the Americas,* (Chicago: Quadrangle Books, 1969); Roberto Campos, *op. cit.;* Claudis Veliz, *op. cit.;* Victor Urquidi, *op. cit.;* Gove Hambidge, *Dynamics of Development,* (New York: Praeger, 1964); Paul Sigmund, *Ideologies of Developing Nations* (New York: Praeger, 1963) and Richard Hillman, *Responsiveness to the Administrative Needs of Latin American Development,* Doctoral Dissertation, New York University, 1970.

The above and other analyses treat these specifically as problems of "internal colonialism" via oligarchical patterns in bi-class societies.

[21] Roberto Campos, *op. cit.,* 5.

[22] Rolf D. Lynton, "Linking an Innovative Subsystem into the System," *Administrative Science Quarterly.* 14:3 (September, 1969), 398.

[23] See, for example: Gino Germani, *op. cit.;* S. N. Eisenstadt, "Development of Change-Absorbing Institutions," in *Modernization: Protest and Change,* 38-40; and Talcott Parsons, "A Paradigm of Evolutionary Change," in *Societies: Evolutionary and Comparative Perspectives* (Englewood Cliffs, N.J.: Prentice-Hall, Inc., 1966), 21-24.

[24] See: Germani, *op. cit.*

awareness, deliberation and formal planning on the other; (7) the nature and proportion of the exogenous or endogenous factors determining the transition; (8) the different types of elites leading or participating in the initiation of transition and its further stages; and (9) the kinds of models used.[25]

The most essential generic ingredient for an innovative developmental strategy lies in the *interstitial relationships* among these factors. It is in these relationships that change agents may appear as the only legitimate forces for the management of developmental change.

The specific needs of Latin American development have been amply documented.[26] Implicit in most analyses of agrarian and industrial progress — albeit through programs of economic integration, improvement of investment and savings, control of inflation and foreign debt, distribution of income and employment, expansion and diversification of exports, stabilization of prices and the general application of economic measures through political systems in order to relate to social and cultural questions — is the underlying need for "directed change." Hence, we are suggesting that the administration of development would best be viewed (for some perhaps paradoxically) as a derivative of the natural (in some cases, haphazard, undirected) processes which condition change.[27]

Nevertheless, an important question arises: what type of change-agent most adequately incorporates the salient aspects of the interstitial relationships between reciprocal causation factors and directs them viably to the target system? In other words, which group — if not a traditional, foreign or revolutionary elite — has the most potential catalytic power relative to the real needs of development?

The creation of a developmental group which would conform to the classical pattern of linear transition through industrialization and class conflict has been problematic in the Latin American case to the extent that traditional institutions have been "accommodative":[28] that is, the "regular membership" has made concessions without losing power.[29] Moreover, the sheer magnitude of the foreign presence in Latin American economies throughout their histories and the almost complete dependence on foreign capital have pre-empted active middle-sector entrepreneurs and managers.

The question of change-agents has been treated by virtually all analysts of industrialization and development. They have proposed that a variety of change-agents can promote the development process which can be spearheaded by the generation of a managerial class.[30] Therefore, since traditional sources (elite, government, masses, foreign business) have often acted as ob-

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[25] See: Germani, *op. cit.;* Schmitter, *op. cit.;* Gallagher, *op. cit.;* and Pearson (ed.) *Partners in Development,* (New York: Praeger, 1969).

[26] Rockefeller, *op. cit.;* Campos, *op. cit.;* Pearson, *op. cit.;* Veliz, *op. cit.;* Sigmund, *op. cit.*

[27] This position stands in contradiction to one recent proposal; see: Denis Goulet, " 'Development' or Liberation?" *International Development Review,* XIII:3 (1971/3), 6-10.

[28] Charles Wagley, *An Introduction to Brazil,* (New York: Columbia University Press, 1963).

[29] Philippe Schmitter, *op. cit.*

[30] Clark Kerr *et al.,* "The Industrializing Elites and Their Strategies," Chapter 3, *Industrialism and Industrial Man: The Problems of Labor Management in Economic Growth* (Cambridge, Mass.: Harvard University Press 1960); Moore, *op. cit.*

stacles to development in Latin America[31] the breakthrough may be a product of some combination deriving from new forces which may relate directly or indirectly to technology-transfer. The transfer of technology affects all levels of society in one way or another.[32]

The vulgarized conception of the dual option (noted in our critical perspective) has had the effect of producing a kind of stalemate which trades-off ideological imperatives for development. However, this stand-off cannot be of indefinite duration. Human problems and rising expectations precipitated by the initial stages[33] trigger the need for continued adaptive mechanisms regarding distributive justice.[34] Moreover, the exigencies and imperatives of industrialization coupled with technology-transfer within a nascent global economy reinforce the need for an innovative alternative conceptual program. Nevertheless, technology-transfer only abets the situation for adaptation. This transfer has accompanied the rise of international corporations and is illustrative of essentially undirected change or change initiated and conditioned by external agents.[35] The point is that in most cases the target systems or host societies have not been properly understood. As a result, there have been negative consequences.[36]

In order to avoid such development problems, it is imperative to seek out more germane hypotheses:

First, *development necessitates the continued adaptation of the social system and is "directed" on the basis of administrative reformulations.* Characteristically, social change is understood as an elite-based phenomenon[37] whereas in Latin American societies, the presence of unique "modernizing elites," more often than not, has been problematic. Moreover, change has often been precipitated by exogenous forces — such as the importation of technology and ideas. Thus, it is apparent that the catalytic effects of change-agents within Latin American social systems have been, in part, produced in a "pocketed," isolated or segregated non-traditional framework. Furthermore, "premature

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[31] Veliz, *op. cit.*

[32] It is interesting to note in this context the observation of Harvey Wheeler: "If one could control the general character of scientific advance, one could control the framework within which social change would take place . . ." in his article, "Technology: Foundation of Cultural Change," *The Center Magazine,* V:4 (July/August 1972) 48.

[33] Germani, *op. cit.*

[34] Pearson, *op. cit.*

[35] See, for example: Peter F. Drucker, *The Age of Discontinuity: Guidelines to Our Changing Society* (New York: Harper and Row, 1968); W. Paul Strassmann, "The Industrialist," in John J. Johnson, *op. cit.,* 161; Albert O. Hirschman, "The Political Economy of Import-Substituting Industrialization in Latin America," *The Quarterly Journal of Economics,* LXXXII:1 (February, 1968), 1; and especially, Howard V. Perlmutter, "The Tortuous Evolution of the Multinational Corporation," *The Columbia Journal of World Business* (January-February, 1969), 9; Carl Oglesby, "The New Roman Wolf," *Interplay,* (November, 1968), 119.

[36] See, for example: E. H. Spicer (ed.), *Human Problems in Technological Change: A Casebook* (New York: Russell Sage Foundation, 1952); Gerald Breese, "The Developing City," Chapter Four, *Urbanization in Newly Developing Countries* (Englewood Cliffs, N.J.: Prentice-Hall, Inc., 1966), 101-132; and George M. Foster, *Traditional Cultures: and the Impact of Technological Change, passim.*

[37] See, for example: Clark Kerr *et al., op. cit.;* Gideon Sjoberg, *op. cit.;* and Joseph Antinoro-Polizzi, "Toward a Theory of Change of Feudal Society," Chapter VII, *Southern Italian Society: Its Peasantry and Change* (Rochester, New York: Alpine Press, 1972), 212-233. The reader might also wish to refer to Joseph LaPalombara, *Italy: The Politics of Planning* (Syracuse, New York: Syracuse University Press, 1966), *passim,* but especially, Chapter VII, "Interest Groups and Economic Planning," and his discussion of "Some Persistent Problems," pp. 123-147 and 152-157, respectively.

bureaucratization",[38] and the constraints of political bureaucracy[39] have served to exacerbate this issue and obscure the perception of new patterns of trans-social groupings which are reciprocally affected and cause change.

Second, it can be asserted that *development demands the installation of a successor group to the initial inducer of modernization,* even in the instance when such has been narrowly confined to the processes of industrialization. This is even more pressing when the initial inducer group has been intimately related (or concomitant) to the rise of international business.

New patterns and groupings are required by and for continued development. However, a new social-cultural group sensitive to and capable of dealing with the exigencies of the emergent social and industrial order has not and cannot be generated by legislative fiat or executive order.

Third, between the fiat and mere "wishful thinking," it appears — given a few instances of as-yet inchoate groups — that such *a new catalytic agency might be a "derivative phenomenon" resulting "naturally" or "spontaneously" from the concatenation of pressures or merely the informal interstitial relationships of currently existing societal institutions,* such as governmental bodies, educational institutions, private corporations, and individuals of elite and/or mass origins.

Toward A Paradigm

It has become apparent that action in the direction of expediting the emergence of new viable administrative solutions to developmental problems has not been forthcoming from the traditional elites, external capitalists or, with only too few exceptions, from governmental interventions. Hence, the assertion that a special type of managerial ability is needed to administer new technological devices and relate them to the needs of modern society may seem to be unctuous elaboration of the obvious. However, the preceding discussion has also noted that the seeds have been sown for the growth of a new form of human administration in transitional societies through the natural processes of technology-transfer and institutional growth.[40] The truly essential question is, therefore, how to promote the recognition and creation of new viable "techno-managerial" expertise within acceptable cultural parameters. This (adapted) conceptual model of the forces for change is superimposed on hypothetical curves graphing the possible relationships between Agrarian, Industrial, and Transitional Societies. For a complete discussion of this type of model, see: Fred Riggs, "Models in the Comparative Study of Public Administration," Papers in Comparative Public Administration, Special Series: No. 1, Comparative Administration Group, ASPA, 1963.

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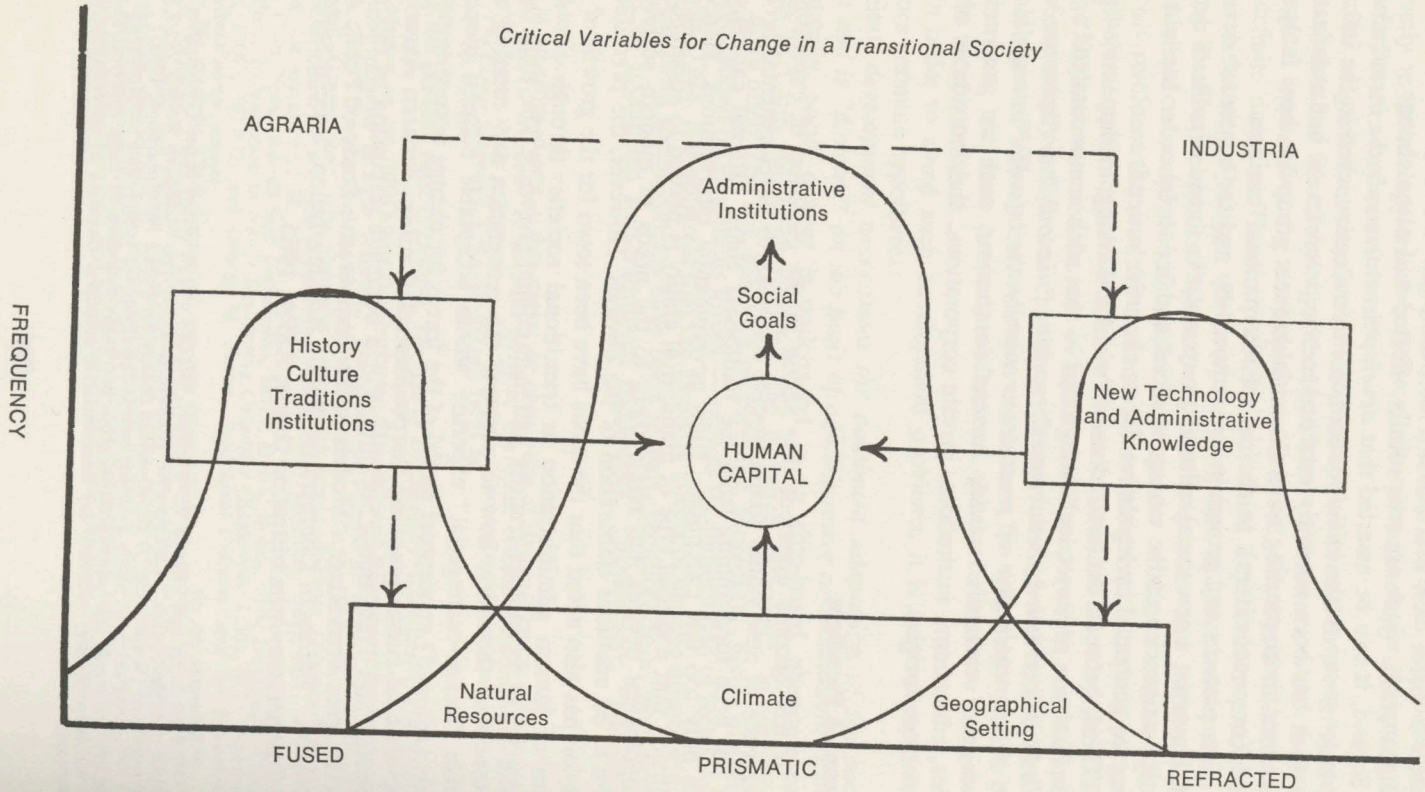
[38] Schmitter, *op. cit.*

[39] Fred Riggs and Edward W. Weidner, "Models and Priorities in the Comparative Study of Public Administration," *Comparative Administration Group American Society for Public Administration,* (Washington, D.C.: American Society for Public Administration, 1963).

[40] Introduction of newly available technological devices complicates modernization by creating new problems and administrative needs previously unknown in Latin America. This process is self-perpetuating; necessity for administrative solutions increases as development gains momentum.

FIGURE I

Critical Variables for Change in a Transitional Society



possible feedback patterns: — — — — —

A "breakthrough" process must be provided for an option allowing creative self-awareness and new adaptive solutions. Therefore, it cannot be delineated as a simple "how to" recipe or the "palliative incrementalism" abhorred by such commentators as Goulet.[41] Nor can there be any singular universal expression of one particular paradigm. There must be recognition that Latin American development can only be expedited through the catalytic action of indigenous change variables which have been obscured by foreign models, but which are, nevertheless, attempting to operate within what Fred Riggs has termed "prismatic" societies (or societies wherein traditional and relatively new forces are in antagonistic juxtaposition). (See Figure II for representation of the possible origin and future of the new individual change agent.) The successive practical problem for the respective nationals is that of "promotion" or positive inducement and implementation. Hence, there should exist more humanistic alternatives to the narrowly defined American "know-how" that Latin Americans feel is an inappropriate model.[42] The authors propose that the alternatives be conceived in terms of legitimate, culturally acceptable manifestations of "techno-managerial individualismo."[43] Developing or transitional nations may find these alternatives reflected in "development action systems."[44] If properly patterned these systems can help in evaluating and improving rational capabilities for development action in three ways:

The frequency with which these variables cut across the range of groupings which define the degree of refraction of a society (re: Figure I) would indicate the stage of modernization correlative to the catalytic action of the agencies of technology-transfer.

1. They can help in recognizing: the key variables in the matrix of activities, particularly those that can be used as instruments for achieving development, the nature and intensity of relationships between them; and the relevant constraints within which the system operates (what is desired).
2. They can assist in identifying obstacles to effective operaton of the system, and hence to the action necessary for achieving plan targets (what exists).
3. They can provide a basis for designing changes that will remove the obstacles and improve the effectiveness of the systems' operation (the transition from what exists to what is desired).[45]

More specifically, as Hillman and Moore re-affirm, "the development of innovative administration for the process of socio-economic development is profoundly influenced by the way in which technology-transmitting institutions and educational institutions relate to each other."[46] If only by default, there-

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[41] Denis Goulet, *op. cit.*

[42] For an opposing view, see: J. J. Servan-Schreiber, *The American Challenge,* New York: Avon Books, 1969.

