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COUNCIL FOR A LIVABLE WORLD

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Memorandum: SHOULD THE UNITED STATES CONTINUE TO PROMOTE
THE MULTILATERAL NUCLEAR FORCE?

When Premier De Gaulle made manifest his break with the United States and his clear intent to develop a French nuclear force, the Kennedy Administration's response was a strong espousal of the Multilateral Nuclear Force. The MLF was intended as a face-saving device for the United States, which could also quiet nationalist claims in England and Germany for independent nuclear capability, by giving the appearance of a nuclear "partnership" among the allies who held out against De Gaulle's policy. The initial lukewarm reaction among our NATO allies and here at home, has induced the belief within the last year that the MLF is a dormant proposal.

That belief is erroneous. Having won the formal approval of the Administration, plans to activate the MLF have progressed under the leadership of a small contingent in the State Department which has made MLF its major preoccupation. The Navy, too, has become interested because of the potential accretion to its operations with the fleet of nuclear vessels contemplated by the MLF. Meanwhile, President Johnson's proposal for a nuclear freeze to be negotiated with the Soviets has become imperilled at Geneva because, as the Russians point out, we cannot coincidentally activate a freeze and build a strategic nuclear fleet. Moreover, while it was anticipated that the opposition of the Labor Party in Great Britain would preclude activation of the MLF, there is growing doubt whether the Labor Party will hold to its present position when it goes into the elections. In sum, the MLF is proceeding in the face of disinterest both among our allies and at home, while opponents within our own Government cannot effectively exert their influence when our official policy remains in favor of the MLF.

What is the MLF? Essentially, it is a pseudo-partnership in the operation of a fleet of vessels equipped with strategic nuclear weapons. The armed vessels would be manned by mixed forces from various NATO participants, with a veto by anyone of the participating nations on the firing of the weapons. Of course, the veto renders the "partnership" unreal and unequal, since the United States with its nuclear forces in Europe thereby remains the only country which can independently of its allies activate a nuclear exchange. Accordingly, some German advocates of the MLF hope that ultimately the veto will be removed, and Germany and the European nations will thus have obtained their own nuclear forces through the MLF. We have encouraged this hope by assurances that MLF is only the beginning of a "true European" force. That was the suggestion made by Deputy Assistant Secretary Schaetzel in a presentation in September, 1963 in Oxfordshire, England. Such a veto-free MLF would be quite contrary to our present proposals at Geneva for a nuclear freeze and an agreement against further proliferation, with the result that there exists a present inconsistency in our overt representations to the Soviets and our thinly veiled promises to NATO countries.

This memorandum examines the principal argument advanced by the proponents of the MLF, reviews countervailing considerations, and suggests some alternative courses of conduct for the Administration, should it be determined that the present United States advocacy of the MLF is not in the national interest:

A. THE PROPONENTS' ARGUMENT: STOPPING NATIONAL NUCLEAR FORCE DEVELOPMENT.

Apart from the principal anti-proliferation rationale offered for the MLF, there are some collateral arguments. Thus, it is said that if elements in Germany desire the appearance of a closer nuclear partnership, we should provide it; it is also urged that an existing MLF will provide an additional pawn for exchange at the bargaining table with the Soviets in the event of serious disarmament negotiations. We do not examine here these make-weight positions, but concentrate instead on the principal argument advanced by proponents of the MLF - that England, Germany, and possibly other nations will follow De Gaulle's independent force example unless we can offer these nations a larger nuclear role within the NATO Alliance. Initially, it might be questioned whether the modest nuclear capability which France will attain and it may be assumed that England or Germany could duplicate, is more troublesome in its military and political implications than the MLF. The exposition of the view that such a development would be less disturbing than the political and military implications of the MLF, appears in the March, 1963 issue of The Reporter in an article by Henry A. Kissinger and it will not be repeated here. Instead, assuming with the MLF proponents that independent nuclear forces developed by the European countries would be more disturbing than the MLF, we examine the basic "anti-proliferation" argument made for the MLF, in its short and its long-term implications:

1. MLF in the Short Run. It is clear that in short run - to the end of the 1960's - the MLF proponents vastly over-estimate British and German desire for a larger nuclear role. It is said that without MLF the Germans, and possibly the British would soon follow the example of De Gaulle in developing an independent nuclear capacity. But given the present Labor Party position in England, this is clearly not so. And with respect to Germany, not only would an independent nuclear force development violate the existing treaties, it would cause a reaction by the Russians of a dimension which would give the Germans pause.

There is, in fact, no evidence that the Germans presently desire a nuclear force of their own. What the Germans do desire in the short run is assurance that the United States is committed to employing its nuclear forces in Europe to forestall any form of aggressive action from the East, and that our weapons are targeted so as to assure that a nuclear exchange would also involve Russian, not just German, soil. Yet for this modest area of German concern, the MLF goes much too far. Bringing technical personnel from European nations into a second-level role in the targeting and deployment of our existing strategic missiles, would go most of the way towards meeting existing German

concern about the United States' nuclear umbrella. The MLF, on the other hand, will create an entirely new strategic force at sea, which is both expensive and unnecessary in strategic military terms. Moreover, it may kindle rather than quiet nuclear aspirations among our European allies, and thus propel the very aspiration it is claimed the MLF would foreclose - the aspiration for independent European nuclear capability.

2. In the Long Run. While the MLF is more than is needed to meet the present concern of our NATO allies, on the other hand it is inadequate to meet what are likely to be the long-term aspirations of NATO nations. As Kissinger's analysis points out, the force of De Gaulle's position for independent nuclear capability is based upon the realization of some fundamental differences of outlook between the U. S. and European nations. Thus, as much as our nuclear posture in Europe serves to preserve our close relations with allies and to hold the line for our positions vis-a-vis the Soviets, we may yet be disinclined actually to use these weapons in an exchange which could precipitate an all-out war of annihilation between the United States and Soviets.

Moreover, the fundamental position of the NATO alliance has been prompted by the existence of the common enemy in the East, but a predictable progression of closer relationships with the Soviets, U. S. fear of Germany, and conflicting economic interests such as those reflected in the split over the Common Market, may alter the present community of interest between the United States and its NATO allies, or at least some of them.

