

# HUMAN RIGHTS & FOREIGN POLICY

Hans J. Morgenthau



First Distinguished CRIA Lecture  
on  
Morality & Foreign Policy

In Symposium With Hans J. Morgenthau

William Bradley, Jerald C. Brauer,  
James Finn, Harold P. Ford, William T.R. Fox,  
Philip C. Jessup, Philip A. Johnson, Nils Ørvik,  
E. Raymond Platig, Milton Rakove,  
Donald Shriver, Kenneth W. Thompson,  
James F. Tierney, Theodore R. Weber

Copyright © 1979 by  
Council on Religion and International Affairs  
170 East 64th Street, New York, N.Y. 10021

All rights reserved  
Printed in the United States of America  
Library of Congress No. 79-53084

## Table of Contents

|                                   |                     |     |
|-----------------------------------|---------------------|-----|
| Introduction                      | Kenneth W. Thompson | v   |
| Acknowledgments                   |                     | vii |
| Human Rights & Foreign Policy     | Hans J. Morgenthau  | 1   |
| Symposium With Hans J. Morgenthau |                     | 9   |
|                                   | William Bradley     |     |
|                                   | Jerald C. Brauer    |     |
|                                   | James Finn          |     |
|                                   | Harold P. Ford      |     |
|                                   | William T.R. Fox    |     |
|                                   | Philip C. Jessup    |     |
|                                   | Philip A. Johnson   |     |
|                                   | Nils Ørvik          |     |
|                                   | E. Raymond Platig   |     |
|                                   | Milton Rakove       |     |
|                                   | Donald Shriver      |     |
|                                   | Kenneth W. Thompson |     |
|                                   | James F. Tierney    |     |
|                                   | Theodore R. Weber   |     |

## Introduction

It will come as no surprise that Professor Hans Morgenthau should be invited to give the first lecture in a series on morality and foreign policy. Morality for him has never been reserved for theoretical abstractions. Students who have worked with him can testify to his unflagging concern for their personal welfare. I recall a personal experience one summer when, as Professor Morgenthau's assistant, I observed him working around the clock to place some thirty graduate students at the University of Chicago who had not been able to find jobs. He has never ceased being concerned with the needs of those he has sought to help.

I could multiply examples of this kind, but they can be summarized in another personal reference. Walter Lippmann, at the end of a conference of theorists of international politics, turned to Dr. Morgenthau and said he could not understand the view that pictured Morgenthau as exclusively the hard-headed realist because, Lippmann said, no scholar in memory had been more deeply concerned with questions of morality.

However, from the beginnings of his work, Morgenthau's perspective has been of a particular view of morality, summarized best in two quotations from his intellectual autobiography, *Truth and Tragedy*. On illusion he wrote:

Our aspirations, molding our expectations, take account of what we would like the empirical world to look like rather than what it actually is. Thus endlessly, empirical reality denies the validity of our aspirations and expectations . . . . What remains is a searching mind, conscious of itself and of the world, seeking ultimate reality beyond illusion.

And on the nature of politics he wrote:

What defeats a psychoanalytic theory of politics is what has defeated a Marxist theory of politics: the impossibility of accounting for complexities and varieties of political experience with the simplicities of a reductionist theory, economic or psychological.

This aversion to dogmatism that sacrifices pragmatic effectiveness for logical or ideological consistency has remained a persistent element of my intellectual attitude. It has gone hand in hand with my inability to abide the cant, humbug, and outright swindle that are . . . the ineluctable concomitants of politics.

These comments introduce Professor Morgenthau far better than my rhetoric could. I am honored to present him to give the First Distinguished CRIA Lecture on "Morality and Foreign Policy." I also thank him for his participation in the Symposium in which he was joined by the following people: William Bradley, president of The Hazen Foundation; Jerald C. Brauer of the University of Chicago Divinity School; James Finn, CRIA's director of publications and editor of *Worldview* magazine; Harold P. Ford, staff member of the Senate Select Committee on Intelligence; William T.R. Fox of the Department of Public Law/Government at Columbia University; Judge Philip C. Jessup, who served on the International Court of Justice; Philip A. Johnson, president of CRIA; Nils Ørvik of Queens University (Ontario); E. Raymond Platig, director of the Bureau of External Relations Research, Department of State; Milton Rakove of the political science faculty at the University of Illinois, Chicago Circle; Donald Shriver, president of Union Theological Seminary, New York; Kenneth W. Thompson, Commonwealth Professor of Government and Foreign Affairs at the University of Virginia; James F. Tierney, executive director of The Fund for Peace; and Theodore R. Weber, a member of the Social Ethics Department at Candler School of Theology, Emory University.

KENNETH W. THOMPSON

## Acknowledgments

The Council on Religion and International Affairs, an independent, nonsectarian organization, was founded by Andrew Carnegie in 1914. The Council believes that the ethical principles of the major religions are relevant to the world's political, economic, and social problems. Through a varied program, the Council attempts to relate these principles to the specific questions that bear upon the urgent international problems of our time.

CRIA is pleased to have been able to present the first in its Distinguished Lecture Series on Morality and Foreign Policy with the support of the Institute for the Study of World Politics. The Institute is a project of The Fund for Peace. We are grateful to the Institute, the Fund, Mr. Randolph Compton, and the Compton Fund for helping to make the occasion possible.

Following the lecture we gathered a select group of people who have long been concerned with U.S. foreign policy to discuss with Dr. Morgenthau issues that were central to his presentation. For the contribution of their time and talent CRIA is truly grateful. And I would like, finally, to thank several people who helped bring the present publication into being: Stephen Paschke, secretary-treasurer of The Fund for Peace; James Finn, director of publications at CRIA; Ulrike Klopfer, assistant to the president of CRIA; and Susan Woolfson, managing editor of *Worldview*, the monthly magazine published by CRIA.

PHILIP A. JOHNSON  
PRESIDENT  
COUNCIL ON RELIGION  
AND INTERNATIONAL AFFAIRS

# Human Rights & Foreign Policy

HANS J. MORGENTHAU

A professor of law at Harvard at the beginning of the century said that, with the exception perhaps of theology, there is nothing about which so much nonsense has been written as international law. One could add to this statement or one could modify this statement by extending it to international morality. There has been recently a flood of statements, some of them on the highest authority, that have very little to do with a philosophic or even pragmatic understanding of international morality. Let me say first of all, in criticism of those who deny that moral principles are applicable to international politics, that all human actions in some way are subject to moral judgment. We cannot act but morally because we are men. Animals are limited by their own nature; they don't need and they don't have moral limitations, normative limitations that restrain their actions. But man, exactly because his imagination soars above natural limits and his aspirations aim at certain objectives that are not naturally limited, must submit *as man* to moral limitations that may be larger or more narrow as the case may be, but which exist.

Take an example from the conduct of foreign policy and you will see right away that this cannot be otherwise. At the Conference of Teheran in 1943, in the presence of Roosevelt and Churchill, Stalin suggested that the German general staff be liquidated. I quote now Churchill's report:

The whole force of Hitler's mighty armies depended upon about 50,000 officers and technicians. If these were rounded up and shot at the end of the war, German military strength would be extirpated. On this I thought it right to say the British Parliament and public will never tolerate mass executions even

if in war, in war passion, they allow them to begin. They would turn violently against those responsible after the first butchery had taken place. The Soviets must be under no delusion on this point. Stalin, however, perhaps only in mischief, pursued the subject. "Fifty thousand," he said, "must be shot." I was deeply injured. "I would rather," I said, "be taken out into the garden here and now and be shot myself than sully my own and my country's honor by such infamy."

Obviously, here you have as clear an example as one can wish of a moral reaction to a particular course suggested in foreign policy. Whenever we are face to face with a situation in which a statesman could perform a certain action that would be in his interest and he refrains from doing so, he acts under a moral compulsion. Take any number of examples from history and you will see that time and again statesmen have refrained from certain actions on moral grounds, actions they could have taken physically and which would have been in their interests.

Take, for instance, the sanctity of human life in peace, which we today take for granted. This is a development that is relatively new and didn't exist, for instance, in the fifteenth or sixteenth centuries. At that time it was common to kill foreign statesmen who were particularly obnoxious to oneself. The republic of Venice had a special official, the so-called official poisoner of the republic of Venice—we have the records, everything was written down, because obviously they were not afraid of congressional investigations—and we can read that one poisoner was hired on probation and was assigned Emperor Maximilian and tried five times to kill him without success. The record does not show whether he was hired or let go.

