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The Connally Amendment--The Conflict Between Nationalism and an Effective World Court

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THE CONNALLY AMENDMENT—
THE CONFLICT BETWEEN NATIONALISM AND AN
EFFECTIVE WORLD COURT

INTRODUCTION

In 1945, the International Court of Justice was established as the principal judicial organ of the United Nations.¹ All nations which are members of the United Nations are members of the court,² but no nation can be sued there in the absence of a voluntary acceptance of its jurisdiction.³ Voluntary acceptance to all future disputes can be accomplished through the mechanics of compulsory jurisdiction whereby the member state declares to recognize jurisdiction of the court as compulsory in all legal disputes concerning: 1) the interpretation of a treaty; 2) any question of international law; 3) the existence of any fact which, if established, could constitute a breach of an international obligation; and 4) the nature or extent of the reparation to be made for the breach of an international obligation.⁴ An acceptance can employ conditions limiting its application.⁵

Probably not one person out of ten in the United States knows what the Connally amendment is or what its consequences in the future could be. Therefore, the proper setting must be cast. The Senate Foreign Relations Committee's recommendation of compulsory adherence to the jurisdiction of the International Court contained a specific reservation of "disputes with regard to matters which are essentially within the domestic jurisdiction of the United States."⁶ On the Senate floor, Senator Tom Connally of Texas, chairman of the committee, proposed an amendment to the resolution as advanced by Senator Wayne Morse of Oregon, by adding the words "as determined by the United States of America."⁷ Previously, the Senate Foreign Relations Committee, in a unanimous report, expressly rejected the idea advanced at hearings, that the domestic jurisdiction reservation should also reserve for the United States the power to determine which disputes are domestic and which are not. The report said that the Committee had decided "that a reservation of the right to decision

¹ U.N. DEP'T OF PUBLIC INFORMATION, *EVERYMAN'S UNITED NATIONS* (1st ed. 1948).

² STAT. INT'L CT. JUST. arts. 34 and 35.

³ STAT. INT'L CT. JUST. art. 36, para. 1.

⁴ STAT. INT'L CT. JUST. art. 36, para. 2.

⁵ STAT. INT'L CT. JUST. art. 36, para. 3.

⁶ 94 CONG. REC. 10621 (1946).

⁷ Baldwin, *An Alternative to the Connally Amendment as a Practical and Realistic Step Toward World Peace Through Law*, 13 S.C.L.Q. 516 (1961).

as to what are matters essentially within domestic jurisdiction would tend to defeat the purposes which it is hoped to achieve. . . ."⁸

There are basically two views as to the actual effect of the Connally amendment.⁹ The first would explain that from the background of the policy always followed by the United States, the amendment is flatly meant to give the United States sole power to determine if the International Court has jurisdiction over a claim against the United States by another nation. The second view proposes that in light of the acceptance of compulsory jurisdiction by the United States, the amendment means merely that the court must give weight to the United States' determination but it retains the power to examine whether the determination is reasonably tenable and reject it if it is arbitrary or capricious.¹⁰ Many say that the main purpose of the amendment is to create a two-way veto power over the International Court's jurisdiction. The other veto power over the court is article 36, paragraph 2, of the court's statute, which gives the court jurisdiction limited to four categories.¹¹

THE AMENDMENT'S HISTORY

The Connally amendment became precedent when put into effect.¹² Then Mexico, Liberia, Pakistan, Sudan, South Africa, France, Great Britain and India adopted similar reservations. The latter three nations have since repealed them.¹³ The Connally amendment was invoked in one case by the United States. In the *Interhandel Case*,¹⁴ brought by Switzerland, the United States invoked the amendment as one of the four preliminary objections to the court's jurisdiction. Although both litigants urged the court to rule on the validity of the amendment, it decided that the matter was clearly not within its jurisdiction on other grounds and, therefore, refused to rule on the amendment. It is important to note that the United States did not rely on the Connally reservation alone to combat the court's jurisdiction. In the only other

⁸ Tondel, *The Connally Reservation Should Be Repealed*, 46 A.B.A.J. 726 (1960).

⁹ Named after its originator, Senator Tom Connally of Texas.

¹⁰ Schlesinger, *The Connally Amendment-Amelioration by Interpretation?* 48 Va. L. Rev. 635 (1962).

