

Second, I cannot agree that the UN Charter permits the Entebbe activity simply because it is not explicitly forbidden under Article 2 (4). I feel that it does us and our cause more harm than good to manipulate the meaning of the Charter than to admit that the Charter may be inadequate. It seems clear to me from not only Article 2 (4) but also Article 2 (3) that the Charter prohibits the use of force and requires the use of peaceful settlement. And, after all, one of the "Purposes" referred to in the last phrase of Article 2 (4) is, under Article 1 (1), ". . .to maintain peace. . . to bring about by peaceful means. . . ."

Finally, I have trouble with Professor Paust's analogy of the Entebbe situation to the American invasion of Cambodia in 1970. For starters, the American activity interfered with Cambodian sovereignty and territorial integrity in ways not even remotely similar to the Israeli action in Uganda. Going through my list of criteria for judging the permissibility of any act of "rectification," I can find nothing which fits in the Cambodian invasion.

I am also unfamiliar with his reference to "customary law" which "authorized such forms of selective self-defense inside neutral territory."

In general I would argue that he seems to be attributing to international law more ammunition than I feel it carries. My feeling is that with international law we are working with a most imperfect tool, but that to make the most of it we must treat it as realistically as possible and defend what integrity it does have, rather than try to attribute to it more than it can produce.

When the United Nations Special Session on Disarmament meets in New York in May and June 1978, a topic of certain discussion will be the linkage between monetary savings from lower levels of military spending and the amount of official development assistance given to the less developed countries. This question is of pressing importance to

## Disarmament and Development: a Policy of Linkage?

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the less developed countries, as world military spending (\$370 billion in 1975) continues to dwarf official development assistance (\$17 billion in 1975). Even a 5% reduction in military expenditures would free resources equal to the total

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world official development assistance.<sup>1</sup>

The United Nations's special interest in disarmament and development was signalled by General Assembly Resolution 380 (V) of November 17, 1950, which spoke of the need "to reduce to a minimum the diversion for armaments of its human and economic resources and to strive towards the development of such resources for the general welfare with due regard to the needs of the under-developed areas of the world."<sup>2</sup>

Despite efforts throughout the 1950s and 1960s, momentum only began to build behind proposals to establish a link between savings from military cutbacks and world development about 1970. Resolution 2685 (XXV) of the twenty-fifth UNGA session requested the Secretary General to form suggestions for linking the Second Development Decade to the Disarmament Decade. The Secretary General-appointed Group of Experts on the Economic and Social Consequences of Disarmament reported to ECOSOC in 1973 that while both disarmament and development were of fundamental importance, the lack of progress in the disarmament field should not be allowed to slow developmental progress. They urged, however, that disarmament and development could be linked if public opinion were aroused by the blatant contrast between wasted military resources and unfilled developmental needs.

A Soviet initiative of September 25, 1973 resulted in the adoption on December 7, 1973 of General Assembly Resolution 3093A which endorsed a ten per cent military spending cut by the permanent Security Council members (US, USSR, UK, CHINA, FRANCE) and the allocation of ten per cent of the savings to development assistance. Other countries were urged to follow suit and the Secretary General was simultaneously requested to appoint a group of experts who would report on possible measurements of military budgets, reduction methods, and the economic consequences of disarmament.<sup>3</sup>

These experts thoroughly demonstrated the complexities of comparing the military budgets of countries with different reporting systems. Pursuant to a Mexican proposal of December 9, 1974, member states were given until June 30, 1975 to report their reactions to the issues raised in the Experts' report for discussion at the thirtieth session. The difficulties associated with comparing military budgets were raised and further study suggested. Should civil defense, space research or civil-military hospital spending be included in military budgets? How were items in the military budgets to be valued? What price

1. All figures on military expenditures are taken from *World Military Expenditures and Arms Transfers 1966-1975*, US Arms Control and Disarmament Agency, Washington, D.C.

2. United Nations General Assembly, *Reduction of Military Budgets of States Permanent Members of the Security Council by 10 Per Cent and Utilization of Part of the Funds thus Saved to Provide Assistance to Developing Countries*, Report of the Secretary General, October 14, 1974, p. 8.