To the extent that such anticipations exist in Europe, there will be growing interest in independent nuclear forces or a European nuclear force not subject to a United States veto. In the case of Germany, there will be the added incentive of the role of swing-nation which the pseudo-partnership will not satisfy. In sum, as much as the MLF exceeds the present manifest need for NATO-nation participation in the nuclear deterrent, it will fall short of the long-term European demand for independent nuclear capability.

It may therefore be anticipated that the strongest pressures will ultimately arise for abandonment of the United States veto on the use of the MLF, and that such pressures may in time succeed with the result that the MLF will have paved the way for the very proliferation of nuclear weaponry which it is supposed to forestall. Alternatively, if NATO countries cannot attenuate or force abandonment of the United States veto, they may then proceed with the development of their independent nuclear forces, with the added stimulus and know-how which we ourselves have provided through the MLF.

It seems clear, therefore, that the MLF is not an answer either to the existing or to the longer range nuclear aspirations of our NATO allies. But even supposing that it were to provide some restraints upon the development of independent nuclear forces in Europe - which is doubtful if the above analysis has validity - what are the demerits of the MLF proposal? We turn to a short examination

of the principal countervailing arguments.

B. UNFAVORABLE ASPECTS OF OUR MLF SUPPORT

There are five major unfavorable aspects to the continuing United States insistence upon the MLF:

1. Nuclear Freeze and Non-Proliferation Agreements Imperiled. President Johnson's proposals at Geneva for nuclear freeze and non-proliferation agreements, have been imperilled by our support of the MLF. The Russians quickly seized upon the MLF, pointing out that we could not both stand still and move ahead at the same time, and would have to abandon the MLF if we are serious about the proposed agreements. The Russian claim of inconstancy is somewhat confirmed by William Foster's quoted statement in the Herald Tribune of January 24, 1964 that the U. S. freeze proposal would not include the MLF. And as the editorial in the Washington Post of February 12, 1964 points out, there is some inconsistency between our offering NATO the MLF AS THE BEGINNING OF A European force and our asserting to the Soviets that it is consistent with a nuclear freeze.

2. De-emphasis of Conventional Forces Build-up in Europe. Replacement of nuclear with conventional defensive capability in Europe is a major policy of the Administration. To the extent that the MLF will be costly to our NATO allies and assure them of their continued protection through nuclear rather than conventional forces, it militates against the Administration's stress on the need for conventional capability among our NATO allies.

3. Production of European Rift Rather Than Unity. Our European allies are not requesting the MLF but are having it foisted upon them by our insistence. USIA Research and Reference Service report, dated April 5, 1963: "The reaction of the West European press to U. S. Ambassador Merchant's recent trip indicated an overwhelming rejection of the kind of multilateral nuclear force (MLF) envisaged by the United States. Editorial comment was heaviest and most negative in West Germany. The rejection of the multilateral nuclear force within the NATO framework was commonly based on the belief that the United States was offering a hastily improvised and confused politically motivated and exorbitantly expensive device which would afford West Europe neither increased security nor increased voice in nuclear decisions. Supporters of the United States suggestion, for the most part a minority of Italian, British, and Scandinavian voices, saw it as the lesser of two evils and a possible starting point for discussions. By the end of the Merchant trip, most papers were openly speculating that the multilateral nuclear force plan in its present form would be scrapped, with the debate continuing on the central issue of nuclear interdependence within the Western Alliance. Hopes were also expressed that the United States would find a way to dispel the confusion aroused by its original multilateral force proposals."

With the exception of some elements in Germany, the MLF is basically feared rather than welcomed among the other nations, who must join it principally in fear of German predominance. The MLF

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is thus a rift-producing issue between us allies such as Great Britain and Italy. And it is also causing serious internal political friction in those countries since it requires them to cast their lot unequivocally either with the United States or De Gaulle. Such a sharp choice situation has unfavorable consequences upon West Germany, and tends to draw another divisive battle line among our allies, and thus disserves the European unity and settlement aspirations entertained by many within our Administration. As the Kissinger piece in The Reporter pointed out: "The effort to isolate France by developing in the nuclear field a structure in which West Germany would be the key European member may in fact overstrain the fabric of European cohesion and Atlantic solidarity, and also undermine the domestic stability of West Germany. It is in nobody's interest - least of all West Germany's - to set in motion events that can only end with suspicion and concern in most of the countries of the West about Germany's nuclear role. This is bound to aid the Soviet thrust to divide the West through the fear of Germany. A divided country, which in the space of fifty years has lost two wars, experienced three revolutions, suffered two periods of extreme inflation and the trauma of the Nazi era, should not - in its own interest - be placed in a position where, in addition to its inevitable exposure to Soviet pressure, it becomes the balance wheel of our Atlantic policy." Indeed, if the MLF is ultimately defeated by British or Italian intransigence, this will be public humiliation precipitated by our own insistence upon a weapons development not desired by our allies.

4. Political Repercussions in the Congress. It also seems clear that the MLF is not favored in the Congress, for a variety of reasons. It probably violates or strains the McMahon Act by giving nuclear information to other countries. It gives concern to those who have worried about a re-emerging Germany as the predominant European nation, or even as the swing nation which controls European fortunes. It is not favored by those who value our nuclear monopoly and the direct controls which we have retained upon the weapons of potential holocaust. Meanwhile, the Administration has completely by-passed the Congress, which in itself has engendered discontent. The closer we approach activation of MLF, the larger will be the cumulative weight of these Congressional concerns.

5. Nuclear Race Escalation. Following the test ban, there have been wide-spread hopes that a way would be found to reach a plateau in the nuclear arms race in which there would be a leveling off of nuclear forces within present limits, and no expansion of weaponry to countries which are nuclear-free today. Apart from the additional numbers of strategic weapons and nations with such weapons which the MLF would involve, it is today the single proposal for a new advance which stands in the way of a leveling off of the nuclear arms race. This is a serious new ground for a reassessment of the MLF proposal.

C. ALTERNATIVES TO UNITED STATES PROMOTION OF THE MLF.

There are essentially three alternatives to the present United States position:

1. Abandoning the MLF. While this may constitute long-term wisdom for the United States, it is unlikely that we would renounce the MLF in the near future without at least a serious quid pro quo from the Soviets. It should be noted that if the United States abandons the MLF, it may continue to adhere to its opposition to the independent development of nuclear capability by England, Germany, and other nations, and we may expect some success in holding our allies to that position at least for the next few years.