¹¹ Larson, *The Facts, the Law, and the Connally Amendment*, 1961 Duke L.J. 74.

¹² Sohn, *International Tribunals: Past, Present and Future*, 46 A.B.A.J. 23 (1960).

¹³ Ober, *The Connally Reservation and National Security*, 47 A.B.A.J. 63 (1961).

¹⁴ [1959] I.C.J. Rep. 6.

case involving a Connally-type reservation, France, who had the reservation, sued Norway for payment of a bonded debt in gold. As a matter of reciprocity, Norway invoked the reservation.¹⁵ But, Norway did not rely solely on her right to declare the matter domestic. She advanced other reasons why the matter was domestic as a matter of law.¹⁶

The United States has appeared before the court as a party plaintiff in at least five cases since the Connally amendment. They all involved incidents with Russia or one of her satellite states and the defendant did not attempt to use the reciprocity rule to invoke our reservation against us to deny the court jurisdiction. But, in each case, the court lacked jurisdiction because the defendant had not accepted compulsory jurisdiction, and did not submit specially for that particular case.¹⁷

Any analysis of a procedural outlet should include a background picture of the particular court in order to determine the intent within the minds of the founders. Founders of the International Court had high expectations. One committee had this to say:

On the basis of the text proposed for the Charter and for the Statute, the First Committee ventures to foresee a significant role for the new Court in the international relations of the future. The judicial process will have a central place in the plans of the United Nations for the settlement of international disputes by peaceful means. An adequate tribunal will exist for the exercise of the judicial function, and it will rank as a principal organ of the Organization. It is confidently anticipated that the jurisdiction of this tribunal will be extended as time goes on, and past experience warrants the expectation that the exercise of this jurisdiction will command a general support.¹⁸

There is also a general negative and pessimistic viewpoint on the possibilities of a world government through a world court with adequate jurisdiction. A prominent writer said:

There is little reason to expect that the nations of the world court could establish a world court with compulsory jurisdiction. How could it keep the peace? The long-standing and operative causes of war do not constitute justiciable controversies. Nations go to war over problems that no court can settle. [He names expanding populations, commercial rivalries, unequal distribution of natural resources, conflicting ideologies, religious differences, traditional enmities, and lust for power].

¹⁵ Reciprocity is defined by Black as a term "... used in international law to denote the relation existing between two states when each of them gives the subjects of the other certain privileges, on condition that its own subjects shall enjoy similar privileges at the hands of the latter state." He also used one word which describes the term, "mutuality." Black, *LAW DICTIONARY* (4th ed. 1951).

¹⁶ [1957] I.C.J. Rep. 9.

¹⁷ Crabb, *On Judging the Connally Amendment*, 50 *Geo. L.J.* 529 (1961-62).

¹⁸ Doc. No. 913, IV/1/4, 13 U.N. CONF. INT'L ORG. DOCS. 381, at 393 (1945).

We must abide with independent sovereign nations. World government is only a dream, a fruitless venture into idealism. Think of giving power to a world government to make a declaration of war 'to keep the peace' binding upon us and which might well be against our wishes and national interests. How fantastic it is to think that the rising tide of human passions that break the peace can ever be resolved by a court of law. Law is neither a self-generating mechanism nor is it self-enforcing. We are ruled by positive law which arises from considerations of public policy and social convenience.¹⁹

It is next important to note the varying degrees of limitation imposed on acceptance of compulsory jurisdiction by other nations, which can be classified into seven categories:

GROUP ONE. These nations can simply terminate the court's jurisdiction at any time without cause. The restraint is in the acceptance and is the most severe type of limitation of acceptance.²⁰

GROUP TWO. Here, jurisdiction is accepted and the nation in point cannot revoke acceptance until the expiration of a specified length of time.²¹

GROUP THREE. Two nations employ similar reservations to the Connally amendment and no other limitation.²²

GROUP FOUR. Jurisdiction is accepted as compulsory subject to termination by notice within a certain length of time.²³

GROUP FIVE. Within this group, jurisdiction is accepted for successive five year terms which terminate only on notice given not less than six months prior to the end of the five year term.²⁴

GROUP SIX. There are several nations which cannot accurately be placed in a specific category because of peculiarities in drafting objectives.²⁵

GROUP SEVEN. Seven nations have accepted compulsory jurisdiction but can terminate their acceptances at any time.²⁶

¹⁹ Briggs, *The Cloudy Prospects for "Peace Through Law,"* 46 A.B.A.J. 490 (1960).