[43] This rubric has been chosen in order to convey the various levels on which new change agents must operate for development: technical, human-administrative, and culturally specific.

[44] Saul Katz, "A Systems Approach to Developmental Administration," Comparative Administration Group, ASPA, 1965, 51.

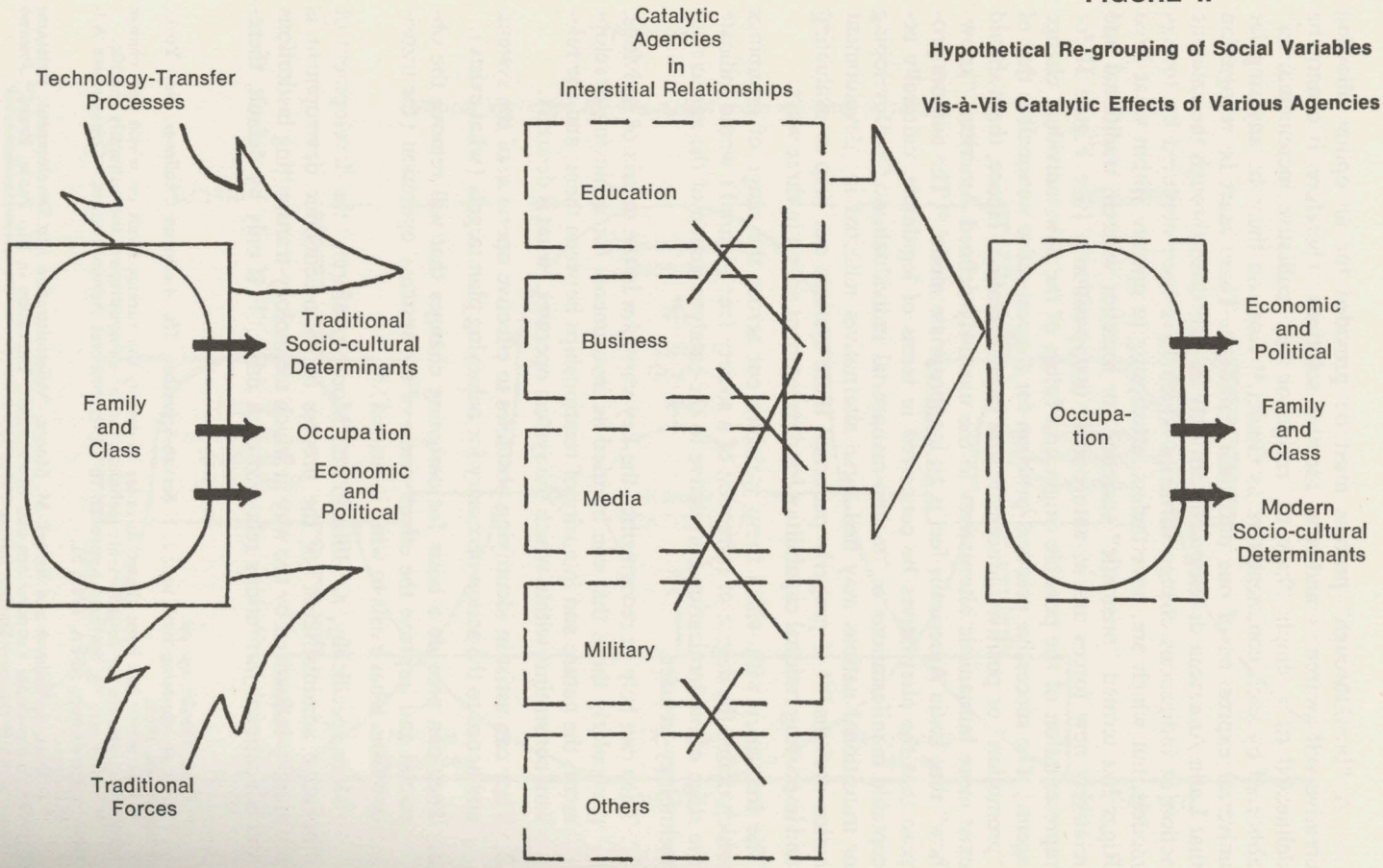
[45] *Ibid.*

[46] Richard S. Hillman and Russell M. Moore, "Administration and Development: Relations Between International Corporations and Management Education in São Paulo, Brazil," *Journal of International Business Studies,* Spring 1971, 57.

FIGURE II

Hypothetical Re-grouping of Social Variables

Vis-à-Vis Catalytic Effects of Various Agencies



fore, it would seem left to the "avant garde" of Latin American educators and intellectuals to promote action in new, untried developmental directions. If precedent is necessary, some educational cooperation on limited international levels, especially in the fields of management and administration, has begun to provide an excellent vehicle for this kind of action.[47] Educational institutions are themselves part of the social environment that is in a process of transformation.[48] As such, management education and study of the social sciences can become internal change-agents. They can become integral parts of "development action systems."

Universities can operate as institutions where theory and data are examined freely. Moreover, the influence of certain external examples has already produced an irrevocable social movement in certain directions. The real issue is how to control that movement through a rational directive process that is innovative and at the same time cognizant of cultural values. Once education provides an institutional basis for scientific research in the social sciences, then and only then, can programs based on social data be applied.[49]

New modes of management education are needed to satisfy the demands and interests of developing countries, technologically advanced countries, and international agencies alike. What have been lacking are some logical formulas for the promotion of research and related activities.[50]

Conclusion

Violent revolution does not automatically produce the conditions necessary for the development of viable administrative institutions; nor does overreliance on external capital. Administrative competence, however, is an effective instrument for helping man to exercise rational control over social forces and problems only insofar as his social environment allows for the kinds of attitudes and motivations that are preconditions and conditioning factors of administration. Theories in the administrative and social sciences constitute important approaches to the revelation of such conditions in the framework of reality and thus can provide a basis for alteration of an unsatisfactory status quo.

Educational institutions in order to accomplish their aims must provide the kind of training that reflects cultural preconditions and conditioning factors as well as political realities, so that there is developed, in national context, an administrative competence. Such administrative skill may be more important than, but is at least necessary to complement, financial and material programs.

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[47] The Getúlio Vargas Foundation Schools of Business and Public Administration in Rio de Janeiro and São Paulo, Brazil and the U. N. School of Public Administration for Central America in San José, Costa Rica are two examples.

[48] See: Richard S. Hillman, *op. cit.* It has been postulated that the institution must operate from within an existing system as a catalyst.

[49] See: Fernandes Florestán, "Social Science Research in Latin America," *Social Science Research in Latin America* (New York: Columbia University Press, 1967), 24-29.

[50] However, "managerialism" is understood not as a universal phenomenon. In fact, there very well may be an inverse correlation between "monochratic" bureaucracy and innovation. See: Victor Thompson, *Bureaucracy and Innovation,* (University of Alabama Press, 1969).

The production of the managerial talent needed to administer new technological devices and relate them, within culturally legitimate parameters, to the needs of modern society can be expedited by working paradigms based on research and educational cooperation which is conducted in light of the "critical perspective" suggested in this paper.

There is little or no historical precedent for the processes of recognition and response to these realities in Latin American societies. However, it is evident to the authors on the basis of the research contained in this paper as well as personal experiences, that no "leap of faith" to one or another ideological system is a sufficient condition for development.

MUTUAL BALANCED FORCE REDUCTIONS IN EUROPE: AN ALTERNATIVE TO UNILATERAL AMERICAN WITHDRAWAL?

Bruce D. Hamlett*

While there has been a slight but steady reduction in the number of United States troops stationed in Europe since 1962, the Nixon Administration has clearly stated its opposition to substantial unilateral American withdrawals from Europe during the next few years. In his foreign policy report of February 1972, for example, President Nixon stated that "given the existing strategic balance and a similar effort by our allies, it is the policy of this Government to maintain and improve our forces in Europe and not to reduce them except through reciprocal reductions negotiated with the Warsaw Pact."[1] Secretary of State Rodgers made a similar statement in his 1971 annual report, emphasizing that any future decision on troop withdrawals would be made (1) only after mutual consultation and agreement with the NATO allies and (2) with reciprocity from the Warsaw Pact forces. As was frequently stated by President Nixon and other administration officials, however, the continued American military presence in Europe requires equivalent actions by the West European states to maintain and improve their own troop strengths.

While Nixon's policy toward the question of American troops in Europe seems determined for the remainder of his first term of office, this does not mean that long-range changes will neither occur nor are being considered for the future. Among the strongest pressures calling for a change in the American policy are the domestic economic problems in the United States, as well as the closely related international balance of payment problems which the Nixon Administration has been attempting to resolve. The NATO states are also experiencing economic difficulties, which limit their willingness and ability to maintain and/or increase defense appropriations. In short, there are very strong economic pressures in many of the NATO states, and particularly in the United States, which will encourage a reduction of force levels in the future.

A second factor promoting change in the Nixon policy is the perception of a developing detente in Europe. The recent Four-Power German negotiations, the Bonn-Moscow treaty, as well as the proposed Conference on Security and Cooperation in Europe have all promoted the idea that the "Cold War" in Europe is over. Indicative of this detente attitude within American politics is the increasing strength of the Mansfield, Fulbright, and Symington group within the U.S. Senate. The thrust of the Mansfield argument has been the call for a large scale reduction of American forces from Europe, and thereby the elimination of an obsolete policy from the earlier Cold War years.

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[1] *U.S. Foreign Policy for the 1970's: The Emerging Structure of Peace*, a report to the Congress by Richard Nixon, President of the United States, February 9, 1972, p. 44.

A possible third and somewhat contradictory factor operating in Europe is the developing Soviet strategic capabilities. For the first time since the end of World War II, the Soviet Union has achieved a relationship of at least parity with the United States in nuclear power. This new relationship introduces an element of ambiguity in future Soviet-American relations, as it is uncertain how the Soviet leaders will utilize their new power position.[2] The question the Nixon Administration must deal with in planning the future American military presence in Europe is that of adjusting the NATO strategy "to the growth in Soviet nuclear power and to the decline in the forces and funds being devoted by NATO members to their non-nuclear forces."[3]

Perhaps as a result of Congressional and economic pressures to reduce United States force levels in Europe, the Nixon Administration, in cooperation with its NATO allies has entered the initial stage of negotiations with the Soviet Union to reduce the armed forces of the NATO and Warsaw Pact alliances. Under the rubric of "mutual and balanced force reductions" (MBFR's), the United States government is seeking an agreement that may eventually lead to the withdrawal of some American forces from Europe, with the Soviet Union reducing their Warsaw Pact forces by a "balanced" amount. Following the Nixon-Brezhnev meeting in Moscow in May, the Soviet and American Governments have agreed to hold an East-West Conference in 1973 on the issue of reducing military forces in Central Europe.

Should American Forces be Unilaterally Withdrawn From Europe

The arguments in support of a reduction of American forces in Europe primarily center on the issues of economic costs, a more equitable sharing of the burden in NATO, and a general desire to reduce the American world role. Each of these issues will be examined in greater detail before beginning the consideration of the negotiations for mutual and balanced force reductions. (If the argument for a unilateral American withdrawal is valid, then there is little reason to begin the probably long and tedious process of multilateral negotiations and withdrawals.)

1. *The economic cost of stationing 300,000 American troops in Europe is too great, given the American economic situation, and the money could more beneficially be used in dealing with domestic problems in the United States.*

Several different cost estimates are regularly used in describing the budgetary costs of the United States forces in NATO Europe. If one considers simply the annual operating costs of maintaining the United States forces stationed in Europe, the annual budget cost is approximately $4

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[2] Among the questions promoting this ambiguity are: Will the Soviets accept nuclear parity, or will they attempt to achieve nuclear superiority? Will the Soviets be more willing to promote political crises in Europe and other regions now, than they were in the 1950's and the 1960's, since the American nuclear power is now effectively balanced as a tool of diplomacy?

[3] William Beecher, "U.S. Conducting Board Review of NATO Strategy." *The New York Times*, November 9, 1970, p. 12.

billion.[4] If all of these troops were returned to the United States and demobilized, the budget costs could be reduced by at least $4 billion, and possibly more. This alternative—of total demobilization—is highly unlikely, however.

A more likely alternative would be the redeployment of the European based forces on American soil. In this case, almost all of the $4 billion would be needed to maintain them, whether they are stationed in Europe or in the United States. Moreover, if the policy was to keep the forces in the United States but have them ready to return to Europe in case of a crisis, an initially large appropriation would have to be made for equipment to be kept available in Europe, as well as for sea and airlift capabilities to get the American troops to Europe quickly. The short run costs for stationing American troops in the United States rather than in Europe would therefore be higher, while the long run costs would probably be somewhat lower than the present $4 billion level. It is unlikely, however, that even in the long run the economic savings will be significant, unless the troops are demobilized.

2. *The balance-of-payments costs of stationing United States forces in Europe are unacceptable, given the deficit in the American balance of payments position.*

It is estimated that the annual balance-of-payments costs to the United States of military forces and installations in Europe and the Mediterranean is approximately $1.8 billion. About $1 billion of this total is for official expenditures in Europe, with the remaining $800 million including personal spending by military and civilian personnel and dependents. Since over one half of the total outflow — $1.1 billion — occurs in Germany, arrangements have been made between the two governments for German payments to offset the American balance of payments costs.[5] In addition, since 1962, the other European allies have made purchases from the United States on military account of almost $4 billion.

Even with the "offset" payments and the military purchases, there definitely has been and will continue to be a balance-of-payments cost for the stationing of United States forces in Europe. (It should be noted, however, that this cost is neither a casual factor nor a major contributing factor to the overall imbalance which has been developing since 1957. Rather, a significant change must be made in the American balance of trade first, in order to eliminate the imbalance in the payments position.) As will be argued below, this balance-of-payments cost is not as great as the political gains from the presence of United States troops in Europe.

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[4] This figure represents military personnel costs, including pay and allowances, and costs for operating and maintaining the facilities used by these personnel. This figure does not include the indirect logistics and administrative costs from outside of NATO, major procurement and construction costs, or the United States contribution to the NATO infrastructure program. See, U.S. Congress, House of Representatives, Committee on Armed Services, *The American Commitment to NATO;* Report of the Special Subcommittee on North Atlantic Treaty Organization Commitments, 92nd Congress, 2nd session, August 17, 1972, p. 14978.

[5] Since 1962, these arrangements have resulted in payments to the United States of over $6.5 billion.

3. *The United States is carrying an unnecessarily large portion of the NATO defense burden.*

The thrust of this criticism is generally accepted by the Nixon Administration. Secretary of State Rodgers, for example, stated in the context of a letter to Senator Fulbright (dated April 27, 1970) that "our Allies can and should do more for the common defense, and we will continue to urge them to do so." Significant pressure has been placed on the European governments to do more in the way of improving their own forces quantitatively and qualitatively, of contributing more to the common infrastructure programs, and, in the case of West Germany, of exploring more mutually satisfactory offset arrangements, to help alleviate this financial burden on the United States.

During the past two years, there has been a significant increase in the European states' contributions to the NATO defense efforts. In December 1970, as part of the European Defense Improvement Program, the European allies agreed to an additional $1 billion appropriation to modernize and improve some of the NATO equipment. In December 1971, a further increase of about $1 billion in defense contributions for 1972 was announced. In 1970, the European allies, including the French, spent about $23 billion annually for defense, most of which was for European oriented forces. As an average, this was 3.9% of their respective GNP. During the same period, the budget costs for United States forces either in or assigned to the European area were approximately $7 or 8 billion, or less than 1% of the United States GNP.[6]

The purpose in listing these facts was not to demonstrate that the European states do all that they should in NATO defense spending. From the American point of view, this goal would probably never be achieved. Rather, the purpose has been to demonstrate that the European states are making a significant and increasing contribution to European defense efforts. They have demonstrated an interest in maintaining American forces in Europe as well as an understanding of the need for military strength as part of the diplomatic negotiation process with the Warsaw Pact countries.