2. Initiating a Slow-Down of MLF Activation. This seems the most immediate step, and one which would be highly desirable, but there is always difficulty in taking the first step away from an established course. A slow-down should pave the way toward ultimate recession by the United States from the MLF proposal.

3. A Replacement for MLF. A more modest nuclear "partnership" might be proposed to meet the present concerns of NATO allies. Second level technical people could be brought in to the targeting and planning phases of our existing strategic nuclear force, to give added assurance of our readiness to employ the nuclear umbrella. To the extent that we are, in fact, ready to employ that umbrella, it seems highly desirable that our allies be assured that this is the fact.

D. THE LARGER CONTEXT: ENDING THE EUROPEAN DIPLOMACY OF ARMAMENTS.

Almost all current debates about the MLF are limited to the existing political and military relationship in Europe. All are predicated upon the assumption that there remains a military threat in Europe from the East which requires degrees of nuclear capability in Western Europe. First, however, it must be noted that except for the special problem of Berlin (which could be solved if we so desired) conventional forces are demonstrably adequate for the defense of Western Europe. Moreover, the very hypothesis of an attack upon Western Europe becomes less and less credible as the years pass. Without the Soviet participation, such an attack would be meaningless in military terms and therefore unlikely of initiation. With Soviet participation it would unquestionably initiate a world war, which again provides a highest level deterrent. Nor is it clear just what Soviet hope would impel such an attack in any event.

The fact is that we have continued to give a preemptive position to military policy and nuclear power in Europe, in an era when the real problems of Europe are economic and political rather than military. Our continuing diplomacy of weaponry, both against the Soviets and vis a vis De Gaulle, stands in the way of the traditional diplomacy, economic and cultural exchange, and other normal adjustments between countries as well as the necessary political developments within them.

The MLF perpetuates the obsession with military response to rifts with the Soviets and between the Allies, in an era which calls ~~not~~ for an arms polemic but for the progression of relationships between sovereign states. Those who could promote a detente and ultimately a settlement in Europe, must look beyond merely military alignments such as the pseudo-partnership of the Multilateral Nuclear Force.

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SHOULD THE UNITED STATES CONTINUE TO PROMOTE
THE MULTILATERAL NUCLEAR FORCE?

In 1950 Secretary of State Herter first proposed creation of a NATO multilateral strategic nuclear force. When Premier de Gaulle made manifest his break with the United States and his determination to develop a French nuclear force, the Administration's response was a strong espousal of the Multilateral Nuclear Force. The MLF was intended as a face-saving device for the United States, which would quiet claims in England and Germany for independent nuclear capability by the offer of a nuclear "partnership" among the allies who hold out against de Gaulle's unilateralist policy.

The initial lukewarm reaction among our NATO allies and here at home, has induced the belief within the last year that the MLF is a dormant proposal. That belief is erroneous. Having won the formal approval of the Administration, plans to activate the MLF have progressed under the leadership of a contingent in the State Department for whom MLF is a major preoccupation. The Navy, too, has become interested because of the potential accretion to its operations with the fleet of nuclear vessels contemplated by the MLF. Meanwhile, President Johnson's proposal for a nuclear freeze to be negotiated with the Soviets has been stalled at Geneva by the Russians who point out that we cannot coincidentally activate a freeze and build a strategic nuclear fleet. Moreover, while it was anticipated that the opposition of the Labor Party in Great Britain would preclude activation of the MLF, there is growing doubt whether the Labor Party will hold to its present position if it wins the elections. In sum, MLF plans are proceeding in the face of disinterest both among our allies and at home, while opponents within our own Government cannot effectively exert their influence as long as our official policy remains wedded to the MLF.

What is the MLF? Essentially, it is a "partnership" in the operation of a fleet of vessels equipped with strategic nuclear weapons. The Polaris-armed vessels would be manned by mixed forces from various NATO participants, with a veto by anyone of the major participating nations on the firing of the weapons. Of course, the veto renders the "partnership" unequal, since the United States with its nuclear forces in Europe thereby remains the only country which can independently of its allies activate a nuclear exchange. Accordingly, some German advocates of the MLF hope that ultimately the veto will be removed, and Germany will thus obtain its own nuclear force through the MLF. We have encouraged this hope by assurances that MLF is only the beginning of a "true European" force. That was the suggestion made by Deputy Assistant Secretary Schaetzel in a presentation in September 1963 in Oxfordshire, England. Yet such a veto-free MLF would be quite contrary to our present proposals at Geneva for a nuclear freeze and an agreement against further proliferation, with the result that there exists a present inconsistency in our overt representations to the Soviets and our thinly veiled promises to NATO countries.

This memorandum examines the principal argument advanced by the proponents of the MLF, reviews countervailing considerations, and suggests some alternative courses of conduct for the Administration, should it be determined that the present insistent United States advocacy of the MLF is not in the national interest:

A. THE PROPONENTS' MAJOR ARGUMENT: STOPPING NATIONAL NUCLEAR FORCE DEVELOPMENT.

A principal argument advanced by proponents of the MLF is that England, Germany, and possibly other nations will follow de Gaulle's independent force example unless we can offer these nations a larger nuclear role within the NATO Alliance. Initially, it might be questioned whether the modest nuclear capability which France will attain is more troublesome in its military and political implications than the prospect of a large European strategic force with Germany a predominant participant. Exposition of the view that such a development would be less disturbing than the political and military implications of the MLF, appears in the March 1963 issue of The Reporter in an article by Henry A. Kissinger, and it will not be repeated here. We examine here in its short and its long-term implications the "anti-proliferation" argument made for the MLF:

1. MLF in the Short Run. It is clear that for the 1960s, MLF proponents vastly over-estimate European desire for a larger nuclear role. It is said that without MLF the Germans would soon follow the example of de Gaulle in developing an independent nuclear capacity. But with respect to Germany, not only would an independent nuclear force violate the existing treaties, it would cause a reaction by the Russians, as well as the United States, of a dimension which would give the Germans serious pause before entering on a provocative and expensive nuclear program.