In any event, at that time the killing of foreign statesmen or foreign diplomats was as common a practice among nations as is today, let me say, the exchange of notes or summit meetings. Until very recently we have refrained from such practices. We have witnessed in this particular and in other respects a moral improvement in the behavior of nations—which, it is obvious, is in

the process of disappearing. That is to say, we are living today in a situation in which the moral restraints that in the eighteenth and nineteenth centuries contributed greatly to the civilized relations among nations are in the process of weakening, if not disappearing.

Let me give you another example, an obvious one. Take the distinction that has been made in the eighteenth and nineteenth and the beginning of the twentieth century between combatants on the one hand and noncombatants on the other. The Hague and the Geneva conventions laid down intricate legal rules of conduct, which in turn are a reflection of moral rules of conduct to the effect that only soldiers ready to fight shall be the object of belligerent action but that soldiers who want to surrender, or who are incapacitated, and civilians altogether shall be exempt from warfare.

In the First World War it was still regarded as outrageous that certain armies would deal harshly with certain groups of the civilian population. Still, at the beginning of the Second World War an outcry of indignation swept through the Western world when the Germans bombarded Coventry, Rotterdam, Warsaw. At the end of the Second World War we accepted the destruction of the major German cities and of Hiroshima and Nagasaki with considerable equanimity. Here again what you see is a decline in the adherence to moral values in general. But in any event it cannot be doubted that the conduct of foreign policy is not an enterprise devoid of moral significance. That is, like all human activities, it partakes of the judgment made by both actor and the witnesses to the act when they perceive the act. To say this is perhaps to belabor the obvious.

To conclude from this omnipresence of the moral element in foreign policy that a country has a mission to apply its own moral principles to the rest of humanity or to certain segments of humanity is quite something else. For there exists an enormous gap between the judgment we apply to ourselves, our own actions, and the universal application of our own standards of action to others. Take again so elemental and obvious a principle of action—obvious at least and elemental for us—as the respect for human life and the refusal to take human life except under the most extraordinary, exculpating circumstances. There are obviously civilizations and

even groups within our own civilization that have a much less strict conception of the sanctity of human life, that are much more generous in spending the life of others than we would be and would have been under similar circumstances.

So there exists of necessity a relativism in the relation between moral principles and foreign policy that one cannot overlook if one wants to do justice to the principles of morality in international politics. The relativism is twofold. It is a relativism in time (to which I have already referred), when certain principles are applicable in one period of history and not applicable in another period of history, and it is a relativism in terms of culture—of contemporaneous culture—in that certain principles are obeyed by certain nations, by certain political civilizations, and are not obeyed by others.

That consideration brings me to the popular issue with which the problem of morality in foreign policy presents us today, and that is the issue of what is now called human rights. That is to say, to what extent is a nation entitled and obligated to impose its moral principles upon other nations? To what extent is it both morally just and intellectually tenable to apply principles we hold dear to other nations that, for a number of reasons, are impervious to them? It is obvious that the attempt to impose so-called human rights upon others or to punish others for not observing human rights assumes that human rights are of universal validity—that, in other words, all nations or all peoples living in different nations would embrace human rights if they knew they existed and that in any event they are as inalienable in their character as the Declaration of Independence declares them to be.

I'm not here entering into a discussion of the theological or strictly philosophic nature of human rights. I only want to make the point that whatever one's conception of that theological or philosophical nature, those human rights are filtered through the intermediary of historic and social circumstances, which will lead to different results in different times and under different circumstances. One need only look at the unique character of the American polity and at these very special, nowhere-else-to-be-found characteristics of our protection of human rights within the confines of America. You

have only to look at the complete lack of respect for human rights in many nations, or in most nations (consider that there is only one black country in Africa with a plural political system; all others are dictatorships of different kinds) to realize how daring—or how ignorant if you will, which can also be daring—an attempt it is to impose upon the rest of the world the respect for human rights or in particular to punish other nations for not showing respect for human rights. What we are seeing here is an abstract principle we happen to hold dear, which we happen to have put to a considerable extent into practice, presented to the rest of mankind not for imitation but for acceptance.

It is quite wrong to assume that this has been the American tradition. It has not been the American tradition at all. Quite the contrary. I think it was John Quincy Adams who made the point forcefully that it was not for the United States to impose its own principles of government upon the rest of mankind, but, rather, to attract the rest of mankind through the example of the United States. And this has indeed been the persisting principle the United States has followed. We have made a point from the very beginning in saying that the American Revolution, to quote Thomas Paine, "was not made for America alone, but for mankind," but that those universal principles the United States had put into practice were not to be exported by fire and sword if necessary, but they were to be presented to the rest of the world through the successful example of the United States. This has been the great difference between the early conception of America and its relations to the rest of the world on the one hand and what you might call the Wilsonian conception on the other.

For Wilson wanted to make the world safe for democracy. He wanted to transform the world through the will of the United States. The Founding Fathers wanted to present to the nations of the world an example of what man can do and called upon them to do it. So there is here a fundamental difference, both philosophic and political, between the present agitation in favor of human rights as a universal principle to be brought by the United States to the rest of the world and the dedication to human rights as an

example to be offered to other nations—which is, I think, a better example of the American tradition than the Wilsonian one.

There are two other objections that must be made against the Wilsonian conception. One is the impossibility of enforcing the universal application of human rights. We can tell the Soviet Union, and we should from time to time tell the Soviet Union, that its treatment of minorities is incompatible with our conception of human rights. But once we have said this we will find that there is very little we can do to put this statement into practice. For history has shown that the Soviet Union may yield under certain conditions to private pressure (and I have myself had certain experiences in this field; the agitation in which I was involved, for instance, in favor of the dancers Panov had a great deal to do, I think, with the final release of that couple). There are other examples where private pressure—for example, the shaming of public high officials in the Soviet Union by private pressure—has had an obvious result. But it is inconceivable I would say on general grounds, and more particularly in view of the experiences we have had, to expect that the Soviet Union will yield to public pressure when public pressure becomes an instrument of foreign policy and will thereby admit its own weakness in this particular field and the priority of the other side as well. So there is, I think, a considerable confusion in our theory and practice of human rights, especially vis-à-vis other nations in the field of foreign policy.

There is a second weakness of this approach, which is that the United States is a great power with manifold interests throughout the world, of which human rights is only one and not the most important one, and the United States is incapable of consistently following the path of the defense of human rights without maneuvering itself into a Quixotic position. This is obvious already in our discriminating treatment of, let me say, South Korea on the one hand and the Soviet Union on the other. Or you could mention mainland China on the one hand and the Soviet Union on the other. We dare to criticize and affront the Soviet Union because our relations, in spite of being called *détente*, are

not particularly friendly. We have a great interest in continuing the normalization of our relations with mainland China, and for this reason we are not going to hurt her feelings. On the other hand South Korea is an ally of the United States, it is attributed a considerable military importance, and so we are not going to do anything to harm those relations.

In other words, the principle of the defense of human rights cannot be consistently applied in foreign policy because it can and it must come in conflict with other interests that may be more important than the defense of human rights in a particular instance. And to say—as the undersecretary of state said the other day—that the defense of human rights must be woven into the fabric of American foreign policy is, of course, an attempt to conceal the actual impossibility of consistently pursuing the defense of human rights. And once you fail to defend human rights in a particular instance, you have given up the defense of human rights and you have accepted another principle to guide your actions. And this is indeed what has happened and is bound to happen if you are not a Don Quixote who foolishly but consistently follows a disastrous path of action.

So you see that there are two basic logical and pragmatic hindrances to a consistent policy of the defense of human rights. On the one hand you cannot be consistent in the defense of human rights, since it is not your prime business as a state among other states to defend human rights, and second you cannot pursue human rights without taking into consideration other aspects of your relations with other nations, which may be more important than those connected with human rights.