²⁰ Australia, Canada, Honduras, India, New Zealand, Pakistan, Phillipines, Portugal, Sudan, Union of South Africa, United Kingdom of Great Britain and Northern Ireland. Ziess, *The Connally Reservation and the International Court of Justice*, 42 Chi.B.Rec. 409 (1960-61).

²¹ Belgium, Cambodia, France, Japan. Ziess, *supra* note 20.

²² Liberia and Mexico. Ziess, *supra* note 20.

²³ China, Liechtenstein (not a member of the UN), Mexico, Switzerland, United States. Ziess, *supra* note 20.

²⁴ Denmark, Finland, Luxembourg, Netherlands, Norway, Sweden. Ziess, *supra* note 20.

²⁵ El Salvador, France, India, Thailand, United Arab Republic. Ziess, *supra* note 20.

²⁶ Colombia, Dominican Republic, Haiti, Uruguay, Nicaragua, Paraguay, Panama. Ziess, *supra* note 20.

Other nations, including all of the Iron Curtain countries, have not accepted compulsory jurisdiction in any form. These nations numbered sixty-three as of September, 1960.²⁷ It can readily be seen that there is not only a lack of consistency as to the reservations on acceptance, but there are also many nations who refuse to accept it in any degree, however slight.

DISCUSSION

There is admittedly great controversy on the value of the Connally amendment to the United States. Arguments for both sides range from thoughtful and intelligent to naive and impulsive. This writer favors the repeal of the amendment for reasons discussed later, primarily because he cannot perceive any other long-range solution to our world turmoil and because the present amendment is an obvious defense mechanism which deceives no one but the most shallow of thinkers. It makes a mockery of one of the institutions on which any organized society is founded—that of rules to guide and direct *all* the people and more important, law and order for the whole society.

Both sides of the argument will be presented as objectively as possible to leave the reader with an opportunity to think for himself and form his own opinions as to the true value of the amendment to our country and to the world organization which we actively support.

A. For Repeal

The basic issue is whether the United States should accept the jurisdiction of the International Court over questions of international law free of the Connally amendment. There are two other so-called "guarantees" that the court will not assume jurisdiction over domestic matter. Article 2, Paragraph 7, of the United Nations Charter states:

Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any State or shall require the members to submit such matters to settlement under the present Charter. . . .

²⁷ Afghanistan, Albania, Argentina, Austria, Bolivia, Brazil, Bulgaria, Burma, Byleorussian S.S.R., Ceylon, Chile, Costa Rica, Cuba, Czechoslovakia, Ecuador, Ethiopia, Ghana, Greece, Guatemala, Guinea, Hungary, Iceland, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Jordan, Laos, Lebanon, Libya, Malaya, Morocco, Nepal, Peru, Poland, Romania, Saudi Arabia, Spain, Tunisia, Ukranian S.S.R., U.S.S.R., Venezuela, Yemen, Yugoslavia, Cameroun, Central African Republic, Chad, Congo Republic, Cyprus, Dahomey, Gabon, Ivory Coast, Malifi Madagascar, Niger, Nigeria, Republic of the Congo, Senegal, Somali, Togo, Voltaic Republic. Ziess, *supra* note 20.

Article 36, Paragraph 2, of the Statute of the International Court of Justice limits the court's jurisdiction to "international legal disputes" in: 1) international treaties, 2) international law questions, 3) breach of international obligations, and 4) remedies for such breach. Therefore, the United States is protected without the domestic question element of its acceptance of compulsory jurisdiction.²⁸

There is the problem of the reciprocity doctrine, which generally means that since the United States has reserved the power to determine if a question is domestic, it is only equitable that an adversary should have the same right, even though the power was not specifically reserved. France dropped their reservation similar to the Connally amendment after Norway invoked it against them using the reciprocity doctrine. The American people have approximately 50,000,000,000 dollars invested internationally which might at any time be damaged, confiscated or discriminated against. If this should happen and the United States brought suit in the International Court with a perfectly valid claim, our adversary could invoke the amendment against us to defeat the court's jurisdiction.²⁹ We are the wealthiest nation in the world and we must be prepared to protect our claims in a world court. Therefore, the repeal of the amendment is in our own self-interest.