There is, in fact, no evidence that the Germans presently desire a nuclear force of their own. What the Germans do desire in the short run is assurance that the United States is committed to employing its nuclear forces in Europe to forestall any form of aggressive action from the East, and that our weapons are targeted so as to assure that a nuclear exchange would also involve Russian territory, not just German soil. Yet for this modest German concern, the MLF goes too far. Bringing technical personnel from European nations into a second-level role in the targeting and deployment of our existing strategic missiles, would go most of the way towards meeting existing German concern about the United States nuclear umbrella. The MLF, on the other hand, will create an entirely new nuclear force at sea, which is both expensive and unnecessary in strategic military terms. Moreover, it may kindle rather than quiet nuclear aspirations among our European allies, and thus propel the very aspirations it is claimed the MLF would foreclose - the aspiration for independent nuclear capability. If we expound the view that our allies' self-respect requires parity of nuclear participation with us, it will not be long

before they espouse the same view. By contrast, without our active salesmanship, nuclear arms development may remain unpopular in Germany, England, and other nations.

2. MLF in the Long Run. While the MLF is more than is needed to meet the present concern of our allies, on the other hand it is inadequate to meet what are likely to be the long-term aspirations of NATO nations. As Kissinger's analysis points out, the force of de Gaulle's position for independent nuclear capability is based upon the realization of some fundamental differences of outlook between the United States and European nations. Thus, as much as our nuclear posture in Europe serves to preserve our close relations with allies and to hold the line for our positions vis-a-vis the Soviets, we may yet be increasingly disinclined actually to use these weapons in an exchange which could precipitate an all-out war of annihilation between the United States and the Soviets.

Moreover, the glue in the NATO alliance has been the existence of the common enemy in the East, but a predictable progression of closer relationships with the Soviets, fear of a resurgent Germany, and conflicting economic interests such as those reflected in the split over the Common Market, may radically alter the present community of interest between the United States and some of its NATO allies.

To the extent that anticipations of such changes exist in Europe, there will be growing interest in independent nuclear forces or a European nuclear force not subject to a United States veto. In the case of Germany, there will be the added incentive of the role of swing-nation which the pseudo-partnership will not satisfy. In sum, as much as the MLF exceeds the presently-manifested desire for NATO-nation participation in the nuclear deterrent, it will fall short of the long-term European demand for independent nuclear capability.

It may therefore be anticipated that the strongest pressures will ultimately arise for abandonment of the United States veto on the use of the MLF, and that such pressures may in time succeed with the result that the MLF will have paved the way for the very proliferation of nuclear weaponry which it is supposed to forestall. Alternatively, if NATO countries cannot attenuate or force abandonment of the United States veto, they may then proceed with the development of their independent nuclear forces, with the added stimulus and know-how which we ourselves have provided through the MLF. It seems clear, therefore, that the MLF is not a proper answer either to the existing or to the longer range nuclear aspirations of our NATO allies, and will more likely hasten than retard the spread of nuclear weapons in Europe.

B. SUBSIDIARY ARGUMENTS FOR THE MLF.

1. MLF As a Bargaining Device. Some Administration officials who are not advocates of the MLF would nevertheless continue on our present course on the theory that in future bargaining with the Soviets over arms control in Europe, the MLF would provide an additional pawn

for trading. Yet as any experienced negotiator knows, one may bargain with assets, but it is difficult to bargain to an advantage with liabilities. If MLF is a free world liability, it cannot become a bargaining asset with the Soviets.

Even more importantly, the "bargaining pawn" argument disregards the fact that if the MLF actually comes into being, it may be impossible to convince our own allies to give it up for an arms control agreement. Once a strategic European force is in existence, our NATO allies may say with some credibility that if it was worth creating for the collective security, it is worth keeping and ought not to be surrendered short of a complete and general disarmament agreement. It is therefore probable that while creation of the MLF may provide an additional pawn for trading with the Soviets in an European arms control agreement, it would represent a pawn which our own allies will refuse to trade.

2. MLF As a Mere Multilateral Substitute for Bilateral Controls.

Proponents urge that the MLF multilateral control with vetoes by major participants, is not materially different from the existing bilateral controls over tactical and medium range nuclear weapons in Europe. These proponents argue that with respect to the present nuclear weapons in Europe there is already a system of shared control with the situs nation, and that all the MLF will do is to add more trigger fingers whose concurrence would be necessary for the firing of the weapons.

Apart from some question whether the MLF controls will in fact not give increased leverage to other nations with respect to the use of nuclear weapons, this argument blurs the critical distinction between strategic and tactical weapons. The decision that our NATO allies should share in the deployment and control of tactical weapons located in Europe may have been right or wrong; but it was a radically different decision from that posed by the MLF. For a decision to fire the missiles in the MLF would be to launch an attack on the Soviet Union with weapons of medium range so deployed as to be able to reach Soviet targets. In such an event there would ensue a nuclear war in which countless millions of Soviet and American citizens would perish. By contrast, the decision to give our NATO allies bilateral controls over tactical weapons was only a determination that a nuclear exchange initiated within the boundaries of NATO nations properly requires their participation in the decisional process. Accordingly, the MLF cannot be passed off as a mere extension of a bilateral control system to a multilateral control system, for the weapons of strategic war deployed in the MLF have radically different significance for the United States from the Nuclear weapons over which we presently share controls with NATO allies.

3. MLF as Step Toward a Western European Strategic Force. A final argument made by some proponents, is the converse of the principal "non-proliferation" rationale for the MLF. Under this argument, it would be desirable to move toward a Western European alliance possessing its own strategic nuclear weapons free of United

States control and United States responsibility. The proponents who welcome such a force, urge that the MLF is desirable not because it will end the spreading of nuclear weapons but because it will promote it.

To the extent that this view rests on the desire for a Western European unity it may, for sake of argument, be conceded that such a force would in fact promote some accretion in the unity of the NATO alliance. Yet the chief reason for such unity would be not fear of the Soviets, but fear of the Germans - the anticipation that without participation by other allies, the MLF would be a German-American nuclear alliance. Certainly, this is a fragile base for European "unity." Moreover, the price paid in the proliferation of nuclear weapons to more countries and the destabilization of the nuclear balance between the Soviets and the United States by this "third force," is a price too high to be paid. In the last analysis, the integrity of the MLF proposal itself becomes subject to question when it is advertised simultaneously as a device which will contain and a device which will promote strategic nuclear weapons in Europe.