4. *There is no longer any likelihood of a direct Soviet military attack on Western Europe. Within the general context of a detente in Europe, the United States should either reduce or eliminate its military presence in Europe.*

This argument seems to assume that Soviet intentions and actions will not change with the removal or the reduction of American forces from Europe. There is certainly no evidence to support this assumption, and it is highly unlikely that American decision-makers would be willing to operate on this type of expectation. Moreover, the problem in Europe has generally not been that of a direct Soviet military invasion of Western Europe. (American nuclear capabilities probably deter this type of event.) Rather, the problem has been and will continue to be one of either preventing or responding to low level political-military type crises. As long as the United States has a significant military presence in Europe, non-nuclear options will be available in these

[6] For a detailed discussion of these economic consideration, see U.S. Congress, House Committee on Armed Services, *Hearings* before the Special Subcommittee on North Atlantic Treaty Organization Commitments, 92nd Congress, 1st-2nd Session, October 14, 1971-March 24, 1972.

situations.[7] If American forces are totally withdrawn or reduced to a token level, the alternatives will be either nuclear war or no response, with the latter the most likely.

The point being argued here is that the present detente in Europe is at least partially a product of the American military presence in that region. Since the detente is still in the process of evolving, and is far from being stabilized, the United States government should continue this presence for the present time.

As Secretary Rodgers stated, the United States is "inextricably linked economically, culturally, and to a degree, politically, with Western Europe, but the precise shape and institutionalization of the relationship in the late 20th Century has still to be worked out. We can build imaginatively for the future, but during this transitional period should realistically hold on to those forms and institutions which have achieved that equilibrium and basic security within which the prosperity of Western Europe and the United States has advanced so markedly. To introduce a destabilizing factor at this point would seriously limit our capacity effectively to achieve this optimum future relationship."[8]

In short, there is a transitional situation currently in the European political relationships, with the shape of the longer future still unclear. In order for the United States to maintain a positive role in influencing this future, American troops should be maintained in Europe, for at least the short run. A unilateral American withdrawal would greatly destabilize the situation, and probably produce results against the long run interests of the United States.

Mutual Balanced Force Reductions As An Alternative to Unilateral Withdrawal

BACKGROUND

On several occasions during the 1960's, the leaders of both the Soviet Union and the United States made indirect reference to the desirability of mutual force reductions in Europe. The most explicit proposal was offered by the Soviet Union in January 1964, when they called for the "withdrawal of foreign troops from the territory of other countries," particularly the territories of European states. The Soviet proposal also called for a limited reduction of forces from the two German states, if the West was unwilling to begin large scale European reductions.[9] The following year, the Soviet government offered essentially the same proposal. In both cases, however, the United States Government did not respond positively.

The first major change in the Western position on European force levels occurred at the NATO Ministers meeting in 1968, held at Reykjavick, Iceland.

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[7] For example, Soviet blockade of oil shipments on the Danube River to Austria; East German denial of access to West German officials on the land route to Berlin.

[8] Secretary Rodgers statement was part of a letter to J. W. Fulbright, dated April 27, 1970. The letter was reprinted in "The Eurodollar Crisis and U.S. Forces." (unpublished document)

[9] Soviet Memorandum Submitted to the 18-Nation Disarmament Committee: "Measures for Slowing Down the Armaments Race and Relaxing International Tension," 28 January 1964, in U.S. Arms Control and Disarmament Agency, *Documents on Disarmament, 1964,* U.S. Government Printing Office, Washington, D.C., 1965, pp. 12-17.

In a communique drafted during the meeting, the ministers stated their interest in achieving mutual force reductions, announcing their decision "to make all necessary preparations for discussion on this subject with the Soviet Union and other countries of Eastern Europe." Besides this rather general call for force reductions, the Ministers identified some basic principles as prerequisites for these negotiations. Particular emphasis was placed on the requirement that mutual force reductions should be (1) "reciprocal and balanced in scope and timing," (2) represent a "substantial and significant step," and (3) guarantee "the vital security interests of all parties" while offering an agreement "capable of being carried out effectively."[10]

Since the NATO proposal was offered just prior to the Warsaw Pact invasion of Czechoslovakia in August, it was highly unlikely the Soviet leaders would agree to begin negotiating this issue. In fact, from the Soviet perspective, it was likely the West had proposed force reductions more in order to call attention to Soviet actions during the crisis in Czechoslovakia, rather than to begin actual negotiations on this issue. The Warsaw Bloc states, therefore, did not offer either a meaningful or a positive reply to the Reykjavick proposals.

In the NATO Ministers meeting in Rome in May 1970, a more specific declaration was issued, inviting the Soviet Union and other countries of Eastern Europe to join them in "exploratory talks on mutual and balanced force reductions"[11] in Europe, with specific reference to the Central Region. On several occasions since the Rome Conference, the Soviet leaders have expressed, albeit indirectly, their willingness to begin negotiations on force reductions. In Brezhnev's report to the 24th Congress of the Communist Party of the Soviet Union (CPSU) in March, 1971, he called for "the reduction of armed forces and armaments in areas where military confrontation is especially dangerous, above all in Central Europe." Foreign Minister Andrei Gromyko, in his address to the United Nations General Assembly in September 1971, said that "the task is to get down to business" in negotiating the reductions of armed force levels.

These statements by the Soviet leaders have been interpreted by United States decision-makers as indicating some degree of Soviet willingness to begin meaningful negotiations. Accordingly, in October, the NATO countries designated Manlio Brosio, the former Secretary-General of NATO, as the alliance's representative to visit the Soviet Union and some Eastern European states, with the tasks of "exploring Soviet attitudes" and "explaining the views of allied countries."[12] When the Soviet Government refused to receive Brosio, President Nixon, at the Moscow Summit, became the *de facto* MBFR explorer. The joint communique, following the summit, indicated a general agreement that "both sides believe that the goal of ensuring stability and security in Europe would be served by a reciprocal reduction of armed forces and armaments, first of all in Central Europe."

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[10] See *The Atlantic Community Quarterly,* Vol. 6, Fall, 1968 pp. 443-444, for a copy of the NATO communique.

[11] See *The Atlantic Community Quarterly,* Vol. 8, Fall, 1970 pp. 426-430, for a copy of the NATO communique.

[12] "NATO Sending Aide on Soviet Mission," *The New York Times,* October 7, 1971.

"PRINCIPLES" FOR A MBFR AGREEMENT

The NATO member countries have indicated there are certain considerations which must be involved in any negotiations of mutual, balanced force reductions in Europe. First, the force reductions "should be compatible with the vital security interests of the Alliance" and should not offer military disadvantages to either side which might arise from the geographical differences of the countries involved. This consideration is involved in the idea that all force reductions should be "balanced," so that the security interests of each state are equally protected. Given the significantly different geographical locations of the Soviet Union and the United States (vis-a-vis Europe), the implication is that the Warsaw Pact would have to reduce its forces by a greater amount than would NATO, so as to maintain a relative security balance between the two blocs. The Soviet leaders have not accepted this notion of "balanced" force reductions, and have argued instead for equal reductions by both sides.[13]

A second NATO consideration argues that reductions should be on basis of reciprocity, and should include stationed and indigenous forces as w as their weapon systems. One of the objectives of Soviet foreign policy sir World War II has been to promote the withdrawal of United States forc from Europe. By insisting on reciprocity, the NATO countries want to insu that American actions are reciprocated by the Soviet Union, and that the forces of the Eastern European countries are reduced, rather than used to replace the withdrawing Soviet troops.

Since at least June 1970, Soviet leaders have favored a reduction of "foreign armed forces on the territory of European states."[14] They have also stated their willingness to reduce the indigenous forces in Central Europe on a reciprocal basis. Western diplomats regarded as one of the most favorable statements from Moscow to be found in the communique following the Brezhnev-Brandt meeting in September 1971. Without going into detail, the communique stated that "the two leaders had outlined their views on the reduction of armed forces and armaments in Europe without detriment to the participating states."[15] In the Prague communique of January 1972, the Warsaw Pact States subscribed to the possible inclusion of indigenous as well as stationary forces in the proposed force reductions. While these statements imply a recognition of the different kinds of national interests and security questions involved in the negotiations, the Soviets have not explicitly accepted the idea of "balanced" reductions of indigenous or stationary force levels.

The NATO member countries have also stipulated that there must be "adequate verification and controls" to insure that all participating parties are observing the agreement. This aspect is an understandable and necessary

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[13] The Moscow Communique provided that "any agreement on this question should not diminish the security of any of the sides."

[14] "Memorandum by Warsaw Treaty Member-States," approved by the Warsaw Pact Ministers June 21-22, 1970, and transmitted to other governments by the Government of Hungary. Reprinted in *The Atlantic Community Quarterly*, Fall, 1970, Vol. 8, No. 3, p. 433.

[15] Hedrick Smith, "Brandt Supports a European Parley," *The New York Times*, September 18, 1971.

part of any arms control agreement, from the point of view of all participating states.

Many Soviet statements regarding the reduction of force levels in Europe have implied that this question might be considered within the context of a conference on European security and cooperation. The conference would be open to all European states, including those which are not members of the Warsaw Pact or NATO, as well as the United States and Canada. A full spectrum of topics (beyond the questions of force reductions) would be considered, including the renunciation of the use of force and threats of force, the broadening of commercial, economic, scientific-technical, and cultural relations, and the establishment of a permanent body that would deal with European security and cooperation.[16]

NATO diplomats have made a more definite distinction between MBFR talks and the initiation of a conference on European security. The successful conclusion of the Berlin talks have been stated as a prerequisite for the convening of a conference on European security. In contrast to the willingness to postpone the security conference, the NATO allies, and particularly the United States, seemed until recently, to be more interested in beginning the MBFR talks, arguing that participation in the negotiations should be restricted to members of either alliance, thereby excluding the neutral European states. In short, the United States seems to place greater emphasis on MBFR negotiations than on a Conference on Security and Cooperation in Europe, while the Soviet position places greater importance on the latter. Perhaps as a mutual concession, the two governments have agreed to hold exploratory talks on force reductions either before or in parallel with similar talks on the security conference.

ISSUES OF CONFLICT

The issues of conflict that will be involved in the MBFR negotiations can be examined on two levels. The first and most obvious level includes the relations between members of the NATO alliance as a group, with the members of the Warsaw Pact, or, the so-called bloc-to-bloc negotiations. Clearly, and in contrast to the SALT negotiations, the United States and the Soviet Union will not be the only directly participating parties. Nevertheless, both alliances will tend to negotiate more as a unit than as individual states, with internal disagreements within each alliance resolved either before the talks begin or away from the formal negotiating table. The obvious reason for the "bloc approach" is to reduce the possibility for members of the same alliance to be played off against each other.[17]

The second level of analysis must consider the negotiations between the NATO member countries prior to and during the MBFR talks. There are im-

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[16] See for example, "Text of Warsaw Pact Statement," The Statement of the Political Consultative Committee of the Warsaw Treaty member-states on questions of strengthening security and developing peaceful cooperation in Europe, signed in Berlin on December 2, 1970. *Survival*, February, 1971, pp. 61-63.

[17] While the Soviet Union has publicly stated its opposition to the bloc-to-bloc method of negotiations, there will definitely be a more unified Warsaw Pact approach to the negotiations than the NATO countries will be capable of developing.

portant differences in the attitudes and opinions of the governing officials of the United States, Britain, France and West Germany, and agreements will have to be reached between the NATO member countries before an agreement can be reached with the Warsaw Pact states.

Among the more difficult issues involved in the MBFR talks, the following deserve particular emphasis:

1. *How does one determine equitable shares in the burden of reducing the European forces of NATO?*

During most of the years of the Kennedy and Johnson Administrations, the United States and Western European governments were unable to agree on how much and what kinds of equipment each member state should be contributing to NATO defense strategy. In December, 1970, the European Defense Improvement Program was announced, with the European states agreeing to increase significantly their collective contribution to NATO. This agreement has apparently established an acceptable basis of shared effort by the NATO countries. Any type of MBFR agreement would force a reconsideration of this issue. If, as seems likely, a large portion of the initial reductions would include American (and Soviet) forces, the West European states would argue that they were receiving few of the benefits of MBFR's, while continuing to pay higher costs as prescribed by the European Defense Improvement Program. If a larger portion of the European forces were included in the reductions, then difficult questions would develop as to equivalent reductions among the European states in their contributions to NATO. The overall effect would be to add a potentially divisive issue to an alliance which is already divided on many points.

2. *What geographical region might be covered by an MBFR agreement?*

It seems likely that the initial negotiations would concentrate on the Central Region — which includes West Germany and Benelux on the West, and Poland, Czechoslovakia, and East Germany on the East.[18] These negotiations would inevitably be held within the context of total force levels of NATO and Warsaw Pact countries both in Europe and in the rest of the world. Specifically, attention would be given to the forces and weapons in France, on the one hand, and in the European part of the USSR, on the other. Any agreement on force levels in Central Europe would directly affect the larger question of force levels in Europe as a whole. It is hard to envisage any agreement which would limit the right of the Soviet Union to move troops where it wished within its own territory. Yet it is also hard to envisage an agreement limited strictly to Central Europe without some type of agreement for Europe generally.

[18] "The Rome Declaration" May 1970, suggested that the talks should have "special reference to the Central Region." The "Memorandum by Warsaw Treaty Member-States," June 1970 indirectly suggested a similar approach, with a statement calling for the "study of the question of reducing foreign armed forces on the territory of European states . . ." Both the NATO and the Warsaw Pact Declarations are reproduced in *The Atlantic Community Quarterly*, Vol. 8, No. 3, Fall 1970.

3. *How does one resolve the problem of a basic geopolitical asymmetry in Europe between the United States and the Soviet Union?*

When American forces are withdrawn from Europe they return to the continental United States, while Soviet forces withdrawn would return to the USSR, only a few hundred miles away from their original deployment. The fact that the Soviet Union is a European state, while the United States is not, makes it more difficult to negotiate an agreement whereby both states feel their security interests are equally guaranteed. An American solution to this asymmetry would involve either more drastic reductions for the Soviet Union or more stringent controls for relatively equal reductions. Both alternatives the Soviet Union is unlikely to accept.

4. *How does one establish criteria for equating the forces and equipment of several different countries?*

The Soviet and American negotiations to limit strategic arms are relatively simple negotiations, in that only two states are involved and they are dealing with an identifiable kind of weapons system. After over three years of negotiations, however, an agreement has not been achieved. The MBFR negotiations would be infinitely more complex, in that several different kinds of weapons systems, maintained by several different states, will be discussed. It will be extremely difficult to determine equal units of manpower and equipment among the several participating states.[19] Moreover, since the negotiations will be multilateral rather than bilateral, it is likely that an agreement will require a longer negotiation period than has been required for SALT.

5. *What type of verification procedures will be acceptable to the participating states?*

A basic requisite for all arms control agreements is that the participating states can confidently verify that other states are not violating the agreement. This will be difficult to achieve with respect to mutual, balanced force reductions in Europe, particularly smaller force reductions. In such a case, it will be necessary to verify that reduced levels were not being exceeded, and that forces disbanded within national territory remained in that capacity. Arrangements would also have to be made so that forces withdrawn from a territory were not covertly brought back into the original zone of reduction.

In his foreign policy report for 1972, President Nixon announced some tentative conclusions his administration had reached on this point. Of particular importance was the statement that small reductions, of 10% or less, cannot be confidently verified, particularly for those forces demobilized within a state. Larger reductions, on the other hand, can be confidently verified, if certain unstated conditions and measures are established. In the same statement Nixon emphasized that, given the Soviet ability for rapid mobilization and reinforcement of its forces in Central Europe, any equal reduction of forces would be "inherently unfavorable to NATO" and the larger the reduction, the greater the inequity.

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[19] For illustration, one only has to look at the continuous debate in American journals as to whether NATO is militarily as strong as or weaker than Warsaw Pact forces. This controversy has not been resolved, and, short of war, it probably never will be.