The fundamental principle of our faith as a free nation is government by law. The Connally amendment loses us prestige as leader of the free world. We speak of being dedicated to bringing law to the relations of nations as we have established it between man and man. The rule of law is our best weapon against Communism, and not a single Communist nation has accepted compulsory jurisdiction. We were the leader in reserving the right to decide if a controversy is domestic and we can be a leader in repealing this type of reservation, even though not the first to do so. To date, the United States has set the precedent in a trend which lessens the effectiveness of the International Court and we have appeared to favor the rule of war and force over the rule of law and reason.³⁰

The United States is a permanent member of the Security Council of the United Nations and thereby possesses veto power over any matter coming before it. The only agency through which the court can enforce decisions is the Security Council. Therefore, if the court takes jurisdiction over a domestic issue and renders a judgment, the

²⁸ Larson, *The Self-Judging Clause and Self-Interest*, 46 A.B.A.J. 729 (1960).

²⁹ Larson, *supra* note 11.

³⁰ Gambrell, *The United Nations, the World Court and the Connally Reservation*, 47 A.B.A.J. 57 (1961).

United States, as a permanent member of the Security Council, could veto any recommendation for action by the rest of the Security Council and refuse to give effect to the judgment.³¹

The Connally amendment is called "self-judging" because the invoking nation reserves for itself the right to determine whether a dispute is international or domestic and, in effect, serves as its own judge.³² It seems that a basic premise of any system of law would be that no man should be entitled to judge himself. If he could, he would proclaim himself superior to every other human being.

It is also quite possible that the bombs which blow all humanity off the face of the earth might be avoided by a world court of adequate jurisdiction which could have settled the dispute by peaceful means.³³ In these ever-changing days of space travel, the idea of sovereignty as an individual nation must eventually cease to exist and a world court will be of the utmost necessity.

There is no doubt that such a reservation shows a lack of confidence in and impairs the prestige of the court, and it *may* be invalid. Article 36, paragraph 6, of the statute (International Court) says basically that in the event of a dispute as to whether the court has jurisdiction, it is a question for the *court* to decide. (The United States became a party to the United Nations Charter and the statute long before the Connally amendment took effect.) If this is true, the United States would be affected in one of two possible ways; either the whole of the United States' acceptance of compulsory jurisdiction would be rendered void; or the acceptance of compulsory jurisdiction would be binding and the Connally amendment void. In either case, the United States would have defeated its original purpose.³⁴

The following alternative proposals have been made by one writer with observations on their effect:

1. The United States should make a special declaration accepting unconditionally the jurisdiction of the International Court of Justice in disputes relating to claims arising out of acts or omissions of a state which have caused an injury to the person or property of a national of another state. Then, we would be able to bring claims before the Court against all those nations which have made no special reservations on this subject while, by reciprocity, we would be subject to similar claims against us. Since we have more interest to protect abroad than there are foreign interests which need protection against us, in the long run, such a declaration would afford important additional protection to

³¹ *Ibid.*

³² Tondel, *supra* note 8.

³³ Baldwin, *supra* note 7.

³⁴ Larson, *supra* note 11.

American investments in many countries, without exposing the United States to too many claims by foreign countries.

2. The United States should make a special declaration accepting unconditionally the jurisdiction of the Court with respect to disputes relating to the interpretation and application of international agreements concluded by the United States with other states and properly ratified in accordance with our constitutional processes. The law to be applied is contained in those treaties and the disputes to be submitted to the Court would relate only to the principles of law expressly accepted by the United States through the ratification of these treaties. Since the United States has already accepted the jurisdiction of the Court with respect to some treaty (Article 25 in the Treaty of Friendship, Commerce and Navigation between the United States and the Netherlands, signed at the Hague, March 27, 1956. U.S. Treaties and Other International Acts Series, no. 3942), and a new declaration could broaden this acceptance to all treaties past and present.

3. The United States should negotiate a treaty with other members of NATO conferring upon the court jurisdiction to decide all legal disputes among NATO countries. This would show that we are sincere about the rule of law in international affairs and only extend the Court's jurisdiction to states with which we have common cultural ties and ideas.