C. UNDESIRABLE CONSEQUENCES OF OUR MLF SUPPORT.

There are five major unfavorable aspects to the continuing United States insistence upon creation of the MLF:

1. Nuclear Freeze and Non-Proliferation Agreements Imperiled. President Johnson's proposals at Geneva for nuclear freeze and non-proliferation agreements, have been imperilled by our support of the MLF. The Russians quickly seized upon the MLF, pointing out that we could not both stand still and move ahead at the same time, and would have to abandon the MLF if we are serious about the proposed agreements. The Russian claim of inconstancy is somewhat confirmed by William Foster's quoted statement in the Herald Tribune of January 24, 1964 that the United States freeze proposal would not include the MLF. And as the editorial in the Washington Post of February 12, 1964 points out, there is some inconsistency between our offering NATO the MLF as the beginning of a European force and our asserting to the Soviets that it is consistent with a nuclear freeze.

2. De-emphasis of Conventional Force Expansion in Europe. Replacement of nuclear with conventional defensive capability in Europe has been a major policy of the Administration. To the extent that the MLF will be costly to our NATO allies and emphasize their continued protection through nuclear response, it militates against the Administration's stress on the need for conventional capability among our NATO allies.

3. Production of European Rift Rather Than Unity. Our European allies are not requesting the MLF but are having it forced upon them by our insistence. (1) With the exception of some element in Germany, the MLF is not welcomed among the other nations, who must join it from fear of German predominance. The MLF is thus a rift-producing issue among our allies. And it is also causing serious internal political friction in NATO countries since it requires them to cast their lot unequivocally either with the United States or de Gaulle. Such a sharp choice situation has unfavorable consequences upon West Germany, and by drawing another divisive line among our allies, disservices the European unity and settlement aspirations entertained by many within our Administration. As the Kissinger analysis in The Reporter pointed out: "The effort to isolate France by developing in the nuclear field a structure in which West Germany would be the key European member may in fact overstrain the fabric of European cohesion and Atlantic solidarity, and also undermine the domestic stability of West Germany. It is in nobody's interest - least of all West Germany's - to set in motion events that can only end with suspicion and concern in most of the countries of the West about Germany's nuclear role. This is bound to aid the Soviet thrust to divide the West through the fear of Germany. A divided country, which in the space of fifty years has lost two wars, experienced three revolutions, suffered two periods of extreme inflation and the trauma of the Nazi era, should not - in its own interest - be placed in a position where, in addition to its inevitable exposure to Soviet pressure, it becomes the balance wheel of our Atlantic policy."

(1) USIA Research and Reference Service report, dated April 5, 1963: "The reaction of the Western European press to U. S. Ambassador Merchant's recent trip indicated an overwhelming rejection of the kind of multilateral nuclear force (MLF) envisaged by the United States. Editorial comment was heaviest and most negative in West Germany. The rejection of the multilateral nuclear force within the NATO framework was commonly based on the belief that the United States was offering a hastily improvised and confused politically motivated and exorbitantly expensive device which would afford West Europe neither increased security nor increased voice in nuclear decisions. Supporters of the United States suggestion, for the most part a minority of Italian, British, and Scandinavian voices, saw it as the lesser of two evils and a possible starting point for discussions. By the end of the Merchant trip, most papers were openly speculating that the multilateral nuclear force plan in its present form would be scrapped with the debate continuing on the central issue of nuclear interdependence within the Western Alliance. Hopes were also expressed that the United States would find a way to dispel the confusion aroused by its original multilateral force proposals."

4. Political Repercussions in the Congress. It also seems clear that the MLF is not presently favored in the Congress, or likely ultimately to win its support. It probably violates or strains the McMahon Act by giving nuclear information to other countries. It gives concern to those who have worried about a re-emerging Germany as a predominant European power which controls European fortunes. It is not favored by those who value our nuclear monopoly and the direct controls which we have retained upon the strategic weapons of potential annihilation. Meanwhile, the Administration has completely by-passed the Congress. The closer we approach activation of MLF, the larger will be the cumulative weight of these Congressional concerns.

5. Nuclear Race Escalation. Following the test ban, there have been widespread hopes that a way would be found to reach a plateau in the nuclear arms race in which there would be a leveling off of nuclear forces within present limits, and no expansion of weaponry to countries which are nuclear-free today. Apart from the additional numbers of strategic weapons and nations with such weapons which the MLF would involve, it is today the single proposal for a new advance which stands in the way of a leveling off of the nuclear arms race. This is a serious new ground for a reassessment of the MLF proposal.

D. THE LARGER CONTEXT: ENDING THE EUROPEAN DIPLOMACY OF ARMAMENTS.

Almost all current debates about the MLF are limited to the existing political and military relationship in Europe. All are predicated upon the assumption that there remains a military threat in Europe from the East which requires degrees of nuclear capability in Western Europe. First, however, it must be noted that except for the special problem of Berlin, conventional forces are demonstrably adequate for the defense of Western Europe against conventional force attack. Moreover, the very hypothesis of an attack upon Western Europe becomes less and less credible as the years pass. Without Soviet participation, such an attack would be meaningless in military terms and therefore unlikely of initiation; with Soviet participation it would unquestionably initiate a world war, which again provides a highest level deterrent. Nor is it clear just what Soviet hope would impel such an attack. Our present military posture in Europe is based on a threat which no one believes.

The fact is that we have continued to give a preemptive position to military policy and nuclear power in Europe, in an era when the real problems of Europe are economic and political rather than military. Our continuing diplomacy of weaponry, both against the Soviets and vis-a-vis de Gaulle, stands in the way of the traditional diplomacy, prevents desired economic and cultural exchange, and other normal adjustments between countries as well as the necessary political developments within them. The MLF perpetuates obsession with military response to rifts with the Soviets and between the Allies, in an era which calls not for an arms polemic but for the progression of

relationships between sovereign states.

Those who would promote a detente and ultimately a settlement in Europe, must look beyond such merely military alignments such as the pseudo-partnership of the Multilateral Nuclear Force.