Where does it leave us in the end? I think in this consideration of the relations of foreign policy and morality we are in the presence not of a peculiar, extraordinary situation but of a particular manifestation of a general human condition. As I said at the beginning, we are all moral beings because we are men. And we all try to a greater or lesser extent—to a better or worse extent one might say—to realize the moral principles with which we are identified. We find that we are faced with contradictions, with dif-



difficulties—logical, pragmatic, moral difficulties themselves. And so the best we can do is what Abraham Lincoln asked us to do. He warned us first against the exaggeration of moral virtue we claim for ourselves, and next he outlined the limits within which man can act morally and at the same time have a chance for success. Lincoln's statement was made during the Civil War and is a reply to a petition by a delegation of ministers who asked him to emancipate all slaves forthwith. Here is what Lincoln said:

In great contests each party claims to act in accordance with the will of God. Both may be and one must be wrong. God cannot be for and against the same thing at the same time. I'm approached with the most opposite opinions and advice and that by religious men who are equally certain that they represent the divine will. I'm sure that either the one or the other class is mistaken in that belief and perhaps in some respects both. I hope it will not be irreverent for me to say that if it is probable that God would reveal his will to others on a point so connected with my duty it might be supposed he would reveal it directly to me. For unless I am more deceived in myself than I often am it is my earnest desire to know the will of Providence in this matter and if I can learn what it will be I will do it. These are not, however, the days of miracles and I suppose it will be granted that I am not to expect a direct revelation. I must study the plain physical facts of the case, ascertain what is possible and learn what appears to be wise and right.

## Symposium With Hans J. Morgenthau

KENNETH THOMPSON: A number of people in this symposium have been a source of inspiration and perspective on human rights. There is a strong feeling in the government now that we ought to mobilize resources for thinking about ethics in foreign policy. There is also the view at the working level in the government that we have not clearly thought through what we say and do in human rights. George Kennan said recently that because it is not the business of states to convey moral principles, it is very difficult to think of the state as a moral judge on any issue. Hans Morgenthau seemed to diverge from that view in his CRIA lecture, when he said that it is not possible either for individuals or leaders to exclude moral judgments. When Dr. Morgenthau discussed human rights, the most central issue of the late 1970's, he asked to what extent a nation is entitled and obligated to impose its moral principles on other nations. He excluded the theological or philosophical nature of human rights but went on to say that human rights are filtered through national and social circumstances and therefore present issues of application.

He talked about the impossibility of enforcing universal acceptance of human rights; can and should the United States and the world community tell the Soviet Union that its treatment of minorities is wrong? He said that at times we should and could call violations to the attention of the Soviet Union, but he also said that our most effective way of doing this was privately rather than publicly. He questioned whether mere public statements were effective. And he spoke about the difficulties of pursuing a consistent human rights policy because the United States has manifold interests in the world and therefore could not make any single project or objective, such as human rights, its sole concern.

HANS J. MORGENTHAU: While you were reciting some of the points I

made, I noticed that I forgot to mention quite a number of points I had intended.

One point I wanted to make concerned the relativity of moral judgment. In my view there is one moral code, filtered through cultural and moral particularities. In other words, you cannot say that this statement or that action is immoral per se. You have to put it into context and adapt your judgment to particular circumstances.

THEODORE WEBER: May I ask a clarification? You say there is one moral code. What do you have in mind by a moral code?

MORGENTHAU: I personally believe that it is impossible to postulate a plausible moral code without a theological foundation. But how you formulate that foundation is a difficult theological question. I do not believe that you can postulate, for instance, the dignity of human life or the sacredness of human life without a theological foundation.

WEBER: What I was after was whether you saw the moral code as being there to be discovered, or whether it was emergent.

MORGENTHAU: I would say that it is something objective that is to be discovered. It is not a product of history.

RAYMOND PLATIG: Professor Morgenthau, you say there is a universal moral code. What would you consider to be some of the central principles or rules that are applicable to international politics today? How does that universal moral code relate to cultural relativism? How does one distinguish universal moral code and cultural particularism?

MORGENTHAU: Let me discuss a concrete example from my own recent experience—the question of lying. I once was deceived consistently by a close friend. I resented it to the point that I severed our relationship. On the other hand, I was lied to by statesmen time and again in their capacity as statesmen, and it amused me. I stick

to the fundamental principle that lying is immoral. But I realize that when you are dealing in the context of foreign policy, lying is inevitable. In private affairs, however, you do not deceive others, especially friends.

Foreign policy operates in an entirely different social context. Deception becomes a necessary remedy against the dangers to which the nation is exposed. For if you do not deceive others, if you do not accept the principle that this is *homo homini lupus*, one man is to another like a wolf, then you will not survive. In other words, the principle of self-preservation forces you to deceive your companion, who is also your opponent. Different existential situations require actions that, if you were doing them for yourself, would be immoral. As Count Cavour put it very distinctly: "If we had done for ourselves what we have done for Italy, what scoundrels we would have been."

PHILIP C. JESSUP: Don't you think, Hans, that diplomats have to distinguish situations? Bad diplomats lie to allies and colleagues. As long as we are speaking of specific personalities, let me say that this was a weakness of John Foster Dulles as secretary of state. On the other hand, in war deception of the enemy is appropriate. In warfare lying is proper in any moral code. When you say that lying is inevitable, I hope you mean to confine it to wartime and not necessarily to dealing with allies. As you have pointed out, lying to your friends, your colleagues in the domestic sphere is another breach of morals.

MORGENTHAU: I do not erect lying to be a positive pillar of statecraft.

JERALD C. BRAUER: Is it possible that lying, even in international affairs, would have a destructive effect?

MORGENTHAU: Yes, surely. I am far from saying to diplomats, go lie. But look at the famous statement of Sir Henry Wotton in the sixteenth century: "An ambassador is an honest man, sent to lie abroad for the good of his country." Again, this is an

exaggeration of the basic truth that what is morally condemned in individual relations isn't necessarily morally condemned in relations of states.

MILTON RAKOVE: Lying is not good politics, either to your friends or to your enemies. It is better not to say anything than to lie. I learned what I know about international politics from Professor Morgenthau twenty-five years ago. I am also a long-time student of the most successful political machine in American politics and the principles on which it operates in Chicago. I do not think that politicians in Chicago are different from politicians in Peking or Moscow or anywhere else. One of the things they do not do—they almost never lie. They will not promise to do anything unless they can deliver it. They would rather do nothing.

A precinct captain will not tell a constituent he will do something unless he can get it done. A ward committeeman will try not to promise a job to a precinct captain unless he can deliver. The late mayor of Chicago, Richard Daley, would not promise anybody anything unless he could get it done. They operated on the principle that it is better not to lie to your friends because they will never trust you again.

And it is also better not to lie to your enemies either because that is very dangerous. They need to be able to rely on your word. So, while people may lie, it is not good politics.

MORGENTHAU: You certainly have a very important point. The ability of the machine to govern is based upon the confidence people have in its word.

BRAUER: And even its enemies have to be able to trust that. There is a qualification even to Sir Henry Wotton's principle. Harold Nicolson wrote that sometimes a diplomat was a man sent abroad to deceive in the interests of his country, but he added that a diplomat also must return to negotiate another day. For a diplomat to negotiate effectively, a nexus of confidence and trust has to develop.

MORGENTHAU: Surely. The only point I was trying to make is the difference in moral principles that apply to the private citizen in his relations with other private citizens and to the public figure in dealing with other public figures. I agree with everything you just said.

WILLIAM T.R. FOX: I think the statement "honesty is the best policy" is one of the most immoral statements that has ever been made.

MORGENTHAU: And the only reason you are being honest is that you are being paid.

JESSUP: It is not only statesmen who may find it prudent to select which parts of the truth they tell. I, too, would be deeply offended if some person to whom I felt close consistently lied to me, and yet I must feel less offended if I discovered the lies were, say, on behalf of his children. I do not expect the president of the university to tell the worst things about the university.

FOX: In your lecture you said it was foolish to expect a statesman to refrain from acting in his state's interest because he feels subject to some kind of moral restraint. I have some difficulty with that.

MORGENTHAU: I was speaking of moral values. Take for instance the statement German Chancellor Von Bethman-Hollweg made on August 3, 1914, that the treaty guaranteeing the neutrality of Belgium was a "scrap of paper." He was right, objectively. But it was a stupid statement to make even if true. His values as an honest man clashed with his interest to conceal what Germany had done.

HAROLD P. FORD: It seems to me that as crises increase in international affairs, pressures on ethics become greater.

MORGENTHAU: As concern for survival grows more urgent, the

pressures to violate what we call in our individual affairs moral principles build up.

FORD: Are there some things that you would put at the basis of a universal moral code? For example, genocide, mass bombings, some of the things that the Hague Conference has agreed upon?