4. The United States should replace its declaration accepting the Court's jurisdiction by a new declaration in which the reservation on 'matters essentially within the jurisdiction of the United States' would be modified in one of the following ways:

- a. The phrase 'as determined by the United States' might be omitted, thus leaving to the Court rather than the United States the determination whether a matter is domestic.
- b. The reservation might be restricted to 'matters which have been traditionally considered by the United States as matters within the domestic jurisdiction of the United States.'
- c. The declaration might contain an exhaustive list of matters considered by the United States as essentially domestic matters.
- d. A list of reserved matters might be an open-ended one and might be combined with a clause relating to 'any other matters which have been traditionally considered by the United States as matters within the domestic jurisdiction of the United States.'

In addition, serious consideration should be given to various current proposals for special international tribunals accessible not only to states but also to individuals and corporations. There is no need to cause international complications by treating each claim by a national of one state against another state as a dispute between states. Many matters might be decided in a satisfactory manner by smaller tribunals without resort to the International Court of Justice at The Hague. Such special tribunals need not be restricted to claims by states but like some past tribunals might be open directly to the private claimants. If private claims could be treated as a routine matter by such special claims tribunals, an important cause of irritation would be removed from interstate relations.³⁵

³⁵ Sohn, *supra* note 12.

B. Against Repeal

Struggles over the Connally amendment are essentially battles between those who wish to retain our sovereignty and the internationalists who want a world government. Some argue that the amendment is the only thing protecting the United States' sovereignty over matters concerning our domestic security and welfare.³⁶ A state cannot be bound by an obligation when the implementation of it would destroy or gravely endanger it.³⁷ In one of his statements, the late Mr. Dag Hammarskjöld said:

One may recognize that the reluctance of Governments to submit their controversies to judicial settlement stems in part from the fragmentary and uncertain character of much of international law as it now exists. When wide margins of uncertainty remain in the law, the tendency to see a political settlement even in cases when questions of law be at the heart of the dispute is understandable. Yet, in the longer view, it is surely in the interest of all Member States to restrict as much as possible the sphere where sheer strength is an argument and to extend as widely as possible the area ruled by considerations of law and justice. In an interdependent world, a greater degree of authority and effectiveness in international law will be a safeguard, not a threat, to the freedom and independence of national states.³⁸

A report of a special committee of the House Judiciary Committee on the International Court of Justice and the International Criminal Police Organization presented at the first session of the 86th Congress reported on the value of the Connally amendment. They concluded:

The Connally Amendment basically is of good purpose. It seeks to safeguard matters which are essentially of domestic concern to the United States. Under the United Nations' Charter, the International Court has jurisdiction only over questions of international law—not domestic matters. It, therefore, does not seem unwise, in the absence of treaties and any developed principles of international law, that such items of immigration and certain aspects of our postal or atomic energy laws which are essentially domestic matters be reserved to the United States for a decision.

The report says further that in its determination, there are no clear-cut rules recognized in international law as to what are and what are not domestic issues.³⁹

This is the general reason for non-acceptance of strict compulsory jurisdiction. The principles which go together to make the body of

³⁶ Zeiss, *supra* note 20.

³⁷ Hall, *International Law* 415 (8th ed. 1925).

³⁸ *Annual Report of the Secretary-General on the Work of the Organization*, U.N. GEN. ASS. OFF. REC. 10th Sess., Supp. No. 1, at 13 (A/2911) (1954-1955).

³⁹ STAFF OF SPECIAL COMM. OF HOUSE COMM. ON THE JUDICIARY, 86TH CONG., 1ST SESS., REPORT ON THE INTERNATIONAL COURT OF JUSTICE AND THE INTERNATIONAL CRIMINAL POLICE ORGANIZATION 3 (Comm. Print 1959).

rules called international law are still uncertain. Until international law becomes more definite, if possible, a nation with as much at stake as the United States should not submit to compulsory jurisdiction of a world court.

Raymond Moley, in the February 22, 1960, edition of *Newsweek* magazine, described the withdrawal of the Connally amendment as "legal disarmament," drawing an analogy to the disastrous effects of unilateral disarmament. The fact is, neither Russia nor any of the Iron Curtain countries have even reached the point of accepting compulsory jurisdiction.⁴⁰ Unfortunate as it is, it requires two parties to make a bargain in international affairs. It is not enough of a showing of faith for one party to place their domestic well-being in jeopardy. Before the International Court can gain the necessary control for an effective world court, it must be recognized as such and implemented by a show of confidence by not one, but by all of the major powers.⁴¹

