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United States and World Law

The American role as world policeman has been a subject of debate since the large-scale escalation of the Vietnam war. The issue has been whether it was the responsibility of the United States to oppose aggression everywhere and to take it upon itself to uphold the rule of law in the world. Few challenged the theoretical desirability of upholding international law.

Now, however, a new phenomenon seems to be beginning to characterize American behavior in the world: disregard for the law. Apparently without being clearly aware of it, the Nixon Administration, supported by a bipartisan bloc in the Congress, is increasingly ignoring this country's moral or legal obligations outside its borders. The United States, which has frequently taken the lead in challenging treaty violations of other countries, is in danger of becoming a lawbreaker itself.

The move under way in Congress to cut back payment of the United States' regular United Nations assessment, as well as its voluntary contributions, is a case in point. Secretary of State Rogers has opposed retaliation against the United Nations for the expulsion of Taiwan, but he and President Nixon have in effect endorsed a reduction in American contributions. A unilateral reduction in the regular assessment would be a violation of the U.N. Charter. But even a negotiated reduction, if made as an expression of pocketbook pressure, would violate the spirit of the American commitment to the U.N.

Policy disagreements have already put the United States in violation of its legal obligation to the International Labor Organization. With the earlier support of A.F.L.-C.I.O. president George Meany, who has now reversed himself, Representative John Rooney of Brooklyn and his House Appropriations subcommittee are blocking payment of half the 1970 and all of the 1971 I.L.O. assessments on the United States. The State Depart-

ment has protested and the White House has warned that the United States is "in default" and is violating binding legal obligations. But President Nixon has failed to bring to bear the kind of pressure that would permit the United States to practice the law-abiding behavior it preaches.

A new threat of treaty-breaking lies in the Senate move, just approved by the Congressional conference, to require the United States to resume imports of chrome from Rhodesia in violation of the economic sanctions against Rhodesia voted by the United Nations Security Council with American support. This would mean a violation of the U.N. Charter unless President Nixon takes advantage of a loophole pointed out by Prof. Stephen Schwebel of Johns Hopkins University. Mr. Nixon could win time to turn Congress around by halting imports of chrome from the Soviet Union as well as Rhodesia, releasing chrome instead from the nation's defense stockpiles, a three-year supply.

Most potentially dangerous of all the American treaty-breaking moves, however, is the 10 per cent import surcharge imposed by President Nixon Aug. 15 in violation of American obligations under the GATT treaty. The economic and psychological damage done by Treasury Secretary Connally's vague, outsized demands for worldwide concessions in return for eliminating the surcharge has dominated attention, along with the threat of a worldwide recession. But the legal violation on top of the pressure tactics now threatens to deprive the United States of the world agreement it needs to correct its payments imbalance without a trade war.

American credibility and the whole moral basis of the American role in the world could be undermined unless the country returns to the rule of law it has sought for so long to establish and uphold.