MORGENTHAU: Let me first illustrate my point on pressures that change moral values. I think you have a clear illustration of this point in the reaction to the bombing of civilian populations at the beginning and the end of the Second World War. There was a radical change in attitudes on morality in warfare in those years.

FORD: We became inured to it. We became used to it, little by little.

MORGENTHAU: Whatever the explanation, the fact is incontestable. Something changed radically. I remember reading histories of the Franco-Prussian War of 1870. There was great indignation on the one hand at the guerrilla actions on the part of the French and on the other hand the military outrages against the French—the military actions the Germans took against the guerrillas. What we have now is utterly different. It is the extinction of any distinction between civilian and military personnel. Certainly the technological inability to make the distinction is in part responsible for its disappearance. And the easy ability to maintain the distinction was responsible for the opposite in the nineteenth century, although this alone does not explain it.

There has been a general decay of respect for human life, probably stimulated by technology.

PLATIG: Before we leave the question of lying, I would like to see if I understand what is being said. You say there is a single universal moral code. I think one could rightly say "thou shalt not lie" is a universally accepted moral proposition. But when you apply it to statesmen, you say they abide by it except when necessary—which

raises the next question: What in their calculations justifies their lying? What justifies a necessity that overrides this particular moral preaching?

MORGENTHAU: Take an example that is simpler than lying: take killing. We do not yet need to walk around with a gun in our pocket, ready to use it against people whom we meet on the street. There have been long periods of history when this was necessary. There may come a period of history when this will be necessary again. The condemnation of killing today is very strong—almost an absolute prohibition. But when society is no longer capable of protecting our survival, and we have to take care of that survival ourselves, the concrete moral principles by which we live are bound to change. Otherwise, we will be killed by somebody who has fewer scruples than we have.

THOMPSON: In fact, that is the permanent nature of international societies.

WILLIAM BRADLEY: In this one moral code that has universal validity if not application, would you include the Preamble to the Declaration of Independence and/or the Bill of Rights?

MORGENTHAU: I would object to the concept of rights. The concept of rights already presupposes a society that gives the rights. When you talk about natural rights, you assume the existence of a Divinity that is the king of the universe, in which there are rights. I would agree there are certain basic interests which are common to all men. Their expression may vary at different times and in different climes, but essentially they are what the Declaration of Independence says them to be.

NILS ØRVIK: We have talked about moral principles and foreign policy. Should we accept as the guiding direction for our foreign policy what we see of the principles to which we would like to adhere? I think this would be different from expecting those princi-

ples to be observed. As most of us agreed, we cannot say that we never lie. We may feel that it is necessary. And that goes for a number of other principles that are involved in human life. I think we would be better off expressing them as aspirations rather than goals we can expect to achieve.

THOMPSON: This is a very central issue in our discussion. The argument is between those who say let the example speak and those who say we should express our principles but not necessarily expect to be consistent in following all of them.

In President Carter's Notre Dame speech one adjective continually recurring is the word "new." This leads me to wonder whether every time a new group or new political party comes to power they are driven to state goals that differ from the preceding group, for domestic political reasons as well as for moral reasons.

BRADLEY: The question, it seems to me, is when we can afford not to express principles. Not necessarily every principle that is involved in foreign policy, but some that we feel are essential.

MORGENTHAU: You again raise an important issue. How wise is it to declaim certain principles that you do not obey yourself and which you have no capacity to enforce upon another state?

Expression of the principle can become mere rhetoric. How often you can use this kind of rhetoric without following up with action, without destroying the plausibility of the rhetoric itself, is an open question. I am skeptical about the abuse of valid moral principles that are not enforced.

FOX: There may be circumstances under which we can articulate a position that will command wide support, and there may be other circumstances in which the same statement will sound either hypocritical or ineffective because there does not seem to be any prospect for implementation.

If we attempt to judge the remarks of the then brand-new Carter

administration, perhaps we do not judge very intelligently by saying either that one ought always to preach in terms of universal principles or that one ought never to. Rather, we ought to relate our evaluation to the potential effectiveness of the action and of the consistency of the action with total behavior.

BRADLEY: I agree about the relativity of the application of any of these moral principles. But then what is the functional role of a moral code if, in given situations, it seems never to be applicable?

MORGENTHAU: I think the normative function of the moral code remains intact. Only it is put in a situation in which the compulsive force, the normative force of the code, is qualified by potential considerations. I mean what we call circumstantial ethics.

BRAUER: There might be another way of going at it, which has been out of use for a long time now. It is the Thomistic approach, where you distinguish between ends and means. You can distinguish between just and unjust wars, for example. Perhaps in Vietnam, if we could have distinguished between wars that are just and ones that are unjust, we might possibly have avoided some of our problems.

MORGENTHAU: I have always felt this. One of my objections to the Vietnam war was the disproportion between means and ends. Stalin once made a similar point in a discussion with Lady Astor. She had asked him, "Mr. Stalin, how many people did you kill during the rural collectivization?" And Stalin replied by asking, "How many people did you kill in the First World War?" *Quid pro quo*. Lady Astor said "Seven million people." And Stalin answered, "Seven million people killed and for nothing at all."

Churchill recorded this anecdote in his memoirs and asked, "Has agricultural production increased as a result of Stalin's policies?" But he concluded that Stalin was a great statesman, utterly without illusions. He was impressed with the means-end relationship.

THOMPSON: Stalin also said the difference between Hitler and himself was that he knew when to stop.

JESSUP: I suggest that in our society there are many justifiable killings—killing in self-defense, killing of criminals in the electric chair. Some people believe abortion is murder, others believe it is a legitimate kind of killing. There is also euthanasia and the Quinlan case, which some may feel borders on euthanasia. Moral relativity may exist even in that.

The only absolute that comes to my mind is torture. I can think of no exception that would justify torture in any society. Of course, we can go back to the Spanish Inquisition and have an illustration of the point that we have progressed a little bit over time.

JAMES FINN: I just want to pick up what Jerry Brauer said when he invoked Thomist principles in casuistry. Jacques Maritain once said: "Woe unto me if I cease to Thomize." And he also said that when philosophers like himself stated absolute moral principles, they were called too rigid. And when they attempted to point out how these principles would be applied in particular circumstances, they were accused of being casuists in a bad sense. But of course the Thomistic principles that Maritain invoked developed in a long Catholic tradition, in which moral casuistry was a highly refined process.

And when it comes to the judgment of very complex historical circumstances, like the Vietnam war, even people who share these principles may make different judgments. It took a long time, for example, for the Catholic bishops of this country to arrive at the judgment that the means used were disproportionate to the end that was to be accomplished. Although the principles were certainly as available to them as to many other people in this country, some Catholics reached that conclusion much earlier. What we are talking about is the problem of casuistry and the individual—what forms the individual judgments that people bring to

bear on these complex questions? That does not mean that there are no moral principles that can be applied.

MORGENTHAU: The validity of the moral principles depends upon the correctness of the potential judgment.

THOMPSON: But does it also depend on the facts? What do we do about facts where our source of information seems to be one-sided? Take the example of Vietnam, when MacNamara dismissed negative information as the product of left-wing reporters.

I knew all the principles about the sanctity of life and euthanasia, but for forty-two days this past summer I had trouble living through the terminal illness of my mother. Several doctors said that they could stop the intravenous feeding and the oxygen, but if they stopped all forms of tube feeding, then her skin would begin to flake as terrible dehydration and great pain from the hunger would occur. These were medical facts, but since then I learned they were not necessarily the full facts. Where we often struggle with these issues is in the matter of facts and where they come from.

FINN: Could I comment on that? It is usually true that we do not have all the facts available to us when we make major decisions. We do our best to act as prudent and reasonable persons. We do our best to get what facts are available and to assess them.

That is the most we can do. We cannot do any more than that. Knowing that we are going to act in partial ignorance, we nevertheless make the best judgment we can. Beyond that we cannot go. And the judgment may prove to be bad because our judgment is bad, or because we were fed incomplete information, or were lied to and were not able to see that deception; and therefore, we reached a decision that would have consequences other than what we intended or expected. It is impossible to act otherwise. These are the existential circumstances in which we apply our principles.

THOMPSON: It does make a difference though whether you say, as

Lincoln did, that even after you struggle to get all the facts you can still be wrong, or whether you say that we have all the facts and then are more or less confident that what you do is right. The anguish of Lincoln contrasts with the confidence of some religious, political, and social publicists.

FINN: It is the difference between a great man and those who are not so great.

