

Second, he looks at the growing and then declining popularity of the so-called Optional Clause, by which 42 states had declared by 1934 that they would accept obligatory jurisdiction (in those days of the Permanent Court). The decline was speeded by the U.S. invention in 1946 of the "push-button clause," under which a state involved in a pleading could suddenly deny the Court's jurisdiction at any time up to the actual delivery of judgment, even though it had made a declaration supporting the Optional Clause. Read urged the abandonment of this "push-button clause." Third, he suggested improvements to the World Court itself, including the creation of special or regional chambers with flexible rules, designed to sit anywhere in the world.

On his fourth idea, the problem of conformity, Read was eloquent. International law and justice, he argued, "are part of the institutional expression of the culture which we call Western civilization [formed] by the impact of Christianity on Greek culture, Roman legal and political structure, and barbarian invaders, in the course of the disintegration of the Roman Empire." Grotius had based his notion of a universal body of law on this moral foundation, which still seemed to prevail at the time of the San Francisco Conference in 1945. But by 1960, "a substantial majority of the membership of the United Nations consists of States beyond the shrunken confines of Christendom, nations that do not share the common moral foundation. The sanction that upheld international law for three centuries has been weakened."

What was to be done? Read is quite clear, if heretical to some. "The notion that standards, long acceptable to the West, should be lowered to levels acceptable to the new nations and the Communist powers may seem shocking; and the suggestion that there is possibility of movement towards acceptance of Western standards by the new nations and the East may seem unthinkable. But survival may depend on our readiness to accept shocks and to think the unthinkable. The problem of conformity is not a matter of weeks or months. It is an historic process—a matter of generations. It is not a matter of making up minds today about the content of the international law of the future. It is a matter of coping with international problems as they arise between nations of Christendom and nations of the new dispensations; and working out, through successive years, the inevitable adjustments between conflicting interests...."

Read pointed out, as grounds for hope, that Communist nations had not disavowed international law. "Indeed, in Russia far more support is given to study and research in international law than in Canada."

He ended thus: "There is need for a revolution in our thinking and in our policy, designed to end the cold war, to eliminate the causes of international friction, to re-establish good will and to promote the rule of law on the international plane. As regards thinking, there is a need to abandon clichés as substitutes for reason and to open the mind to facts.

"There is a need to approach the practical problems of adjustment, having in mind the actual interest of the country and of mankind.... There is need to abandon the new diplomacy, which now, in all too many countries, consists of vituperation, tantrums and impassioned speeches aimed at the voter at home and irrelevant to national and world interest. There is need to restore