For the nuclear arms race and the diplomacy of armaments in Europe will not cease as long as the United States itself is the chief promoter of new nuclear weapons systems. On the other hand, a return to the traditional international diplomacy in Europe would foster a climate in which national possession of nuclear arms would appear less vital either for national prestige or national security. As long as the United States remains ready to employ its nuclear strength against a nuclear attack in Europe, there is in fact no security necessity for national nuclear forces. And the demand for nuclear arms in NATO countries attributable to the desire for national prestige and self-esteem, reflects a desire which we ourselves are fostering when we proclaim by devices such as the MLF that our NATO allies must have a first-ranking role in the operation of a strategic weapons system. In short, the only way in which our NATO allies can be induced not to strive for a strategic nuclear system of their own is if we ourselves cease our obeisance to nuclear power as the cornerstone of European policy and European defense.

Today we welcome agreements to prevent the spread of nuclear weapons to Latin America and other areas where they are not presently deployed. One may hope that tomorrow we may recognize that in Europe, too, the proper goal is not an accretion in nuclear armaments but the replacement of the nuclear confrontation by political and economic settlements and conventional forces adequate to assure that they are honored. At a time when we should seek to move away from the nuclear arms race, the multilateral nuclear force is a move in precisely the wrong direction.

E. ALTERNATIVES TO UNITED STATES PROMOTION OF THE MLF.

There are essentially three alternatives to the present United States position:

1. Abandoning the MLF. While this may constitute long-term wisdom for the United States, it is unlikely that we would renounce the MLF in the near future without at least a serious quid pro quo from the Soviets. It should be noted that if the United States abandons the MLF, it may continue to adhere to its opposition to the independent development of nuclear capability by Germany, and other nations, and we may expect some success in holding our allies to that position at least for the next few years.

2. Initiating a Slow-Down of MLF Activation. This seems the most desirable immediate step, but there is always difficulty in taking the first step away from an established course. Senate Foreign Relations Committee hearings might serve as a temporary brake. A slow-down should pave the way toward ultimate recession by the United States from the MLF proposal.

3. A Replacement for MLF. A more modest nuclear "partnership" might be proposed to meet the present concerns of NATO allies. Second level technical people could be brought into the targeting and planning phases of our existing strategic nuclear force, to give added assurance of our readiness to employ the nuclear umbrella. To the extent that we are, in fact, ready to employ that umbrella, it seems highly desirable that our allies be assured that this is so. By this means we may satisfy some present concerns among our NATO allies without creating a new strategic striking force in Europe and opening the door to an independent European nuclear "third force" with its troublesome political and military implications.

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SPEECH BY SENATOR JOSEPH S. CLARK (D., PA.)
BEFORE THE COUNCIL FOR A LIVABLE WORLD
UNIVERSITY OF PENNSYLVANIA MUSEUM
March 20, 1964, 8:15 p.m.

THE MILITARY-CONGRESSIONAL COMPLEX

There is a story -- which I am confident is wholly spurious -- currently circulating in Washington involving Aleksei Adzhubei, Khrushchev's son-in-law, who is the editor of ISVESTIA, and the late President Kennedy.

During a meeting, the President and the Russian were talking about civil defense arrangements in their two countries. Kennedy asked what preparations had been made in the Soviet Union for an atomic alert.

"We have given our people very specific directions", the Russian said. "In the event of an all-out atomic attack, each citizen has been instructed to lie down in the street, cover himself with a sheet, and begin to crawl slowly to the nearest cemetery".

"But why slowly?", Kennedy is supposed to have asked. And the Russian answers, "To avoid a panic."

I cannot tell you how much this poor fellow under the sheet, crawling slowly to the nearest cemetery, reminds me of that august institution, of which I am a member, the United States Congress. The alarm sirens of an impending nuclear catastrophe brought on by accident, malice or madness; the alarm sirens of a population explosion which will double the population of the globe in the few short years between now and the year 2000; the alarm sirens of a second civil war which may well break out in towns and cities all across the land unless Congress promptly fulfills the promises of the first Civil War after one hundred years of waiting -- these sirens are sounding, but the Congress does not want to hear them. It just wants to draw itself beneath its sheet and begin to crawl slowly to the nearest cemetery.

For it is at hiding from issues, not resolving them, that Congress excels; at devising ingenious means for avoiding decisions, not for demonstrating effectiveness and courage in making tough decisions.

Today we live in a world in which total nuclear devastation is a distinct possibility. Obviously general and complete disarmament under enforceable world law ought to be a matter of urgent concern. We should be formulating elaborate, detailed and specific plans, looking toward the day when the Soviets and the Chinese and the French wake up and admit that our mutual security -- and even our mutual survival -- depends on the adoption of such plans.

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But is Congress debating and considering these problems? The answer, to put it bluntly, is that Congress couldn't care less. In fact, when Congress is not demonstrating a total lack of interest in the subject of general and complete disarmament -- which is the case most of the time -- its attitude is one of hostility, suspicion, and distrust.

The Senate does not often have a moment of truth on disarmament questions. That is because it is easier to ignore the problem than to face it. But last September it did have a minor moment of truth when it was called upon to approve the Limited Nuclear Test Ban Treaty. Almost a fifth of the Senate -- 19 Senators -- voted against this Treaty, even though its effects are so minor and relatively insignificant as to make it absolutely harmless.

I find it particularly significant that of these 19 Senators who voted against the Treaty, all but two had also voted earlier last year against a proposal to limit the abuses of the filibuster rule. Nearly all of them also voted against foreign aid. There is, in other words, a pattern which indicates that it is the same Senatorial oligarchy which is negative on Senate Rules reform, negative on civil rights, negative on disarmament -- and negative on the 20th Century.

And this pattern of nay-saying, which reaches across the board into other issues such as our great unmet public needs in education and manpower training, in housing, in rebuilding and making our cities more liveable, in mass urban and inter-urban transportation, in preserving our shrinking wilderness areas for recreation -- this negativism is the key to Congress' hostility to general and complete disarmament.

For at the heart of this opposition to disarmament is an archaic, outmoded notion of national security which perhaps made some sense before the invention of the computer, the airplane, the hydrogen bomb, the big rocket and the intercontinental ballistic missile. The axiom has been that security is a function of relative armed strength. "Be stronger than your neighbor and he will leave you in peace". This is the elemental wisdom of the savage in the jungle, and we have little altered it in our thousands of years of civilized sophistication.