MORGENTHAU: Your reference to the end-means relation clarifies the issue intellectually, but it does not solve it practically, because you are still faced with the uncertainty of your own potential judgment.

FINN: Exactly so.

FORD: Three quick comments. First, we do not necessarily act and judge on the basis of facts. We act on the basis of filters and other considerations. Let me again cite my personal experience in Vietnam. All the facts were there, but the policy decisions were made in contradiction to the facts.

My second comment concerns the matter of moral preachments and the present administration. Public moral preachments and a lot of rhetoric are not necessarily a good thing. However, it strikes me that the Carter administration and this and the last Congress have been taking other actions to cut off assistance in cases where there is systematic torture, which is more than moral preaching.

My third point involves the consequences of making efforts toward concern for human life, whether by example or by preachment. I think we ought to also be concerned with the consequences of not acting and of acquiescing.

Of the last two administrations, to overstate it, one perhaps may have been an example of the error of acquiescence, and this new one is perhaps an example of the error of too much preachment and rhetoric. How do we achieve optimum balance in statecraft?

MORGENTHAU: Let us return to the question of what constitutes

effective action by looking at some concrete examples. What has the effect been of the administration's public moral actions concerning, say, Brazil? They were against our interests. They have not promoted, in my view at least, compliance with moral principles. Nor have they really punished the perpetrators of the moral violations. They have been ineffective or counterproductive. They have certainly not effectuated a moral change for the better.

FORD: This also turns on how we define our interests.

MORGENTHAU: Let us define our interests in terms of the avoidance of torture, which is a simple, clear-cut interest. I do not know whether the incidence of torture in Brazil has diminished because of the administration's actions. I would very much doubt it. Everybody would doubt it.

FORD: But in another example, in the Philippines, we have had very strong U.S. governmental and private intercessions there.

MORGENTHAU: Yes, but there the power is supported by the U.S. Mr. Marcos knows on which side his bread is buttered.

BRAUER: As I read President Carter's speeches I wonder whether it is possible to look at human rights problems in faraway areas and nevertheless come forward with positive recommendations and programs. One of the interesting things in the Carter Notre Dame speech is the optimism and pessimism about these issues.

As Professor Morgenthau said, the assumption of Communist states is that history is on their side. Sometimes Communists need patience, for despite immediate obstacles they believe in the long run things will happen as Marxian-Leninism predicts. Sometimes their view permits almost any actions because their end of achieving an eschatological notion of society justifies virtually unlimited means. This pseudo-religious Communist view provides a strong impetus to action. In one of President Carter's speeches he said, almost reminiscent of Wilson: All of us reaffirmed our basic optimism in the future of the democratic system. Our spirit of

confidence is spreading. Together, our democracy can help to shape the wider architecture. As some of you know, Zbigniew Brzezinski's favorite word is architecture, in contrast to some of the phrases that Henry Kissinger invoked.

JAMES F. TIERNEY: One of the things that has bothered me about the Carter administration's human rights emphasis is perspective. When I look at the so-called North-South axis, the relationship between so-called wealthy and poor nations, I question the human rights emphasis of the U.S. Government. The Lord Beveridge report of the first Labor government of Britain at the end of World War II identified five evils in British society which that government, the socialist government, intended to rout. They were, as I remember them, ignorance, idleness, squalor, hunger, and disease.

This emphasis of the Atlee government seems to me to be accepted by the political authorities of the developing countries whether they be dictatorial or democratic. It is accepted to a greater or lesser degree, but it is accepted largely because it is in the self-interest of these governments to work on these problems.

Now, to the extent that a public declaration by the United States about the deprivation of political rights for minority political groups in those countries works against programs that are designed to achieve this other set of economic and social rights, it would seem to me that this is not a wise thing to do.

PLATIG: I would like to make two kinds of comments on that. One, is it really the case that the governments of the Third World countries are dedicated to pursuing the elimination of squalor and disease and hunger? There are people who think that is not the case. A lot of people in those countries might like to see that happening. But many governments are not very much dedicated to it. One would have to go around the world, I think, government by government.

Secondly, I question the previous characterization of U.S. human rights policy. I do not want to be here presenting the administration's party line, but Mr. Vance's speech on human

rights at the University of Georgia Law School defines three kinds of human rights. He said, first, there is a right to be free from governmental violations of the integrity of the person, such as torture. Second, there are such economic and social rights as food, shelter, health care, and education. And third, there is the right to enjoy civil and political rights.

So at least in that administration statement there is an acknowledgment that human rights goes well beyond political liberties and does include the kind of rights that you are talking about.

JESSUP: I find it confusing to combine political rights with what I would essentially consider human rights or the rights of the individual, although the United Nations has done it. There have been times when people in the United States have taken the point of view that the jury system is an essential element of democracy. They were trying to say that every country in Africa ought to have a jury system, which is perfectly ridiculous.

Now it may not be that the jury system is better than any other system for a particular culture. Similarly, liberal democracy or the multiparty system may not be better for certain societies. I remember Julius Nyerere's inaugural address in which he began by quoting Aristotle and proved that his single-party democracy in Tanganyika was more helpful for the individual and for the welfare of the state than the multiple-party system.

We are accustomed to thinking that we are a dual-party country, but actually, we can vote for vegetarians, socialists, and many other parties in a presidential election, although two parties are dominant. I personally think Vance strayed over into the political field more than was helpful. If we confined our observations to clear cases of injury to the integrity of persons, I would find this much more effective than to go on into suggesting the political organization of a society.

FOX: We go back to the question of whether the American political ethos is best expressed by our practicing it at home and then letting the example shine forth; or whether we should go beyond



that, and advertise it; or whether we should go beyond even that and seek in some ways to impose it.

The worst manifestation of Wilsonianism, I suppose, is that in which we seek to impose it, to make the world safe for democracy and to transform every country we can influence into a nation with a government acceptable to our democratic sympathies.

In defense of Mr. Vance, nowhere does he say here anything about democracy. Where he talks about the right to enjoy civil and political liberties, he talks about things that will sound very familiar, however, in American democracy, and those are freedom of thought, of religion, of assembly, of speech, of the press, of movement both within and outside one's own country, and freedom to take part in government.

THOMPSON: Freedom of the press in any foreseeable future is an extraordinarily difficult thing to argue with reference to the Soviet Union. Are we better off to publicly and repeatedly proselytize about freedom of the press, or are we better off to let our example carry weight?

DONALD SHRIVER: We have been accepting the proposition that there is a single universal moral code, and we have laid out some of the propositions of it: Thou shalt not lie, thou shalt not kill, thou shalt use means proportionate to ends. It sounds a little bit like the Old Testament with a gloss of a New Testament on top of it there somewhere. Are we talking about a universal moral code; or are we talking about a moral code that Western civilization and the Judeo-Christian tradition says is a universal moral code?

The Marxist example that Professor Morgenthau used breaks very starkly with that tradition and comes up with statements about freedom of the press with which many of us disagree strongly.

But is it only the Marxist digression from the traditional Western Judeo-Christian tradition that we have to cope with in this world? In African political culture, Arab political culture, in Asian political culture, in South Asian political culture one finds quite different specifications as to what is morality or politics. So I

would like to challenge the basic premise on which we have been debating so far as to whether we are really talking about a universal moral code or one that we, as Westerners, would like to think is universal.

PHILIP JOHNSON: Dr. Morgenthau did not say that this was a universal moral code perceived by everybody.

MORGENTHAU: No. No. Obviously not. But I assume there are certain basic moral principles applicable to all human beings. Take the preservation of life. I assume that the sacredness of human life is a general moral principle, subject to certain qualifications.

SHRIVER: But you yourself talked about the way in which Asian cultures seem more ready to waste lives.

MORGENTHAU: Sure, this is correct in the pragmatic situation, but it does not necessarily affect general principles. That some people are spendthrifts when it comes to human life is one point. That they implicitly recognize the sacredness of human life is another point. And that they justify their carelessness about human life in some ways is also another point.

JOHNSON: I am going to need some help from comparative theologians here. As I understand the Hindu tradition, it does not put that much stress on the sacredness of human life.

BRAUER: I for one cannot say that I am ready to reject the introduction of the whole human rights question by the Carter administration into its foreign policy. On the one hand sheer rhetoric, when constantly used without any type of backing, is self-defeating. On the other hand I wonder if the interjection of the human rights issue into our foreign policy isn't as important for our domestic life as it is for our foreign policy. That is, it is one way to remind the American people of their own obligation to the principles of their own nation.