The conclusion seems to be that, from the American point of view, verification problems make small force reductions unacceptable, while the geopolitical asymmetry makes large and proportionately equal reductions also unacceptable. From the Soviet point of view, relatively large scale but unequal force reductions, with the Soviet side undertaking more drastic reductions, is probably unacceptable as well.

PROSPECTS FOR AN MBFR AGREEMENT

As indicated below, it is highly unlikely that an agreement for mutual and balanced force reductions in Europe will be negotiated. The areas of possible agreement between the two participating blocs of states are rather small even at this initial stage of the negotiation process. Moreover, the American government, which at least two years ago was the strongest proponent for MBFR's, seems to be undergoing a change of opinion. As one report stated, "the thing [MBFR's] has been wargamed to death, and any conceivable formula always works out against NATO."[20] According to State and Defense Department officials, "nothing short of unexpected major Soviet concessions could provide a formula for reducing the levels of troops in Europe without giving the Communist side a substantial advantage." [21]

The European members of NATO are also unenthusiastic in their approach to MBFR's. France and Great Britain particularly have indicated opposition to the prospects of mutual force reductions. There is also the general European suspicion of American actions vis-a-vis the Soviet Union, and the fear that secret bilateral Soviet-American negotiations might produce an agreement affecting forces in Europe, without the European leaders having a role in determining this agreement. Nixon's recent "surprise diplomacy"—the trip to China, the new economic policy, negotiations with Hanoi—has added to this general suspicion, and made the European leaders more cautious in their discussion of force reductions in Europe.

Soviet motives and interests with respect to mutual, balanced force reductions are unclear. Given their interest in the removal of American forces from Europe, it is likely that they would support some type of mutual force reduction. As discussed above, however, there is no acceptance of the idea of "balanced" force reductions, particularly with the Soviet Union getting the short end of the balance. Moreover, it is unlikely that they would be willing to accept an agreement limiting the Soviet Union's ability to redeploy Soviet troops in any of the East European countries, as future situations might require.

Conclusion

The problem facing the Nixon Administration regarding the question of U.S. forces in Europe will be difficult to resolve. While there are logical and acceptable reasons for continuing to maintain for the present time, a significant American military presence in Europe, there are also logical reasons for beginning to reduce the American force levels. In response to pressures from the

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[20] Bernard Gwertzman, "U.S. Aides Now Foresee Peril in Mutual Troop Cut for Europe" *The New York Times*, January 31, 1972, p. 10.
[21] *Ibid.*

economy and from Congressional leaders, the Nixon Administration has pushed the idea of mutual balanced force reductions as a method of reducing American troops in Europe while simultaneously protecting important American security interests. Now after two years of preliminary studies, it is clear that MBFR's are not a viable alternative and that they are unacceptable to the United States as well as to the European states, including the Soviet Union. It will probably be much more difficult for Nixon to contain "Mansfieldism" in the American Congress as it becomes apparent that MBFR's are not an alternative to a unilateral American withdrawal, as Nixon has been arguing.

Given this situation, it is likely that the Nixon Administration will support the convening of a Conference on European Security, as well as a parallel conference on mutual force reductions. This approach might deter or contain a Congressional demand for force reductions during 1973 and part of 1974. As well, the Nixon Administration might support the idea of a 10% mutual force reduction, as an initial step with limited impact on the security balance in Europe.

This approach might also help the Administration in delaying pressures for a more large scale U.S. withdrawal. It does seem quite likely, however, that significant numbers of American forces will be withdrawn from Europe during the next five year period. The nature of the process by which these forces are withdrawn will have significant impact on the amount of influence the United States has left in Europe after the withdrawal is completed.

THE TELLER AMENDMENT: IDEALISM OR REALISM

William R. Adams and James W. Cortada*

In the history of United States foreign policy, the Spanish American War has been called the "Great Abberation" because it launched the nation into a period of unprecedented overseas expansion. If, however, an aberrant departure by the United States in this period did take place, it was, as one historian suggested, the decision to approve the Teller Amendment disclaiming any intention to annex Cuba.[1] Historians by necessity have dealt with the implications of the Teller Amendment, but only sparingly.[2] Indeed, the most striking conclusion that can be reached about the historiography of the Teller Amendment is that it virtually has none. There are no articles or monographic studies devoted to it. Historians writing on the general theme of the Spanish American War or biographers of the principals involved only mention the amendment in passing. Even Elmer Ellis, in his biography of Henry M. Teller, devoted a scant three pages to the amendment. Yet Teller's proposal must not be treated so lightly. It is important because had it been absent, the United States may well have annexed Cuba as she did Puerto Rico and the Philippines.[3]

On April 11, 1898, President William McKinley requested Congressional authority to intervene militarily in Cuba. Only two months before, on February 15, the U.S.S. *Maine* blew up in Havana Harbor. Aroused by the destruction, the American public blamed Spain for the incident. In the face of mounting political and public pressure, McKinley concluded that he had no recourse but to seek power to intervene in Cuban affairs.[4] In the ensuing nine days, Congress engaged in lengthy and acrimonious debates on the extent and nature of the authority to be given the President. During this period of debate Senator Teller, Democrat from Colorado, made the proposal now known as the Teller Amendment.

Congress had to decide first, whether to grant the President the intervention power he had requested and second, to state its extent. For some time, Congress indicated its readiness to commit the United States to Cuban intervention. During the past decade resolutions calling for the recognition of

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[1] Richard H. Miller, (ed.), *American Imperialism in 1898: The Quest for National Fulfillment* (New York, 1970), 1-15.

[2] See the works of the following for passing references only, Thomas A. Bailey, Charles A. Beard, Samuel Flagg Bemis, A. L. P. Dennis, Foster Rhea Dulles, Ernest May, Julius W. Pratt, Richard W. Leopold and Walter LaFeber. Even those studying the Cuban problem barely mention Teller's amendment and even then only as an idealistic gesture. See for example, Leo J. Meyer, "Relations Between the United States and Cuba From 1895 to 1917, (Unpublished Ph.D. dissertation, University of Chicago, 1928), 105.

[3] Elmer Ellis, *Henry Moore Teller: Defender of the West* (Caldwell, Idaho, 1941), 311-313.

[4] *Congressional Record*, 55th Cong., 2 sess., XXXI, 3704-3707. For a recent analysis of McKinley's speech see Paul S. Holbo, "Presidential Leadership in Foreign Affairs: William McKinley and the Turpie-Foraker Amendment," *American Historical Review*, LXXII (July, 1967), 1321-1335.

Cuban independence appeared in Congress. Friction between the United States and Spain over Cuban independence, coupled with reports of Spanish atrocities on the island, encouraged American interventionist feelings even more. McKinley hesitated to recognize the Cuban revolutionary government because "unattended by any other action," or European approval, Cuba's problems could not be solved. When the President reluctantly asked Congress for permission to intervene, the House quickly approved his request. The Senate, however, devoted far more attention to the President's bid for extended authority. The Populists, Silver Republicans, and Democrats wanted a resolution stating that the United States believed Cuba had the right to be independent. Moreover, many senators wanted to recognize the independence of the Cuban insurgent government and extend diplomatic relations with it in such a resolution. The combined strength of these three political factions influenced the final wording of the approval at the cost of irregular delay.[5]

During that spring, a few senators demanded that the island not be annexed in the event that the United States should intervene in Cuba.[6] However, many of their colleagues felt that Cuba would not be able to gain independence without American aid, whether the island was annexed or not. They also wanted to avoid the temptation of annexing Cuba at the expense of Cuban independence. Consequently, many who mistrusted the Administration's motives urged that a statement be inserted in the war resolution which would prevent the United States from retaining permanent possession of Cuba. This group included some anti-administration senators and others who believed that America had a mission to free oppressed people. For years this bloc had been insistent in its views. For example, Senator William Mason, Republican from Illinois, on March 29, 1898, rose in the Senate to state "We only demand that the yellow Spanish flag shall retire forever from the Island of Cuba."[7] Populist Senator William V. Allen, from Nebraska, consistently opposed annexation as well. Allen spoke in the Senate arguing "we do not want Cuba. We do not even desire to be her guardian."[8]

In the week following the President's war message, debate on American objectives in Cuba increased. In the House of Representatives, William Sulzer, a strong New York Populist sympathizer, called for the immediate recognition of Cuba by introducing a resolution to block any annexationist move.[9] Other legislators did not even want to be remotely involved with Cuba's problems. Senator William Stewart asked on April 11, "if we intervene and take possession of the country, what are we going to do with it?" He maintained that the seizure of the island would mean American responsibility for Cuba's occupation, payment of its debt, and creation of a local government. Senator Marion

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[5] Quoted in Henry Steele Commager, (ed.), *Documents of American History* (New York, 1963), II, 3. Holbo suggests that Congress was using the recognition issue as a means to gain control of foreign policy formulation, "Presidential Leadership in Foreign Affairs," 1322-1323; Margaret Leech, *In the Days of McKinley* (New York, 1959), 178-179; *Congressional Record*, 55th Cong., 2 sess., XXXI, 3706; David F. Healey. *The United States in Cuba, 1898-1902 Generals, Politicians, and the Search for Policy* (Madison, Wis., 1963), 20-22.

[6] *Congressional Record*, 55th Cong., 2 sess., 3164.

[7] *Ibid.*, 3295; Healey, *The United States in Cuba*, 133.

[8] *Congressional Record*, 55th Cong., 2 sess., 3413. Nevertheless, Senator Allen was not against a war with Spain. At one point he proclaimed "I am the jingo of jingoes.", *Ibid.*, 3413.

[9] House Resolution No. 220, *Congressional Record*, 55th Cong., 2 sess., 3670.

Butler, North Carolina's vociferous Populist, suspected that the Administration wanted to annex Cuba and he went on record: "I shall not vote for any policy which leaves it open . . . to enslave Cuba." While these debates continued, the House and Senate Foreign Relations Committees reported out resolutions granting the President his request.[10]

The Populists were the most vehement opponents of annexation in Congress. For years, Populist congressmen had nursed an abiding suspicion of the Administration's motives in rebuffing attempts to have Cuban rebels recognized as the legitimate governing force in the island. They suspected that the moneyed interests wanted to annex Cuba in order to tighten their control over Cuban sugar profits. They feared that the result would be the eventual enslavement of Cuba as an economic dependency of these interests. Recently historians have begun to question the thesis propounded by Julius W. Pratt in 1936 exonerating the business community of responsibility for the war. These economic determinists have, in effect, revived the old Populist charges that the moneyed interests seriously considered annexation as a profitable business venture. Because the role of business in causing the Spanish American War is shrouded in historiographic controversy, it would be presumptuous at this point to subscribe fully to either thesis. Obviously, further research remains to be done in defining the composition of the business classes and their political role.[11]

The Populists became especially concerned immediately prior to and shortly after the President's war message. With visions of plutocratic greed before them, a sizeable element in Congress, led by the vocal Populists, charged that there existed a plot afoot to make capital gain out of the Cuban intervention. Speaking for this group on March 24, Nebraska Senator John M. Thurston broached the subject: "There is . . . said to be a syndicate organization in this country representing the holders of Spanish bonds, who are urging that the intervention of the United States shall be for the purchase of the island or for the guaranteeing of the Spanish debt incurred . . ."[12] Senator William Stewart, a Nevada Republican, explained that "if we intervene in Cuba and take possession of the island, we cannot liberate it from the lien which the bondholders have put upon it. It is a mortgaged country . . ."[13] It should be noted that these Populists and their political allies made a distinction between intervention to free Cuba and intervention to annex Cuba. They objected to intervention only if it led to annexation. In this limited sense an element of idealism worked its influence.[14]

During the week of April 11, while Populist and anti-administration con-

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[10] *Ibid.;* Holbo, "Presidential Leadership in Foreign Affairs," 1327-1328.

[11] The most important of these recent studies is Walter LaFeber, *The New Empire: An Interpretation of American Expansion, 1860-1898* (Ithaca, 1963), which argues that the United States went to war primarily for economic reasons. However, LaFeber did not fully connect Populist fears with business motives in his discussion of the war resolution, 379-407; Julius W. Pratt, *Expansionists of 1898: The Acquisition of Hawaii and the Spanish Islands* (Baltimore, 1936), 233-257.

[12] *Congressional Record,* 55th Cong., 2 sess., 3164.

[13] *Ibid.;* Healey, *The United States in Cuba,* 25-27.

[14] John D. Hicks, *The Populist Revolt* (Minneapolis, 1931), 389; LaFeber, *The New Empire,* 290; Walter Millis, *The Martial Spirit: A Study of Our War with Spain* (Boston, 1931), 34, 57, 58, 124, 142; *Congressional Record,* 55th Cong., 2 sess., 3413.

gressmen debated the virtues of intervention with McKinley supporters, Senator Teller spoke out against annexation. This venerable champion of the Western Silverites presented an enigma in the question of Cuban intervention. Seemingly, his opposition to annexation in April, 1898, ran contrary to his well known expansionist views. When debate over Hawaiian annexation arose during the Cleveland Administration, he proved to be an earnest expansionist and even chided the Democratic Party in 1893 for abandoning its expansionist policy of earlier years. On that occasion he told his colleagues, "I am in favor of the annexation of those islands. I am in favor of the annexation of Cuba; I am in favor of the annexation of that great country lying to the north of us."[15] But, as his biographer pointed out, Teller carefully qualified that statement by adding that any territorial acquisitions must come on a voluntary basis. In 1895, referring to Cuba, he reaffirmed his hope of seeing the American flag flying "over that great island and over other islands."[16] Yet despite his professed expansionist sentiments and the advantages to the cause of silver inherent in a war over Cuba in 1898, Teller counseled moderation in dealing with Spain, even in the aftermath of the *Maine* sinking. Although he professed to oppose war, he nonetheless favored recognition of Cuban belligerency, and accordingly introduced a resolution recognizing the establishment of an independent Cuban government.[17]

Teller evidently came to nourish considerable sympathy for the Cuban insurgents. That feeling, joined with an abiding suspicion of the Administration and doubtlessly fortified by the ominous rumblings in the Congress, certainly weighed upon his mind when he rose to address the Senate on April 15. By this time also, Teller must have been as convinced as any of the urgency and desirability of intervention. He undoubtedly perceived that unless someone found a way to relieve such anxieties the wranglings in the Senate would continue and perhaps be fatal to the political interests not only of the Populists but of the Cuban revolutionaries. Even the danger existed that the interventionists would fail in their efforts without more unity in the Congress. Teller answered the problem by declaring "I want the Senate to say that we do not intend to take that island," and "make it clear to the world that it shall not be said by any European government . . . that we are doing it for the purpose of agrandizement for ourselves or the increasing of our territorial holdings."[18]

By putting the cause of intervention upon a high moral plane, Teller delivered a master stroke that at once rescued the national reputation, relieved the apprehensions of the opposition and stripped the Administration of its arguments against recognition of the rebel government. With the inclusion of his amendment, recognition of Cuba seemed implicit. The opposition could

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[15] Quoted in Ellis, *Henry Moore Teller*, 308.

[16] *Ibid.;* quoted in Pratt, *Expansionists of 1898*, 204.

[17] Ellis, *Henry Moore Teller*, 309. Ellis dismissed the widely accepted version of the Amendment's origin which Teller's acquaintance, Horatio Rubens, offered in his book, *Liberty, the Story of Cuba* (New York, 1932).