It has never been a very good rule. It has produced a succession of arms races and two world wars in our lifetime, the second more horrible than the first, due to the advance in scientific skill and technology in the lull between them. It is true that over the thousands of years it was followed it did not produce total world-wide destruction; but I attribute that solely to

the fact that the Defense Departments in Babylon, Macedonia, Rome, Berlin and Tokyo simply did not have the means at their disposal.

We do have the means now, nestling in concrete silos across the Soviet Union and the Great Plains of this Country, cruising in secret patrols under the oceans, and even mounted on trucks and missile launchers in the fields of Germany. But the conventional wisdom -- which never has been very wise, and may well be fatal now -- continues to prevail. Congress persists in seeking security by increasing armaments, while dismissing as "visionary" plans for general and complete disarmament under enforceable world law.

A good example of this lack of interest is the case of the "Planning for Peace" Resolution which I introduced last October. This Resolution merely seeks to have the Congress express its support for the efforts of the President to achieve general and complete disarmament under legally effective controls, and requests the President to formulate specific and detailed proposals for the development of effective international machinery for the supervision of disarmament and the maintenance of peace. The Resolution was referred to the Foreign Relations Committee but no hearings have been scheduled. In fact, although requests for comment have been made to various agencies in the Executive Branch, not all of these agencies have yet replied.

Serious questions exist as to whether the United Nations with its limited financial resources, its veto in the Security Council and its one-vote-per-nation in the General Assembly is capable of supervising the disarmament process and maintaining peace. It may be that a new International Disarmament Agency, dominated by the major military powers, should be created with some loose relationship with the United Nations. A Committee of Jurists representing the United States, Canada, Great Britain and Italy is presently at work on these problems in Geneva.

Yet recent developments in the United Nations have been mildly encouraging. The action of the Security Council in setting up the Cyprus Peace Force can be an important step forward in developing a true peacekeeping capacity in the United Nations.

Although general and complete disarmament has had to take a back seat at the Eighteen Nation Disarmament Conference in Geneva, a number of interesting and significant proposals have been advanced by this Country's representatives. Among them has been the suggestion that the United States, the Soviet Union, and their respective allies agree to explore a verified freeze of the number and characteristics of strategic nuclear offensive and defensive vehicles. And just the other day, our representative raised for discussion

a proposal for the mutual destruction of obsolescent bombers (in the B-47 and Badger classes) by the United States and the U.S.S.R. in a "bomber bonfire." Although these bombers are not in our front rank of defense, they are capable of causing a real threat to peace should they fall into the hands of lesser powers in Africa, Asia and Latin America. One way to assure that they will not, is to agree with the Soviets to put them out of harm's way.

When old ideas which no longer apply to the situation keep hanging on it is worthwhile looking behind them. Often one finds, underneath, some interest, some privilege, some lobby with a stake in the status quo. I think this is the case with our outmoded notions of national security. Deeply ingrained as they are, I believe that we could grow out of them but for the foundation of inadequate education in history, personal privilege and prerogative and dollars-and-cents material interest on which they rest. Has not the teaching of history with its indoctrination of old-fashioned patriotism and by "glory" arising from "victory" of our national state in war played a major role?

I do not mean to suggest that there are munitions makers who want war to make profits. There are no profits in a nuclear war, as any rational person knows. But there are profits in defense, huge profits in building weapons you hope you never have to use.

I wonder how many of you appreciate the fact that your federal government regularly allocates half its annual budget -- roughly 50 billion dollars -- to defense. That is the size of the pie which our defense contracts are slicing. Is there any wonder that the preconceptions and prejudices which support and justify the continuation and expansion of this huge defense budget are firmly held?

Probably the one most important -- and certainly the one most expensive -- decision Congress must make each year has to do with this military budget. The way it handles this matter is of crucial importance for the nation's economy as well as for its security. If ever Congress has a need to be impartial and free from conflicts of interest, whether apparent or real, it is in matters of this kind. Certainly one would not want to have an assortment of generals, colonels, captains and majors having the final say on the defense budget. Decisions of this magnitude must be made by civilians who are free to act for the nation as a whole without any limiting ties to the military establishment. To put a man in both camps, and make him both a Senator and a general, presents a blatant and clear-cut conflict of interest, in which even a Solomon would find himself torn between conflicting ties of duty and loyalty.

Yet when the roll is called in the Senate of the United States, three generals, five colonels, four lieutenant colonels, two majors and one Coast Guard captain answer to their names. These fifteen Senators, all of them men of high integrity, are active reserve officers in the Army, Navy, Marine Corps, Coast Guard and Air Force Reserves. They put on their uniforms and serve on active duty at least once each year. In addition, there are 70 members of the House of Representatives who hold active reserve commissions and are associated with military reserve units attached to Capitol Hill.

I do not mean to suggest that all of these men are opponents of general and complete disarmament and strong proponents of the military's point of view -- although I think it is plain that some of them certainly are. The point is that dual office of this kind raises a clear conflict of interest on some of the most important public questions a Senator or Representative has to face.

The men who founded this nation and drew up our Constitution were not naive about this matter. They plainly foresaw the dangers, and they just as plainly made provision for them. They wrote into the Constitution the following unambiguous prohibition (Art. 1, Sec. 6):

"No person holding any office under the United States shall be a Member of either House during his continuance in office."

The relevant Supreme Court cases indicate that where the Constitution says "office under the United States" it is talking about office in the armed services, in the reserves, and in the National Guard. (See U.S. v Carter, 217 U.S. 286 (1910); U.S. v Hartwell, 6 Wallace 385 (1867)).

But if it is unconstitutional for Members of Congress to hold reserve commissions, why isn't something done about it? Why doesn't the Supreme Court step in and make them choose between their reserve commissions and their Congressional seats?

The answer is that it doesn't appear that the Supreme Court has any power over violations of the Constitution of this kind. The Constitution says (Art. 1, Sec. 5, Clause 1):

"each House shall be the Judge of the elections, returns and qualifications of its own Members."

The important word is "qualifications" and the net effect is that the Senate and the House of Representatives themselves, and not the Supreme Court, are vested with the high obligation of enforcing this Constitutional prohibition.