If the Carter administration human rights policy continues just as sheer rhetoric, just recounted over and over again in speeches, then obviously it is self-defeating. But is there now to be a second stage? Will it now become more concrete, more specific? Somebody mentioned torture. Here is a concrete example. Now can we or can we not move toward ending torture? We have heard we failed to stop or reduce torture in Brazil. I do not agree. I do not know if we can make the judgment yet. It would be much more important to see where Brazil might be three years or five years from now.

Is the interjection of this whole concept too rhetorical, too nonrealistic? I wonder if it is not perhaps too early to make that judgment.

MORGENTHAU: In a sense it would always be too early to make that judgment because the final returns can never be in. We can only say that at this particular point, these are the effects of the action. What they will be tomorrow or the day after is a different matter. I do not think you can postpone judgment, because you will always be in the same quandary, in that you will never know what the final judgment will be.

THOMPSON: Is there a middle ground between praising the regime in Brazil, as Kissinger did, which led some people to think that we were justifying the actions of the regime, and trying to punish and judge it?

BRAUER: I think there is. I had another thing in mind. Brazil may not have changed yet, but I know one thing: For an awful lot of the people like Dom Helder Camara and others in Brazil who are slugging it out against torture the Carter statement meant an awful lot to their morale.

MORGENTHAU: Of course. It raised hopes and expectations that we would take some action.

BRAUER: No, we never said we would take action.

MORGENTHAU: But the implication is there, isn't it?

BRAUER: Yes, you are right, and we did take some action to curtail aid. Some may say that cutting back aid was self-defeating because then Brazil's government will simply go somewhere else for aid. But to people like Dom Helder Camara the U.S. Government's stance on aid to the regime in Brasilia may be terribly important.

JOHNSON: Bishop Festo Kivengere has been in this country recently and gave a CRIA "Conversation" here. He was asked about the effect of the moral rhetoric, if you want to call it that, of the Carter administration on people in Africa who are concerned about human rights. He responded that it is tremendously important that the administration speaks out and keeps on speaking out.

I would suggest that we are in an age of universal and instantaneous communication. We are not simply dealing from one head of state to another or one set of diplomats to another. There is a universal consensus in relation to some issues that, I believe, is broadening in the world.

Whatever were the motivations behind the signing of the Universal Declaration of Human Rights, it was perhaps basically a Western product in the beginning, but it has been adhered to by many nations, at least in principle. Nations all over the world have even formally ratified the treaties and covenants relating to human rights, which is more than we can say for ourselves.

That there is a growing consensus on human values that transcends national sovereignty as the definer of values in society is something that we ought to recognize. We have almost assumed national sovereignty is absolute in determining what is in the national interest of the people who are being governed by a particular regime.

There are two reasons why this might be questionable. One is that some regimes define their national self-interest in terms of the interests of the governing élite. The other is the multiplicity of national sovereignties in the world. It is one thing to deal with a world that is divided up among a few colonial powers, but it is quite another to deal with a world where there are 150 or 160 na-

tional sovereignties. We have to redefine national sovereignty as the arbiter of national interest and, therefore, the arbiter of applicable principles of human rights.

FORD: Taking democracy as the point of departure, I think, is a much more fruitful approach than the general, vague, and diffuse concept of human rights. There is an immense number of objects and issues involved with human rights. I think the human rights issue could be much more helpful in foreign policy by limiting it to the political aspects of human rights.

TIERNEY: I should think that the exceptions to the application of the principle of human rights would indicate that in the value system these are not the highest values at all. In an age of potential nuclear warfare, there is a value that is higher than the individual's security, and that is security from destruction of the planet. Important as these rights are, they have to take second place to a security system to prevent an all-out war.

THOMPSON: This is a central issue. I do not know how many saw the "Today Show" immediately after the breakdown of talks in Moscow in which Zbigniew Brzezinski was interviewed. The interviewer asked Brzezinski: "What if, in order to get a SALT II agreement or an arms control agreement, the Carter administration has to abandon its public campaign for human rights—what would you say then?" He responded: "If a SALT agreement required that we abandon this public campaign, then the SALT agreement would not be worth it." In any given moment in history, each political leadership group tends to arrange its own hierarchy of values, and it does not matter what others shouting from the outside may say.

During a certain period I worked in a bureaucracy. At one point increased food production became our exclusive goal. That approach had an advantage—it was a single-minded attack on a terribly urgent problem. It also had a disadvantage of excluding

other important goals. The problem is similar to the issue that you raise of human rights vs. preventing the destruction of the world—or isn't that a choice that has to be made?

FINN: It would be helpful to me, in trying to think through human rights and the statements from the Carter administration, to see how they could be applied. I think it is helpful to limit our focus to issues of human integrity. I would say at least three issues of human integrity would be regarded as violations almost globally.

One is torture of individuals. The second is summary, arbitrary executions, and the third is arbitrary and prolonged detention.

I think two things about these violations. One is that all three are regarded as violations of the teachings of the major religions of the world.

The second is that there is no government that wants to say that such violations occur widely under its regime. Many prohibitions on such violations are constitutional and many are merely given lip service but, by being given lip service, they are at least recognized. Concentrating on those three, this country or any country could certainly avoid the accusation that we are attempting to impose a culturally bound understanding of either the human person or the political process.

And, in fact, these three are what people often have in mind when they think of human rights. When Kissinger went to Brazil and said that there are two great countries that respect human rights, Brazil and the United States, people immediately rejected his statement, because there were many people being tortured and arbitrarily imprisoned in Brazil.

Now I would like to ask a question growing out of one Carter statement. One of the things he said that caught my attention was: "Words are very important. Words become action."

BRAUER: Especially in the Third World, he said.

FINN: Especially in the Third World. I would like that to become part of our discussion. What kind of actions are these statements?

What are words without the means of enforcing them? Just how do words become action?

Hans said that the returns are never in. Certainly on the question of human rights it may be many years before all the returns will be in, but there are some things for which the returns are in now. For example, returns are in on slavery. Slavery was justified by Aristotle. He supported it on the basis of what he understood natural law to be. Slavery was even defended by Aquinas. They said slavery was acceptable.

Now it is not acceptable. The returns on slavery are in: not acceptable.

FOX: I heard it suggested a minute ago that planetary survival might have to take precedence over human rights. Just imagine for the moment that if the doomsday machine is not to explode, a prisoner must be required immediately to reveal how to deactivate it.

Are we to say that a certain amount of physical coercion would not be invoked with the doomsday machine ticking away? I think this illustrates the necessity of keeping a plurality of values in relation to each other and constantly recalculating trade-off points.

I do not believe we really would take too literal an interpretation of torture if, in fact, the comfort of some one individual for a brief period was to be measured against the end of our cosmic episode.

THOMPSON: Jim, I thought about the one society I know a little bit about, the Philippines, when you were discussing your third point on summary and prolonged detention. There is no question the religious community and a good part of the students are against summary detention in the Philippines. The facts are in, insofar as words concerning these values exerted some influence on the Marcos administration, at least in that they may have helped to bring about some releases.

On the other hand a good many Filipino intellectual leaders say that order is so essential to the Philippines—some minimal order, some attention to the grinding poverty of the lower class, and so-

cial justice in the villages—that some measure of Marcos's martial law detention policies is still required.

As a Filipino cab driver said: "Well, at least we are not being shot in the head and thrown into the lake." There is a development academy in the Philippines that is retraining rural judges to operate within this system of order. Within the Philippines I find a split among intellectual leaders and public officials on the one hand, who seem to defend the new society, and religious leaders who denounce it.

FORD: In past administrations we have been looked at by much of the developing world as not being particularly different from the Russians, except we press our pants. There is a difference now. Some of it is rhetoric, but some of it seems clearly to be genuine.

In the short range there may seem to be setbacks and defeats to our interests. But I am also confident that in the long range we will add to the respect for the U.S. both abroad and within the United States.

RAKOVE: Dr. Morgenthau said that if you promote a program on human rights, you also ought to assume some responsibilities, and doing that is going to have certain costs. This nation has a history of making great, moral pronouncements about things that ought to be done in the world without being willing to back them up.

This human rights thing reminds me a little bit of John Foster Dulles's liberation policy about Eastern Europe. It was a good thing to talk about, but we were not willing to take effective action regarding Eastern Europe.