[18] *Congressional Record*, 55th Cong., 2 sess., 3899. Even Theodore Roosevelt did not want annexation. In a letter to Robert Bacon on April 8, 1898, he wrote that he was "very doubtful about annexing Cuba in any event . . ," quoted in Elting E. Morison (ed.), *The Letters of Theodore Roosevelt* (Cambridge, Mass., 1951), II, 814.

now allow the Administration to acknowledge limited Cuban freedom with the assurance that the United States would not preemptively assume control of the island's government. Consequently the Congress approved the Teller Amendment which stated the "United States hereby disclaims any disposition or intention to exercise sovereignty, jurisdiction or control over said island . . . and asserts its determination . . . to leave the government and control of the Island to its people."[19]

More than just idealism governed the votes of Congress on the Teller Amendment. The fact that it was passed by acclamation led most historians to stress idealism in interpreting this vote at the expense of any explanation based on practical considerations. This emphasis on idealism has clouded historical interpretations on the matter long enough. Upon closer investigation, it is possible to suggest that idealism was merely one of several factors influencing the vote. Historical experience suggests that Congress is not an altruistic and generous body by nature. Therefore, it would be more accurate to consider the Teller Amendment as an example of Congressional *realpolitik*.

One practical consideration before the Congress as the war hysteria mounted was the possibility of European intervention in any war between the United States and Spain, especially when the probability remained that Washington would acquire Cuba. Teller admitted as much during a congressional debate in 1902 dealing with his amendment. He explained that the "press of all Europe was filled with denunciations of us and declarations that we were pretending to be moved by a spirit of humanity, but that we were really moved by a spirit of greed." He further added, " I felt then that we were in some danger, but I believe we were in greater danger than I had ever supposed."[20]

Several senators hastened to confirm Teller's claim that fears of European reaction to American intervention in Cuba motivated him to submit his amendment. "I have always supposed it had some influence with the Senator from Colorado," said Wisconsin's Senator John Coit Sponner, who had been the Administration's floor leader in the Senate in 1898. Georgia Senator Augustus C. Bacon recalled that President McKinley himself had expressed to several legislators apprehension about the effect of American intervention on Europe. Bacon quoted the President as saying, "Remember Senators, if this war breaks out it may be a world's war."[21]

In fact, Europe in 1898 expressed misgivings about American intentions with regard to Cuba. England, France, the Papacy, and even the Austro-Hungarian Empire closely followed the deteriorating relations between the United States and Spain. As early as 1895, various European governments offered to mediate Spanish-American differences. Further, these powers made no effort to hide from the American public their concern. Although it is highly doubtful that Europe would have done more than just object had the

[19] Commager, *Documents of American History*, II, 5.
[20] *Congressional Record*, 57th Cong., 1 sess., 5804-5805.
[21] *Ibid.*, 5805 and for Bacon's testimony, 5805-5806.

United States laid claim to Cuba, foreign interest in the Cuban problem worried some senators.[22]

Besides European interest in Spanish-American problems, senatorial solicitude for the welfare of American sugar growers governed their behavior. There is little basis for attempting to argue that Europe had strong economic interests in Cuba. As a matter of fact, for most of the nineteenth century, the United States dominated Cuba's sugar export market and controlled a large portion of her sugar industry. Although America's stake in Cuban sugar was considerable and constantly expanding, mainland sugar beet producers opposed any suggestion of annexation because this would bring Cuban sugar within the tariff wall. If Cuba joined the United States, reasoned domestic producers, the island would prove stiff competition to the sugar beet farmers. Sugar beet interests, politically more powerful than the cane sugar producers in the United States, maintained a large lobby in Washington as well as in key state capitals during the critical period of 1895-1898.[23] In states such as Colorado, Louisiana, and Florida, sugar lobbyists were able to force politicians to consider seriously blocking Cuban annexation. However, it would be incorrect to assume that all politicians were controlled by sugar interests. Such a false assumption, for example, led many historians to consider Teller a tool of these producers.[24]

Undeniably, sugar interests in some states successfully won a great deal of influence in the Republican Party apparatus, as in Louisiana.[25] Throughout the 1890's, they strived to align the Republican Party in favor of protective tariffs. These efforts were crowned by some success in July, 1897, with the passage of the Dingley tariff, which imposed duties on foreign sugar sufficiently high to protect the price level of the domestic crop.[26] This victory encouraged sugar beet producers to prevent Cuban annexation, which would nullify the benefits of the Dingley Act.

Attempts to connect Teller's role in Cuban annexation politics with the

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[22] For a study of the whole problem of European concern over Spanish-American differences, see Orestes Ferrara, *The Last Spanish War: Revelations in Diplomacy* (New York, 1937). Ferrara even went so far as to suggest that Europe was prepared to form a united front at one point, to solve the impending Spanish-American conflict and preferably to Spain's advantage, 7-14, 92-126, 139-151. Other studies on Europe's reactions are A. E. Campbell, *Great Britain and the United States, 1895-1903* (London, 1960); Charles C. Campbell, Jr., *Anglo-American Understanding, 1898-1903* (Baltimore, 1957); L. B. Shippee, "Germany and the Spanish-American War," *American Historical Review,* III (July, 1925), 758-763. Senator Cushman Davis, Chairman of the Foreign Relations Committee, expressed his concern over European interest in Cuban problems and their connection with American politics. In a text for an undated 1897 speech, Davis warned of European designs, "we may ourselves be the subject of these inflictions," Folder 39, Box 12, Cushman Papers, Minnesota State Historical Society. Cuban concern is reflected in Manuel Márquez Sterling, *Proceso histórico de la enmienda Platt, 1897-1934* (Havana, 1941) and in Emilio Roig de Leuchsenring, *La lucha cubana por la republica contra la anexión y la enmienda Platt, 1899-1902* (Havana, 1952).

[23] Philip S. Foner, *A History of Cuba and Its Relations with the United States* (New York, 1963), II, 293-300 has a description of how the U.S. dominated Cuba's sugar industry. For other economic studies of this problem consult Richard D. Weigle, "The Sugar Interests and American Diplomacy in Hawaii and Cuba, 1893-1903" (Unpublished Ph.D. dissertation, Yale University, 1939) and J. Carlyle Sitterson, *Sugar Country: The Cane Sugar Industry in the South, 1753-1950* (Lexington, Ken., 1953), 342, 380-381.

[24] LaFeber, *The New Empire,* 370-379; William A. William, *The United States, Cuba, and Castro* (New York, 1962), note on 7.

[25] William Ivy Hair, *Bourbonism and Agrarian Protest: Louisiana Politics, 1877-1900* (Baton Rouge, 1969), 247.

[26] Sitterson, *Sugar Country,* 340-341.

sugar beet interests of Colorado are not new. However, his role deserves further consideration in order to make clear how extensive was the influence of these sugar lobbyists. The traditional belief holds that Teller proposed his amendment in order to protect sugar beet producers. Ellis, however, refuted this interpretation with the observation that the Senator was not on good terms in 1898 with the then relatively insignificant sugar interests of his home state.[27] Vastly more powerful in Colorado was the silver industry, whose interests Teller had for years promoted as the champion of free silver.[28] It is therefore far more reasonable to assume that when Teller proposed his amendment he doubtlessly thought about the silverites, who had no manifest advantage to gain from annexation.

The silverites, mainly interested in gaining the support of the Populists for their monetary programs, subscribed to an amendment that was essentially a Populist plank. Silverites assumed that war with Spain would force the United States to issue silver money; consequently, they lent their support to interventionist proposals. One worried goldbug wrote: " It should be borne in mind that the silver men are entrenched in the Senate and are watching vigilantly for a chance to bring in the silver standard. It does not require much imagination to see that in this passion for war the silver group hope to find the opportunity they lost in 1898." Therefore, Teller can be viewed as a silver representative who linked both the silverites and the Populists together with his amendment.[29]

Many in Congress who had for years supported a position calling for the eventual annexation of Cuba, voted for the Teller Amendent.[30] Sufficient research has yet to be conducted to explain adequately why pro-annexationists really voted for the Teller Amendent. The conventional explanation holds that idealistic concern for Cuban freedom swept up these politicians in a moment of emotion to vote overwhelmingly for the war-making powers and the Teller Amendment. What little evidence exists, however, tends to support the idea that in 1898, public desire for war far exceeded in importance the urge to annex Cuba. This appears to have affected both the thinking of Administration supporters and opponents. None of McKinley's biographers, in discussing the request for war-making powers, discuss what impelled Congress to adopt Teller's Amendment other than to cite emotionalism and a touch of idealism.[31]

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[27] See William, *The United States, Cuba, and Castro, passim;* Ellis, *Henry Moore Teller,* 344.

[28] Hicks, *The Populist Revolt,* 351-354.

[29] J. Laurence Laughlin, "War and Money: Some Lessons of 1862," *Atlantic Monthly,* LXXXII (July, 1898), 53. Ellis, *Henry Moore Teller,* 311-315, 343. The London *Times* observed that "From the beginning the party . . . has hoped, and still hopes, that the war may bring the country to a silver standard," April 21, 1898, p. 5.

[30] For examples, Jacob H. Gallinger, of New Hampshire, Hernando de Soto Money, of Mississippi, and John M. Thurston, of Nebraska, among others, were in sympathy with Cuban annexation, Healey, *The United States in Cuba,* 180-190; LaFeber, *The New Empire,* 285-300, 327-333, 370-379.

[31] See for example, J. K. Winkler, *W. R. Hearst* (New York, 1928); J. E. Wisan, *The Cuban Crisis as Reflected in the New York Press, 1895-1898* (New York, 1934); M. M. Wilkerson, *Public Opinion and the Spanish-American War* (Baton Rouge, 1932); G. W. Auxier, "Middle Western Newspapers and the Spanish-American War, 1895-1898," *Mississippi Valley Historical Review,* XXVI (1940), 523-534; J. C. Appel, "The Unionization of Florida Cigarmakers and the Coming of the War with Spain," *Hispanic American Historical Review,* XXXVI (1956), 38-49. A story has it that Senator Lodge asked a Boston friend if he thought the Cuban issue should be settled at once. "If we don't it will be pretty hard to vote for the Republican Party," came the answer, quoted in John A. Garaty, *Henry Cabot Lodge: A Biography* (New York, 1953), 187.

Although political considerations in the vote deserve more attention, one is still left with the nagging problem of describing the degree of emotion as versus the degree of realism weighing on the minds of these Congressmen. Practical considerations dominated in the minds of these politicians as they voted; but what is difficult to reconcile are these motives with their feelings of altruism. In studying the vote on the Teller Amendment, perhaps the happy balance between the practical and the idealistic never will be struck. However, the pressures that influenced these men in April of 1898 can no longer be ignored.

INTERNATIONAL TERRORISM: CRIMINAL OR POLITICAL?

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The problem posed to the international community by acts of terrorism is as complicated as it is contemporary. This essay will examine several of the difficulties facing the elimination of terrorist acts. This discussion will also analyze three specific types of terrorism in an effort to clarify the difficulties of technical semantics. These three areas involve acts committed on the land, sea, and in the air.

However, before examining the topic from a legal perspective, I feel it is necessary to briefly discuss two recent developments. These developments will make it quite clear that any solution to the problem cannot divorce international law from international politics.

The first development is the direct negotiations concerning extradition of hijackers between the United States and Cuba. Washington, evidently, weighed the possible political ramifications of a rapprochement with Havana and determined that the conceivable shock in Brasilia, Caracas, Buenos Aires, and Guatemala City could be counter-balanced by an effective anti-terrorist agreement. Some individuals will allege that the Havana-Washington talks were made possible only after Nixon's rapprochement with China. This is really of secondary interest to the present discussion. However, there can be no question but that any United States—Cuba discussions will have a tremendous effect within what Washington considers its primary sphere of influence. There are three conceivable possibilities that could help justify this overture towards Cuba. They are: (1) Whether it was the threat that terrorism posed to the United States that forced the United States to possibly upsetting its position in the hemisphere? (2) Whether the threat of terrorism was used as a justification to initiate an era of friendlier ties with Cuba? (3) Whether it was a combination of the two possibilities? In any event, this paper is concerned with the realization that this development demonstrated that Washington has given the curtailment of terrorism a high priority.

The second recent development also demonstrates the high priority the United States has given to curtailing international terrorism. Washington attempted to have the question considered in the General Assembly of the United Nations. A majority bloc of nations, made up of Arab-Afro-Asian states, voted against discussion of terrorism during the 1972 session.[1] The rationale of some of these states was the fear that any abridgment of terrorism would eliminate a powerful tool of national liberation movements. The United States had probably hoped to have some sanctions placed on countries which

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The author is grateful to Dr. Pritam T. Merani, Towson State College, and Dr. N. G. Onuf, American University, for their assistance in the original draft and revision of this paper.
[1] *New York Times*, Sunday, December 17, 1972, Section 4, page 4.

grant sanctuary to these fugitives. An example of the type of sanctions could be the rescinding of air privileges to states granting sanctuary to air hijackers, i.e. Algeria. It is interesting to note that the Soviet Union, which has been faced with terrorist activities, has been less inclined to associate with the Afro-Asian bloc sentiments, than they have in the past.

These two developments may point out the lessening of the traditional dogmatic bi-polarity. This observer believes that these incidents point to the new politics which will not be bi-polar or tri-polar, but instead temporary pseudo-alliances to achieve very general policy objectives. However, of more relevance to the present topic are the following two observations. The first is that recent developments may illustrate that traditional adversaries may unite to combat terrorism. The second is that there is an opposition bloc to any anti-terrorism measures. These bloc states may provide at least sanctuaries for the terrorist fugitive.

The natural consequence of a stalemated political situation is a search for an alternative means to achieve the end. In the realm of international relations, when diplomatic attempts fail, one frequent consequence is the resort to armed force. This resort is the least desirable and would serve little purpose in the search for a solution to terrorism. Another alternative is a legal assessment.

The first step in a legal analysis of international terrorism should be defining the term "terrorism." John R. Stevenson advises that such an endeavor may be counter-productive because it tends to make the perimeter either too narrow or too wide, to allow for significant results.[2] However, some attempt, even inadequate, should be made. The definition which I have adopted is a compilation of several attempts and is as follows:

> "the systematic use of violence, by a faction or party, directed against a Government or individuals, intended to create a state of fear in the minds of particular persons, or groups of persons or the general public."

From this definition, there appears to be two forms of terrorism: the first being those directed against governments, the second being those directed against individuals. At first the separation appears simple; upon further inquiry it is realized that it is compounded by varying shades of interpretation. The separation of the two types is of paramount importance, because the distinction parallels the difference between a criminal and a political act. Although I will consider air hijacking later in this discussion, I will use an example to clarify this statement. Air hijacking, depending on the individuals involved, can be either for political reasons or for personal gain. If an airliner is hijacked to Algeria by three individuals who hold the passengers and the plane for ransom, it would appear to be a simple case of criminal hijacking. However, if the individuals claim to be separatists and claim to plan to use the ransom to finance their movement's activities against a constituted government, it then may be interpreted as a political action.

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[2] John R. Stevenson, "International Law and the Export of Terrorism," Department of State Transcript of speech given 6:00 p.m. EST, Thursday, November 9, 1972, to the Association of the Bar of the City of New York and the American Society of International Law, page 4.

This attempt to clarify the distinction between the two types of terrorism is important, regardless if the offense occurred in the air, on the sea, or on the land. After the incident, the victim State's first legal concern is in apprehending the fugitive. It is in this first step (if the fugitive has fled into the territory of another state) that the distinction must be made. A victim State can ask for the return of the terrorist. The State of sanctuary decides whether the "fugitive criminal" shall be surrendered to the victim State. Assuming an extradition treaty exists between the States concerned, extradition procedures may be implemented. The *Extradition Act of 1870,* from which guidelines are adopted in most treaties, states "a fugitive criminal shall not be surrendered if the offense in respect of which his surrender is demanded is one of a political character. . . ."[3] Obviously, every fugitive will attempt to convince the courts that he is a political fugitive and, thus, cannot be extradited. Fortunately, there have been other guidelines established to determine, if, indeed, a fugitive is a political fugitive — and thus exempt from extradition.