It is quite possible that there is nothing in the United Nations Charter or the Statute of the International Court of Justice which would prevent the court from taking jurisdiction over controversies essentially of a domestic nature. The United Nations Charter speaks of "domestic jurisdiction" but its definition may not be even similar to the definition desired by the United States. This possible conflict must be resolved before the shield of the Connally amendment is tossed aside. The court's statute has no "domestic matter" limitation.⁴²

Not only does the sovereignty doctrine give the United States the right to limit our submission to the court's jurisdiction, but national security and interests demand it. For example, assume that Panama sues us in the court to compel the relinquishment of the Canal Zone to Panama or assume that Cuba sues to have our Guantanamo Naval Base turned over. Without the Connally amendment and with acceptance of compulsory jurisdiction, the court, under paragraph 6 of article 36 of their statute, would have the United States entirely under its control for the determination of jurisdiction. The United States would argue that the matter is domestic and, therefore, not within the jurisdiction of the court. The court *could* rule that the controversy involved the interpretation of a treaty and, therefore, that there was jurisdiction.⁴³

⁴⁰ Willy, *The World Court and the Connally Reservation*, 46 A.B.A.J. 486 (1960).

⁴¹ *Ibid.*

⁴² Collier, *Judicial World Supremacy and the Connally Reservation*, 47 A.B.A.J. 68 (1961).

⁴³ See Zeiss, *supra* note 20.

Another matter of prime importance is the fact that most controversies which started major wars have not been justiciable. The cause of World War I, the assassination at Sarajevo of an Austrian Archduke in July, 1914, and the subsequent Austrian demands for punishment and apology were not justiciable. Nor was Hitler's invasion of Poland; nor the Korean "police action."⁴⁴ This contention would greatly damage the internationalists and subtract from the significance given to the International Court as an effective world tribunal.

The American Bar Association, which formerly condemned the amendment by a rather heavy majority, reduced the margin against it to 114 against and 107 for during the 1960 convention.⁴⁵ So, we see that the amendment has gained in respectability among the nation's lawyers, or at least among those who attended the convention and voted on the matter.

CONCLUSION

The analysis has thus far progressed in an objective manner, presenting arguments both for and against retention of the amendment. There is no conceivable way to straddle the fence on this issue. This is not to say that an extreme measure in either direction is the answer. The feeling of nationalism runs high, and rightly so. Why can't nationalism exist concurrently with an effective world court? This writer feels that it can. As it stands now, the amendment leaves our acceptance of the court's jurisdiction meaningless; a mockery to be precedent to the other nations of the world. We, as a nation, are a leader, the role by which we perform best, and we are a nation which symbolizes law and order in a democratic society. We, as a nation, took part in the creation of a world organization and a world court.

We need not make a radical move. One writer recognizes the harmful aspects of the amendment as it stands and sets forth a three-step program for improvement, all actions coming through the executive department of the United States or appointed agencies. The proposals deal with announcements that the United States will make no arbitrary decisions under the amendment and has no power to do so and with the appointment of a special committee to assist in the determination of controversies as they arise.⁴⁶ This is at least a progressive step towards strengthening the International Court and

⁴⁴ Schweppe, *The Connally Reservation Should Not Be Withdrawn*, 46 A.B.A.J. 732 (1960).

⁴⁵ Proceedings of the House of Delegates: Washington, D.C., August 29-September 2, 46 A.B.A.J. 1226, 1236 (1960).

⁴⁶ See Schlesinger, *supra* note 10.

lessening the degree of control we could presently exert, and yet not leaving us vulnerable to the court's will. An agreeable median will be reached eventually through compromise; the method by which most crucial issues are decided in this country.

Recognition will have to be given to the shrinking world and the slow but steady process of a merger of cultures and civilizations of the East and West, which may eventually bring a uniform definition of sovereignty and necessitate an all-powerful world organization, including the same type of world court. The transition into a peaceful world due to the awesome powers of destruction now developed is another important factor to consider. It is obvious that the present amendment is not satisfactory to everyone; nothing ever is. The complete change will not and should not be immediate in time. It should occur naturally, through man's reasoning, whenever it is logically feasible to be effectuated. This is a problem to be reckoned with by our children and perhaps by theirs. There is one thing to *always* keep in mind: it is of the utmost importance that both viewpoints be carefully examined. Then, we will be capable of making an intelligent, if not a perfect, decision.

John Dixon, Jr.