Politicians have a great ability to get themselves off the hook of dealing with substantive problems by talking about great moral issues, like human rights. Jimmy Carter is confronted with serious internal problems with which he has not come to terms at all. It is a good way to run for office, to appeal to certain sections of the electorate. I question whether we are going to put the kind of support into human rights that it really needs.

JOHNSON: We mentioned values growing out of the Judeo-Christian tradition, and began to discuss whether they were universally applicable. I would like to see us chase that down a little further.

BRADLEY: I think that philosophically every high culture has those same values, so you do not have to have the theological side to it. Hinduism is not as broad as all the cultures within India. There is no such thing as Hinduism, per se; and within that you have the Code of Manu, which is Machiavellian. You also have the highest kind of altruism. In ancient China, Lao-Tzu proclaimed a doctrine of love that sounds almost precisely the same as that of Jesus in the New Testament. Almost any culture can resonate to these values very easily.

When it comes to actual application of values, then differences come about. One concrete case I can think of involves my friends in Thailand, who felt that under their military dictatorship they were much freer than we were in America, because no one ever asked them questions. They did not have to fill out questionnaires—people kept their distance from them. They thought that they had true freedom and that we had none at all.

How you define human rights in specific cases will yield great differences. Here is one of the problems of our deciding what human rights ought to be for people in other cultures.

THOMPSON: I remember you used to tell me when I visited you in Asia that the Thais would never say “no” to anything.

BRADLEY: That’s right.

THOMPSON: There was an absence of repudiation. They did not pay any attention to what they did not want to do—but there were no yes or no answers, as there are in our Western way of doing things.

BRADLEY: They deal with verbal assertions in a very interesting way: to say a thing is not to act, it is merely to say it. When

something is written down and published, that is the same as action. During the bombing of North Vietnam, although everyone would openly proclaim that our bombers were leaving from the bases in northern Thailand, it was not until *Time* or *Newsweek* published the story that it became official. Then they had to recognize it. That is what caused the problems.

THOMPSON: Some students and professors you worked with were very active in the turn toward democracy in Thailand. There were at one time as many as forty political parties, some under the leadership of the Rockefeller Foundation fellows, for example. Then came the sad events of the most recent military coup. What does that teach us, if anything, about preparedness for the political rights we have been talking about?

BRADLEY: I think they tried to apply the American system in a culture that could not operate in the American way. There is a general sense of frustration with the fact that they did not have a chance to try it out for a longer period of time, because new vistas of freedom were opened up for them. I think, given the chance, that everyone wants these rights. I do not think anyone is satisfied without these rights for himself.

I think there is a general yearning for this. But there is also in many Asian cultures a yearning for order and stability. I believe that if they had to trade off individual rights for stability, they would take stability.

SHRIVER: Yes. Precisely in that connection, it seems to me, are the comparative differences between cultures. Cultures do differ in their senses of the sacred, and by the sacred I would mean something rather functional—for example, what it is that you are least willing to infringe upon or to make a subject of a trade-off.

Communists with certain good faith are suspicious of talk about rights, because they see that talk as coming out of liberal democratic ideology, where the individual is everything. A liberal democrat is more deeply scandalized at infringement on free speech than

is somebody who thinks that social justice is very much worth pursuing even if it costs some infringement on free speech. Theology is like Martin Luther's definition of God as that which you worship and have no questions about and have an unconditional loyalty to.

FORD: I agree very much. There are two forces working—at times contradictory ones. First, the force of culture, not only the nation-state but within a state, as in Ulster, Belgium, French Canada, the U.K., and a number of other examples. The national-cultural definition which binds a people together is in a sense shrinking. There are more states and more groups that consider themselves to be a nation.

At the same time, over the last century or so there has been a growing internationalism, resulting from modern communications and technology.

MORGENTHAU: The political superstructure runs smack against the contemporary social forces—because the social forces clearly point toward political formations that say the nation-states—even the old nation-states like France, Germany, and Italy—are no longer viable economic, political, or military units. At the same time, you have a proliferation of mini-states around the world that would not have been viable units a hundred years ago in the heyday of the nation-states.

And you have here a resistance to larger groups. You have a rational longing toward larger groupings, but an initial resistance. Quite on the contrary, as you have pointed out, subnational formations try to split up the nation-states. There is a clear contradiction between what ought to be if one were rational, and what actually is. While this contradiction continues, it bodes ill for the future of the world.

FOX: I wanted to go back and to pick up on Bill Bradley's comments about the problem of applying ethical principles to specific situations.

We find that not even survival is an absolute. There are many people that would rather die than see a certain principle not vindicated. I remember when Mussolini started his operation from Albania against the Greeks, many Greeks acted as if it did not make any difference whether they could stand against him realistically. They preferred to die fighting than any other way.

It may be that the best defense of the United States would be to tear down the Empire State Building and build a hole in the ground 102 stories deep, which would be absolutely bombproof. But there also may be a great many Americans who would not think that the United States that they had thereby secured was worth securing.

So they, in fact, do not make even survival an absolute. I do not think that human rights have been given too high a priority over other foreign policy objectives.

THOMPSON: We are coming close to what Tillich called "an ultimate concern." You pointed out that some people are indeed willing to die. They would give up life itself to that which they feel is more important.

I think it is important and necessary, particularly at CRIA, to talk about the theological, religious dimensions that underlie morality, which can be related to the political order.

SHRIVER: One reason we keep coming back again and again to Lincoln, as a person who somehow understood the relation of religion to politics, is that Lincoln always had a sense that the best that he could do was somehow transcended by something else. Now he did not call it the cunning of history, but Hegel did, and it seems to me that . . .

THOMPSON: He did speak of Providence though.

SHRIVER: He did speak of Providence—that's right. He had a sense of being part of an order that he did not manage. Judgments of the Lord are righteous altogether, and one feels that Lincoln believed that those judgments were quite a bit more righteous than anything he

was doing. Now that is, I think, a genuine religious sense—sort of *sui generis*.

MORGENTHAU: I think you are correct. Lincoln anguished about the Civil War, and he said that it would stop tomorrow if God wanted it to stop. It went on because God wanted it to go on. This is not a terribly sophisticated religious attitude. It certainly is a fatalistic religious attitude.

BRAUER: And, I think too, Hans, that final statement, you know: God's will will prevail, His justice will be done, and justice will . . .

MORGENTHAU: In other words, there exists a moral order in the universe which God directs, the content of which we can guess. We are never sure that we guess correctly; or that in the end it will come out as God wants it to come out.

FINN: I think we need more time to investigate the question of Providence to do it justice.

PLATIG: With all this theology now on the table, I will put it aside, as all good political scientists do. Can we define national sovereignty so that it is no longer the sole arbiter of national interest? I assume that the national interest has three dimensions, and one of these is national survival. Statesmen throughout history attest that the first duty of a statesman is the survival of his nation.

A second dimension of national interest I call "national prosperity" or "well-being." Nations in recent history have learned to conduct their economic relations in a way that multiplies the benefits for all.

Now Third World nations do not think they are getting a fair share of the benefits, but nonetheless there has emerged through modern communication, transportation, and manufacturing processes an international economic system. A lot of nations may prefer that there be a new international economic order, but at least this is something that can be discussed.

The third dimension of the national interest is something I would call "the national way of life." Every nation has had a certain dedication to maintaining within its own borders its own political culture, political system, social system, and style of life.

Is it conceivable that in this age of rapid international communication, all people yearn for freedom of choice? If that is universal, can we begin to think of an international ethical system? We have talked enough about "Thou Shalt Not Torture." It may be that more and more governments will not practice torture. Is that an overly optimistic, hopeful statement? One has to connect with it the other dimension of survival that someone was talking about, the survival of the world itself, not just through nuclear holocaust, but through environmental pollution and all the other things we have become aware of on a global basis.

THOMPSON: Let me just speak as the skeptic. George Kennan raises the issue that during the period of maximum destruction of human life in the Soviet Union, 1935-39, there was very little protest, particularly official U.S. protest, because we had just begun relations with the Soviet Union.

Then the Soviet Union under Khrushchev brought about the relaxation of controls called de-Stalinization. They tried to do it in the satellites as well and found that they were as ignorant about the satellites as Americans were about some of our client states. They applied the squeeze again in Hungary and Poland because the satellite countries went much further than their own people had done within the Soviet system. At the current time, having given writers at least a chance to write in their homes and to think about these issues and to talk to foreign correspondents, to grant interviews, to travel some, the Soviets present a greater peril to us than they did in Stalin's time. Is it possible, Kennan inquires, that a closed, authoritarian system such as the Soviet system was from 1935 to 1939 under Stalin was much less of a threat to our system?