A classic case determining the status of a fugitive is *In re Castioni* (1890).[4] In this decision, the British court agreed to allow Castioni to be extradited to Switzerland. The circumstances of this case are what determined the ruling. It appears that Castioni was involved in an uprising in Switzerland and fired a shot which killed a member of the State Council. The determining testimony was made by a fellow insurgent who stated that "it was unfortunate that the man had been killed, because it was not necessary for the uprising."[5] The *stare decisis* of the Castioni case is that, to be determined as a political action the offense must demonstrate a direct correlation between the action and the objective. In other words, a common crime such as murder, unless it was a very necessary action in achieving the end, will be treated as a common crime.

Another guideline is the so-called "attentat" clause. This clause was initiated in the Belgian extradition treaty after an unsuccessful attempt to assassinate Emperor Napoleon III failed. The French request for the two individuals had to be refused by the Belgian Court of Appeal because the Belgian extradition treaty forbid the surrender of political fugitives. As a result of that decision (Jacquin Case, 1854), Belgium amended its extradition law to permit extradition in the case of murder of either the head of a foreign government or a member of his family.[6] This amendment was known as the "attentat" clause.

Those States which have adopted the attentat clause in their extradition treaties now have the right to release for extradition or prosecution a fugitive criminal who has murdered the head of a State or his family. This clause is of extreme importance as an effective measure against terrorism, because it allows for the extradition of a specific political crime, which could set a precedent to allow for future exceptions to non-extradition.

The United States has expanded the guidelines of the determination of fugitive status since World War II. In the *Eisler Extradition Case,* 1948, Ger-

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[3] Manley O. Hudson, editor, *Cases and Other Materials on International Law,* third edition, St. Paul, 1951, page 507.

[4] *Ibid.,* page 506.

[5] *Ibid.,* pages 506-508.

[6] L. Oppenheim, *International Law: A Treatise, Peace,* Volume I, edited by H. Lauterpacht, 8th edition, New York, 1955, page 709.

hart Eisler was accused of committing two crimes in the United States. The first was that he was in contempt of Congress for refusing to be sworn in or take the stand when he was called to testify before the House Committee on Un-American Activities. The other was that he knowingly perjured himself when he was seeking permission to leave the United States.[7] Eisler had fled to Great Britain where the United States attempted to invoke the extradition treaty. Great Britain refused to allow the extradition because British law did not consider false testimony to an administrator as perjury.[8] While this decision may not appear to be within the present topic, the principle that was advocated was that the crime the fugitive is to be extradited for must be a crime in both concerned states. It is quite conceivable for a terrorist to be given sanctuary in a country which does not consider that type of terrorism a crime.

Another point was brought out by the United States Attorney General Edward Bates in his action in the *Lake Erie Pirates* case, 1864.[9] In this case, the United States claimed that these individuals fled to Canada after committing piracy on the Great Lake. There appeared to be a difficulty in terminology as to whether or not Lake Erie could be acceptable in a definition of piracy, for the word "sea."[10] Bates then suggested the United States attempt to extradite the fugitives on other grounds such as assault and robbery. The intent of Bates' suggestion, of course, was to first apprehend the fugitives and then be able to prosecute them for any crimes which they had committed.[11] This position would allow the victim State to fabricate or charge the fugitive with a common non-political crime which the fugitive could be extradited for. And, then, after he was in its custody, prosecute the fugitives for the political crime. No doubt this would be done versus terrorists or any political fugitive today if all other States agreed and if it had not been for the United States Supreme Court decision in *United States vs. Rauscher* (1886). In this case, the fugitive was given over to the United States on the charge of piracy on the high seas by Great Britain, but the United States attempted to indict him for a much more severe crime.[12] The Court's decision expressed the "principle of speciality." This principle means that an extradited individual can only be tried for the specific crime he was extradited for. Although the United States Supreme Court decision seems to be a guiding principle for United States' policy, Hudson points out that the United States has in practice acted differently. Hudson relates that the United States has "recognized by statute that persons surrendered from the Canal Zone to Panama may be prosecuted by Panama for other or graver offenses than those for which they were surrendered."[13]

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[7] Hans Kelsen, *Principles of International Law*, 2nd edition, edited by Robert W. Tucker, New York, 1966, pages 373-374.

[8] *Ibid.*

[9] David R. Deener, *The United States Attorney Generals and International Law*, Netherlands, 1957, page 239.

[10] See definition of "piracy" further in discussion, footnote 18.

[11] David R. Deener, *The United States Attorney Generals and International Law*, Netherlands, 1957, page 239.

[12] Manley O. Hudson, editor, *Cases and Other Materials on International Law*, third edition, St. Paul, 1951, page 516. It should be noted that Hudson does not inform the reader of what the "more severe crime" is.

[13] *Ibid.*, page 518, Act of July 5, 1932, 47 Stat. 574, 48 U.S.C.A. 1330a-1330j. For further inquiry along these lines see *Collins vs. O'Neil*, 1909, *Collins vs. Johnson*, 1915, *King vs. Corrigan*, 1931, and the *Lawrence Case*.

Another problem which may be encountered is the case in which an extradition treaty does not exist between the two states. The sanctuary state may always refuse to deport, expulse, exclude, or allow a special arrangement to regain a fugitive. However, the action is generally done out of courtesy. Since the *Webster-Ashburton Treaty of 1842,* the United States has concluded extradition treaties with practically every important country.[14] This point does not remedy the problem of terrorism, because in practice the United States does not have treaties with some of the sanctuary states, such as Cuba and Algeria. The talks between the United States and Cuba could alleviate part of the problem. However, apprehending the fugitive is still the primary concern. If there is no extradition treaty, the Unity States can ask the sanctuary State to return the individual, but that State is under no legal obligaion to do so. However, the power and influence the United States could assemble could very easily help the sanctuary state decide. The recent incident concerning Mayer Lansky is illustrative of the pressures that Israel felt, even if indirect or inferred. The American criminal fugitive was expulsed from Israel, and he offered any state one million dollars to accept him. He had a great deal of trouble, because few states could afford to alienate Washington.

In 1947, the United States Department of State refused to comply with a Soviet request to hand over a fugitive, who, while in their Mexican Embassy's employ, allegedly embezzled state funds.[15] The Department's refusal was based upon "a well-established principle of international law, that no right to extradition exists apart from treaty."[16] The State Department did not bother deciding whether or not the accused was a political or criminal fugitive. I would venture to guess, that since the embezzlement was not in direct motive and objective to overthrow (*In re Castioni* above) the Soviet government, the action was of a private nature, and, thus, not a political crime. Washington reacted to the non-treaty situation in this incident to deny the Soviet Union extradition request. The fact remains that a State is under no legal obligation to surrender a fugitive. In practice, states generally aid each other when a treaty of extradition does not exist. Some alternative methods of rendition are exclusion, expulsion, and special arrangements which have been mentioned above.

Hopefully, by examining three specific cases of terrorism, it may help clarify the status of a fugitive. The first specific area of terrorist activity is that on the sea.

A question which I hope will be clarified by the examination of terrorist acts at sea is the status of the acts of insurgents who are not yet recognized as belligerents. Typically, if it is left to the victim State's discretion, it would be to their advantage to treat unrecognized insurgents as if they were pirates or non-political criminals. A modern case dealing with this question was the 1961 case of the *Santa Maria.* This ship was seized at sea by some passengers and

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[14] Philip Q. Wright, *Enforcement of International Law Through Municipal Law in the United States,* 1916, Urbana, Illinois, page 90.
[15] Charles G. Fenwick, *International Law,* third edition, New York, 1962, page 331.
[16] *Ibid.*

crew members and the leader proclaimed they were Portuguese insurgents.[17] This case considers the status of individuals who participate in acts which would generally be considered as acts of piracy, except for their so-called political reasons. This case has aroused much discussion concerning whether it should be considered an act of piracy. The *Geneva Convention of the High Seas of 1958, sensu stricto,* suggests that it was not an act of piracy. Article 15 declares that piracy consists of:

> "Any illegal acts of violence, detention or any act of depredation, committed for private ends by the crew or the passengers of a private ship or a private aircraft and directed:
>
> (a) On the high seas, against another ship or aircraft, or against persons or property on board such ship or aircraft;
>
> (b) Against a ship, aircraft, persons or property, in a place outside the jurisdiction of any state."[18]

The section of this article which appears to make the case of the *Santa Maria* not an act of piracy is that phrase which says "for private ends." Captain Galvao, when he took control over the ship, not only declared that it was a political action, but also his crew did not acquire any personal gain.[19] The proof, then, in whether it was a political or criminal action is in what gains are to be made. If the gains serve to benefit individuals, it should be considered a criminal or piratical action. However, if the so-called purpose of the action does not benefit the individuals personally, but rather is done for the benefit of the society or "movement," it is deemed a political action. There can be no question that if Galvao's crew had received any personal gain from their actions, those actions would be considered piratical. The interesting note as regards the *Santa Maria* is that while the *Castioni* case advocates a definite relationship between the means and the object, this case differs for one thing in that the insurgents were acting at sea. In both cases, an individual was killed, but in the *Santa Maria* the question was not whether the murder was political, but was it rather an act of piracy? Professor Charles Fenwick feels that the seizing of the *Santa Maria* was an act of piracy because Galvao did not have a base of operations in Portugal and that violence was used against civilians and some third state nationals.[20] Professor L. C. Green, however, disagrees with Fenwick. Green adds that not only was there no violence against non-Portuguese, but also quotes a source as saying that the insurgents paid for their drinks at the bar.[21] Green alleges that Fenwick's query, "How could the offense be called 'political' when Galvao held no public office before starting his insurgent movement?" is somewhat lacking. He does this by questioning what public office was held before 1775 by Paul Revere, the Sons of Liberty,

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[17] Hans Kelsen, *Principles of International Law,* second edition, edited by Robert W. Tucker, New York, 1966, page 204.

[18] Max Sorensen, editor, *Manual of Public International Law,* New York, 1968, page 365, U.N. Doc. A/CONF. 13/L.53.

[19] L. C. Green, "Santa Maria: Rebels or Pirates," *British Yearbook of International Law,* 1961, Oxford, 1962, page 498.

[20] L. C. Green, "Santa Maria," *American Journal of International Law,* 1961, page 497, quotes Fenwick's article.

[21] *Ibid.,* page 498.

Ethan Allen, or the participants in the Boston Tea-Party?[22] The importance of this inquiry is that "terrorist" activities are relative depending on from which position the observer is looking. In the Arab nations, those that carry on "terrorist" activities are not called terrorists, but rather guerrillas, liberation armies, or even para-military forces. The *Santa Maria* is an important case to cite, because it examines the important question of when are individuals political insurgents and when are their actions piratical? Although scholars have disagreed, this case dramatizes the need for expanded classifications of political offenses.

Is there a point in an insurgency when the insurgents are or are not political actors? Do insurgents have to be recognized by the mother country or a third party? A case which helps clarify the second point, to an extent, is the *Ambrose Light* (1885). The Ambrose Light was seized by an American ship and brought for trial to New York. The Ambrose Light was heavily armed and was supposedly on its way to assist in an insurgent action against the government of Colombia.[23] In this case, the United States District Judge Brown held that unrecognized insurgents were pirates. This decision is somewhat inconsistent with the United States' Civil War recognition of the South as belligerents.[24]

The position of the United States has changed as can be witnessed by the *Harvard Law School Research in International Laws Draft Convention on Piracy*. In this study, the position seems clarified to the extent that it "excludes from its definition of piracy, all cases of wrongful attack on persons or property for political ends, whether they are made on behalf of states, or of recognized belligerents or organizations, or of unrecognized revolutionary bands."[25]

What this means to the international problem of terrorism is that insurgents, when taking over a ship, can be granted status as political criminals if they are recognized as acting out of political motives without involving non-involved states or nationals of those states. However, if their actions are deemed as acts of piracy, they are subjected to the jurisdiction of the capturing State to either try or extradite to the victim State. While few terrorist activities, today, involve the seizure of ships on he High Seas, the principles that these incidents review are of great importance when considering the overriding question of whether an act is criminal or political.

The second specific type of terrorism, it is hoped, will help clarify the problem even further. Most of the contemporary terrorist actions involve the hijacking of aircraft. Some governing principles of international law which govern air hijacking are found in the *Tokyo Convention on Crimes and Certain Other Acts Committed on Board Aircraft of 1963*.[26] This convention was designed to answer questions regarding the regulations governing jurisdiction over crimes committed on board aircraft. This document apparently improves

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[22] *Ibid.*

[23] Manley O. Hudson, editor, *Cases and Other Materials on International Law*, third edition, St. Paul, 1951, pages 132-136.

[24] L. C. Green, "Santa Maria: Rebels or Pirates," *British Yearbook of International Law*, 1961, Oxford, 1962, page 501.

[25] *Ibid.*, page 502.

[26] Sorensen, page 350.

upon the *Geneva Conference of 1958's* provisions pertaining to jurisdiction over acts of individuals on board aircraft. The *Geneva* agreement states that piracy could be dealt with by any nation which could apprehend the pirate. The *Tokyo* agreement of 1963 provides in Article 4 for dual jurisdiction. These concurrent jurisdictions are: (1) State of registry of the aircraft; and (2) State over which aircraft is flying.[27] The question of jurisdiction over air hijackers depends upon whether the action can be rightfully deemed as an act of piracy or as a political action, because political actions are not subject to extradition.

A re-examination of the definition of piracy contained in Article 15 of the *Geneva Conference of 1958* clearly defines the two criteria for acts to be considered piratical.[28] If a literal interpretation of the *Toyko* agreement of 1963 is utilized, an aircraft must always be within the jurisdiction of a State, because the aircraft must be registered by a State. Thus, air hijacking cannot be strictly considered an act of piracy. Obviously, hijacking can occur within the jurisdiction of a State and not qualify as political either. The answer to this semantic problem, of course, is that when an act of hijacking occurs within the jurisdiction of a State, and is not political, it could be considered criminal while not piratical.

An illustration of hijacking which would have to be considered as criminal, would have to demonstrate the motivation of personal gain. This test of motivation is not always easily demonstrable, especially in the case of unrecognized belligerents.

Another international agreement was finalized in December, 1970, at the Hague. The *Hague Agreement,* which was signed by over fifty states, obligates a signatory State to make any unlawful seizure or intimidation of a civil aircraft severely punishable.[29] Under the Agreement, the State is obligated to either prosecute or grant extradition of the hijacker.[30] However, this type of non-universal convention has little effect on the curtailment of international terrorism, because the maverick State may still grant sanctuary to the fugitive.

Another convention dealing with this problem was the *Montreal Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation.* This conference, which basically parallels the *Hague Convention,* met in September, 1971.[31] Article 5 of this convention expands a State's jurisdiction over hijackers to include not only the State of registry of the aircraft and the State over whose territory the action occurred, but also:

> "(c) when the aircraft on board which the offense is committed lands in its territory with the alleged offender still on board.
>
> (d) when the offense is committed against or on board an aircraft leased without crew to a lessee who has his principal place of business, his permanent residence, in that State."[32]

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[27] *Ibid.*

[28] These criteria are: (1) the act must occur outside the jurisdiction of a State; and (2) the act must be committed for private gain.

[29] *ICAO Bulletin,* August, 1970, page 13.

[30] Stevenson, page 7. It is interesting to note that Mr. Stevenson does not make a distinction between political and criminal hijacking.

[31] Stevenson, page 8.

[32] *ICAO Bulletin,* October, 1971, page 16.

This expansion of jurisdiction increases the possibilities of apprehending the fugitive and coupled with Article 8 of this convention obligates the contracting States to include in their extradition treaties provisions to insure that these offenses be included as extraditable offenses.[33] This article goes further by stating (paragraph 2) that in a situation where an extradition treaty does not exist, the Convention may be considered as the legal basis of extradition.[34]

Nevertheless, Article 8 of the *Montreal Convention* grants the requested State the option of extraditing the fugitive and, thus, determining the status of the fugitive.