3. *Ibid.*, the report prepared by the Group of Consultants on the Reduction of Military Budgets.

index applied? What exchange rates should be used for comparison? How could prices be determined in centrally planned economies? How could a standardized format of military expenditure reporting (universal or selected initial reporting to the General Assembly or to a selected group of experts) be implemented? In accordance with Resolution 3463 (XXX) qualified experts were provided by ten countries to study the problems associated with military expenditure reporting. The Soviet Union and Czechoslovakia declined to provide experts on the grounds that the original purpose of the 1973 Resolution had been perverted, thus signalling the political cobweb which overlay the entire discussion.<sup>4</sup>

The resulting report, presented to the General Assembly on October 20, 1976, provided a specific set of military expenditure definitions, and a format of reporting for market and centrally planned economies.<sup>5</sup> Under Resolution 31/87 of December 14, 1976, all states were to forward their comments on this reporting format to the Secretary General by April 30, 1977. The Secretary General in turn was to report by August 31, 1977.

What emerged from this discussion was a clear set of arguments on both sides of a question which sought to mix the variables of morality and security on the familiar political palette in a novel way. The disproportionate use of world resources for military and development purposes undoubtedly undergirds the entire discussion.

Even a small cut in military spending would free economic resources equal to a considerable portion of current official development assistance. Such assistance, allowing higher growth rates and stimulating trade, has economic as well as moral appeal. Current US policy on the North-South dialogue generally takes a more positive attitude to the problems of the developing world. This attitude is in line with most Western foreign offices who perceive that a world of governments unable to cope with poverty would have serious political, economic and military consequences.

Both economic development and reduction in world military expenditures seem appealing goals — in Washington as elsewhere. Linking development aid to military spending would kill two birds with one stone. Additionally, a "carrot and stick" approach would reinforce desirable actions. Increased development assistance would be given to those developing countries which showed restraint in military spending, providing incentives for restraint.

If a military reduction-aid reallocation scheme were approved by the UN,

4. UNGA, *Reduction of Military Budgets: Measurement and International Reporting of Military Expenditures*, Report of the Secretary General, October 20, 1976.

5. *Ibid.*, experts were provided by the United States, United Kingdom, Sri Lanka, Peru, Yugoslavia, Japan, Mexico, Federal Republic of Germany, Sweden and Nigeria. For a further discussion of the military expenditure measurements problems see Abraham S. Becker and Bengt-Christer Ysander, *International Limitation of Military Expenditure: Issues and Problems*, Rand Corporation report R-1911-ACDA, April 1976.

the Soviets may be induced or forced to increase their development assistance (.05% GNP in 1975 compared to .27% US) and reduce their military spending (12% GNP in 1975 compared to 6% US).

Despite its clear conceptual appeal, a policy of linkage suffers under a series of apparent disadvantages fabricated by reversing the advantages or sketching the results in political terms. Although linkage could mutually reinforce success in both areas, if forward progress can be made in only one field, the net effect would be negative. Congress may be reluctant to cut back military spending if the savings are to be directed to the developing countries. Increased development assistance should not be held back because of a lack of progress in controlling military expenditures.

Furthermore, linkage favors countries which have built up military inventories in the past although designed to reward countries which show military spending restraint. Withholding aid from developing countries with large military establishments may result in further impoverishment of the poor who are unable to alter their government in any case.

However much study it may be given, a military expenditure limitation scheme would not be enforceable without a system of verifiable standardized military budget reporting. So long as Eastern bloc military budgets remain highly secretive, no serious reduction scheme can be considered. Whatever their idealistic appeal, past efforts to beat swords into plowshares have been little more than verbal exhortations. Unrealistic calls for linkage, as for complete disarmament, may breed a cynicism counterproductive to serious disarmament.

These objections can nevertheless be overcome. The disparate but desirable goals of reduced world military expenditures and augmented economic and social development can be pursued so as to support one another.

If the political and the idealistic rhetoric are shorn away, priorities chosen as follows would serve to implement these goals: The United States should continue to support the UN Group of Experts study concerning the standardized reporting of military expenditures and should press for renewed authority of the Group of Experts at the UN Special Session next year. The universal adoption of standardized reporting, necessary for military expenditure reductions or limitations, deserves our firm support. The United States should promote openness of military expenditure figures. Secretive military spending raises international tensions and lowers international security. Countries which maintain secret military budgets should be pressed to open up their military reporting.

The United States should press for the universal limitation of military expenditures. Many developing countries have large military expenditures, both in absolute and in per cent of GNP terms and while only a portion of the funds saved by military cutbacks in the developed countries can be used for