THEODORE R. WEBER: Although one may find consciousness of human rights in many parts of the world, people in different countries and

cultures do not necessarily have the same convictions about torture or human life.

Although we do have forces working toward multinational regionalism and internationalism, we also have, as we discussed, the reverse phenomenon of the French in Canada, who want to be French and not be dominated by the English. They are quite willing to take away the rights of English-speaking people living in Quebec, so that they have to speak French. The South Moluccans in Holland, who were holding 100 or 150 children as hostages, believed that liberty for South Molucca and also for their fellow terrorists who are in jail in Holland took priority over the lives of these children.

One could give a number of other examples, like Northern Ireland, of how the drive for a national identity is a tribalism that is of ultimate importance to people. At that level the human rights question is the question of whether they can have a particular identity and society. All other questions of human rights are subordinate, or they may not be very important at all.

FORD: Just another word or two about priorities of a little different kind. The priority of ruling élites is to stay in power, and because of this human rights suffer. The great purges in Stalin's Russia resulted from his priority to cement his own position in power. The rest of the world ignored Stalin's internal policies, perhaps because attention was focused elsewhere.

Now we have a new president with some Wilsonian attitudes. The new administration has only a razor-thin mandate. Some administration moves have been taken with domestic politics in mind, to increase that mandate. Having said that—and although the jury is still out—the administration is relating to the changing, more interdependent world better than one might have expected. The administration is doing better than previous administrations on the energy front, and on the fact that the world is more than just bipolar, and on the fact that Africa is not essentially a problem of U.S.-Soviet relationships. Even human rights can be discussed there.

ØRVIK: I think the European discussion differs from what it is in the United States. The Europeans are not very happy with the human rights issue being put before them. At the same time, they hope that this issue will be kept alive, because it pressures the Euro-communists. They feel that communism is advancing but that the human rights issue forces the Communists to take a stand on issues of liberty.

Human rights in most cases are related to individual freedoms, such as freedom of speech or free elections. So they welcome the American administration expressing them. On the other hand they are afraid of the reaction the American foreign policy will bring them if the reaction comes too rapidly and goes too far in Russia and Eastern Europe.

FORD: I have a hunch that there is developing an international culture for the younger generation in urban areas. It is characterized by a common interest in popular music, for example, by way of cassettes and transistor radios; and also by a sense of alienation toward political leadership; and also by hedonism and desires for material well-being.

I feel we are going to go through a period of less freedom and much more authoritarianism in many parts of the world, partly because of population growth, which will make it very difficult to solve social problems and get ahead of the food supply.

But maybe economically there will be more freedom, in that economic and social conditions will improve for more people. People may be more satisfied to live under conditions of economic and social liberation and political and civil restrictions than those of us who would like to be philosophers and think great and high thoughts and who will be more and more the minority. The average person may not be that discontented with the way the world is going.

ØRVIK: After de-Stalinization set in under Khrushchev, followed by the retreat from Khrushchev's liberalizing policies, was there any connection between either the loosening up or the retightening and



U.S. policy concerning the human rights or political freedom in the Soviet Union?

It seems to me what caused the tightening up was a deep-seated Russian—not just Soviet—preference for order over disorder. There was fear that the loosening up had gone too far, that consumer demands were now beginning to be made. The system did not know how to handle these new demands. The dynamics were more internal, both in the Soviet Union and within the Soviet sphere of Eastern Europe, than could be stimulated by anything coming in from the outside.

What I was trying to suggest was the possible emergence of an international ethical order. Bill Bradley all of a sudden gives me the idea of the “greening” of the international political system. If one asked, “What are the practical foreign policy gains the United States has derived, if any, from the human rights policy of the Carter administration?” I would enumerate four possible hypotheses:

1. It has bolstered national cohesion in this country. That has both domestic political benefits and also benefits that can be projected abroad.
2. The United States has taken the human rights weapon away from the USSR in the competition for the loyalties of the peoples in the Third World countries.
3. We might advance an ethos that ultimately may sustain better practice in many parts of the world on simple propositions like “Thou shalt not torture.”
4. Eurocommunism has been pressed to take a stand on the fundamental freedoms. Because of the way competition is building up in the domestic political systems of Western Europe, this may be important.

JOHNSON: If there is an international consciousness-raising in the

direction of enhancing human values, then we may do something to change the armaments fixation that the major powers and many others have gotten themselves into. I think there will be an increasing restiveness with the proportion of resources that are going into armaments rather than into programs that provide benefits for people.

THOMPSON: I would like to ask: How does one re-enunciate Lincoln’s call for the help of Providence? I suspect if everything is going as well as these hypotheses indicate, maybe we can go on without Providence.

But one of the things that was interesting in reactions of people I heard was that people did not believe the claims of humility of Carter in his inaugural address. Are we in an age where an appeal to Providence is ridiculous to most Americans?

The greatest religious thinkers have had in common a characteristic that several of you said you found in Lincoln: an appeal beyond our strivings and the recognition that somehow these would fall short. How does that perspective become revived?

WEBER: It is not present because the concept of Providence has been secularized. Providence, many feel, will be derived from the “revolution.” Views that history operates by means of the dialectic produce certain results. And insofar as that has captured the minds of many people throughout the world, hope for the perspective you spoke of is not very promising. I think we have a problem that is cultural and theological at the same time. That is, a very strong messianic expectation has been built into present world culture through Western history. Now the notion of God that lies behind it is dead for many people. But the dynamic idea is still there and therefore, on the one hand it is a cause for despair and resignation, and on the other hand it is an invitation to look for something messianic to take the place of God.

THOMPSON: On the theology of revolution, one cannot help but contrast the confidence that some of our writers have that they know

the way of God with Lincoln's skepticism that he knew the way of God even on much narrower issues, on simple Cabinet decisions. The secularized spirit of Providence takes something out of history that once made political leaders humble in the face of terribly difficult choices.

FINN: I wanted to ask Dr. Morgenthau a question. He had said years ago that with the introduction of nuclear weapons the nation-state has become an anachronism. A moment ago he said there are now social forces which are running smack against our superstructure, the nation-state system.

I would like to hear him describe these.

MORGENTHAU: In the Marxist conception, technology moves to the next stage while the social superstructure remains in place. This results in tension that, if not remedied by reformist action, leads to a conflict, a revolution. The present situation is either going to lead to a catastrophe, or to a revolutionary change in the whole superstructure.

One may counter that another alternative is stagnation—the cessation of any kind of forward movement. But I do not think that the present contrast both internationally and domestically between the social status quo and the progressive character of technology can last. It is absurd to pretend that a country such as Belgium is sovereign when a bomb-loaded airplane can cross the territory of that country in a minute and a half.

If sovereignty means anything, it means the complete control over the territory of the country concerned. This control is gone. We talk about the impenetrability of sovereignty, but look at the United States—within fifteen minutes the United States can be devastated from any place on earth.

We have a revolutionary situation, technologically speaking, of which we are only dimly aware, and from which we have not drawn any consequences of importance in terms of organization, way of thinking, moral principles, and so forth.

I mean that we are living in a dream world. We have been

accustomed from the beginning of history until 1945 to certain principles, certain modes of thought and action, and we stick with them even though the world around us is radically changed. There is a cultural gap between our intellectual understanding and our ability to act practically on those understandings.

A former student of mine was a member of the CIA and used to brief the Joint Chiefs. Whenever he made those points to General Wheeler, Wheeler said, "Yes, obviously. What else is new?" But when he read the position papers signed by General Wheeler, he did not find a trace of recognition of what he had said that General Wheeler had agreed was obvious. Perhaps the general felt that he could not be bothered by this theoretical stuff.

This can be generalized for the whole society. We have a small élite that understands technology, which is convinced of the need for radical change in accordance with the rational demands of technology, and we have a large mass of people who have not the slightest notion of this problem. Look at the problem of energy. Most people in this country believe such an energy problem is one of those things that come and go. Until the last few years hardly anybody in public life was aware of the structural importance of the energy problem. This was one of the main reasons nobody did anything about it.

History will look harshly at the risk to which we have put the country because of this lack of understanding and failure to act. And so it is with the whole relationship between moral values, social values and political values on the one hand, and the technological substructure on the other.