The problem facing the international community in the elimination of hijacking of civil aircraft is exemplary of the problem of international terrorism. There exists today ample international agreements to curtail the unlawful seizure of civil aircraft; nonetheless, hijacking continues — in fact, it has increased. The major powers have demonstrated a mutual interest in the curtailment of hijacking, yet the problem continues.[35] In addition, the United States has clearly made a major effort to create and implement anti-hijacking procedures.

There is no doubt that it is necessary to implement strong measures to counter the hijacking of civil aircraft. However, a case could be made that strong provisions to combat hijacking could easily be utilized to impede national liberation movements, especially unrecognized belligerents.

The other main area of terrorist activity is that involving armed bands. This realm of inquiry will have to deal with interrelated problems of State responsibility and victim State recourse. Armed bands differ considerably from hostile military expeditions in that in the former there is no formal organization, nor do they exhibit a strictly military character.[36] Armed bands have been referred to as "para-military" forces, "guerrilla," "liberation," or "freedom" fighters. It has been argued, that to a very real extent, the labeling of such forces depends not only on "political values,"[37] but one's ideological position. However, the characteristics of armed band conflict remain basically the same. Their operation does not require the existence of a state of war nor any internal strift in the victim State. Their activities include any action by small groups of individuals from crossing frontiers for purposes of private forays or raids to incursions into foreign territory with political designs.[38] This inquiry is again faced with the haunting question: Are these activities criminal or political?

There have been a few cases where armed bands have been motivated solely by the desire of personal gain. These bands have always been considered as marauders and criminals and, thus, subject to arrest, extradition, and punishment. Marauders have used the refuge of borders to escape criminal prosecution. The history of United States-Mexican relations is characterized by

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[33] *Ibid.*

[34] *Ibid.*

[35] This is demonstrated by the fact that the U.S.S.R., the United States, and the United Kingdom are all Depository Governments of the Montreal Convention, Article 15.

[36] Manuel R. Garcia-Mora, *International Responsibility for Hostile Acts of Private Persons Against Foreign States*, the Hague, 1962, page 109.

[37] Richard A. Falk, "The Beirut Raid and the International Law of Retaliation," 63 *American Journal of International Law*, page 415.

[38] Garcia, page 109.

agreements which permit the authorities of each State the right of "hot pursuit."[39] While some raids by armed bands are easily distinguishable as either criminal or political attacks (the Jesse James Gang and Viet Cong attacks are examples respectively) others can be almost indistinguishable. An example of a raid by an armed band which is difficult to characterize as either political or criminal could be the incident of Chinese Nationalist troop raids in Burma. The determination in this particular case would have to be the motivation of Chinese troops; if they acted independently, or were they following orders?

Most of the publicity given armed band activities by the news media is for those which are politically motivated. These bands require the "sensational" names of "guerrilla," "liberation," "freedom fighters," or "terrorists." These bands usually attempt to justify their use of force as counter measures to fight the oppression and suffering placed upon their peoples by "imperialists" and/ or "colonialists," or as the Algerian National Liberation Front (FLN) have justified it — "fighting a war of self-defense."[40]

Traditional international law legitimizes the use of force by insurgents only when their activities are successful.[41] However, the *Jus Gentium* allows a separatist group two procedural *modus operandi* for the legitimization of the use of force. The first method is if outside States recognize the insurgents as belligerents, thus, granting them belligerent status. The other way is if outside States grant the insurgents the status of a government.[42] It is for these reasons that liberation and revolution movements attempt to receive recognition.

It is in the realm of incursions by armed bands that victim States can exert pressure, influence, and even force to combat terrorist attacks. Obviously, the victim State will attempt to repel the attack (assuming the attack is in the form of a skirmish, shelling, or assault). The victim State will, usually, chase the "guerrillas" to at least its frontiers. The traditional right of self-defense allows a response, under certain conditions of this nature.[43] However, once the pursuit crosses a political boundary the victim State is violating the territorial integrity of that State.

The actual crossing of a political boundary is usually avoided, because it could produce severe ramifications — including war. However, State practice reveals two instances of when such an action is deemed fairly safe. The first time is when the otherwise violated State has given explicit permission (such as the United States' and South Vietnamese invasion into Cambodia of 1970) or treaty provisions to pursue marauders. The other safe instance of pursuit into a foreign territory occurs when the victim State feels it is militarily far superior to the violated State and fails to ask or receive permission to enter the

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[39] Ibid., page 121. The principle of "hot pursuit" usually applies to the law of the Sea of self-defense; however, it is used on land as a justification to pursue fugitives across frontiers. In *International Law and the Use of Force by States,* Ian Brownlie, page 372, voices the traditional view, that the "right of hot pursuit" has no real support in State practice for the alleged right across frontiers.

[40] Arnold Fraleigh, "The Algerian Revolution as a Case Study in International Law," *International Law of Civil War,* Richard A. Falk, editor, American Society for International Law, 1971, page 190.

[41] *Ibid.*

[42] *Ibid.*

[43] For further explanation of "certain conditions," see discussion below on the *Caroline Case,* notes 51 and 52.

State (such as the South Vitenamese and United States' attacks into Sihanouck's Cambodia of April and May, 1964).[44] These types of actions are usually justified through the "right of hot pursuit."

Another justification for the victim State to actually invade the neighboring State is if that State can be shown responsible for the acts of guerrillas. Several individuals have claimed that it is a State's responsibility "as far as possible to prevent its own subjects, and such foreign subjects as live within its territory, from committing injurious acts against other States."[45] A State could be held responsible for acts of insurgents only if they did not exercise "due diligence."[46] Oppenheim feels that when a State does not do all that could be reasonably done to prevent the misuse of its territory "either intentionally (or) maliciously or through culpable negligence does not comply with this duty commits an international delinquency for which it has to bear original responsibility."[47] A situation which exemplifies armed band activity practicing its activities from sanctuary States is that of the Palestinian Liberation Movement.[48] If these "guerrillas" use Syria as a sanctuary for its attacks upon Israeli settlements, Israel could claim that Syria has the capability to suppress the "terrorists" but has not done so. Israel could then declare Syria responsible for the acts of the "guerrillas" and threaten to carry out reprisals. This type of situation was paralleled in Jordan with King Hussein and the guerrillas, but the monarch decided to act with due diligence.

A different situation exists if the Palestinian "para-military" forces use Lebanon as a sanctuary. Lebanon with its small army would be endangering its existence as a State to attempt to take measures against the Palestinians. In this case, Israel would have to resort to different tactics,[49] unless Israel decides to ignore this type of interpretation and decides to take a more military course of action.

Some States have gone as far as to justify the invasion into a sanctuary State to state that they regard "as an aggressor in an international conflict the State which gives support to armed bands formed on its territory, which has invaded the territory of another State, or has refused to take in its own territory, not withstanding the request of the invaded State, all the measures in its power to deprive those bands of all assistance or protection."[50] This statement reflects the sentiment of the principle of "due diligence."

Assuming then that a convincing case could be made that the sanctuary State could be held responsible for the actions of the armed bands, the logical question arises — What would be the proper recourse for the victim State? Traditional international law bases the recourse on the right of "self-defense."

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[44] P. E. Corbett, "The Vietnam Struggle and International Law," *International Law of Civil War*, edited by Richard A. Falk, American Society for International Law, 1971, page 398.

[45] Most notable of these being L. Oppenheim, Oppenheim, page 365.

[46] *Ibid.*, page 366.

[47] *Ibid.*, page 365.

[48] I use this term as a blanket phrase to cover all of the organizations of this movement.

[49] Fraleigh (op. cit., page 206) relates an alternative tactic employed by the French in the Algerian Revolution, which is the "right of riposte" or the right to return, in like, across a border. In this case, from Algeria into Tunisia.

[50] Julius Stone, *Legal Controls of International Conflict*, New York, 1959, page 332.

The guidelines for the conditions for the exercise of self-defense were illustrated in the *Caroline Case* (1837). The *Caroline* was a vessel chartered by Canadian insurgents to carry arms from the American side of the Niagara River to the Canadian side. The Canadian Government crossed the River to the American side and seized and burned the *Caroline,* in the process killing two Americans. The United States charged that the Canadian Government violated its territorial integrity in the seizure. The British defended their actions as necessary to their self-preservation, because there was no time to petition the United States Government.[51] Daniel Webster, the United States' Secretary of State, offered two very important conditions, which have been universally adopted. Webster relates that there must exist the "necessity of self-defense, instant, overwhelming, leaving no choice of means and no moment for deliberation." Webster also feels that the recourse must be proportionate to the original offense.[52] This "doctrine of proportionality" is a difficult principle to apply to several types of terrorist activities. While frontier skirmishes and raids fairly well determine the type of defense mechanism which will be employed, it is much more difficult to determine what kind of recourse the victim State should utilize against activities such as attacks or bombings directed against civilian shopping centers, villages, and local transportation.

Prior to the United Nations Charter and the *Treaty for the Renunciation of War of 1928* a State could make any of the customary forms of reprisals against any international delict. The usually accepted definition, according to Hans Kelsen, is:

> "Reprisals are acts which, although normally illegal, are exceptionally permitted as (a) reaction of one State against a violation of its rights by another State."[53]

Reprisals can take the form of either an embargo, a seizure of property on the high seas, a pacific blockade, or the use of force.

In customary international law, a State must satisfy the conditions set down in the *Naulilaa Arbitration of 1928*[54] to legally use reprisals. The Court set forward the following conditions: (1) There must have been a previous illegal act on the part of the other party; (2) the reprisal must be preceded by an unsuccessful redress of the wrong committed; and (3) the measures adopted must not be excessive, that is, the principle of proportionality must be demonstrable.[55]

Derek Bowett presents a convincing case, that it has become extremely difficult to justify a reprisal which uses force, especially since the inception of the United Nations Charter.[56] One difficulty facing the justification of the use of force for reprisals, since the inception of the United Nations Charter

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[51] Oppenheim, pages 300-301.

[52] Sorensen, page 761.

[53] Kelsen, page 21.

[54] This case involves a Portuguese claim that German reprisals were unjustified. The Germans felt that their reprisals were justified, because a German official and two German South West African Germans were killed by a group of Portuguese troops in Angola. The governor of German South West Africa ordered German troops to attack Portuguese outposts and sent a military force into Portuguese territory in Angola. The Court held that Germany was responsible.

[55] Bishop, page 748, *International Law: Cases and Materials.*

[56] Derek Bowett, "Reprisals Involving Recourse to Armed Force," 66 *American Journal of International Law,* page 1-36, 1972.

is that the "use of force" is prohibited without Security Council determination as to force as the only recourse. Professor N. G. Onuf suggests that Bowett awkwardly infers that any action taken by the Security Council should be considered as having a "legal significance."[57] While the Charter is supreme in contemporary international law is unquestionable. This observer cannot agree with Dr. Onuf in granting the organs of the United Nations that same supreme authority. The organ of this reference, the Security Council, constantly demonstrates its innate political nature. If a political organ would or could determine legal questions, these decisions could not be unequivocal.

Nevertheless, the present international legal system, as regards reprisals and especially those used as retaliation for terrorist activities, appears to necessitate a new set of criteria for the use of force in the time of peace. Both the *Naulilaa* and the *Caroline* arbitration cannot deal with the present stage of international law.[58]

Richard Falk suggests just such a framework. He establishes a set of twelve criteria for the use of this type of force.[59] While Falk's points are excellent conditions to be complied with before reprisals can be applied, these points are not sufficient to deal with terrorism. As this essay has attempted to point out, the problems facing the elimination of international terrorism are compounded by differing perspectives, interpretations, and definitions. As long as States disagree as to the desirability of eliminating all acts of terrorism, there can be no universal termination of the enigma. However, a partial curtailment of these activities is possible.

This paper has attempted to survey several of the legal problems facing the eradication of terrorism. This essay has intentionally avoided the actual elimination of these type actions, but has instead concentrated on the problems of apprehending the fugitive. In this discussion, I have attempted to clarify the situation by examining three different types of terrorist activities, i.e., on land, on sea, and in the air. By approaching the problem in this way, the paper directs the reader to the fundamental question arising in every case; that is, whether the offense in question is political or criminal. In the present legal system, the offender does not have to be extradited, if the offense in question is deemed political. Nevertheless, new provisions which would allow for extradition of political offenders would hamper the activities of national liberation movements and should, therefore, not be implemented.

However, acts of terrorism should be controlled somewhat. A possibility to alleviate the problem to an extent would be to establish an International Criminal Court. This Court could have jurisdiction over all acts by individuals. The Court would determine the status of the fugitive and/or his movement.

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[57] A working paper by N. G. Onuf, "The Current Legal Status of Reprisals," Panel on Reprisals in International Law, American Society of International Law, page 1.

[58] In fact, if it were not for Charter's explicit prohibition against preemptive attacks, a State could probably justify anticipatory attacks on "guerrilla" camps, using the Canadian argument in the *Caroline* case that its actions were necessitated.

[59] See Richard A. Falk, "The Beirut Raid and the International Law of Retaliation," 63 *American Journal of International Law*, pages 441-442, 1969.

Once the status was determined, the individual could be prosecuted as a criminal or decisions could be made to deal with any punishment which might be warranted even though the offense was deemed political. This court would also be in authority to find a State responsible for activities by private persons and then declare the proper recourse for the victim State. While this court would not be the ultimate answer to the enigma of terrorism, it does establish possibilities which could prove equitable to both insurgent and victim State.

Case Studies in Communist Conflict Resolution: The Warsaw Pact. By Robin Alison Remington. 1971. (M.I.T. Press, Cambridge, Massachusetts, and London, England)

Too often the Cold War is looked upon from the point of view of the so-called free world, from the point of view that the western alliance system was created as a reaction to the threat from the so-called communist or non-free world. Western Europe and the United States became used to looking at the Soviet Union and her eastern European satellites as a bloc firmly directed by Moscow just as much as Moscow considered the capitalist world as a bloc under the firm direction of Washington. Today, we realize that this simplistic concept of the two power-blocs does not hold true. We realize that within the NATO or the O.A.S. powers many differences exist. We realize that People's Republic of China has been steering an independent course in world affairs for a good many years. And at last, we see that there are differences of opinion and of behavior within the Warsaw Pact alliance.

Robin Alison Remington deserves credit for having provided an intelligent and intelligible study about the internal workings of the Warsaw Pact and specifically the Soviet Union's relationship to and its uses of the *individual members* of the *pact* or the pact in its totality. The study is one in a series published by the Massachusetts Institute of Technology entitled "Studies in Communism, Revisionism, and Revolution." The author, naturally, denies that there is a shortage of pertinent and revealing material on the subject. Fortunately for him, he had the services of assistants available who know the languages of the Warsaw Pact countries, Russian, Albanian, Czech, German, Polish, and Rumanian. He also had the advantage of working on and completing his study in a non-aligned country, Yugoslavia. Almost nine pages of bibliography contain communist, capitalist and neutralist literature, much of it to be found in journals — professional and semi-professional — and in newspapers. It also includes official government publications. There are almost forty-eight pages of important documents of the Warsaw Pact alliance, starting with the Warsaw Treaty of May 21, 1955, and ending with the official "Statement on Questions of the Strengthening of Security and the Development of Peaceful Cooperation in Europe," Dec. 4, 1970.

