

The treaty, of fundamental importance to Austria, also has worldwide political consequences. What will be the results of the Austrian Treaty in world politics remains to be seen. But there is no doubt that Austria will not only solve the economic problems arising from the treaty, but will manage her permanent neutrality successfully and in a manner advantageous for Austria and in the interest of world peace. Austria can in her new task be sure of the continued friendship of the United States, expressed in the message of the President of the United States to the President of Austria.³³ For, as the President said, the "conduct of the Austrian people during the ten long years they have labored under the heavy burden of foreign occupation has commanded the profound respect of all the American people."

JOSEF L. KUNZ

END OF THE COLD WAR?

The "Summit" Conference at Geneva,¹ together with arrangements for supplementary meetings, seriously calls for reconsideration of the international situation. Included therein are the pressing problem of armaments and nuclear warfare and the less dramatic but, to readers of this JOURNAL, no less interesting problem of an increased willingness to make use of international law for the disposition of international issues.

An end to the "cold war"—Are we not adopting too many of these journalistic stereotypes?—might, of course, mean the beginning of a hot or shooting war. That is not anticipated. According to all reports, Soviet Russia is not at the present time disposed to launch or to provoke full-scale military hostilities with the United States, and it is certain that the United States is far from any disposition to make war on Soviet Russia. These policy attitudes, if they may be so called, are probably both entirely sound and also reliable.

This leaves the fundamental hypothesis of Soviet Russian policy of world conquest and Communist domination unresolved. According to fundamental Marxist doctrine, this hypothesis would seem to be imperative, and many utterances from Moscow would certainly seem to support this interpretation. On the other hand, there has always run through Marxian and other Communist theory a strain of empiricism and even expediency which permits and even imposes deviation from doctrine when such a course seems desirable. At the least or the most, we simply have no certain answer now.

As for armaments limitation, including nuclear weapons, the problem has to be left to the governments concerned and to the technical experts, in spite of the intense interest in the matter of all students of international relations and the anxieties of the common man. There is some evidence that the leading governments concerned are sufficiently alarmed concerning the potential effects of nuclear and other recently developed weapons to be seriously inhibited in any activities which might, even ac-

³³ 32 Dept. of State Bulletin 873 (1955); New York Times, May 16, 1955, p. 6.

¹ See 33 Dept. of State Bulletin 171-177 (1955).

identally, lead to war. The reactions regarding poison gas and bacteriological warfare in the past are reproduced here on a higher level.

Increased willingness to resort to international law and judicial settlement seems somewhat less likely as a result of the contemporary relaxation. The Russian coolness toward international law and adjudication (shades of 1899 and 1907!) is not a mere matter of Soviet international politics, but is in part a basic racial or national trait.² Whether this difference of attitude can be overcome or bridged remains to be seen and, in any event, would probably take many years.

Obviously, this leaves the United States with an extremely difficult choice of attitudes and policies. Probably intransigent opposition as advocated by Senator McCarthy would not produce any catastrophe and might solve the whole problem, but the guess is a little hazardous, and certainly public opinion would not support it. Extreme appeasement, on the other hand, would certainly make matters worse and would, likewise, not meet with public favor. The only solution lies in the attitude being taken at Geneva and elsewhere by President Eisenhower and Secretary Dulles of calm, patient, conciliatory negotiation. The miracle of good relations between East and West may conceivably be brought about in this way; it is perfectly certain that such a result can be brought about peaceably in no other way.

PITMAN B. POTTER

THE TREATY OF 1955 BETWEEN THE UNITED STATES AND PANAMA

On January 25, 1955, the United States and Panama signed a new Treaty of Mutual Understanding and Co-operation, accompanied by a Memorandum of Understandings Reached concerning relations between the two countries arising from the construction, operation, maintenance and protection of the Panama Canal by the United States in accordance with existing treaties.

At first reading the treaty appears to be one of extraordinary generosity on the part of the United States. The President, in his letter of May 9, 1955, transmitting the treaty to the Senate¹ in order to receive its advice and consent to ratification, quoted from the preamble of the treaty that its purpose was "further to demonstrate the mutual understanding and cooperation of the two countries and to strengthen the bonds of understanding and friendship between their respective countries." Is the treaty more than one of *mutual* understanding and co-operation? Is there justification for the concessions it makes to the Republic of Panama, taking into account the circumstances and conditions under which it was negotiated? Is it, in other words, one-sided in the benefits it confers, as some of its critics have claimed?

In his message to the Senate the President included an elaborate explanatory statement submitted by the Secretary of State analyzing the articles of the treaty and explaining the purpose of each of them, followed

² See citation at note 119 in Nussbaum, *A Concise History of the Law of Nations* (1954, rev. ed.), p. 248.

¹ Senate Exec. F, 84th Cong., 1st Sess.