Although Congress is in gross default on this obligation today, things were not always so bad. For example, on January 11, 1803, the House of

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Representatives voted 88 to 0 to expel Representative John Peter Van Ness (D.,N.Y.). Representative Van Ness had accepted from President Jefferson a commission as major in the District of Columbia Militia. In so doing, the House said, he had "forfeited his right to a seat as a member of this House.

There are a number of such cases, and not all of them are ancient history. In 1916, for instance, a House Resolution asked the Judiciary Committee to investigate the question of Members holding commissions in the National Guard. The Committee decided "that the seats of those Members of the House of Representatives who shall accept commissions in the National Guard of the various States under the act of Congress of June 3, 1916, will at once become vacant."

It is bad enough that the Congress permits 85 of its Members to hold reserve commissions in flagrant disregard of these Constitutional precedents. But in 1930, the Congress attempted a Constitutional dodge aimed at circumventing the prohibition by a legal technicality.

In that year, Congress passed a law which said, "When he is not on active duty, or when he is on active duty for training, a Reserve is not considered to be an officer or employee of the United States..."

This was a bald effort by the Congress to cancel out the Constitutional prohibition -- as blatant as trying to repeal the Bill of Rights by a rider on an appropriations bill, which the President could not veto without invalidating necessary appropriations.

And to make matters worse, the Congress had reason to know that the 1930 act was unconstitutional -- that they could never get away with it -- when they passed it. In discussing the bill on the floor of the Senate, Senator James Couzens of Michigan said:

"There is a Constitutional inhibition against an officer in the military service holding two offices. There are officers in the Reserve Corps who are Members of the Senate and who are also Members of the House of Representatives as there are Reserve officers holding other governmental position."

Senator Couzens said that he had talked to the Chairman of the Committee on Military Affairs, and went on:

"I do not believe that I misquote the Senator from Pennsylvania when I say that he doubts whether this proposed legislation will remedy the situation. However, it is an attempt to do so by amending the law so as to provide that Reserve officers shall not be considered as officers referred to in the Constitution."

The point has been made that this law must be Constitutional because no court has held it unconstitutional. The answer to that is that the Constitution never gave the courts the power to strike this law down. It is the

two Houses of Congress, and they alone, who have the power to act. If they choose to defy the Constitution, rather than to obey it, there is no legal recourse.

But that does not leave us entirely helpless. There are at least two things which can be done:

--We can appeal to the individual Senators and Congressmen who are now holding reserve commissions to obey the Constitutional mandate voluntarily and resign their commissions.

Many of these men are friends of mine. They are men of integrity and many of them, I am sure, are no less ardent for peace and disarmament than they would be if they had no affiliation to the military. But the Founding Fathers put the prohibition against dual office-holding in the Constitution for a good reason, and I think the Constitution should be obeyed whether it can be enforced or not.

--The Department of Defense should immediately put a stop to the awarding of reserve commissions to Members of Congress. It is widely known on Capitol Hill that there is an intense competition among the services to recruit Members of Congress into their respective reserve units, to outbid one another in granting Congressmen and Senators rapid promotion and in offering alluring junkets and secret briefings to Congressional Reservists.

There is no justification for the practice. It is at odds with the spirit of the Constitution, and is motivated, I am confident, by the desire of the ~~uniformed~~ services to have "friends on the Hill". It was precisely to prevent this that the Founding Fathers wrote the prohibition into Article 1 of the Constitution.

President Eisenhower clearly recognized the power of the military-industrial complex in this country, and in his Farewell Address he uttered this warning:

"...we have been compelled to create a permanent armaments industry of vast proportions. . . .This conjunction of an immense military establishment and a large arms industry is new in American experience. . . .In the councils of government, we must guard against the acquisition of unwarranted influence, whether sought or unsought, by the military-industrial complex. The potential for the disastrous rise of misplaced power exists and will persist. We must never let the weight of this combination endanger our liberties or democratic processes. We should take nothing for granted. Only an alert and knowledgeable citizenry can compel the proper meshing of the huge industrial and military machinery of defense with our peaceful methods and goals, so that security and liberty may prosper together."

When the question of the legality of Members of Congress accepting commissions in the armed forces came up during World War II, Franklin D. Roosevelt's Attorney General, Francis Biddle, expressed the opinion that, "It

would be a sound and reasonable policy for the Executive department to refrain from commissioning or otherwise utilizing the services of Members of the Congress in the Armed Forces."

I believe that it was a "sound policy" then, and it is a "sound policy" now, for Reserve as well as Regular commissions.

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Obviously these actions, if they are taken, will not dissolve Congressional resistance to general and complete disarmament overnight. It is possible that they will not bring us even one step closer to adopting a more mature and responsible outlook on the terrible perils of nuclear war, and the need to chart a course away from the arms race and toward the development of enforceable world law. But the situation which presently exists is worse than unseemly; it is unconstitutional, and we owe it to our national heritage to set matters right. Perhaps then we will be able to turn to the matter of our national survival, and the peace and security of all mankind.

I would like to see the Congress take a more positive approach to disarmament. But I would also like to see it take a less passive approach. There is no need for Congress just to sit back and react to actions taken and initiatives proposed by the Executive branch. An enlightened Congress could lead a timid Executive branch into bolder courses of action. Right now there is a very great need for this country's disarmament policy makers to sit down and formulate detailed and specific plans for achieving general and complete disarmament under legally effective controls. We still have a long way to go in working out the details of an International Disarmament Organization; a permanent World Peace Force, with appropriate and reliable financial arrangements; world tribunals for the peaceful settlement of all international disputes not settled by negotiations; and such other institutions as may be necessary for the enforcement of world peace under the rule of law.

Badly as this work needs to be done, it is not now being done in a speedy and satisfactory manner. And this is not just because of the timidity of the Executive -- it is also because the Congress, which is supposed to be the watchdog of the Administration, is not properly doing its job. If the Congress will only purify itself of those conflicts of interest which arise from the holding of Reserve Commissions; if it will only modernize its archaic rules, precedents and procedures and permit a majority to act when it is ready to act; if it will only begin to reflect the sincere desire for world peace through world law which I am confident is the deeply felt wish of the American people, then Congress will truly be fulfilling the great and honorable role which the Founding Fathers intended for it.

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