Remington's organization is chronological. He begins his treatise with the founding of the Warsaw Pact in 1955, then deals with the Hungarian, Albanian, Rumanian, Czechoslovokian, and finaly the East German challenges to the Pact and within the Pact to the Soviet Union. His style is clear, matter-of-fact and generally non-exciting. But then this is, as the sub-title indicates, a series of case studies. Thus, although this book is easily comprehensible for the layperson, it will have particular appeal to the specialist in East European affairs, which is not to say that one would not wish the treatise to have a wider circulation since it clearly leaves an important message. It is the message of a not so unified alliance system both on the other side and on this side of the so-called Iron Curtain of the Cold War period. It leaves a message that it is not only the Soviet Union as a superpower which finds it difficult to handle inter-alliance problems, such as the Czechoslovakian crisis of 1968, but similarly the U.S.A. as a superpower dominating the Organization of

American States as exemplified in the Dominican crisis of 1965. In both cases, the author believes, the superpowers took drastic action for similar reasons, a "threat to [their] international credibility combined with fear of intra-alliance problems and domestic reaction. . . ." The superpower, Remington maintains, had had "neither legal right nor objective reason to intervene," nor can their interventions be considered successes in the long run. Remington's concluding and basic explanation for the superpowers' rash actions lies in the ideological arena of the cold war period which form the perhaps unconscious foundation for faulty conclusions. It is the old story of the ghost which one created and which one found then hard to get rid of. In a sobering last paragraph the author indicates that there is one specific group within the Soviet Union and the United States who can be considered benefactors of the ideological differences: the military.

It appears to this reviewer that the author's conclusions are sound and that diplomatic developments since the publication of the book (1971) are certainly pointing into the direction that Mr. Remington must have found to his liking, a "de-ideologization" within and between the alliance systems. The cold war spirit, however slow, seems to be waning.

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Revolutionary Struggle 1947-1958: Volume 1 of the Selected Works of Fidel Castro. Rolando E. Bonachea and Nelson P. Valdés (eds.) (Cambridge, Mass.: The MIT Press, 1972. Pp. 471.)

Books and treatises abound on Cuba, Fidel Castro, and the Cuban Revolution. In *Revolutionary Struggle 1947-1958,* Bonachea and Valdés have provided the student of Cuban political history with an anthology of Fidel Castro's writings before he succeeded in overthrowing General Fulgencio Batista in 1959. The structure of their book is well-conceived: a 120 page "Introduction" on the background to revolution in Cuba and the political milieu into which Castro was socialized is both interesting and scholarly. The remainder of the book encompasses six parts, each emphasizing a different stage in the revolutionary struggle as portrayed in the writing or speaking of Fidel Castro: "University Years," "Toward the Moncada," "Imprisonment," "Organizing in Cuba," "Exile," and "Guerrilla War." In total, ninety-five selections (manifestos, speeches, letters to friends, interviews, and other materials) are included. Some are quite famous and recognizable, e.g., the "History Will Absolve Me" speech; others, of equal significance, but little read, include "Manifesto No. 1 to the People of Cuba (August 8, 1955)" and "Why We Fight (February 1958)".

Two things stand out in Bonachea and Valdés' book: the first concerns a deliberate omission while the second appears to be an error of omission. The first item concerns the omission by the editors of the frequent debates among North American scholars over when Castro "converted" to Communism. From his years in the university to the guerrilla struggles in the Sierra Maestra, Castro's writings indicate a sincere interest in the reestablishment of the fundamental goals of the Cuban Constitution of 1940: social justice, liberty, freedom, popular sovereignty, and free and just elections. Throughout these years (1947-1958) Castro is more concerned with the strategy and tactics involved in restoring the 1940 Constitution than he is with formulating a new theory of the common good for the Cuban people. To Castro, the common good is embodied in the Cuban Constitution of 1940 and it is Batista who obstructs the achievement of these cherished ideals. In sum, Castro's interest in Communism prior to 1959 is in most cases an idealogy "attached" to Castro by those unfamiliar with his writings and the nature of his movement. In fact, in an interview with Andrew St. George on February 4, 1958 Castro emphatically denies that his movement is communist-inspired (pp. 370-371).

The second important aspect of Bonachea and Valdés' work deals with the serious omission of the link between Castro's political ideology and the Cuban Constitution of 1940. The Constitution is barely mentioned in the 120 page "Introduction" even though Castro makes direct reference to this document in no less than nine of the selections: "I Accuse (January 28, 1952)," "Proclamation on Batista's Seizure of Power (March 13, 1952)," "Brief to the Court of Appeals (March 24, 1952)," "The Cuban Revolution (July 23, 1953)," "History Will Absolve Me (October 16, 1953)," "Manifesto No. 1 to the People of Cuba (August 8, 1955)," "Message to the Congress of Orto-

doxo Militants (August 15, 1955)," "Sierra Maestra Manifesto (July 12, 1957)," and "Why We Fight (February 1958)." Despite the modification of Castro's strategy and tactics throughout the years of revolutionary struggle, he still remains deeply committed to the ideals of the 1940 Constitution. As late as 1958, Castro remarks in "Why We Fight" that "We want to reestablish for all citizens the personal and political rights set forth in our much ignored Constitution." The omission of this document in the "Introduction" as it applies to Castro's political thought is a serious flaw and leaves the reader with a gap in his or her understanding of Fidel Castro's writings and the genesis of the Cuban Revolution.

Castro's effort to provide Cuba with an Earthly *summum bonum* (land reform, free elections, and the right to work, shelter, and education) is reflected most cogently in his "History Will Absolve Me" speech in 1953. Castro's political writings are more of an effort to reestablish the ideals of monistic democracy in the interests of all than to carry out a revolution based on the principles of Marx and Lenin. Castro's vision of the common good, embraced in the ideals of the 1940 Constitution, has provided him with his justification for political action even though the means to achieving these goals is open to conflicting interpretations and judgements.

The basic value of Bonachea and Valdés' book, both to the layman and expert, lies in the synthesis and organization of a substantial portion of Fidel Castro's political beliefs during the critical period prior to Batista's overthrow in 1959. Despite the omission related to the 1940 Constitution and the constant debate in the footnotes over the number of forces in particular raids, *Revolutionary Struggle 1947-1958* offers the reader an inside view of the political history of Pre-Castro Cuba through the writings of the architect of that revolutionary struggle.

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The Birth of Communist China. By C. P. Fitzgerald. 1964. (Praeger, New York) 288 pages

A Short History of Communist China. By Frank Houn. 1967. (Prentice Hall, New Jersey) 245 pages

The entire discipline of historical investigation hangs precariously upon the personal attitudes and prejudices of individual historians. This is clearly illustrated in a comparative analysis of C. P. Fitzgerald's *The Birth of Communist China* and Franklin W. Houn's *A Short History of Chinese Communism.* Essentially, both volumes deal with the rise of Communism in China, but the impact of the writings differs considerably.

Franklin W. Houn's *A Short History of Chinese Communism* includes a cursory view of early Chinese history, the emergence of the Chinese Communist movement, the phases of the Revolutionary struggle, the Communists' ascent to power, and a lengthy discussion of the ideology and machinations of the present day Chinese Communist Party. This book is indeed aptly titled, for such a wide range of topics can hardly be adequately treated in a volume of less than two hundred and fifty pages. Unfortunately, the result is that both in style and format the work becomes boring and pedestrian. The writing fails at being truly gripping, although Houn's presentation of China's modern-day internal politics is an intriguing segment. Mr. Houn is a Chinese scholar of some reputation, and he has generously larded his writing with sources from both Western writers and official Chinese publications. It is regrettable that despite these credentials, he never really captures a sense of China in his work. Indeed, he very much conveys the impression of a Westerner "talking about" China.

Perhaps the most glaring fault in this selection is that Franklin Houn fails to define adequately the Communist Revolution within the framework of the Confucian-based, Mandate of Heaven, dynastic structure of Chinese history. He dismisses Chinese conservatism as "a strain in Chinese thinking and habit," and explains the lack of a Chinese Industrial Revolution in a mere page and a half.

Equipped with this sort of superificial approach, Westerners tend to view the rise of Chinese Communism as the over-run of a pack of conniving tricksters. Indeed, this tone is quite apparent in Houn's book, not so much in what he says, but rather in how he says it. Throughout the entire text, one finds such statements as, "The Communists . . . foment class struggle"; the Communists "spread like a raging flood . . ."; the Communists through "blending of allurements . . . and terror extended their control"; all of which convey to the reader a subtly negative view of Chinese Communism.

Houn is at his best when he discusses the structure and current history of the Chinese Communist Party. Not only does he give an interesting account of the Party organization, but his discussion of foreign and domestic policies is amazingly objective and, in part, even favorable. The main thrust of this book, however, is slanted by innuendo, and a four page conclusion, stunning for its total reversal in approach, is not sufficient to offset the preceding two hundred and forty pages. Mr. Houn's book leaves the distinct impression that

although he is a friend to Chinese studies, he is a foe to the Communist ideology. In the Preface to *A Short History of Chinese Communism,* Houn states that he wishes to be neither a critic nor an apologist, but simply a dispassionate analyst. Regrettably, he has failed to attain that goal.

In striking contrast to Franklin Houn's book is the offering by C. P. Fitzgerald, *The Birth of Communist China.* C. P. Fitzgerald is one of those rare historians who writes with both historical depth and literary style. He skillfully blends these ingredients, never permitting style to be encumbered by ponderous academia, nor scholarly integrity to be sacrificed for biased sensationalism. The result is a highly readable and absorbing study which contains a wealth of information. Houn and Fitzgerald treat essentially the same historical material, but Fitzgerald, unlike Houn, does not concern himself with the detailed structure of the Chinese Communist Party. He does, however, discuss the implementation of Communist policy in China, as well as the impact of the Chinese Revolution on both the Western and Far Eastern worlds. The approach of Fitzgerald differs vastly from that of Franklin Houn.

Primarily, Fitzgerald appears to have written his book from the Chinese viewpoint and has succeeded in imbuing it with the aura of Chinese thought. He creates this impression by stressing at the outset the three bases of Chinese civilization: the Universal Empire, agriculture, and the orthodox doctrine of Confucian ethical and political teachings. These three threads are woven together throughout the text, illustrating the integral factors which must be recognized if the Chinese Revolution is to be understood. On this basis, the acceptance of the Revolution is seen to be consistent with centuries of Chinese thinking. Repeatedly, Fitzgerald stresses that the key to a successful Revolution in China was the union of peasant and scholar bound together by these three concepts of Chinese civilization.

An important point raised by Fitzgerald is that Westerners tend to forget not only that there was no tradition of democracy in China, but that there did not exist even the rudimentary requirement for a republic, a sense of individualism. On the contrary, the Chinese were accustomed to a carefully structured, well-defined hierarchy of roles. Following a transition period of chaos after the collapse of the Manchu Dynasty and the highly distressing reign of Chiang Kai-Shek, a return to an orthodox society was welcome to the Chinese mind. The Chinese could easily view the Communist regime not as an oppressor denying freedoms, but rather as a restoration government with a modern twist.

Antithetical viewpoints mark the critical difference between the works of Franklin Houn and C. P. Fitzgerald. Houn creates an impression that the chicanery and determination of a few Communist radicals bullied the Party into power in China. Fitzgerald, on the other hand, sees the Communist Revolution as a modern dynastic change, reasonably comfortable and acceptable to the traditional Chinese mind.

Granted it is a concept that is difficult for the Western mind to appreciate, for in the West revolution has a quite different meaning. The patterns of the Chinese Revolution were uniquely dissimilar from those of the revolutions in the United States and in Russia. Accustomed to their own histories, Fitz-

gerald maintains, both of these nations misunderstood the subtleties of events in China. Their errors in equating the Chinese Revolution with their own national experiences have cost them dearly in the area of international intercourse. The Western Powers rashly lumped all Communism into the same bag, while the Soviet Union blithly offered China advice which had no relevance to her internal situation.

Certainly, two prominent figures in this scenario are those of Mao Tse-Tung and Chiang Kai-Shek. The world outside China has adopted a variety of positions and attitudes regarding these two men. Houn and Fitzgerald hold different views, and their individual treatment of these political adversaries further highlights the diversity in the two books being discussed.

Franklin Houn's appraisal of Mao Tse-Tung appears to be two-pronged. He regards him as being a crafty leader during the days of the Revolution, a skillful architect of his own political power and that of the Party, and an iron-handed controller and consolidator of that power. However, Houn reveals a note of admiration for Mao Tse-Tung's administrative skills. Specifically, Houn points to the fact that Mao did Sinify the foreign doctrines of Marx and Lenin, which provided for their acceptance by the Chinese people. This is a vital factor in the adoption by the Chinese of any foreign philosophy. Mao's adaptation of Marxism is but a repetition of the Sinification of the Buddhist philosophy centuries before. Houn recognizes Mao's psychological importance to the Chinese people as a strong leader figure to whom they can turn with respect and adulation — strong satisfactions to a Chinese mind steeped in the values of hierarchial reverence.

C. P. Fitzgerald regards Mao Tse-Tung as a successful leader of the Chinese people because he has translated universal Communism into a "Chinese religion," wherein, like the Emperor of old, the Communist Party is the instrument of control. The concept here of "religion" is not in the Western sense of an individual salvation, but rather a collective improvement for the sovereign Chinese people. In his leadership Mao has combined the Chinese desire for modernization with their need for the security of an authoritarian, orthodox rule. Fitzgerald regards Mao as a leader of indisputable ability and astuteness, but he questions the possible future of Mao's New Democracy when the mantle of power is passed to his successors.

Fitzgerald and Houn are more in contrast when they write about Chiang Kai-shek.

Franklin W. Houn's book is noteworthy for what it does not say about Chiang Kai-shek. There is never a time when Houn critically analyzes the government under Chiang Kai-shek with anything more than a mild rebuke. Indeed, his recitation of Chiang's capture in 1935 by two generals is almost ludicrous. It is difficult to believe that Chiang insisted that his captors kill him, or that the news of his kidnapping produced shock and concern throughout the strife-torn nation. As has been customary in the West, Houn avoids recognizing the tyrannical nature of Chiang Kai-shek's government, and instead paints him as a self-sacrificing, conscientious leader, surrounded by unscrupulous domestic adversaries who capitalize on foreign problems for their own gain. It should be noted that Franklin Houn's biography states that he

served in the Chinese Government from 1946 to 1948. Although such a post allows one inside observations, it also might reduce one's objectivity. In retrospect, such politicians and diplomats are obliged to defend a policy which they helped to construct, a weakness which is reflected in Houn's treatment of Chiang Kai-shek. He cannot bring himself to be realistically critical of the man, so he simply sidesteps the issue.

C. P. Fitzgerald also held a government post in China, but he represented Great Britain and his country was not the main prop behind Chiang Kai-shek. For this or whatever other reason, Fitzgerald was vastly critical of Chiang, and he has a different story on the 1935 capture. In Fitzgerald's version, the Generalissimo, rather than demanding to be killed, recognized that his captors intended doing just that, and he consented to negotiations. On a wider scale, Fitzgerald believes that Chiang's policy was misguided and ineffective. He chose the impossible task of suppression of Communist guerrillas ahead of resistance to Japanese aggressions. He depleted government forces on this project for ten years, and eventually had to capitulate to the Communists in a desperate attempt to drive back the Japanese. Not only did Chiang prove himself to be a leader deficient in judgment, but the entire policy of his administration was one of tyranny and repression. The country was inefficiently run, the economy near collapse, and the secret police flourished. Through indifference to their plight, Chiang lost the peasants; through repression, he lost the scholars, and thus opened the way for the union of these two groups under the Red Flag of the Communist Party. Fitzgerald labels the government of Chiang Kai-shek as "fascist," a reality the United States has long sought to ignore. One of the outstanding contributions of Fitzgerald's book is that he decisively explodes the myth of Chiang Kai-shek so long perpetrated by the press and the government of the United States.

It is, of course, a time-weary cliché that one cannot judge a book by its cover. True as this may be, the jacket designs of these two books do indeed give a clue to the contents. Houn's *A Short History of Chinese Communism* picturers a menacing, aggressive Red Army, guns and banners uplifted, sweeping across the book cover, an illustration of the author's interpretation of the Chinese Communist Revolution. The jacket on C. P. Fitzgerald's *The Birth of Communist China* gives a different visual impression. Behind the figure of an ancient, traditionally-gowned Chinese gentleman stands an orderly group of modern Chinese soldiers. This is the thrust of Fitzgerald's essay: the development of a Sinified philosophy which aims to bridge the gap between an ancient culture and the forces of a modern world.

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